

# General Medical Council

Regulating doctors  
Ensuring good medical practice

## Employer Liaison Service

### Meeting Note

|          | Date                                           | Meeting location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Attendees                                                                    |
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|          | 10/12/2013                                     | NHS Tayside, Nine Wells Hospital,<br>Dundee, DD3 8EA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Andrew Russell<br>(RO, NHS<br>Tayside)<br>and<br>Willie Paxton<br>(ELA, GMC) |
| <b>1</b> | <b>GMC update</b>                              | <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Actions</b>                                                               |
|          | a) Restriction Banks:<br>IOP/FTPP/Undertakings | <p>a) Involving ROs in reviewing our restriction banks. We are currently reviewing our conditions and undertakings banks and associated glossary of terms as part of the broader review of the Indicative Sanctions Guidance. We intend to review the restriction banks to ensure they accurately reflect:</p> <p>a the intended purpose of limitations on a doctor's registration</p> <p>b the changing nature of the workplace where doctors practise under restrictions.</p> <p>We will run a public consultation in the summer of 2014 to encourage key stakeholders to share their views.</p> <p>AR fed back that while there are no big issues about the wording of the various restrictions, there can be issues for ROs in assuring compliance. It is easier if the RO is the employer and is managing the doctor, harder in the non-managed</p> | <p>a) WP will feed back comments to review.</p>                              |

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|          | <p>b) GMC Language testing</p> <p>c) APS Annual Reviews - Scotland</p> | <p>sector. Also noted that restrictions made do not always guarantee patient safety, for example if the subject is to be supervised by a younger, less experienced consultant colleague.</p> <p>b) The GMC is to begin language testing EEA doctors where required. Government plans to give GMC new powers to check the language skills of doctors from Europe, where concerns have been identified during our registration process. GMC has argued for some time that if doctors cannot speak English to a safe standard then we must be able to protect patients by preventing them from practising in the UK. We already run PLABs for non-EEA doctors. The Medical Act will be amended.</p> <p>c) APS Annual reviews – Scotland. Investigation and Intelligence Advisers from GMC Registration and Revalidation Directorate have been writing out. Still waiting for response from NHS Tayside. We have sent out reminder letters to this organisation and to date have not received any reply. Are you having any problems with completing the self-declaration?</p> | <p>c) AC will ensure an early return is made.</p> |
| <b>2</b> | <b>Local update</b>                                                    | <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Actions</b>                                    |
|          | None                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                   |
| <b>3</b> | <b>Update on non case actions from last meeting</b>                    | <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Actions</b>                                    |
|          | None                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                   |
| <b>4</b> | <b>Doctors with cases closed since the last meeting</b>                | <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Actions</b>                                    |
|          |                                                                        | <p>COMPLAINT – CAT E 2013 – CAT E . CAT E - CE Decision - Case closed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                   |

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|   |                                | COMPLAINT – CAT E 2013 – CAT E – NHS Tayside.<br>CAT E 2013 - CE Decision - Case closed.                                                                                                                       |                                                                                                       |
|   |                                | COMPLAINT – CAT E 2013 – CAT E – NHS Tayside.<br>CAT E 2013 - Case Closed NFA.                                                                                                                                 |                                                                                                       |
|   |                                | COMPLAINT – CAT E 2013 – CAT E – NHS Tayside.<br>CAT E 2013 - CE Decision - Case closed.                                                                                                                       |                                                                                                       |
|   |                                | COMPLAINT – CAT E 2013 – CAT E – NHS Tayside.<br>CAT E 2013 - Case closed NFA.                                                                                                                                 |                                                                                                       |
| 5 | Doctors with current GMC cases | Notes                                                                                                                                                                                                          | Actions                                                                                               |
|   |                                | COMPLAINT – CAT E 2012 – CAT E CAT E.<br>CAT E 2013 - CE Decision – RPT not met re FtP impairment. Warning disproportionate. The case can be closed with no further action. Awaiting closure. No Restrictions. | CAT E CAT E<br>CAT E Had discussion three weeks ago. WP to inform IO.                                 |
|   |                                | UNDERTAKINGS - REFERRAL – CAT E 2011 – CAT E CAT E 2013 - no plans to return to clinical practice. However, not planning to apply for VE. Remains subject to Undertakings.                                     |                                                                                                       |
|   |                                | COMPLAINT – CAT E 2013 – CAT E – NHS Tayside & CAT E CAT E.<br>Employers - no concerns. Awaiting CE Decision - No Restrictions.                                                                                |                                                                                                       |
|   |                                | COMPLAINT – CAT E 2013 – CAT E – Ninewells Hospital – NHS Tayside. GMC continues to collect information – investigation continues. No Restrictions.                                                            | NHS Tayside to undertake Significant Clinical Event Analysis (SCIA) – local investigation of systems. |
|   |                                | CAT E – REFERRAL – CAT E 2012 – CAT E CAT E NHS Tayside.<br>CAT E 2013 - GMC wrote offering VE. No response to date. No Restrictions.                                                                          |                                                                                                       |

