

Appointment of Chair of the Medical Practitioners Tribunal Service

Information for applicants

May 2025

*This information pack is available in alternative formats such as large print or Welsh language. Please
contact emma.clark@gatenbysanderson.com*

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Overview

Key dates: Closing date: 5pm Monday 2 June
Preliminary interviews: w/c 16 June
Shortlisting outcomes communicated by: 27 June
Final interviews: w/c 21 July
Appointment commences: as soon as possible

Eligibility: Please see Annex B

Remuneration: £167,121 per annum, pro rata.

Time commitment: Circa 2 days per week

The vacancy is for a lay MPTS Chair and applicants must not hold, or have previously held, a GMC registration.

For a confidential discussion about the role, please contact our advising consultants at GatenbySanderson:

Duncan.ewart@gatenbysanderson.com

Katrina.paget@gatenbysanderson.com

About the Medical Practitioners Tribunal Service

Our role

We run hearings that make independent decisions about whether doctors, physician associates (PAs) and anaesthesia associates (AAs) are fit to practise in the UK.

Our tribunals can restrict a doctor's, PA's or AA's practice, or stop them from working in the UK.

What do we do?

We run medical practitioners tribunal hearings and interim orders tribunal hearings for doctors and associate tribunals and interim measures tribunals for PAs and AAs. To do this, we:

- ▶ make sure tribunal's decisions meet our high standards
- ▶ appoint, appraise and train:
 - ▶ tribunal members
 - ▶ legally qualified chairs
- ▶ schedule hearings
- ▶ facilitate pre-hearing meetings
- ▶ give administrative support to tribunals during hearings
- ▶ update [the GMC registers](#) and publish the records of public hearings
- ▶ provide information about [upcoming hearings](#).

Our hearings

We usually hold several hearings a day, most of which are open to the public. These can take place either in person or virtually.

We conduct hearings according to the [Medical Act 1983, the Anaesthesia Associates and Physician Associates Order 2024 and other statutory rules](#).

Find out more about how hearings work for [doctors](#) and for [PAs and AAs](#).

Our relationship with the GMC

We're accountable to the GMC's Council and the UK Parliament and operate separately from the GMC.

For more information about the MPTS, please go to www.mpts-uk.org

MPTS Statutory Committee

The role of the Committee

Our Committee is responsible for providing a hearings service that is efficient, effective and clearly separate from the investigatory role of the General Medical Council. The Committee oversees the delivery of the hearing service for doctors, physician associates and anaesthesia associates. It ensures the service meets its responsibilities under the Medical Act and The Anaesthesia Associates and Physician Associates Order.

It is a statutory committee made up of five members, two of whom are medically qualified. Two committee members are also tribunal members. The Committee is accountable to GMC Council and the UK Parliament. It is bound by a [code of conduct](#). Details of how the MPTS Committee is composed are set out in [The General Medical Council \(Constitution of the Medical Practitioners Tribunal Service\) Rules Order of Council 2015](#).

The Committee has the responsibility for producing an annual performance report to Parliament. It also ensures the quality of decisions, and that guidance is set for tribunals. See the [full list of the committee's responsibilities](#).

The Committee meets four times a year.

The current members of the Committee are:

- ▶ Vacancy, Chair of the MPTS Committee
- ▶ Gill Edelman (Lay member – external)
- ▶ Barbara Larkin (Lay tribunal member)
- ▶ Stephen Webb (Registrant member – external)
- ▶ Richard Vautrey (Registrant tribunal member)

For more information about our Committee please visit:

<https://www.mpts-uk.org/about/how-we-work/mpts-statutory-committee>

Overview of the role of the MPTS Chair

Role specification for the Chair of the MPTS

The MPTS vision is to provide a modern tribunal service that is effective, fair and impartial.

A service that:

- ▶ Makes high quality, well-reasoned, independent decisions to protect the public.
- ▶ Treats all tribunal service users with respect and fairness.
- ▶ Uses modern technology to enhance the efficiency and effectiveness of running hearings.
- ▶ Shares its knowledge and makes a positive contribution to the future direction of adjudication.

