

POLICY CONTROL SHEET
(updated August 2011)

Policy Title and ID number:	SE 3.9 SUPPORTING STAFF INVOLVED IN AN INCIDENT, COMPLAINT OR CLAIM			
Sponsoring Director:	Director of Human Resources and Organisational development			
Implementation Lead:	Occupational Health Manager			
Impact:	(a) To patients	No		
	(b) To Staff	Yes		
	(c) Financial	No		
	(d) Equality Impact Assessment (EIA)	Yes		
	(e) Counter Fraud assessed	Completed: Yes		
	(e) Other			
Training implications:	To be incorporated into induction: Yes / No			
Date of consultation:	Approval Process	Date	Local Consultation	Date
	Executive Team		Joint Partnership Forum	
	Board Committee:		Local Negotiating Committee	
	• Clinical Governance	05/12/11	Infection Control Committee:	
	• Non Clinical Governance & Risk	17/01/12	Health & Safety Committee	
	• Audit Committee		Quality Safety Improvements & Effectiveness Board	
	• Finance Committee			
	• RATS		Investment Board	
	Trust Board Approval / Ratification		Patients Experience Board	
	Other:		Other:	
Approval/Ratification at Trust Board:	January 2012	Version Number:	3	
Date on Policy Warehouse:	February 2012	Team Brief Date:		
Circulation Date:		Date of next review:	January 2014	

For completion by ET for new policies only:				
Additional Costs			Budget Code:	Revenue or Non Revenue
	(a) Training	£		
	(b) Implementation	£		
	(c) Capital	£		
	(d) Other	£		

OCCUPATIONAL HEALTH SERVICE
POLICY SUPPORTING STAFF INVOLVED IN AN INCIDENT, COMPLAINT OR CLAIM
DOCUMENT ID: (POLICY SUPPORTING STAFF INVOLVED IN AN INCIDENT,
COMPLAINT OR CLAIM)
SE3.9

JUNE 2007
AMENDED: February 2010 and August 2011

TO BE REVIEWED TWO YEARS FROM POLICY APPROVAL DATE

SPONSORING DIRECTOR: HUMAN RESOURCES DIRECTOR

OCCUPATIONAL HEALTH SERVICE

POLICY SUPPORTING STAFF INVOLVED IN AN INCIDENT, COMPLAINT OR CLAIM (POLICY ID: SE3.9)

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ABBREVIATIONS AND ACRONYMS

BHNFT	Barnsley Hospital NHS Foundation Trust
BMA	British Medical Association
RCN	Royal College of Nursing
RIDDOR	Reporting of Injuries Diseases and Dangerous Occurrences Regulations
Sentinel	Incident reporting system
CQC	Care Quality Commission
SI	Serious Incidents

POLICY TO SUPPORT STAFF INVOLVED IN AN INCIDENT, COMPLAINT OR CLAIM

1 STATEMENT OF INTENT

Barnsley Hospital NHS Foundation Trust is committed to providing appropriate support to all staff involved in incidents, complaints or claims that cause psychological and/or emotional trauma. These may be (but not exclusively):

- drug error
- disciplinary hearing
- high risk contamination incident
- episode where a patient is harmed
- allegations of negligence

This policy details the support that will be offered by Barnsley Hospital NHS Foundation Trust to any member of staff who is involved in an incident, complaint or claim.

The Trust is committed to ensuring the safety of patients, staff and visitors, and in the case of an incident, will ensure that immediate safety issues are addressed as the first priority. Once safety issues are resolved, the Trust will ensure that staff who need support are identified, and support offered.

2 INTRODUCTION

Health and Safety Legislation applies to both the physical and psychological health of employees and employers need to consider how they will respond to traumatic events in the workplace. The Trust has a 'duty of care' to look after the psychological as well as the physical well being of staff, and through its policies and procedures ensure that the risk of any member of staff being exposed to a traumatic incident is managed appropriately. In the case of a traumatic incident taking place, staff need to know exactly what support is available to them in the short and longer term, internally and externally, and details of how to access that support. All incidents will be treated individually.

The process for reporting incidents is set out in the Trust's Incident Reporting Policy. The Policy to Support Staff involved in an Incident, Complaint or Claim will focus on the processes in place to support staff, and not describe any of the processes relating to reporting incidents

3 **IMPLEMENTATION**

Managers are required to put in place systems to enable support to be provided to staff with their individual needs, depending on incident/event. For example:

Individual's Responsibility

- Immediate action to minimise the impact of the incident
- Report incident to senior person
- Complete Sentinel
- Seek medical support /advice

Depending on the circumstances, elements of care for the individual could differ.

The Trust will provide a safe working environment, conditions and facilities that will ensure compliance with current health and patient safety standards. The Trust will continue to reduce the risk of incidents which could lead to staff being involved in complaints or claims, and will provide support when this type of incident unfortunately occurs.

Immediate support offered to staff (internally and, if necessary, externally) will include:

- In an emergency, the staff member may require attention in the Emergency Department. The department is open twenty-four hours per day.
- Support can be obtained from the Crisis Resolution Home Treatment Team; telephone 01226 432313.
- Clinical Directors, Matrons and Lead Nurses must decide whether a member of staff needs to be allowed time off work after a serious incident, and each incident will be assessed individually.
- Self-referral or manager referral to Occupational Health, direct telephone number 01226 434939 or extension 4939, Block 9, Gawber Road, Barnsley.
- Pastoral Care (extension 2725 or bleep 345).
- Staff can contact their own unions for external guidance and support
- Staff can contact the Trust's Mental Health Nurse – (direct telephone number 01226 434939 or extension 4939) or Trust's stress advisor/s.

