

Guidance for deciding whether a doctor has taken the step they failed to take for their revalidation, which led to their licence being withdrawn (for licence restoration)

Purpose of this guidance

- 1 This guidance is for decision makers who are asked to consider whether a doctor has failed to satisfy us, without [reasonable excuse](#), that they have taken the step they failed to take for their revalidation, which led to their licence being withdrawn.
- 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 the evidence and the legal powers decision makers use when they make their decisions.

What is taking the step?

- 4 [The GMC \(Licence to Practise and Revalidation\) Regulations 2012 \(as amended\)](#) ('the regulations') allow a doctor whose licence has been withdrawn for failing to meet one or more of the requirements of revalidation to make an application to the Registrar to restore their licence.* As part of this application the doctor must demonstrate that they have now taken the step they failed to take for their revalidation, which resulted in the withdrawal of their licence.†
- 5 Except in certain, specified circumstances, the Registrar must restore the doctor's licence.‡ The circumstances where the Registrar may refuse to restore a licence include where the doctor has failed to satisfy us, without reasonable excuse, that they have taken the step that they failed to for their revalidation, which led to the withdrawal of their licence.

* Regulation 5(1).

† Regulation 5(4)(a).

‡ Regulation 5(11).

- 6** The step that the doctor failed to take may include failing to:
- a** comply with any requirement of our [revalidation guidance](#), including the requirement to participate in appraisal which satisfies our guidance, or meeting the minimum required standard in the revalidation assessment*
 - b** provide information about their employment or prescribed connection[†]
 - c** provide information required for the purposes of their revalidation[‡], for example an annual return
 - d** undergo an assessment when requested, designed to evaluate their fitness to practise[§]
 - e** pay any fee required in order to evaluate information submitted to support their revalidation^{**}, for example the fee associated with an annual return.

Options for decision makers

- 7** After considering all the relevant evidence before you, you may decide:
- a** you need further information or to carry out other investigations^{††}, to determine whether the doctor has satisfied you they have taken the step, or that they have a reasonable excuse for not doing so, or
 - b** the doctor has satisfied you they have taken the step, or
 - c** the doctor has not satisfied you they have taken the step but has provided a [reasonable excuse](#) for not doing so, or
 - d** the doctor has not satisfied you they have taken the step and does not have a reasonable excuse for this.

Factors to consider

- 8** You should use the questions in the table below to decide whether the doctor has satisfied you they have taken the revalidation step that they previously failed to take,

* 29G (guidance)(f) Medical Act 1983.

† Regulation 6(9).

‡ Regulation 6(4) and regulation 6(10).

§ Regulation 6(8).

** Regulation 6(14).

†† Regulation 5(7).

which resulted in the withdrawal of their licence, or has a reasonable excuse for not doing so.

- 9 Our [statutory guidance](#) describes the revalidation requirements for doctors. It is the individual doctor's responsibility to meet these requirements. Information or evidence to support a doctor's revalidation must meet the criteria set out in our guidance.
- 10 All decisions must be made on a case by case basis and taking into account the doctor's individual circumstances.

Checklist	
1	<p>Has the doctor satisfied you that they have taken the required step in relation to their revalidation?</p> <p>Depending on the step the doctor failed to take:</p> <ul style="list-style-type: none">■ Has the doctor provided sufficient evidence they have participated in an appraisal that satisfies our guidance?■ As part of an appraisal that satisfies our guidance, has the doctor collected and reflected on the piece of supporting information that they previously failed to collect and reflect upon, in line with our Supporting information for appraisal and revalidation guidance?■ Has the doctor's appraiser made any comment on the sufficiency and quality of the doctor's supporting information and their reflection on it, which is relevant?■ Is there evidence that raises questions about whether the doctor's appraisal or supporting information satisfies our guidance?■ Has the doctor provided sufficient evidence of their prescribed connection, or confirmed they do not have a prescribed connection?■ Has the doctor undergone the revalidation assessment and reached the required standard, or provided evidence of an acceptable alternative?
2	<p>If the doctor has not taken the step, have they provided a reasonable excuse for not doing so?</p> <p>Our guidance for deciding whether a doctor has a reasonable excuse for failing to take the revalidation 'step' at licence restoration details factors you might consider in determining this.</p> <p>There is separate guidance for establishing whether a doctor has a reasonable</p>

	excuse for failing to undergo the revalidation assessment or for failing to meet the required standard in the revalidation assessment .
3	<p>Do you need any further information or evidence from the doctor, or from a third party (such as an RO, employer or appraiser) to enable you to make your decision?</p> <p>For example, further information about the quality of a piece of supporting information or the doctor's appraisal.</p>

- 11** If you decide the doctor has satisfied you they have taken the required step, or has a reasonable excuse for not doing so, you should also determine a new submission date.*
- 12** You should advise the GMC team assessing the application for licence restoration of your decision.

This GDM was last updated on 28 February 2017.

* Regulation 6(1)(b).