Essential requirements

1. Ability to provide strong leadership, working with both internal colleagues and external stakeholders.
2. Ability to drive equality, diversity and inclusion (ED&I) and fairness throughout MPTS activities including robust quality assurance of the fairness of decision making.
3. Ability to communicate effectively and influence others.
4. Ability to command the confidence and support of the MPTS' key stakeholders.
5. Ability to understand and act on the priorities of the MPTS' key stakeholders.
6. You should subscribe to and follow the Nolan principles of public life.

Desirable requirements

- a Desirable to have served in a judicial office.
- b Have proven experience of running an effective operation, for example within the Tribunal Service, Courts Service or similar jurisdiction.
- c A proven track record of senior level experience in a large and complex organisation ideally in the public and / or not for profit sector.
- d High level governance skills with experience of strategic planning and of providing strong leadership, ensuring good governance, effective performance and risk management.

Responsibilities

Overall, the Chair will be responsible for assuring the quality of tribunal decision-making and ensuring that the MPTS is run efficiently and effectively within its operational budget.

More specifically:

- ▶ **Quality assurance** – ensure the quality and fairness of decision-making by tribunals through robust quality assurance mechanisms and the training and development of tribunal members
- ▶ **Relationship management** - Advocate for the MPTS and develop and maintain strong and collaborative relationships with all the MPTS' key interest groups, to ensure confidence in the effectiveness and fairness of the MPTS' activities.
- ▶ **Robust governance** - The Chair will be required to ensure that robust governance is maintained. This includes responsibility for reporting to the General Medical Council and Parliament, maintaining operational separation between the GMC's fitness to practise functions and the MPTS' adjudication functions, and participating in the GMC/MPTS Liaison Group meetings. The Chair will submit a report to Council on behalf of the MPTS Committee twice a year summarising the MPTS' activities and highlighting any significant issues that have arisen during the reporting period. The report will be made available to the public. This will include information on the nature and volume of cases referred to the MPTS, on the exercise of MPTS functions including quality assurance and equality, diversity and inclusion, and on learning points identified and actions taken to address these.
- ▶ **Guidance** – The Chair will be responsible for the provision of appropriate guidance either informally or through public guidance on matters relating to the business of the MPTS.
- ▶ **Leadership of the operations of the MPTS** – The Chair will have an important role in leading the development and maintenance of the high-performing organisational culture of the MPTS. This will require the Chair to provide strong leadership and vision to the MPTS Committee, tribunal members and MPTS staff, ensuring that the service operates effectively.

Ensuring fairness and transparency

Fairness is an integral part of all our role as an adjudicator and employer and includes ensuring fairness in the context of this appointments process. For example, we:

- ▶ have built flexibility into the role to ensure it is as inclusive as possible.
- ▶ have proactively taken steps to promote this role to welcome and encourage a diverse range of applicants from the widest possible talent pools, who can bring diversity of experience, ideas and perspectives.
- ▶ are a Disability Confident employer and offer applicants an interview who meet the essential criteria for this post.
- ▶ ensure that the appointments process is as accessible as possible and provide adjustments to support candidates. Please contact Emma Clark (emma.clark@gatenbysanderson.com) as soon as possible to discuss how we can support you.
- ▶ have ensured the appointments process is fair and transparent, and free from bias and discrimination, for example, anonymising applications to reduce bias.
- ▶ monitor diversity at all stages of the appointments process so we would be really grateful if candidates could complete the diversity monitoring form. This enables us to identify any trends or issues that we might need to act on during each stage of the appointments process. Providing this information is optional and will be treated as strictly confidential and held securely in line with data protection and other relevant information. It will not be seen by anyone directly involved in the selection process and will not be treated as part of your application. No information will be published or used in any way which allows any individuals to be identified.

Please take a look at our [dedicated equality, diversity and inclusion \(ED&I\) webpages](#) if you are interested in finding out more about how we drive ED&I and fairness throughout our activities.

Terms and Conditions

Appointment: The post is a public appointment or statutory office rather than a job and is not subject to the provisions of employment law.

As part of our appointment process, the successful candidate will be required to prove their right to work in the UK and undertake a criminal background check. Shortlisted candidates will be asked to provide the relevant paperwork at final interview.

Location: The role will be based at the MPTS hearing centre in Manchester though there will be some flexibility to work from home. The Chair will also be required to travel occasionally to the GMC's London offices.

