

Governance Handbook

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Governance Handbook

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- I. This Governance Handbook is the Governing Document for the General Medical Council, as required by the Charity Commission. It sets out the role of the GMC and each component of the governance framework, and how meetings will be conducted. It includes our financial regulations and a Schedule of Authority, setting out how the principal functions and powers of the GMC have been assigned.
- II. Any part of this Governance Handbook may be amended or revoked by Council at any time. Amendments to Statements of Purpose agreed by Council for elements of the governance framework are automatically incorporated into the Governance Handbook.
- III. Council has delegated to the Head of Corporate Governance and Council Secretary the authority to make minor updates to web links, job titles and correction of typographical errors within the Governance Handbook.
- IV. The working arrangements for Council may be suspended if required for the effective conduct of business. Such suspension should be proposed and seconded, and approved by a majority of those present at a meeting.

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Chapter 1: Role of GMC and relevant legislation

- 1 The GMC is the regulatory body for the medical profession in the UK, and was first established under the Medical Act 1858. Our current powers and duties are contained in the Medical Act 1983 (as amended) and in statutory rules and regulations. The GMC is a body corporate, and is registered as a charity with the Charity Commission in England and Wales and the Office of the Scottish Charity Regulator. The GMC's activities in Northern Ireland do not currently fall under the auspices of the Charity Commission for Northern Ireland.
- 2 We are responsible for registering doctors to practise in the UK. Our purpose is to protect the public. We do this by promoting and maintaining:
 - a the health, safety and well-being of the public
 - b public confidence in the profession; and
 - c proper standards and conduct for doctors.
- 3 We have four main statutory functions:
 - a keeping up-to-date registers of qualified doctors
 - b fostering good medical practice
 - c promoting high standards of medical education
 - d dealing firmly and fairly with doctors whose fitness to practise is in doubt.
- 4 Council is the governing body of the GMC. It comprises 12 members, 6 of whom are medical members and 6 of whom are lay members. Members of Council, including the Chair, are appointed by the Privy Council through a process which follows the Professional Standards Authority's guidance for making appointments to healthcare regulatory bodies. This guidance incorporates principles based on those identified by the Commissioner for Public Appointments.
- 5 We work with the Professional Standards Authority, the independent body accountable to Parliament which scrutinises and oversees the work of the nine health and care professional regulatory bodies in the UK.

- 6** We collaborate closely with other health and social care regulators throughout the UK and internationally, and have a range of memoranda of understanding in place with relevant organisations. (<https://www.gmc-uk.org/about/how-we-work/who-we-work-with>)

UK primary legislation

- 7** The Medical Act 1983 (as amended) covers our statutory purpose, our governance, and our responsibilities in relation to the medical education and registration of doctors and to guidance to doctors on professional conduct, performance and ethics. The Act sets out our powers and responsibilities for dealing with doctors whose fitness to practise is or may be impaired.
- 8** Some detail is set out in statutory rules and regulations. This includes rules governing the fitness to practise procedures, how medical practitioners tribunals are constituted, how the registration fees regime operates, and how appeals against registration decisions are handled.
- 9** We have a Chief Executive who is accountable to Council for the operation of the GMC. The Chief Executive is also the Registrar, in which role he or she has various functions specifically assigned in legislation.

European legislation

- 10** We also have to comply with relevant European law while the UK is in the European Union or until the end of any transition period. The principal European legislation is Directive 2005/36/EC on the recognition of professional qualifications. This sets out our obligations for recognising the medical qualifications held by doctors from within the European Economic Area (EEA).

Governance

- 11** The 1983 Act sets out our basic governance framework. Although the 1983 Act provides the basic framework, much of the detail is described in separate statutory instruments in the form of rules and regulations. Like the 1983 Act, they have the force of law. This framework includes:
- a** the way in which we are accountable to Parliament and our duty to report on the work that we undertake and are planning to undertake
 - b** the composition of Council
 - c** the arrangements for the appointment of members
 - d** the registration of members' interests

- e information about and the powers, duties and proceedings of Council and the different committees through which Council carries out much of its work
- f information about the powers and duties of the Medical Practitioners Tribunal Service as a statutory committee of the GMC.

12 [The General Medical Council \(Constitution\) Order 2008](#) and [General Medical Council \(Constitution\) \(Amendment\) Order 2012](#) deal with the size and composition of Council and the terms of office of Council members.

Standing Orders and Schedule of authority

13 The 1983 Act provides that Council may make provision by standing orders for meetings and proceedings and the discharge of functions by Council and any committees, and for the functions of officers of Council. In respect of the MPTS Committee, Council may only make provision by standing orders regarding the requirements relating to the financial affairs of the MPTS and education and training of members of the MPTS Committee.

Chapter 2: Principles of regulation, governance and delegation

Regulation

- 1 The Better Regulation Executive has defined five principles of good regulation, which state that any regulation should be:
 - a transparent
 - b accountable
 - c proportionate
 - d consistent
 - e targeted.
- 2 We apply these principles in making regulatory policy and in discharging our regulatory functions.

Governance

- 3 The *Good Governance Code for the Voluntary and Community Sector* was first jointly published in 2005 by a group of voluntary sector support organisations. The Good Governance Code was updated in 2010 and 2017, when it was renamed the *Charity Governance Code*.
- 4 The *Charity Governance Code* is intended for use by charities registered in England and Wales. The Code does not attempt to set out all the legal requirements that apply to charities and charity trustees, but it is based on a foundation of trustees' basic legal and regulatory responsibilities.
- 5 The *Charity Governance Code's* principles are*:

* References to 'Board' in this Code relate to our Council.

- a *principle 1*: The board is clear about the charity's aims and ensures that these are being delivered effectively and sustainably.
 - b *principle 2*: Every charity is headed by an effective board that provides strategic leadership in line with the charity's aims and values.
 - c *principle 3*: The board acts with integrity, adopting values and creating a culture which helps achieve the organisation's charitable purposes. The board is aware of the importance of the public's confidence and trust in charities, and trustees undertake their duties accordingly.
 - d *principle 4*: The board makes sure that its decision-making processes are informed, rigorous and timely, and that effective delegation, control and risk-assessment, and management systems are set up and monitored.
 - e *principle 5*: The board works as an effective team, using the appropriate balance of skills, experience, backgrounds and knowledge to make informed decisions.
 - f *principle 6*: The board's approach to diversity supports its effectiveness, leadership and decision making.
 - g *principle 7*: The board leads the organisation in being transparent and accountable. The charity is open in its work, unless there is good reason for it not to be.
- 6 We also take account of the principles articulated in the *Good Governance Standard for Public Services* produced by the Independent Commission on Good Governance in Public Services (Office of Public Management and the Chartered Institute of Public Finance and Accountancy, 2004), which include clarity of purpose and a focus on outcomes; effective performance in clearly defined functions and roles; promoting values across the whole organisation; taking informed, transparent decisions and managing risk; developing the capability and capacity of the governing body to be effective; and engaging stakeholders and making accountability real.

Delegation

- 7 Council should set out the functions of each component of the governance structure, the Chief Executive and Registrar, and other staff in clear delegated authorities, and should monitor their performance.
- 8 The supporting principles are:
 - a clarity of roles: The roles and responsibilities of the Chair, Chief Executive, and of each component of the governance structure should be defined

- b** effective delegation: Council should ensure that delegations are clear and appropriate, with explicit limits relating to budgetary and other matters, and should satisfy itself that appropriate training and quality assurance mechanisms are in place
- c** purpose statements: Council should clearly state the purpose, and the expected duties and activities, for Committees
- d** monitoring: The Audit and Risk Committee should review all delegated authorities no less frequently than once in every four years.

Chapter 3: The role of Council

Purpose

- 1 The Council is the governing body of the GMC. Members are the Trustees of the charity and have the duties and responsibilities that accompany that role. Council is responsible for the overall control of the organisation. It ensures that the GMC is properly managed by the Chief Executive and his or her team and that the organisation fulfils its statutory and charitable purposes. The Council:
 - a exercises strategic leadership and strategic decision-making, including setting the GMC's overall goals and high-level policies, defining its mission and values, and shaping a positive organisational culture
 - b holds the Chief Executive and his/her team to account, ensuring that the GMC fulfils its statutory duties and charitable purpose. This includes making sure that it has effective governance systems in place, setting appropriate schemes of delegation, and ensuring probity in all its activities
 - c ensures that the GMC maintains effective relations with key interests and that processes are in place for meeting its obligations to other organisations
 - d sustains and monitors its own performance, overseeing the recruitment of members, and develops the capacity to work effectively.

- 2 Council fulfils its role by:
 - a setting a strategy that fulfils the statutory and charitable purposes of the GMC, including ensuring that our aims are for the public benefit
 - b setting the GMC's strategic aims on issues of equality, diversity and inclusion and ensuring that fairness is promoted in all the organisation's work
 - c ensuring that the organisation has effective engagement with all interest groups which promotes confidence in its activities, and that its policies are suited to the context in all four parts of the UK
 - d approving the annual business plans and budget and ensuring that appropriate systems are in place to monitor and account for progress against the business plan, expenditure against the budget, and the management of risk within the organisation
 - e setting and maintaining a framework of delegation and internal control

- f** ensuring that appropriate audit and monitoring systems are in place, and holding the Chief Executive and his/her team to account for the organisation's operation and performance, including compliance with all relevant laws and regulations
 - g** ensuring that we report openly and fully on our performance, accounting to Parliament, the Charity Commission and the Office of the Scottish Charity Regulator, in accordance with the reporting requirements of relevant legislation, as amended, including the Medical Act 1983, Charities Act 2011, and the Charities and Trustee Investment (Scotland) Act 2005; and co-operating with the Professional Standards Authority in accordance with section 27(1) NHS Reform and Health Care Professions Act 2002.
 - h** appointing (and, if necessary, dismissing) the Chief Executive and Registrar
 - i** ensuring that the GMC as a body corporate is a responsible employer, with employment policies in place that reflect best practice.
- 3** Council determines the GMC's strategy and priorities. It may do this through a Corporate Strategy for such period as it may decide and through a business plan and budget which is submitted to Council for approval by the executive team.
- 4** Council is responsible for approving the Annual Report and Accounts, and, members as Trustees of the charity must ensure that these comply with the Charities (Accounts and Reports) Regulations 2008 and the Statement of Recommended Practice for Accounting and Reporting by Charities, and the Charities Accounts (Scotland) Regulations 2006 (as amended). This includes reporting in the Trustees Annual Report on how our charitable aims are being carried out for the public benefit. Council has overall responsibility for financial management. Arrangements for detailed financial management are set out in our Financial Regulations.

Chapter 4: Role of each component of the governance framework

Council

- 1 The role of Council is as described in Chapter 3 of this Governance handbook.
- 2 The Council has agreed that there will be other components of our governance framework and these are set out below.

Governance Committees

- 3 The Governance Committees are the:
 - a Audit and Risk Committee
 - b Remuneration Committee.
- 4 In addition to the Governance Committees, the Council is advised by an Investment Committee.

Medical Practitioners Tribunal Service

- 5 The Medical Practitioners Tribunal Service (MPTS) is a statutory committee of Council. The MPTS has responsibility for the delivery of the adjudication function including the Operations Section and Tribunal Development Section. The MPTS is led by the Chair of the MPTS who is a member of the MPTS Committee, together with four other appointed Committee members, two medical and two lay.
- 6 The MPTS has been established to provide an efficient and effective hearings service to all parties to hearings which is clearly separate from the investigatory and case presentation roles of the Fitness to Practise Directorate within the GMC.
- 7 The MPTS is also responsible for managing tribunal decision-makers which includes the recruitment, training, and performance management of tribunal members, case managers and legal assessors.
- 8 The MPTS will be required to submit an annual report to Parliament which meets the requirements of Section 52B of the Medical Act 1983 as amended.

- 9** The GMC/MPTS Liaison Group is chaired by the Chair of Council and is made up of the Chair and Executive Manager MPTS, the Chief Executive and other directors of the GMC as required. A member or members of the MPTS Committee may be invited to attend a meeting of the Liaison Group at the discretion of the MPTS Chair, as required. It acts to oversee the working relationship between the MPTS and the functions of the GMC with which it interacts. The Group supports the delivery of the hearings service provided by the MPTS, ensuring that working arrangements are established and operate effectively.

Governance of the GMC's pension arrangements

- 10** The GMC's Staff Superannuation Scheme, which is now closed to future accrual, is managed and administered by a Board of Trustees, in accordance with the Scheme's Trust Deed and Rules. Council appoints the employer-nominated trustees to the Board of Pension Trustees.
- 11** There is a management board which oversees the GMC Group Personal Pension Plan, the GMC's defined contribution (DC) pension scheme, the membership of which is nominated by the Executive or by Plan members. Council receives annual reports on the governance of the DC pension scheme.

Executive Governance

- 12** The Executive Board, chaired by the Chief Executive, is a decision-making forum which also provides support, advice and recommendations on areas including:
- a** supporting Council in strategy development
 - b** policy development priorities and significant changes to existing policy
 - c** external engagement in the organisation's strategy and policy development
 - d** information and research to support strategy and policy development
 - e** linkage between policy development and legislation
 - f** business and operational planning
 - g** performance management and reporting, including financial due diligence
 - h** resource management (including budget, staff, infrastructure)
 - i** risk management and related controls
 - j** quality assurance, efficiency and continuous improvement.

- 13** The work of the Board is reported to Council through the reports of the Chief Executive and an annual report of its activities.

External engagement channels

UK Advisory Forums

- 14** An advisory forum will be convened in each of the three parts of the UK with devolved administrations to provide a structured forum for us to engage in long-range discussions on priorities with key interest groups.

Education Advisory Forum

- 15** An Education Advisory Forum provides advice on matters related to medical education and training, on the assessments we run or oversee and on broader policy considerations for the design of curricula and assessment systems, in light of Council's statutory purpose to protect, promote and maintain the health and safety of the public by ensuring proper standards in the practice of medicine.

Liaison groups

- 16** The Executive Board makes decisions in relation to establishing liaison groups and other forms of engagement with other organisations or interests on matters of policy and related operational issues. These may formalise a day-to-day relationship with a particular organisation or may bring together different perspectives as a sounding board on a particular issue or subject.

Task and Finish groups

- 17** The Executive Board makes decisions on the commissioning of Task and Finish Groups to provide time limited, focused input on a particular topic or issue. Typically, these will enable specific expertise or experience to be applied to achieve an agreed outcome, or for a range of relevant perspectives to be brought together quickly.
- 18** Any MPTS task and finish/working groups should be agreed by the Chair of the MPTS and authorised by the Chief Executive. In the event of any disagreement, the issue will be considered by the GMC/MPTS Liaison Group, which will provide advice to the Registrar.
- 19** MPTS task and finish/working groups will report to the Chair of the MPTS who will include an update on work undertaken in the MPTS Report to Council. It should be noted that where the work raises policy issues for the GMC requiring consideration by the Executive Board, a report will be made to the Board in line with current practice.

External input to programme or project boards

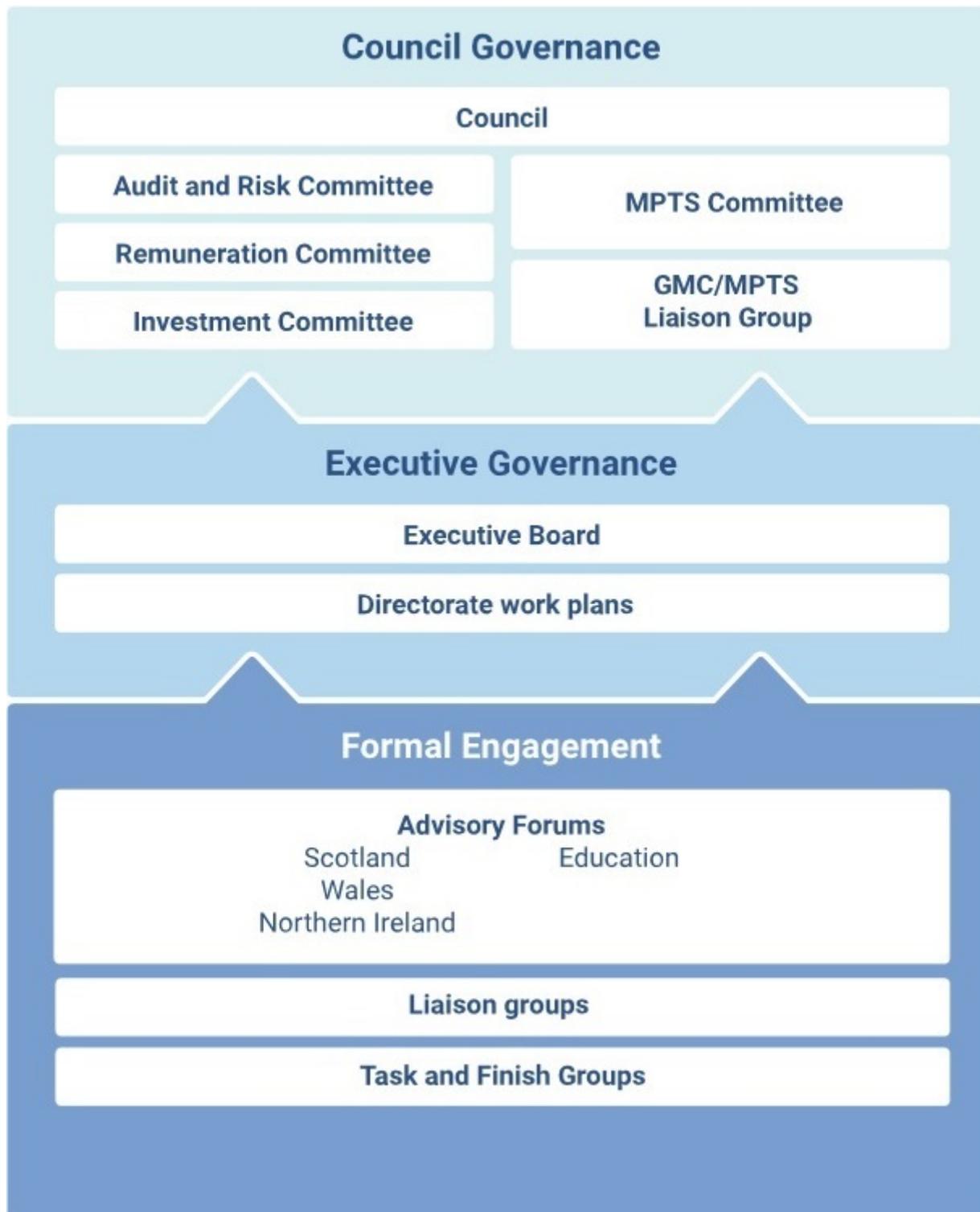
- 20** The Executive Board may commission time limited programme or project boards to be accountable for specific outcomes or outputs that require the participation of external interests for delivery.

Approach to Equality, and Diversity and Inclusion

- 21** Council agrees our strategic aims on issues of equality, diversity and inclusion (ED&I) and then holds the executive accountable for their delivery.
- 22** The Director of Strategy and Policy as senior sponsor will lead on articulating our commitment on equality, diversity and inclusion issues and raising their profile with staff and interest groups, as well as providing assurance to Council on behalf of the Chief Executive.
- 23** The Executive Board will approve the ED&I strategy and monitor progress at a high-level. The ED&I Steering Group will ensure that ED&I is integrated into the GMC's core activities and is responsible for considering the equality duties and monitoring and delivering appropriate actions.
- 24** A Strategic Equality, Diversity and Inclusion Advisory Group with external members will be established to act as a sounding board to inform the development of the ED&I strategy and GMC activities.

Governance model

- 25** The diagram on the following page shows the Governance model.



Chapter 5: Role of the Chair of Council

- 1 The General Medical Council (Constitution) (Amendment) Order 2012 provides that the Privy Council must, as one of its functions relating to the appointment of members of the General Medical Council, appoint the Chair of Council.
- 2 The Chair's term of office is determined by the Privy Council on appointment, and can be for no longer than the date on which the person's term of office as a member is due to expire (irrespective of whether or not he/she is thereafter reappointed as a member).
- 3 The main components of the role are listed below. The Chair may, as appropriate, delegate responsibility for some elements of the role to be undertaken by other Council members.

Leadership

- 4 The Chair's role is to:
 - a provide strong non-executive leadership
 - b ensure that Council's strategic direction is set
 - c encourage openness, transparency and accountability in all that Council does
 - d ensure that Council works collectively, and that each member puts the interests of the GMC above their own
 - e Chair Council meetings effectively, ensuring that required decisions are taken, and ensuring an annual programme of Council meetings with agendas appropriate to the business of Council
 - f make proposals to Council for chairs and members of Boards and Committees
 - g participate in the appointments process for membership of Council by sitting on the selection panel that makes recommendations on suitable candidates to the Privy Council, except where the appointment is for a new chair of Council
 - h make recommendations to the Privy Council for the re-appointment of Council members, except in relation to the re-appointment of the Chair of Council

- i** participate in the appointments process for membership of the MPTS Committee by sitting on the selection panel that makes recommendations on suitable candidates to Council
- j** communicate effectively with Council members between meetings to ensure that business is taken forward, and effective contributions made by members
- k** provide feedback and guidance to Council members and the Chair of the MPTS as part of the process for signing off their appraisals
- l** play the part required of him/her in handling any complaints or concerns about Council members and members of the MPTS Committee in line with agreed procedures
- m** establish and maintains a close working relationship with the Chief Executive, to provide overall leadership for the GMC
- n** hold the Chief Executive responsible for all aspects of the GMC's performance
- o** establish good working relationships with the directors and other staff, as appropriate
- p** establish a good working relationship with the Chair of the MPTS, and hold him/her responsible for the leadership of the MPTS.

Governance

5 The Chair's role is to:

- a** ensure that Council monitors our performance in line with legal and regulatory compliance requirements
- b** promote and uphold the public interest in all that we undertake
- c** ensure that Council focuses on governance rather than management
- d** ensure that the GMC's Code of Conduct and other relevant provisions are adhered to by all Council members.

External relationships

6 The Chair's role is to:

- a** represent the GMC at meetings with Ministers and with Assembly and Parliament members throughout the UK

- b** account for the GMC's performance, when called upon to do so, to Parliamentary Committees or to public inquiries
- c** represent the GMC in meetings with leaders of patient and consumer organisations, leaders of the medical profession, educational leaders and employers, senior figures in other regulatory and public authorities, and other interest groups
- d** engage with the media on Council's behalf
- e** develop partnership working with the Chair of the Professional Standards Authority and chairs of other healthcare professional regulators
- f** represent the GMC with regulatory authorities in other countries, including the International Association of Medical Regulatory Authorities.

