

# Stream 2: Guidance for complainants

**1** This fact sheet explains what action we will take when we receive complaints that we consider are not appropriate for the GMC to investigate, but require contacting the doctor's employer(s)/contracting organisation(s) to ensure there are no wider concerns about a doctor's fitness to practise.

## The role of the GMC

- 2** Our powers and sanctions are linked to our responsibilities for maintaining the register of doctors able to practise medicine in the UK. The GMC's fitness to practise procedures focus on the most serious concerns that call into question a doctor's fitness to practise and their right to retain unrestricted registration – that is his or her right to practise medicine anywhere in the UK.
- 3** Some complaints that we receive do not fall into this category. This does not mean that we do not believe the information set out in the complaint is correct or that we do not consider the issues raised have had a serious outcome for the patient concerned. However, we need to consider whether the information provided, in the absence of any other concerns about the doctor, raises sufficiently serious concerns to suggest that we need to take action to stop the doctor working or to limit the work that they can do.
- 4** We are not a general complaints body and we are unable to provide answers to specific questions with regards to care provided. These can only come from the doctor or the healthcare provider directly.

## Local complaints handling procedures

- 5** All NHS bodies and many private healthcare organisations are required to have their own complaints handling procedures. Local procedures are often better placed to provide the explanation, reassurance or apology that a patient may require. They are also in a better position to assess whether there are any wider problems that may need to be addressed.

**6** If you have not already done so, you may wish to raise your concerns directly with the organisation where you saw the doctor about whom you have complained. They will be able to advise you if they are better able to consider your complaint through their own procedures.

## What action will the GMC take?

- 7** We normally only investigate complaints that could result in formal action on the doctor's registration (that is, their right to practice medicine). We review all new complaints to identify those that we need to investigate ourselves because the issues are potentially serious. We refer to these as Stream 1 complaints.
- 8** Many of the complaints we receive do not fall within this category. This is because the concerns raised, on their own, are unlikely to require us to take formal action against the doctor's registration. We refer to these as Stream 2 complaints.
- 9** A Stream 2 complaint is a preliminary investigation in which we will contact the doctor's employer(s)/contracting organisation(s) and ask them to confirm whether there are any immediate concerns about the doctor's fitness to practise that might require any further GMC investigation. We will also forward them a copy of the complaint so that they are aware of the issues which have prompted us to write to them.
- 10** The employer(s)/contracting organisation(s) may decide that they can investigate the complaint through their own procedures. Please note that we will not be asking the employer(s)/contracting organisation(s) to investigate the complaint, and if they decide to do this, then this is their decision.

## Who decides whether a complaint is Stream 1 or 2?

- 11** The Assistant Registrar, an experienced lay member of staff, makes the decision. If medical advice is needed before a decision is made, guidance is sought from a medically qualified Case Examiner.

- 12** Why are you asking for my consent when you are not going to investigate my complaint?
- 13** We would like your consent so that we can disclose your complaint to the doctor and obtain details of their employer(s)/contracting organisation(s). This means that we can send a copy of your complaint to the doctor's employer(s)/contracting organisation(s). We will ask the employer(s)/contracting organisation(s) to confirm whether or not they have any immediate fitness to practise concerns about the doctor that they think we need to investigate.

### **Will the GMC contact me when they hear back from the doctor's employer(s) contracting organisation(s)?**

- 14** We will not contact you again unless we later decide to carry out a Stream 1 investigation. We would do this if we received any additional information that raised concerns about the doctor's fitness to practise.

### **What will happen if the employer identifies any concerns?**

- 15** If the doctor's employer(s)/contracting organisation(s) identifies any serious concerns about the doctor, either relating to your particular complaint or more generally, we will undertake our own investigation into the doctor's fitness to practise within the Stream 1 process. At the end of our Stream 1 investigation, two case examiners will decide whether to refer the doctor to a Fitness to Practise Panel hearing to formally consider the doctor's fitness to practise.

### **Further information**

- 16** More information about the GMC's fitness to practise procedures is available on our website [www.gmc-uk.org](http://www.gmc-uk.org).