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|  |  | COMPLAINT – <b>CATE</b> 2013 – <b>CATE</b><br><b>CATE</b><br><b>CATE</b> & NHS Tayside.<br>Awaiting replies from disclosures &<br>medical records.<br>No Restrictions.                                                                                   |                                                                                                     |
|  |  | COMPLAINT – <b>CATE</b> 2013 –<br><b>CATE</b> – NHS<br>Tayside.<br>GMC Collecting information –<br>investigation continues.<br>No Restrictions.                                                                                                          |                                                                                                     |
|  |  | COMPLAINT – <b>CATE</b> 2013 –<br><b>CATE</b> – NHS<br>Tayside.<br>GMC Collecting information –<br>investigation continues.<br>No Restrictions.                                                                                                          |                                                                                                     |
|  |  | COMPLAINT – <b>CATE</b> 2013 – GP –<br>NHS Tayside (prior to <b>CATE</b> retirement,<br><b>CATE</b> was an <b>CATE</b><br><b>CATE</b> and therefore not employed<br>by the Board).<br>Medical Records - Awaiting medical<br>records.<br>No Restrictions. |                                                                                                     |
|  |  | COMPLAINT – <b>CATE</b> 2013 –<br><b>CATE</b> – NHS Tayside.<br>Awaiting replies from disclosures &<br>medical records.<br>No Restrictions.                                                                                                              | Employer<br>disclosure<br>required.                                                                 |
|  |  | REFERRAL – <b>CATE</b> 2013 – <b>CATE</b><br><b>CATE</b><br>Awaiting draft particulars –<br>investigation continues.<br>No Restrictions.                                                                                                                 |                                                                                                     |
|  |  | COMPLAINT – <b>CATE</b> 2013 – <b>CATE</b><br>– NHS Tayside.<br>Awaiting decision based on expert<br>reports.<br>No Restrictions.                                                                                                                        |                                                                                                     |
|  |  | REFERRAL – <b>CATE</b> 2013 – <b>CATE</b> NHS<br>Tayside (IOP suspended).<br><b>CATE</b><br><b>CATE</b> .<br>Awaiting further information from<br>Trust.<br>IOP suspended.                                                                               | Board seeking<br>to terminate<br>employment <b>CATE</b><br><b>CATE</b><br>AR to keep WP<br>updated. |
|  |  | REFERRAL – <b>CATE</b> 2013 – <b>CATE</b><br><b>CATE</b><br><b>CATE</b><br><b>CATE</b> – no proceedings. GMC lower                                                                                                                                       |                                                                                                     |

