

Information for doctors who have undertakings or conditions that affect their practice

General
Medical
Council

What are undertakings and conditions?

Undertakings and conditions are used to restrict a doctor's practice or require them to do something, such as undertake retraining.

- We agree undertakings with the doctor either at the end of an investigation or at a tribunal hearing run by the Medical Practitioners Tribunal Service (MPTS). Undertakings remain in place until the doctor has addressed the concerns.
- Conditions are applied to a doctor's registration by a medical practitioners tribunal for up to three years.
- Interim conditions are applied to a doctor's registration by an MPTS interim orders tribunal to support good, safe patient care while we investigate concerns about the doctor. Interim conditions can be in place for up to 18 months (this period can be extended by the High Court).

Complying with your undertakings or conditions

Your undertakings or conditions contain the restrictions and requirements that we consider are needed for you to practise anywhere in the UK, to support good, safe patient care and maintain public confidence in doctors.

You must make sure you understand how each undertaking or condition affects your work as a doctor. You should refer to the *GMC Fitness to Practise glossary of terms*, which explains the terms used in your undertakings or conditions. Please discuss any queries with the investigation officer assigned to your case.

If you are practising or seeking to practise, you must organise suitable working arrangements that meet the restrictions and requirements of your undertakings or conditions. This includes arranging access to, and funding for, training. Before you start or restart work, your working arrangements as outlined in your undertakings or conditions must have been approved by your responsible officer (or their nominated deputy). Compliance with your undertakings or conditions is your responsibility. There is no obligation or expectation on any other individual or organisation (including your responsible officer) to provide you with the necessary support, arrangements or resources needed for you to comply. This is a matter you will

need to discuss with the organisation by which you are employed or for which you provide services.

We will regularly contact you to check your progress and ask others, like your employer, to confirm that you are complying with your undertakings or conditions.

If you give up your licence to practise in the UK, you still need to comply with your undertakings or conditions as you are still registered with us. If our investigation identified concerns with your performance we will expect you to address them, and giving up your licence may make it difficult for you to do so.

What happens if you fail to comply with your undertakings or conditions?

We will consider whether to take further action if:

- you fail to comply with your undertakings or conditions
- your English language, health or performance deteriorates
- we receive information that raises further concerns about your fitness to practise.

We may refer your case to a medical practitioners tribunal, which could result in a more serious outcome, including suspension or removal from the medical register. However, a medical practitioners tribunal cannot remove you from the medical register if the concerns relate only to your health.

Changing or removing undertakings or conditions

Undertakings

To remove undertakings, we must be satisfied that your fitness to practise is no longer impaired.

We may also seek to agree to relax undertakings or, in response to further concerns, to tighten them to include additional restrictions. We will seek agreement to change undertakings for the following reasons.

- Evidence suggests that although you are still impaired, you have made significant progress in addressing concerns about your performance or health, and so some aspects of your undertakings can be relaxed.
- Evidence indicates that your English language, health or performance has deteriorated and tighter undertakings are required.
- Due to a change in your circumstances, your undertakings are no longer effective or workable – for example, if you have changed specialty.

Conditions

Conditions are applied to your registration for a defined period and will be reviewed by an MPTS tribunal shortly before the period ends.

Interim conditions are reviewed at least every six months.

With both conditions and interim conditions, we may refer your case for an early review if there is evidence that:

- the conditions are no longer needed
- you have failed to comply with a condition, your English language, health or performance has deteriorated, or further concerns have been raised.

Our policy on publishing and disclosing undertakings and conditions

Your undertakings or conditions are published on the medical register (www.gmc-uk.org/lrmp). Once undertakings or conditions have been removed, they can continue to be published in your fitness to practise history on the medical register for ten years. However, we do not publish or disclose any information about your health – undertakings and conditions solely relating to a doctor’s health are kept confidential.

In line with our Publication and Disclosure policy, any decision to accept or vary undertakings, as well as any conditions received, will be published on our website for 12 months.

To support good, safe patient care and to inform members of the public, we share action that has been taken with a wide range of regulators around the world. We may provide further information about the case in response to specific requests from any regulator. If we disclose further information, we will let you know.

Further information

You can find further information on our website at: www.gmc-uk.org/concerns/information-for-doctors-under-investigation/our-sanctions.

Email: gmc@gmc-uk.org

Website: gmc-uk.org

Telephone: **0161 923 6602**

General Medical Council, 3 Hardman Street, Manchester M3 3AW

Textphone: **please dial the prefix 18001** then
0161 923 6602 to use the Text Relay service.

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I ofyn am y cyhoeddiad hwn mewn fformat neu iaith arall, ffoniwch ni ar **0161 923 6602** neu e-bostiwch ni ar gmc@gmc-uk.org.

You are welcome to contact us in Welsh. We will respond in Welsh, without this causing additional delay.

Mae croeso i chi gysylltu â ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg, heb i hyn achosi oedi ychwanegol.

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