



ROYAL COLLEGE
of PODIATRY



**You don't know what you
don't know: Learning from
Mistakes**

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Professional Support Officers – Royal College of Podiatry

Do you know what RCPod insurance covers?

- **£15 million pounds of cover as standard, which includes:**
- **Malpractice (also known as Professional indemnity)**
- **Public liability**
- **Product liability**
- **Libel & slander - from yourself to another person up to £50k.**
- **Extended scope practice is also covered as long as you have done appropriate training and feel competent to carry out the treatment. The cover is for podiatry procedures on the foot and associated structure (hip and knee), as well as, the hand.**

Mistakes Happen!

Every day we speak to members who have received a complaint.

This may be:

- **From a patient**
- **From a patient's family**
- **From another healthcare professional**
- **From the HCPC**
- **From a solicitor**
- **From a coroner**

When we represent members following a complaint we find even when a clinical mistake has not been made quite often record keeping mistakes have occurred and the way a complaint is responded to is not always appropriate.

This can cause complaints to escalate - you can't undo an error but you can try to prevent them in the first place.

We assisted

100+

Members with their cases so far this year!

Litigation Cases cost the College

£560,000

last year!

HCPC Cases cost the College

£14,000

per full hearing case last year!

Do you know what to do if you receive a patient complaint?

- It is always upsetting when you receive a complaint.
- Do not respond immediately if possible so you can digest what the complainant is unhappy about.
- Contact the Professional Support Officers straight away for advice.
- Try to understand even if the complainant is incorrect in their complaint they are dissatisfied with their experience for their own reasons.
- It is ok to apologise for how they are feeling i.e. I am sorry to hear you feel dissatisfied.
- We will assist in writing a reply that deals with the patient's complaint but also protects you if they decide to sue or complain to the HCPC.



Issues that we commonly see

Inappropriate replies e.g. overly defensive, aggressive, threatening

Replying through inappropriate channels i.e WhatsApp, Texts, Facebook Messenger

Unprofessional style i.e text speak, too casual

Use of emojis or kisses

Being derogatory about the patient

PLEASE COME TO US FIRST BEFORE RESPONDING!

Is it ok to give a refund?



Yes!



It is fine to give a gesture of goodwill refund – in fact it is seen as good business practice.



Both a court and the HCPC see goodwill refunds as your way of trying to resolve the patients concern without admitting liability.



The Royal College has template letters to utilise for offering this type of refund.



I've received a complaint on social media/text/what's app.



Reply to say you are sorry to hear they have concerns.



Ask them to write, ring or email you with their concerns so you can respond appropriately.



Do not get engaged in long conversations on social media etc as it is unprofessional and not secure.



Do you know what to do if you receive a solicitor's letter?

If you receive a letter from a solicitor, contact the Professional Support Officers IMMEDIATELY