Remuneration, benefits, relocation: £167,121 per annum (full time equivalent remuneration) pro rata to c. 2 days per week. The Chair will be eligible to claim reasonable travel and subsistence expenses in accordance with the current GMC Associates' Expenses Claim Policy and Procedure. Support for relocation or travel/accommodation costs will be considered. This role is not pensionable.

Time commitment: circa 2 days per week on a flexible basis.

The final appointment terms and conditions, including travel/accommodation support, to be approved by the GMC Remuneration Committee.

Duration of appointment: 4-year fixed term. Reappointment will be dependent on a review of the postholder's performance and the needs of the organisation by the Chair of GMC Council.

Induction: A comprehensive induction programme will be provided on specific dates to be confirmed.

Note: Impact of appointment on people in receipt of benefits. Your appointment may have an effect on your entitlement to benefits. If you are in receipt of benefits, you should seek advice from the Department for Work and Pensions.

The MPTS conducts as much of its business as possible through electronic media. You should therefore expect to have access to and be able to use PC based software, email and the internet.

Eligibility and disqualification criteria

The criteria for disqualification from appointment as a member of the MPTS are set out in The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015 included in Annex B. Please read this carefully before you submit an application.

Conflicts of interest

Any actual or perceived conflicts of interest will be fully explored by the selection panel at shortlisting or interview stage. As the GMC and MPTS are independent of government we would expect any successful candidate considered for appointment who holds a role

in public service which could potentially cause a conflict of interest to be advised that acceptance is conditional on standing down from that body if appropriate.

If you are successful in being appointed, you should note particularly the requirement to declare any conflict of interest that arises in the course of GMC business and the need to declare any relevant business interests, positions of authority or other connections with organisations relevant to the business of the GMC. Further information on what we would consider to be a conflict can be found [on our website](#); and in the [PSA's Good practice in making Council appointments](#). If you have a specific question relating to conflicts of interest, please contact [Melanie Wilson](#), Head of Corporate Governance/Council Secretary.

Timetable

Closing date	5pm Monday 2 June
Preliminary Interviews (Microsoft Teams)	w/c 16 June
References requested and Due Diligence	Between 28 June & 14 July
Panel Interviews	w/c 21 July
Appointment commences	As soon as possible

How to apply

This is an online application process.

Please submit the following by the deadline for applications:

- ▶ An up-to-date copy of your CV
- ▶ A supporting statement of no more than 1500 words, explaining your motivation for the application and addressing the essential and desirable criteria in the Person Specification, giving specific and detailed examples of achievements and skills to demonstrate how you can address these
- ▶ The names and contact details for 2 referees. NB: we will not contact referees without your prior consent
- ▶ Details of any dates that you are unavailable during the indicative timetable

As part of your application, you will be asked to complete the Diversity Monitoring Form on the GatenbySanderson website this will appear on screen as part of your application (see page 10 for further information on how this is used).

You must submit your application by **5pm on Monday 2 June**.

We regret that late applications will not be accepted.

If you need to submit an application via a different route, please contact Emma Clark at GatenbySanderson to discuss this (emma.clark@gatenbysanderson.com)

Disability Confident

The GMC is a Disability Confident organisation playing a role in changing attitudes for the better. We make sure that disabled people and people with long term health conditions have the opportunities to fulfil their potential in the workplace. If you wish to apply for this role under the Disability Confident Scheme, please complete the form on the website.

How we will handle your application

We will deal with your application as quickly as possible (timings above are indicative).

Once you have submitted your application through the website, its receipt will be acknowledged automatically. Should you not receive this acknowledgement, check your spam folder and if you have not received this, please email emma.clark@gatenbysanderson.com before the deadline for applications.

If you have made your application via a different route, we will confirm received by your preferred method of contact.

Applications will be anonymised, and your application will be assessed only against the information you have supplied in your CV and Supporting Statement. It is important that you provide as much detail as possible within the word count constraints.

The selection panel is comprised of:

- ▶ Dame Caroline MacEwen, Chair of the General Medical Council
- ▶ Dr Raj Patel, Council Member and member of Remuneration Committee
- ▶ Cindy Butts, Independent panel member
- ▶ Expert member (Judge – tbc)

Process for The Chair of MPTS appointment (dates tbc)

- ▶ In the week commencing 9 June the selection panel will decide the candidates who will be selected for longlisting, taking account of the evidence provided on your application. You will be advised of the outcome of your application by your preferred contact method.
- ▶ In the week commencing 23 June the selection panel will decide the candidates who will be selected for final stage interview, taking account of the evidence provided on your application. In selecting the best people for interview, the

panel will ensure that all the applicants demonstrate any essential requirements in the competencies and experience for the post. You will be advised of the outcome of your application by GatenbySanderson by telephone.

