



**Fitness to Practise**  
**investigations and hearings**  
**Information for journalists**

**General  
Medical  
Council**

Regulating doctors  
Ensuring good medical practice



The GMC has developed this guide to help you understand the Fitness to Practise process, how Panel hearings work and how we can help if you are reporting on a hearing.

If you have any questions about a Fitness to Practise Panel hearing or anything in this guide, please call the Press Office on **020 7189 5454**.

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# Taking action to protect patients

The General Medical Council is the independent regulator for doctors in the UK. We protect the health and safety of the public by ensuring proper standards in the practice of medicine.

We determine the principles and values that underpin good medical practice.

The GMC protects patients by restricting or removing the registration of doctors who, if allowed to continue in practice without restriction, might pose a risk to patient safety.

Where possible, the doctor will be required to address any deficiencies or behaviour, for example through retraining, so that they can return to safe and fully effective practice.

The doctor will only be permitted to return to unrestricted practice if it is safe to do so. In the most serious cases or where the doctor does not remediate, their registration may be erased.

# The Fitness to Practise (FTP) process

The GMC's FTP procedures are divided into two separate stages: investigation and adjudication.

In the investigation stage, the GMC investigates cases to assess whether there is a need to refer them for adjudication.

The adjudication stage consists of a hearing by a FTP Panel.

## Investigation

Complaints about doctors can come from a variety of different sources, including patients and members of the public, other health professionals and people acting in a public capacity, such as the police or the media.

At the early stages of investigating concerns about a doctor, we will decide whether there are issues which we need to investigate further, and if so, what form the investigation should take.

In some cases, it will be clear from the start that it is not appropriate for us to investigate, for example, because it is not about a doctor or because the case clearly falls outside our criteria for taking action against a doctor.

At the end of the GMC investigation, the case will be considered by two senior GMC staff known as case examiners (one medical and one non-medical). They can:

- conclude the case with no further action
- issue a warning
- refer the case to a FTP Panel
- agree undertakings (an agreement between the GMC and the doctor about the doctor's future practice)

The GMC will inform both the doctor and the complainant of the case examiners' decision and their reasons.

The GMC has to wait for any criminal investigation to conclude, and will often wait for other investigations, including coroners' inquests, to conclude before completing its own investigation.

Investigations are private. The GMC is therefore unable to comment on specific cases during the investigation stage as there is a duty of confidentiality towards both the doctor and the complainant(s).

The length of the investigation depends on the complexity and seriousness of the concerns. The GMC will complete the investigation as quickly and efficiently as possible and will keep the doctor and the person that raised the concern informed of progress.

### **Interim Orders Panel**

At any stage in the investigation the GMC may refer the doctor to the Interim Orders Panel (IOP). An IOP can suspend or restrict a doctor from practising while the investigation continues.

For more information on the IOP please see the fact sheet [Investigating Concerns](#) which can be downloaded from our website.

An IOP does not decide whether a doctor's fitness to practise is impaired or not. IOPs are held in private except on very rare occasions when a doctor requests that they are held in public. The GMC is unable to comment on the specifics of the investigation while it continues.

### **Referring a doctor to a FTP Hearing (adjudication)**

At the FTP hearing, a Panel will hear all the evidence and will decide at the end of the hearing whether they need to take action against the doctor.

### **Press access to the hearing**

GMC hearings are generally held in public, but the Panel may decide to exclude the public from the proceedings or any part of the proceedings, where it considers that the circumstances of the case outweigh the public interest in holding the hearing in public (for example if the allegations relate to the doctor's health).

Each hearing room has a designated area, usually at one end of the room, where press and public can sit to watch the proceedings.

# Who will be at the hearing?

**The Panel and Panellists** – the Panel, which is independent of the GMC, will include at least one doctor and at least one lay person. One member of the Panel will act as the chairman. Panellists are appointed by the GMC Council and act in accordance with the standards and guidance published by the GMC, although their decisions are made independently of the GMC.