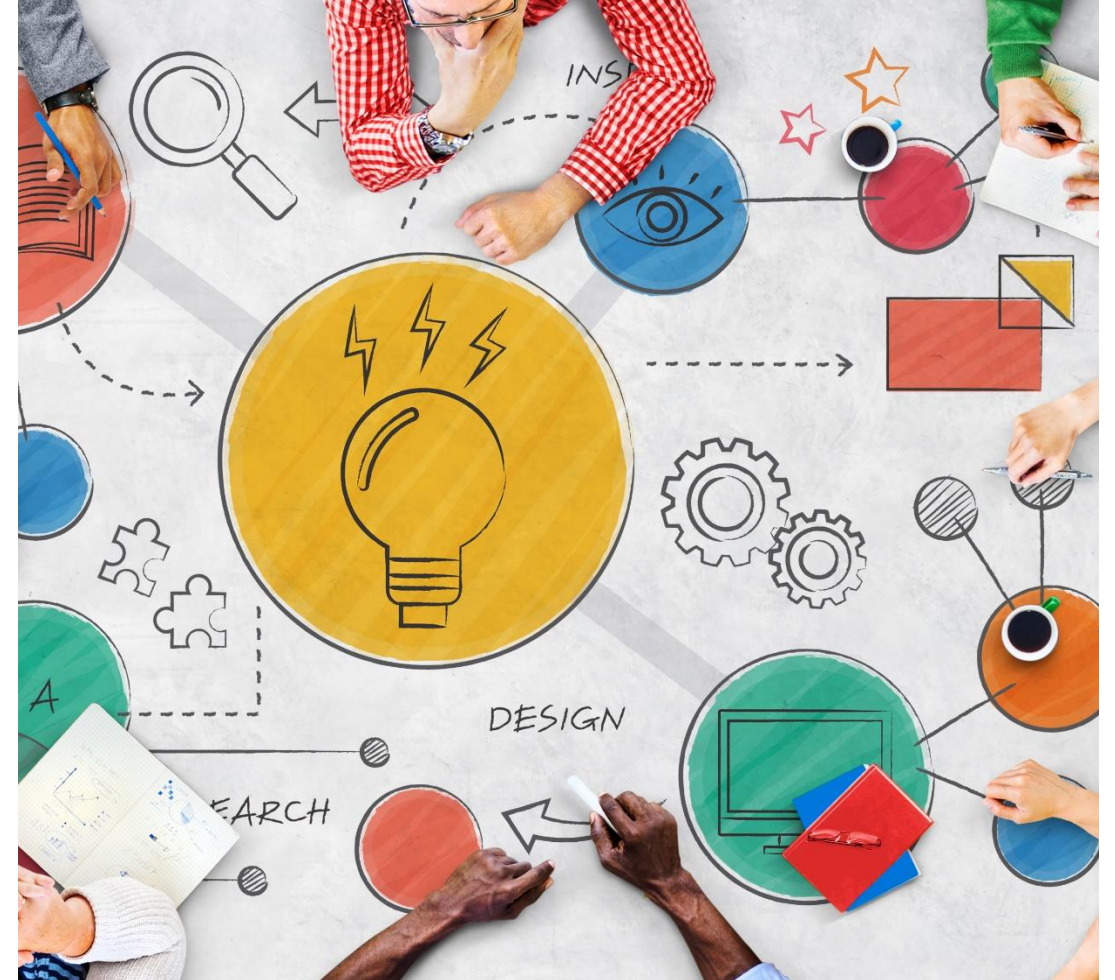
They will contact the insurers and will get a solicitor usually from Weightman's assigned to your case.

Learning Development Plans

When a complaint occurs it is very rare not to learn something from the incident.

The main issues we see are:

- Record Keeping issues i.e. strength of acid not recorded
- Lack of Consent
- Infection
- Poor Communication i.e. podiatrist did not know patient was going on holiday day after nail surgery
- We work with members to produce a Learning Development Plan to help prevent future reoccurrence.



Record Keeping Course

Record Keeping errors are the most common mistake we see in most cases.

We highly recommend all members attend a record keeping course.

You can ask your local branch or NHS trust to put one on.

We also do virtual national courses.

Attend a virtual Record Keeping Course

- **13th March 2024**
- **23rd September 2024**
- **27th June 2024**

Book via <https://www.eventbrite.co.uk/o/royal-college-of-podiatry-14477731644>

Do you know what to do if you receive a HCPC letter?

If you receive a letter from the HCPC contact the Professional Support Officers IMMEDIATELY

The notification will come in the post or email– make sure the HCPC have the correct contact details – this is your responsibility!

The Professional Support Officers will assist you. If it goes to a full hearing Thompsons will represent you.

Complaints

A complaint to the HCPC can be made by anybody.

This includes:

Patients

Patients Family/Friends

An employer i.e. the NHS or practice owner

Court/Police

Do you know when you need to self-refer to the HCPC?

Self-referring is where you report yourself to the HCPC due to an issue such as:

- **Health**
- **Police Caution**
- **You have restriction of practice i.e. from your employer**

ASK FOR PROFESSIONAL OFFICER ASSISTANCE

You DO NOT need to report when:

- **You have a speeding or parking ticket**
- **If you are managing a health condition which does not affect your fitness to practice – we would recommend seeking advice from us to double check.**

- The HCPC are interested in how you are NOW rather than at the time of the event.
- You need to show that if you have done something wrong that you have **learnt from the experience** and show that what you have done to **prevent this from happening again**.
- The Professional Support Officers will help put your case forward in the best possible way.

Do you know what sanctions the HCPC can give you?

