



Taking up and ending appointments

Every year, the GMC receives a number of calls about our guidance on taking up and turning down appointments (Good Medical Practice, paragraph 49).

Our guidance is intended to encourage doctors to consider the impact on patient care of any decision they may make about withdrawing from posts they have accepted. We know that doctors' failure to honour agreements to take up posts can cause disruption to the running of a hospital or other medical service, especially if it happens in sufficient numbers. It may also put patients at risk in some circumstances, for example where appointments or treatments have to be delayed, and our guidance is mainly aimed at preventing this situation occurring. The most frequently asked questions about applying our guidance are addressed below.

Formal acceptance of a post

Whether a doctor, in particular circumstances, can be regarded as having 'formally' accepted a post is a contractual matter and a question for the doctor's legal advisers. The BMA, for example, has published a series of online FAQs for junior doctors which deal with issues such as whether oral acceptance of a post, or allocation to a post within a national training scheme, can be seen as a contractual commitment to take up the post.

Reasonable notice period

Bearing in mind the variety of organisations with which doctors may contract to provide services, it is clear that what may be a 'reasonable' period of notice for withdrawing from a post in one situation may be unreasonable in another. We expect individual doctors to make their own judgement about what might be seen as reasonable notice in their particular circumstances. This is likely to depend on the nature of the post and the recruitment process, the contractual period of notice and any accommodation that the doctor can negotiate with the current and prospective employer. Doctors who are uncertain about their position should seek legal advice and/or support from a representative body. The BMA FAQs for junior doctors include advice about the contractual issues to consider when deciding whether to withdraw from a training post.

Complaints from employers

We get a number of complaints each year from employers about failure to take up posts. As with other complaints, we judge each case on its merits. Examples of cases where failure to take up a post has led to a finding of impaired fitness to practise can be found from the link next to paragraph 49 of Good Medical Practice on-line.

The factors we might take into account in considering a complaint include: - the nature of the post; alternatives available to the employer at the time to obtain cover; any evidence of potential adverse impact on the organisation or management of services, or on patient care; any concern that failure to give sufficient notice was part of a wider problem in the doctor's conduct or performance.