Ongoing support offered to staff (internally and, if necessary, externally)

- Clinical Directors, College Tutors, Educational Supervisors, Matrons and Lead Nurses must offer staff involved in an incident the opportunity for a debrief. If the incident involves negligence, the member of staff should be directed to another resource, such as Human Resource to facilitate a debrief and clinical supervision.
- Self-referral or manager referral to Occupational Health, and/or Registered Mental Health Nurse, telephone 01226 434939 or extension 4939, Block 9, Gawber Road, Barnsley.
- Pastoral Care (extension 2725 or beep 345).
- Access to the Yorkshire Deanery Counselling Services, telephone 0113 343 4642
- Doctors for Doctors, BMA, telephone 0845 920 0169

- RCN counselling services 0845 769 7064
- Staff can contact their own unions for external guidance and support.

Advice available to staff (including in the event of them being called as a witness)

Depending on the incident; debriefing, investigations and/or support will be required. Effective communication of the events needs to be handled sensitively and quickly. Should the incident lead to investigation, police intervention, court appearances etc., staff can be supported by:

- BHNFT Non-Clinical Risk Manager
- BHNFT Risk Manager, can help with production of statements and court procedures. Access Trust Solicitors / Trust Legal Advisors.
- Court Liaison Officer can help with court procedures.
- Registered Mental Health Nurse
- Occupational Health Advisor
- Staff side representative
- Senior, experienced staff at BHNFT will provide 'coaching' to support staff through a court case.

4 MANAGEMENT ARRANGEMENTS

Responsibilities for this work lies with the following people:

4.1 Chief Executive

The Chief Executive has overall responsibility for Health, Safety and Welfare for staff working at Barnsley Hospital NHS Foundation Trust (BHNFT). In relation to this policy the responsibilities are:

- To ensure that there is an effective policy in place, which has been approved by the Board of Directors, and the policy is revised as appropriate.

4.2 Director of Human Resources

The Director of Human Resources has overall responsibility for the implementation and communication of the policy. The Director also has responsibility for ensuring that there are appropriate Occupational Health and other formal support services available within the Trust or accessible by the Trust to deliver the policy requirements.

4.3 Directors will ensure that their areas of responsibility are aware of the policy, take note of, and act upon information and recommendations received and:

- provide the necessary resources to enable the policy to be actioned.
- ensure that time management of cases and communication is maintained.
- ensure that the Trust appoints competent advisors to provide advice and guidance to those who require support
- agree and support action plans created in their areas of responsibility

4.3 Managers/Supervisors

- Implement the policy

- Ensure all persons working for them understand and follow this policy when required.
- Assess whether staff involved in an incident should leave work in order to recover, and how long for.
- Refer to Occupational Health if staff member is experiencing difficulties associated with the event.

4.4 Employees

It is the general responsibility of all who work at Barnsley Hospital NHS Foundation Trust to:

- Be aware of policies and follow Trust procedures.
- Request referral to Occupational Health if experiencing difficulties associated with the event.

4.5 Role and Function of Health and Safety

- To process and act upon incidents reported as per policy in relation to Sentinel reports.
- Refer to Staff Support (inform Occupational Health by appropriate code)

4.6 Human Resources

- Support individual to contact Occupational Health

4.7 Non-Clinical Risk Advisor / Clinical Risk Advisor

- Refer individual to Occupational Health for support if required.

4.8 Occupational Health

- To offer appropriate support – counselling, CBT, MDT, stress and anxiety management.
- To refer to Mental Health Nurse, Occupational Health for mediation / group / individual work.
- To support individual through sickness absence, phased return to work etc.

4.9 Reference

Other Policies to be read in conjunction with this Policy to support staff involved in an incident complaint or claim. All wards or departments should hold a copy and or available on intranet.

- Mental Health Policy
- Stress Policy
- Violence and Aggression
- Bullying and Harassment
- Major Incident Plan

5 **MONITORING**

The main monitoring requirements for compliance with the standards applied to this policy are:

- Immediate support offered to staff

- Action for managers or individuals to take if the staff member is experiencing difficulties associated with the event
- The support services provided for staff are offered on an opt-in basis, and confidential. It is not anticipated that comprehensive monitoring at an individual level is achievable for this policy; however, controls and assurance processes will be evidenced and reported through the following processes:
 - Routine monitoring of referrals to the Occupational Health Department. The Occupational Health Department will send quarterly figures to the Health & Safety Department. These will include total Counselling and Wellbeing Team appointment figures and will then be presented at the Governance Committees.
 - CQC monitoring and evidence of Clinical/Medical Supervision
 - SI and Root Cause Analysis Reports confirming debriefs and referral for Staff Support
- Ad-hoc evidence via the Individual Appraisal process
- Ad-hoc evidence from Incident Report Forms where support has been identified.

6 REVIEW DATE

6.1 August 2013

Cross Reference Documents

- Whistle Blowing Policy
- Stress Management Policy
- Psychosocial Support Guidelines
- Incident reporting