

PAAs and AAs: Removals

Introduction

1. The Anaesthesia Associates and Physician Associates Order 2024 ('the AAPAO') sets out when we must or may remove physician associate (PA) or anaesthesia associate (AA) entries ('removals') from the register of PAs and AAs ('the register').
2. The General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 ('the registration rules') set out the steps we will take when considering whether to remove an entry from the register.
3. This document sets out our policy for making removal decisions about entries on the register. It describes:
 - The bases on which a PA or AA entry can be removed from the register and;
 - when we will remove an entry.
4. The policy framework is not intended to be exhaustive. It should be read in conjunction with detailed guidance for decision makers who are asked to consider whether an entry should be removed.
5. In line with good practice the policy will be regularly reviewed to ensure that it remains up to date, fair, proportionate, and effective.

When can an entry be removed from the register?

6. We are required to remove entries from the register where:
 - The registrar is satisfied that a PA or AA has died;¹
 - A fitness to practise tribunal has imposed a final measure on a PA or AA entry, or;²
 - A PA or AA has been convicted of an offence listed in Schedule 2 of the AAPAO.³
7. We have the power to remove entries from the register where:

¹ AAPAO Article 9(1)(a).

² AAPAO Article 9(1)(b).

³ AAPAO Article 9(1)(c).

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- We determine that a PA or AA was granted registration on the basis that they had acted fraudulently;⁴
 - We determine that we granted registration in error;⁵
 - A PA or AA voluntarily applies for their entry to be removed.⁶
 - A PA or AA has not complied with particular requirements of our fitness to practise processes, i.e. undertaking a required assessment⁷ or providing information that we have requested.⁸
 - A PA or AA hasn't maintained the requirements of holding registration. This includes paying their annual retention fee,⁹ holding adequate and appropriate insurance and/or indemnity cover¹⁰ or maintaining effective contact details.¹¹

Making enquiries and requests for information

8. As part of the decision-making process, we may make enquiries or request further information.¹² We will only gather information for the purpose of establishing whether an entry should be removed from the register.
9. When we gather information for this purpose, we will not require PAs and AAs to provide material that they have produced for the purposes of professional development, or while reflecting on their professional practise to improve on it.¹³
10. Decision makers may be asked to consider whether to remove an entry when there are ongoing concerns about the fitness to practise of the PA or AA. In these circumstances, they should seek advice from colleagues involved in the fitness to practise process on whether it is in the public interest to remove an entry before the conclusion of fitness to practise proceedings.

⁴ AAPAO Article 9(2)(a).

⁵ AAPAO Article 9(2)(a).

⁶ AAPAO Article 9(2)(c)(i).

⁷ AAPAO Article 9(2)(c)(ii)(aa).

⁸ AAPAO Article 9(2)(c)(ii)(ee).

⁹ AAPAO Article 9(2)(c)(ii)(bb).

¹⁰ AAPAO Article 9(2)(c)(ii)(cc).

¹¹ AAPAO Article 9(2)(c)(ii)(dd).

¹² AAPAO Schedule 3, Article 7 (4) Subject to sub-paragraph (5) and paragraph 8, the Regulator may require a person, including an associate in respect of whom the information or document is sought, to supply information or produce a document which the Regulator considers the person is able to supply and which appears to the Regulator to be relevant for the purposes of its functions under this Order.

¹³ General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024, Rule 10(2).

Removal thresholds

Removal where a PA or AA has died

11. We must remove an entry from the register where a PA or AA has died.¹⁴
12. We will remove an entry where we are satisfied that the PA or AA has died.
13. When we become aware that a PA or AA may have died, we may take steps to verify this. Where we are satisfied that a PA or AA has died, removing their entry on this basis takes precedence over removing it for other discretionary bases set out in the AAPAO and registration rules.
14. It may be necessary to amend the information that we publish about PAs and AAs, to reflect the fact that a PA or AA has died. This is important to prevent future potential cases of identity theft, fraud or other activities that may adversely affect public protection or confidence in our register. More information can be found in the policy on [publication and disclosure of registration information relating to PAs and AAs](#).