- ▶ References for shortlisted candidates will be taken between 28 June and 14 July – please ensure that your referees are aware and able to respond during this time.
- ▶ In addition, we will also undertake due diligence checks, such as social media and internet checks, related to any information about you which could bring into question your eligibility or ability to perform the role, or which might represent a reputational risk to the MPTS or the GMC. Where checks reveal information that might affect your ability for appointment, candidates will be given an opportunity to discuss the information before a course of action is decided upon.
- ▶ For those candidates selected for final interview, the formal panel interview will take place w/c 21 July 2025. The interview format will be confirmed with candidates at the point of invite, but this will be conducted face to face with the panel at the GMC's offices in Manchester.
- ▶ The preferred candidate will be contacted by their preferred method of communication and advised that the panel is recommending you for appointment.
- ▶ The recommendation will need to be approved by the GMC Council. You will be notified once this has been confirmed.
- ▶ If, following shortlisting or final interview, your application is unsuccessful, you will be offered feedback from GatenbySanderson.

Travel expenses

If relevant, we will reimburse travel by standard class public transport or by private car as well as parking and taxis when no other transport is available or practical. If you anticipate the need to incur other expenses such as air travel or hotels, please discuss this with us before making any commitments. Note: expense claims must be submitted to GMCassociatefees@gmc-uk.org within 4 weeks of date of interview. We endeavour to pay your claim within 14 days of receipt.

Ministerial or NHS board appointments

Candidates for appointment are required to give full information about any ministerial appointments they hold. You should also include details of any current NHS board appointments you hold. Please ensure that you include full details of the body to which you have already been appointed, the period of appointment and annual remuneration or daily fees paid. You will be asked to provide this information as part of your application.

Dealing with your concerns

The GMC is committed to processes and procedures that are fair, transparent and free from discrimination. Complaints about any aspect of the appointments process for the Chair role will be monitored, recorded and promptly handled. If you have a complaint, please contact appointment adviser, Katrina Paget, GatenbySanderson, at 14 King Street, Leeds, LS1 2HL or at email: katrina.paget@gatenbysanderson.com

Written complaints will be acknowledged within 5 days and will state the time frame within which a response can be expected. Complaints should be made within three months of the closing date for applications.

For reference, GatenbySanderson's complaints policy is available via the website www.gatenbysanderson.com

If you wish to refer your complaint directly to the GMC, please contact the Corporate Review Team, General Medical Council, 350 Euston Road, London, NW1 3JN (email feedback@gmc-uk.org or telephone 0161 923 6602). We will acknowledge your complaint and answer any concerns as quickly as we can, and within 10 working days, wherever possible. We will let you know if it will take longer.

Statement of purpose of the Medical Practitioners Tribunal Service Committee

Purpose

- 1** The Medical Practitioners Tribunal Service (MPTS) is a statutory committee of the General Medical Council (GMC) established under the Medical Act 1983 (as amended)^{*1} and constituted in accordance with the [MPTS Rules](#)^{†2}.
- 2** Pursuant to legislation^{‡3}, the MPTS is responsible for providing a hearings service to the GMC that is efficient, effective and clearly separate from the investigatory role of the Fitness to Practise Directorate.

Duties and activities

- 3** The MPTS Committee is responsible for ensuring:
- 4** The delivery of a hearings service that demonstrates efficiency and effectiveness.
 - a** The appointment of tribunal members (including chairs) and that appropriate systems for the appointment, induction, training and, where required, the removal of tribunal members are in place.
 - b** The appointment of legal assessors and that appropriate systems for the appointment, induction, training and, where required, the removal of legal assessors are in place.
 - c** Maintenance of a system for declaration and registration and publication of Committee members' private interests.
 - d** Consideration of matters by a Tribunal.
 - e** High quality standards of decision-making by Tribunals are maintained.
 - f** High quality standards of case management by case managers are maintained.

