



Comhairle na
nDochtúirí Leighis
Medical Council

Safe Start

Are you a doctor who is new to
medical practice in Ireland?

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Introduction

The Medical Council is the regulatory body for doctors. We have a statutory role in protecting the public through effective regulation and our key functions are:

- Setting, monitoring and maintaining the –
 - standards of education and training for registered medical practitioners
 - standards for the maintenance of professional competence
 - standards of professional conduct for registered medical practitioners.
- Maintaining the register of registered medical practitioners, establishing procedures and criteria for registration and the issue of certificates of registration and renewal.
- Managing complaints made about doctors to ensure that the public is protected and that doctors are fit to practise.

We have designed the Safe Start guide to support doctors that are new to practice or returning to practice in Ireland. This guide will assist you in understand the general requirements when practising medicine in Ireland and equip you with relevant information to help you navigate key professional responsibilities and common clinical scenarios.

Throughout this guide you will find information on Irish regulatory requirements, communication skills, the Irish healthcare system, your wellbeing, patient safety, raising concerns, open disclosure, protected disclosure, confidentiality, consent, prescribing, end of life care and medical record keeping. You have a duty to keep up to date with policy and legal developments that could affect your practice, therefore, we have detailed links and references to relevant legislation, policies, guides and information that will help you understand your legal, professional and ethical obligations.

If you have any questions or feedback in relation to the information in Safe Start, please feel free to [contact us](#).

Regulatory requirements

If you want to practise medicine (including telemedicine) in Ireland you must:

- be registered with the Medical Council
- have appropriate professional indemnity insurance
- maintain your professional competence
- follow the principles outlined in the [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#) (the Guide).

Registering with the Medical Council

You are required, by law, to register with the Medical Council if you are practising medicine in Ireland. Registration requires annual renewal, and you will receive an email inviting you to renew within a dedicated timeframe. It is your responsibility to ensure that you are correctly registered and that the contact information you provide is up to date.

There are several divisions of the Register of Medical Practitioners in Ireland, and they are as follows:

- [Internship registration](#)
- [Supervised registration](#)
- [Trainee specialist registration](#)
- [General registration](#)
- [Specialist registration](#), and
- [Visiting EEA registration](#).

Please see the relevant section of our [website](#) for information on how to apply for registration and the route which is most applicable to you.

Professional indemnity insurance

Professional indemnity is a mandatory requirement to practise medicine in Ireland as set out under section 38A of the Medical Practitioners Act 2007. It's required that you have indemnity cover appropriate to the nature of your employment/practice arrangement, your area of practice, and which aligns to the [National Treasury Management Agency's \(NTMA\) Minimum Levels of Cover](#). We are obliged to ensure that registered medical practitioners who fall into certain classes have minimum levels of indemnity in place during the registration process.

Professional indemnity will protect you against claims arising in respect of medical malpractice, negligence and other civil claims that arise from a breach of duty associated with your practice. You must ensure that you are aware of what your indemnity insurance covers, as often the legal costs associated with complaints about your practice that come before the Medical Council are not covered. We suggest that you ensure you are covered for legal costs associated with complaints that come before the Medical Council and other disciplinary proceedings.

If you are taking up a post wholly under a contract of employment with the Health Service Executive (HSE) you are covered by the [Clinical Indemnity Scheme](#). However, you should bear in mind that the Clinical Indemnity Scheme does not provide cover for the legal costs associated with a complaint being made to the Medical Council under Parts 7, 8 or 9 of the Medical Practitioners Act 2007, in relation to your practice, or employment related issues. We therefore suggest that you put in place additional indemnity insurance that covers complaints before the Medical Council and other disciplinary proceedings.

If you are commencing work as a consultant with a private hospital you will need to put in place professional indemnity arrangements for practice that align to NTMA's minimum levels of cover (Appendix A and Appendix B). We will require evidence during the registration process that the correct level of indemnity is in place. If you are taking up a post at senior house officer (SHO)/ registrar level (or below) in a private hospital, you will be covered by the hospital's own indemnity policy, but we advise that you check you are covered for legal costs associated with complaints before the Medical Council and other disciplinary proceedings.

If you are working as a consultant in both public and private hospital settings, you will need to put in place professional indemnity arrangements in line with NTMA's minimal levels of cover (Appendix A and Appendix B). Again, we will require evidence that the correct level of indemnity is in place.

