

Formula for Safety:
More than a sum
of its parts?

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Why parents pursue litigation on behalf of their children who had been avoidably injured at birth?



What parents wanted from litigation

- **Answers** about what had happened; finding truth through inconsistencies and often seeking accountability
 - **Lessons to be learned** – to prevent future incidents
 - **Resolution** – of financial and emotional nature. Some resolutions were dismissive, that the litigation would help. Some parents felt that litigation would help resolve the situation that litigation would help.
- **Access to the state** for support services

Litigation often fails to satisfy claimants

Vincent, C. & Taylor –
Adams, S. (2001) ‘the
investigation and
analysis of clinical
incidents’ in Vincent, C
(ed) *Clinical Risk
Management:
Enhancing Patient
Safety*. London: BMJ
Books pp:439-460

“... While a particular practice or omission may be the immediate cause of an incident, closer analysis usually reveals a series of events and departures from safe practice, each influenced by the working environment and the wider organisational context”.





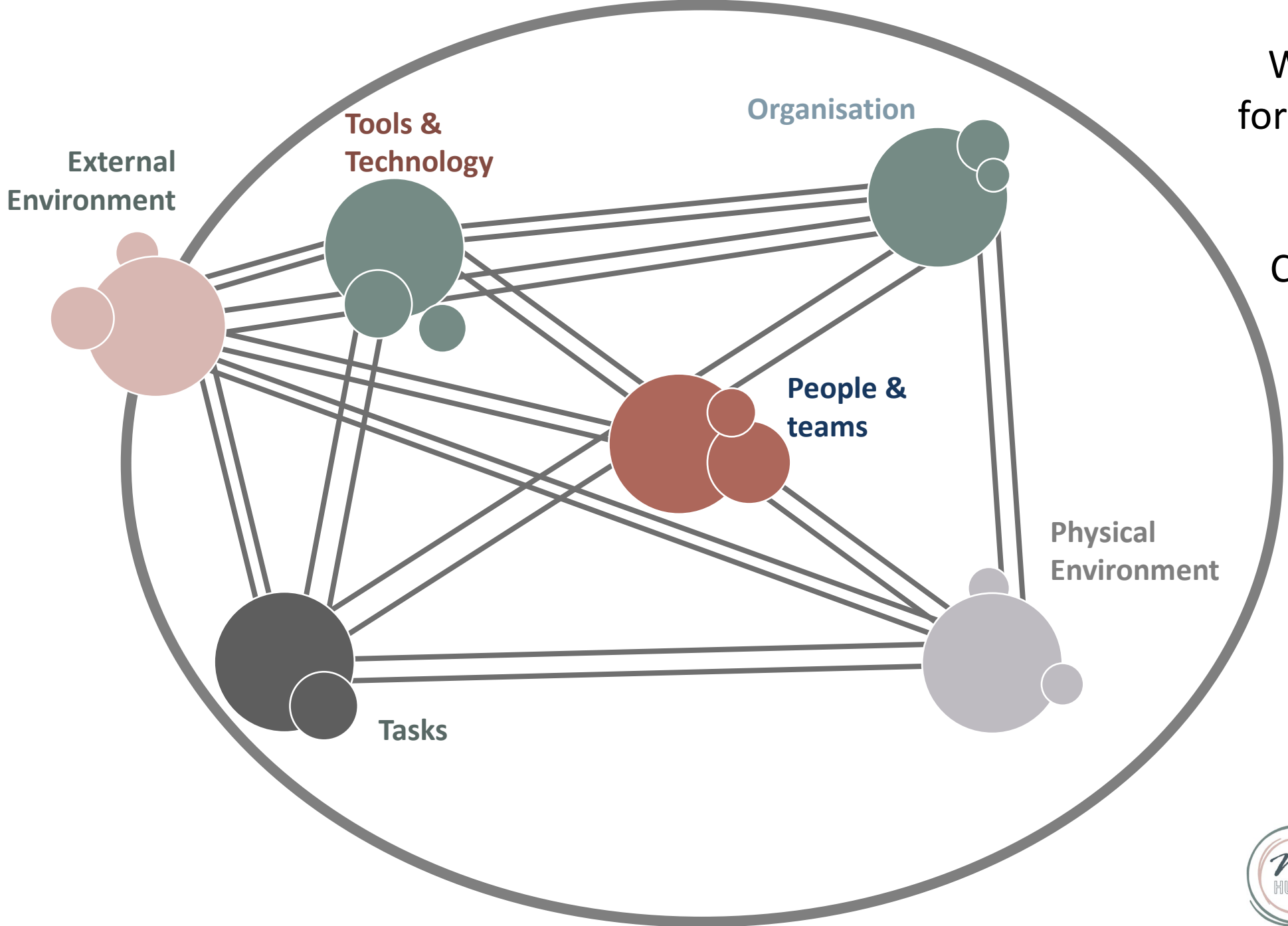


Weick and Sutcliffe

HRO value	Organisational level concern
1. Pre-occupation with failure	<ul style="list-style-type: none">• Encourage error reporting• Accept human error as inevitable• Obsession with avoiding overconfidence
2. Reluctance to simplify	<ul style="list-style-type: none">• Unwillingness to simplify a situation• Create more complete pictures of situations• Encourage spanning of boundaries, negotiating, scepticism and differences in opinions
