

# PRESS RELEASE



**For immediate release: Thursday, 24 September 2009**

## **BEWARE PITFALLS OF WHISTLEBLOWING , WARNS MDDUS.**

Doctors must be wary of the pitfalls of whistleblowing, warns an article in the forthcoming edition of Medical and Dental Defence Union of Scotland (MDDUS) magazine, *Summons*.

The law does afford protection for healthcare professionals raising concerns over patient safety, but there are often concerns that speaking out could jeopardise a health professional's career, says the article.

The feature focuses on the case of nurse Margaret Haywood who took a hidden camera into a ward at the Royal Sussex Hospital to secretly film the appalling conditions endured there by elderly patients.

The footage was broadcast in a BBC Panorama documentary but this approach to whistleblowing ended Haywood's career of more than 20 years. She was struck off the nursing register by the Nursing and Midwifery Council in April after being found guilty of "a major breach of the code of conduct" regarding trust and confidentiality.

Her case angered many doctors who feel the severe punishment served on her could frighten other medics out of reporting concerns.

Dr Gail Gilmartin, a senior medical advisor at the UK-wide MDDUS says doctors must always respect patient confidentiality when raising concerns. "Whenever a doctor is considering whistleblowing they need to remind themselves about objectivity, evidence, issues of consent and confidentiality, and using proper process.

"Most doctors are aware of the risks involved but we would urge members to seek our advice if they find they are contemplating such action."

Lindsey McGregor, a solicitor with MDDUS, adds that doctors have a professional responsibility towards their colleagues as well as to their patients. "Whistleblowing must be seen within the context of one's professional obligations.

"Speaking out on patient safety issues, systems or on a colleague's conduct will be a matter of individual conscience but at all times General Medical Council guidance must be at the forefront of your mind.

“It is important to have read the guidance before embarking on this path and you should be prepared to be able to justify your concerns to others at all times.”

Ends

For further information contact Colin Calder on 0141 616 2677 or 07850 510881.

**Note to editors**

MDDUS is a medical defence organisation providing access to professional indemnity and expert medicolegal advice for doctors, dentists and other healthcare professionals throughout the UK. For further information on MDDUS go to [www.mddus.com](http://www.mddus.com).