

Guidance for approving an individual as a suitable person and withdrawing approval for revalidation

Purpose of this guidance

- 1 This guidance is for decision makers who are asked to consider whether to approve an individual to be a suitable person. It is also for decision makers who are asked to consider whether to remove approval. It outlines the factors we will consider in determining whether the individual is suitable to prepare a statement about a doctor's fitness to practise for the purposes of that doctor's revalidation.
- 2 This guidance should be read in conjunction with the [principles which apply to decision-making across all our registration and revalidation functions](#).
- 3 This guidance references to the evidence and the legal powers decision makers use when they make their decisions.

The role of a suitable person

- 4 [The GMC \(Licence to Practise and Revalidation\) Regulations Order of Council 2012 \(as amended\)](#) ('the regulations') creates the role of suitable person^{*}, as a person approved by the GMC to make revalidation recommendations about doctors who do not have a designated body under the Medical Profession (Responsible Officer) Regulations (the 'RO regulations').[†] A suitable person must be a licensed doctor and either be a RO, or hold a post within a body (whether designated or not) which includes responsibilities that are similar in nature to the role of a RO.[‡]
- 5 The Registrar has the power to approve an individual as suitable to prepare a statement about the fitness to practise of the doctor(s) in question.[§] While suitable

* Regulation 6(7).

† Regulation 6(6).

‡ Regulation 6(7).

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persons are not covered by the RO regulations, we use the principles of these regulations to decide whether to approve a suitable person.

- 6** A person may be approved as suitable in relation to one or more individual doctors, or a defined class or cohort of doctors. A cohort is a group of doctors who have a shared characteristic in their work. For example, doctors who work for a specific organisation or are members of a Faculty. We will seek evidence that there is a sufficient link between the suitable person and the doctor(s) in deciding whether to approve the application.
- 7** When we approve an individual as a suitable person we will write to the applicant with a 'scope of approval statement', describing the doctor(s), or cohort of doctors, for whom the suitable person has been approved and the characteristics that define the link between the suitable person and the doctor(s) or cohort of doctors.
- 8** If we determine the individual no longer adequately satisfies our criteria to be a suitable person, does not make recommendations within the submission period or fails to participate in quality checks, we may withdraw approval for them to continue in the role.

Factors to consider

Appropriate arrangements in place

- 9** When considering an application to be a suitable person, you will need to decide whether the applicant has provided satisfactory evidence that the proposed arrangements will maintain integrity and confidence in revalidation.
- 10** The applicant must demonstrate they meet all our [criteria for recognition as a suitable person](#), and that they can ensure that there are systems and processes in place locally to support their doctor(s) in their revalidation, such as annual appraisals. The applicant must also provide evidence of procedures that will inform them of any concerns about the doctor(s) for whom they are responsible.

Appropriate link between the suitable person and their doctor(s)

- 11** All suitable persons must have a clear and rational link with any doctor(s) that they are responsible for. You must assess any proposed link to ensure that it gives you sufficient confidence that the applicant will be able to make an accurate assessment of the doctor's fitness to practise and that that doctor is continuing to engage with revalidation. Further information can be found in our [guidance about factors for determining the appropriate link between a suitable person and an individual doctor](#).
- 12** If the applicant wishes to be a suitable person for a group of doctors, this must be a clearly defined cohort of doctors with whom they have a clear and rational link.

- 13** The applicant must provide relevant and satisfactory evidence in support of any information given in their application, and why they are suitable to make revalidation recommendations for the doctor(s) concerned.
- 14** A suitable person can't have a link to a doctor:
- a** who has a prescribed connection to a designated body under the RO regulations or
 - b** with whom they have a conflict of interest. Advice about conflicts of interest and the appearance of bias is set out in *Good medical practice** and in the guidance that accompanies [RO regulations](#).
- 15** A suitable person may be responsible for a doctor who works outside the UK as long as they can satisfy their responsibilities in relation to the revalidation of that doctor, as set out in the [GMC Protocol for making revalidation recommendations](#). This is particularly important with respect to having sufficient knowledge and oversight of the environment in which the doctor is working and ensuring appropriate clinical governance processes are in place to be notified of any concerns about the doctor. If the applicant wishes to make recommendations for doctors who are practising wholly overseas, the application will need to contain specific and comprehensive information to satisfy you that they will be sufficiently informed to make recommendations about the doctor's revalidation and that they can fulfil all the responsibilities of a suitable person.
- 16** The questions in the table below reflect the [criteria for approval as a suitable person](#) and will help you decide whether you are satisfied that an individual can be approved as suitable to prepare a statement about a doctor, or doctors', fitness to practise and participation in revalidation.

When to consider removal

- 17** Once an individual has been approved as a suitable person by us, they'll need to participate in checks to make sure they continue to meet the [criteria](#) and adhere to the statements in the declaration in the application. They must engage with the GMC when we ask them for information as outlined in the [Guidance on remaining a suitable person and reapproval](#).
- 18** If a decision is made to remove the approval the individual will need to reapply if they wish to be considered as an approved suitable person in future.

* Paragraphs 77- 79 and our explanatory guidance [Financial and commercial arrangements and conflicts of interest \(2013\)](#).

