



How we use your information when considering concerns

Working with doctors Working for patients

General
Medical
Council

Our role is to protect, promote and maintain the health and safety of the public by making sure doctors registered in the UK meet our standards for good medical practice.

When we receive a serious concern about a doctor, we gather information to assess if the doctor may pose a risk to the public or public confidence.

If you have a concern about a doctor, your information will help us investigate and find out if we need to take action to protect the public.

This leaflet explains:

- what information we might need
- how we use your information
- how we protect your confidentiality
- what information will we will share with you.

What kinds of information do we need?

Information to help our investigation

To make sure we fully understand your concerns, we might ask you for more details, such as:

- names
- significant dates
- the actions of the doctor that caused you to complain.

The more detail you can give us, the easier it will be for us to assess what happens next.

We might also need other kinds of information, such as your medical records, statements and personal information.

Your medical records

Your medical records show when a doctor began treating you and for what reason. If we need to see your medical records, we'll only ask for information that's relevant to us considering your concern.

We are committed to protecting your privacy, so we won't share your medical records with anyone who is not directly involved in the case, unless required to do so by law or we need to do so in the interests of protecting the public. If we do need to share your medical records, we will anonymise them where possible.

Statements

We may need to contact people involved in the complaint to get their views. If the case goes to a hearing, you may need to give evidence to a tribunal, in writing or in person.

Experts and other witnesses may be named in a public hearing (except where the witness requests that their name be anonymised). But to protect their privacy, we don't publish witnesses' names on our website or on the Medical Practitioners Tribunal Service website.

Personal information

We're committed to making sure that we treat everyone fairly and meet our obligations under the *Equality Act 2010*.

This is why we may ask for other personal details – including your ethnicity, sex, sexual orientation, age, marital status, disability and any reasonable adjustments you might need. This information will be used to check that our processes are fair and to help make sure that our arrangements are right for different groups.

Giving these details is optional, but any information you provide is stored securely and will help us improve how we work.

How do we use your information?

Most importantly, we will use your information to investigate concerns about a doctor. In some situations, we may need to share your information with other people and organisations responsible for protecting the public – we've explained below when we need to do this. We may also use your personal information – anonymously – to monitor and improve the way we work.

We will handle your personal information with the utmost care and have a privacy policy in place to ensure we do this. You can read our privacy policy at www.gmc-uk.org/privacy-and-cookies.

Using your information in an investigation

We must tell the doctor that a complaint has been made about them before we can begin our investigation. This is because the doctor has the right to respond to the concerns you have raised. It also helps us to gather information about where the doctor has worked in the past. We ask the doctor's employers to tell us about any other complaints or relevant information about the doctor.

By law, we have to tell the Department of Health in England, Scottish Ministers, Social Services and Public Safety in Northern Ireland and the Welsh Assembly that we have opened an investigation into a doctor. We may also share relevant information with the Professional Standards Authority (PSA) – the organisation that oversees health and care regulators in the UK.

We may need to share information with other people who can help us to understand how serious the matter is. For example, we may need to ask for advice from clinical experts who specialise in a particular area of medicine.

Sharing your information with other organisations

Sometimes, because of the nature of your concerns, other organisations may need to take action to protect the public. In this case, we share information with other organisations, such as:

- the Disclosure and Barring Service, and Disclosure Scotland
- the police
- the Care Quality Commission
- healthcare deaneries and local education and training boards
- the Health and Safety Executive
- other regulatory bodies.

We have agreements with other organisations about the information we will share with them – you can read these on our website at **www.gmc-uk.org/partners**. We may also share information with other organisations when we believe it is in the public interest to do so.

Using your information to improve the way we work

We may use your information to improve the way we work, in the following ways.

■ Our published reports

We include an analysis of anonymous complaint data in some of our publications to help the public understand the work we do. You can read these publications at www.gmc-uk.org/annualstatistics.