No case to answer

Mediation

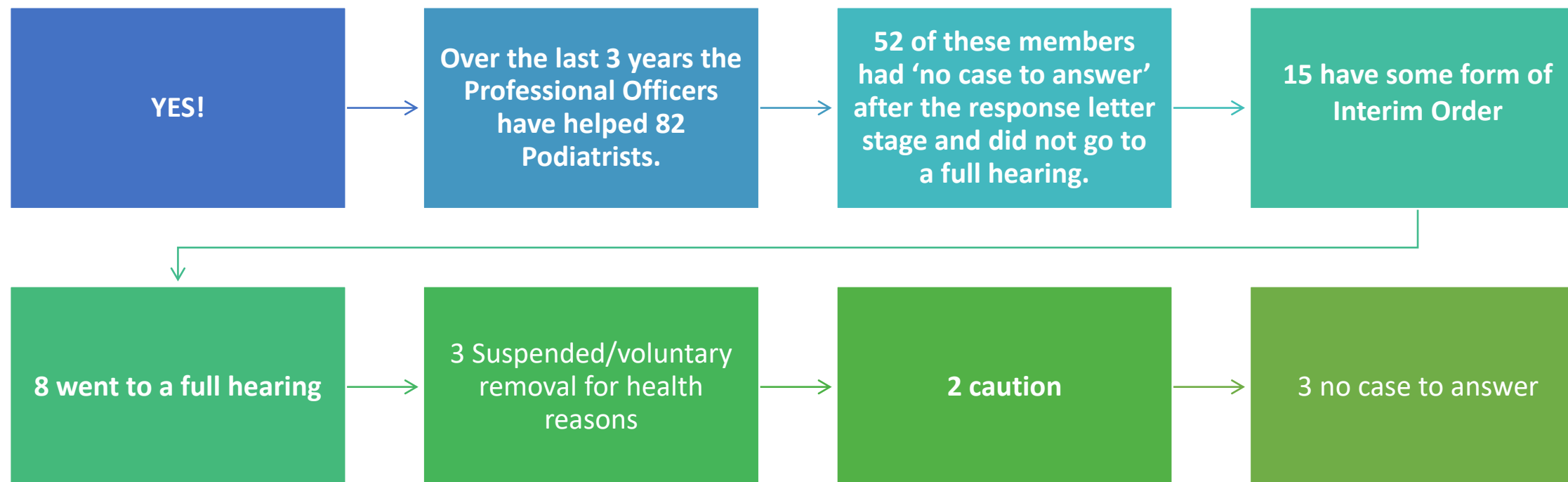
Caution

Conditions of Practice

Suspension

Striking Off

Are RCPod 'good' at defending Podiatrists?



How many Podiatrists investigations go to a full hearing?



In the last 3 years
the HCPC have
taken 14
Podiatrists to a
full hearing
8 were members

The rest of the full
hearing
registrants (6)
were not RCPod
members and got
struck off or
suspended

Do you know what Podiatrists are reported to the HCPC for?

- **Clinical Negligence**
- **Drug errors**
- **Inappropriate Social Media use**
- **Not adhering to infection control standards**
- **Fraud**
- **Behaving in an unprofessional manner towards either patients or other staff**
- **Sexual misconduct**
- **Not declaring a criminal offense**
- **Acting dishonestly**



Do you know when HCPC allegations become public?

- **The Podiatrists name and the allegations against the Podiatrist go on to the HCPC website as soon as the case has been listed to go to a full hearing.**
- **So even those that had a ‘no case to answer’ at hearing stage would still have been named and appeared on the HCPC website.**
- **RCPod have joined other unions that deal with health care professionals under HCPC to protest against this any other issues that affect members of RCPod.**

Jean's Experience



Jean's Takeaway Message

I would like if possible, to emphasise the following to any listeners:

- **If you get notified that a complaint has been raised against you, get straight on to the College Professional Officers. I mean immediately!**
- **Make sure that your notes are always written up in a manner that means that they can easily be read and interpreted by a third party, without any delay**
- **Don't expect the HCPC to be very supportive to you: that is not their role - they are the Regulatory Body that oversees that Podiatrists work in a manner that satisfies all their Standards, and to ensure that patients / clients are treated by their registrants in a manner that complies with all of those standards, and protect the public.**
- **Make sure that you learn from the whole process of dealing with a complaint: although it does not seem so at the time, it is an excellent way of critically reviewing your practice and auditing all aspects of how you work.**

All these processes are very stressful and upsetting. The College has a wellbeing support service including counselling available via

<https://membersarea.rcpod.org.uk/membership/membership-benefits/wellbeing-support-service>



Please tell us if you receive a complaint,
solicitor's letter or the HCPC contact you
so we can help you!

Do you know about RCPod Rewards?

**Do you know about Non-Podiatry Free
Legal Advice?**

Professional Support Officers

professionalsupport@rcpod.org.uk

0207 234 8652

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