



Zero Tolerance

Dealing with abusive and
violent patients

A Guidance Document for Practices

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North and South Essex LMCs operate a zero-tolerance policy

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- North & South Essex LMCs operate a zero-tolerance policy to abuse and violence directed to General Practice. Abusive, aggressive or threatening behaviour includes verbal and other means (such as letters, emails, and social media postings). It also includes unacceptable use of language, such as swearing or inappropriate sexual references or actions.
- Practices are seeing an increasing rise in abuse and violent behaviour from their patients. Dealing with such behaviour puts a huge strain on time and resources and causes unacceptable stress for staff. When GP practices have a patient who is violent or exhibiting behaviour that makes them fear for their safety, the patient should be immediately removed from the practice list. This guidance has been developed by Essex LMCs to reflect NHS Regulations plus guidance from NHSE and the BMA.
- Practices should consider this guidance alongside their complaints and zero tolerance policies.

Regulations (part one)

Regulations (part one)	Guidance
<p>● NHS Regulations set out the requirements for immediate removal of patients who are violent:</p> <p><u>Removal from the list of patients who are violent</u></p> <p>25.— (1) Where a contractor wants a person to be removed from its list of patients with immediate effect on the grounds that:</p> <p>(a) the person has committed an act of violence against any of the persons specified in sub- paragraph (2) or has behaved in such a way that any of those persons has feared for their safety; and</p> <p>(b) the contractor has reported the incident to the police, the contractor must give notice to the Board in accordance with sub-paragraph (3). (1A) Where a contractor-</p> <p>(a) accepts a person onto its list of patients; and</p> <p>(b) subsequently becomes aware that the person has previously been removed from the list of patients of another provider of primary medical services-</p> <p>(i) because the person committed an act of violence against any of the persons specified in sub-paragraph (2) (as read with sub-paragraph (2A)) or behaved in such a way that any of those persons feared for their safety; and</p> <p>(ii) the other provider of primary medical services reported the incident to the police, the contractor may give notice to the Board in accordance with sub-paragraph (3) that it wants to have the person removed from its list of patients with immediate effect.</p> <p>The above regulations can be found on the legislation.gov.uk website by clicking on the guidance link on the right.</p>	<p>Removal from the list of patients who are violent</p>

Regulations (part two)

Regulations (part two)	Guidance
<p>25.— (2) The persons specified in this sub-paragraph are:</p> <p>(c) the contractor, where the contractor is an individual medical practitioner;</p> <p>(d) in the case of a contract with two or more persons practising in partnership, a partner in the partnership;</p> <p>(e) in the case of a contract with a company limited by shares, a person who is both a legal and beneficial owner of shares in that company;</p> <p>(f) a member of the contractor’s staff;</p> <p>(g) a person engaged by the contractor to perform or assist in the performance of services under the contract; or</p> <p>(h) any other person present—</p> <p>(i) on the contractor’s practice premises, or</p> <p>(ii) in the place where services were provided to the person under the contract.</p> <p>(2A) For the purposes of sub-paragraph (1A), any reference to “the contractor” in sub-paragraph (2) is to be read as a reference to the other provider of primary medical services referred to in subparagraph (1A), and sub-paragraph (2) is to be construed accordingly.</p> <p>(3) Notice under sub-paragraph (1) or (1A) may be given by any means but, if not in writing, must subsequently be confirmed in writing before the end of a period of seven days beginning with the date on which notice was given.</p> <p>(4) The Board must acknowledge in writing receipt of a request for removal from the contractor under sub-paragraph (1) or (1A).</p> <p>(5) A removal requested in accordance with sub-paragraph (1) or (1A) takes effect at the time at which the contractor—</p> <p>(a) makes a telephone call to the Board; or</p> <p>(b) sends or delivers the notice to the Board.</p> <p>(6) Where, under this paragraph, the contractor has given notice to the Board that it wants to have a person removed from its list of patients, the contractor must inform that person of that fact unless—</p> <p>(a) it is not reasonably practicable for the contractor to do so; or</p> <p>(b) the contractor has reasonable grounds for believing that to do so would—</p> <p>(i) be harmful to that person’s physical or mental health, or</p> <p>(ii) put the safety of any person specified in sub-paragraph (2) at risk.</p> <p>(7) Where a person is removed from the contractor’s list of patients under this paragraph, the Board must give that person notice in writing of that removal.</p> <p>(8) The contractor must record the removal of any person from its list of patients under this paragraph and the circumstances leading to that removal in the medical records of the person removed.</p> <p>The above regulations can be found on the legislation.gov.uk website by clicking on the guidance link on the right.</p>	<p>Removal from the list of patients who are violent</p>