Internal relationships

7 The Chair's role is to:

- a** act as an internal ambassador for Council within the GMC
- b** work closely with the Chief Executive and directors; and provide a sounding board for discussion of emerging issues
- c** manage the performance of the Chief Executive and advise the Remuneration Committee on this
- d** manage the performance of the Chair of the Medical Practitioners Tribunal Service (MPTS) and advise the Remuneration Committee on this
- e** handle appropriately any appeals against a decision by Council to remove a member of the MPTS Committee from office. The Chair of Council will review the matter based on the papers. The decision of the Chair of Council will be final.

Working practices

- 8** The role requires extensive day-to-day communication with members, the Chief Executive and staff, particularly by email.
- 9** Much of the Chair's work is in London, but there are meetings and other commitments throughout the UK. There are occasional invitations to international conferences.

Term of office and cessation of office of the Chair

- 10** The 2012 Constitution Order contains provisions for the appointment, term of office and cessation of office of the Chair. The term of office is no longer than the period between the Chair's date of appointment as Chair and the date on which the Chair's term of office as a member is due to expire. A member serving as Chair ceases to be Chair on ceasing to be a member, on resigning as Chair, on being suspended as a member, or if the Privy Council decides to terminate the Chair's appointment as Chair. An appointee may also cease to be chair upon a vote to terminate the appointee's appointment as chair by a majority of all the other members of the General Council.

Deputising arrangements for the Chair

- 11** The 2008 Constitution Order also provides that if the Chair is absent from a meeting, then those members present may nominate one of their number to serve as chair for that meeting. If it is known that the Chair will be absent for more than one meeting, or unavailable for more than a month, the Chair may nominate a deputy chair to serve as chair in the interim. If the role becomes vacant, members may nominate one of their number to act as Chair until a new appointment is made.
- 12** If it is known that the Chair will be absent for a period of less than one month, then the Chair may nominate a deputy chair to serve as Chair in the interim. In delegating his or her responsibilities, the Chair is required to set out the period of the delegation and the nature and extent of the responsibilities to be undertaken. The Chair will report the exercise of these powers to Council in advance of the authority being delegated. If a meeting takes place during the Chair's absence, then the provisions of the Constitution Order will operate as set out above, so that the members present will nominate one of their number to serve as chair for that meeting.

Chapter 6: Role of Council members

- 1** Council members must be committed to the public interest and to our statutory purpose.
- 2** The role of Council members is to:
 - a** provide strategic direction for the GMC by setting the framework for policy and operational performance, including agreeing the Corporate Strategy and overall ambition of the organisation
 - b** ensure that in developing policy there is widespread and effective engagement, with a focus on initiating and taking high level policy decisions which support the strategic plan, and ensuring that policy development is aligned with the GMC strategic direction
 - c** ensure and review the effectiveness of the GMC in fulfilling our statutory purpose by:
 - i** promoting the work of the GMC externally, promoting public and professional confidence and support for us and our work
 - ii** evaluating the effectiveness of the Council in fulfilling its statutory purpose
 - d** exercise oversight of our activities by ensuring that they are aligned with the strategic direction by:
 - i** holding the executive to account for the management of our day-to-day operations, ensuring that resources are used properly
 - ii** ensuring that decisions are made in accordance with our charitable purpose and members' duties as trustees.
- 3** In order to do this effectively Council members:
 - a** subscribe to the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership; and adhere to the GMC Members' Code of Conduct at Chapter 7 of this Governance handbook
 - b** subscribe to and uphold the principles of corporate responsibility and majority decision-making

- c** understand our functions and its statutory framework
- d** understand who our key interests are and what their priorities are
- e** understand the nature and objectives of independent professional regulation
- f** make themselves available for the required amount of time
- g** take an active part in Council and other meetings; and work effectively with the executive
- h** participate as necessary in induction, training and appraisal procedures.

Chapter 7: Members' code of conduct

- 1 For us to command the confidence of all of our key interests, it is necessary that Council as the governing body should adopt and comply with appropriate standards of conduct. Upon appointment, all Council members are required to confirm their commitment to the Members' Code of Conduct.

Principles

- 2 In performing their duties, members uphold the seven principles first identified by the Nolan Committee in its first report on standards in public life in May 1995 (the Nolan principles), and updated by the Committee on Standards in Public Life in its report of January 2013, *Standards Matter*:
 - a selflessness: holders of public office should act solely in terms of the public interest
 - b integrity: holders of public office must not place themselves under any obligation to people or organisations that might try inappropriately influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships
 - c objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias
 - d accountability: holders of public office are accountable for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this
 - e openness: holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing
 - f honesty: holders of public office should be truthful
 - g leadership: holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Corporate responsibilities

- 3** We are the regulator for doctors in the UK, with responsibility for protecting, promoting and maintaining the health and safety of the public by ensuring proper standards in the practice of medicine, as set out in the Medical Act 1983 as amended. Council members have a duty to ensure that our functions are effectively discharged in the interests of public protection.
- 4** Members, as trustees of a corporate body employing staff, also have a duty to ensure that the GMC complies with relevant legal duties, including employment, equalities, human rights, modern slavery, safeguarding, health and safety, data protection and freedom of information legislation.
- 5** Members have corporate responsibility for ensuring that Council complies with any statutory or administrative requirements for the use of its funds.
- 6** As trustees of a charity registered in England and Wales and in Scotland, members have corporate responsibility for ensuring that Council complies with charity law and the requirements of the Charity Commission and the Office of the Scottish Charity Regulator. The GMC's activities in Northern Ireland do not currently fall under the auspices of the Charity Commission for Northern Ireland.
- 7** The Council is accountable to the public through Parliament and the Privy Council.

Duties of individuals

- 8** Members have a duty to make themselves available for service on the Council and those of its Boards and Committees to which they may be appointed. Schedule A1 sets out the minimum levels of attendance.
- 9** Members have a duty to ensure that they have a clear understanding of their responsibilities as trustees of a registered charity and that they meet the legal requirements for eligibility to serve as a charity trustee as specified in section 178 of the Charities Act 2011.
- 10** Members have a duty to notify the Privy Council and the Chief Executive if, following appointment, they become or may be about to become liable to be removed from office in any of the circumstances provided in paragraph 6 of the GMC Constitution Order 2008 (as amended).
- 11** Members have a duty to ensure that all their decisions and actions as trustees are taken in the best interests of the charity and the public interest, putting its interests before any personal or professional interests, and that they:
 - a** contribute to our objective to protect the public

- b** are within our obligations under the Medical Act 1983 as amended and other legislation
 - c** take into account the views and needs of key interest groups.
- 12** Members have a duty to ensure that they have a clear understanding of the scope of the Schedule of authority and, having given that authority, ensure that it is not undermined.
 - 13** Members accept collective responsibility for enabling Council to achieve its objectives and for decisions taken by Council. Members are expected to contribute to discussion and debate freely to enable a robust decision to be made. Once Council has taken a decision, members must support the communication and implementation of that decision.
 - 14** Members have a duty to be as open as possible with key interests about the decisions and actions of the GMC, restricting information only when the principles of confidentiality or the law require it.
 - 15** Members have a duty to distinguish clearly, when speaking or writing, between views held by themselves personally or based on any other organisational affiliations they may have and those of the GMC. Members are advised to discuss proposed communication with the media about the GMC's work, including publication of views via the internet or by other means, in advance with the Strategic Communications and Engagement Directorate.
 - 16** Members may be approached by individuals or organisations that wish to raise complaints or issues about the GMC, including policy matters and operational decisions on particular cases. Members should be aware of the GMC's published guidance on how it will handle customer complaints and feedback: <https://www.gmc-uk.org/about/get-involved/complaints-and-feedback-about-our-service>.
 - 17** In relation to queries or correspondence on policy matters, members may wish to take account of the views of others and raise these with the Executive if appropriate, but should not take any action or make any commitment which might indicate their acceptance of the individual or organisation's position. Any queries or correspondence about operational decisions involving cases of individual doctors are to be referred to the executive for any response. In some cases members may wish to respond directly to the individual or organisation that has written to them. The Head of Corporate Governance can provide a draft form of words for members to use.
 - 18** Members have a duty to lead by example, always demonstrating respect and dignity for others (https://www.gmc-uk.org/-/media/documents/dignity-at-work-policy---dc6612_pdf-58561807.pdf); valuing diversity and conducting themselves in a non-discriminatory manner at all times. Working together effectively means, for Council members and staff, observing the following working principles:

- a** trust between colleagues - being honest and open; acting with integrity and respect for each other
 - b** good communication - sharing information and listening to others
 - c** ideas and creativity - offering ideas and being open to ideas proposed by others
 - d** individual responsibility - accepting responsibility for achieving goals and for the quality of our work
 - e** problem solving, finding solutions - working to find creative solutions to problems
 - f** openness to learning and feedback - seeking to improve ourselves and how we work
 - g** collaboration with others - working constructively with colleagues to a common purpose.
- 19** Members have a duty to lead by example in upholding the values of the GMC (<https://www.gmc-uk.org/about/how-we-work/our-values>).
- 20** Members have a duty to be committed to the continuing demonstration of the competences required for the effective performance of their role on Council and on any of its Boards and Committees. This includes completing any required training as identified through appraisals or other means.
- 21** Members have a duty to participate in the appraisal and 360 degree review process and actively commit to achieving any personal development objectives identified during the appraisal process.
- 22** Members have a duty to complete and maintain their entry in the Council Members' Register of Interests, declaring any professional, business, or personal interests which may, or might be perceived to, conflict with their responsibilities as Council members in accordance with Council's guidance.
- 23** Members have a duty to avoid placing themselves under obligation to any individual or organisation which might affect their ability to act impartially and objectively as Council members. This includes observing our guidance on conflicts of interest and on gifts, hospitality and fees for speaking engagements and making any declarations as required by this guidance.
- 24** Members have a duty to raise any concerns about possible wrongdoing within the GMC, as set out in our Public Interest Disclosure Policy (whistleblowing), with the Chief Executive if it concerns a member of staff, with the Chair of Council if it concerns the Chief Executive or another member, or with the Chairs of the Audit and Risk, and Remuneration Committees if it concerns the Chair of Council.

- 25** Members are expected to adopt the highest standards of propriety and accountability and to promote an anti-fraud culture, as set out in our Anti-Fraud Policy. This includes ensuring compliance with the law on bribery and taking steps to avoid any situation where there is an expectation of a gift or payment in return for an advantage of any kind.
- 26** Members have a duty to raise any concerns about compliance with this code with the Chair of Council and the Chief Executive at the earliest opportunity.
- 27** Members have a duty to raise any concerns about compliance with charity or other legislation with the Chair of Council and the Chief Executive at the earliest opportunity. In the event that concerns still remain, members should report the matter to the Chair of the Audit and Risk Committee, who will report to the Audit and Risk Committee which may refer the matter to Council if required and, if appropriate, to the Charity Commission and the Office of the Scottish Charity Regulator.

Chapter 8: The role of the executive

1 The executive takes forward the operational work of the organisation in line with our statutory purpose, and according to the strategic aims, business plan, policies and schedule of delegated authority agreed by Council.

2 The executive team comprises the Chief Executive and the directors. .

The Chief Executive is responsible for the performance of the executive and is accountable to Council for it, making regular reports to Council.

3 On a day-to-day basis the Chief Executive is in regular contact with the Chair of Council, working in partnership with him/her to ensure the effective conduct of business.

4 If it is known that the Chief Executive will be absent for any period, then the Chief Executive may delegate his or her responsibilities to another member of the executive for any period of time specified by them and agreed with the Chair of Council to be necessary. The Chief Executive will report the exercise of these powers to Council in advance of the authority being delegated.

5 The Chief Executive is responsible for our overall operation, organisation and management, for the budgeting and management of our financial resources, and for ensuring that proper systems of staff appointment, training, allocation of work, delegation of duties and accountability, performance, appraisal, remuneration and discipline are in place.

6 The Chief Executive is also responsible for ensuring that policy development and implementation are properly carried out by the executive, with clear, impartial and well-founded advice and recommendations being offered to Council as required.

7 The Chief Executive chairs the Executive Board, which is part of our formal executive governance arrangements. It is a decision making and oversight forum established to provide strategic direction, scrutiny and reporting to Council by the GMC's senior management team on significant policy, strategy, finance, performance, operational delivery and resource management issues.

Chapter 9: Schedule of authority

Purpose

- 1** The purpose of this document is to set out in an accessible format the principal functions and powers of the GMC in a Schedule of authority ('the Schedule'), including:
 - a** authorities assigned to and retained by Council under the Act, regulations or rules
 - b** authorities assigned to Council and delegated (and if delegated, to whom)
 - c** authorities assigned to, and retained by, the Registrar under the Act, regulations or rules
 - d** authorities assigned to the Registrar and delegated (and if delegated, to whom)
 - e** authorities assigned to the MPTS and retained by the MPTS under the Act, regulations or rules
 - f** authorities assigned to the MPTS and delegated (and if delegated, to whom)
 - g** authorities not referred to in legislation (e.g. relating to the ordinary operation of the organisation), and to whom these are delegated.
- 2** Because the legislation specifically uses the term 'Registrar', it has been used in this Schedule where the corresponding legislation does so, in relation to matters identified under 1(a)-(d) above. In relation to matters identified under 1(b) where delegated to the Chair, the term 'Chair of Council' is used and under 1(g), the term 'Chief Executive' is used. Powers assigned or delegated to the Chair of Council may be further delegated to a nominated Council member acting as deputy Chair in their absence. Powers assigned or delegated to the Registrar / Chief Executive may be further delegated to staff within the GMC. The Chief Executive may delegate his or her responsibilities to another member of the executive in their absence.
- 3** Powers assigned to the MPTS, which are referred to in this Schedule as being delegated to the 'Assistant Registrar (MPTS)', shall be delegated to such

Deputy/Assistant Registrars as are appointed and authorised by the Registrar to act for the MPTS in relation to those powers.

Scope

- 4 The key provisions of the Act, regulations or rules applicable to each function and power are identified in the Schedule and shown in italics. As the Schedule endeavours to set out the functions and powers in an accessible format, it does not describe the complexities of the Act, regulations and rules in detail. If such detail is required, the Schedule must be read in conjunction with the detailed provisions of the Act, regulations or rules (as applicable).

Glossary

- 5 Unless expressly stated otherwise statutory provisions referred to in the Schedule are those set out in the Act and are denoted as, for example, "s1" for Section 1 and "Sch 1" for Schedule 1;
- 6 The following defined terms are used throughout the Schedule of authority.

Term	Definition
2002 Act	National Health Service Reform and Health Care Professions Act 2002
Act	Medical Act 1983 (as amended)
Address Inquiry	An inquiry by the Registrar requesting confirmation of a change to the RMP's registered address
AGPSR Regs	General Medical Council (Applications for General Practice and Specialist Registration) Regulations 2010 (as amended)
APS	Approved practice setting
AR	Assistant Registrar
ARF	Annual retention fee
Award of Certificate Rules	General Medical Council (Award of Certificate) Rules 2010
CCT	Certificate of Completion of Training
CEs	Case Examiners
Certification Fees Regs	General Medical Council Certification Fees Regulations 2015
Constitution of Panels Rules	General Medical Council (Constitution of Panels, Tribunals and Investigation Committee) Rules 2015 (as amended)
Constitution of MPTS Rules	The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015

Term	Definition
Disqualifying Regs	General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure Rules 2004 (as amended)
DR	Deputy Registrar
FCR Regs	General Medical Council (Form and Content of the Registers) Regulations No 2 2015
FTP	Fitness to Practise
MPT	Medical Practitioners Tribunal
FTP Rules	General Medical Council (Fitness to Practise) Rules 2004 (as amended)
GMCC Order2008	General Medical Council (Constitution) Order 2008 (as amended)
IC	Investigation Committee
Investigated RMP	A registered medical practitioner whose Fitness to Practise is being investigated
IO	Interim Order
IOT	Interim Orders Tribunal
LA Rules	General Medical Council (Legal Assessors) Rules 2015
LTP Regs	General Medical Council (Licence to Practise and Revalidation) Regulations 2012
MGPR Regs	General Medical Council (Marking of the GP Register) Regulations 2010
MPTS	Medical Practitioners Tribunal Service
MPTS Committee	Medical Practitioners Tribunal Service Committee (which is established as a statutory committee of the General Medical Council)
Qualifications Directive	Directive 2005/36/EC of the European Parliament and Council on the recognition of professional qualifications (as amended)
RAE Regs	General Medical Council (Restoration following Administrative Erasure) Regulations 2004 (as amended)
RAP	Registration Appeals Panel
RAP Rules	General Medical Council (Registration Appeals Panels Procedure) Rules 2011
RD Rules	Registrations Decisions Arrangement of Procedures
Register	The Register of RMPs
Registers	The Register, the GP Register and the Specialist Register
Registration Fees Regs	General Medical Council Registration Fees Regulations 2015
RMP	Registered medical practitioner

Term	Definition
RP	Registration Panel
SR Scheme	Specialist Register: Scheme for Existing Specialists
VE	Voluntary erasure
VE Regs	General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) Regulations 2004 (as amended)

Schedule of authority

Function	Description of Function	Function assigned to?	Function delegated to?
GOVERNANCE FUNCTIONS			
Register of members' interests	GOV1 To maintain a system for the declaration, registration and publication of members' private interests, including subsidiary companies of the GMC	Council – <i>Sch 1 Part 1 para 1C</i>	Registrar
Performance of functions	GOV2 To do such things and enter into such transactions as are incidental or conducive to the performance of its functions, including the borrowing of money	Council – <i>Sch 1 Pt 1 para 9</i>	Chief Executive
Provision and publication of information	GOV3 To publish/provide information to RMPs and the public about Council and the exercise of functions	Council – <i>Sch 1 Pt 1 para 9B</i>	Registrar
Requesting information	GOV4 To request relevant information from RMPs for the purposes of compiling statistics regarding medical practice and practitioners	Council – <i>Sch 1 Pt 1 para 10</i>	Registrar
Provision of facilities for testing knowledge of English	GOV5 To provide facilities for testing the knowledge of English of applicants for registration under s21B and s21C	Council – <i>Sch 1 Pt 1 para 11</i>	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
Standing Orders	<p>GOV6</p> <p>To make standing orders re: meetings, proceedings, and the discharge of the functions of Council and its committees; the composition of its committees and the functions of its officers; the appointment of a Treasurer;</p> <p>and the provisional suspension of members of Council from office pending decisions on suspension/removal by the Privy Council; and the requirements with regard to the financial affairs of the MPTS and education and training of members of the MPTS Committee</p>	<p>Council – <i>Sch 1 Pt 1 paras 15 and 16(1A) and rule [5] Constitution of MPTSRules</i></p>	<p>Not applicable other than in relation to provisional suspension of members from office which is delegated to the Chair of the Remuneration Committee or Chair of the Audit and Risk Committee in the event of a complaint against the Chair of the Remuneration Committee or against the Chair of Council</p>
Appointment of Registrar and deputy/assistant registrars and delegation of functions	<p>GOV7</p> <p>a. To appoint (i) a Registrar and direct/delegate functions to him/her; and (ii) deputy/assistant registrars</p> <p>b. To authorise deputy/assistant registrars to act</p> <p>(i) for the Registrar in any matter</p> <p>(ii) for the MPTS in any matter</p>	<p>Council</p> <p><i>a.(i)Sch 1 Pt 1 paras 16(3) and (4)</i></p> <p><i>b.(i). Sch 1 Pt 1 para 16(3)</i></p> <p><i>(ii). Sch 1 Pt 1 para 16(3A)</i></p>	<p>a (i) Not applicable</p> <p>a (ii), b (i) and (ii) Registrar</p>
Deputising arrangements in respect of the Chair of Council	<p>GOV8</p> <p>a. To nominate a member to serve as Chair, where the Chair of Council is absent from a meeting;</p> <p>b. To nominate a member to serve as Chair in the interim due to (i) the Chair</p>	<p>a. Members of Council present at the meeting – <i>Article 10(1) of the GMCC Order 2008;</i></p> <p>b.(i). Council - <i>Article 10(2)(a) of the GMCC Order 2008;</i></p>	<p>b.(i) Chair of Council</p>

Function	Description of Function	Function assigned to?	Function delegated to?
	of Council being absent for more than one meeting, or unavailable for more than a month; (ii) the role becoming vacant; or (iii) the Chair of Council being unavailable for less than a month.	b.(ii). Council – Article 10(2)(b) of the GMCC Order 2008; b.(iii). Chair of Council	
Delegation of MPTS functions	GOV9 a. To direct the MPTS Committee to delegate to the Chair of the MPTS, or to such other officer as the Council determine, such functions of the MPTS as the Council determine; b. To delegate the functions of the MPTS as directed by the Council.	a. Council - Sch 1 Pt 1 para 19F(7) and Rule [11] Constitution of MPTS Rules b. MPTS Committee – Sch 1 Pt 1 para 19F(7) and Rule [11] Constitution of MPTS Rules	
Remuneration and expenses	GOV10 a. To decide remuneration, terms of service and expenses policy for Council members; b. To decide remuneration and expenses policy for other non member appointments.	a. Council – Sch 1 Pt 1 – para 17 b. Council – Sch 1 Pt 1 para 25(5)	a. Not applicable. The Remuneration Committee advises Council; b. Chief Executive. The Executive Board provides advice to the Chief Executive on the associates expenses policy
MPTS remuneration and expenses	GOV11 a. To decide remuneration for the Chair of the MPTS and members of the MPTS Committee; b. To decide benefits and terms of service for the Chair of the MPTS and members of the MPTS Committee	a. & c. Council – Sch 1 Pt 1 – para 25(5) b. Remuneration Committee	a. Remuneration Committee; b. Not applicable. c. Chief Executive. The Executive Board provides advice to the Chief Executive on the staff/associates expenses policy

Function	Description of Function	Function assigned to?	Function delegated to?
	c. To decide expenses policy for Chair of the MPTS and members of the MPTS Committee		
Accounts and appointment of auditors	<p>GOV12</p> <p>a. To keep and publish accounts; b. to appoint auditors; and c. to publish and send a copy of the accounts and auditor's report to the Privy Council</p>	Council – Sch 1 Pt 1 para 18	<p>a and c. Registrar</p> <p>b. Chair of the Audit and Risk Committee in relation to appointment (and dismissal) of the external provider of internal audit services. The Audit and Risk Committee's Purpose Statement allows for this to be referred to the Chair of Council in the event of any unresolved disagreement between the Chief Executive and the Chair of the Audit and Risk Committee.</p> <p>Audit and Risk Committee to make recommendations for Council in relation to the appointment, and dismissal of external auditors</p>
Committees	<p>GOV13</p> <p>To constitute committees of the General Council and delegate functions to the committees</p>	Council – Sch 1 Pt 1 para 25	Not applicable

