Guidance for allowing an additional deferral period of a doctor’s submission date

1 This guidance is for decision makers within the Registration and Revalidation directorate who are asked to consider whether to defer a doctor’s submission date for an additional period to allow the doctor to meet the requirements of revalidation.

2 The guidance aims to ensure consistency, fairness and proportionality in our approach to making decisions on such cases.

3 This guidance covers cases where we have deferred a doctor’s submission date and at this end of this period the Responsible Officer (RO) or Suitable Person has recommended a further deferral of the doctor’s date, to allow them to make a recommendation to revalidate the doctor.

4 It also covers cases where a doctor undertaking the route to revalidation for doctors without a connection asks us to defer their submission date for a further period to allow them to meet the requirements.

5 Our powers to change submission dates are outlined in The General Medical Council (Licence to Practise and Revalidation) Regulations Order of Council (‘the regulations’). The regulations allow us to change a doctor’s submission date, even if we have given notice, where we decide it is reasonable to do so in the circumstances.*

6 In most cases an RO will use a deferral recommendation to ask us to change a doctor’s submission date. The GMC Protocol for making revalidation recommendations provides guidance for ROs on when a deferral request may be appropriate.

* Regulation 6(15)
Doctors with a connection

7 Recommendations to defer can be made about a doctor if:

   a there is incomplete information on which to base a recommendation to revalidate;

   or

   b they are participating in an ongoing local process the outcome of which needs to be considered before making a recommendation.

8 To submit a recommendation to defer an RO must specify the reason for the deferral (as above); and the period of time for which they wish to defer the doctor’s submission date (up to 12 months).

9 Before making a recommendation the RO should discuss with the doctor how long they will need to collect any outstanding supporting information, or when an ongoing process is likely to conclude, to decide the length of deferral to recommend. The length of the deferral that the RO recommends should be as realistic as possible, taking into consideration all the information available to them at that time.

Doctors without a connection

10 Doctors without a connection, who do not have an RO to make a recommendation to defer, may ask the GMC directly to defer their submission date to give them more time to meet the requirements for their revalidation.

11 In deciding how long to originally defer the doctors submission date for we will have considered what would be a realistic timeframe for them to meet the outstanding requirements taking into consideration all the information available to us at that time.

Our decision

12 After considering the evidence and information provided we will:

   ■ defer the doctor’s submission date, where we consider the doctor’s circumstances are exceptional. We may choose to defer for a longer or shorter period than that requested by the doctor or their Responsible Officer; or

   ■ discuss this with the Responsible Officer and/or doctor, where we do not consider the doctor’s circumstances to be exceptional. We may make a decision to either revalidate the doctor, or start the process of withdrawing the doctor’s licence.

13 If we identify concerns about the systems and processes used to make recommendations and/or the reliability of the recommendations from an RO or Suitable Person we will deal
with this in line with our processes for managing and responding to information about revalidation.

Factors to consider

14 Usually we will only defer a doctor’s submission date once, for a period of up to 12 months. However, we may decide there are exceptional circumstances that justify deferring a doctor’s submission date for an additional period of time.

15 All decisions to defer a doctor’s submission date for a subsequent period will be taken on a case by case basis.

16 Before making our decision to allow a subsequent deferral period we will need to be satisfied that:

- There is a ‘reasonable excuse’ for the doctor not being able to meet the requirements by their current submission date. You should refer to the guidance as to what we may consider when deciding if a doctor has a reasonable excuse.

- The doctor is engaging with the revalidation process; in the case of insufficient evidence, that the doctor has attempted to collect any outstanding information and has considered alternative ways to collect this.

- There is a realistic prospect of the doctor meeting the requirements by their next submission date.

17 We may seek to verify the reason, for example by reviewing data we hold on the doctor’s employment, revalidation, registration and fitness to practise history.

18 For doctors with a RO we would expect the RO to provide this information and they may wish to discuss these cases with their GMC employer liaison adviser.

19 For doctors without a connection we would ask the doctor to provide us with the required evidence.

20 The checklist below asks you to consider if a doctor should be given a subsequent period of time to meet the requirements for revalidation.
<table>
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<th><strong>Checklist</strong></th>
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| **1** | Has the RO* fully explained why they are unable to make a recommendation to revalidate by the current submission date? Does this meet the criteria for deferral in the recommendation protocol?  
If the doctor does not have a connection have they fully explained to us why they are unable to meet all the requirements by their current submission date? |
| **2** | Was the doctor set an appropriate original period of the deferral?  
If no, this may raise issues about the RO’s systems and processes that support revalidation.  
It may still be appropriate to decide to defer the doctor’s submission date, if they have been prevented from fully meeting all of the requirements because of this original decision and the doctor has a ‘reasonable excuse’ for not meeting our requirements. |
| **3** | Is the reason for this recommendation to defer the same as the reason given for the previous period of deferral? Has the doctor’s circumstance significantly changed or something occurred that could not have been anticipated at the time of the original deferral decision?  
Does the doctor have a different ‘reasonable excuse’?  
For example, a doctor who is subject to an ongoing local process who has been informed by their employer that the process will conclude several months later than originally anticipated. In this case the circumstances are beyond the control of the individual doctor and also the RO. |
| **4** | Are you satisfied from the evidence provided that the doctor is engaging with revalidation to the best of their ability? |
| **5** | Are you satisfied from the evidence provided that the doctor has, as applicable:  
- attempted to collect any outstanding information |

* Where we refer to an RO, this should be taken to mean an RO or Suitable Person.
1. Considered alternative ways to collect any outstanding information
2. Provided full details of when and how they expect to obtain any outstanding information, or when they expect an ongoing process to conclude?

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<th>Has the doctor's connection changed recently?</th>
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<td>In this situation it may be appropriate to allow additional time for the new RO or Suitable Person to obtain and review the doctor's information. We would expect this to be a relatively short period of deferral – not more than four months.</td>
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<td>If there is evidence that the doctor is ‘gaming’ their connection to avoid revalidation, for example, they have moved connection more than once close to their submission date, then it may be appropriate to request evidence of their engagement with revalidation direct from the doctor under regulation 6(10) or to start the licence withdrawal process.</td>
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