^{*} Section 1(3)(g)

[†] The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015

[‡] The Medical Act 1983 (as amended) and the Anaesthesia Associates and Physician Associates Order 2024

- g** The setting and maintenance of guidance for the MPTS tribunal members and legal assessors, as required.
- h** That the MPTS applies the equality and diversity strategy and policies of the GMC.
- i** Notification of Tribunal decisions as required by legislation[†].
- j** Effective liaison with all users of the hearings service provided by the MPTS.
- k** An annual report on the nature and volume of cases referred to the MPTS, the exercise of the MPTS's functions and points of learning as required by legislation[†].

Delegations

- 4** The **delivery** of the operational requirements of the MPTS may be delegated by the GMC Council to the Chair of the MPTS or to such other officer of the General Council as specified in Council's Schedule of Authority. Responsibility for the day-to-day operational management of the MPTS rests with the Executive Manager – MPTS.

Membership

- 5** The **membership** of the MPTS Committee, as constituted in accordance with the MPTS Rules, is the Chair of the MPTS, two registrant members and two lay members. The MPTS Committee is chaired by the Chair of the MPTS.
- 6** One registrant and one lay member will be currently sitting MPTS tribunal members. The remaining registrant and lay members may be external co-opted or former MPTS tribunal members.
- 7** The Executive Manager – MPTS will attend Committee meetings but is not a member of the Committee.
- 8** The **Committee** may invite other members of MPTS or GMC staff, or external parties to attend or present at individual meetings so as to progress its business.
- 9** The **quorum** for meetings of the MPTS Committee is three.

[†] Section 52 of the Medical Act 1983 (as amended).

Working Arrangements

- 10** The MPTS Committee meets at least four times a year. At the discretion of the Chair of the MPTS, additional meetings can be convened, if required. Formal decision-making is supported by papers setting out options and recommendations.
- 11** Papers for each meeting will normally be sent electronically, and in hard copy on request, to MPTS Committee members at least seven days in advance of meetings. Work may be progressed electronically outside of the meetings, including the use of teleconference and videoconference facilities, at the discretion of the Chair.
- 12** In discussion of agenda items, the intention is to reach agreement by consensus. Voting occurs only when consensual agreement cannot be reached and is by show of hands. If the votes are equal the person who chairs the meeting has a casting vote in addition to their vote as a member of the Committee.
- 13** The MPTS Committee Secretary minutes each meeting and aims to circulate the minutes, as cleared by the Chair of the MPTS, to members for comments within two weeks of the meeting. The MPTS Committee approves minutes at the next Committee meeting. Minutes record the conclusions of the MPTS Committee on the issues considered.
- 14** Where matters are being discussed outside a face-to-face meeting, for example by exchange of emails or teleconference calls or videoconferences, the MPTS Committee Secretary will liaise with the Chair of the MPTS to agree the most appropriate mechanism for seeking views depending on the issue. In such instance the conclusions of the MPTS Committee will be reported at the next Committee meeting and recorded in the minutes.
- 15** The MPTS Committee agenda, minutes and papers will be published on the MPTS website. Papers relating to a decision being made will be published in accordance with our publication scheme.

Accountability and reporting

- 16** The Chair of the MPTS is accountable to the GMC through the Chair of the GMC's Council and will report to Council on its work to fulfil the statutory duties for which it is accountable to the Privy Council on a twice-yearly basis. The report will summarise the performance of the MPTS during the previous reporting period, and the work of the MPTS Committee.
- 17** In addition, the MPTS will report annually to Parliament (via the Privy Council). This report will be coordinated for submission with the GMC trustees' annual report and accounts.

The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015

STATUTORY INSTRUMENTS

2015 No. 1967

HEALTH CARE AND ASSOCIATED PROFESSIONS

DOCTORS

The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015

<i>Made</i>	- - - -	<i>1st December 2015</i>
<i>Laid before Parliament</i>		<i>2nd December 2015</i>
<i>Coming into force</i>	- -	<i>31st December 2015</i>

At the Council Chamber, Whitehall, the 1st day of December

2015 By the Lords of Her Majesty’s Most Honourable Privy

Council

The General Medical Council has made the General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules 2015 which are set out in the Schedule to this Order, in exercise of the powers conferred by paragraph 19F of Schedule 1 to the Medical Act 1983(a).

By virtue of paragraph 24 of Schedule 1(b) to that Act the Rules shall not have effect until approved by order of the Privy Council.