Removal where a PA or AA has been convicted of a listed offence

15. We must remove a PA or AA entry where we are satisfied that they have been convicted of an offence listed in Schedule 2 of the AAPAO.¹⁵
16. We will remove an entry where a PA or AA has been convicted of a listed offence where we are satisfied that:
 - the PA or AA in question was convicted of the offence;
 - the offence is listed in Schedule 2 of the AAPAO; and
 - it was committed on or after the AAPAO came into effect on 13 December 2024. We cannot remove entries if the offence that led to the conviction was committed before the AAPAO came into effect. In these circumstances the PA or AA will be referred into our fitness to processes.
17. The entry must be removed as soon as is reasonably practicable.

¹⁴ AAPAO Article 9(1)(a)

¹⁵ AAPAO Article 9(1)(c); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule (9).

Removal after registration was fraudulently obtained

18. We may remove a PA or AA entry where we are satisfied that their entry was fraudulently obtained.¹⁶ A PA or AA who fraudulently obtained registration did not meet our registration standards¹⁷ or evidence requirements¹⁸ at the time of their application, and therefore, they should not have been awarded registration.
19. We may remove an entry for fraudulently obtained registration where a PA or AA gained the personal benefit of being a registered professional, through fraudulent behaviour, where they would not likely have been granted registration if they had not behaved fraudulently¹⁹.
20. Fraudulent behaviour in a registration application includes:
- dishonestly making representations or providing information and evidence that are untrue or misleading where the applicant knows they could be untrue or misleading; and/or
 - dishonestly failing to disclose information they are obliged to as part of an application.
21. Where a PA or AA was dishonest as part of their application, but they were not removed under this policy, this should be referred into the fitness to practise processes for investigation. This is because dishonesty and fraudulent behaviour in making a registration application is incompatible with the standards expected of PAs and AAs who hold GMC registration and could pose a risk to public protection.

Removal after registration was granted in error

22. We can remove an entry from the register where it was made in error.²⁰ An entry made in error is where we granted registration where we should not have because the PA or AA did not meet the standards and requirements for registration.

¹⁶ AAPAO Article 9(2)(a); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule 16.

¹⁷ As set out in the AAPAO Article 3(1), we must determine standards applicable to associates, and in relation to the following under Article 3(2) - (a)education and training; (b)knowledge and skills; (c)experience and performance; (d)conduct and ethics, and; (e)proficiency in the English language.

¹⁸ AAPAO Article 6(1) requires us to register an applicant who has provided the evidence we require, and we have asked for. This is set out in 6(3) and includes proof of identity and evidence to demonstrate they have or will have appropriate insurance and indemnity arrangements in place by the date they begin practising in the UK.

¹⁹ The Fraud Act (2006) provides the foundation for our definition of fraudulently obtained registration.

²⁰ AAPAO Article 9(2)(a); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule 16.

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23. In all cases of error, the PA or AA will have acted honestly and in good faith throughout the process of applying for registration.
24. An error in the context of a registration application could include, but is not limited to where:
- there was incorrect, incomplete or unacceptable evidence that was submitted in good faith by the PA or AA or third parties;
 - we departed from our own rules, guidance or procedures that were in effect at the time, such as a missed step in rules;
 - the decision maker didn't consider information in our possession that was material to the decision;
 - the decision maker didn't act in accordance with the relevant legislation, or;
 - the decision maker acted beyond their discretion and or authority or made a decision that no reasonable decision maker could have made.
25. We may remove an entry for error where we are satisfied that the PA or AA cannot now meet the registration standards and evidential requirements. This means:
- On the basis of the PA or AA's application and any other evidence available to us at the time, we should not have granted the application, and;
 - Based on the information and evidence now available, the PA or AA does not meet the standards and evidential requirements for registration.
26. We recognise the impact of removing a PA or AA for an error that was no fault of their own. We will allow a reasonable amount of time to collect relevant information before deciding to remove an entry from the register. This could include:
- accepting further evidence provided by the PA or AA that was available at the point they gained entry to the register;
 - using evidence obtained by the PA or AA since the point they gained entry to the register;
 - using their experience since they have been on the register; or
 - requesting or verifying correct evidence / information directly from a third party, where appropriate.