Function	Description of Function	Function assigned to?	Function delegated to?
Branch Councils*	GOV14 To decide on the constitution and delegation of functions to Branch Councils; to furnish sums to Branch Council for expenses and to approve such expenses; and to decide remuneration and expenses of their members	Council – <i>Sch 1 Pt 1 – paras 26(3), 27 and 29</i>	Not applicable
Brokering membership of Governance Committees	GOV15 Determining proposed membership and chairs of Governance Committees, including re-appointment.	Council	Chair of Council
Appointments to Governance Committees	GOV16 To approve the proposed membership and chairs of Governance Committees, and including re-appointment	Council	Not applicable
Co-option of external members to the Audit and Risk Committee, and the Investment Committee	GOV17	Council	Not applicable. Audit and Risk Committee makes recommendations for approval by Council. Investment Committee makes recommendations for approval by Council.
Appointments to subsidiary	GOV18	Council	Not applicable

* The practice of having Branch Councils has been discontinued. We have advised DH(E) that we would like to remove this from the Act through a future section 60 Order

Function	Description of Function	Function assigned to?	Function delegated to?
companies of the GMC	To approve the proposed membership, including the chair, of subsidiary companies of the GMC, including reappointment		
Dealing with complaints about the Chair of the Council	GOV19 To assume the Chair's responsibilities under the procedure for dealing with complaints against members when the complaint is about the Chair	Council	Chair of the Audit and Risk Committee
Notification to Privy Council of members' non attendance and issue of possible removal from office	GOV20	Any Council member or GMC staff [Paragraph 6(1) of 2008 Constitution Order provides that any Council member or GMC staff may notify the Privy Council that it may need to exercise its functions in relation to removal of members from office]	
Minutes of Council meetings	GOV21 To approve Minutes of Council meetings	Council	Not applicable
Urgent decisions required between Council	GOV22 To authorise the Chair, having consulted the Chief Executive and other members	Council	Chair of Council

Function	Description of Function	Function assigned to?	Function delegated to?
meetings (and including in the event of declaration of an emergency under the Civil Contingencies Act 2004)	wherever possible, to authorise on behalf of the Council urgent action of a kind which would normally be dealt with at a meeting. Any action taken will be reported to Council at the earliest opportunity and formally noted at the next Council meeting and recorded in the minutes.		
Trustees Annual Report and Accounts	GOV23 a. Signing the letter of representation and b. signing the trustees report on behalf of the trustees following approval by Council	Council	a and b. Chair of Council
Affixing the Corporate seal	GOV24 Affixing the Corporate seal to instruments, documents and deeds as required.	Council	a. The Chief Executive is authorised to affix the corporate seal to Deeds and other documents that require the seal to be affixed in connection with: <ul style="list-style-type: none"> i. Investments by the GMC ii. The acquisition or disposal of land and any dealings with or transactions involving land. iii. Pension and life assurance schemes and arrangements for current and former

Function	Description of Function	Function assigned to?	Function delegated to?
			<p>employees and officers of the GMC, as set out in Annex A2.</p> <p>b. The Chair of Council and the Chief Executive, or any other Council member to whom Council has delegated authority in relation to witnessing and affixing the corporate seal to any other instruments, documents and deeds.</p>
Communication decisions	<p>GOV25 To make decisions on handling media and other communications issues</p>	Chief Executive	Not applicable
Appointment, suspension and dismissal of the Chief Executive	<p>GOV26 To decide on the appointment, suspension and dismissal of the Chief Executive</p>	Council	<p>Appointment: Chair of Council, in conjunction with a panel comprising Chair of the Remuneration Committee, another Council member appointed by the Chair of Council, and an independent assessor</p> <p>Suspension and dismissal: Chair of Council in consultation with the chair of the Remuneration Committee</p>

Function	Description of Function	Function assigned to?	Function delegated to?
			Appeal against suspension and dismissal: Chair of the Audit and Risk Committee
Appointment, suspension and dismissal of staff	GOV27 Appointment and dismissal of staff Level 1 and below	Chief Executive	Not applicable
Litigation against and initiated by the GMC	GOV28 Decisions on how to handle legal claims against or initiated by the GMC	Chief Executive	
Corporate complaints	GOV29 Decisions on management of corporate complaints against the GMC	Chief Executive	
Establishing and maintaining Memorandum of Understanding	GOV30 Decisions on establishing and maintaining Memoranda of Understanding with other organisations, including any changes to terms	Chief Executive	
Appointments to external bodies	GOV31 Decisions on making appointments to external bodies upon a nomination being requested	Chief Executive	
Responsibility for the	GOV32	Chief Executive	

Function	Description of Function	Function assigned to?	Function delegated to?
management of the GMC's funds and authority to authorise expenditure against financial limits	Decisions on the management of GMC funds and expenditure		
Sanctions	GOV33 Decisions on the representations before a Medical Practitioners Tribunal on sanction	Chief Executive	
Professional Standards Authority referrals to the High Court under section 29 (of the 2002 Act)	GOV34 To decide on the instructions to be given to solicitors for any case relating to a Medical Practitioners Tribunal direction which is referred by the Professional Standards Authority	Chief Executive	
Appeals by the General Medical Council under section 40A of the Act	GOV35 To appeal against a decision of a MPT	Council – <i>section 40A(3)</i>	An Executive Panel comprising the Chief Executive and Registrar as Chair, the Medical Director and Director of Education and Standards and the Director Fitness to Practise (or their nominated deputies if not available)

Function	Description of Function	Function assigned to?	Function delegated to?
Education and training of Council and MPTS members	<p>GOV36 To make provision in standing orders for the education and training of members of Council and members of the MPTS Committee.</p>	<p>Council – <i>Art 4 GMCC Order 2008 and rule [5] Constitution of MPTS Rules</i></p>	Not applicable
Termination of appointment of Chair of the Council	<p>GOV37 To remove the Chair of the Council from holding that position by majority vote.</p>	<p>Council – <i>Art 8 GMCC Order 2008</i></p>	Not applicable (other than the Privy Council's power to remove from office as a member under Art 6)

Function	Description of Function	Function assigned to?	Function delegated to?
<p>Appointment and removal of the Chair of the MPTS</p>	<p>GOV38 To decide on the appointment/re-appointment, term of office, suspension and removal of the Chair of the MPTS</p>	<p>Council – <i>rule [9] Constitution of MPTS Rules</i></p>	<p>Appointment and suspension/removal process determined by the Remuneration Committee.</p> <p>Appointment and term of office: Council on recommendation of Chair of Council, in conjunction with a panel, the composition of which is determined by the Remuneration Committee.</p> <p>Re-appointment: on the recommendation of the Chair of Council.</p> <p>Suspension/Removal: Retained by Council.</p> <p>Appeal against suspension/removal: Chair of Council.</p>
<p>Appointment and removal of the members of the MPTS Committee</p>	<p>GOV39 To decide on the appointment/re-appointment, terms of office, suspension and removal of the members of the MPTS Committee, including issue of possible removal from office due to non-attendance at meetings.</p>	<p>Council <i>rules [3, 4, 6, 7 and 8] Constitution of MPTS Rules</i></p>	<p>Appointment and suspension/removal process determined by the Remuneration Committee.</p> <p>Appointment and term of office: Council on the recommendation of the Chair</p>

Function	Description of Function	Function assigned to?	Function delegated to?
			<p>of Council, in conjunction with a panel the composition of which will include the Chair of the MPTS, and which will be determined by the Remuneration Committee.</p> <p>Re-appointment: Council on the recommendation of the Chair of Council.</p> <p>Suspension/removal: Council</p> <p>Appeal against suspension/removal: Chair of Council.</p>
<p>Deputising arrangements in respect of the Chair of the MPTS Committee</p>	<p>GOV40 To decide on the deputising arrangements in the absence of the Chair of the MPTS Committee from meetings of the MPTS Committee and if unavailable to perform duties</p>	<p>Council – <i>rule 10 Constitution of MPTS Rules</i></p>	<p>Chair of Council</p>

Function	Description of Function	Function assigned to?	Function delegated to?
REGISTRATION AND CERTIFICATION FUNCTIONS			
To keep and maintain the Registers	REG1 To keep the Registers, including causing the Registers to be published from time to time and issuing proof of registration.	Registrar – <i>s2, s34, s34C (in respect of the GP Register), s34D (in respect of the Specialist Register)</i>	
	REG2 To make regulations governing the: i. form and keeping of the Registers; ii. charging of fees in connection with entries in the Register.	Council i. <i>s31 (subject to approval of the Privy Council)</i> ii. <i>s32(1)</i>	Not applicable
	REG3 To: i. maintain and amend the Registers, including charging and collection of fees; ii. amend the register to reflect decisions taken by the MPT.	Registrar i. <i>s30 and 30A, Sch 3 paragraph 6 and 7, FCR Regs, MGPR Regs, Registration Fees Regs, Certification Fees Regs</i> ii. <i>Sch 4 para 12</i>	
	REG4 To issue certificates of registration	Registrar – <i>Sch 3 paragraph 5</i>	
	REG5 To carry out functions specified in the Qualifications Directive which include: <ul style="list-style-type: none">issuing certificates relating to RMPs;	Council – <i>s49B and Sch 4A</i>	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
	<ul style="list-style-type: none"> • receiving or providing information to other competent authorities; • obtaining confirmation and verifying validity of qualifications. 		
	<p>REG6 To consider registration of qualifications obtained or held by a RMP while registered.</p>	<p>Registrar – s16 and s26.</p>	
<p>Erasure of names from the Register</p>	<p>REG7 To make regulations:</p> <ul style="list-style-type: none"> i. providing for VE of RMPs from the Registers; ii. authorising the Registrar to remove from the Register RMPs who fail to pay the ARF; iii. for information to be provided for the purpose of deciding whether a person's FTP is impaired (save for persons visiting from relevant European States). 	<p>Council</p> <ul style="list-style-type: none"> i. <i>s31A (subject to approval of the Privy Council)</i> ii. <i>s32(2)</i> iii. <i>S44B(2) (subject to approval of the Privy Council)</i> <p><u>Note:</u> as no regulations have been made under section 44B(2)(a) this power is in effect not exercised.</p>	<p>Not applicable</p>
	<p>REG8 To erase the name of a RMP from the Register:</p> <ul style="list-style-type: none"> i. for non payment of the ARF; 	<p>Registrar</p> <ul style="list-style-type: none"> i. <i>Reg 8(4) Registration Fees Regs</i> 	

Function	Description of Function	Function assigned to?	Function delegated to?
	ii. for failing to respond to an Address Inquiry; iii. on receipt of an application from a RMP for VE; iv. where an entry has been fraudulently procured or incorrectly made; v. where a RMP was subject to a disqualifying decision at the time of registration which remains in force; vi. where it is shown that the RMP's FTP was impaired on the grounds of physical or mental health at the time of registration and he had not informed the registrar; vii. where a person has failed to provide information for determining whether a person's FTP is impaired.	ii. <i>s30(5)</i> iii. <i>VE Regs</i> iv. <i>S39</i> v. <i>S44(3) (save where referred to a pursuant to the Disqualifying Regs)</i> vi. <i>S44B(1)</i> vii. <i>S44B(4)(b)</i>	
	REG9 To determine applications for VE where FTP concerns arise or where the applicant is an Investigated RMP.	CEs - VE Regs	
	REG10 To determine applications for VE where FTP concerns arise or where the applicant is an Investigated RMP and CEs fail to agree as to the disposal of that application.	IC – VE Regs	

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>REG11 Notification of a decision to erase a person's name for fraud or error.</p>	<p>Registrar - <i>s39(2), Sch 3A para 3</i></p>	
<p>Restoration of names to the medical register</p>	<p>REG12 To make regulations authorising the Registrar to restore to the Register a RMP who:</p> <ul style="list-style-type: none"> i. failed to pay the ARF; ii. failed to respond to an Address Inquiry; iii. voluntarily removed their name from the Register. 	<p>Council</p> <ul style="list-style-type: none"> i. <i>s31(8) (subject to approval of the Privy Council)</i> ii. <i>s31(8) (subject to approval of the Privy Council)</i> iii. <i>s31A (subject to approval of the Privy Council)</i> 	Not applicable
	<p>REG13 To restore to the Register RMPs who:</p> <ul style="list-style-type: none"> i. failed to pay the ARF; ii. failed to respond to an Address Inquiry; iii. voluntarily removed their name from the Register. 	<p>Registrar</p> <ul style="list-style-type: none"> i. <i>RAE Regs</i> ii. <i>RAE Regs</i> iii. <i>VE Regs</i> 	
	<p>REG14 To determine applications for restoration following VE where FTP concerns arise.</p>	<p>CEs - <i>VE Regs</i></p>	Not applicable
	<p>REG15 To determine applications for VE where FTP concerns arise and CEs fail to agree as to the disposal of that application.</p>	<p>IC – <i>VE Regs</i></p>	Not applicable

Function	Description of Function	Function assigned to?	Function delegated to?
<p>Arrangements for granting registration to medical practitioners</p>	<p>The arrangements for dealing with Applications for registration can be considered under two broad categories:</p> <p>REG16</p> <p>i. Where on satisfying the criteria set out in the relevant section of the Act the Registrar is required to admit such persons to the register (s3, s 14A, s15, s15A, s18 and Sch2A, and s19A).</p>	<p>Registrar (see Description of Function)</p> <ul style="list-style-type: none"> • For provisional registration of UK medical graduates and those who are EEA nationals or are entitled to be treated as such with qualifications from European States - <i>s15, s15A;</i> • For full registration of UK medical graduates and those who are EEA nationals or are entitled to be treated as such with qualifications from European States - <i>s3, s14A;</i> • For full registration of EEA nationals or those entitled to be treated as such with an international qualification accepted by a relevant European State - <i>s19A;</i> • For visiting medical practitioners from relevant European States – <i>S18 and Sch 2A.</i> 	

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>REG17</p> <p>ii. Where on satisfying the Registrar on the detailed criteria set out in the Act the Council has a discretion as to whether to register such persons (s19, s21, s21B(1), s21C, s27A, s27B). The Council's discretion in this respect has been delegated to the Registrar in relation to individual applications for registration.</p>	<p>Council and Registrar (see Description of Function)</p> <ul style="list-style-type: none"> • To determine applications for full registration by virtue of an acceptable overseas qualification – <i>s19 and s21B(1)</i>; • To determine applications for provisional registration by virtue of an acceptable overseas qualification - <i>s21 and s21C</i>; • To consider the temporary registration: <ul style="list-style-type: none"> ○ in the event of an emergency - <i>s18A</i>. (<u>Note</u>: this function is assigned to the Registrar only); ○ of a visiting eminent specialist - <i>s27A</i>; ○ for the purposes of providing medical services exclusively to persons who are not UK nationals - <i>s27B</i>. 	<p>Registrar</p>
	<p>REG18</p> <p>To refuse to register applicants failing to supply information about their FTP.</p>	<p>Registrar – <i>s44B(4)(a)</i> – <u>Note</u>: as no regulations have been made under section</p>	

Function	Description of Function	Function assigned to?	Function delegated to?
		44B(2)(a) this power is in effect not exercised.	
	REG19 To determine what constitutes an acceptable overseas qualification	Council – s21B(2)	Registrar
Registration and Training Appeals	REG20 To hear appeals of appealable registration and training decisions.	Registration Appeals Panel (RAP) - s34B(1), Sch 3A, RAP Rules	Not applicable
	REG21 To make regulations with respect to charging fees in connection with Registration and Training Appeals.	Council – s34B(2)	Not applicable
	REG22 To make rules governing the procedure and rules of evidence applicable to proceedings before a RAP.	Council - Sch 3B (subject to approval of the Privy Council)	Not applicable
	REG23 To hear appeals where the Registrar determines that he or she is not satisfied that an applicant is entitled to a qualification claimed.	Council – Sch 3 para 4	Registration Appeals Panel (RAP)
Approved Practice Settings	REG24 To consider whether to waive the requirement to work in an APS.	Registrar S44D(1) and (2)	
	REG25 To determine what constitutes an APS, monitor compliance with the requirement	Council - s44D(3)-(11) (Regulations made pursuant to s44D(8) are subject to approval of the Privy Council)	Registrar for the decision as to whether those criteria are met.

Function	Description of Function	Function assigned to?	Function delegated to?
	to practise in an APS and publish guidance.		Council retains the power to determine the criteria for an APS.
Admission and removal of names from the GP and Specialist Registers	<p>REG26 To make regulations as to the procedure for application for admission to the GP Register or Specialist Register.</p>	Council – <i>s34E (subject to approval of the Privy Council)</i>	Not applicable.
	<p>REG27 To:</p> <ul style="list-style-type: none"> • consider, grant or refuse applications for admission to the GP or Specialist Register; • provide applicants with statements of eligibility or ineligibility; • require information or advice while considering an application; • notify applicants of a determination to grant or refuse an application. 	Registrar – <i>AGPSR Regs</i>	
	<p>REG28 To remove entries from the GP Register or the Specialist Register where such:</p> <ol style="list-style-type: none"> i. persons are no longer RMPs; ii. persons cease to fall within the categories specified by the Privy Council as persons entitled to be named on the GP or Specialist Register; 	<ol style="list-style-type: none"> i. Registrar – <i>s34F(1)</i> ii. Registrar – <i>s34F(2)</i> 	

Function	Description of Function	Function assigned to?	Function delegated to?
	iii. entries were fraudulently procured or incorrectly made.	iii. Registrar - s39(1)	
	REG29 To restore to the GP or Specialist Register a person removed for ceasing to be a RMP who subsequently becomes a RMP again.	Registrar – s34F(3)	
	REG30 To notify a person of removal or restoration of their name from the GP or Specialist Register.	Registrar – s34F(5)	
	REG31 To publish a scheme for inclusion in the Specialist Register of existing specialists.	Council – s34D(6), SR Scheme	Registrar
	REG32 To make rules as to the procedure for requesting recognition of acquired rights to practise as a GP.	Council – s34G(3)	Not applicable.
	REG33 To: <ul style="list-style-type: none"> • consider, grant or refuse applications for recognition of acquired rights to practise as a GP; • require information or advice while considering an application; • notify applicants of a determination to grant or refuse an application. 	Registrar – Award of Certificate Rules	
	REG34	Registrar – s34G(2) and (4)	

Function	Description of Function	Function assigned to?	Function delegated to?
	To issue certificates recognising acquired rights to practise as a GP and to withdraw such a certificate where fraudulently procured or incorrectly awarded.		
	<p>REG35 To make regulations for the charging of fees in connection with:</p> <ul style="list-style-type: none"> • requests to the Registrar for written statements that a person is eligible for entry on the GP or Specialist Register; • applications for inclusion in or restoration to the GP or Specialist Register; • requests for certificates recognising acquired rights to practise as a GP. 	Council – S340	Not applicable.
Award and withdrawal of CCT	<p>REG36 To award a CCT in general practice or a recognised specialty.</p>	Registrar – s34L(1) and (2)	
	<p>REG37 To makes rules as to the procedure for application for a CCT.</p>	Council – s34L(5)	Not applicable.
	<p>REG38 To:</p> <ul style="list-style-type: none"> • consider, grant or refuse applications for a CCT; • require information or advice while considering an application; 	Registrar – Award of Certificate Rules	

Function	Description of Function	Function assigned to?	Function delegated to?
	<ul style="list-style-type: none"> notify applicants of a determination to grant or refuse an application; award CCTs. 		
	<p>REG39 To withdraw a CCT fraudulently procured or incorrectly awarded.</p>	Registrar – s34L(7)	
	<p>REG40 To make regulations for the charging of fees in connection with applications for CCTs.</p>	Council – S340	Not applicable.
LICENSING AND REVALIDATION FUNCTIONS			
Grant, refusal, withdrawal and restoration of a licence to practise	<p>LIC1 To make regulations in respect of licences to practise to include provisions regarding:</p> <ul style="list-style-type: none"> grant, refusal, withdrawal and restoration of a licence to practise; the charging of a fee for consideration of an application for restoration of a licence to practise. 	Council – ss29A(2) (subject to Privy Council approval)	Not applicable.
	<p>LIC2 To grant a licence to a medical practitioner:</p> <ul style="list-style-type: none"> who held registration at the time the LTP Regs 2009 came into force; who is registered pursuant to s18 (visiting practitioners from relevant European States), s18A (temporary 	Registrar – Reg 3(1) LTP Regs	

Function	Description of Function	Function assigned to?	Function delegated to?
	emergency registration) or s27B (special purpose registration); <ul style="list-style-type: none"> • whose registration is restored or suspension comes to an end, unless the practitioner requests otherwise. 		
	LIC3 To consider and to grant or refuse applications for a licence and to carry out investigations relevant to the consideration of an application.	Registrar – <i>Regs 3(5) and 3(8) LTP Regs</i>	
	LIC4 To withdraw a licence to practise: <ol style="list-style-type: none"> i. at the request of the relevant RMP; ii. where a licence has been fraudulently procured or incorrectly granted; iii. where the RMP fails to comply with any requirement made of him/her under the LTP Regs 2009. iv. where a RMP's name is erased or suspended from the Register or where his/her temporary or special purpose registration is revoked or expires. 	Registrar <i>Reg 4(1) LTP Regs</i> <i>Reg 4(1) LTP Regs</i> <i>Reg 4(3) LTP Regs</i> <i>Reg 4(2) LTP Regs</i>	
	LIC5 To consider and grant or refuse applications for restoration of a licence	Registrar – <i>Reg 4(5) and 4(7) LTP Regs</i>	

Function	Description of Function	Function assigned to?	Function delegated to?
	and to carry out investigations relevant to the consideration of an application.		
	LIC6 To give notice to a medical practitioner of a licensing authority's decision to refuse, withdraw or refuse to restore a licence to practise.	Registrar – s29B(4), s29D(3)	
Licensing Appeals	LIC7 To hear appeals of appealable licensing authority decisions.	RAP – s29F(1), Sch 3B, RAP Rules	
	LIC8 To make rules governing the procedure and rules of evidence applicable to proceedings before a RAP.	Council - Sch 3B (subject to approval of the Privy Council)	Not applicable
Publishing guidance	LIC9 To publish guidance for medical practitioners on the information to be provided and requirements to be satisfied for securing grant or restoration of a licence to practise and for the purposes of revalidation.	Council – s29G	Registrar
EDUCATION FUNCTIONS			
To promote high standards of medical education	EDU1 To maintain and amend, as required, a list of bodies and combinations of bodies entitled to hold examinations for the purpose of granting one or more primary UK qualifications.	Council - s4	Not applicable.