Citation and commencement

1. This Order may be cited as the General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules Order of Council 2015 and comes into force on 31st December 2015.

Privy Council approval

2. Their Lordships, having taken the Rules in the Schedule into consideration, are pleased to and do approve them.

Richard Tilbrook
Clerk of the Privy Council

(a) 1983 c. 54. Paragraph 19F of Schedule 1 was inserted by article 2(4) of S.I. 2015/794.
(b) Paragraph 24 was amended by article 4(5) of S.I. 2015/794.

The General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules 2015

These Rules are made by the General Medical Council in exercise of the powers conferred by paragraph 19F of Schedule 1 to the Medical Act 1983^(a).

Citation, commencement and interpretation

1. These Rules may be cited as the General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules 2015 and come into force on 31st December 2015.

2. Interpretation In these Rules—

“the Act” means the Medical Act 1983;

“chair” means the chair of the MPTS;

“final outcome”, in relation to any proceedings where there are rights of appeal, means the outcome of the proceedings—

(a) once the period for bringing an appeal has expired without an appeal being brought; or

(b) if an appeal is brought in accordance with those rights, once those rights have been exhausted;

“lay” in relation to any person, means a person who is not and never has been provisionally or fully registered, was at no time registered with limited registration and does not hold qualifications which would entitle them to apply for provisional or full registration under the Act;

“licensing body” means any body, other than the General Council, anywhere in the world that licenses or regulates any profession;

“member”, unless the context otherwise requires, means a registrant member or a lay member and includes the chair;

“registrant” means a registered medical practitioner who holds a licence to practise;

“spent conviction” means—

(a) in relation to a conviction by a court in Great Britain, a conviction that is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974^(b); or

(b) in relation to a conviction by a court in Northern Ireland, a conviction that is a spent conviction for the purposes of the Rehabilitation of Offenders (Northern Ireland) Order 1978^(c).

Composition of the MPTS

3.—(1) The MPTS are to consist of 2 registrant members and 3 lay members.

(2) Only persons who are not members of the General Council are to be members of the MPTS.

(3) The General Council must set and publish criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment as chair or another member of the MPTS.

^(a) 1983 c. 54. Paragraph 19F of Schedule 1 was inserted by article 2(4) of S.I. 2015/794. ^(b) 1974 c.53.
^(c) S.I. 1978/1908 (N.I. 27).

Terms of office of members

4.—(1) The term of office for which a member of the MPTS is appointed is to be determined by the General Council on appointment.

(2) No member of the MPTS may hold office as a member (including as chair) of the MPTS for more than an aggregate of 8 years during any continuous period of 20 years.

(3) For the purposes of the computation of years under paragraph (2), service after 1st February 2012 as a member of the relevant committee constituted under paragraph 25 of Schedule 1 to the Act is to be taken into account: this applies to a member appointed to the MPTS under paragraph 19F(6) of Schedule 1 to the Act.

Education and training of members

5.—(1) The General Council must make provision in standing orders with respect to the requirements with regard to education and training of members of the MPTS, and those standing orders may provide for—

- (a) education and training to be the responsibility of another body; and
- (b) those requirements to be set and varied by that body from time to time.

Disqualification from appointment as a member

6.—(1) A person (P) is disqualified from appointment as a member of the MPTS if any of the following paragraphs apply.

(2) If P has at any time been convicted of an offence involving dishonesty or deception in the United Kingdom and the conviction is not a spent conviction.

(3) If P has at any time been convicted of an offence in the United Kingdom, and—

- (a) the final outcome of the proceedings was a sentence of imprisonment or detention; and
- (b) the conviction is not a spent conviction.

(4) If P has at any time been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners, the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity—

- (a) for which P was responsible or privy; or
- (b) to which P contributed or facilitated;

(5) If P has at any time been removed from being concerned with the management or control of any body under section 34(5)(e) of the Charities and Trustee Investment (Scotland) Act 2005^(a) (powers of Court of Session);

(6) If P has at any time been removed from office as the chair, member, convenor or director of any public body on the grounds, in terms, that it was not in the interests of, or conducive to the good management of, that body that P should continue to hold that office;

(7) If P has at any time been adjudged bankrupt or sequestration of P's estate has been awarded, and—

- (a) P has not been discharged; or
- (b) P is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986^(b) (bankruptcy restrictions order and undertaking).