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|  |  | standard of proof. Case will be investigated further. GMC Collecting information – investigation continues. IOP Conditions.                                                                                 |                                                              |
|  |  | COMPLAINT – CAT E 2013 – [REDACTED] – NHS Tayside.<br>Awaiting NHS Tayside Employer Disclosure and medical records.<br>No restrictions.                                                                     | Employer disclosure required.                                |
|  |  | COMPLAINT – CAT E 2013 – [REDACTED] – NHS Tayside.<br>Awaiting medical records and NHS Tayside employer response.<br>No Restrictions.                                                                       | Employer disclosure required.                                |
|  |  | COMPLAINT – CAT E 2013 – CAT E [REDACTED] – Ninewells Hospital - NHS Tayside.<br>Employer Disclosure– No concerns<br>Medical records have been received.<br>Await the expert report.<br>No Restrictions.    |                                                              |
|  |  | REFERRAL – CAT E 2013 – [REDACTED] – NHS Tayside.<br>CAT E 2013 - FTP hearing - suspended for six months.<br>CAT E 2013 – FtP Panel suspended for 12 months. Remains Suspended.                             |                                                              |
|  |  | COMPLAINT – CAT E 2013 – NHS Tayside.<br>Employer Disclosure - NHS Tayside – Awaiting response from CAT E [REDACTED] to formal request for the information under Sect 35.<br>No Restrictions.               | WP to check relationship with NHS Tayside – CAT E [REDACTED] |
|  |  | <b>UNDERTAKINGS</b> - REFERRAL – CAT E 2006 – CAT E [REDACTED] – Ninewells Hospital - NHS Tayside.<br>Reports indicate doctor fully compliant with undertakings - no concerns.<br>CRT continues to monitor. |                                                              |
|  |  | REFERRAL – CAT E 2011 - CAT E [REDACTED] – NHS Tayside.<br>Preparing for FTP Panel hearing.<br>No Restrictions.                                                                                             |                                                              |
|  |  | COMPLAINT – CAT E 2013 – [REDACTED] – NHS Tayside.<br>Awaiting medical records and NHS                                                                                                                      | Employer disclosure required.                                |

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|          |                                                   | Tayside employer response.<br>No Restrictions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                               |
|          |                                                   | COMPLAINT – CAT E 2013 – [REDACTED] –<br>NHS Tayside.<br>Awaiting NHS Tayside employer<br>response and medical records.<br>No restrictions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Employer<br>disclosure<br>required.                                           |
| <b>6</b> | <b>Press Cuttings<br/>enquiries</b>               | <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Actions</b>                                                                |
|          | None                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                               |
| <b>7</b> | <b>Local issues</b>                               | <b>Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Actions</b>                                                                |
|          |                                                   | <p>a) Currently undergoing an internal review. This may lead to an external review.<br/>Previously agreed to leave with AR meantime. Difficulties scheduling critical incident review. Intend to proceed with this.</p> <p>b) [REDACTED] was disconnected from [REDACTED] CAT E [REDACTED] on CAT E 13 and then connected to NHS Tayside on CAT E/13. [REDACTED] revalidation submission date was CAT E 13. The revalidation submission was overdue and we needed a submission from AR as we could not retrospectively accept a submission from [REDACTED] CAT E [REDACTED].</p> <p>While GMC fully appreciated that this situation is not of NHS Tayside's making, under the RO regulations, we did need a submission. We wanted to avoid any unnecessary distress to the doctor if possible.</p> <p>AC confirmed that [REDACTED] has sought 6 month deferment.</p> | <p>a) AR will continue to monitor progress and update WP at next meeting.</p> |
|          | c) Confidential discussion re local Neurosurgeon. | c) AR had chaired significant event analysis following evidence of wrong level surgery – serious concerns. AR commissioned external RCS review into performance of local Neurosurgeon. In addition to performance concerns, issues of probity regarding gaining informed consent from patients subject to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | c) AR will make PAPC FtP referral to WP by end of week.                       |

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|          |                          | second, corrective surgical procedures. AR has restricted current practise and will meet surgeon to suspend today (10Nov2013). |  |
| <b>8</b> | <b>AOB</b>               |                                                                                                                                |  |
|          |                          |                                                                                                                                |  |
|          |                          |                                                                                                                                |  |
| <b>9</b> | <b>Next meeting date</b> | <b>Wednesday 23 April 2014, 12.00 to 13.30, Ninewells Hospital, Dundee DD3 8EA.</b>                                            |  |