

## **Draft Revised Core Curriculum for Medical Ethics and Law in UK Medical Schools**

### **5 Assumptions on which the core curriculum is based**

A foundation of medical ethics and law:

- Underscores and explores the key importance in good medical practice of benefitting people's health with minimal harm in ways that respect autonomy and are just and fair.
- 10 – Is a necessary part of all clinical encounters and medical interventions
- Serves as a framework for understanding basic duties and responsibilities required for good medical practice
- Facilitates reflective and critical reasoning in the medical context

15 The Teaching and assessment of the core in relation to a doctor's professional responsibilities is a shared obligation of all medical teachers, throughout the medical curriculum, and is not the sole responsibility of designated teachers of medical ethics and law.

### **The aims of teaching medical ethics and law are to:**

- Enable each student<sup>1</sup> to:
  - become 'a good doctor'<sup>2</sup> who aspires to and is equipped for a lifetime of good practice and learning
  - 20 – develop the necessary understanding and awareness of relevant ethical and legal issues in medical practice
- Provide essential tools for decision making that is morally, legally and professionally justifiable
- 25 – Embed the appropriate attitudes and behaviours in accordance with General Medical Council guidance
- Develop the ability to:
  - think and reflect critically:
  - understand and appreciate the strengths and weaknesses of views opposed to their
  - 30 – own
  - acknowledge clinical and ethical uncertainty and seek help appropriately
  - distinguish between factual knowledge and values

35 It is the responsibility of each Medical School to provide adequate teaching time and resources to achieve the above aims.

The teaching and learning of medical ethics and law should be integrated vertically and horizontally throughout the whole curriculum.

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<sup>1</sup> In this document the word student should be taken to include doctors in the Foundation Years

<sup>2</sup> The knowledge, skills and aptitudes that define 'a good doctor' are set out in the GMC's 'Good Medical Practice'.

While we consider that the proposed curriculum set out below should be core for each student, the suggested learning outcomes are expressed generally and further work will be needed by, for example, the Institute for Medical Ethics and each Medical School to develop specific learning outcomes related to the differences in the curricula among Medical Schools.

## 5 ***Foundations of medical ethics and law***

The student should be able to demonstrate an understanding of:

- basic ethical theory underpinning decisions in medical practice, including deontological, consequentialist and virtue ethics and the four principles approach.
- the legal framework within which medicine is practised in the UK and the doctor's duty of care
- the implications of the practice of medicine in a diverse, multicultural society
- the necessity to recognise and avoid unfair discrimination in respect of age, gender, sexual orientation, ethnicity, disability and socio-economic status in relation to patients, colleagues and other healthcare professionals
- the influence of values, assumptions and feelings on decision-making

The student should be able to demonstrate an ability to:

- distinguish between factual knowledge and moral values
- consider, apply and reflect critically on the ethical, legal and professional bases for clinical decisions
- respect differing views while maintaining personal integrity

## ***Professionalism – ‘Good Medical Practice’***

The student should be able to demonstrate:

- An understanding of and respect for the role and responsibilities of the **General Medical Council (GMC)**
- Conformity to the standards required in ‘Tomorrow’s Doctors’, ‘Good Medical Practice’ (GMC) and ‘Student Fitness to Practice’ (GMC and Medical Schools Council)
- An understanding of:
  - the importance of trust, integrity, truthfulness and good communication<sup>3</sup> in the patient/doctor relationship
  - the need to accept personal responsibility, acknowledge uncertainty and be aware of limitations of his/her practical skills or knowledge and to know how and where to seek appropriate help
  - the importance good inter- and intra-professional communication and teamwork
  - the importance of taking personal responsibility for his/her own health
  - the appropriate action to be taken when his/her health or that of colleagues may affect professional performance.
  - how to respond to clinical mistakes (by oneself or others): "whistle blowing", how and where to seek appropriate help
  - situations where the need for a chaperone is appropriate/necessary

## ***Informed choice and valid consent/refusal***

The student should be able to demonstrate:

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<sup>3</sup> UK Consensus Statement on the content of communication curricula in undergraduate medical education. Fragstein et al (20 08) Medical Education **42**: 1100-1107

- An understanding of the legal and ethical aspects of:
  - informed consent
  - patient refusal of treatment
  - the significance (and limits) of respect for patient autonomy
- 5     – the importance of the criteria for establishing a person’s capacity: the implications of the mental capacity legislation for clinical practice
- An understanding of the importance of:
  - sensitive and empathic communication with patients about diagnosis and the potential benefits/risks of treatment
- 10    – the legal and ethical boundaries of the clinical discretion to withhold information