■ Our research

We sometimes commission research to help us learn more about why concerns about a doctor happen and how we can improve the way we deal with complaints. We also use data to monitor the number and kind of complaints that we receive about doctors.

■ Reviewing our work

The Professional Standards Authority (PSA) audit the way we deal with fitness to practise cases to make sure we follow our policies and procedures correctly. The PSA also completes an annual performance review of our work, and that of all other regulators, which looks at how well we do our jobs as regulators. This means they will need access to our complaints data.

■ Training staff

We may use anonymised information about your complaint for training staff to improve our processes.

When we use information in these ways, we take care to remove personal information or maintain careful controls and confidentiality.

Sharing your information with the Witness Service

If you would like to talk to someone about being involved in an investigation, we can pass your details – with your agreement – to our Witness Service. This is a free, independent service run by Victim Support on our behalf to give support to complainants and witnesses who have made a complaint about a doctor.

They can:

- talk to you in confidence about how you are feeling
- give you information about the hearing process
- organise for someone to accompany you if you give evidence
- give practical help, such as support with filling in expense forms
- provide emotional support throughout the hearing process.

How do we protect your confidentiality?

We take the confidentiality of your information very seriously.

We safeguard your information through rigorous information security and record management policies and by taking care to make your personal information anonymous where appropriate.

Our publication and disclosure policy

We routinely publish on our websites information about the outcome of all hearings, and any action taken without a hearing; meaning to agree undertakings with a doctor or to give them a warning.

- GMC: www.gmc-uk.org/decisions.
- Medical Practitioners Tribunal Service: www.mpts-uk.org/decisions.

We publish all action taken on a doctor's registration, including action taken without a hearing, on our medical register at www.gmc-uk.org/lrmp. We treat any information about a doctor's health as confidential. All personal data, including names of complainants and witnesses are also removed from published decisions about cases.

Our records management policy

We only keep information for as long as necessary to carry out our work and meet with regulatory requirements. Our staff are only given access to your personal details and information on a need-to-know basis.

Disclosing your information

We have to share details of your concern to make preliminary enquiries or investigate. Because we're required by law to look into serious concerns about doctors, we don't need your permission to do this.

But it's important that you tell us if you have any concerns or specific requests about how your information will be used so we can take them into account. Because we're committed to protecting your privacy, we won't share any personal information about you unless it's essential that we do so.

Where the concern you have raised does not meet our threshold for investigation, we'll pass your concerns to the doctor's responsible officer (or suitable person) or employer, who may take action locally. We will let you know if we intend to do this and ask for your comments. Responsible officers have responsibility for the performance of doctors, including where a concern has been raised, so it is important that they get this information.

You can find out more about the role of responsible officers at www.gmc-uk.org/revalidation.

What information will we share with you?

The investigation officer dealing with the case will keep in touch and let you know if there are any key developments during our investigation. For example, they will tell you if the case is referred to a hearing and they will write to tell you the outcome. If necessary, they may also write to you to ask for more information and will be your key contact throughout the process. If your case is referred to a hearing, your key contact may change to one of our solicitors.

Further information

For more information on how we investigate concerns and the different possible outcomes of an investigation, go to www.gmc-uk.org/concerns.

If you would like to request information about an open investigation you are involved in, please contact the GMC investigation officer dealing with the case.

The GMC is subject to the requirements of the *Freedom of Information Act 2000* and data protection legislation. For information about a closed investigation that you have been involved in, please put your request in writing to:

- foi@gmc-uk.org or
- GMC Information Access team, General Medical Council, 3 Hardman Street, Manchester M3 3AW.

Please note that there are exemptions in the law that may apply to information that you request about an investigation. Where this is the case, we will write to you and explain why we consider that the exemption applies.

Email: gmc@gmc-uk.org

Website: www.gmc-uk.org

Telephone: **0161 923 6602**

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

To ask for this publication in Welsh, or in another format or language, please call us on **0161 923 6602** or email us at **publications@gmc-uk.org**.

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