



Unacceptable Behaviour & Removal of Patients Policy

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Introduction

The Practice aims to provide the best possible health care for our patients. As an employer, the practice also has a duty for the health and safety of its staff; it is a legal responsibility to provide a safe and secure working environment.

There may be circumstances when it would be considered reasonable, or in the best interests of the patient and/or staff, to remove a patient from our list.

The purpose of this Policy is to define what behaviours/actions the Practice deems as unacceptable and guidelines for when it is reasonable to remove a patient from the Practice list, ensuring that any concerns about removing patients from the list are dealt with fairly.

Policy

We believe that patients have a right to be heard, understood and respected. We understand that people may act out of character in times of trouble, illness or distress. However, we do not expect that these actions will become unacceptable or abusive.

There are two processes in place for dealing with unacceptable or abusive behaviour; the unacceptable behaviour process and the removing violent patients process.

The **unacceptable behaviour process** will be followed if the practice feels a patient's behaviour is unacceptable but does not warrant immediate removal from the practice register.

The **removing violent patients process** will be followed if a patient is violent or exhibiting behaviour that makes staff or other patients fear for their safety. This will result in the police being contacted and immediate removal of the patient from the practice register. This process reflects our commitment to the *NHS Zero tolerance* policy.

Removal of patients may also be required when outside the Practice boundary. This is also described here.

What actions/behaviours does the practice consider to be unacceptable?

The following list is not exhaustive but is provided to explain the actions and behaviours that the practice considers to be unacceptable:

a) **Violence, threat and intimidation**

- Violence (towards members of staff and/or other patients)

- Violence and vandalism towards property or belongings
- Excessive noise e.g. recurrent loud or intrusive conversation or shouting
- Threatening or abusive language involving swearing or offensive remarks, threatening behaviour or intimidation
- Derogatory remarks regarding protected characteristics (e.g. racist, sexist or homophobic behaviour)
- Violence or condoning threatening behaviour to any member of the primary health care team while visiting the patient's home. Such behaviour may involve the patient, a relative, a household member, or pets (such as unchained dogs).
- Making inflammatory statements e.g. "You are incompetent and should be sacked"
- Derogatory, abusive or insulting comments made about staff online or in the media
- Harassing, abusing or threatening staff on their personal social networks
- Malicious allegations relating to members of staff, other patients or visitors
- Offensive sexual gestures or behaviours
- Abuse of practice processes/policy

b) Crime or deception

- Abusing alcohol or drugs on practice premises
- fraudulently obtains drugs for non-medical reasons
- Drug dealing on practice premises
- Wilful damage to practice property
- deliberately lies to the doctor or other member of the primary health care team (e.g. by giving a false name or false medical history) in order to obtain a service or benefit by deception
- attempts to use the doctor to conceal or aid any criminal activity
- Theft

c) Unreasonable demands

The practice also considers unreasonable demands to be unacceptable. A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the Practice. Examples of actions grouped under this heading include:

- Repeatedly demanding responses within an unreasonable timescale
- Repeatedly requesting early supplies of medication
- Repeatedly requesting further supplies of stolen medication, without the required Police Incident number
- Repeatedly ordering prescriptions without enough notification
- Insisting on seeing or speaking to a particular member of staff when that is not possible
- Repeatedly changing the substance of an issue or complaint or raising unrelated concerns
- Repeatedly insisting on a course of medical treatment for which there is no clinical evidence

d) Irretrievable breakdown of the Doctor /Patient relationship

Where a patient's behaviour falls outside that which is normally considered reasonable and leads to an irretrievable breakdown of the doctor/patient relationship

e) Distance

Where a patient has moved out of the designated Practice area and has failed to register with another GP, the Practice will deregister the patient within 2 weeks of notification of change of address. A copy of the Practice area is kept in reception for reference

f) Embarkation

Where a patient has moved abroad for a period of three months or more.

Process for unacceptable behaviour

This process will be followed when the actions/behaviour of a patient are unacceptable but do not warrant immediate removal from the practice list. The process consists of an internal review to investigate the circumstances of the behaviour/actions to decide on further action.

- Member of staff identifies unacceptable behaviour of a patient and reports this to management team.
- The incident is reviewed by senior team within 5 working days.
- For an initial event of non-violent unacceptable behaviour, a letter outlining this Policy and the Practice intolerance of unacceptable behaviour will be issued (template letter 1).
- Upon repeat behaviour a warning letter will be issued (template letter 2).
- Upon further repeat within 12 months, a letter to remove patient from list will be issued (template letter 3).
- Send written notice to ABUHB/Glos NHS requesting 8-day removal of patient.

Process for violent or criminal behaviour

This process will be followed if a patient commits an act of violence or behaves in such a way that makes staff or other patients fear for their safety.

- Any incident involving violence, crime or deception will be reported to the duty doctor, Practice Manager or other supervisor. This individual will contact the police to immediately report the incident and if necessary request police attendance.
- Aneurin Bevan Health Board and NHS Wales, or Glos NHS/PCSE will be informed as soon after the incident as possible for immediate removal
- The Practice will inform the patient of the removal, as long as it would not be harmful to the patient's mental or physical health or put any of the staff at risk.
- ABUHB/Glos NHS will become responsible for the patient's health care.

Removing patients due to irretrievable breakdown of the doctor/patient relationship

Occasionally patients persistently act inconsiderately, the trust in communication and best interests has broken and their behaviour falls outside that which is normally considered to be reasonable. In such circumstances there may be a complete breakdown in the doctor/patient relationship.

