

Fitness to Practise Panel Determination

The following case was heard by a Fitness to Practise Panel. It is presented here to give an example of one possible outcome of breaching this principle. It is not intended to give a clear threshold between acceptable and unacceptable behaviour. Each case which comes before a Fitness to Practise Panel is judged on its own merits and assessed on the particular circumstances of the case.

Summary

A medical regulatory body determined to suspend a doctor's registration on the basis of inappropriate and unprofessional behaviour toward female colleagues and for failing to disclose on two employment application forms that their employment had been terminated by another organisation.

Relevant paragraphs of *Good Medical Practice*

This case relates to the 'Probity' section of *Good Medical Practice*, specifically paragraph 57 on being honest and trustworthy and paragraphs 63 and 65 on writing reports and CVs, giving evidence and signing documents.

This case also relates to the 'Working with Colleagues' section of *Good Medical Practice*, specifically paragraph 46 on respect for colleagues.

Determination on impaired fitness to practise

"Dr X: The Panel has taken into account all the evidence before it today, including the submissions of Mr K on your behalf, and those of Ms W on behalf of the GMC. It has also borne in mind the advice of the Legal Assessor.

You have admitted and the Panel has found proved that on [date removed], as a result of a finding that you engaged in inappropriate and unprofessional behaviour towards female colleagues and for failing to disclose on both your XXX licence renewal application form dated [date removed] and on employment application forms to:

- i. the XXX Medical Center dated [date removed], and

ii. the [date removed] Hospital dated [date removed],

that your employment had been terminated by the University of XXX Medical Center on the [date removed], the XXX Board of Registration in Medicine suspended your inchoate right to practise medicine in XXX for a period of three years, to be stayed upon your entry into an acceptable probation agreement.

In addition they imposed a fine of \$2500 and required that any petition to stay the suspension of your inchoate right to renew your licence must be supported by the results of a psychiatric evaluation performed by a physician approved by the Board and documentation satisfactory to the Board from your recent employers attesting to your acceptable behaviour with female colleagues.

The Panel is satisfied that your failure to give truthful and accurate information to the XXX Board and to prospective employers and your conduct in engaging in inappropriate and unprofessional behaviour with female colleagues are serious matters which cast doubt on your probity and integrity as a registered medical practitioner, and which would be likely to undermine the public's confidence in the integrity of the medical profession.

You have brought to the attention of the Panel the fact that in [date removed] your application for an unrestricted licence to practise medicine and surgery was considered by the XXX Board of Medical Examiners. The Board's conclusion was that it was satisfied that you had fulfilled the terms of the XXX Order and that you were fit to practise, but subject to restrictions. The Panel has given careful consideration to this evidence.

Having regard to:

1) the seriousness of your misconduct in [date removed], as determined by the XXX Board in [date removed];

2) the fact that you have accepted that the Order made by the XXX Board was a determination to the effect that your fitness to practise was impaired;

3) the fact that in [date removed] the XXX Board was not satisfied that you were fit to practise on an unrestricted basis; and

4) the fact that there is no evidence that your fitness to practise now in [date removed] is any different from your fitness to practise as it was assessed by the XXX Board in [date removed];

the Panel has concluded that your fitness to practise remains impaired.