(8) If P has at any time made a composition or arrangement with, or granted a trust deed for, P's creditors and P has not been discharged in respect of it.

(9) If P is subject to any of the following—

^(a) 2005 asp 10.

^(b) 1986 c. 45.

- (a) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986^(a);
 - (b) a disqualification order or disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002^(b);
 - (c) an order made under section 429(2) of the Insolvency Act 1986^(c) (disabilities on revocation of a county court administration order).
- (10) If P has been included by—
- (a) the Disclosure and Barring Service in a barred list (within the meaning of the Safeguarding Vulnerable Groups Act 2006^(d) or the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007^(e)); or
 - (b) the Scottish Ministers in the children’s list or the adults’ list (within the meaning of the Protection of Vulnerable Groups (Scotland) Act 2007^(f)).
- (11) If P has at any time been subject to any investigation or proceedings concerning the person’s fitness to practise by any licensing body, the final outcome of which was any of the following—
- (a) P’s suspension from a register held by the licensing body, and that suspension has not been terminated;
 - (b) P’s erasure from a register held by the licensing body or a decision that had the effect of preventing the person from practising the profession licensed or regulated by the licensing body;
 - (c) a decision that had the effect of only allowing P to practise that profession subject to conditions, and those conditions have not been lifted.
- (12) If P has at any time been subject to any investigation or proceedings concerning P’s fitness to practise by the General Council, in the course of which or where the final outcome has been that—
- (a) P’s registration in the register has been suspended (including by an interim suspension order or an order under section 38 of the Act (power to order immediate suspension etc. after a finding of impairment of fitness to practise)) and that suspension has not been terminated;
 - (b) P has been erased from the register (for a reason connected to P’s fitness to practise); or
 - (c) P’s registration in the register has been made conditional upon their compliance with any requirement (including by an order for interim conditional registration or an order under section 38 of the Act) and that requirement has not been lifted.
- (13) If P has at any time been subject to any investigation or proceedings relating to an allegation that P’s entry in the register was fraudulently procured, the final outcome of which was P’s erasure from the register.
- (14) If P has agreed in the course of proceedings concerning P’s fitness to practise to comply with undertakings, in accordance with rules under paragraph 1(2A) to (2D) of Schedule 4 to the Act (procedure and evidence before the Investigation Committee, Interim Orders Tribunals and Medical Practitioners Tribunals), and the undertakings continue to apply.
- (15) If—
- (a) P is, or has been subject to any investigation or proceedings concerning P’s fitness to practise by any licensing body or by the General Council; and
 - (b) the General Council is satisfied that P’s membership of the MPTS would be liable to undermine public confidence in the regulation of the medical profession.

(a) 1986 c.46.
(b) S.I. 2002/3150 (N.I. 4). (c)
1986 c.45.
(d) 2006 c.47.
(e) S.I. 2007/1351 (N.I. 11).
(f) 2007 asp 14.

(16) If P has at any time been convicted of an offence elsewhere than in the United Kingdom and the General Council is satisfied that the person's membership of the MPTS would be liable to undermine public confidence in the regulation of the medical profession.

Removal of members from office

7.—(1) A registrant member or a lay member of the MPTS must be removed from office by the General Council in the following circumstances.

(2) A registrant member of the MPTS must be removed where that member—

- (a) is erased from the register for a reason not connected to that member's fitness to practise;
- (b) has become the subject of any investigation or proceedings concerning that member's fitness to practise by the General Council or any licensing body, as a result of which—
 - (i) that member's registration in the register is suspended;
 - (ii) that member is erased from the register; or
 - (iii) that member's registration in the register has been made conditional upon that member's compliance with any requirement,

and the proceedings relating to that particular sanction referred to in whichever of paragraphs (i) to (iii) applies have reached their final outcome;

- (c) has become the subject of any investigation or proceedings relating to an allegation that that member's entry in the register was fraudulently procured or incorrectly made, the final outcome of which is the removal of that member's entry in the register;
- (d) has agreed in the course of proceedings concerning that member's fitness to practise to comply with undertakings, in accordance with rules under paragraph 1(2A) to (2D) of Schedule 4 to the Act (procedure and evidence before the Investigation Committee, Interim Orders Tribunals and Medical Practitioners Tribunals).