If you are undertaking locum work in a hospital setting then you will need to clarify with any hospital where you will be undertaking locum work, what indemnity arrangements are in place. If the hospital indicates you will not be covered by their policy/arrangement, you need to put in place appropriate indemnity cover as set out in NTMA's minimum levels of cover (Appendix B). If you are undertaking locum work in a variety of non-hospital settings, then you will need to make arrangements to ensure that you have indemnity cover appropriate to your scope of practice in line with NTMA's minimal levels of cover (Appendix B). Your place of work will need to ensure you have the appropriate level of cover in place before commencing work. Additionally, we will require evidence that the correct level of indemnity is in place.

If you are working outside of the hospital system, such as in general practice or another type of private clinic, then you will need to make arrangements to ensure that you have indemnity cover appropriate to your scope of practice in line with NTMA's minimal levels of cover (Appendix B).

Please see the relevant section of our [website](#) for more detail on the requirements of professional indemnity insurance.

Maintaining professional competence

You are legally obliged to maintain your professional competence when practising medicine in Ireland by enrolling in a Professional Competence Scheme, also known as Continuous Professional Development (CPD).

Our [Standards for the Maintenance of Professional Competence](#) define the process to be followed, as well as outlining a framework for the types and quantities of activities to be pursued annually. The expectation is that you will complete 50 hours of CPD each year.

We have defined the [Eight Domains of Good Professional Practice](#) with the aim of setting out the principles on which good professional practice is founded. They describe the outcomes that you

should strive to achieve, and you should refer to these domains throughout the process of maintaining your professional competence. Together in their entirety, these principles describe professionalism in action.

At the end of each year of professional competence activity you will receive a statement of participation from your Professional Competence Scheme which will set out your activity in that year, and your activity in each of the previous four years. Most of the Schemes provide an electronic system for recording your CPD and this is tallied at the end of Scheme year to produce your statement of CPD activity. This is an important document. If you are subject to a complaint that has been made to the Medical Council this Statement may be requested as evidence of your ongoing professional development.

When you apply to register or at annual renewal with the Medical Council, you will be asked to declare that you are maintaining your professional competence. It's important that you are honest when completing this declaration. You should seek support from the Scheme you are registered with if you are struggling to meet the CPD requirements.

If you are not currently enrolled on a Professional Competence Scheme, it is important that you arrange this. We advise that you choose a Scheme most relevant to your education and training, and to contact the postgraduate training body which you think is most relevant to your area of practice. Please note, it is not essential to have a professional membership with a [postgraduate training body](#) in order to enrol in a Professional Competence Scheme. However, some of the Schemes will have essential enrolment requirements.

Please see our [website](#) for more information on each Scheme year.

Professional conduct and ethics

Registering with the Medical Council involves adhering to the [Guide](#), which outlines values and principles that underpin professionalism and good medical practice that we expect you to follow. It also specifies how such values and principles apply to aspects of your professional practice. Whilst the Guide does not address all clinical scenarios, it's written on the premise that applying the values and principles presented, will assist you to safely navigate situations that arise in professional interactions.

In addition to the Guide, you have a duty to comply with the laws and regulations pertaining to your practice. Your practice and conduct will also be informed by professional, clinical, and organisational policies and guidelines.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)
- [Registering with the Medical Council](#)
- [Medical Council's Professional Indemnity Information](#)
- [NTMA's minimum levels of indemnity cover](#)
- [HSE's Clinical Indemnity Scheme](#)

- [State Claims Agency - Clinical Indemnity Scheme FAQs](#)
- [Medical Council's Maintaining Professional Competence General Information](#)
- [Medical Council's Rules for the Maintenance of Professional Competence](#)
- [Medical Council's - Eight Domains of Good Professional Practice](#)
- [Medical Council's - Eight Domains of Good Professional Practice Blog Post](#)

Communication skills

Good communication skills underpin professional conduct and are central to the relationships you foster with your patients, and essential to the effective functioning of healthcare teams. Having good communication skills involves listening to patients and colleagues, as well as giving information, explanations or advice. We say that when communicating with patients you should:

- Identify yourself by name and role before you start any consultation, investigation or treatment.
- Be honest and give relevant information. You should listen to patients, welcome questions and respond to them in an open, honest and comprehensive way.

