

3.11 Deputy R.G. Le Hérissier of the Minister for Health and Social Services regarding the suspension of medical practitioners attached to Health and Social Services:

Under what circumstances are medical practitioners attached to Health and Social Services suspended and what reviews if any are built-in to any such suspensions?

Senator J.L. Perchard (The Minister for Health and Social Services):

Decisions taken to suspend or exclude employees from work are never taken lightly. They are invoked when there are concerns about the performance or conduct of staff in an environment where the maintenance of patient safety is paramount. All suspensions or exclusions within the Health and Social Services Department are undertaken in compliance with the policies and procedures agreed by the States Employment Board. When appropriate, external expert advice is sought from the U.K.'s National Clinical Assessment Service to ensure that cases are handled fairly and with independent rigour. The process for handling concerns and disciplinary procedures relating to the conduct and performance of doctors and dentists identifies the procedure for keeping exclusions under regular review. This requires that I am informed at the earliest opportunity about any exclusion and that regular reports on progress in each of these cases are brought to my attention. I need to be satisfied that all reasonable efforts are being made to bring the suspension to an end as quickly as possible.

3.11.1 Deputy R.G. Le Hérissier:

I wonder if the Minister could tell us at what point - is it, for example, 3 months, every month, every 2 weeks - at what point is he informed of the progress of an inquiry? Secondly, could he confirm that when suspensions are put in place they are what is termed "neutral" and if so what does he mean by neutral?

Senator J.L. Perchard:

I can confirm that my department Chief Officer has to advise me of the current position with regards to a suspension on a monthly basis. Yes, with regards to suspensions - I know the Deputy's strong views on this - they are suspended without prejudice and it must be considered a neutral act.

3.11.2 The Deputy of St. Martin:

As the Members may have noticed on written question number 3, almost £700,000 has been paid to members of staff who have been suspended or to pay for overtime being paid. Can the Minister give us his assurance that he will look into this? Is he really happy that the suspension procedure, i.e. with reviews, is really working effectively?

Senator J.L. Perchard:

The Deputy knows exactly what my answer will be. I cannot bear to see this figure. It just riles me; £750,000 on suspended personnel and their replacements per annum at Health and Social Services. It is unacceptable. Members will know by my body language and my excitement over this, I have tried to understand every circumstance around every detail. Unfortunately, most of this money is spent as a result of a police investigation and judicial process where we are advised - and I question this advice - that we cannot take disciplinary action during this process. Now if we have somebody suspended in a process with a police investigation and judicial process, that

takes months, years and we have to just pay the salary and replace the professional with a locum and we have to do this blindly. I am now questioning this advice and it is certainly something that I think we can take disciplinary action at the same time as a police investigation and judicial process is taking place, but it will be probably against the advice of our Law Officers.

3.11.3 Deputy R.G. Le Hérissier:

With reference to the Minister's comments, could he tell us in instances where the police are not involved and he gets monthly reports, does he get tangible evidence that during that month substantial progress has been made with every inquiry?

Senator J.L. Perchard:

Where there is not a police investigation and there is not a judicial process we are very proud of our figures in dealing with the suspension. In fact, I think the Chief Minister quoted from the States Employment Board, where there has not been police involvement it is inside 8 weeks, and we really have not a problem unless there is a third party involvement.