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>EDU2 To promote high standards of medical education and coordinate all stages of medical education including:</p> <ul style="list-style-type: none"> i. to determine the extent of knowledge and skill required for the granting of a primary UK qualification; ii. to ensure that the instruction given is sufficient to meet that standard. 	Council - s5	Registrar
	<p>EDU3 To monitor and require information from bodies granting primary UK qualifications and to appoint inspectors and visitors to report on the sufficiency of instruction and examination.</p>	Council - s6 and s7	Registrar
	<p>EDU4 To determine what constitutes an acceptable programme for provisionally registered doctors and whether or not to recognise such programmes.</p>	Council - s10A	Registrar
	<p>EDU5 To direct that alternative educational experience is sufficient in certain cases as an equivalent to an acceptable programme for provisionally registered medical practitioners.</p>	Council - s14	Registrar.
To establish standards of postgraduate	<p>EDU6 To establish standards and requirements relating to postgraduate medical education</p>	Council - s34H	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
medical education and training	and training, to secure the maintenance of such standards and to develop and promote postgraduate medical education and training.		
	EDU7 To secure the maintenance of standards by approving, approving with conditions, refusing to approve or withdrawing approval of: <ul style="list-style-type: none"> • courses and programmes; • training posts (including GPs); • examinations, assessments and other tests of competence; • postgraduate medical education and training outside the UK. 	Council – s34I, 34J, 34K	Registrar
	EDU8 To publish a list specifying any course, programme, training post, GP, examination, assessment or other test of competence the Council has approved or in respect of which has withdrawn its approval.	Registrar – S34I(7)	
	EDU9 To appoint persons to visit any body or person under whose direction or management postgraduate medical education or training is proposed to be given.	Council – S34M	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>EDU10 To require information from any body or person under whose direction or management postgraduate medical education or training is proposed to be given.</p>	<p>Registrar – S34(N)</p>	<p>Registrar</p>
	<p>EDU11 To approve or de-commission subspecialties</p>	<p>Council – S34D 10(a)</p>	<p>Registrar</p>
	<p>EDU12 To make regulations for the charging of fees in connection with:</p> <ul style="list-style-type: none"> • applications for approvals of any course, programme, training post, GP, examination, assessment or other test of competence; • visits made to any body or person under whose direction or management postgraduate medical education or training is proposed to be given. 	<p>Council – S34O</p>	<p>Not applicable.</p>
STANDARDS FUNCTIONS			
<p>To foster good medical practice</p>	<p>STA1 To provide advice to members of the medical profession on:</p> <ul style="list-style-type: none"> • standards of professional conduct • standards of professional performance • medical ethics 	<p>Council - s35</p>	<p>Registrar</p>

Function	Description of Function	Function assigned to?	Function delegated to?
FITNESS TO PRACTISE FUNCTIONS			
Establishing a framework for investigation of FTP concerns	<p>FTP1 To investigate allegations of impaired FTP and decide whether:</p> <ul style="list-style-type: none"> • the allegations should be considered by a MPT; • a warning should be imposed; • a referral to an IOT is appropriate. 	Investigation Committee (IC) – S35C	Registrar The FTP Rules (made by Council pursuant to the function considered below) effectively delegate these functions to the Registrar. The FTP Rules do, however, assign certain functions to the IC and these are considered below.
	<p>FTP2 To make Rules delegating the powers of the IC to the Registrar or any other officer.</p>	Council – S35CC and Sch 4 Paragraph 1 (subject to approval of the Privy Council)	Not applicable
	<p>FTP3 To make Rules:</p> <ul style="list-style-type: none"> • regarding the reference of cases to the IC, IOT and MPT; • the procedure to be followed and rules of evidence to be observed. 	Council – S43 and Sch 4 paragraph 1 (subject to approval of the Privy Council)	Not applicable
	<p>FTP4 To makes rules relating to:</p> <ol style="list-style-type: none"> a. the procedure to be followed: <ol style="list-style-type: none"> i. in proceedings before a MPT or IOT; ii. by the IC when deciding whether to give a warning; and b. the constitution of the MPTS and its tribunals which give effect to the 	Council – <i>a. Sch 4, paragraph 1(1A)</i> <i>b. Sch 1, paragraph 23D</i>	Not applicable

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>overriding objective to secure that cases dealt with fairly and justly.</p> <p>FTP5 To make rules:</p> <p>a. authorising the giving of directions by the IC, MPT and such other specified persons requiring an assessment of the standard of a RMP's professional performance, health or knowledge of English language</p> <ul style="list-style-type: none"> • specifying circumstances in which a performance, health or knowledge of English language assessment maybe carried out; <p>b. To give directions as to:</p> <ul style="list-style-type: none"> • whether a performance assessment is to be carried out by an Assessment Team or by an individual assessor; • the form or content of a performance assessment 	<p><i>a. Council – Sch 4 paragraph 5A and 5C</i></p> <p><i>b. Registrar - Sch 4, paragraph 5A</i></p>	<p>Not applicable</p>
<p>Investigating FTP concerns</p>	<p>FTP6 To:</p> <p>i. triage allegations to assess whether they amount to FTP concerns under s35C(2);</p> <p>ii. consider referral to an IOT;</p> <p>iii. carry out investigations;</p>	<p>Registrar</p> <p>i. <i>FTP Rule 4</i></p> <p>ii. <i>FTP Rule 6</i></p> <p>iii. <i>FTP Rules 4, 7 and 13A</i></p>	

Function	Description of Function	Function assigned to?	Function delegated to?
	iv. direct assessments of an Investigated RMP's performance or health or knowledge of English; v. consider failure to submit to or comply with an assessment or request for information and refer to MPTS for non-compliance hearing as required.	iv. <i>FTP Rules 7, 13A and Sch 1, 2 and 3</i> v. <i>Registrar – Sch 4, paragraph 5A and 5c and section 35A</i>	
	FTP7 To consider and refer: i. an allegation of a conviction resulting in the imposition of a custodial sentence; ii. save where delegated to CEs, an allegation of a conviction not included above, caution or determination.	Registrar – FTP Rule 5	
	FTP8 To consider and dispose of allegations as they see fit by: i. no further action ii. issuing a warning iii. referral to IC (where requested by an RMP or if CEs consider it appropriate) iv. referral to a MPT v. agreeing undertakings	CEs i. <i>FTP Rule 8</i> ii. <i>FTP Rule 8 and 11</i> iii. <i>FTP Rule 8 and 11(3)</i> iv. <i>FTP Rule 8</i> v. <i>FTP Rule 8 and 10</i>	Not applicable
	FTP9 Where the CEs fail to agree on the disposal of the case the IC may consider	IC – FTP Rule 9	Not applicable

Function	Description of Function	Function assigned to?	Function delegated to?
	and dispose of allegation as they see fit by: <ul style="list-style-type: none"> • no further action; • issuing a warning; • refer for an oral hearing; • referral to a MPT; • agreeing undertakings. 		
	FTP10 To consider an allegation at an oral hearing and : <ul style="list-style-type: none"> • take no further action; • issue a warning; • refer to a MPT. 	IC – FTP Rule 11(6)	Not applicable
	FTP11 To have regard to the overarching objective in deciding on : <ol style="list-style-type: none"> a. whether to issue a warning b. whether to agree undertakings 	a. IC or CEs (as appropriate) - 35C(6A) b. CEs - Sch 4, para 1(2F)	
	FTP12 To review investigation stage decisions.	Registrar – FTP Rule 12	
	FTP13 On receipt of a restoration application, to carry out investigations and obtain information and/or direct the applicant to undergo a performance, health or knowledge of English assessment.	Registrar – FTP Rule 23	
	FTP14	IC –	i. and ii. Case examiners

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>To consider applications for:</p> <ul style="list-style-type: none"> i. cancellation of an IC, MPT or IOT hearing ii. postponement prior to the commencement of an IC hearing, or further adjournment in a part-heard IC hearing iii. postponement prior to the commencement of a MPT hearing, or further adjournment in a part-heard MPT hearing. 	<ul style="list-style-type: none"> <i>i. Sch 4, paragraph 1(2ZA) and FTP Rule 28</i> <i>ii. FTP Rule 29 (1) and (2A)</i> <i>iii. FTP Rule 29(2) and (2B)</i> 	iii. Case manager
Interim Orders	<p>FTP15 To apply to the relevant court for an extension of an IO.</p>	Council – s41A	Registrar
Determining Fitness to Practise	<p>FTP16 To agree undertakings with the doctor where the MPT has found the doctor's fitness to practise impaired</p>	Council - Sch 4, para 1(2C), FTP Rule [17(3) and 22(2)]	Registrar
Post Determination	<p>FTP17 To consider directions made by a MPT and to:</p> <ul style="list-style-type: none"> • obtain such reports as are required; • invite the RMP to undergo an assessment of their performance, health or knowledge of English language. 	Registrar – FTP Rule 19	
	<p>FTP18 To refer a case for early review by a MPT.</p>	Registrar – FTP Rule 21	

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>FTP19 In cases where undertakings were agreed by a MPT:</p> <ul style="list-style-type: none"> to carry out investigations and obtain reports or direct an assessment of the RMP's performance or health; to consider whether undertakings should be varied or cease to apply; <p>to refer the case to a MPT for a review.</p>	Registrar – <i>Sch 4, paragraph 1(2C) to (2E) and FTP Rule 37A</i>	
Reviews on papers	<p>FTP20 Agree with doctor to the terms of a review taking place on the papers (MPT and IOT)</p>	Council – <i>s35D(13) and (14) (MPT) and 41A(3A) and (3B) (IOT)</i>	Registrar
Directing reviews	<p>FTP21 Direct that an order made by a MPT is to be reviewed</p>	Registrar – <i>s35D, (4B) and (11B)</i>	
Procedure	<p>FTP22 Service of notification of IC decisions</p>	Registrar - <i>S35C(5), (7), (8), and s39(2)</i>	Not applicable
	<p>FTP23 To consider applications to extend the time for bringing a s40 appeal in relation to a:</p> <ol style="list-style-type: none"> decision of the MPT under s35E(1); decision to erase a person's name for fraud or error under s39(2). 	Registrar – <i>Sch 4 paragraph 9</i>	
GMC appeals	<p>FTP24</p>	Council – <i>S40B, and S29B of the 2002 Act</i>	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
	Notification to the PSA and court of a GMC appeal or exercise of powers in a PSA referral.		
Disclosure and publication of information	<p>FTP25 To require:</p> <ul style="list-style-type: none"> i. disclosure of information from third parties and the doctor; ii. employers details from the Investigated RMP; iii. to obtain court orders to require disclosure of information from third parties and the doctor. 	<ul style="list-style-type: none"> i. Persons authorised by Council – s35A(1) and (1A) ii. Council - S35A(2) iii. Council – S35A(6A) 	<ul style="list-style-type: none"> i. Registrar ii. Registrar iii. Registrar
	<p>FTP26 To notify specified public bodies and employers (including those with whom an Investigated RMP has arrangements to provide services) of an investigation into the Investigated RMP's FTP.</p>	Council – S35B(1)	Registrar
	<p>FTP27 To publish or disclose, if considered in the public interest, information regarding the FTP of one or more RMPs.</p>	Council – S35B(2)	Registrar
	<p>FTP28 To publish warnings imposed and undertakings agreed by the IC (confidential health information may be excluded).</p>	Council – s35B(4)	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
Panels, tribunal members, assessors, and case managers	FTP29 To appoint panels of: <ul style="list-style-type: none"> • medical and lay performance assessors for the purpose of carrying out performance assessments; • medical examiners for the purpose of carrying out health assessments; 	Registrar – FTP Rule 3	
	FTP30 To: <ul style="list-style-type: none"> • carry out assessments of an RMP's professional performance; • require the production of any records arising out of or relating to the RMP's practice. 	The Assessment Team or an assessor – Sch 4 Para 5A and Schedule 1 of FTP Rules	Not applicable
	FTP31 To: Carry out assessments of an RMP's health	Medical examiners – Sch 4, paragraph 5A and FTP Rules Schedule 2	
	FTP32 To: <ol style="list-style-type: none"> i. appoint and pay legal assessors for the purposes of advising the IC, or RAP and set criteria for appointment; ii. pay legal assessors for the purposes of advising the IOT or MPT iii. make Rules as to the function of legal assessors. 	Council <ol style="list-style-type: none"> i. Sch 4 paragraph 7, Sch 3A para 4(7) ii. Sch. 4 para 7(5) Council iii. Sch 4 paragraph 7 (subject to approval of the Privy Council), LA Rules 	<ol style="list-style-type: none"> i. Registrar ii. Registrar iii. Not applicable

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>FTP33 To make rules constituting:</p> <ul style="list-style-type: none"> i. IOTs; ii. RPs; iii. RAPs; iv. ICs; v. MPTs. 	<p>Council (<i>subject to approval of the Privy Council</i>)</p> <ul style="list-style-type: none"> <i>i. Sch 1 para 19G</i> <i>ii. Sch 1 para 19B</i> <i>iii. Sch 1 para 19C</i> <i>iv. Sch 1 para 19D</i> <i>v. Sch 1 para 19G</i> 	Not applicable
	<p>FTP34 To appoint and maintain a list of panellists and chairmen for RPs, RAPs and ICs. Also responsibility for dealing with concerns that arise, including panellists' eligibility or suitability to continue to sit on panels, and termination of appointment.</p>	Council – <i>i. Constitution of Panels Rules</i>	Registrar
	<p>FTP35 To pay case managers.</p>	Council	Registrar

Function	Description of Function	Function assigned to?	Function delegated to?
MEDICAL PRACTITIONERS TRIBUNAL SERVICE			
GOVERNANCE FUNCTIONS			
Register of members' interests	<p>MPTS1 To maintain a system for the declaration, registration and publication of MPTS Committee members' private interests</p>	MPTS Committee - <i>Sch 1, paragraph 19F(10)</i>	Executive Manager, MPTS

Function	Description of Function	Function assigned to?	Function delegated to?
Minutes of MPTS Committee meetings	MPTS2 To approve minutes of MPTS Committee meetings	MPTS Committee	Not applicable
MPTS Annual Report	MPTS3 a. To publish the MPTS Annual Report and submit copies to the Privy Council. b. To approve the MPTS Annual Report	a. MPTS Committee – S52B b. MPTS Committee	a. Executive Manager, MPTS b. Not applicable
Notification to GMC of members' nonattendance and issue of possible removal from office by Council	MPTS4 a. To notify Council where they are of the view that Council may need to remove a MPTS Committee member. b. To notify Council if they are aware that there are grounds for a MPTS Committee member's removal and that member has not notified Council.	a. Any member of the MPTS Committee or employee of the GMC – Rule [7(3)] Constitution of MPTS Rules b. Chair of the MPTS Committee - Rule [7(4)] Constitution of MPTS Rules	Not applicable
HEARING ADMINISTRATION			
Tribunals, legal assessors and case managers	MPTS5 a. To decide on the appointment process, including eligibility criteria for appointment and training requirements, of Tribunal members and chairmen for IOTs and MPTs.	MPTS Committee <i>a. Sch 1, paragraph 19G(7), Rule 4(b) Constitution of Panel Rules</i> <i>b. Sch 1, paragraph 19G(2), Rule 4 Constitution of Panel Rules</i>	a. Retained by MPTS Committee b. Assistant Registrar (MPTS) c. Assistant Registrar (MPTS)

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>b. To appoint and maintain lists of Tribunal members and chairmen for IOTs and MPTs.</p> <p>c. Deal with concerns that may arise, including suspension and termination of appointment.</p>	<p><i>c. Sch 1, paragraph 19G(2)(b) Rule 4(1)(d) Constitution of Panel Rules</i></p>	
	<p>MPTS6</p> <p>a. To decide on the eligibility criteria for appointment of case managers to perform case management functions;</p> <p>b. To appoint case managers.</p>	<p>MPTS Committee</p> <p><i>a. Sch 4, paragraph 7A(2) b. Sch 4, paragraph 7A(3)</i></p>	<p>a. retained by MPTS Committee b. Assistant Registrar (MPTS)</p>
	<p>MPTS7</p> <p>a. To decide on the eligibility criteria for appointment of legal assessors;</p> <p>b. To appoint legal assessors.</p>	<p>MPTS Committee</p> <p><i>a. Sch 4, paragraph 7(1C) b. Sch 4, paragraph 7(1B)</i></p>	<p>a. retained by MPTS Committee b. Assistant Registrar (MPTS)</p>
<p>Arranging hearings</p>	<p>MPTS8</p> <p>To arrange for cases to be considered by a MPT or IOT where:</p> <p>i. The Registrar refers a matter to the MPTS, including non-compliance and restoration;</p> <p>ii. The Registrar or Tribunal directs that a MPT direction is to be reviewed;</p>	<p>MPTS Committee</p> <p><i>i. S35D(1), 41A(A1), Sch 4, paragraphs 5A(3B) and 5C(3B) ii. S35D(4A), (4B), (8), (9A), (11A) and (11B) iii. S40(7A) and section 40A(6)(d)</i></p>	<p>Assistant Registrar (MPTS)</p>

Function	Description of Function	Function assigned to?	Function delegated to?
	iii. The matter is remitted to the MPTS following an appeal.		
Notification disclosure and publication of information	MPTS9 To notify the practitioner, Registrar and Professional Standards Authority of decisions of MPTs and IOTs	MPTS Committee - S35E(1A1) to (1B)S41A(5), Sch 4, paragraphs 5A(3F) and 5C(5A)	Assistant Registrar (MPTS)
	MPTS10 To publish specified decisions of the MPT and IOT, warnings imposed by the MPT and undertakings agreed by the MPT (confidential health information may be excluded).	<i>Council – s35B(4)</i>	Assistant Registrar (MPTS)
MAKING DECISIONS			
IOT Hearings	MPTS11 To: i. consider whether an IO is necessary for protection of the public, in the public interest or in the interests of the RMP; ii. impose, review and/or revoke an order of conditions or suspension as they see fit.	<i>i. IOT and MPT – s41A</i> <i>ii. IOT and MPT – s41A</i>	Not applicable
MPT Hearings	MPTS12 To make findings in relation to an Investigated RMP's FTP at new and review hearings and, if the MPT think fit, to impose an appropriate sanction (including an immediate sanction).	MPT – S35D and S38, Sch 4, paragraph (1)2C and rule 17 FTP Rules	Not applicable

Function	Description of Function	Function assigned to?	Function delegated to?
	<p>MPTS13 To have regard to the overarching objective in deciding on an appropriate sanction.</p>	<p>MPT – S35E (3A) and Sch 4 - paras 5A(3H) and 5C(4A)</p>	<p>Not applicable</p>
	<p>MPTS14 To consider whether to order an assessment of an RMP's health, professional performance or knowledge of English language.</p>	<p>MPT – FTP Rule [17(7)]</p>	<p>Not applicable</p>
	<p>MPTS15 To consider whether to restore a former RMP's name to the Register in circumstances where that person's name was erased for FTP reasons.</p>	<p>MPT – S41</p>	<p>Not applicable</p>
	<p>MPTS16 To consider applications for VE made in the course of a hearing before the MPT.</p>	<p>MPT – VE Regs</p>	<p>Not applicable</p>
	<p>MPTS17 To hear non-compliance cases and make non-compliance orders</p>	<p>MPT – Sch 4, paragraphs 5A and 5C and section 35A and FTP Rules 17ZA and 22A</p>	<p>Not applicable</p>
	<p>MPTS18 To direct that an order made by a MPT is to be reviewed</p>	<p>MPT – s35D(4A) and (11A)</p>	<p>Not applicable</p>
	<p>MPTS19 To determine applications for restoration following VE where the matter is referred to a MPT by CEs or the IC</p>	<p>MPT – RAE Regs & VERegs</p>	<p>Not applicable</p>

Function	Description of Function	Function assigned to?	Function delegated to?
Reviews on papers	MPTS20 To consider MPT and IOT review cases on the papers.	MPT or Chair of MPT – <i>S35D(13) and (14) and FTP Rule [21B]</i> IOT or Chair of IOT – <i>S41A(3A) and (3B) and FTP Rule [26A]</i>	Not applicable
Case Management	MPTS21 In new, review and restoration hearings, to issue legally binding case management directions.	MPTS Case Manager - Rule 16	
	MPTS22 In MPT cases where a costs award was made, to assess the amount of costs to be awarded.	MPTS Case Manager - Rule 16B	
	MPTS23 To decide postponement applications in respect of MPT and IOT hearings.	MPTS Case Manager – Rule 29	

Chapter 10: GMC financial regulations

Section A - Introduction

Section B - Financial management

Section C - Financial planning

Section D - Risk management and control of resources

Section E - Financial systems and procedures

Section F - External arrangements

Section A – Introduction

Purpose

- 1 To ensure that high standards of financial integrity are maintained at all times.
- 2 The regulations are part of our corporate governance arrangements and are supported by a range of detailed and periodically updated policies, procedures and instructions on specific financial issues. Where any instances of conflict or ambiguity arise, the Financial Regulations take precedence.
- 3 It is not possible to cover every eventuality within these regulations. Where a particular circumstance is not specifically referred to and there is any doubt as to the correct course of action, guidance should be sought from the Assistant Director, Finance and Procurement.
- 4 In exceptional circumstances, it may be necessary to waive the requirements of Financial Regulations temporarily. This can be done only by the Chief Executive in consultation with the Chair of Council.
- 5 Financial Regulations apply to all staff, members and associates of the GMC, which includes the Medical Practitioners Tribunal Service (MPTS). Failure to comply with Financial Regulations, or instructions issued under them, may result in disciplinary action. It is the responsibility of senior managers (Chief Executive, directors, assistant directors, heads of section, the Chair of the MPTS and the Executive Manager of the MPTS) to ensure that staff are aware of their responsibilities under these regulations, that they receive appropriate training and that they comply with them.

Section B - Financial management

- 6 The GMC is a registered charity and is subject to the financial reporting requirements set out in the Charities Act 2011, the Charities (Accounts and Reports) Regulations 2008, the Statement of Recommended Practice for Accounting and Reporting by Charities, the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006.

Council and committees

- 7 The powers and duties of the GMC are laid out in the Medical Act 1983 as amended. The Council (as the Trustees of the GMC) has overall responsibility for the financial management of the GMC. A comprehensive description of the role of Council and its committees is set out in the Governance handbook.
- 8 The Council has established an Audit and Risk Committee, responsible for ensuring the integrity of the financial statements, reviewing the organisation's system of

internal control, governance and risk management systems and to appoint, monitor and review both the internal and external audit services.

Executive

- 9** Council has established an Executive Board. Its purpose is to review operational performance and organisational capacity, as part of the GMC's executive governance arrangements. Full details are set out in the Statement of Purpose of the Executive Board. The executive lead and the Chair of the Board is the Chief Executive. The Executive Board reports to Council through the Chief Executive..
- 10** One or both of the Director of Resources and the Assistant Director, Finance and Procurement must be a member of one of the six CCAB bodies, or another body of accountants established in the UK and approved by the Secretary of State.

Section C - Financial planning

Medium Term Financial Forecast

- 11** The medium term financial forecast should be prepared annually, cover a three year period and forecast the likely expenditure, income and reserves over that period.

Budgeting

- 12** The annual budget sets out overall income, revenue and capital expenditure, allocations to directorates and projects, proposed fee levels and the impact on reserves.
- 13** Budget managers should prepare draft plans and estimated costs for the activities of their directorates. It is the responsibility of directors to ensure that their draft budgets reflect the aims and objectives set out in the annual business plan. Draft budget proposals are scrutinised by the Executive Board.
- 14** The annual budget comes into effect only when approved by Council.

