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## **JOINT COMMITTEE ON THE DRAFT HEALTH SERVICE SAFETY INVESTIGATIONS BILL**

### **Call for written evidence**

The Joint Committee on the Draft Health Service Safety Investigations Bill was appointed in May 2018 to consider the Government's draft Bill to establish the Health Service Safety Investigations Body (HSSIB). The Committee invites interested individuals and organisations to submit written evidence to this inquiry. **The deadline for written evidence is 8 June 2018.**

The Committee will make recommendations in a report to both Houses by 24 July 2018. In the short time available to us, the Committee will focus on the content of the draft Bill, and its scope, rather than other more general policy aspects. We will not consider the merits of individual cases which have been, or are now, subject to formal proceedings in courts or tribunals.

Guidance on the format of submissions is given at the end of this document.

### **Draft Health Service Safety Investigations Bill**

The draft Bill would change how serious incidents within NHS-commissioned services in England are investigated. The Government's aim is to establish the HSSIB as an independent body and give it powers to gather evidence. The proposal is to conduct investigations in a 'safe space', prohibiting disclosure of information except in limited circumstances. The HSSIB would also be empowered to accredit NHS trusts so that they can undertake their own 'safe space' investigations.

### **Our aims**

In scrutinising the draft Bill we aim to:

- Clarify and examine the Government's policy objectives
- Assess whether the Bill as drafted would achieve the Government's objectives
- Identify any unintended consequences of the Bill
- Make recommendations to improve the drafting of the Bill

### **Areas of interest**

We shall explore, and would welcome views on any or all of, the key questions outlined below.



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### ***General issues***

- Will the HSSIB command the confidence of patients and their families and healthcare professionals?
- Should the HSSIB's remit extend to private healthcare?
- Can patients and the public be confident that 'safe space' investigations will remedy the deficiencies of existing NHS complaints mechanisms?
- Are there any deficiencies in the drafting of the Bill that would prevent it from achieving the Government's objectives?

### ***Establishment and powers***

- Will the establishment of the HSSIB add to confusion about the responsibilities of the various bodies currently dealing with complaints and safety concerns in healthcare?
- Would the draft Bill equip the HSSIB with adequate powers to achieve the Government's objective of improving patient safety, or the ability of the Secretary of State to secure the improvement of the safety of the NHS? Does it go too far in any respect?
- Would it be appropriate to model the powers and status of the HSSIB more closely on similar bodies which investigate safety incidents in the aviation, rail or maritime industries?
- Does the draft Bill ensure that the HSSIB is sufficiently independent of both the NHS and the Government?

### ***Safe space***

- Is a legally protected 'safe space' necessary to successfully undertake NHS investigations?
- Will creating a 'safe space' for safety investigations "encourage patients, families, NHS staff and other participants in an HSSIB investigation to speak freely for the purposes of promoting learning and improving safety"?
- Would the draft Bill adequately protect from disclosure information given to the HSSIB?

### ***Accreditation***

- Will the public have confidence in trusts carrying out their own 'safe space' investigations, and will this build public confidence in the NHS safety investigations system more generally?
- Are the accreditation provisions in the draft Bill satisfactory?



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- Will the HSSIB be able to maintain standards of investigation?

### **Reporting**

- Will the HSSIB be able to effect change and ensure its recommendations are acted upon?
- Would there be adequate safeguards for people referred to in HSSIB reports?

### **Guidance for submissions**

**The deadline for written evidence is 8 June 2018.** Written submissions should:

- not exceed 2,500 words
- state clearly whether the submission is made in a personal capacity or on behalf of an organisation
- consist of numbered paragraphs
- if lengthy (longer than 6 pages), start with a bullet-point summary
- be submitted online using the written submission form available at <https://www.parliament.uk/business/committees/committees-a-z/joint-select/draft-health-service-safety-investigations-bill/hssib-17-19/written-submission-form/> (this page also provides [guidance on submitting evidence](#)).

If you have difficulty submitting evidence online, please contact the Committee staff by email to [jchssibill@parliament.uk](mailto:jchssibill@parliament.uk) or by telephoning 020 7219 8387.

All submissions made through the written submission form will be acknowledged automatically by email.

Evidence which is accepted by the Committee may be published online at any stage; when it is so published it becomes subject to parliamentary copyright and is protected by parliamentary privilege. Submissions which have been previously published will not be accepted as evidence. Once you have received acknowledgement that the evidence has been accepted you will receive a further email, and at this point you may publicise or publish your evidence yourself. In doing so you must indicate that it was prepared for the Committee, and you should be aware that your publication or re-publication of your evidence may not be protected by parliamentary privilege.

You should be careful not to comment on individual cases currently before a court of law. If you anticipate such issues arising, you should discuss with the Clerks of the Committee how this might affect your submission.

Personal contact details will be removed



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from evidence before publication, but will be retained by the Committee Office and used for specific purposes relating to the Committee's work, for instance to seek additional information.

Persons who submit written evidence, and others, may be invited to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast online; transcripts are also taken and published online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the Clerks of the Committee, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a copy directly.

You may follow the progress of the inquiry at:

<https://www.parliament.uk/business/committees/committees-a-z/joint-select/draft-health-service-safety-investigations-bill/>