Process for distance or embarkation

On notification that the patient is no longer living within the Practice boundary, a letter will be sent to the patient advising of the need to re-register within the next 30 days. If the patient has not re-registered or contacted the Practice with a reasonable explanation within the 30 day period they will be removed from the Practice list.

On notification that the patient has moved abroad the patient will be removed from the Practice list within three months of that notification.

Considerations to be made in removing a patient

1) To be taken within the Practice:

- inform all appropriate members of the Practice about the patient issues
- the patient and possible reasons for the patient's behaviour will be discussed at a Partners Management/Clinical meeting

2) To be taken with the patient:

- inform the patient, either personally or in writing, that there is a problem
- explain the nature of the problem to the patient
- obtain the patient's perspective and interpretation of the situation
- obtain advice from GMPI/GPs Medical Defence Union

3) To be taken if discussion fails to resolve the problem

- suggest that another GP within the Practice might better fit with the patient's needs and expectations
- inform Aneurin Bevan Health Board of the decision; Primary Care Team and NCN Team
- Inform NHS Wales of the decision; Registrations
- (For GLOS or H&W patients, also inform Glos NHS Primary Care Team)
- inform the patient in writing of the decision and the reason for removal
- explain to the patient that he or she will not be left without a GP
- give the patient information on how to begin the process of registering with another GP

Family Members

When a decision is made to remove a patient from the Practice list the removal may well be extended to other members of the family/household.

The Practice Manager will write to the family/household offering an explanation for the removal. They will be allowed four weeks to re-register rather than being removed from the Practice list immediately.

Responsibility

Responsibility for implementing and monitoring the Policy rests with the Practice Partners and Practice Manager.

The Partners at the Practice re-affirm their commitment to do everything possible to protect staff, patients and visitors from unacceptable behaviour and operate a policy of zero tolerance of any incident that causes hurt, alarm, damage or distress.

References

This policy and processes within have been developed in line with the NHS Constitution and advice and guidance from NHS Wales, Ombudsman for Wales and the British Medical Association (BMA).

BMA:

<https://www.bma.org.uk/advice-and-support/gp-practices/managing-your-practice-list/removing-patients-from-your-practice-list>

<https://www.bma.org.uk/advice-and-support/gp-practices/managing-your-practice-list/removing-violent-patients-and-the-special-allocation-scheme>

NHS Wales:

<https://nwssp.nhs.wales/contact-us/services-we-provide-a-z/registering-with-a-gp-and-other-patient-queries-within-nhs-wales/>

Ombudsman for Wales:

<https://www.ombudsman.wales/fact-sheets/health-general-practitioners/>

Wye Valley Practice Patient Information Leaflet; Patient responsibilities:

<https://wyevalleypractice.nhs.wales/patient-information/new-patients/>

Appendix – letter templates

1) Unacceptable behaviour policy letter

Dear Patient

I am writing to you following an incident in the practice on ***insert date***.

The Practice aims to provide the best possible health care for our patients. As an employer, the practice also has a duty for the health and safety of its staff; it is a legal responsibility to provide a safe and secure working environment.

While we appreciate that the events leading to the incident may have caused you to feel some upset and anger we feel the **actions you took/behaviour** that was displayed ***delete as appropriate*** were unacceptable. We have a strict policy on unacceptable behaviour and this will not be tolerated.

Insert description of actions and reasons why unacceptable.

If there are any further instances of unacceptable behaviour within 12 months from this letter the practice will move to issue a warning that further behaviour will result in removal from our Practice list and you will be required to register with an alternative practice.

Our Policy on Unacceptable behaviour and Removal of Patients is enclosed.

Yours sincerely...

2) Warning

Dear Patient

I am writing to you following an incident in the practice on ***insert date***.

The Practice aims to provide the best possible health care for our patients. As an employer, the practice also has a duty for the health and safety of its staff; it is a legal responsibility to provide a safe and secure working environment.

While we appreciate that the events leading to the incident may have caused you to feel some upset and anger we feel the **actions you took/behaviour** that was displayed ***delete as appropriate*** were unacceptable. We have a strict policy on unacceptable behaviour and this will not be tolerated.

Insert description of actions and reasons why unacceptable.

Our records show that you have been made aware that such behaviour is unacceptable and our Policy non Unacceptable behaviour & Removal of Patients has been sent to you. I must now issue a warning that further such behaviour in within 12 months from the date of this letter will result in removal from our Practice list and you will be required to register with an alternative practice.

3) Removal from practice list

Dear Patient

I am writing to you following an incident in the practice on ***insert date***.

The Practice aims to provide the best possible health care for our patients. As an employer, the practice also has a duty for the health and safety of its staff; it is a legal responsibility to provide a safe and secure working environment.

While we appreciate that the events leading to the incident may have caused you to feel some upset and anger we feel the **actions you took/behaviour** that was displayed ***delete as appropriate*** was unacceptable.

We have a strict policy on unacceptable behaviour and this will NOT be tolerated.

Insert description of actions and reasons why unacceptable.

Our records show that you have previously been reminded of our policy on Unacceptable behaviour and warned about such behaviour on ***insert dates here***.

The letter sent on this ***insert date here***, explained that repeat instances would result in your removal from the practice register.

We have now requested that you are removed from our patient register. This will take place eight days after NHS Wales receive our request. You will now have to register at an alternative practice.

Yours sincerely...