The [Hello My Name Is](#) campaign was developed by Dr Kate Granger, a terminally ill Consultant Geriatrician based in the UK. Whilst receiving treatment, Kate noticed that very few of those involved in her care introduced themselves by name. Therefore, Kate developed the *#hellomynameis* campaign. This patient centred campaign is recognised globally and is widely used in clinical practice in Ireland.

One of our Eight Domains of Good Professional Practice is communication and interpersonal skills. We expect you to demonstrate effective interpersonal and communication skills, as this enables the exchange of information, and allows for effective collaboration with patients, their families and also with clinical and non-clinical colleagues and the broader public. Effective doctor-patient communication is a central clinical function in building a therapeutic doctor-patient relationship, which is the heart of medicine.

For doctors employed by the HSE, they run a [National Healthcare Communication Programme](#) designed to support healthcare staff to learn, develop and maintain their communication skills with patients, their families and with colleagues. Many of the [postgraduate training bodies](#) run communication skills courses. There's also the [HSE's Guidelines for Communicating Clearly](#) and [HIQA's Communicating in Plain English Guide](#).

English language proficiency

Doctors should be sufficiently proficient in the use of the English language (both written and verbal) to enable them to communicate with patients and colleagues. We know that many clinicians who trained overseas may not have English as their first language. Please see our [website](#) for more information on English language proficiency.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Hello my name is campaign](#)
- [HSE Guidelines for Communicating Clearly](#)
- [HIQA and NALA Guidance for providers of health and social care services – Communicating in Plain English](#)

- [HSE National Healthcare Communication Programme](#)
- [Medical Council's evidence of English language](#)

Introduction into the Irish healthcare system

Induction

It is important that you are offered and engage in an induction process that covers both corporate and clinical induction when you commence employment in Ireland. The [Working as a Doctor in Ireland: NCHD Guide](#) includes an induction checklist that outlines information you should receive during your onsite induction that will help to equip you for work.

Overview of the Irish healthcare system

Ireland has a two-tier healthcare system, consisting of both private and public healthcare options. Private healthcare services are provided by individual health professionals or healthcare companies, whilst public health services are supported by the state. Treatment for private patients is also available in public hospitals.

[Sláintecare](#) is the HSE's and Department of Health's overall national improvement plan and strategy for reforming Ireland's health and social care system. The main focus of Sláintecare is to develop universal healthcare for all, including the improvement of primary and community care, with the aim of enabling people to access services closer to home and based on need as opposed to ability to pay.

Individual hospitals within Ireland are classified as:

- HSE hospitals: hospitals owned and funded by the HSE.
- Voluntary public hospitals: hospitals that may be owned by private bodies (for example, a religious order) that receive state funding.
- [Private hospitals](#): hospitals that receive no state funding.

The [HSE](#) manages all of the public health services in Ireland both in hospitals and in the community in Ireland. It provides health and [social care services](#) to those that need them. There are six [Regional Health Areas](#), each responsible for providing hospital and community care in that area and have been developed to bring primary and acute care together. These are:

- [HSE Dublin and Midlands](#)
- [HSE Dublin and Northeast](#)
- [HSE Dublin and Southeast](#)
- [HSE Midwest](#)
- [HSE West and Northwest](#)
- [HSE Southwest](#).

There are different models of hospitals in Ireland based on the type of activity and care they provide. These are:

- Model 1 hospitals are community-based hospitals. These hospitals do not have surgery, emergency care, acute medicine or critical care.
- Model 2 hospitals admit low acuity patients. These hospitals can provide the majority of hospital activity including extended day surgery, selected acute medicine, local injuries, a range of diagnostic services (including endoscopy, laboratory medicine, point-of-care testing, and radiology (CT, US and plain film X Ray) specialist rehabilitation medicine and palliative care.
- Model 3 hospitals provide 24/7 acute surgery, acute medicine, critical care and admit undifferentiated medical and surgical patients.
- Model 4 hospitals are generally located in the larger metropolitan areas. These hospitals admit undifferentiated medical and surgical patients and take referrals from other hospitals. They provide complex specialist care and have Level 3 intensive care units.

