

Consultation Response Questionnaire

Draft Regulations and Statutory Guidance for a mandatory licensing scheme for special procedures in Wales

Organisation (if applicable):	General Medical Council
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Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

Please return this form to reach the Welsh Government no later than **8 April 2024**.
The email address for responses or queries is:

SpecialProceduresMailbox@gov.wales

This form can be downloaded or the online response questionnaire accessed from the Welsh Government website here:

<https://www.gov.wales/mandatory-licensing-special-procedures-wales>

We welcome responses in Welsh or English.

Please note: this mandatory licensing scheme will be introduced on the terms set out in this document and the Regulations. We cannot therefore revisit the subject of the scheme itself or the proposals put forward in the first consultation document.

	Please give reasons for your answers when responding.
1 - The Special Procedure Licences (Wales) Regulations 202X	
1a	Do you think these draft Regulations adequately set out how individuals are to be licensed?
	Answer: The GMC agree that individuals performing special procedures should be licensed, either directly through local authority committees or for exempt professions through their professional regulator, eg doctors who are registered and licensed with the GMC.
1b	Is there anything unclear, missing that should be included, or included that should not be?
	Answer:
2 - The Special Procedures Approved Premises and Vehicles (Wales) Regulations 202X	
2a	Do you think these draft Regulations adequately set out how premises and vehicles are to be approved?
	Answer: No comment as the GMC does not regulate premises.
2b	Is there anything unclear, missing that should be included, or included that should not be?
	Answer:
3 - The Special Procedures Exempted Individuals (Wales) Regulations 202X	
3a	Do you think these draft Regulations adequately set out how the specified individuals are to be exempt?
	Answer: No comment.
3b	Is there anything unclear, missing that should be included, or included that should not be?
	Answer:
4 - The Special Procedure Licensing Committees (Wales) Regulations 202X	
4a	Do you think these draft Regulations adequately set out how licensing committees are to operate for the purposes of this mandatory licensing scheme?
	Answer: For registered medical practitioners seeking a special procedures licence, it is important for GMC to be aware of activities of individuals registered, and licensed where appropriate, with them. To this end, we believe it is important that there should be specific mention (in the Licences Regulations and supporting

	guidance) of liaison between licensing committees and regulating bodies to ensure that licence holders' fitness to perform special procedures is verified and that any restrictions, conditions placed on a registered individual's professional practice are clearly known to a licensing committee as part of the licensing application process. Mindful of the potential burden on licensing committees, this is about sharing appropriate information where there are concerns, rather than routine sharing of information.
4b	Is there anything unclear, missing that should be included, or included that should not be?
	Answer:
5 - The Prescribed Objects for Body Piercing (Wales) Regulations 202X	
5a	Do you think these draft Regulations provide an adequate definition of 'object' for the purposes of non-intimate body piercing within this licensing scheme?
	Answer: No comment.
5b	Is there anything unclear, missing that should be included, or included that should not be?
6 - Statutory Guidance	
6a	Do you think the draft Statutory Guidance adequately explains how a local authority should determine a 'person's fitness to perform a special procedure' for licensing purposes under the mandatory licensing scheme, where this has been called into question?
	Answer: As for Q4 above, we believe it is important that there is transparency and relevant information sharing between licence applicants, regulators and local authorities/licensing committees so all are aware that a registered individual is undertaking special procedures and particularly in instances where a local authority decided to refuse or revoke a licence.
6b	Is there anything unclear in the draft Statutory Guidance that should be explained further?
	Answer:
6c	Is there anything in relation to determining a 'person's fitness to perform a special procedure' that is unclear or missing from the draft Statutory Guidance?
	Answer:
Statutory Questions	
7	We would like to know your views on the effects that the mandatory licensing scheme for Special Procedures in Wales would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

	Answer: No comment.
8	<p>Please also explain how you believe the proposed mandatory licensing scheme for Special Procedures in Wales could be formulated or changed so as to have</p> <ul style="list-style-type: none"> • positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and • no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.
	Answer: No comment.
9	<p>We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.</p>
	<p>Answer: It would be helpful to understand how these regulations will be kept up to date/under review to reflect changes in relation to the regulation of professions. For example, the GMC will become the regulator for Anaesthesia Associates and Physician Associates in the UK in December 2024. This follows the laying of the Anaesthesia Associates and Physician Associates Order (AAPAO) by the UK government and laid in Parliament on 13 December 2023.</p>