

Consultation on regulations to introduce a time limit on provisional registration

About this consultation

We are consulting on draft regulations which set out how we will introduce a time limit of three years and 30 days (1,125 days) on the period of time that a doctor can hold provisional registration.

This consultation asks for your views on the draft regulations.

The consultation runs from 23 April 2014 to 18 June 2014.

Why should the consultation matter to you?

- **Medical students and provisionally registered doctors** – this consultation describes how we will implement the time limit and how you will be affected.
- **Medical schools, foundation schools, deaneries, local education and training boards, employers, and contractors of doctors' services** – this consultation explains how the time limit will be implemented and the impact the measures will have on the students and provisionally registered doctors that you work with.

How to respond

This document sets out the consultation information and questions. You can send your response:

By email to timelimitingpr@gmc-uk.org or post it to:

Iona Milton-Jones
General Medical Council
3 Hardman Street
Manchester
M3 3AW

If you have any questions about the consultation please call 0161 923 6602.

If you need the consultation in an alternative format, please email timelimitingpr@gmc-uk.org or call 0161 923 6374.

Current position

The only purpose of provisional registration is to allow UK graduates to take part in the first year of the Foundation Programme (foundation year one, or F1).

Some doctors, who are nationals of the European Economic Area or international medical graduates, can also apply for provisional registration so they can take part in F1 training in the UK.

Provisionally registered doctors must demonstrate the outcomes that we set out in our publication *The Trainee Doctor*, to apply for full registration when they complete F1.

Most doctors complete F1 and move to full registration within 12 months of getting their provisional registration. In some cases, doctors need more training before they can complete the requirements of F1.

A small number of doctors are unable to demonstrate the competencies needed to complete F1 and are released from the training programme. At the moment, these doctors can keep their provisional registration indefinitely, as long as they carry on paying their annual retention fee and they are fit to practise – even if they are not training in the Foundation Programme anymore.

The benefits of putting a time limit on provisional registration

A time limit would let us manage the following issues.

- Provisional registration allows doctors to take part in F1 training. If a doctor is no longer in F1, there is no need for them to be provisionally registered.
- We want to reduce confusion about what provisionally registered doctors can do and so reduce the risk of those who are not in training working outside the limits of their registration. This could also benefit patients by making sure that provisionally registered doctors are appropriately supported and supervised in roles that are within the limits of their registration.

Developing the policy

The Medical Act gives us the power to set a maximum period for provisional registration. Since 2012, we have been working with organisations and doctors who will be affected, to develop how the process will work.

Now that the policy and process have been agreed, we need to make supporting regulations.

Draft Provisional Registration (Time Limits) Regulations 2013

The following section describes the main effects of the regulations and how they will be applied, and asks for your comments on some specific points.

Question

Name:

Question

Are you either a medical student or a doctor?

Yes

No

Question

If you are please indicate your level or grade from the list below

F1

F2

CT1

CT2

CT3

ST1

ST2

ST3

ST4

ST5

ST6

ST7

ST8

SpR

Other (please specify)

Question

If you are responding on behalf of an organisation, please state the name of the organisation below.

Question

We may want to contact you to discuss your comments. If you are happy to be contacted please provide your email address and/or contact telephone number below.

Regulation 2 - maximum period of provisional registration

This sets out that a doctor will be able to hold provisional registration for a maximum of three years and 30 days (1,125 days). This will allow a doctor:

- to undertake F1 training (which must be at least 12 months)
- an extension to F1 training of up to 12 months (which postgraduate deaneries and local education and training boards may allow)
- an additional 12 months to cover all reasonable contingencies.

The extra 30 days allows for the national shadowing scheme (endorsed by the UK departments of health) for F1 appointees, which they complete before they begin their F1 training, and during which they are provisionally registered. The shadowing scheme currently takes a minimum of four days - the additional 25 gives contingency, should it be increased in the future.

Question

Do you think that the proposed maximum period for provisional registration is appropriate?

Yes

No

If not, why?

Regulation 3 – extension of provisional registration

Some provisionally registered doctors may not be able to complete F1 within the maximum period allowed. This may be because they are undertaking F1 on a less than full-time basis, or due to other circumstances.

These doctors will be able to ask for a 12-month extension to the maximum period of three years and 30 days of provisional registration. However, they will need to provide a declaration confirming that they would not be able to complete F1 without the extension – this declaration should come from the organisation responsible for delivering their F1 programme (usually their postgraduate deanery or local education and training board).

A provisionally registered doctor will not be able to ask for an extension earlier than six months before their provisional registration expires. Before this time, it may not be clear that an extension will be required.

Question

Are the arrangements set out in regulation 3 reasonable?

Yes

No

If not, why?

Are there any other circumstances (that a doctor in F1 might encounter) that we have not adequately provided for?

Regulation 4 – effect of lapse

If a doctor reaches the maximum period of provisional registration and their registration lapses, they will not be able to apply for a further period of provisional registration.

Question

Does this proposal seem reasonable?

Yes

No

If not, why?

Regulation 5 – time not counted

The time limit will not be flexible. However where a doctor's name is erased from the register (either because they have voluntarily requested that their name is erased or because their name has been erased due to fitness to practise proceedings), the period of time that their name is not on the register will not count towards their period of provisional registration. Additionally, any time that a doctor is suspended will not count towards their period of provisional registration.

This will only apply where a doctor has relinquished their registration rather than just their licence to practise (in order to practise medicine in the UK

including treating patients, a doctor must be registered and hold a licence to practise).

We will provide guidance to remind doctors that if they need to temporarily withdraw from their F1 training programme, (and do not need to maintain their registration during that period for any other reason) they will be able to voluntarily erase their registration and restore it when they are able to restart or resume their training. This will make sure that the unregistered period will not count towards their period of provisional registration.

Question

Are the arrangements set out in regulation 5 fair and reasonable?

Yes

No

If not, why?

Regulation 6 – fitness to practise proceedings

Where a doctor is involved in fitness to practise proceedings, their provisional registration will not lapse until proceedings are concluded in one of these ways.

- A decision is made not to refer the allegation to a medical and a lay case examiner, or another reason is given not to proceed.
- A decision is made not to refer the allegation to the Investigation Committee or a fitness to practise panel or any such referral is cancelled.
- The doctor is given a warning.
- The doctor accepts undertakings.
- A final determination is made by a fitness to practise panel.

This will make sure that provisionally registered doctors won't be able to avoid fitness to practise proceedings, even if their registration is due to lapse because they are close to the maximum period of provisional registration.

Question

Are the arrangements relating to fitness to practise proceedings appropriate?

Yes

No

If not, why?

Question

Do you have any other comments on the proposals?