The HSE can be a complex workplace to navigate as it is a large organisation that employs over 100,000 people. We have therefore compiled some information that you may find useful if you are starting a new job within the HSE:

- [HSeLanD](#) is the HSE's national online learning and development portal. It provides online learning, training, and development opportunities to support the wider Irish health and social care workforce.
- [HSE Employee Handbook](#) – provides an overview of the HSE's priorities, values and purpose as well as providing information on key employee services, along with policies covering different aspects of HSE work.
- [HSE Children First](#) – Children's First is a generic term used to encompass the guidance, legislation, and the implementation of both. It promotes the protection and welfare of children and outlines how to help to protect them from harm.
- [HSE National Healthcare Charter – You and Your Health Service](#) describes what service users can expect when using health services in Ireland.

Other organisations and resources to be aware of

This section outlines bodies and organisations that have a role in medical practice, along with resources that may help you plan your future as a doctor in Ireland. These are:

- The [Department of Health](#) is responsible for setting health policy and strategy and overseeing health funding.
- [The National Doctors Training and Planning Unit](#) (HSE NDTP) was established under the HSE with the primary role to fulfil the statutory role of the HSE in relation to postgraduate training. The HSE NDTP has written a guide ([Working as a Doctor in Ireland: NCHD Guide](#)) for non-consultant hospital doctors (NCHD's). In Ireland, a NCHD is a doctor who works under the supervision of a consultant doctor. There are different types of NCHD's (interns, senior house officers, registrars, and specialist registrars) which are covered in more detail in the [NCHD guide](#). We strongly encourage you to familiarise yourself with the NCHD Guide as it provides an overview on essential information such as understanding the Irish Health Service, coming to work in Ireland, what you need to do before you start work in Ireland, an overview of employment legislation and mandatory training, information on funding support/ fellowships/scholarships that might be available to you and the importance of your health and wellness.

- There are thirteen postgraduate bodies delivering specialist medical training in Ireland. You can learn more about the specialties covered under each postgraduate training body, and their contact details by visiting our [website](#).
- [The Forum of Irish Postgraduate Medical Training Bodies](#) – The Forum supports the alignment of medical education and training in partnership with other major stakeholders. The focus of the Forum is on the training of doctors in high quality postgraduate medical programmes to meet the service needs of the health service.
- [Medical Careers Ireland](#) – Provides guidance and useful links to help you plan your future as a doctor in Ireland.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Sláintecare](#)
- [Private Hospitals Association](#)
- [HSE - health information, advice, supports and services](#)
- [HSE National Health and Social Care Office](#)
- [HSE Health Regions](#)
- [HSeLanD](#)
- [HSE Employee Handbook](#)
- [HSE Children First](#)
- [HSE National Healthcare Charter](#)
- [The National Doctors Training and Planning Unit](#)
- [Working as a Doctor in Ireland: NCHD Guide](#)
- [The Forum of Irish Postgraduate Medical Training Bodies](#)
- [The Department of Health](#)

Your wellbeing

We know that doctors are working in challenging circumstances and are put under extraordinary pressure at times, and with burnout, stress and mental health challenges ever more prevalent in today's society, it's important that you take steps to look after and prioritise your own health and wellbeing. You have a professional responsibility to look after your own health and wellbeing as self-care is an important element of good professional practice. Moreover, your health and wellbeing are key to supporting the quality and safety of patient care.

We believe there are several aspects to consider in relation to maintaining your own health and wellbeing, such as:

- having your own GP to avoid treating and prescribing for yourself,
- raising any health and wellbeing issues with your employer,
- seeking guidance and support from colleagues, family or friends or support services if you have any health concerns to consider,
- consulting and following advice from an appropriately qualified professional if you have a condition which could be a risk to patients or which could seriously impair your judgement.

Doctors are not immune to mental or physical illness, which is why you should be vaccinated against common diseases and take steps to care for your own health and wellbeing.

As an organisation we are committed to supporting your health and wellbeing, therefore we have developed a [Wellbeing Guide](#) for doctors. Our guide provides details on:

- what to do if you have concerns about your own health or the health of another doctor,
- the importance of having your own GP,
- tips on fitting in regular exercise and making time for nutrition in a busy work schedule,
- the importance of looking after your own mental health,
- how workplace culture issues such as bullying can impact your wellbeing and what to do if you are experiencing workplace culture issues,
- how the [Practitioner Health Matters Programme](#) can help if you are facing difficulties,
- your ethical obligations in relation to health and wellbeing, and
- the role of the [Medical Council's Health Committee](#).

Our [Wellbeing Resources](#) landing page also has videos featuring doctors from all areas of practice discussing the importance of wellbeing and their top wellbeing tips. Additionally, at the bottom of this page there is a comprehensive list of wellbeing supports and resources available that are provided by the HSE, training bodies and healthcare practitioner and allied health-led services.

