

Culture change to encourage whistleblowing needed, says expert

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Greater statutory protection, support from regulatory bodies and, above all, a culture change to encourage whistleblowing are required to protect patients and clinicians, according to an editorial published on bmj.com today.

A decade after an anaesthetist exposed avoidable deaths in children having [heart surgery](#) at Bristol Royal Infirmary, whistleblowing is still hazardous, writes Peter Gooderham from Cardiff Law School. Yet most patients would surely expect doctors to protect them from potential harm and the General Medical Council - the doctors' regulatory body - stipulates a professional ethical duty to raise concerns.

An NHS doctor is likely to have a contractual duty to participate in clinical governance procedures, which should include systems for raising concerns, and guidance on how to proceed when appropriate action is not taken, explains the author. Yet whistleblowers may be made to feel that they are the problem and may even find themselves the subject of retaliatory complaints and disciplinary action. For example, the Bristol whistleblower's concerns were "cavalierly dismissed," his career stalled, and he now works on the other side of the world.

Limited protection for whistleblowers is afforded by the Public Interest Disclosure Act 1998, but some believe that this protection is inadequate, and that it did not help the Bristol whistleblower.

Furthermore, during the recent investigation into poor standards of care

at Staffordshire General Hospital, staff were criticised for operating a "culture of silence." But Gooderham believes that such criticisms "may worsen the situation by exacerbating a culture not just of silence, but of fear." Professional people may feel damned if they do raise concerns, and damned if they don't, he says.

He believes several measures should be considered, including greater statutory protection, more support from regulatory bodies and, above all, a culture change to encourage whistleblowing.

A start would be for those in official positions to recognise the risks of whistleblowing. Then they might begin to limit the damage wrought by the next scandals which are probably already happening, he concludes.

Source: British Medical Journal ([news](#) : [web](#))

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