What to do if you are referred to the GMC

1. **Why might a referral happen?**

Any doctor can be referred to the GMC. Patients and their families, whistleblowers or colleagues can write in with a complaint or employers, the police, pharmacies and others can refer. Common reasons for complaints and referrals include poor clinical care, dishonesty, criminal convictions or cautions or other unprofessional behaviour and misconduct. If you have a health problem which may put patients at risk, and do nothing to protect them, this may also be a reason for GMC referral. Prescriptions for yourself or your family and friends may also result in a referral.

**When you might self-refer**
If you have been convicted or cautioned by the police for any offence then you need to let the GMC know, and follow the guidance below about letting other people know. If you believe that you have a health problem (including mental health) which may compromise your care of patients, then you also should let the GMC know.

**GMC Process after a complaint or referral**
The GMC can investigate if concerns are raised that may suggest a doctor’s fitness to practise is impaired. This may be for a number of reasons:
- misconduct
- poor performance
- a criminal conviction or caution in the UK (or elsewhere for an offence which 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.

If following an investigation, the GMC concludes that a doctor’s fitness to practise is impaired they can:
- issue a warning which remains on the doctor’s registration for 5 years
- agree undertakings with the doctor
- place conditions on their registration
- suspend their registration
- remove them from the medical register

For an explanation of the referral and investigation process, see here

It is important to know that more than half of complaints received by the GMC are assessed and closed immediately without being opened as full investigations.

2. **What should you do when you hear that you have been referred to the GMC or there has been a complaint about you to the GMC**

It is very important that you tell your Employer, School and Health Education Thames Valley (HETV, Oxford Deanery) about the complaint or referral. This is for three reasons.
1. You will find this a very stressful experience and will need a lot of support. This can come initially from your Educational Supervisor, but only if you let them know.

2. There may be implications for your employment. If there needs to be a discussion about whether you should continue working or some restrictions need to be put on your practice, for example if you have a health problem, this can only be decided by your employer, which is the Trust / GP practice and not HETV (Deanery).

3. There may also be implications for your training. So the School and HETV need to know.

The GMC will generally make enquiries in any case of your employer and HETV, so it is best if you tell them first. Therefore you should let the following people know about the complaint or referral.

1. Your Educational Supervisor
2. Your Director of Medical Education (the doctor responsible for trainees within the trust)
3. Your Head of School (or Training Programme Director)
4. The Postgraduate Medical Dean

You do not need to divulge full details unless you want to talk about the issue. However enough information needs to be discussed to support you and decide if you should take some time out of work.

If you are reported to the GMC you should contact your medical defence organisation straight away. They are a good source of advice and can offer you legal support if you need it. If you are not a member of a defence organisation, you could contact the British Medical Association or another professional organisation of which you are a member. They may not be able to provide legal representation but they are a good source of expert advice and support.

3. During a GMC Investigation

If the GMC does investigate the complaint or referral, then it may take some time. During this time, depending on the issue involved, you may need some time off work or local restrictions may be put on your practice.

Health Problems –
If there are health concerns, you will need to see your GP and the Occupational Health Department. They may recommend some sick leave. You will need to let all the parties above know about this.

Conduct problems –
If there has been a serious departure from normal professional behaviour, the trust may wish to exclude you for a time while any local and/or GMC investigation is on-going. This may have an impact on your training, and might interfere with any planned training rotation during this time. Again it is important that the employer and HETV are fully informed at all times.

4. Support available

Most GMC referrals do not result in warnings, undertakings, conditions, suspension or erasure from the register. They are therefore learning experiences, but very stressful ones. You should be reflecting on the case in your portfolio as well as completing all the ARCP/RITA documentation with information about the complaint/referral.
You should actively seek support from your trainers and school during this process. The following should be able to help you.

1. Educational Supervisor – they will be able to give you time to discuss the case/complaint and help you to formulate a reflection on the incident as well as supporting you.

2. The Career Development Unit at HETV (http://www.oxforddeanerycdcu.org.uk/). They will provide expert mentors and coaches to talk to you and support you through the process. You can refer yourself directly or you can ask your Educational Supervisor or Training Programme Director to refer you.

3. BMA Doctors for Doctors provide a dedicated confidential emotional support to any doctor involved in a fitness to practise investigation. The service is open to any doctor, whether or not you are a BMA member, and is free of charge. Call 020 7383 6707 or email doctorsupportservice@bma.org.uk

5. Further Information

Further information about the whole process can be found on the

GMC website in the referral section
http://www.gmc-uk.org/concerns/doctors_under_investigation/a_guide_for_referred_doctors.asp

Good Medical Practice and other important information about doctors and professionalism can be found at http://www.gmc-uk.org/guidance/good_medical_practice.asp

There are also scenarios and interactive case studies about what constitutes fitness to practise concerns, and what happens when doctors don’t follow Good Medical Practice guidance http://www.gmc-uk.org/guidance/21204.asp and http://www.gmc-uk.org/gmpinaction/