We recognise the emotional impact that being a doctor can have, and there are supports and resources available to you if you are facing difficulties. If the organisation that you are working for runs [Schwartz Rounds](#), we encourage you to attend, as they play an important role in facilitating open conversations with healthcare workers about the emotional aspects and impact of their work.

Additionally, to support doctors, medical students and individuals engaging with our regulatory processes we offer [CAREhub](#). CAREhub is operated by [Lyra Health International](#), and provides independent and confidential wellbeing support to medical students, doctors, and members of the public.

We know that implementing healthy behaviours can be difficult given the busy and stressful role of a doctor, but it's always better where possible, to take a preventative approach to your own health and wellbeing by making looking after yourself part of your routine practice. Afterall, having a healthy lifestyle not only benefits you but the patients you treat too.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)
- [Medical Council's Doctor Wellbeing Guide](#)
- [Medical Council's Doctor wellbeing resources](#)
- [Practitioner Health Matters Programme](#)
- [Medical Council's Health Committee](#)
- [Medical Council's CAREhub](#)
- [HSE Schwartz Rounds](#)

Patient safety

Patient safety is at the heart of our role. We believe that providing and promoting good medical care, applying the values and standards of the profession, listening to and acting on patients' and colleagues' concerns, and fostering learning from adverse events all contribute to a culture of patient safety. Patient safety and the quality of patient care is one of our [Eight Domains of Good Professional Practice](#) as we believe that patient safety and quality of patient care should be at the core of the health service delivery that you provide. In the [Guide](#) we say that you must practise and promote a positive culture of patient safety. This includes:

- Providing a good standard of practice and care, maintaining your professional competence, keeping your knowledge and skills up to date, reflecting on your practice and working within your sphere of competence.
- Supporting and demonstrating effective communication, partnership and teamwork with patients and colleagues.
- Identifying concerns about the quality of patient care and services and notifying these to the appropriate person or authority.
- Encouraging and supporting a culture in which staff can raise concerns openly and safely at all levels.
- Contributing to improvements in the quality of services and outcomes.
- Complying with and supporting safety procedures such as infection control, incident and risk management.

Patient safety is at the forefront of every aspect of healthcare, and several patient safety initiatives are underway across Ireland. Organisations such as the [HSE's National Quality and Patient Safety Directorate](#) and the [National Patient Safety Office](#) play an important role in supporting high quality health services in Ireland. Additionally, [The Quality and Patient Safety Competency Navigator](#) is a useful self- assessment tool aiming to help healthcare workers identify and develop the key competencies (knowledge, skills and behaviours) needed to provide quality and safe care.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Eight Domains of Good Professional Practice](#)
- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)
- [HSE National Quality and Patient Safety Directorate](#)
- [National Patient Safety Office](#)
- [The Quality and Patient Safety Competency Navigator](#)

Raising concerns

You have a duty to raise concerns if you believe patient safety or patient care to be at risk when practising in Ireland. In the [Guide](#) we say that:

- You must raise concerns where you believe that patient safety or care is being compromised by the practice of colleagues, or by systems, policies and procedures in the organisations in which you work. Before doing so, you should consider seeking advice from an experienced colleague or from your medical indemnity organisation.
- If your concerns are not resolved within the organisation, you should raise the issue with the relevant regulatory authority or through the applicable notification or disclosure pathways.

We recognise that there may be barriers to reporting concerns and/or you may be reluctant to report a concern for many reasons. For example, you may feel:

- nothing will change as a result of you raising a concern,
- raising a concern may cause issues for your colleagues or have a negative effect on working relationships within your team/department,
- raising a concern may have a negative impact on your career or result in negative consequences for you such as having a complaint raised about you.

If you are reluctant to raise a concern for any of the above reasons or for reasons not mentioned above, then please do remember that you have a duty to put patients' interests first and act to protect them. With regards to raising concerns, in the first instance we suggest that you raise your concerns at a local level. Concerns can also be raised with the organisation you feel to be most appropriate (such as, but not limited to, another regulator, the HSE or your postgraduate training body). We recognise that it is not always possible to raise concerns at a local level, especially if you believe the person you have to report to be part of the problem. There is therefore the option to raise a protected disclosure.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)

Protected disclosure

A Protected Disclosure is when a worker or employee discloses relevant information which came to their attention in connection with their work, and they reasonably believe that it shows wrongdoing. [The Protected Disclosures \(Amendment\) Act 2022](#) (the Act) was introduced to protect people who raise concerns about possible wrongdoings in the workplace. The Act sets out a number of ways in which disclosures can be made to employers as well as external bodies (such as certain external regulators).