Budget monitoring and control

- 15** Financial information to enable budget managers to monitor and control their expenditure effectively is provided monthly.
- 16** Budget managers are responsible for controlling income and expenditure against their budget and for monitoring service delivery and performance against targets. Forecasts of income, expenditure and headcount are updated monthly based on discussions with budget managers.

- 17** Budget managers should take any remedial action necessary to avoid actual expenditure exceeding budget. Budget managers must advise their Director at the earliest opportunity if they feel that costs cannot be absorbed within their cost centre budget. It is then the responsibility of the Director to ensure that individual cost centre overspends can be managed and absorbed within the overall Directorate budget. Where a Directorate expects to spend more than their approved budget the Director must advise the Chief Executive and Director of Resources, who will decide what further action to take.
- 18** Regular reports of budgetary performance and variances should be provided to the Executive Board, and to Council as part of the Chief Executive's Report.
- 19** The Chief Executive may seek Council's agreement to an additional budget allocation within the year. Any requests for additional funding should clearly identify any financial impact in future years.

Budget virement

- 20** The transfer of budgets between directorates can only be made with the approval of the Chief Executive. Transfers between budget heads within the same directorate can be made with the approval of the Director of Resources.

Maintenance of reserves

- 21** The Director of Resources should advise the Executive Board on the appropriate levels of reserves. Council should approve the reserves policy annually.

Investment policy

- 22** Council is ultimately responsible for determining and reviewing the overall Investment Policy, objectives, risk appetite and target returns. Operational decision-making and implementation of the policy is delegated to the Investment Committee.
- 23** The Investment Committee establishes and monitors the investment management structure to ensure that it is appropriate to meet the agreed investment policy, and reports annually on its activities to Council.
- 24** All funds held by the GMC are controlled by the Director of Resources, who will oversee all borrowing, investment or financing and report to the Executive Board at regular intervals. A summary of investment performance is reported as part of the normal reporting of financial performance to the Executive Board, and within the Chief Executive's report to Council.

Section D - Risk management and control of resources

Risk management

- 25** Overall responsibility for risk management resides with Council.
- 26** Responsibility for overseeing risk management arrangements is delegated to the Audit and Risk Committee. The Committee reviews the risk management framework and obtains assurance from the internal auditors that the arrangements in place are effective.
- 27** The responsibilities of managers and staff are set out in the Risk Management Framework.

Internal control

- 28** Council is responsible for setting and maintaining a framework of delegation and internal control.
- 29** The Audit and Risk Committee is responsible for reviewing internal control and systems.
- 30** The Assistant Director of Audit and Risk Assurance is responsible for reviewing the effectiveness of the systems of internal control and risk management, providing assurance to Council through the Audit and Risk Committee.
- 31** It is the responsibility of management to establish effective systems of internal control and risk management. These arrangements need to ensure compliance with all relevant statutes and regulations, and other relevant statements of best practice. They should ensure that GMC funds are properly safeguarded and used economically, efficiently and effectively.
- 32** The Executive Board monitors operational performance, resource management, risk management and related controls, quality assurance, efficiency and continuous improvement.

Audit requirements

- 33** The Audit and Risk Committee makes recommendations to Council on the appointment, reappointment and removal of the external auditors.
- 34** External auditors and internal auditors have authority to:
 - a** access all assets, records, documents and correspondence relating to any financial and other transactions

- b** require and receive such explanations as are necessary concerning any matter under examination
- c** access records belonging to third parties, such as contractors when required.

Fraud and corruption

- 35** The Director of Resources is responsible for the development and maintenance of an anti-fraud policy.
- 36** Staff should report any suspected fraud in accordance with the GMC's Anti-Fraud Policy and, if appropriate, the Public Interest Disclosure (whistle-blowing) Policy.

Declaration of interests

- 37** Guidance for members on the disclosure of interests is set out in the Governance handbook.
- 38** Staff should disclose immediately to the Director of Resources any personal interest in, or benefit arising from, a transaction or financial arrangement involving the GMC, including any interest in a business trading with the GMC. Declarations will be recorded and retained by the Director of Resources.

Asset management

- 39** The Director of Resources is responsible for maintaining a fixed asset register.
- 40** Senior managers should ensure that records and assets within their areas of responsibility are properly maintained and securely held. The Director of Resources is responsible for ensuring that contingency plans for the security of assets and the continuity of business in the event of disaster or system failure are in place. Disposal of assets should be in accordance with procedures laid down by the Director of Resources.

Remuneration

- 41** The Remuneration Committee is responsible for advising Council on the remuneration, terms of service and the expenses policy for Council members including the Chair; and for determining the appointment and suspension/removal process, remuneration, benefits and terms of service for the Chair of the MPTS and members of the MPTS Committee. The Remuneration Committee is also responsible for setting the remuneration, benefits and terms of service for the Chief Executive, and directors.
- 42** The Chief Executive is responsible for determining policy on the remuneration, benefits and terms of service of all other GMC staff.

Senior managers, in consultation with the Assistant Director – Human Resources, are responsible for setting and approving changes to staff salaries within the constraints of the overall policy.

Staffing

- 43** The Director of Resources is responsible for ensuring that proper systems of staff appointment, training, allocation of work, delegation of duties and accountability, performance, appraisal, remuneration and discipline are in place.
- 44** The Executive Board has established a People and Development Board, with membership consisting of the Senior Management Team plus the Assistant Director of Human Resources. The Board meets quarterly to consider outcomes from development mapping, key staff risks and succession planning, high level analysis of preliminary appraisal ratings and reviews of learning and development activity and data.
- 45** Budget managers are responsible for controlling staff numbers by developing budget proposals that are sufficient to cover estimated staffing levels in the year, and adjusting staffing as necessary to a level that can be funded within the approved budget.
- 46** Budget managers may only recruit temporary staff during the year where the costs can be absorbed within directorate budgets approved by Council.
- 47** Recruitment of permanent staff over and above those included in the annual budget must be approved by the Director of Resources.

Section E - Financial systems and procedures

General

- 48** The Director of Resources is responsible for selecting appropriate accounting policies and for ensuring that systems are applied consistently, and for determining the accounting procedures to be followed and the accounting records to be maintained.
- 49** The Director of Resources is responsible for ensuring that the annual statement of accounts is prepared in accordance with the Charities Statement of Recommended Practice and applicable law. Council is responsible for approving the annual report and accounts.
- 50** The Director of Resources is responsible for providing financial training to all relevant staff.
- 51** Senior managers are responsible for the proper operation of financial procedures within their areas.

- 52** Where key members of staff with financial responsibilities are absent, senior managers must ensure that named deputies are identified so that financial procedures continue to operate securely and effectively.
- 53** Arrangements relating to the procurement of goods and services are set out in the GMC's Procurement Policy.

Income and expenditure

- 54** The Chief Executive may authorise expenditure within the constraints of the annual budget approved by Council. Directors and staff may authorise expenditure within the limits set out in the Schedule of authority, within the constraints of approved directorate budgets. When authorising expenditure, consideration must be given to any ongoing financial impact as these costs will need to be incorporated in future years' budgets.
- 55** The Director of Resources is responsible for maintaining a scheme of financial delegation that identifies staff authorised to act on the GMC's behalf in respect of raising orders, making payments, and collecting income, together with the limits of their authority. The Director of Resources will determine arrangements for the collection, banking and recording of income, and for payments to suppliers and other third parties.
- 56** Senior managers are responsible for ensuring that the scheme of financial delegation is operating effectively in their area.
- 57** The Chief Executive and/or the Director of Resources will approve the bank mandate authorising bank signatories and their limits.
- 58** Outstanding debts can only be written off in exceptional circumstances. Individual debts of up to £10k can be written off with the approval of the Assistant Director of Finance. Individual debts up to £25k can only be written off by the Director of Resources, who will provide a periodic summary to the Executive Board. Individual debt write offs of more than £25k will be referred to the Executive Board and be subject to approval by the Chief Executive.
- 59** Where goods or services are provided by the GMC to external organisations, they should be charged on a full cost recovery basis. Any difference from this would require approval from Chief Executive.
- 60** Where goods or services are provided to a trading subsidiary, they should be charged on a full cost recovery basis.

Staff, members and associates

- 61** The Director of Resources is responsible for all payments of salaries, allowances and expenses to staff, members and associates.

Taxation

- 62** The Director of Resources is responsible for ensuring the GMC complies with the relevant guidance and legislation on all matters relating to taxation.
- 63** The Director of Resources is responsible for maintaining the GMC's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

Trading

- 64** No company or commercial enterprise that exploits any activity carried out by, or exploits any rights belonging to the GMC may be established by staff, Council members or associates without the prior written approval of the Chair of Council in consultation with the Chief Executive.
- 65** No trading subsidiaries can be established without the approval of Council.
- 66** Any activities carried out through a trading subsidiary should be subject to the same high standards of conduct and financial integrity that apply to all other GMC activities. Detailed working arrangements between the GMC and a trading subsidiary should be set out in an Operating Agreement.

Section F - External arrangements*Partnerships and joint projects*

- 67** No partnerships or joint projects which create material financial risk can be entered into without the approval of Council.
- 68** Any partnerships or joint projects should be subject to the same high standards of conduct and financial administration that apply to all other GMC activities.
- 69** The Director of Resources should ensure that the accounting arrangements to be adopted for partnerships and joint projects are satisfactory, and that the financial risks have been fully appraised before agreements are entered into.
- 70** Partnerships and joint projects should be subject to the same level of audit review as other GMC activities.

External funding

- 71** The Director of Resources is responsible for ensuring that all funding is received and properly recorded in the GMC's accounts.

Work for third parties

- 72** Any proposals for the GMC to undertake work for third parties must be consistent with the GMC's charitable purpose and the Medical Act 1983. Contractual arrangements should be approved by the Director of Resources. Work that is not consistent with the GMC's charitable purpose and the Medical Act 1983 can only be undertaken through a trading subsidiary.

Chapter 11: Decision making framework

Introduction

- 1** The GMC is a statutory corporation created under the Medical Act 1983 and is registered as a charity with the Charity Commission for England and Wales and with the Office of the Scottish Charity Regulator. These characteristics mean that various matters must be taken into account when decisions are made. In particular the GMC is bound to act in accordance with its duties as a public body discharging statutory functions in accordance with the Medical Act 1983, and as a registered charity in accordance with the Charities Act 2011.
- 2** The purpose of this document is to set out a general decision-making framework. This framework will act as a reminder to those working on behalf of the GMC of the correct approach by the GMC when decisions are made.
- 3** This framework does not purport to be comprehensive, and does not set out what are the relevant facts or matters which may have to be considered in relation to any particular case. It is no replacement for taking detailed advice, where appropriate, in relation to specific decisions.
- 4** Decision makers will need to take into account relevant legal, tax, regulatory and commercial considerations which apply to any particular decision.
- 5** This framework will apply and will be particularly relevant to decisions which are not expressly provided for under the Medical Act 1983 (as amended) ("the Act"). The Act and the regulations made under it set out certain requirements for certain decisions which decision makers must follow.

The Framework

- 6** Any decision made by the GMC must be made in the performance of its statutory functions, such as but not limited to, registration, education, standards and fitness to practise under the Act.
- 7** In exercising its functions the GMC must have regard to its over-arching objective, which is the protection of the public, which involves the pursuit of the following objectives:

- a** the health, safety and well-being of the public
 - b** public confidence in the profession; and
 - c** proper standards and conduct for doctors.
- 8** Decisions made by, or on behalf of, the GMC must further one or more of these objectives.
- 9** The GMC is also a charity. Decision makers must check that any decision falls within the GMC's charitable purposes. If the decision is furthering one or more of the GMC's statutory objectives then such a decision is likely to fall within the GMC's charitable purposes.
- 10** The GMC must be able lawfully to do what is proposed. Any decisions which it makes or actions which it takes must be:
- a** pursuant to an express power set out in the Act or other relevant applicable legislation or regulations; or
 - b** something that it, in the opinion of the GMC, incidental or conducive to the performance of its functions under the Act.
- 11** "*Incidental*" and "*conducive*" each have a wide meaning, although in certain situations there may be restrictions upon what the GMC can lawfully do as a statutory corporation.
- 12** The GMC must comply with the Charities Act 2011 and should follow Charity Commission guidance or authorisation. Regard must be had to the duties of "Charity Trustees" and the requirement that a charity must act for the public benefit.
- 13** The decision must be reached:
- a** in good faith
 - b** reasonably, meaning rationally
 - c** having:
 - i** considered relevant facts and matters, including having proper regard to matters required under the Act
 - ii** disregarding irrelevant facts and matters
 - d** after the decision makers have adequately informed themselves and where necessary made further enquiries and where appropriate taken professional advice and considered it.

- 14** In reaching decisions relevant governance procedures in the Governance handbook should have been followed correctly: for example, the meeting must have been properly convened, quorate, and in accordance with any requirements of the GMC under the Act or any applicable legislation.
- 15** In exercising its charitable functions the GMC must comply with its duty of reasonable care under charity law and in particular its requirement for the proper stewardship of charitable funds. Charitable funds must be spent prudently, and in a manner appropriate to the GMC's statutory and charitable purposes.
- 16** The minutes of the relevant meeting or other record of consideration of the relevant issues and the reasons why a decision has been reached should reflect this decision-making process.

Additional guidance will be published from time to time to supplement this framework.

Annex A: Council – working arrangements

- Annex A1: Working arrangements
- Annex A2: Corporate seal

Annex A1: Working arrangements

Meetings

- 1 Council meets as necessary for the transaction of its business, according to a schedule agreed by Council, but also as may be required as set out in paragraphs 2 and 3.
- 2 A special meeting may be called at the request of the Chair of Council (the Chair). 14 days' notice is normally given of such a meeting.
- 3 A special meeting must be called within 21 days if three members so request in writing to the Chief Executive.

Principles relating to the conduct of Council business

- 4 The following principles apply to the conduct of Council business:
 - a the default assumption should be that all Council business is conducted in public
 - b some business may be more appropriately conducted in 'closed' session (i.e. GMC only, including staff). The reason for proposing that an item of business should be dealt with in closed session should be explained in the paper covering that item
 - c exceptionally, matters may arise which need to be taken 'in private' normally including the Chief Executive/Registrar, directors, and the Council Secretary (with the exception of any member of that group to whom the matter relates)
 - d members may wish to meet without staff present, for example to discuss their own performance as a Board. The reason for meeting in private should be made explicit in the agenda and by the Chair at the meeting
 - e 'briefings' for members on particular issues, e.g. updating them on developments in education or fitness to practise, should continue in the usual way and should not be regarded as part of the formal conduct of Council business
 - f except for seminars and away days, minutes should be taken for all Council sessions. Where matters are discussed in confidential or private session, however,

the minutes will not be expected to give a detailed account of the substance of the discussion.

- 5** 'Confidential' sessions are for the discussion of business which:
 - a** relates to any personal matter concerning a present or former registrant or applicant for registration
 - b** relates to any matter which is commercially sensitive
 - c** relates to any matter which is subject to legal professional privilege
 - d** relates to any matter relevant to the prevention or detection of crime or the prosecution of offenders
 - e** identifies any information given to the organisation in confidence
 - f** relates to risks, for example of a financial or political nature, to the GMC or others where there is a danger that the risk would be exacerbated by discussion in public
 - g** relates to early stages in developing policy or consultations
 - h** relates to any other matter deemed by the Chief Executive and Chair, subject to the agreement of Council, to require discussion in confidential session.

- 6** 'Private' sessions are for the discussion of:
 - a** any personal matter relating to an employee or Council member, or a former employee or Council member (if the employee or Council member would otherwise be present, he or she will be required to leave the part of the meeting during which such a matter is under consideration)
 - b** any other matter deemed by the Chief Executive and Chair, subject to the agreement of Council, to require discussion in private session

- 7** 'Private' sessions with no staff (including the Chief Executive/Registrar) present may be required, for example, where:
 - a** Council is discussing its own performance or matters concerned with members or the Chair
 - b** the Chief Executive/Registrar is him/herself under discussion.

- 8** There might be occasions when, in the public part of the meeting, although an item would be tabled on the public agenda, the supporting papers or annexes to them would be available only to Council members and staff (and would be made publicly available at a later date).

- 9 If any matter arises of a confidential nature during the transaction of non-confidential business the Chair may require members of the public to withdraw while the matter is dealt with.
- 10 In the event of disorder at a meeting of Council, the Chair may require members of the public to leave. If disorder continues, the Chair may seek assistance from building security and/or the police to restore order.

Quorum and attendance

- 11 The quorum for any Council meeting is defined in the General Medical Council (Constitution) Order 2008 (as amended), and is 7 members.
- 12 The GMC Constitution Order 2008 (as amended) provides for a member to be removed from office by the Privy Council if that member's level of attendance at Council meetings falls below minimum levels of attendance set in Standing Orders (which are set out in paragraph 15 below), and whether or not there were reasonable causes for the member's absences.
- 13 Council members have a duty to attend meetings of Council and of any other GMC Board, Committee or group to which they have been appointed.
- 14 In the event that any member is unable to attend a Council meeting they have a duty to notify the Council Secretariat, and confirm the reason for their non-attendance.
- 15 Members' commitment to the work of the GMC is demonstrated in a variety of ways not restricted to attendance at formal meetings. However, a member who fails to attend, without good cause, three consecutive meetings of the Council and 75% of the total of all of his/her commitments to Boards and Committees in any one period of twelve months may be regarded as having made an insufficient contribution to the work of Council. In these circumstances, (notwithstanding the right of any Council or GMC staff member to notify the Privy Council that it may need to exercise its function) the Chair may decide to notify the Privy Council, which determines the question of the member's removal from office. Good cause in such circumstances is determined by the Chair of Council.
- 16 The Chair may invite any person to attend the whole or part of a Council meeting to present a report or to give advice.

Agendas

- 17 The Chair and Chief Executive prepare and agree the agenda for each Council meeting.
- 18 The Council Secretariat maintains a schedule of the proposed forward agenda planning programme, which will be made available upon request.

- 19** Notice confirming the agenda for a Council meeting is sent to members not less than three weeks before the meeting to which it relates.
- 20** Any member wishing to raise a matter, other than a matter appearing on the agenda, at a Council meeting is required to notify the Chair and Chief Executive not less than 14 days before the meeting.
- 21** No business other than that which has been included in the agenda, or of which notice is given under paragraphs 3 or 21, is discussed at any Council meeting, with the exception of urgent business, which may be discussed with the consent of the Chair.
- 22** The agenda and supporting papers for Council meetings are sent to members not less than seven days before the meeting. Papers are circulated later than seven days before the meeting only if they:
 - a** relate to a special meeting
 - b** relate to urgent business
 - c** contain information that was not reasonably available at the time of first circulation.
- 23** Agendas, papers and minutes of Council meetings are published on our website no fewer than two days before the meeting.

Rules of debate

- 24** Any member wishing to speak indicates this to the Chair and waits to be called by the Chair. All contributions are directed to the Chair. Members give way to the Chair on request.

Amendments

- 25** Any amendments to a recommendation are in one of the following forms:
 - a** to add words
 - b** to delete words
 - c** to delete words and substitute others.
- 26** All amendments are to be proposed and seconded.

Decision making and voting

- 27** Members have a duty to support all Council decisions on the basis of collective responsibility.
- 28** In discussion of agenda items the intention is to reach agreement by consensus. If a general consensus emerges, then the Chair may curtail discussion and seek agreement to the proposal. Where a consensus decision is reached the Chair asks Council to confirm this orally and this is minuted. On an exceptional basis, any member who dissents from a decision is entitled to require such dissent to be formally recorded in the minutes of the meeting.
- 29** Voting occurs only when consensual agreement cannot be reached.
- 30** Voting at Council meetings is by show of hands. The Medical Act 1983 as amended provides that if the votes are equal the person who chairs the meeting has a casting vote in addition to his/her vote as a member of the Council.
- 31** The Chief Executive declares the numbers of votes and any abstentions, which are recorded in the minutes of the meeting.

Points of order

- 32** The decision of the Chair on any point of order or question of procedure is conclusive for all purposes.

Minutes

- 33** Minutes of Council meetings are taken and are retained as a record of members' attendance, key points made, decisions taken and any declared conflicts of interest. Draft minutes of Council meetings are produced, approved by the Chair and then circulated to members normally within 14 days of a meeting taking place. Where possible, members should identify corrections or additions to the minutes to the Council Secretary before the next meeting in order that final approval can be granted at the subsequent meeting. Minutes are laid before Council at the next meeting for final approval. The Chair signs the minutes of each meeting once they have been approved. In addition to the minutes, the Council Secretariat maintains a list of action points and monitors their completion.
- 34** Recordings or transcripts made by third parties are not permitted at Council meetings unless specifically authorised by Council.
- 35** The GMC is a public body for the purposes of the Freedom of Information Act 2000. This provides a general right of access to information, subject to specified exemptions.

Urgent action between meetings

- 36** The Chair may, having consulted the Chief Executive and other members wherever possible, between meetings authorise on behalf of the Council urgent action of a kind which would normally be dealt with at a meeting. Any action thus taken is reported to Council at the earliest practical opportunity, formally noted at the next Council meeting and recorded in the minutes.

Governance handbook and working arrangements

- 37** Any part of this Governance handbook may be amended or revoked by Council at any time. The working arrangements for Council may be suspended if required for the effective conduct of business. Such suspension should be proposed and seconded, and approved by a majority of those present at a meeting.

Annex A2: Corporate seal

- 1 The corporate seal is kept in the secure custody of the Chief Executive, or another employee designated on his/her behalf.
- 2 The Registrar/Chief Executive is authorised to affix the corporate seal to Deeds and, as appropriate, other documents that require the corporate seal to be affixed in connection with:
 - a investments by the GMC
 - b the acquisition or disposal of land and any dealings with or transactions involving land (including without limitation the transfer of land, the grant to or by the GMC of leases or licences relating to land and the grant or release of interests relating to land)
 - c pension and life assurance schemes and arrangements for current and former employees and officers of the GMC.
- 3 Except as provided in paragraph 2 above, the seal may be affixed only as directed by order, or under the authority, of Council. The seal must be affixed in the presence of, and witnessed by, the Chief Executive and any Council member to whom Council has delegated authority.
- 4 Any order for affixing the seal states why it is being used, and is recorded at least annually in the Chief Executive's report to Council.
- 5 The Council Secretariat shall keep a record of the affixing of the corporate seal.

