



A guide for health professionals on how to report a doctor to the GMC

Working with doctors Working for patients

General
Medical
Council

This booklet gives doctors, medical directors, clinical governance managers and other health professionals advice on what action they should take if they have concerns about a doctor.

We provide separate guidance for patients who want to complain about a doctor, and for doctors who have been reported to the GMC.

What is the GMC and what does it do?

Our role is to protect the public by making sure only those doctors with the right knowledge, skills and experience can practise medicine in the UK. We do this in several ways.

- By controlling entry to and maintaining the list of registered and licensed medical practitioners.
- By setting the standards for all stages of medical education and training and ensuring that those standards are met.
- By determining the principles and values that underpin good medical practice.
- By taking firm but fair action against doctors' registration where the standards of *Good medical practice* have not been met.

Any doctor wanting to practise medicine in the UK must, by law, be both registered and hold a licence to practise. Our fitness to practise powers extend to all registered doctors.

When can we take action?

We can take action for a number of reasons:

- misconduct
- poor performance
- a criminal conviction or caution in the UK or elsewhere for an offence that would be a criminal offence if committed in the UK
- physical or mental ill health
- a determination (decision) by a regulatory body, either in the UK or overseas
- lack of the necessary knowledge of the English language to be able to practise medicine safely in the UK.

If we believe that a doctor's fitness to practise may be impaired, we can refer the doctor to the Medical Practitioners Tribunal Service (MPTS) for a hearing.

The MPTS makes impartial decisions about doctors' fitness to practise. It is part of the GMC, but operationally separate and accountable directly to Parliament. If a doctor's fitness to practise is found to be impaired, the MPTS can suspend or remove them from the medical register or place conditions on their registration. The MPTS can also issue a warning to a doctor if their fitness to practise is not impaired but there has been a significant departure from the principles set out in our guidance, *Good medical practice*.

Our role in context

Our role in registering doctors and our fitness to practise procedures are part of a wider system of healthcare regulation in the UK. We recommend that, whenever possible, the public take their concerns through local procedures before reporting a case to us.

Similarly, if a medical professional has concerns about one of their colleagues, we would normally expect them to deal with the problem at a local level first. We always consider carefully any concerns about a doctor that are brought to our attention. If we consider that it would be more appropriate for particular concerns to be considered as part of the doctor's appraisal, we refer the matter to the doctor's responsible officer (who monitors their performance) and tell the doctor to pass it to the local complaints body.

If we decide to investigate concerns further, we will also contact employers to find out whether there are any wider concerns about the doctor's fitness to practise. If you are not sure whether the GMC should be involved, please contact us on 0161 923 6602 and we will advise you.

How can you help?

Most concerns about doctors will be handled locally without involving the GMC. However, you should inform us if there is evidence that suggests the doctor may not be fit to practise.

In the past, we have taken action where a doctor has:

- made serious or repeated mistakes in diagnosing or treating a patient's condition
- not examined a patient properly or not responded to reasonable requests for treatment
- misused information about patients
- treated patients without their consent
- behaved dishonestly in financial matters, in dealing with patients, or in research
- made sexual advances towards a patient
- misused alcohol or drugs.

We consider every case carefully and on its own merits. If you believe a doctor's behaviour is, for whatever reason, putting patients or anyone else at risk of serious harm, you should let us know straight away.

Reporting a doctor

Before you report a doctor to us, you may wish to discuss your concerns with us. You can contact us by calling our helpline on 0161 923 6602 or by emailing practise@gmc-uk.org.

We can tell you if we are the right organisation to deal with the matters you have raised. If we are not the best place to start, we can advise you who else to contact. This may reduce delays and help to make sure that doctors who are not safe are dealt with quickly and effectively.

You may also wish to call our confidential helpline on 0161 923 6399, which is open 9 am–5 pm, Monday to Friday. The helpline is staffed by specially trained advisors and helps doctors to raise concerns or ask for advice if they do not feel able to do so locally.

What will happen if you report a doctor to us?

Ideally we will need the following information in writing, so that we can begin an investigation:

- the doctor's full name and GMC reference number
- the doctor's address, or the address of the hospital or practice where they work
- a full account of the events that concern you, with dates if possible
- copies of any relevant papers and any other evidence you have
- details of any action that has already been taken locally in response to the concerns
- details of anyone else who will support the complaint.

If you are concerned that by providing information, you may be breaching patient confidentiality, you may wish to take advice from the GMC, your defence organisation or your union. If we decide to act on your concerns, we may ask you for permission to show the doctor your letter or statement. If the case proceeds to a formal hearing, you might be asked to attend as a witness. If you are, we will pay your expenses for attending the hearing.

Time limits

We do not normally investigate complaints about matters that took place more than five years previously, unless we consider that it is in the public interest to do so.

What we can't do

Our legal powers let us take action if there is evidence that it is necessary to remove or restrict the doctor's right to practise. But there are instances when we cannot act. In particular, we can't:

- deal with concerns or complaints about nurses, pharmacists, dentists, opticians, hospital or practice managers or administrative staff, or anyone who is not a registered doctor (other healthcare professionals have their own regulatory bodies and complaints procedures)
- provide advice on standards of practice applicable to other healthcare professionals (the regulatory bodies for those professions will be able to help)
- arbitrate in practice or departmental disputes
- intervene in local disciplinary procedures
- provide advice to doctors whose employers are considering taking action against them (doctors in this position should consult their medical defence organisation or the British Medical Association)
- make a doctor apologise to a patient or professional colleague
- order a doctor to provide a patient with the treatment they want
- pay compensation to a patient or fine a doctor.

Our procedures are explained in full in our factsheet *The GMC's fitness to practise procedures*, which can be downloaded from our website at www.gmc-uk.org/concerns.

Advice for healthcare organisations

The National Clinical Assessment Service (NCAS) can advise healthcare organisations on:

- the handling of concerns
- the professional performance of individual doctors
- effective local systems for handling poor performance.

It will also carry out assessments of doctors if there are concerns about poor professional performance but patient safety is not considered to be at sufficient risk to call into question the doctor's fitness to practise without restriction.

NCAS (England)

Area 1C, Skipton House, 80 London Road, London SE1 6LH

Telephone: 020 7972 2999

NCAS also has offices in Wales and Northern Ireland. For contact details, see www.ncas.npsa.nhs.uk. Health professionals in Scotland should speak to their health board's medical director about any concerns.

Other GMC publications

You can find the following publications on our website at www.gmc-uk.org/publications.

- *A guide for doctors reported to the GMC*
- *How to complain about a doctor*
- *Raising and acting on concerns about patient safety*

We also have a range of factsheets at www.gmc-uk.org/concerns.

- *The GMC's fitness to practise procedures*
- *Warnings*
- *Health assessments*
- *Undertakings*
- *Investigating concerns*

You can also find information about performance assessments on our website at www.gmc-uk.org/performance_assessments.

Email: gmc@gmc-uk.org

Website: www.gmc-uk.org

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Textphone: **please dial the prefix 18001** then
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