

The GMC process for handling complaints

This section tells you what to expect if you make a complaint to the GMC, breaking down the process stage by stage.

1. First contact

You can raise concerns about a doctor to the GMC by:

- writing to us at the General Medical Council Fitness to Practise Directorate, 3 Hardman street, Manchester, M3 3AW
- emailing practise@gmc-uk.org
- completing our online complaints form.

If you have any questions you can talk to our contact centre who will be happy to help you.

2. What we will need

- the doctor's name and work address
- an explanation of your concerns - with dates
- copies of supporting documents such as relevant medical records
- the names and addresses of anyone else who can support the facts around your concerns.

Please note that it will be difficult for us to investigate a complaint if you want to remain anonymous.

3. What will the GMC do when it receives my complaint?

We review all complaints carefully to see if there are issues that we need to investigate.

In some instances, we may decide to carry out a provisional enquiry. A provisional enquiry is a limited, initial enquiry at the outset of the process which helps us to decide whether to open an investigation.

In some cases, it will be clear from the start that it is not appropriate for us to investigate - for example, because

- it is not about a doctor, or
- because the case clearly falls outside our criteria for taking action against a doctor.

If we decide that the issues raised in your complaint do not raise serious concerns about a doctor's fitness to practise, we will still write to the doctor's employers to let them know about it.

If the doctor is employed within the NHS, we let the employer take what action they consider appropriate under their local procedures and ask them to report back to us if there are matters that may require us to take action to protect the public.

If the doctor works as a locum, or in a private setting, we will ask the doctor's employer whether they know of any other concerns about the doctor, before we decide whether we can conclude the case or whether we need to carry out other enquiries.

How long will it take for the GMC to consider my complaint?

We appreciate that making a complaint can be stressful, so we will try to consider your complaint as quickly as we can. We aim to send you a reply, or progress report, within two weeks of receiving your complaint. If we decide to investigate your complaint, then the time taken to reach a final decision will depend on a number of factors:

- The amount of evidence required
- The complexity of a case
- Whether or not a case is referred to a medical practitioners tribunal.

The investigation officer dealing with your complaint will keep you informed of the progress of your complaint.

4. Investigation stage

If we do decide to investigate, we will need to show the doctor your complaint.

Once we have received his or her comments, we will give you a chance to respond. We will also send you a factsheet that explains the procedures in more detail.

Once we have collected the information we need, the case will be considered by two case examiners (one is medical, the other non-medical) who are senior GMC staff.

5. The case examiners

The case examiners will consider whether or not the concerns are serious enough for the doctor to attend a hearing. Each case will be considered carefully and one of the following outcomes agreed:-

- to close the case without taking any further action
- to issue the doctor with a warning
- to agree 'undertakings', for example the doctor may agree to retrain or work under supervision
- to refer the doctor to a medical practitioners tribunal.

6. Interim Orders Tribunal

At any stage in the process we may refer the doctor to the Interim Orders tribunal (IOT) of the Medical Practitioners Tribunal Council.

The IOT has the power to suspend or impose conditions on the doctor's registration while the investigation continues.

7. Medical practitioners tribunal

The final stage of the complaints procedure is a hearing before a medical practitioners tribunal run by the Medical Practitioners Tribunal Service. The tribunal hears evidence and decides whether a doctor's fitness to practise is impaired.

If the tribunal concludes that a doctor's fitness to practise is impaired it may:

- take no action
- accept undertakings offered by the doctor provided the tribunal is satisfied that such undertakings protect the public and the wider public interest
- place conditions on the doctor's registration - so that they are only allowed to do medical work under supervision, or so that they are restricted to certain areas of practice

- suspend the doctor's registration – so that they cannot practise during the suspension period
- erase the doctor's name from the Medical Register, so that they can no longer practise at all.

If a tribunal concludes that the doctor's fitness to practise is not impaired, it may decide to issue a warning to the doctor.

Medical practitioners tribunals meets in public, except when considering evidence relating to a doctor's health.