

RadcliffesLeBrasseur



Healthcare Briefing

March 2010

Reputation Management

Reputation is a valuable asset. It is important for all professionals and healthcare providers. The intrusiveness of modern media means that news can no longer simply be passed off as tomorrow's "chip paper" as many news items will be easily accessible through internet search engines – often for a considerable time.

The issue is particularly key for doctors who are required by the GMC to ensure that their conduct justifies the public's trust in the profession [1]. This can open up many parts of a professional's life to inspection in the media.

Untoward incidents in the health sector often attract media interest. Furthermore, what might be seen as relatively minor issues, if not dealt with quickly and appropriately, can turn into a serious incident and may lead to a serious untoward incident investigation. In such cases it is important to:

- Ensure that the correct reporting and investigation procedures are followed
- Ensure that proper records are kept of the the incident investigation
- Adopt where possible objective investigation techniques such as root cause analysis [2]
- Involve legal and PR advisors, and, as appropriate, HR staff at an early stage
- Ensure that communications are carefully managed.

- Ensure that any investigation process or communication does not prejudice any police investigation. Where a police investigation is underway, prior authorisation and liaison with the police is essential
- Beware "off the record" comments with any third party, especially the media: This does not protect you and certainly does not authorise a breach of patient confidentiality which must be treated carefully

Where information is published in the media, it is often important to manage this pro-actively and to correct any inaccurate reporting, to the extent that this is possible. However, there are restrictions that apply where there is a police investigation or Court proceedings and great care is needed.

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Please refer to our January Healthcare publictaion - Crisis Management at

www.rlb-law.com

Footnotes

[1] Clause 57 *Good Medical Practice*

[2] Training on root cause analysis is available through RadcliffesLeBrasseur

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