**Legal assessor** – an experienced barrister or solicitor appointed to advise the Panel on points of law, but who takes no part in the decision making process. The Panel can accept or reject the legal assessor’s advice and will usually produce a determination (a written explanation) of its decision, which will be read out in open session and made available to parties.

**GMC representative** – the solicitor or barrister who presents the case against the doctor.

**Doctor’s representative** – the solicitor or barrister or other representative who presents the doctor’s case or speaks on behalf of the doctor. If unrepresented, the doctor may present their own case to the Panel.

**Panel secretary** – a GMC staff member responsible for the administration of the hearing.

**Witnesses** – these can be called to give evidence by the doctor or their representative and by the GMC representative.

## The FTP Panel process (Adjudication)

When a FTP hearing opens in public, the allegation, as it stands, is read out by the Panel Secretary. The allegation or Notice of Hearing is then circulated to attendees and can be obtained from the Press Office by requesting a Press Blue. After each subsequent stage of a FTP hearing, a determination from the Panel is made. These determinations are also publicly available to attendees and by request from the Press Office. These are:

- Determination on findings of fact (the Panel decides whether the allegations are proven)
- Determination on impairment (the Panel decides whether the doctor’s fitness to practise is impaired)
- Determination on sanction (the Panel decides what sanction to impose).



# STAGE 2

**Impairment**

GMC address the Panel on whether the doctor's FTP is impaired.

The doctor, or representative, address the Panel on whether the doctor's FTP is impaired.

**Determination on Impairment. The Panel goes *in camera* to determine whether the doctor's FTP is impaired.**

Case concluded with no action

The Panel finds the doctor's FTP is not impaired.

Warning issued

The Panel finds the facts proved

**Information available to the media**

Determination on Impairment can be obtained from the Press Office.

# STAGE 3

**Previous history, mitigation and sanctions**

GMC address the Panel on whether the doctor's FTP is impaired.

The doctor, or representative, presents evidence in mitigation and makes representations on possible sanctions. They may also offer undertakings.