Under the Act the Chief Executive Officer of the Medical Council has been prescribed to receive protected disclosures. Therefore, we have established a formal channel for those wishing to make a protected disclosure, and we have developed and published a [Protected Disclosure Policy and Procedure](#) (the Procedure).

The Act provides legal protection against the penalisation of individuals who raise concerns about malpractice in the workplace. In order to avail of the legal protections set out in the Act, disclosures must meet the conditions set out in the section 4.1.1 of the Procedure.

The [Workplace Relations Commission](#) provides information in relation to making a complaint of penalisation as a result of making a protected disclosure.

A protected disclosure can be raised with an [organisation](#) that an individual feels is most appropriate. For example, a regulator, a training body, the [HSE](#), or the [Office of Protected Disclosures Commissioner](#). However, those who wish to make a protected disclosure with us do not have to report it elsewhere before bringing it to our attention.

Agencies such as [Transparency International Ireland](#) provide confidential support and advice if you are considering making a protected disclosure on matters such as: what wrongdoings can be reported as protected disclosure, how to make protected disclosures, and how to obtain protection from penalisation for having made a protected disclosure. If you are a member of a trade union, unions may offer free legal advice services on employment-related matters such as protected disclosures. Additionally, the [HSE](#) and the Protected Disclosures Commissioner provide information on making a protected disclosure.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [The Protected Disclosures \(Amendment\) Act 2022](#)
- [Medical Council's Protected Disclosure Policy and Procedure](#)
- [Medical Council's Protected Disclosure](#)
- [EU Whistleblowing Directive](#)
- [HSE Protected Disclosure](#)
- [Office of Protected Disclosures Commissioner](#)
- [Workplace Relations Commission](#)
- [Transparency International Ireland](#)
- [Government information on Protected Disclosure](#)

Open disclosure

Healthcare is complex, and sometimes, despite best efforts, things can go wrong resulting in patients experiencing harm. When things go wrong, we refer to it as a patient safety issue or adverse event. Open disclosure is the professional and humane response to patients affected by patient safety incidents or adverse events. Open disclosure is an honest, open, compassionate, consistent and timely approach to communicating with patients (and/or their family, carers or supporters), following patient safety incidents or adverse events. It involves acknowledging what has happened, expressing regret for what has happened, keeping the patient informed, providing reassurance in relation to on-going care and treatment, how lessons will be learned from what has happened and the steps being taken to prevent the incident from happening again.

In relation to open disclosure, we require you to have a professional and empathetic response to patient safety incidents, to promote and support a culture of open disclosure, and to comply with applicable legislation and national policies in relation to open disclosure.

It's important to be aware of recent national legislation which applies to you when practising in Ireland in both the public and private sectors. [The Patient Safety \(Notifiable Incidents and Open Disclosure\) Act 2023](#) provides for the mandatory open disclosure of specified serious patient safety incidents that must be disclosed to the patient, their family and the notification of same to relevant regulatory bodies. Examples of notifiable incidents include patient death due to wrong site surgery, patient death associated with a medication error, death associated with a diagnostic error, patient death due to the administration of incompatible blood or blood products. The full schedule of notifiable incidents can be found in the [Patient Safety \(Notifiable Incidents and Open Disclosure\) Act 2023](#).

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)
- [Patient Safety \(Notifiable Incidents and Open Disclosure\) Act 2023](#)
- [HSE Open Disclosure](#)
- [HSE Open Disclosure – Resources for staff and organisations](#)
- [HSE Open Disclosure Policy](#)

Confidentiality

Confidentiality is central to all your patient engagements, including when the patient is a child, young person, or an adult. Without the trust that confidentiality brings, patients might not seek care and advice, or they may not tell you all the information you need to provide good care.

