

20 December 2016

Our ref: F16/8551/LG

General  
Medical  
Council

'James'

3 Hardman Street  
Manchester M3 3AW

**By email only to:** [request-367859-6278f555@whatdotheyknow.com](mailto:request-367859-6278f555@whatdotheyknow.com)

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Dear James

### Information request review

As you are aware, your email of 23 November 2016 has led to us reviewing our original response to your information request. I have now reviewed this matter.

### Chronology

Your original request sent by email on 15 November 2016 asked as follows:

*'When a doctor does not comply with GMC good medical practice and principles but does not breach the Medical Act 1983 - what is the decision making process to investigate concerns and the likely outcome if a doctor is found not to comply GMC good practice?'*

*'Does the GMC receive money from companies and individuals in any format, ie, commercial contracts, consulting, individual memberships. Can you also clarify the details of how the GMC is funded and if money is received from third-party companies and individuals then can you confirm how much profit is generated from companies and individuals.'*

This request was allocated our request reference number F16/8551/LG. Louise Gormley responded to your request on 22 November 2016.

Ms Gormley stated as follows:

*'In respond to your request I refer you to our Annual reports, which include full financial statements:*

*[http://www.gmc-uk.org/publications/corporate\\_publications.asp#Annualreport](http://www.gmc-uk.org/publications/corporate_publications.asp#Annualreport)*

*Information about our investigation process can also be found on our website:*

*[http://www.gmc-uk.org/concerns/the\\_investigation\\_process.asp](http://www.gmc-uk.org/concerns/the_investigation_process.asp)*

## **My review**

I have considered all the correspondence on this matter leading up to your request for an internal review.

In your email of 23 November 2016 you stated as follows:

*'The GMC and Information Officer are persistently evading answering the questions and the information provided is evasive.*

*I repeat my question:*

*1. When a doctor does not comply with GMC good medical practice and principles but does not breach the Medical Act 1983 - what is the decision making process to investigate concerns and the likely outcome if a doctor is found not to comply GMC good practice?*

*Note: I have been provided a link to GMC policy in regards to fitness to practice but, this does not answer my question.'*

The answer to your question is not straightforward – it will depend on various factors including the nature of the breach of *Good Medical Practice*. Our investigation process is set out here: [http://www.gmc-uk.org/concerns/the\\_investigation\\_process/investigating\\_concerns.asp](http://www.gmc-uk.org/concerns/the_investigation_process/investigating_concerns.asp)

The link provided by Ms Gormley was relevant in that it provided information about the guidance used by the GMC's decision makers when deciding how to deal with the circumstances of a particular complaint. Here is a further link to that particular set of guidance: [http://www.gmc-uk.org/concerns/the\\_investigation\\_process/decision\\_makers.asp](http://www.gmc-uk.org/concerns/the_investigation_process/decision_makers.asp)

If a complaint is deemed to be sufficiently serious to merit the doctor needing to attend a hearing the guidance used by the decision makers at a Tribunal hearing is here: [http://www.mpts-uk.org/DC4198\\_Sanctions\\_Guidance\\_23008260.pdf](http://www.mpts-uk.org/DC4198_Sanctions_Guidance_23008260.pdf)

In summary, we have a wide range of guidance used to assist our decision makers in assessing the circumstances of a particular complaint and what action should be taken. Each complaint will be considered on its merits and the action taken on each will be dependent on the view of the decision makers based on the guidance linked above.

## **Further action**

I appreciate that you will be disappointed with my response on this matter. Specifically in relation to the FOIA you do have a further right of complaint to the Information Commissioner's Office, the regulator of the Act. Their contact details are as follows:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel. no: 0303 123 1113  
Email: [mail@ico.gov.uk](mailto:mail@ico.gov.uk)

Yours sincerely

A handwritten signature in black ink, appearing to be 'J Graves', written over a circular stamp or seal.

Julian Graves  
Information Access Manager  
Tel. no: 0161 923 6351  
Email: [jgraves@gmc-uk.org](mailto:jgraves@gmc-uk.org)