**Determination on the sanction. The Panel goes *in camera* to decide which sanction should be imposed.**

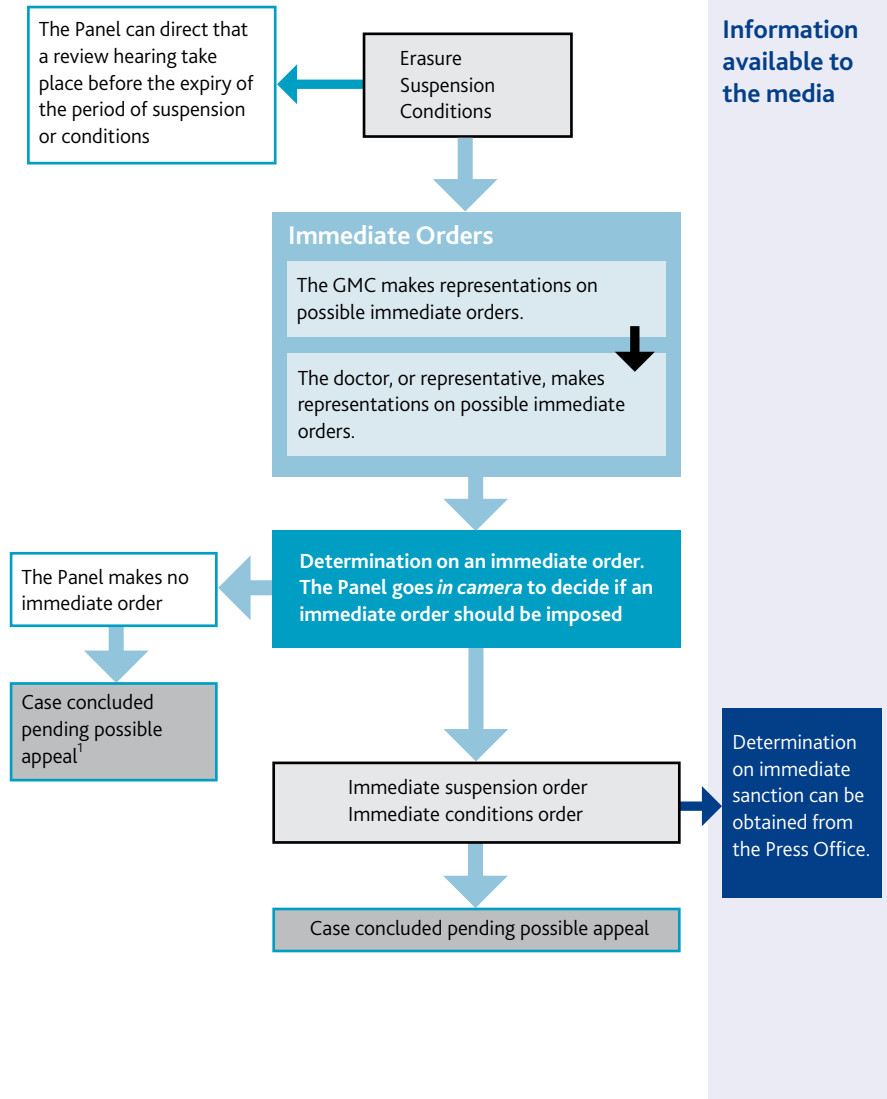
Undertakings accepted

Case concluded

Determination on sanction can be obtained from the Press Office.

Stage 3 (overleaf)

# STAGE 3



Please note the statutory period to lodge an appeal is 28 days.

<sup>1</sup> All appeal applications are made to the High Court or the Court of Session in Scotland.

## Possible sanctions

If a doctor's fitness to practise is found to be impaired by the Panel, the following outcomes could be applied to the doctor's registration:

- no further action
- to direct that the doctor's registration be subject to specified conditions for a period of up to three years
- to direct that the doctor's registration be suspended for a period of up to 12 months
- except in cases that relate solely to the doctor's health, to direct that their name be erased from the medical register.

If a doctor's fitness to practise is found not impaired by the Panel, there could be no further action or the doctor could receive a warning.

## Public interest

The Panel's determination on sanction is not intended to be punitive, although it may have a punitive effect. The Panel's consideration is focused on acting in the public interest which includes, amongst other things:

- the protection of the public
- maintaining public trust and confidence in the profession
- declaring and upholding proper standards of conduct and behaviour.

## Immediate orders

If the Panel determines to impose an order of conditions, suspension or erasure, the order will come into force 28 days after notice of the hearing outcome has been served on the doctor, unless they exercise their right of appeal.

The Panel has the power to impose an immediate order of conditions or suspension on the doctor's registration, to come into effect immediately if they are present at the hearing or within a day or so if they are not present at the hearing. If the doctor lodges an appeal, an immediate order will remain in place until such time as the appeal is either withdrawn or determined.

The Panel will invite the GMC representative and the doctor to make submissions on whether or not an immediate order is necessary.

The Panel will retire in private to reach its determination. It will then return to open session and the Panel chair will read out the Panel's determination, a copy of which will be made available to both parties and to attendees.

You can also obtain a copy of the Panel's determination from the Press Office.

## **Review hearings**

If the Panel directs that a period of conditions or suspension should be imposed on the doctor's registration, it will usually also direct that a review hearing takes place shortly before the date on which the sanction is due to expire. At the review hearing, the Panel will consider whether any further action needs to be taken against the doctor's registration.

## **Appeals**

The doctor has a right of appeal to the High Court (or the Court of Session in Scotland) against any Panel determination that has the effect of restricting or removing their registration.

The Council for Healthcare Regulatory Excellence may also appeal against any decision if they consider it to be too lenient.

## **Adjournments**

For hearings scheduled to last for more than one day, the hearing will adjourn at the end of each day. The Panel may also adjourn for a longer period in order to obtain additional evidence, for example for health or performance reports, or because the case has overrun the days allotted to it and needs to be rescheduled.

## **Anonymisation of complainants, patients or witnesses**

In general, the identities of complainants, patients or witnesses whose cases form part of FTP hearings are likely to be anonymised. Ultimately, it is for the Panel to decide whether the identities should be anonymised.