You have a professional and ethical duty to maintain patient confidentiality, however, this duty of confidentiality is not absolute. There are situations where the disclosure of relevant information is appropriate in the interest of patient care and there are also situations where disclosure of information is required by law or in the public interest. There are limited circumstances where you can disclose information without consent, such as when by law or in the public interest. Specifics on such situations and the legislation that underpins them can be found in the [Guide](#) under the sections of:

- Confidentiality general principles,
- Confidentiality with children and young people,
- Disclosure of patient information within and outside the healthcare team,
- Disclosure of patient information without consent and
- Disclosure after death.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)

Consent

Consent is the giving of permission or agreement for a treatment, investigation, receipt or use of a service or participation in research or teaching. The process of consent involves dialogue between you and your patient about the proposed intervention, with the aim of ensuring the patient has received sufficient information to enable them to understand the nature, potential risks and benefits of the proposed intervention. At its core consent is a fundamental ethical and legal requirement in medical practice and is based on respect for patient autonomy.

It's expected that you obtain valid informed consent from a patient before initiating treatment. For consent to be valid it must be given freely, the patient must be given all of the information necessary to make a decision, and the patient must have the capacity and be capable of giving consent. However, there are some instances whereby it may not be possible to obtain consent, such as:

- in the case of an emergency,
- when a patient lacks the capacity to make a decision (please see the [Assisted Decision Making \(Capacity\) Act \(2015\)](#). If needed, the Decision Support Service can help you navigate the complexities of understanding and assessing patient capacity,
- when a patient is seriously mentally unwell (please see the provisions of the [Mental Health Act 2001](#)).

The [Guide](#) outlines what we expect in relation to consent and covers topics such as: capacity and assisted decision making, requirements for seeking informed consent, consent in emergency situations, declining treatment and withdrawal of consent, advance healthcare planning, consent and genetic testing, clinical trials and research, physical and intimate examinations and covers consent with children and young people.

Additionally, while not applicable in all settings, the [HSE's National Consent Policy](#) provides comprehensive, detailed information and useful guidance on obtaining consent and associated considerations in clinical settings. It is reflective of current legislation and policy in Ireland. E-learning programmes are also available on [HSeLand](#) to all HSE staff on the National Consent Policy, the Assisted Decision-Making (Capacity) Act 2015 and supporting decision-making in health and social care.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners.](#)
- [Assisted Decision Making \(Capacity\) Act \(2015\)](#)
- [HSE National Consent Policy](#)
- [HSeLand](#)
- [HSE Assisted Decision Making Resources](#)
- [Decision Support Service](#)
- [Mental Health Act 2001](#)

Prescribing

Prescribing forms a significant part of your role, therefore it's important that the prescriptions you write are safe and are in line with best practice and clinically indicated. Prescriptions that you issue must be legible, dated, signed or authorised, state your Medical Council registration number and clearly identify the patient. Access to prescription generating software/ writing pads must be kept secure. Prescriptions should always be clinically indicated, safe and evidence based, and it's expected that you keep up to date with developments in relation to the medications, treatments and therapies that you prescribe.

Under the [Misuse of Drugs Regulations 2017](#), certain substances, products, or preparations, including certain medicines, that are either known to be, or have the potential to be, dangerous or harmful to human health, including being liable to misuse or cause social harm, are subject to control and are known as "controlled drugs". In conjunction with the Pharmaceutical Society of Ireland we have developed joint guidance on the [Safe Prescribing and Dispensing of Controlled Drugs](#). When prescribing controlled drugs, we expect you to comply with [Misuse of Drugs Regulations 2017](#) and the [Safe Prescribing and Dispensing of Controlled Drugs](#) guidance. Additionally, we expect you to be aware of the dangers, treatment and appropriate safeguarding in relation to drug dependency.

Transcribing is the act of transferring a medication order from an original prescription to another type of prescription. When transcribing medication from an original prescription to another type of prescription, the same responsibilities as prescribing and the same principles should be followed.

[Healthmail](#) is a secure clinical email service that allows health care providers to send and receive clinical patient information securely. It's widely used across Ireland as an electronic prescription transfer service.

Whilst not applicable in all settings, the [HSE's Medicine Management Programme](#) has developed a number of resources to assist prescribers, including:

- [Prescribing Tips and Tools](#) to assist prescribers in the safe and appropriate prescribing of medicines.
- [The Preferred Drugs](#) initiative which identifies a single 'preferred drug' within a therapeutic drug class, and offers prescribers useful guidance on selecting, prescribing and monitoring the drug for a particular condition.

