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To consider

Responsibilities and Delegations to the Postgraduate Board and Registrar following the Merger of PMETB with the GMC

Issue

1. Delegations to the Postgraduate Board, and to the Registrar, to ensure the effective operational performance of postgraduate medical education and training functions following the merger of the Postgraduate Medical Education and Training Board with the General Medical Council.

Recommendations

2.
 - a. To agree to delegate to the Postgraduate Board the powers under sections 34H, 34I, 34K(2), 34M, and 34N(4) of the Medical Act 1983 as amended (paragraphs 7-19).
 - b. To agree to the further delegation of the powers under sections 34I(1), (2), (3), 34K(2) and 34M of the Medical Act 1983 as amended to the Registrar (paragraphs 7-19).
 - c. To agree that regulatory functions for foundation year two will be carried out by the Postgraduate Board (paragraphs 20 and 21).
 - d. To agree that the Governance Handbook will be amended to reflect the proposed delegations and responsibilities of the Registrar and Postgraduate Board after they take effect on 1 April 2010 (paragraph 22).

Further Information

3. If you require further information about this paper, please contact us by email: gmc@gmc-uk.org or tel. 0161 923 6602

Background

4. Strategic Aim Three of the Business Plan 2010 states that we will provide an integrated approach to the regulation of medical education and training through all stages of a doctor's career. This includes completing all work necessary to deliver the merger of PMETB with the GMC.
5. The Section 60 Order, abolishing PMETB and transferring its statutory functions to the GMC, was made on 10 February 2010 and comes into effect on 1 April 2010.
6. A new Part 4A of the Medical Act 1983 covers functions relating to postgraduate medical education and training for specialty, including general practice. It also includes registration, certification, and appeals functions.

Discussion

7. The approach to the oversight of postgraduate medical education and training requires detailed consideration of, for example, approvals of courses, programmes and training posts and the outcomes of quality assurance reviews. These detailed functions will be more appropriately undertaken by the Postgraduate Board than by the Council, in a similar way to that in which the Undergraduate Board, under delegated powers, undertakes the detailed consideration of comparable issues in basic medical education.
8. In practice a number of functions will be carried out by staff and effective operational performance will be supported if decisions are further delegated to the Registrar (who will in turn delegate them to other members of staff designated on his/her behalf).
9. Council is therefore invited to delegate powers to the Postgraduate Board and to the Registrar, as set out below. Delegations will come into effect when the GMC assumes the current PMETB responsibilities on 1 April 2010. The Governance Handbook and Schedule of Authority will need to be amended to reflect these changes in a consistent way.
10. The Postgraduate Board will report to Council at least annually on the exercise of the delegated powers.

Section 34H: general functions

11. Section 34H sets out the general functions for postgraduate medical education and training which require the General Medical Council (referred to in the legislation as the 'General Council') to establish standards and requirements relating to postgraduate medical education and training, including those necessary for the award of a CCT; to secure the maintenance of the standards and requirements; and to develop and promote postgraduate medical education and training in the UK.

12. We propose that the Postgraduate Board be responsible for the policy and standards work and for quality assurance of postgraduate medical education and training, covering foundation and specialty, including GP training.

Section 34I: approvals

13. To secure the maintenance of the standards and requirements, Section 34I empowers the General Council to approve: courses or programmes of postgraduate medical education and training and training posts which it is satisfied meet or would meet the standards and requirements; general practitioners able to provide training for GP Registrars; and examinations, assessments or other tests of competence. The General Council may also approve postgraduate medical education and training taking place outside the United Kingdom. The General Council may set conditions of approval, and withdraw approval if conditions, standards or requirements are not being met.

14. We propose that the Postgraduate Board be delegated the powers in section 34I and that the powers in sections 34I(1), (2), (3) be further delegated to the Registrar. Decision about withdrawal of approval in sections 34I(4), (5) and (6) remain with the Postgraduate Board. In practice, approvals will be processed by staff according to agreed templates and processes, and subject to any scrutiny arrangements set up by the Postgraduate Board. The Schedule of Authority will be amended to delegate powers to the Registrar to reflect this.

Section 34J: minimum requirements for general practice training

15. This section sets out the minimum requirements for general practice training and does not require the exercise of any powers.

Section 34K: minimum requirements for specialist training

16. Section 34K(2) enables the General Council to impose conditions in relation to any part-time specialist training which it approves. We propose that this function be delegated to the Postgraduate Board and further delegated to the Registrar and that the Schedule of Authority will be amended to reflect this.

Section 34L: award of a Certificate of Completion of training

17. The powers in this section are exercised by the Registrar and under the remit of the Registration Directorate.

Section 34M: visitors

18. The General Council may appoint people to visit any body or other person by whom, or under whose direction or management, any postgraduate medical education or training is, or is proposed to be, given under section 34M. Operational efficiency means that it is more practical for staff to manage the appointment of visitors so we propose that this function be delegated to the Registrar and that the Schedule of Authority will be amended to reflect this.

Section 34N: power to require information

19. Section 34N gives the Registrar the power to require information from any body or persons providing postgraduate medical education or training. Section 34I(5) provides that if a body or person who is required to provide information fails to comply with a request, the Registrar shall refer the matter to the General Council. We propose in paragraph 14 that the powers in section 34I be delegated to the Postgraduate Board rather than exercised by the General Council.

Recommendation: To agree to delegate to the Postgraduate Board the powers under sections 34H, 34I, 34K(2), 34M, and 34N(4) of the Medical Act 1983 as amended.

Recommendation: To agree to the further delegation of the powers under sections 34I(1), (2), (3), 34K(2) and 34M of the Medical Act 1983 as amended to the Registrar (paragraphs 7-19).

Foundation Programme

20. Council agreed on 26 March 2009 that the Postgraduate Board would have responsibility for the Foundation Programme, initially foundation year one and following the merger of PMETB with the GMC, foundation year two. Council noted that we would seek fresh authority when PMETB is merged with the GMC and we can place additional delegation in that wider context.

21. Council is invited to agree that the purpose of the Postgraduate Board will include responsibility for foundation year two following the merger.

Recommendation: To agree that regulatory functions for foundation year two will be carried out by the Postgraduate Board.

Next steps

22. If Council is content to agree to the proposed delegations and responsibilities, the Governance Handbook, including the Schedule of Authority, will need to be amended to reflect the new arrangements. It is proposed that the Postgraduate Board will consider the detailed wording of these amendments when it meets on 7 April 2010.

Recommendation: To agree that the Governance Handbook will be amended to reflect the proposed delegations and responsibilities of the Registrar and Postgraduate Board after they take effect on 1 April 2010

Resource implications

23. The proposed delegations support the efficient and effective use of our resources.

Equality

24. There are no specific equality implications.