Annex B: Committees: working arrangements

- Annex B1: Arrangements for the appointment of Council and external members to Committees
- Annex B2: Working requirements for Committees
- Annex B3: Role description for Committee Chairs
- Annex B4a: Statement of purpose of the Audit and Risk Committee
- Annex B4b: Statement of purpose of the Remuneration Committee
- Annex B4c: Statement of purpose of the Trustees of the GMC Staff Superannuation Scheme
- Annex B4d: Statement of purpose of the Medical Practitioners Tribunal Service Committee
- Annex B4e: Statement of purpose of the GMC/MPTS Liaison Group
- Annex B4f: Statement of purpose of the Investment Committee

Annex B1: Arrangements for the appointment of Council and external members to Committees

- 1 Members are asked to express interest in becoming members and/or chairs of Committees. Having taken account of these expressions of preference, the Chair of Council makes proposals for chair and members which are circulated in advance for approval by Council.
- 2 The Chair of Council is *ex officio* a member of each Committee, except the Audit and Risk Committee, and if present forms one of the quorum.
- 3 Membership, including chairing arrangements, of the Committees is reviewed twice in each four year term of office, at the beginning and at the mid-way point. Members are asked to express their preferences for bodies they wish to join or leave, and whether they wish to be a chair. The Chair of Council uses this information to inform proposals about chairs and membership which are presented as proposals to Council for approval.
- 4 The appointment of members following any casual vacancies that may occur is undertaken in line with the procedure outlined in paragraph 1.

Appointment of external members

- 5 The Audit and Risk Committee will nominate two people to serve as co-opted members on the Committee for any period not exceeding four years, and will seek Council's approval to the appointments.
- 6 The Investment Committee will nominate two or three people to serve as co-opted members of the Committee for any period not exceeding four years, and will seek Council's approval to the appointments.
- 7 Co-opted members of the Audit and Risk Committee and the Investment Committee will receive meeting papers and take part in the discussion. In the event that a vote needs to be taken, only Council members of the Committees will be entitled to vote. In the case of papers, the executive will advise on any particular papers, or parts of papers, which need to be treated in confidence.

- 8** The terms of office of co-opted members may be renewed for any further period of up to four years, provided that no co-opted member will serve for more than a total of eight years in any period of twenty years.

Observers

- 9** The chairs of each of the Committees may invite individuals from external organisations to attend meetings as observers.
- 10** People invited to attend as observers may receive meeting papers. They may also take part in the discussion but will not vote on decisions. They are bound by the same duty of confidentiality as other members of the group.

Annex B2: Working arrangements for Committees

Chairing in the absence of the chair

- 1 When the appointed chair of a Committee is absent from a meeting, or has had to withdraw owing to a conflict of interest, the meeting is chaired by another Council member of the Committee appointed by agreement of the Committee in question.

Minutes and notes

- 2 Minutes are taken of Committee meetings. As soon as the Committee chair has agreed the draft minutes of a meeting, they are circulated to all Committee members for comment. They are included on the agenda for formal approval at the next meeting. The secretaries of the Committees also keep a list of action points, which are circulated to the committee as an annex to the minutes, and monitor their completion.

Reporting

- 3 Each Committee reports annually to Council on a 'to consider' basis, except the Audit and Risk Committee which reports twice a year. The report should be presented by the chair of the Committee in question, or, in the event that the chair is unavoidably absent, by a member of the Committee who has been asked to present by the chair of the Committee or by the Chair of Council. As part of the Audit and Risk Committee's reporting cycle, the Corporate Risk Register is presented to Council in closed session (see Annex A1 paragraph 4b).

Working arrangements

- 4 Each Committee is invited to consider and agree its own working arrangements, taking into account good governance practice and what is required to achieve its purpose.

Decision making and voting

- 5 In discussion of agenda items the intention is to reach agreement by consensus. If a general consensus emerges, then the chair may curtail discussion and seek

agreement to the proposal. Where a consensus decision is reached the chair asks the Committee to confirm this orally and this is minuted.

- 6** It is expected that Committees will conduct their business on the basis of seeking consensual agreement in all but the rarest of cases.
- 7** In the event that such agreement cannot be reached, and that it is necessary for a particular matter (for example in relation to a power delegated to a Committee by Council) to result in a specific decision, members of the committee who are also Council members may vote (as set out in annex B1). Voting at meetings is by show of hands. If the votes are equal the person who chairs the meeting has a casting vote in addition to his/her vote as a member of the committee.
- 8** The secretary to the meeting declares the numbers of votes and any abstentions, which are recorded in the minutes of the meeting. On an exceptional basis, any member who dissents from a decision is entitled to require such dissent to be formally recorded in the minutes of the meeting.

Quorum and attendance

- 9** The quorum for meetings of the Audit and Risk Committee, the Remuneration Committee and the Investment Committee is three members, one of whom is either the Chair or, in their absence, another Council member nominated to chair the meeting.
- 10** Council and co-opted members are expected to attend meetings of any Committee to which they have been appointed or nominated.
- 11** In the event that any member is unable to attend a Committee meeting that person has a duty to notify the relevant Secretariat, and advise the reason for their non-attendance.

Publication of papers

- 12** The Committees' reports to Council will be available on the external website. The GMC is a public body for the purposes of the Freedom of Information Act 2000. This provides a general right of access to information, subject to specified exemptions.

Annex B3: Role description for Committee Chairs

- 1 The core role of the chair of a Committee is to ensure that the Committee remains focused on its business, acts within its terms of reference, and properly accounts for the conduct of its business in line with its purpose and duties.
- 2 The chair's role is to:
 - a provide non-executive leadership to the work of the Committee
 - b ensure that the Committee fulfils the purpose set for it and is responsive to direction from Council
 - c ensure that the Committee works collectively
 - d work with the Chair of Council to ensure that business is handled effectively, with appropriate levels of consultation and input
 - e establish and maintain an effective working relationship with the Chief Executive, directors, executive leads, secretariat, and other staff, as appropriate, taking forward business as required between meetings and liaising as required with other Committee members to ensure this
 - f chair Committee meetings effectively, ensuring that required decisions are taken
 - g approve draft minutes for circulation to the Committee
 - h jointly with the executive leads, ensure, in the light of Council's priorities, and in liaison with the secretariat, an annual work programme for the Committee, including formal meetings as appropriate
 - i ensure that the work and activities of the Committee are regularly reported to Council as required.
- 3 As good governance practice, all chairs of Committees have an explicit right of access to the Chair of Council and to the Chief Executive.
- 4 There may be occasions on which, within the powers delegated by Council to the Committee, decisions need to be taken outside a meeting of the Committee. If so,

the chair reports the decision to the Committee at the earliest opportunity and the agreed decision is formally reported at the next Committee meeting.

Annex B4a: Statement of purpose of the Audit and Risk Committee

Purpose

- 1 The Audit and Risk Committee provides Council with independent assurances on the effectiveness of arrangements established by the Executive to ensure the:
 - a Integrity of the financial statements.
 - b Effectiveness of the systems of internal control, governance and risk management.
 - c Adequacy of both the internal and external audit services.
- 2 The Committee is specifically authorised by Council to:
 - a Investigate any activity within its terms of reference including any activity by a trading subsidiary of the GMC. Any investigation will normally be initiated in consultation with the Chief Executive.
 - b Seek any information it may reasonably require from any member, employee or associate of the GMC or of any trading subsidiary of the GMC. All members, employees and associates are directed to co-operate with any reasonable request made by the Committee.
 - c Obtain outside legal or other independent professional advice and to secure the attendance of people with relevant experience and expertise if it considers this necessary. The Committee may not incur direct expenditure in this respect in excess of its allocated budget without prior approval of the Chair of Council, in consultation with the Chief Executive.

Duties and activities

Financial Reporting

- 3 Review the annual financial statements taking into account advice from the external auditors and ensure they are a fair and accurate reflection of the activities of the GMC and of any trading subsidiary of the GMC. If necessary, this should involve challenging the actions and judgements behind the preparation of the annual

financial statements and related documents, before submission to and approval by Council.

- 4 Review the organisation's accounting policies.
- 5 Consider any other topics, as directed by Council.

Internal Control and Risk Management

- 6 Monitor the integrity of internal controls. In particular, review management and the internal audit reports on the effectiveness of the system of internal control.
- 7 Assess the scope and effectiveness of the systems designed to identify, assess, manage and monitor significant risks, including those of any trading subsidiary.
- 8 Review statements in the annual report and accounts relating to audit and risk management.
- 9 Monitor anti-fraud policies and procedures and review arrangements for raising concerns.
- 10 Review all delegated authorities at least once in every four-year Council term.
- 11 Review and assess the risks relating to General Data Protection Regulations (GDPR) and cyber security.

Internal Audit

- 12 The appointment or dismissal of the Assistant Director of Audit and Risk Assurance and the external provider of internal audit services is the responsibility of the Director of Resources in consultation with the Chief Executive, but should be ratified by the chair of the Audit and Risk Committee. In the event of any unresolved disagreement between the Chief Executive and the chair of the Committee, the matter will be referred to the Chair of Council.
- 13 Ensure that the Assistant Director of Audit and Risk Assurance has direct access to the Chair of Council and the Committee and is accountable to the Committee.
- 14 Review the internal audit programme and ensure that the function is adequately resourced and has appropriate standing within the organisation.
- 15 Consider and monitor the organisation's response, including the response of any trading subsidiary of the GMC, to any major internal audit recommendations.
- 16 Monitor and assess the role and effectiveness of the internal audit function.

- 17** Ensure the provision of any non-audit services does not impair the internal auditors' independence or objectivity.

External Audit

- 18** Consider and make recommendations to Council on the appointment, reappointment and removal of the external auditors.
- 19** Approve the terms of engagement and fee to be paid to the external auditor in respect of audit services provided.
- 20** Assess the qualification, expertise, resources, effectiveness and independence of the external auditors annually.
- 21** Discuss in advance with the external auditor the nature and scope of the audit.
- 22** Review with the external auditors their findings, the content of the management letter and management's responses and the audit representation letter.
- 23** Ensure the provision of any non-audit services does not impair the external auditors' independence or objectivity.

Working arrangements

- 24** Meetings will be held at least four times a year. At the discretion of the chair of the Committee, additional meetings can be convened.
- 25** The Committee should review its statement of purpose at least once a year and suggest any necessary amendments to Council.
- 26** The external auditors or internal auditors may request a meeting of the Committee.
- 27** At least once a year the Audit and Risk Committee should meet the external auditors and internal auditors without management.
- 28** Members of the Committee (including the co-opted members) may meet alone at any time. Normally, senior staff will be in attendance including the Chief Executive, the Director of Resources, the Assistant Director of Finance and Procurement, and the Assistant Director of Audit and Risk Assurance. Others may attend meetings at the invitation of the Committee.
- 29** Draft minutes should be cleared by the chair and circulated to members for comment within two weeks of the meeting. Minutes are circulated to all Council members.
- 30** Where the Committee is not satisfied with any aspects of the organisation's performance, or the performance of any trading subsidiary of the GMC, in relation to audit and risk or other systems of internal control it will report its views to Council.

- 31** The Committee prepares a report, for inclusion in the annual report and accounts, on its role and responsibilities and the actions it has taken to discharge those responsibilities. The report includes any unresolved disagreements between Council and the Committee.

- 32** The chair or another designated member of the Committee, if the chair is not available, presents a report and answers questions on the Committee's activities for Council at least twice a year.

Annex B4b: Statement of purpose of the Remuneration Committee

Purpose

- 1 The Remuneration Committee advises Council on remuneration, terms of service, and the expenses policy for Council members including the Chair.
- 2 The Remuneration Committee will determine:
 - a The appointment process for the Chief Executive.
 - b The remuneration policy and underlying principles for remuneration of the senior management roles within its remit.
 - c Remuneration, benefits, and terms of service for permanent and interim appointments to the role of Chief Executive and directors.
 - d The appointment and suspension/removal process for the Chair of the Medical Practitioners Tribunal Service (MPTS) and members of the MPTS Committee.
 - e Remuneration, benefits and terms of service for the Chair of the MPTS and members of the MPTS Committee.

Duties and activities

- 3 The Committee is responsible for reviewing and advising Council on the remuneration arrangements and levels (including expenses policy) for Council members, including the Chair.
- 4 The Committee sets all aspects of salary or honoraria, the provision of any other benefits, and any other arrangements or contractual terms, unless these are required by employment law or are routine changes to GMC staff policies.
- 5 The Committee will consider all proposed changes which will have a material impact on agreed terms and conditions, such as an extended leave of absence, sabbatical arrangements and relocation support, and offers advice in respect of the following roles:
 - a The Chief Executive.

- b** Directors.
 - c** The Chair of the MPTS and members of the MPTS Committee.
 - d** Any other such staff and posts as may be required.
- 6** In respect of the appointments of the Chief Executive and the Chair of the MPTS and members of the MPTS Committee, the Committee is responsible for designing the recruitment/appointment processes in accordance with Council's agreed delegation.
- 7** The Committee will:
- a** Ensure that the assessment and measurement of performance takes place within an appropriate framework for the senior management roles within its remit.
 - b** Ensure that the assessment of talent management and succession planning issues takes place within an appropriate framework for the senior management roles within its remit.
- 8** The Committee will ensure that equality and diversity principles are embedded in the issues relevant to its remit.

Working Arrangements

- 9** The Committee may commission appropriate external advice where required.
- 10** Meetings are held twice a year. At the discretion of the Chair of the Committee, additional meetings can be convened.
- 11** The Committee should review its statement of purpose at least once a year and suggest any necessary amendments to Council.
- 12** Papers for each meeting will be sent electronically to Committee members at least seven days in advance of meetings.
- 13** Draft minutes, recording conclusions of the issues discussed, should be cleared by the chair and circulated to members for comment within two weeks of the meeting. The Committee approves minutes at its next meeting.
- 14** The Chair of the Committee presents a report on its activities to Council at least annually.

Annex B4c: Statement of purpose of the Trustees of the GMC Staff Superannuation Scheme

Purpose

- 1** The purpose of the Trustees of the GMC Staff Superannuation Scheme is set out in the Scheme's Trust Deed and Rules.
- 2** Trustees manage and administer the GMC Staff Superannuation Scheme. This includes:
 - a** Appointing an administrator of the Scheme.
 - b** Ensuring that members are paid the benefits they are due.
 - c** Ensuring that appropriate accounts and records for all Scheme administration are maintained.
 - d** Appointing an auditor to the Scheme.
 - e** Appointing a Scheme actuary.
 - f** Commissioning reports on the financial position of the Scheme.
 - g** Managing the investments of the Scheme.
 - h** Ensuring that the Scheme meets the relevant regulatory requirements.
 - i** Responding to any complaints or queries that require a decision.
 - j** Ensuring that key documents, reports and background information are accessible to scheme members.
 - k** Oversee the effective communication of the benefits, rules and Scheme funding position to Scheme members as well as promoting the benefits of membership of the Scheme.

Duties and activities

- 3** The Trustees have specific duties set out in legislation and the Trust Deed and are required to consult with the employer on changes to the Scheme and key policy statements, including:
 - a** The statement of funding principles.
 - b** The investment strategy.
 - c** The employer covenant.

Working arrangements

- 4** The Trustees are required by the Deed to meet at least once a year, but normally meet more frequently. Professional advisers attend the relevant parts of each meeting.
- 5** The Trustees work closely with the Executive Board as the representative body of the Scheme sponsor. Any significant decisions for the Scheme sponsor are escalated to Council as quickly as possible via the Chief Executive's report.
- 6** Sub-groups of the Board of Trustees are agreed from time to time to work on specific issues, such as meeting advisers and fund managers, or reviewing communications with Scheme members.
- 7** Papers for each meeting are normally sent electronically to Trustees at least seven days in advance of meetings. Copy papers are posted to Trustees requiring a hard copy.
- 8** Meetings regularly contain an element of training.
- 9** Minutes are circulated to Trustees for comment within two weeks of the meeting. The Trustees approve the minutes at their next meeting. Minutes record the conclusions of the issues considered.

Annex B4d: Statement of purpose of the Medical Practitioners Tribunal Service Committee

Purpose

- 1** The Medical Practitioners Tribunal Service (MPTS) is a statutory committee of the General Medical Council established under Section 1 (3) (g) of the Medical Act 1983 (as amended) and constituted in accordance with the MPTS Rules*.
- 2** The MPTS is responsible for providing a hearings service to the GMC that is efficient, effective and clearly separate from the investigatory role of the Fitness to Practise Directorate within the General Medical Council.

Duties and activities

- 3** The MPTS Committee is responsible for ensuring:
 - a** The delivery of a hearings service that demonstrates efficiency and effectiveness.
 - b** The appointment of Medical Practitioners Tribunal and Interim Orders Tribunal members (including chairs) and that appropriate systems for the appointment, training, assessment and, where required, the removal of tribunal members are in place.
 - c** The appointment of legal assessors and case managers and that appropriate systems for the appointment, training, assessment and, where required, the removal of case managers are in place.
 - d** Maintenance of a system for declaration and registration and publication of Committee members' private interests.
 - e** Consideration of matters by a Medical Practitioners Tribunal/Interim Orders Tribunal.
 - f** High quality standards of decision-making by Medical Practitioners Tribunals and Interim Orders Tribunals are maintained.

* The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015.

- g** High quality standards of case management by case managers are maintained.
- h** The setting and maintenance of guidance for the MPTS tribunals, case managers, and legal assessors, as required.
- i** That the MPTS applies the equality and diversity strategy and policies of the GMC.
- j** Notification of Medical Practitioners Tribunal and Interim Orders Tribunal decisions as required by the Medical Act.
- k** Effective liaison with all users of the hearings service provided by the MPTS.
- l** An annual report which meets the requirements of Section 52B of the Medical Act 1983 as amended.

Delegations

- 4** The delivery of the operational requirements of the MPTS may be delegated by the GMC Council to the Chair of the MPTS or to such other officer of the General Council as specified in Council's Schedule of Authority. Responsibility for the day-to-day operational management of the MPTS rests with the Executive Manager - MPTS.

Membership

- 5** The membership of the MPTS Committee, as constituted in accordance with the MPTS Rules, is the Chair of the MPTS and four other MPTS members, two medical and two lay. The MPTS is chaired by the Chair of the MPTS.
- 6** One medical and one lay member will be currently sitting MPTS tribunal members. The remaining medical and lay members may be external co-opted or demitted MPTS tribunal members.
- 7** When the appointed chair of the MPTS Committee is absent from a meeting, or has had to withdraw owing to a conflict of interest, the meeting is chaired by another member of the MPTS Committee nominated by the members of the Committee present.
- 8** The Executive Manager - MPTS will attend Committee meetings but is not a member of the Committee.
- 9** The Committee may invite other members of MPTS or GMC staff, or external parties to attend or present at individual meetings so as to progress its business.
- 10** The quorum for meetings of the MPTS Committee is three.

Working Arrangements

- 11** The MPTS Committee meets at least four times a year. At the discretion of the Chair of the MPTS, additional meetings can be convened, if required. Formal decision-making is supported by papers setting out options and recommendations.
- 12** Papers for each meeting will normally be sent electronically, and in hard copy on request, to MPTS Committee members at least seven days in advance of meetings. Work may be progressed electronically outside of the meetings, including the use of teleconference and videoconference facilities, at the discretion of the Chair.
- 13** In discussion of agenda items the intention is to reach agreement by consensus. Voting occurs only when consensual agreement cannot be reached and is by show of hands. If the votes are equal the person who chairs the meeting has a casting vote in addition to his/her vote as a member of the Committee.
- 14** The MPTS Committee Secretary minutes each meeting and aims to circulate the minutes, as cleared by the Chair of the MPTS, to members for comments within two weeks of the meeting. The MPTS Committee approves minutes at the next Committee meeting. Minutes record the conclusions of the MPTS Committee on the issues considered.
- 15** Where matters are being discussed outside a face-to-face meeting, for example by exchange of emails or teleconference calls or videoconferences, the MPTS Committee Secretary will liaise with the Chair of the MPTS to agree the most appropriate mechanism for seeking views depending on the issue. In such instance the conclusions of the MPTS Committee will be reported at the next Committee meeting and recorded in the minutes.
- 16** The MPTS Committee agenda, minutes and papers will be published on the MPTS website. Papers relating to a decision being made will be published in accordance with our publication scheme.

Accountability and reporting

- 17** The Chair of the MPTS is accountable to the General Medical Council through the Chair of the GMC's Council, and will report to Council on its work to fulfil the statutory duties for which it is accountable to the Privy Council on a twice-yearly basis. The report will summarise the performance of the MPTS during the previous reporting period, and the work of the MPTS Committee.
- 18** In addition, the MPTS will report annually to Parliament (via the Privy Council). This report will be coordinated for submission with the GMC trustees' annual report and accounts.

Annex B4e: Statement of purpose of the GMC/MPTS Liaison Group

Purpose

- 1 The purpose of the Liaison Group is to establish an effective working relationship between the MPTS and the functions of the GMC with which it will interact. The Liaison Group supports the delivery of the hearings service provided by the MPTS and ensures that working arrangements are established and operate effectively.

Duties and activities

- 2 To provide assurance to Council that the MPTS is delivering against its objectives through the report from the Chair of the MPTS to Council and its annual report to Parliament.
- 3 To work collaboratively to manage corporate risks and issues.
- 4 To resolve any policy or operational issues that may arise.
- 5 To provide an effective feedback mechanism between the GMC and the MPTS.
- 6 To have regard to the annual operational plan and budget for the MPTS.
- 7 To have regard to the MPTS annual report to Parliament.

Working arrangements

Membership

- 8 The membership of the Liaison Group is as follows:
 - a Chair of Council
 - b Chief Executive
 - c Director of Fitness to Practise
 - d Director of Resources

- e** Director of Strategic Communications and Engagement
 - f** Chair of the MPTS
 - g** Executive Manager - MPTS.
- 9** A member or members of the MPTS Committee may be invited to attend a meeting of the Liaison Group at the discretion of the MPTS Chair, as required.
 - 10** The Liaison Group will be chaired by the Chair of the GMC. If, for any reason, the Chair is unable to attend any meeting he/she will identify another member of the Group to chair the meeting.
 - 11** Secretariat support to the Liaison Group will be provided by the GMC Governance team.
 - 12** Staff from the MPTS and other parts of the GMC may attend by invitation.

Meetings and attendance

- 13** The Liaison Group meets on a biannual basis or as necessary for the transaction of its business, according to a schedule agreed by the Liaison Group, but also as may be required as set out in paragraph 14.
- 14** A special meeting may be called at the request of either the Chair of Council and/or the Chair of the MPTS.
- 15** In the event that any member is unable to attend a Liaison Group meeting they should notify the Liaison Group secretariat.
- 16** Liaison Group meetings will usually take place 'in person' but with the agreement of the Chair of the GMC members may join by video and/or telephone conference.

Agenda, papers and minutes

- 17** The Chair of the MPTS and Chief Executive of the GMC prepare and agree the agenda for each Liaison Group meeting.
- 18** Papers for each meeting are normally sent electronically to members at least seven days in advance of meetings. Copy papers are posted to members requiring a hard copy.
- 19** Minutes of Liaison Group meetings are taken and are retained as a record of members' attendance, key points made, and decisions taken. Draft minutes of Liaison Group meetings are produced, approved by the Chair of the Liaison Group and then circulated to members, normally within 14 days of a meeting taking place. Minutes are laid before the Liaison Group at the next meeting for final approval.