There's also HSE guidance on [Antibiotic Prescribing](#) for primary care which aims to improve antibiotic prescribing in Ireland.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)

- [Joint Guidance Medical Council and Pharmaceutical Society of Ireland Safe Prescribing and Dispensing of Controlled Drugs](#)
- [Misuse of Drugs Regulations 2017](#)
- [HSE Medicine Management Programme](#)
- [HSE Antibiotic Prescribing](#)

End-of-life care

Doctors face difficult challenges when it comes to end-of-life care, and providing treatment and care towards the end of life will often involve decisions that are clinically complex and emotionally distressing. You play a crucial role in supporting patients and families in dealing with the reality of death. Therefore, good communication is fundamental when talking about end-of-life care with a patient, patient's family, and/or or person(s) with decision-making authority in relation to the patient. It's important that you communicate with kindness, compassion, sensitivity, and that those you are communicating with have a clear understanding of what can and cannot be achieved. Equally, it's crucial that patients and (and/or person(s) with decision-making authority in relation to the patient) are involved in the decision-making process around end of life care options. Patients approaching the end of their life need high quality treatment and care. Steps should be taken to ensure patients are comfortable, suffer as little as possible, and die with dignity.

Naturally, decisions around withdrawing or not starting a treatment that has the potential to prolong a patient's life are sometimes difficult to navigate. It involves exercising your judgement in relation to if a treatment is likely to work, if a treatment is likely to cause the patient more harm than benefit and if a treatment is likely to cause the patient pain, discomfort or distress that will outweigh the benefits.

It's important to reach a consensus with a patient, and/or or person(s) with decision-making authority in relation to the patient about what treatment would be of overall benefit. Sometimes this can be challenging due to the emotional distress felt by the patient and/or or person(s) with decision-making authority in relation to the patient. If there are any disagreements, then every effort should be made to resolve them. Key considerations in relation to end-of-life care are outlined in more detail in the [Guide](#).

Resources

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)
- [Irish Hospice Foundation](#)
- [Toolkit for Compassionate End of Life Care](#)
- [All Ireland Institute of Palliative Care](#)
- [The Irish Association for Palliative Care](#)
- [Jack and Jill Children's Foundation](#)

Medical record keeping

As nobody's memory is wholly reliable; and it's not always possible for patients to see the same doctor in a particular area, accurate medical records are an essential component of patient care and continuity of care and must therefore be clear and up to date. We advise that records are made at the same time as events, or as soon as possible afterwards. Clinical records cannot be altered once made, and a separate new entry made must be made. Medical records must comply with [data protection](#), and any other legislation relating to maintenance, storage, disposal, access, and must be kept for as long as required by law or as long as they remain clinically relevant.

Medical records are primarily intended to support patient care, but in some instances, they can be used if the standard of care is ever questioned or for medico-legal purposes. Therefore, it's important that high quality record keeping is part of your routine practice.

It's important to be aware that all patient information captured in medical records, including contact details are confidential. The Guide provides clear guidelines in relation to maintaining patient confidentiality and this should always be observed when communicating with patients. We are aware that various text messaging services are in use in clinical practice as a means of communicating with patients. It's essential that doctors who communicate with their patients via text messaging obtain consent from patients, consider patient confidentiality and take steps to ensure forms of communication are secure, consider the content of the messages sent – ensuring not to disclose sensitive information and consider if the text message should form part of a patient's medical records. Texting patients from your personal phone should be avoided.

Our key requirements and considerations in relation to medical record keeping are outlined in more detail in the [Guide](#), and should be read in conjunction with all relevant policy and legislation. Whilst not applicable in all settings, the HSE has developed a [National Records Management Policy](#) which captures the legal, professional, and organisational responsibilities with regards to managing the retention of records. This includes a schedule for which records should be retained by the HSE, the various record categories and types of data and information that the HSE hold along with the required retention periods for each.

Resources

Please see the below weblinks to resources in this area to assist you with understanding key professional responsibilities and to support you in your role as a doctor in Ireland.

- [Guide to Professional Conduct and Ethics for Registered Medical Practitioners](#)
- [Data Protection Commission](#)
- [S.I. No. 121/2022 - Data Protection Act 2018 \(Access Modification\) \(Health\) Regulations 2022](#)
- [HSE's National Records Management Policy](#)

Additional useful resources

Please see the weblinks below to additional useful resources and information that's relevant to doctors practising in Ireland.

- [Irish Medical Organisation](#)