***Patients - their values, narratives, rights and responsibilities***

The student should be able to demonstrate an understanding of:

- the importance of the patient’s dignity, narrative and perspective in the clinical encounter;
- 15    – the rights of patients and possible justifications for limiting rights
- ethical and legal aspects of treatment for patients who lack legal capacity
- the importance of involving and respecting the views of relatives and carers of patients, and the appropriate differences in this respect between patients who have and those who lack legal capacity

20    ***Confidentiality***

The student should be able to demonstrate an understanding of:

- the concept of confidentiality and its legal, professional and ethical bases
- when it can be legally, professionally and ethically justifiable to breach confidentiality
- how to share confidential information within clinical teams appropriately
- 25    – good practice in sharing information with relatives and carers: recognition of potential ethical and legal tensions
- controversies relating to the need for confidentiality in relation to genetic information

***Rights, Justice and Public Health***

The student should be able to demonstrate an understanding of:

- 30    – the legal and ethical bases of:
  - rights, duties and responsibilities in healthcare to individuals and communities
  - ‘just’ distribution of finite healthcare resources: local, national and international prioritization/rationing
  - patient choice and demand for treatment: needs, rights, utility, deserts and autonomy
- 35    – ethical, professional and legal considerations in respect of:
  - medical research
  - relations with the pharmaceutical and medical equipment industries

***Mental health and vulnerable patients***

40    The student should be able to demonstrate an understanding of:

- the ethical, legal and professional implications of the care of patients with mental illness
- mental health legislation: compulsory detention and treatment

- the ethical and legal tensions between the interests of the patient, family and community
- the ethical and legal boundaries of research with vulnerable individuals

### ***Beginning of life***

- 5 The student should be able to demonstrate an understanding of:
- the ethical and legal status of the embryo and fetus
  - ethical issues associated with pre-implantation/pre-natal testing and embryo selection: genetic testing and screening after birth
  - ethical, legal and professional aspects of:
 

10 – assisted conception

– termination of pregnancy

### ***Children and Young People***

- The student should be able to demonstrate an understanding of:
- the duty to respect the rights and interests of children and young people
  - 15 – the legal and ethical aspects of capacity to consent to and refuse treatment (including the relevance of age)
  - the legal and ethical aspects of genetic screening
  - the legal and ethical aspects of involvement in research
  - the respective roles of parents/guardians and health care professionals with respect to
 

20 children’s treatment decisions

– the ethical and legal issues in reporting suspected child abuse

### ***Towards the end of life***

- The student should be able to demonstrate an understanding of:
- legal issues at the end of life: acts/omissions, ‘do not attempt resuscitation’ (DNAR)
 

25 orders, advance refusals of treatment, euthanasia, assisted suicide
  - ethical issues at the end of life: dignity, patient choice, limits on respect for patient autonomy, ‘ageism’, sanctity of life and quality of life arguments
  - the need to respond sensitively to patients at the end of life and their families/carers
  - the need to respect diverse cultural practices at the end of life
  - 30 – the requirements for death certification

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### ***What competencies should be expected of students as they progress through the course?***

- 35 We suggest that students should be able demonstrate the following knowledge, skills and aptitudes as the course progresses. Given that the length and organisation of the course varies among Medical Schools the following suggestions are intended only to be indicative:

#### **Years 1 and 2:**

- 40 – Recognition of ethical and legal issues and application of common ethical arguments using constructed case scenarios
- The ability to understand and discuss differing viewpoints
- Awareness of the requirements of ‘Student Fitness to Practice’<sup>4</sup>

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<sup>4</sup> Medical students: professional values and fitness to practise – Guidance from the GMC and the MSC (2009)

**Years 3 and 4:**

- Recognition of ethical and legal issues and ability to apply common ethical arguments to actual clinical encounters
- Recognition of and conformity to professional and legal obligations in practice
- 5 – The ability to reflect on ethical practice of self, peers and teachers

**Years 5 and 6:**

- The ability to:
  - Integrate ethical analysis of actual clinical encounters with clinical knowledge and skills and legal obligations
  - 10 – Elaborate on common ethical arguments
  - Propose action/decision based on this synthesis
- Display attitudes and behaviours consistent with ‘Good Medical Practice’.

15 In the **Foundation years** and their **subsequent careers** doctors should be able to demonstrate increasing competence in how to identify, acknowledge and deal with ethical, legal and professional issues on which good medical practice is based.