- 20** Agenda and minutes of Liaison Group meetings will be available on the external website once approved.

Annex B4f: Statement of purpose of the Investment Committee

Purpose

- 1 The purpose of the Investment Committee is to provide a forum for implementing and reviewing Council's Investment Policy.
- 2 Council is ultimately responsible for determining and reviewing the overall Investment Policy, objectives, risk appetite and target returns. Operational decision-making and implementation of the policy is delegated to the Investment Committee.

Duties and activities

- 3 The Investment Committee:
 - a Ensures the management of the assets, including the assets of any trading subsidiary of the GMC in which the GMC has made an investment, is consistent with the Investment Policy set by Council.
 - b Monitors the Investment Policy to ensure it remains appropriate, and to recommend changes to Council as appropriate.
 - c Implements changes to the Investment Policy as appropriate.
 - d Establishes and monitors the investment management structure to ensure that it is appropriate to meet the agreed Investment Policy. This includes decisions about the appointment of fund managers, the number of fund managers used, the proportion of assets managed by each manager, and their mandates.
 - e Agrees the terms of appointment of the investment fund managers, including their fee scales.
 - f Implements changes to the investment management structure as appropriate.
 - g Sets asset allocation parameters, based on advice from fund managers and/or external advisers, and monitors the actual asset allocations chosen by the fund manager, to ensure consistency with the policy. Where more than one fund manager is appointed, the Committee will also monitor the aggregate asset allocation to ensure it provides sufficient diversification to reduce the risk of capital and/or revenue loss.
 - h Monitors the performance of each fund manager against agreed objectives by means of regular review of the investment results and other information.

- i** Monitors the corporate governance activities, policies and exercising of voting rights of the investment fund managers.
- j** Meets with the investment fund managers at least biannually to discuss their performance, actions and future strategy.
- k** Considers and approves any investment by the GMC in a trading subsidiary.
- l** Monitors and has oversight of any investment by the GMC in a trading subsidiary – on a financial, programme-related or mixed motive investment basis to ensure the expected return is delivered, reporting to Council at least annually on this. This would include meeting with representatives of the trading subsidiary at least biannually.
- m** Monitors and reacts to legislative, financial and economic changes affecting, or potentially affecting, the Investment Policy.
- n** Reviews, and makes recommendations to Council on, the Investment Policy so that it remains consistent with, and supportive to, Council's overall business plan, budget and reserves policy.

Working arrangements

- 4** The Investment Committee meets quarterly. Additional meetings may be scheduled if necessary.
- 5** Draft minutes should be cleared by the Chair and circulated to members for comment within two weeks of the meeting. The Committee approves the minutes at its next meeting.
- 6** Membership of the Investment Committee comprises:
 - a** Five members of Council, one of whom will be appointed as Chair of the Committee.
 - b** Two or three external, co-opted members, with extensive investment experience.
 - c** The Director of Resources and the Assistant Director, Finance and Procurement.
- 7** The role of the external co-opted members is to bring their experience and knowledge of investments to the work of the Committee. Co-opted members are not appointed as advisers to the Committee. They are expected to act as full members of the Committee, while recognising that they are not trustees or members of Council.
- 8** In the event that a vote needs to be taken, only Council members will be entitled to vote, in line with Annex B1 of the Governance Handbook.
- 9** The Committee may engage professional external advisers to undertake a periodic review/health check of the investment arrangements, and to provide professional advice. External advisers will attend Committee meetings as necessary.

- 10** Fund managers who are appointed to manage investment funds on behalf of the GMC will be expected to attend Committee meetings at least biannually.
- 11** The Chair and/or directors of trading subsidiaries will attend Committee meetings at least biannually.
- 12** Other staff may attend Investment Committee meetings as necessary.
- 13** A summary of the performance of funds invested under management and funds invested through a trading subsidiary will be reported to Council as part of the normal reporting of financial performance within the Chief Executive's report. In addition, the Committee will report annually to Council on its activities.

[This Statement of Purpose forms part of the Governance Handbook. This version was approved by Council on 26 September 2019]

Annex C: Matters relating to members

- Annex C1: Members' information
- Annex C2: Member induction, appraisal, education and training
- Annex C3: Guidance on the register of interests and conflicts of interest
- Annex C4: Procedure for dealing with complaints against Members
- Annex C5: Appointment of the Chair of Council

Annex C1: Members' information

Terms of office

- 1** The duration of the term of office of each Council member is determined by the Privy Council on appointment. The relevant provisions are set out in Part 2 section (3) of the GMC (Constitution) Order 2008 (as amended) (<https://www.gmc-uk.org/about/how-we-work/governance/council/legislative-framework>). Members are normally appointed for a four year term of office, and are eligible for re-appointment for a further term of up to four years. The expectation is that the Privy Council will stagger the end dates of members' terms of office during any second term of re appointment, if the needs of Council so require it.
- 2** The term of office of the Chair of Council is determined by the Privy Council on appointment. The relevant provisions are set out in Part 3 section (8) of the GMC (Constitution) Order 2008 (as amended) (<https://www.gmc-uk.org/about/how-we-work/governance/council/legislative-framework>). This term is normally four years, but in any event cannot be more than the period between the Chair's date of appointment as chair and the date on which the Chair's appointment as a member is due to expire.

Remuneration and time commitment

- 3** Members are expected to make themselves available to the GMC for up to three days a month, including Council and other meetings or commitments.
- 4** An annual fee is paid to members to cover attendance at Council and other meetings, and all other activities including preparation and travelling time.

Personal details

- 5** We need to collect personal information in order to contact members about GMC business. Contact details are made available to Council members and to staff in the course of their work.
- 6** Biographical details may be made available on request by other organisations and individuals. Summary biographies are published on our website.

- 7** Information about disabilities, dietary requirements, and emergency contacts will not be made available outside the GMC and will be disclosed to staff only if such disclosure is essential for their work.

Annex C2: Member induction, appraisal, education and training

- 1** Part 2 Paragraph 4 of the GMC (Constitution) Order 2008 (as amended) requires the GMC to make provision in Standing Orders about the requirements with regard to education and training of members. Members are expected to participate in induction, appraisal, education and training.

Induction

- 2** Induction arrangements are made available for all Council members following confirmation of appointment. This includes the opportunity to meet the Chair of Council, Chief Executive and other members of the senior management team. Members receive a welcome pack which includes key information as required to support them in their role. During induction, members receive advice and guidance on the appraisal system and IT facilities available, and the policy on remuneration and claiming expenses.

Appraisal

- 3** The member appraisal cycle is based around annual appraisal meetings between the Chair and member. The timetable for member appraisal over a four-year term would be:
 - a** first year – one to one appraisal meeting with the Chair of Council, informed by self-assessment
 - b** second year – one to one appraisal meeting with the Chair of Council, informed by self-assessment and 360 degree/multi-source feedback
 - c** third year – one to one appraisal meeting with the Chair of Council, informed by self-assessment
 - d** fourth year – one to one appraisal meeting with the Chair of Council, informed by self-assessment and the option for 360 degree/multi-source feedback.

Multi-Source Feedback, external support, and the appraisal meeting

- 4** A 360 degree/multi source feedback system will provide an individual report to underpin the appraisal discussions scheduled for the second and fourth years of appointment.

- 5 Each stage of the appraisal process will be scheduled at a time which provides meaningful feedback for members. Appraisal in the first and second years will also be early enough in the members' term of office to allow any action points to be worked on.
- 6 While multi-source feedback is a key component of the process, the system of providing feedback is flexible. This includes the number of people feedback is sought from, and who they are. It could include other Council members, senior GMC staff, or colleagues in other organisations. Feedback should generally be sought from a group of around six people, but this is an individual member's choice. The suggested minimum is four people.
- 7 The report summarising the results of the feedback is personal to the member and provides background to the second appraisal meeting with the Chair. It is not circulated outside this discussion and will not form part of the documentation shared with the Privy Council as part of the reappointment process.
- 8 The support to which members have access in reviewing their feedback and preparing for their appraisal discussion will be in line with members' individual preferences.
- 9 The first and second appraisals will allow any training needs to be highlighted and followed up with individual members. Following each appraisal discussion the Chair will provide an indication of performance.
- 10 The third appraisal will provide an opportunity for discussions relating to a member's intentions as to seeking possible re-appointment, if applicable. It also allows for review of a member's experience in light of any changes to Committee membership (reviewed at the mid-term point). The third appraisal will be followed by confirmation of whether reappointment is recommended.
- 11 The fourth appraisal discussion with the Chair will be scheduled for the final year of a four year term. This discussion will optionally be prefaced by a 360 degree/multi-source feedback process.
- 12 The appraisal process is supported by the Competency Framework for members.

Using the Appraisal process

- 13 While there is an important relationship between individual appraisal discussions and the reappointment process there are other important links. The primary aim of the system is to contribute to the effective governance of the GMC. For individual Council members the process provides them with feedback, an opportunity to review the contribution they have made, and for any individual training or learning needs to be identified and met.

- 14** The appraisal process for the Chair of Council is as described above, except that the appraisal meetings are held with one or more of the chairs of the two Governance Committees (Audit and Risk Committee and Remuneration Committee, as defined in Chapter 4 of the governance handbook), the number involved to be decided by the chairs of the two Governance Committees acting together.

Education and training

- 15** In addition to individual learning/training needs identified during the appraisal process, arrangements are made for members to receive briefing and training that may be required to assist them in undertaking their role. Members may also ask for specific training if they think they require it in order to fulfil their responsibilities as members of Council effectively.

Annex C3: Guidance on the register of interests and conflicts of interest

- 1 Council members have a duty to act impartially and objectively, and take steps to avoid any conflict of interest arising as a result of their membership of, or association with, other organisations, including any subsidiaries of the GMC, or individuals. To make this fully transparent, we have established a register of members' interests. As charity trustees, members have a duty to avoid putting themselves in a position where their personal interests conflict with their duty to act in the interests of the charity, unless authorised to do so.
- 2 Council attaches great importance to a proper balance between transparency and privacy. The aim of the register is to support transparency and probity, and to maintain confidence in the regulatory process.
- 3 With this aim in mind, Council has agreed that the following interests should be declared:
 - a posts held in the course of employment or practice
 - b membership of professional bodies, medical Royal Colleges, specialist societies, local medical committees or the medical defence organisations
 - c fellowships of professional bodies, medical Royal Colleges, or specialist societies
 - d any office held in a professional body, medical Royal College, specialist society, or other similar body in the public, private or voluntary sector. Offices include posts such as President, Chair, Chief Executive, Treasurer or Secretary
 - e membership of a committee or Council of a professional association, specialist society, medical Royal College or other similar body
 - f membership of, or posts held in, local authorities, or local or national community organisations
 - g a position of authority in a charity or voluntary organisation in the field of health and social care
 - h a connection with a professional body, voluntary or other organisation in the field of health and social care

- i** consultancies, directorships, or advisory positions if they relate to a medical, healthcare or pharmaceutical company or organisation, NHS Trust, Health and Social Services Board, Area or Local Health Board, Primary Care Trust or equivalent authority, public body or political party
 - j** directorships, including non-executive directorships held in private companies or public limited companies, including subsidiary companies of the GMC (with the exception of dormant companies)
 - k** ownership, part-ownership or directorship of private companies, business or consultancies
 - l** membership of a political party. Declaration should also be made of any specific political activity undertaken
 - m** majority, controlling or otherwise significant shareholdings, stocks and trusts known to be held by a member or, if the members is aware of them, by anyone in their close family* in companies whose business activities may be relevant to, or conflict with, our decisions and activities
 - n** connection to any person or company that has a contractual arrangement for matters affected by our business or is involved in tendering for such a contract
 - o** membership or association with any other organisations or individuals which may have an interest or influence in our work.
- 4** The Chief Executive is responsible for keeping the register of members' interests. The register will be published on our website. Members have a duty to provide relevant information and advise the Council Secretariat of any amendments to their entries in the register as soon as possible following any change in their circumstances. Members will, in any event, be invited to update their entries on a six monthly basis.

Conflicts of Interest

- 5** It is central to the proper conduct of business that Council should act and be perceived to act impartially and that its members should not be, or risk being perceived to be, improperly influenced in their role by professional, business, social or other relationships.

Disclosure of interests

- 6** Members should disclose the existence and nature of any personal or prejudicial interest that they may have in any business being discussed at a Council or other

* To include spouse, civil partner, child, parent, brother or sister, whether natural, adoptive or by marriage

GMC meeting by contacting the Council Secretariat in advance. If the existence of such an interest is not apparent to a member at that time but becomes apparent during the course of the meeting, he or she must disclose it as soon as it becomes apparent. They have a duty to distinguish clearly when speaking in relation to either their role as a Director of a trading subsidiary or their GMC role.

Personal Interests

- 7** A member is to be regarded as having a personal interest in any matter if it relates to any interest disclosed by the member in the Register of Members' Interests or if a decision upon the matter might reasonably be regarded as affecting to a greater extent than others, the well-being or financial position of that member, or, to the extent that the member is aware of any relevant interests, of anyone in his/her close family, or any person with whom the member has a business relationship, or:
- a** any employment or business carried on by such persons
 - b** any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors
 - c** any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000.
- 8** Personal interests are declared for inclusion in the Register of Interests, and the procedure in paragraph 10 is followed when those interests are considered to be prejudicial.

Prejudicial Interest

- 9** A member with a personal interest in a matter also has a prejudicial interest in that matter if a member of the public with knowledge of the relevant facts would reasonably regard the interest as being so significant that it is likely to prejudice the member's judgement of the public interest.
- 10** A member with a prejudicial interest in any matter has a duty to:
- a** withdraw from the meeting while the matter is being considered at that meeting and play no part in any decision or vote on the matter
 - b** exercise no function of Council in relation to that matter
 - c** avoid influencing any decision about the matter.

Annex C4: Procedure for Dealing with Complaints against Members

Introduction

- 1 This procedure provides the process for dealing with complaints or concerns received against members of the General Medical Council ('members') which raise a question as to whether a member is fit to hold office as a member of Council. This procedure is to be used where information is received about a member which suggests that they may have breached the members' code/s of conduct and that action is required to address this, or which may require a referral to be made to the Privy Council for the purposes of its consideration of any matter arising under articles 6 and 7 of the General Medical Council (Constitution) Order 2008 as amended (including the suspension or removal from membership of the member).
- 2 In addition to these procedures, sections 6 and 7 of the Constitution Order provide for a range of circumstances in which the Privy Council has the power to remove a member from office or to suspend a member from office.
- 3 Circumstances for removal include (but are not limited to):
 - a The erasure of a registrant member from the register for a reason not connected to the member's fitness to practise.
 - b A lay member's circumstances changing such that they no longer qualify as a lay member.
 - c Various circumstances to do with the fitness to practise of registrant members.
 - d Adverse physical or mental health.
- 4 Circumstances for suspension include (but are not limited to):
 - a Investigating whether any of the reasons for removal in fact applies.
 - b A registrant member being subject to an order made by an Interim Orders Tribunal.
 - c A member is subject to criminal proceedings which involve either dishonesty or deception, or the possibility of a prison sentence.

The Complaints Procedure

- 5** A complaint for the purposes of this procedure may be made by any person, including another member, a member of the public or a GMC member of staff. Where information is received which suggests that a member might not be fit to hold office (for example because of the health of that member), the absence of a complaint based on that information will not prevent these procedures being used.
- 6** The following principles will apply to the application of this procedure:
 - a** Those involved will deal with the issues sensitively and confidentially with a view to resolving the issues as quickly as possible.
 - b** The member will be given the opportunity of responding to any complaint.
 - c** Members involved in the process in any way are expected to give their full cooperation.
 - d** All decisions will be taken with the overriding objective of ensuring that members comply with the members' code of conduct and that they continue to represent the interests of Council.
- 7** A complaint about a member should be in writing. Adjustments can be made to accommodate anyone who may have difficulty putting their complaint in writing. A complaint should be addressed to the Chair of the Remuneration Committee or in the event of a complaint against him/her, the Chair of the Audit and Risk Committee. A failure to address any complaint to the Chair of the Remuneration Committee will not affect consideration of such complaint under these procedures.
- 8** A complaint should be submitted within no more than 28 days of the event which gives rise to the complaint, or of the event coming to the complainant's knowledge, unless it is shown to the satisfaction of the Chair of the Remuneration Committee that in the exceptional circumstances it was not possible for the complaint to have been submitted within the time limit.
- 9** On receipt of the complaint, the Chair of the Remuneration Committee will write to the member with a copy of the complaint and details of the process and timetable for any investigation which will normally be completed within 28 days.
- 10** If in the light of the principles set out in paragraph 6, the Chair of the Remuneration Committee concludes that the complaint does not engage these procedures or can be resolved in some other acceptable way he/she will notify the member and complainant as to why the procedures are not engaged or how the complaint is to be resolved.
- 11** The Chair of the Remuneration Committee will appoint an Investigating Manager to undertake an investigation in respect of any complaint or information received which

the Chair of the Remuneration Committee has determined is to be resolved under these procedures. In most cases, the Assistant Director of Human Resources will be the Investigating Manager.

- 12** If, at any stage of these procedures, the Chair of the Remuneration Committee is of the view that the matters under consideration are so serious that membership should be provisionally suspended pending any outcome, he/she shall consider and decide this question on the papers, having provided the member with an opportunity to make written representations about it.
- 13** The Investigating Manager will undertake an investigation with the purpose of establishing the facts and the availability of evidence supporting these facts, and will undertake any investigations considered appropriate, including the obtaining of witness statements or relevant documentation and/or interviewing anyone, whom the Investigating Manager considers to hold information that will be relevant to the complaint.
- 14** At the conclusion of the investigation, the Investigating Manager will provide the complainant with copies of all supporting documentation and witness statements, including any statements obtained from the member, and give the complainant an opportunity to provide comments within a period of 21 days.
- 15** At the conclusion of the investigation and subject to providing the complainant with an opportunity to comment, the Investigating Manager will provide the member with copies of all supporting documentation and witness statements, including any statements obtained from the member and any comments from the complainant, and give him/her an opportunity to respond to the complaint and/or comment on the supporting evidence and witness statements within 21 days.
- 16** On receipt of the complainant's and/or member's comments and/or in the absence of any written comments, the Investigating Manager will provide the Chair of the Remuneration Committee with a report of the investigation together with any supporting evidence and/or documentation obtained during the course of his investigation. The Investigating Manager's report will include his/her recommendations, if any, as to the appropriate disposal of the complaint.
- 17** On receipt of the Investigating Manager's report, the Chair of the Remuneration Committee will determine, having regard to the Investigating Manager's recommendations, whether:
 - a** To dismiss the complaint.
 - b** To uphold the complaint, but decide that, in all the circumstances, no further action is required.

- c** To uphold the complaint and to conclude the matter with written advice to the member regarding his or her future conduct.
 - d** To uphold the complaint and issue the member with a written warning as to his or her future conduct.
 - e** To hold a hearing to determine the complaint.
- 18** Any written warning issued to a member under paragraph 17(d) above will remain on the member's record for the duration of his/her term of office, and will be notified to the Privy Council for the purposes of consideration of re-appointment.
- 19** The Chair of the Remuneration Committee will notify the parties in writing of his/her decision under paragraph 17 above, together with the reasons for the decision.
- 20** In circumstances where the member does not accept the decision made under paragraphs 17(c) and (d) the Chair of the Remuneration Committee will refer the matter for consideration to the Chair of Council whose decision will be final.
- 21** A hearing referred under paragraph 17(e) above will be before the Chair of the Remuneration Committee, who will be supported by the Investigating Manager.
- 22** The parties to the complaint will be notified in writing of the date of the hearing at least 28 days prior to its commencement.
- 23** Written notification under paragraph 22 above to a member against whom a complaint has been made will include:
- a** The date, time and venue of the hearing.
 - b** The nature of the complaint against him/her, and the facts upon which it is based.
 - c** Details of any witnesses who will attend the hearing and any documentation to be referred to at the hearing.
 - d** The Chair of the Remuneration Committee's right to proceed in his/her absence.
 - e** The Chair of the Remuneration Committee's power of disposal under these procedures.
- 24** Any request for a postponement of a hearing of which notice has been given under paragraph 22 above must be made in writing to the Chair of the Remuneration Committee no less than 7 days prior to the commencement of the hearing. The Chair of the Remuneration Committee will inform the applicant of his/her decision in writing.

- 25** A hearing before the Chair of the Remuneration Committee will be held in private and a summary note will be taken and made available to the complainant and the member and, in the event of a referral, to the Privy Council after the conclusion of the hearing.
- 26** The order of proceedings will be as follows:
- a** The Chair of the Remuneration Committee will hear and consider any preliminary arguments by either the Investigating Manager or the member.
 - b** The nature of the complaint will be read to the member.
 - c** The Investigating Manager will present the case against the member and may adduce evidence and/or call witnesses in support.
 - d** The member may then present his/her case and adduce evidence and/or call witnesses in support of his/her case.
 - e** The Chair of the Remuneration Committee will then adjourn to consider his/her decision in private and shall announce his/her determination, including what action should be taken.
- 27** The Chair of the Remuneration Committee may determine:
- a** To dismiss the complaint.
 - b** To uphold the complaint and issue the member with a written warning as to his/her future conduct.
 - c** To refer his/her determination to the Privy Council for consideration under articles 6 and 7 of the General Medical Council (Constitution) Order 2008.
 - d** To suspend membership provisionally pending a decision of the Privy Council on removal/suspension under article 7 of the General Medical Council (Constitution) Order 2008 as amended.
- 28** Where the Chair of the Remuneration Committee makes a determination under paragraph 27(c), the Chair of the Remuneration Committee will determine whether to recommend to the Privy Council that the member should be suspended under article 7 of the General Medical Council (Constitution) Order 2008 as amended, pending a decision under article 6 thereof.
- 29** The member may appeal any decision under paragraph 27 above to the Chair of Council, who will review the matter based on the papers. The decision of the Chair of Council will be final.

- 30** Where the member complained about is the Chair of Council, the procedure to be followed is as described above. Any appeal under paragraph 29 will, however, be directed to the Chair of the Audit and Risk Committee.

Annex C5: Appointment of the Chair of Council

- 1** The provisions for the appointment, term of office and cessation of office of the Chair of Council are set out in the General Medical Council (Constitution) (Amendment) Order 2012.
- 2** One of the functions of the Privy Council is to appoint a Chair of the General Medical Council. It may do so either when it appoints that person to be a member of Council, or it may appoint a person whom it has already appointed as a Council member.
- 3** The term of office for the Chair of Council is determined by the Privy Council at the time of appointment. The Chair's term may end under the following circumstances:
 - a** the Chair's term as a member of Council comes to an end
 - b** the Chair resigns
 - c** the Privy Council suspends the Chair's membership of Council, or
 - d** there is a vote to terminate the Chair's appointment by a majority of all the other members of Council.