Process for removal of a violent patient (part one)

Notify the Police

Process for removal of a violent patient (part one) - Notify the Police

- **Once satisfied that a patient's behaviour warrants removal from the practice list, in order to remove a patient immediately, the practice is required under GMS and PMS regulations to:**

- **Notify the Police:**

In order to remove a patient immediately for cases of serious violent assault, threat or damage, the practice should report the incident to the police in an appropriate timeframe and obtain an incident number, due to the incident having left the person feeling sufficiently threatened for their own safety, or that of another.

The practice, where appropriate, should dial 999 on the day of the incident and if necessary, summon police assistance/attendance. When contacting the Police, it is important that the practice makes it clear that an incident has occurred about which the practice wants to make a formal statement as soon as possible, so as to support the situation that is to qualify for immediate removal.

Process for removal of a violent patient (part two)

Notify the Commissioner (via PCSE)

Process for removal of a violent patient (part two) - Notify the Commissioner (via PCSE)

● **Once satisfied that a patient's behaviour warrants removal from the practice list, in order to remove a patient immediately, the practice is required under GMS and PMS regulations to:**

● **Notify the Commissioner (via PCSE):**

The practice is required to notify the Commissioner via PCSE either by telephone (0333 014 2884), or emailing Pcse.immediateremovals@nhs.net. At this point there will be a reasonable expectation that practices will be able to evidence contact with the police by passing on details of an incident number or detail why this has not been possible and, if possible, call back with an incident number as soon as practical. The absence of an incident number will not delay the immediate removal of a patient.

NHS England guidance suggests that the practice follow up the call with a written report of the incident (including police incident number), preferably within 24 hours but no more than 7 days after the incident occurring and via email to the Commissioner.

Following request for immediate removal of a patient, PCSE will notify the patient and commence the removal process. Following the removal and in conjunction with the commissioners as necessary, PCSE will allocate the patient to the SAS (but recognises the patient retains the right to choose not to be registered at all). A flag is placed on the patient record which prevents the patient from registering at other GP Practices.

PCSE will write to the patient to notify them of the removal and ongoing management arrangements. It is expected that this process will be completed within a 24-hour working period from the initial notification. After removal, all requests and allocations to SAS will be reviewed by a SAS Panel. The panel will monitor the ongoing appropriateness of the removal, allocation and rehabilitation of the patient. This is with a view to safely returning choice to the patient in timely way and reintegration to mainstream Primary Care.

Registered providers and managers of NHS GP and other primary medical services must also comply with their regulatory obligations, for example to notify CQC about certain incidents that took place “while an activity is actually being provided or as “a consequence of its being provided” (CQC, 2013) and when an incident is reported to or investigated by the police.

There is no appeals process!

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- NHS England Primary Medical Care Policy and Guidance Manual (PGM) sets out an appeal process for patients removed under these Regulations.
- **There are no provisions within the Regulations to support an appeal process for immediate removal and allocation of a patient to the SAS.**
- **If you have removed a patient because of abusive or violent behaviour and there is any suggestion of your practice being advised on an appeal please rebut it immediately and contact the LMC for assistance.**



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