Checklist and factors to consider for approval and removal

1	<p>The applicant is an RO or undertakes a role with similar responsibilities to an RO for an organisation operating within the healthcare environment, located in the UK, a Crown Dependency or Gibraltar.</p> <ul style="list-style-type: none">■ Does the applicant/suitable person have adequate resources available, via their own organisation, to allow them to fulfil the responsibilities of a suitable person, including making sure all doctors for whom they are responsible have access to an annual appraisal in line with our guidance?
2	<p>The applicant/suitable person fulfils the criteria to be an RO.</p> <ul style="list-style-type: none">■ Do they hold GMC registration with a licence to practise and have they held registration with us continuously for at least the last five years?■ Do they have either a connection to a designated body under the RO regulations, or an approved suitable person?
3	<p>The applicant has the appropriate experience, skills and knowledge to undertake the role.</p> <ul style="list-style-type: none">■ This may include experience in performance management, appraisal, quality assurance of appraisal systems and appraisers, remediation and/or rehabilitation.
4	<p>The applicant/suitable person has a clear and rational link with all the doctor(s), or group of doctors, for whom they are responsible.</p> <p>This could be through an employment relationship, sharing a niche specialty or sector of work, or governance arrangements. Further information can be found in our guidance for determining whether there is an appropriate link between a suitable person and an individual doctor.</p> <ul style="list-style-type: none">■ Has the applicant told us the doctor, or type of doctors, for whom they would be a suitable person? If they are applying to be a suitable person for a group of doctors, is this a clearly defined cohort of doctors and have they demonstrated which doctors would fall into the cohort?■ Has the applicant provided a clear justification of their suitability to make revalidation recommendations for the doctor(s) concerned?

	<ul style="list-style-type: none"> ■ Have they demonstrated that they have sufficient knowledge and oversight of the environment in which the doctor(s) work to be able to make an accurate assessment of their individual fitness to practise and make sure they participate in revalidation? <p>The applicant/suitable person does not wish to be a suitable person for any doctor for whom they may not be responsible.</p> <ul style="list-style-type: none"> ■ Do any of the doctors for whom they wish to act as a suitable person already have, or could they have, a prescribed connection to a designated body under the RO regulations? ■ Are you satisfied that there is no conflict of interest between the applicant and the doctor(s) for whom they wish to act as a suitable person?
5	<p>The applicant/suitable person has access to the necessary information to make robust recommendations for all doctors for whom they are responsible.</p> <ul style="list-style-type: none"> ■ Has the applicant/suitable person demonstrated they will have access to necessary clinical governance information to enable them to fulfil the role, as set out in section 2.3.1 of the GMC recommendation protocol? ■ Do they have procedures and processes in place to: <ul style="list-style-type: none"> ■ inform them of any concerns about their doctors' practice, as they arise? ■ assure themselves of their doctors' continuing participation in annual appraisals that meet our guidance? ■ make sure records of their doctors' fitness to practise evaluations are maintained, including appraisals and any other investigations or assessments? ■ assure them that their doctors are complying with any local conditions, or conditions imposed by, or undertakings agreed with, the GMC? ■ Have they provided evidence that they have formal arrangements in place (that are not time bound) with other relevant organisations or persons, to access information they need to make revalidation recommendations about the doctors for whom they would be responsible?

6	<p>Does the applicant/suitable person have in place:</p> <ul style="list-style-type: none"> a an appraisal policy b a complaints policy c a managing clinical performance policy d policies for being alerted to and dealing with concerns e information about how the suitable person would access information from the whole of their doctor(s)' practice f information about how the suitable person will be able to make sure that their assessment of the doctor(s)' fitness to practise takes into account evidence that the doctor has complied with any GMC or locally imposed conditions or undertakings g other relevant clinical governance policies, procedures or governance documents that outline how they will fulfil their responsibilities h information about how the suitable person will ensure the doctor(s) for whom they are seeking approval do not have a prescribed connection elsewhere? i confirmation that these policies will be available to all doctors linked to them, and an explanation of how they will support their doctors in accessing and understanding these policies in relation to the doctor or cohort of doctors
7	<p>The applicant/suitable person has made or has arrangements to have regular contact with others performing the RO role.</p> <ul style="list-style-type: none"> ■ For example, have they made arrangements to join RO networks and attend RO training events or have these in place?
8	<p>Once approved, the suitable person adheres to the principles outlined in the Guidance on remaining a suitable person and reapproval.</p>

Options for decision making when considering approval

19 After considering all the relevant evidence and all factors above, you may decide on one of the following.

- a** To approve the applicant – and in doing so, you must confirm the scope of that approval, describing the doctor(s), or cohort of doctors, for whom the applicant has been approved
- b** You need more information from the applicant
- c** To not approve the applicant

Options for decision making when considering removal

20 After considering all the relevant evidence and the factors in the table above, you may decide:

- a** The suitable person should continue to have approval for their existing doctor(s) or cohort of doctors.
- b** Further information to determine if the suitable person should continue to have approval. In which case you may:
 - i** request further information from the suitable person, and/or
 - ii** request further information from another doctor (for example a doctor that is connected to the suitable person, their RO) or other individuals (such as an employer and or health departments in the crown dependencies and Gibraltar), which is relevant to allow you to decide whether to remove approval.
- c** to remove approval

Last updated June 2021