Annex C6: Education and Training of MPTS Committee members

- 1** Members of the MPTS Committee will undertake a comprehensive induction programme tailored to individual needs. On-going induction will be provided as appropriate.
- 2** In addition to individual learning/training needs identified during the induction or appraisal process, arrangements are made for members to receive briefing and training that may be required to assist them undertake their role. Members may also ask for specific training if they think they require it in order to fulfil their responsibilities as members of the MPTS Committee effectively.

Change Log

Section		Change	Date
1	Role of GMC and relevant legislation	Changes made in light of legislative changes impacting size of Council and appointments process.	Apr-13
		Amendments to include reference to the overarching objective and for the duty to have regard to the objective.	Jun-15
		Change name of 'fitness to practise panels' to 'medical practitioners tribunals'; add reference to the MPTS as a statutory committee of the GMC; and amend reference to standing orders in relation to MPTS.	Dec-15
		Addition of an introduction, a clearer statement of the charitable status of the GMC across the 4 countries and an update re complying with European law.	Apr-19
2	Principles of regulation, governance and delegation	Deletion of reference to Reference Groups in paragraph 8c.	Feb-11
		Changes made in light of update to the <i>Good Governance Code</i> and organisational changes in the GMC.	Apr-13
		Updated principles from the <i>Charity Governance Code</i> .	Apr-19
3	Role of Council	New paragraph 2j, deletion of references to Reference Groups, new bullet points in paragraph 3 related to the implementation of the governance framework.	Feb-11
		Changes made in light of reconstitution of Council and revised governance model and approach to working.	Feb-13

Section	Change	Date	
4	Role of each component of the governance framework	Feb-11	
		Amendments to reflect renamed Remuneration and Member Issues Committee, new Continued Practice, Revalidation and Registration Board, deletion of Reference Groups and insertion of reference to operational groups.	
		Amendments to include the introduction of the MPTS.	Apr-12
		Changes made in light of revised governance model and approach to working.	Apr-13
		Addition of text related to the establishment of MPTS task and finish/working groups.	Aug-13
		Amendments related to the establishment of the MPTS Advisory Committee.	Sep-13
		Amendment to change the name of the Revalidation Implementation Advisory Board to the Revalidation Advisory Board.	Apr-15
		Amendment to the description of the MPTS to refer to its status as a statutory committee of Council; add a reference to the requirement for a MPTS annual report to Parliament; change name of 'panellists' to 'tribunal members'; change title of the 'MPTS Tribunal Clerk' to 'Assistant Director – MPTS'; change references to the 'MPTS Advisory Committee' to the 'MPTS Committee'; new version of Governance Model diagram.	Dec-15
	Reference to Executive Board inserted and references to Strategy and Policy Board and Performance and Resources Board and Revalidation Advisory Board	Apr-17	

Section	Change	Date
	<p>removed. New version of Governance diagram inserted.</p> <p>Amended paragraph 13 to reflect decommissioning of ETAB and formation of Education Advisory Forum. New version of Governance diagram inserted.</p> <p>A clearer explanation of the roles of the Investment (Sub-)Committee, governance of the GMC's pension arrangements and our updated approach to equality, diversity and inclusion issues.</p> <p>At paragraph 22, changing Executive Sponsor for equality, diversity and inclusion from Chief Operating Officer to Director for Strategy and Policy.</p> <p>Amended version of Governance diagram inserted.</p>	<p>Apr-18</p> <p>Apr-19</p> <p>Sep-19</p> <p>Sep-19</p>
5	<p>Role of the Chair of Council</p> <p>New paragraph 4f to reflect role of the Chair in proposals for chairs and members of Boards, Committees and Working Groups. Addition relating to term and cessation of office of Chair, and on deputising arrangements.</p> <p>Amendments to include the introduction of the MPTS.</p> <p>Amendments to include changes required for appointment to reconstituted Council.</p> <p>Changes made in light of revised governance model and approach to working.</p> <p>Amendments related to the establishment of the MPTS Advisory Committee.</p> <p>Changes to add reference to the Chair's</p>	<p>Feb-11</p> <p>Apr-12</p> <p>Jul-12</p> <p>Apr-13</p> <p>Sep-13</p> <p>Oct-15</p>

Section	Change	Date
	<p>role in the appointments and reappointments process for Council members including making recommendations to the Privy Council; added reference to the Chair's role in the appraisal of the Chair of the MPTS, and to the Chair's working relationship with the Chair of the MPTS.</p> <p>Changes to add references to the Chair's role in the appointments process for members of the MPTS Committee; add reference to the Chair's role in handling complaints about members of the MPTS Committee; amend approval route for decision to remove member of the MPTS Committee from office; and change references to the 'MPTS Advisory Committee' to the 'MPTS Committee'.</p> <p>Changes to set out the arrangements for delegation in periods of absence of the Chair of Council.</p> <p>Remove reference to Chief Operating Officer role.</p>	<p>Dec-15</p> <p>Apr-16</p> <p>Sep-19</p>
6	<p>Role of Council members</p> <p>Amendments to include changes required for appointment to reconstituted Council.</p> <p>Changes made in light of revised governance model and approach to working.</p>	<p>Jul-12</p> <p>Apr-13</p>
7	<p>Members' code of conduct</p> <p>Amendments to reflect renamed Remuneration and Member Issues Committee, references to Reference Groups deleted.</p> <p>Changes to reflect an update to the Nolan principles, and to include a reference to the GMC's values.</p> <p>Administrative update to accurately reflect reference to the Charities Act 2011.</p>	<p>Feb-11</p> <p>Apr-13</p> <p>Oct-15</p>

Section	Change	Date
	<p>Reset numbering – formatting change.</p> <p>Amendments to paragraph 16 and added paragraph 17.</p> <p>Additions to the list of legal duties and updated wording to reflect the charitable status of the GMC across the 4 countries.</p>	<p>Feb-17</p> <p>Jun-18</p> <p>Apr-19</p>
8	<p>Role of the executive</p> <p>Amendments to include the introduction of the MPTS.</p> <p>Changes made in light of reorganisation to executive and revised governance model and approach to working.</p> <p>Amendments to change title of 'MPTS Tribunal Clerk' to 'Assistant Director – MPTS'.</p> <p>Changes to set out the arrangements for delegation in periods of absence of the Chief Executive.</p> <p>References to Strategy and Policy Board and Performance and Resources Board removed and references to Executive Board inserted.</p> <p>Remove references to Chief Operating Officer role and clarify distribution of their responsibilities amongst executive.</p>	<p>Apr-12</p> <p>Apr-13</p> <p>Dec-15</p> <p>Apr-16</p> <p>Apr-17</p> <p>Sep-19</p>
9	<p>Schedule of authority</p> <p>Amendments to include the introduction of the MPTS.</p> <p>Amendments to reflect the revised governance model and approach to working, and to incorporate updates to legislation.</p> <p>Amendments to provide a greater degree of clarity related to affixing of the corporate seal, including an addition relating to the GMC's staff pension schemes.</p>	<p>Apr-12</p> <p>Apr-13</p> <p>Sep-13</p>

Section	Change	Date
	Amendments related to the establishment of the MPTS Advisory Committee.	Sep-13
	Amendments related to delegation of authority to the Registrar under Section 14 of the Act.	May-14
	Amendments to delete reference to the Professional and Linguistic Assessments Board.	Apr-15
	Amendments to include reference to the overarching objective and for the duty to have regard to the objective, and to the overriding objective in relation to fitness to practise procedural rules.	Jun-15
	Amendments related to the establishment of the Investment Sub-Committee and the co-option of its external members.	Jun-15
	Changes to reflect new and amended arrangements following the establishment of the MPTS Committee and the operation of delegated authorities.	Oct-15
	Changes to update legislative references; and to reflect the provisions of the Section 60 Order and new Rules.	Dec-15
	Changes to reflect changes to the Medical Act 1983 and Rules.	Dec-15
	Changes to set out the arrangements for delegation in periods of absence of the Chair of Council and the Chief Executive.	Apr-15
	Reference to Performance and Resources Board removed and Executive Board inserted.	Apr-17
	Amendments to add further clarity	Dec-17

Section	Change	Date
	<p>around the delegations, to more accurately reflect the exercise of functions, to ensure consistency in the exercise of functions, supporting our ambition to become a more agile regulator, and increasing the visibility of the separation of GMC's Fitness to Practise investigation function and the role of the MPTS as the adjudicator.</p> <p>Key changes:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Arrangements for the approval of membership of trading subsidiaries added. <input type="checkbox"/> Financial limits for authorisation removed. <input type="checkbox"/> Arrangements for Fitness to Practise functions revised. <p>The following sections were removed:</p> <ul style="list-style-type: none"> <input type="checkbox"/> non-compliance hearing <input type="checkbox"/> Assessment of costs <p>Addition of a reference number for each delegation.</p> <p>Deletion of delegation re appointing auditors for the Pension Scheme.</p> <p>No longer delegating notification to Privy Council of members' non- attendance and issue of possible removal from office (a working arrangement not a delegation).</p> <p>Additional provision that Council will be notified of any urgent decisions at the earliest opportunity.</p> <p>Clarity between delegations to the</p>	<p>Apr-19</p>

Section	Change	Date
	<p>Executive Manager, MPTS and those for general MPTS Assistant Registrars.</p> <p>Remove references to Chief Operating Officer role.</p>	Sep-19
10	<p>Financial regulations</p> <p>Additions clarifying the role of Governance Committees and the Performance Board. Reference to Reference Groups deleted.</p> <p>Amendments to include the introduction of the MPTS.</p> <p>Amendments to reflect the changes to the governance model and revised ways of working, including the establishment of the Performance and Resources Board and its role within financial management and planning. The revised Financial Regulations were reviewed and agreed by the Performance and Resources Board at its meeting on 25 February 2013 for approval to Council.</p> <p>Amendments related to the establishment of the MPTS Advisory Committee.</p> <p>Amendments related to staffing changes with the Assistant Director for Audit and Risk Assurance.</p> <p>Addition of reference to the Senior Medical Adviser/GMC Responsible Officer role in paragraph 40 following amendment to the Statement of Purpose of the Remuneration Committee.</p> <p>Amendments related to the establishment of the Investment Sub-Committee, and its responsibilities in relation to the Investment Policy.</p> <p>References to Performance and Resources Board removed and reference</p>	<p>Feb-11</p> <p>Apr-12</p> <p>Apr-13</p> <p>Sep-13</p> <p>Sep-14</p> <p>Dec-14</p> <p>Jun-15</p> <p>Apr-17</p>

Section		Change	Date
		to Executive Board inserted.	
		Additional detail/amendments on budget monitoring and control, financial procedures and trading activities. Updates to job titles.	Dec-17
		An additional paragraph setting out the role of the People and Development Board.	Apr-19
		Remove references to Chief Operating Officer.	Sep-19
		Clarify directors' responsibility for budgets, and frequency of information provided to budget managers.	
11	Decision making framework	Addition of new section to the Handbook.	Jul-12
		Addition of reference to the over-arching objective.	Oct-15
A1	Working arrangements	Addition of section 'Principles relating to the conduct of Council business'. Provisions added on transcripts and recordings, handling disorder, and suspending established working arrangements. References to Reference Groups deleted.	Feb-11
		Changes made in light of revised governance model and approach to working.	Apr-13
		Private meetings of Council no longer theoretically limited to once a year.	Apr-19
		References to closed sessions updated as confidential sessions.	
		Additional provision that members should identify corrections or additions to the minutes to the Council Secretary before the next meeting in order that final approval can be granted at the	

Section		Change	Date
		<p>subsequent meeting.</p> <p>Additional provision that Council will be notified of urgent decisions between Council meetings at the earliest opportunity and not just the next Council meeting.</p> <p>Remove reference to Chief Operating Officer role</p>	Sep-19
A2	Corporate Seal	<p>Changes to reflect changes to the governance model, and to assign responsibility for maintaining a record to Council Secretariat.</p> <p>Amendments to provide a greater degree of clarity related to affixing of the corporate seal, including an addition relating to the GMC's staff pension schemes.</p> <p>Updated provision that the use of the seal will be reported at least annually in the Chief Executive's report to Council.</p>	<p>Apr-13</p> <p>Sep-13</p> <p>Apr-19</p>
B1	Arrangements for the appointment of members to Committees	<p>Revised to take account of decisions on process for determining members and chairs of Boards and Committees, of decisions on Working Groups and operational groups, and of the view that Council members should not serve on groups that administer processes resulting in specific operational decisions. References to Reference Groups and convenors deleted.</p> <p>Changes made in light of revised governance model and approach to working. References to Boards and Working Groups removed.</p> <p>Amendments related to the establishment of the Investment Sub-Committee, and the appointment of its external members.</p>	<p>Feb-11</p> <p>Apr-13</p> <p>Jun-15</p>

Section		Change	Date
		Updated wording to allow for committee appointments to be approved by Council on circulation.	Apr-19
B2	Working arrangements	Revised to take account of decisions on Board and Committee reporting arrangements. References to Reference Groups deleted.	Feb-11
		Changes made in light of revised governance model and approach to working. References to Boards removed.	Apr-13
		Amendments related to the establishment of the Investment Sub-Committee.	Jun-15
		Additional provisions for: Action points from meetings to be circulated to the Committee as an annex to the minutes. For any member who, exceptionally, dissents from a decision to require such dissent to be formally recorded in the minutes of the meeting. Additional clarity about which members of a Committee count towards the quorum and can vote.	Apr-19
B3	Role descriptions of Committee Chairs	Reference to Reference Groups deleted, and a reference to working with executive leads added.	Feb-11
		Changes made in light of revised governance model and approach to working. References to Boards removed, and addition of the Chief Operating Officer.	Apr-13
		Remove reference to Chief Operating Officer role.	Sep-19

Section		Change	Date
B4a	Statement of Purpose for the Audit and Risk Committee	Small amendment to reflect position on Committee reporting to Council. Insertion of reference to reviewing accounting policies, as recommended by internal audit report. Insertion of reference to reviewing delegated authorities at paragraph 10.	Feb-11
		Changes made in light of revised Governance model and approach to working.	Feb-13
		Changes made following annual review of the statement of purpose by the Committee.	Dec-13
		Changes to reflect staffing changes related to the Assistant Director of Audit and Risk Assurance.	Sep-14
		Changes made to paragraph 1 to clarify the Committee's role in providing independent assurance to Council.	Dec-14
		References to a trading subsidiary further amended and additional references inserted.	Apr-17
		Remove reference to Chief Operating Officer role.	Sep-19
B4b	Statement of Purpose of the Remuneration Committee	Revised and renamed to take account of position on the Committee's role in respect of wider member matters. Small amendment to reflect position on Committee reporting to Council.	Feb-11
		Changes made in light of revised Governance model and approach to working.	Feb-13
		Amendments related to the establishment of the MPTS Advisory Committee.	Sep-13
		Addition of reference to the Senior	Dec-14

Section		Change	Date
		Medical Adviser/GMC Responsible Officer role.	
		Addition of reference to the role of the Remuneration Committee in determining the appointment and suspension/removal process for the Chair of the MPTS and members of the MPTS Committee; change of references to the 'MPTS Advisory Committee' to the 'MPTS Committee'; amending reference to the role of the Remuneration Committee in conducting recruitment and appointment processes.	Oct-15
		Changes to clarify the role and extent of the Committee's responsibilities within its remit.	Dec-15
		Deleted two references to 'Responsible Officer' (RO) to reflected what was happening practically in that the function could sit with either the Senior Medical Adviser or another GMC role.	Dec-17
		Remove reference to Chief Operating Officer role	Sep-19
B4c	Statement of Purpose of the Board of Trustees of Staff Superannuation Scheme	Reference to Performance and Resources Board removed and reference to Executive Board inserted.	Apr-17
		Remove reference to Chief Operating Officer role.	Sep-19
B4d	Statement of Purpose of the Medical Practitioners Tribunal Service Committee	Addition of new section for Statement of Purpose for MPTS Committee.	Dec-15
		Changes to include that the Committee membership may be external co-opted or demitted MPTS Tribunal members.	Apr-16
B4e	Statement of Purpose of the GMC/MPTS Liaison Group	Update to reflect updates to job titles in membership section.	Feb-13
		Amendments related to the establishment of the MPTS Advisory Committee.	Sep-13

Section	Change	Date
	<p>Amendment to reflect meeting on a biannual, rather than quarterly, basis.</p> <p>Amendments to add reference to the MPTS annual report; change title of the 'MPTS Tribunal Clerk' to 'Assistant Director – MPTS'; and change references to the 'MPTS Advisory Committee' to the 'MPTS Committee'.</p> <p>Removed references to Assistant Director, MPTS and changed to Executive Manager, MPTS.</p> <p>Removed reference to Director of Strategy and Communication and replaced with reference to Director of Strategic Communications and Engagement.</p> <p>Remove reference to Chief Operating Officer role.</p>	<p>Feb-14</p> <p>Dec-15</p> <p>Dec-17</p> <p>Dec-17</p> <p>Sep-19</p>
B4f	<p>Statement of Purpose of the Investment Committee</p> <p>Addition of section to the handbook due to agreement to establish the sub-committee.</p> <p>Amendment to increase Council members on the Sub-Committee to four.</p> <p>Amendments to the Statement of Purpose to reflect changes to the Investment Policy following its review, and to working arrangements.</p> <p>Amendments to change the number of external co-opted members from 'two' to 'two or three'.</p> <p>Added reference to oversight of any funding provided to a trading subsidiary of the GMC (item 3 (K)).</p> <p>Removed reference to Chief Operating Officer in Membership of ISC.</p>	<p>Sep-14</p> <p>Feb-15</p> <p>Oct-15</p> <p>Jul-16</p> <p>Dec-16</p> <p>Feb-17</p>

Section		Change	Date
		Membership of ISC revised - changed from four to five Council members.	Feb-17
		References to a trading subsidiary further amended and additional references added.	Apr-17
		Replaced with new version of Statement of Purpose to reflect the changes following ISC external review in 2017.	Apr-18
		Change of name to from sub-committee to 'Investment Committee'.	Apr-19
		Remove reference to Chief Operating Officer role.	Sep-19
C1	Members' information	Reference to Reference Groups deleted, and reference to Appointments Commission changed to Privy Council to reflect abolition of Appointments Commission.	Feb-11
		Changes made in light of revised Governance model and approach to working. Links to websites updated.	Apr-13
C2	Member induction, appraisal, and education / training	Reference to members' ability to seek training if required inserted.	Feb-11
		Changes made in light of revised Governance model and approach to working.	Apr-13
		Changes made in light of revised appraisal process.	Sep-13
		Amendment to cease having a rating system.	Dec-15
		Update to the timing of the appraisal discussion to feed into the appointment/re-appointment process, as the fourth annual appraisal discussion would not take place early enough to fit in with appointment processes.	Apr-19

Section		Change	Date
C3	Guidance on the register of interests and conflicts of interest	Revised to reflect proposed changes on declaration of freemasonry and political party membership.	Feb-11
		Updated to refer to trading subsidiary.	Apr-17
		Updated wording to not refer to specific trading subsidiaries, as elsewhere.	Apr-19
C4	Procedure for dealing with complaints against members	Amended to reflect renaming of Remuneration and Member Issues Committee. Additional paragraphs 2 to 4 inserted in response to internal audit recommendations for inclusion of material on removal and suspension of members.	Feb-11
		Changes made in light of revised Governance model and approach to working. References to Chair of Remuneration and Member Issues Committee updated, and inclusion of reference to Chair of Audit and Risk Committee to replace references to Chair of Resources Committee (ceased to operate).	Dec-13
C5	Appointment of the Chair of Council	Changes made in light of amendments to constitution of Council and change from election to appointment of Chair.	Dec-13
C6	Education and Training of MPTS Committee members	Addition of new annex to the Governance Handbook.	Dec-15

Sections of the Handbook now removed

Section	Date removed
Ceased to operate end December 2012 in light of revised governance model	
Annex 4a: Statement of Purpose of the Continued Practice, Revalidation and Registration Board	Apr-13
Annex 4b: Statement of Purpose of the Postgraduate Board	Apr-13
Annex 4c: Statement of Purpose of the Undergraduate Board	Apr-13
Annex 4f: Statement of Purpose of the Resources Committee	Apr-13
Annex 4g: Statement of Purpose of the Education and Training Committee	Apr-13
Annex 4h: Statement of Purpose of the Equality and Diversity Committee	Apr-13
Annex 4i: Statement of Purpose of the Fitness to Practise Committee	Apr-13
Annex 4j: Statement of Purpose of the Standards and Ethics Committee	Apr-13
Annex 3a: Role description of Board Chairs	Apr-13
Annex 3c: Role description of Reference Group convenors	Apr-13
Continue and incorporated into executive governance arrangements	
Annex B4a: Statement of Purpose for the Professional and Linguistic Assessments Board	Apr-13
Annex C6: Appointments to external bodies	Apr-13

Table of handbook changes approval by Council

		Last approved by Council (meeting date)
1	Role of GMC and relevant legislation	Apr-19
2	Principles of regulation, governance and delegation	Apr-19
3	Role of Council	Feb-13
4	Role of each component of the governance framework	Apr-19
5	Role of the Chair of Council	Apr-16
6	Role of Council members	Apr-13
7	Members' code of conduct	Apr-19
8	Role of the executive	Apr-17
9	Schedule of authority	Apr-19
10	GMC financial regulations	Apr-19
11	Decision making framework	Sep-15

Handbook Annex: standing Orders/working procedures		Last approved by Council
A	Council: working arrangements	
1	Working arrangements	Apr-19
2	Corporate seal	Apr-19
B	Committees: working arrangements	
1	Arrangements for the appointment of members to Committees	Apr-19
2	Working requirements for Committees	Apr-19
3	Role description for Committee Chairs	Apr-13
4	Purpose statements for Committees, and Board of Trustees of GMC Staff Superannuation Scheme	
a	Statement of purpose of the Audit and Risk Committee	Apr-17
b	Statement of purpose of the Remuneration Committee	Dec-17
c	Statement of purpose of the Board of Trustees of the GMC Staff Superannuation Scheme	Apr-17
d	Statement of purpose of the Medical Practitioners Tribunal Service Committee	Dec-17

	e	Statement of purpose of the GMC/MPTS Liaison Group	Dec 17
	f	Statement of purpose of the Investment Committee	Apr-19
C	Matters relating to members		
	1	Members' information	Apr-13
	2	Member induction, appraisal, education and training	Apr-19
	3	Guidance on the Register of Interests and conflicts of interest	Apr-19
	4	Procedure for dealing with complaints against members	Dec-13
	5	Appointment of the Chair of Council	Dec-13
	6	Education and Training of MPTS Committee members	Sep-15