Even if identities and names are already in the public domain, the Panel may continue to protect the identities in the hearing.

The GMC has no powers to impose reporting restrictions but in some cases, the Panel may ask the media to respect the confidentiality of patients/witnesses.

# Practical information

## Finding out about a FTP hearing

FTP hearings are announced approximately four weeks before they open. A press notice will be posted on the [FTP Hearings Calendar](#) which contains a summary of the charges against the doctor, dates, times and venue details.

A circular email is sent out to interested journalists at the beginning of each week which contains an up-to-date list of the FTP hearings taking place during the following week.

If you would like to receive this email, please contact the Press Office by calling **020 7189 5454** or emailing [press@gmc-uk.org](mailto:press@gmc-uk.org).

There are two hearing centres, one at the London office in Euston Road and another in Oxford Street, Manchester.

From time to time, hearings may take place in other venues because of unexpected delays or cancellations. On these occasions, the alternative information will be given on the respective doctor's press notice stored on the [FTP Hearings Calendar](#) on the GMC website. It is advisable to check the Hearings Calendar before attending a hearing.

## Attending a Fitness to Practise Panel hearing

All GMC FTP Panel hearings are held in public, except those that relate solely to a doctor's health. For most cases, you do not need to contact the Press Office if you would like to sit in the press gallery of a hearing; you can just attend. The exception is where the press notice on the hearings calendar states that you need to book seats in advance due to high demand.

Hearings usually start at 9:30am each morning and finish at approximately 5:00pm. Please sign in at the reception desk in good time and let them know which hearing you are attending so that you can be directed to the right hearing room.

# How the GMC Press Office can help

## Press room (London)

A press room is available in London only. Free Wi-fi is available. Please sign in at the reception desk and let them know which hearing you are attending before entering the press room, located on the 3rd floor of Regent's Place, London. Once in the press room, you will be directed into the FTP hearing when it is opened.

## Waiting room (Manchester)

A press and public waiting room is available in Manchester. Please sign in at the reception desk and let them know which hearing you are attending before entering the waiting room, located on the 7th floor of St James's Buildings, Manchester. Once in the waiting room, you will be directed into the FTP hearing when it is opened.

## Documents and determinations

The following documents may be handed to you and any member of the public present during a FTP hearing, once they have been read out:

- Press Blue
- Determination on findings of facts
- Determination on Impairment
- Determination on Sanction.

They are also available by email from the Press Office on request. Please let us know if you would like to receive determinations about a hearing. Information contained within the public determinations can be quoted and attributed to the Panel chair.

## Transcripts

Once a FTP hearing has concluded, you can request a copy of the transcript but please note transcripts can take some time to prepare as they need to be written up and checked before being released. Transcripts are not available during the hearing.

## **ISDN line**

An ISDN line is available on request in the London office and a member of the Press Office would be happy to arrange for you to use it for any broadcasts. We are currently in the process of installing an ISDN line in Manchester.

## **Filming inside the GMC's offices**

Please let the Press Office know if you would like to film inside the ground floor lobby in the GMC's London office and we can request permission on your behalf from the building management. A member of the Press Office will accompany you when filming in the ground floor lobby to ensure that your filming is not interrupted.

It is not currently possible to film inside the GMC's Manchester office.

# Attending a FTP Hearing

Anyone attending a hearing is asked to follow the guidelines below:

- The use of recording equipment, texting or emailing during the hearing is not permitted.
- Please do not address the Panel or ask questions during the proceedings.
- Please do not approach doctors or witnesses directly. The Press Office would be happy to pass on your requests to interview a doctor or a witness.
- Although you can leave the hearing room at any time, please leave and enter quietly.

## Directions

### London address

Regent's Place  
350 Euston Road  
London NW1 3JN

### Train/ tube

Euston mainline station or  
Great Portland Street,  
Regent's Park, Warren Street  
or Euston Square  
underground stations.