3. Sensitivity to operations	<ul style="list-style-type: none">• Ongoing concern with the unexpected• Attentiveness to those on the front line• Acknowledgement that the cause of an accident is often not the result of a single active error but rather multiple slips and lapses that can be latent (present but inactive) in the system
4. Commitment to resilience	<ul style="list-style-type: none">• Ability to identify, control, and recover from errors• Errors and failures kept small• Practice worse case scenarios• Develop strategies to expect and react to the unexpected
5. Deference to expertise	<ul style="list-style-type: none">• Encourages communication of expertise from all levels• Decisions made on the front line• Migrate decision-making to its lowest possible level• Cultivate diversity

Work system design for patient safety: the SEIPS model

Carayon et al., 2006





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The reality of work...

Abiding
by all
the
'rules'

"legal illegal"

Grey
area

Breaking
the
'rules'

Incident with a poor outcome

Abiding
by all
the
'rules'

Incident

Breaking
the
'rules'

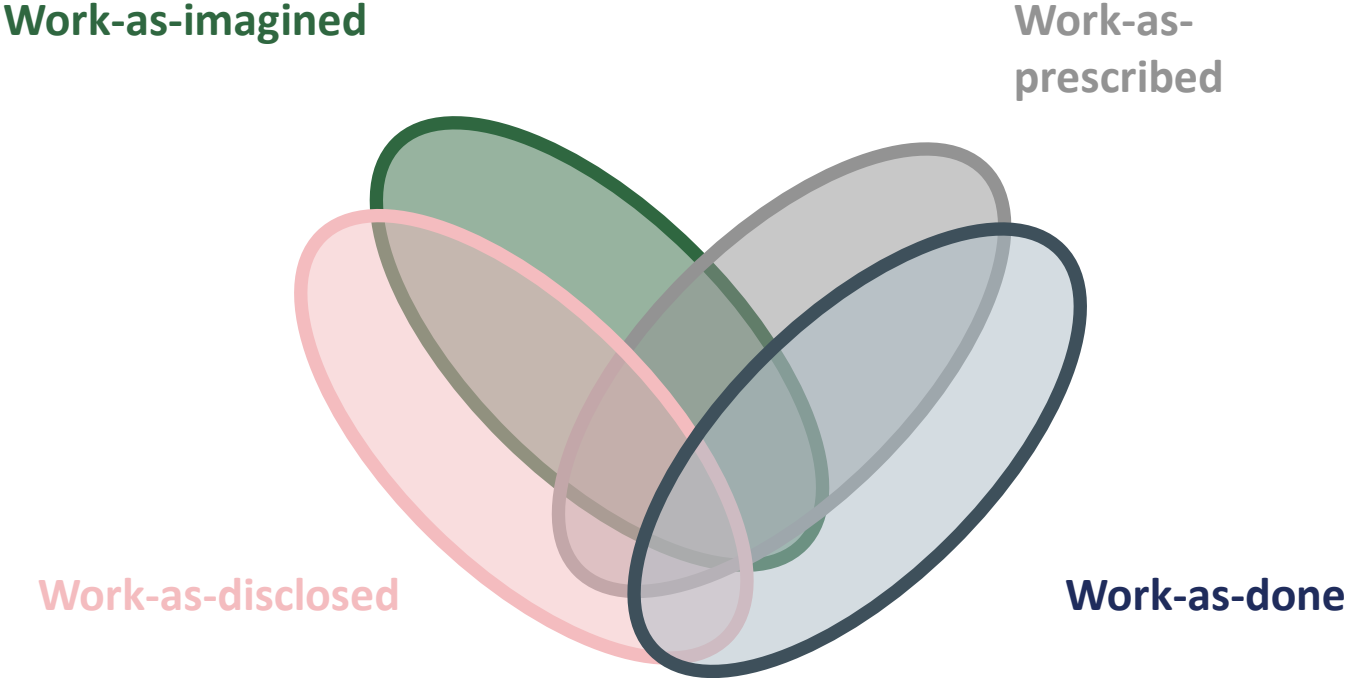
Incident with a good outcome

Abiding
by all
the
'rules'

Incident

Breaking
the
'rules'

Varieties of human work – Shorrock, 2016



Dawn: What would you like to ask them, if you could meet the midwives and the doctors that were part of your care at the time?

Michael: I guess, just kind of... it's a tricky one because ... they wouldn't have done it on purpose. But they might have thought like, once they realised their mistake they probably thought, she (Michael's mum) was right.

Dawn: How do you feel towards them?

Michael: No different to any other doctor or hospital staff because they do make mistakes. They're only human. Only a mistake from a hospital staff is going to be greater than someone who isn't because their mistake impacts other people.

“Only Human”



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