Removal following an application for voluntary removal (VR)

27. PAs and AAs can apply for their entry on the register to be removed.²¹ They might request VR when they no longer intend to practise in the UK, for example, if they retire, take a career break, or move to practise entirely overseas.
28. This policy covers VR applications only where there are no fitness to practise concerns.
29. Decisions about VR applications are to grant or refuse the application.
30. We will grant an application for VR where there are no ongoing fitness to practise concerns and no other basis on which we would remove the entry from the register.
31. We will refuse a VR application where one of the following bases for removal is met at the point we receive a VR application. This is because of the requirements that need to be met at the point a PA or AA seeks to re-enter the register and the publication period for these decisions that we have determined is required to protect the public.
- Does not have adequate and appropriate insurance & indemnity arrangements in place;
 - Fraudulently obtained registration; or
 - Registration granted in error.
32. We will grant a VR application where one of the following bases for removal is met at the point we receive a VR application. In these scenarios, PAs and AAs may be prompted to apply for VR if we contact them to remind them of these ongoing obligations and there are no public protection reasons not to grant their VR application.
- Failure to maintain effective contact details; or
 - Not received payment of the annual retention fee.

Removals where we have not received payment of the annual retention fee

33. PA and AAs are required to pay annual retention fees to maintain their registration.²²
34. We may remove a PA or AA's entry where we are satisfied that we have not received

²¹ AAPAO Article 9(2)(c)(i); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule 11.

²² The requirements are set out in the General Medical Council (Fees) (Anaesthesia Associates and Physician Associates) Rules 2024.

payment for an annual retention fee that is owed.²³

35. We may remove an entry for not having received payment of a fee is where:
- we are satisfied that we have not received the fee owed by a PA or AA,
 - we have notified the PA or AA that the fee is owed on multiple occasions, and,
 - there are no reasonable grounds for having failed to pay the fee.

Removing an entry where a PA or AA does not have adequate and appropriate insurance and/or indemnity

36. PAs and AAs must maintain adequate and appropriate I&I arrangements throughout the period they are registered. We can remove a PA or AA's entry if we are not satisfied that they have in place adequate and appropriate insurance policy, indemnity arrangement, or appropriate combination of the two.²⁴
37. We may remove an entry for not having adequate and appropriate I&I in place where we are satisfied that:
- A PA or AA does not have adequate and appropriate I&I arrangements in place, and;
 - There are no reasonable grounds for failing to have adequate and appropriate I&I arrangement in place.
38. Where the threshold for removing an entry has not been met but we are satisfied the PA or AA had not maintained, or had been dishonest or misleading, about their I&I arrangements, this may raise concerns about their fitness to practise.

Removal where a PA or AA has not maintained effective means of contact

39. PAs and AAs must maintain effective means of contact with us throughout the period that they hold GMC registration.²⁵ This is important to ensure that we can communicate with

²³ AAPAO Article 2(c)(ii)(bb); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule 17.

²⁴ AAPAO Article 2(c)(ii)(cc); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule 18.

²⁵ General Medical Council (Form and Keeping of the Register) (Anaesthesia Associates and Physician Associates) Rules 2024 4(3) and (4) set out what contact details and means of contact registrants need to provide us with and note that failure to keep these effective may result in the removal of an entry.

them efficiently and effectively and that our register remains accurate and up to date. We may remove a PA or AA's entry where their means of contact are ineffective.²⁶

40. We may remove an entry where we are satisfied that a PA or AA has failed to maintain effective means of contact with us. This means:
- We have unsuccessfully attempted to contact them using all of their contact details on multiple occasions, and;
 - there are no reasonable grounds for having failed to maintain effective means of contact.

Where there are multiple bases for removing an entry

41. The AAPAO distinguishes situations in which we have a duty to remove a PA or AA and situations where we have discretion to remove a PA or AA. Where there is a duty to remove a PA or AA we will proceed with that removal and not continue discretionary removal processes.
42. Where there are multiple discretionary reasons for removing a PA or AA, we may rely on more than one basis for removal where it is necessary to protect the public. It may be necessary to protect the public where there are different implications for the publication of information or different requirements in place at the point of re-entry for the different removal reasons.

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²⁶ AAPAO Article 9(2)(c)(ii)(dd); General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules 2024 Rule 19.