### Manchester address

7th Floor  
St James's Buildings  
79 Oxford Street  
Manchester M1 6FQ

### Train/metrolink

Manchester Piccadilly or  
Oxford Road mainline stations/  
St Peter's Square Metroline  
station.



Please note there are no car parking places available at the GMC offices.

# Glossary

<b>Allegation</b>	The charge that the fitness to practise of the doctor is impaired.
<b>Adjournment</b>	A break in the hearing before the Panel has completed its deliberations. The hearing will adjourn for lunch or comfort breaks and at the end of each day, if the case lasts for more than a day. A longer adjournment may be agreed in order that additional evidence can be obtained, or in the case of illness, or if the hearing has overrun.
<b>Conditions</b>	A sanction imposed by a Panel that restricts a doctor's right to practise for a period of time. This is a measure that prevents the doctor from carrying out certain functions or activities, for example, the doctor could be prevented from working privately.
<b>Determination</b>	A formal, detailed decision of the Panel.
<b>Erase</b>	Sanction imposed by the Panel to remove the name of the doctor from the medical register. This means the doctor cannot continue to practise medicine.
<b>Findings of fact</b>	The Panel, once it has heard all the evidence, will decide whether the alleged facts have been proven. This is known as a determination on findings of fact.
<b>Findings of impairment</b>	When the Panel has made a determination on findings of fact, it will then consider whether the doctor's fitness to practise is impaired. (A charge of Serious Professional Misconduct was replaced by a charge of impaired fitness to practise in 2004.)
<b>In camera</b>	Members of the press, public, legal teams and the doctor will be asked to leave the hearing while the Panel deliberate in private.
<b>In private</b>	Members of the press and public will be asked to leave the hearing while the Panel, legal parties and doctor discuss matters such as those which relate solely to the doctor's health.

<b>Interim order</b>	A doctor may be subject to an interim order while an investigation is in progress. It is done where there is evidence that a doctor should not be able to practise without restriction while the investigation proceeds. An interim order may be conditions on or suspension of registration.
<b>Press notice</b>	A summary of charges against the doctor will be posted on the fitness to practise <a href="#">hearings calendar</a> approximately four weeks before it is due to open. This is the only information available before the hearing opens.
<b>Press Blue</b>	A written copy of the charges (allegations) against the doctor which is printed out on blue paper and handed out after the charges are read out in the hearing.
<b>Redacted minutes</b>	Once a FTP hearing has closed, redacted (or edited) minutes, will be recorded on the doctor's entry within the <a href="#">List of Registered Medical Practitioners</a> online.
<b>Sanction</b>	A decision by the Panel that either restricts or removes a doctor's right to practise.
<b>Suspension</b>	A sanction imposed by a Panel which removes the doctor's right to practise for a specified period of time.
<b>Undertaking</b>	A commitment given by the doctor to the Panel to restrict their practice.
<b>Voluntary erasure</b>	A doctor can apply for voluntary erasure at any stage of their career. Each application is considered on its merits and in the full knowledge of any outstanding fitness to practise concerns – an application can be turned down and outstanding issues dealt with at a public hearing.
<b>Warning</b>	A warning may be issued to a doctor if the Panel decides there has been a significant departure from the principles set out in the GMC's guidance for doctors <a href="#">Good Medical Practice</a> but a restriction on the doctor's registration is not necessary. A warning remains on a doctor's record for five years. Doctors can only be given a warning when their fitness to practise is found not impaired.

London

Regent's Place, 350 Euston Road, London NW1 3JN

Manchester

3 Hardman Street, Manchester M3 3AW

Scotland

5th Floor, The Tun, 4 Jackson's Entry, Holyrood Road, Edinburgh EH8 8PJ

Wales

Regus House, Falcon Drive, Cardiff Bay CF10 4RU

Northern Ireland

9th Floor, Bedford House, 16-22 Bedford Street, Belfast BT2 7FD

### **GMC Press Office contact details**

Working hours: 020 7189 5454

Out of Hours: 020 7189 5444 / 07920 461 497

General media enquiries: [press@gmc-uk.org](mailto:press@gmc-uk.org)

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