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**PAPER 2**  
29 October 2020

## **PATIENT SAFETY COMMISSIONER (PSC) – PATIENT REFERENCE GROUP**

### **DISCUSSION PAPER**

#### ***First Do No Harm – Cumberlege Review***

*First Do No Harm: The Report of the Independent Medicines and Medical Devices Safety Review* (the Cumberlege Review)<sup>1</sup> was published on 8 July 2020. The review examined how the healthcare system in England responds to reports about harmful side effects from medicines and medical devices, and made recommendations on how to respond to them more quickly and effectively in the future.

A key recommendation within the report is:

Recommendation 2: The appointment of a Patient Safety Commissioner who would be an independent public leader with a statutory responsibility. The Commissioner would champion the value of listening to patients and promoting users' perspectives in seeking improvements to patient safety around the use of medicines and medical devices.

In the report, Baroness Cumberlege envisaged that the Patient Safety Commissioner (PSC) would seek to address several areas for improvement in patient safety, including:

- The need for more widespread and timely recognition by the patient safety system of issues identified by patients and public.
- The need for the patient safety system to get better at listening to, and acting on, patients' experiences of avoidable harm.
- The need to be swifter, and for better co-ordination across and between agencies.

#### ***Scottish Parliament Debate on 8 September 2020***

The Scottish Government has committed, through Programme for Government, to the creation of a PSC role in Scotland, and a debate was held in the Scottish Parliament on 8 September 2020, where Jeane Freeman MSP, Cabinet Secretary for Health and Sport reaffirmed this commitment, saying that “the role must be proactive and enhance what we already have in place, with the emphasis on listening to and learning from people’s experiences and driving implementation to continually improve patient safety.”

#### ***Baroness Cumberlege’s Amendment to the Medicines and Medical Devices Bill***

In England, the Medicines and Medical Devices Bill is currently going through the Parliamentary process. Baroness Cumberlege has lodged an amendment<sup>2</sup> to the Bill, inserting a clause to establish an independent PSC.

<sup>1</sup> [https://www.immdsreview.org.uk/downloads/IMMDSReview\\_Web.pdf](https://www.immdsreview.org.uk/downloads/IMMDSReview_Web.pdf)

<sup>2</sup> <https://publications.parliament.uk/pa/bills/lbil/58-01/116/5801116-RL.pdf>



## ***Personal Testimonies and Oral Hearing Transcripts***

In the personal testimonies<sup>3</sup> and oral hearing transcripts<sup>4</sup> which accompanied Baroness Cumberlege's report there was reference, in the transcript of the National Institute for Health and Clinical Excellence (NICE) evidence session, to an independent "agency within the National Health Service – or within healthcare generally... that is actually focused on listening to patients and drawing to the attention of Politicians... and the professions and the National Health Service what is happening to patients out there so they can be investigated and the patient voice can be heard". This focussed on the need to look at patient experience as a gauge of success, rather than clinical outcome measures, and the importance of asking, rather than assuming, what really matters to a patient.

### **In advance of the first meeting, please consider the following questions:**

1. Should the PSC help and support individuals on a case-by-case basis, or should their role be to challenge the system more widely? If you feel that the PSC should challenge the system more widely, how can we ensure that they are truly speaking on behalf of patients? How would patients feed their views and experiences into the PSC?
2. Thinking of a time when you would have found it particularly helpful to have the support of a PSC, what would you expect them to have done for you?
3. How should the PSC relate to Health Boards and Government? Who else do they need to relate to?

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<sup>3</sup> <https://www.immdsreview.org.uk/downloads/Annexes/Annex-J-Personal-testimonies.pdf>

<sup>4</sup> <https://www.immdsreview.org.uk/downloads/Annexes/Annex-K-Oral-Hearing-Transcripts.pdf>