(3) A lay member of the MPTS must be removed where that member becomes a person who no longer satisfies the criteria for being a lay member of the MPTS.

(4) A registrant or a lay member of the MPTS must be removed where—

- (a) that member resigns, which that member may do at any time by a notice in writing to the General Council;
- (b) that member becomes a person of the type mentioned in any of paragraphs (2), (3), (7) to (10) of rule 6 (irrespective of whether or not they subsequently cease to be a person of the type mentioned in those provisions);

- (c) that member becomes a person of the type mentioned in paragraphs (4) to (6) of rule 6;
- (d) the General Council is satisfied that that member's level of attendance at meetings of the MPTS falls below a minimum level of attendance acceptable to the General Council, having regard to—
 - (i) any recommended minimum levels of attendance that the General Council have set; and
 - (ii) whether or not there were reasonable causes for the member's absences;
- (e) the General Council is satisfied that that member has failed, without reasonable cause, to undertake satisfactorily the requirements with regard to education and training for members that apply to that member and which the General Council have included in their standing orders;
- (f) the General Council is satisfied that that member is no longer able to perform their duties as a member of the MPTS because of adverse physical or mental health;
- (g) the General Council is satisfied that that member's continued membership of the MPTS would be liable to undermine public confidence in the regulation of the medical profession.

(5) A registrant member, or as the case may be, a lay member must notify the General Council and the MPTS in writing as soon as that member becomes aware that any of paragraphs (2), (3) or (4)(b) or (c) applies, or is about to apply, to that member.

(6) Any member of the MPTS or employee of the General Council may notify the General Council if that member or employee is of the view that the General Council may need to exercise its functions under this rule.

(7) The chair must notify the General Council if the chair is aware that—

- (a) a member has become, or may be about to become, a person to whom any of paragraphs (2), (3) or (4)(b) or (c) applies; and
- (b) that member has not notified the General Council in writing of that fact and the chair is not satisfied that the member will do so immediately.

Suspension of members from office

8.—(1) The General Council may suspend a member of the MPTS from office by a notice in writing served on the member—

- (a) if the General Council has reasonable grounds for suspecting that the member has become a person to whom any of paragraphs (3) or (4)(b) or (c) of rule 7 applies, for the purposes of determining whether or not the member has become such a person;
- (b) while the General Council is considering whether or not it is satisfied as to the matters set out in any of sub-paragraphs (d) to (g) of paragraph (4) of rule;
- (c) if the member is subject to any investigation or proceedings concerning the member's fitness to practise by—
 - (i) any licensing body; or
 - (ii) the General Council,

and the General Council is satisfied that it would not be appropriate for the member to continue to participate in proceedings of the MPTS while the investigation or proceedings concerning the member's fitness to practise is or are on-going;

- (d) if the member is subject to any investigation or proceedings concerning whether the member's entry in the register was fraudulently procured or incorrectly made and the General Council is satisfied that it would not be appropriate for the member to continue to participate in proceedings of the MPTS while the investigation or proceedings concerning the member's entry in the register is or are on-going; or
- (e) if the member is subject to any investigation or proceedings in the United Kingdom relating to a criminal offence, or in any other part of the world relating to an offence which, if committed in any part of the United Kingdom, would constitute a criminal offence, and—
 - (i) either—
 - (aa) the investigation or proceedings relate to an offence involving dishonesty or deception; or
 - (bb) the final outcome of the investigation or proceedings may be that the person is sentenced to a term of imprisonment or detention; and
 - (ii) the General Council is satisfied that it would not be appropriate for the member to continue to participate in proceedings of the MPTS while the investigation or proceedings is or are on-going.

(2) The General Council must suspend a registrant member from office by a notice in writing served on the member if the member is the subject of an order under section 38(a) or 41A(b) of

(a) Section 38 was substituted by article 13 of S.I. 2002/3135 and amended by article 12(6) of S.I. 2015/794.

(b) Section 41A was substituted by article 13 of S.I. 2002/3135 and amended by article 6 of S.I. 2015/794.

the Act (power to order immediate suspension etc. after a finding of impairment of fitness to practise, and interim orders).

(3) The notice in writing under paragraph (1) or (2) must set out the reasons for the suspension and the duration of the period of suspension, which must (in the first instance) not be for more than 6 months.

(4) The General Council—

- (a) may at any time review its suspension of a member; and
- (b) must, if requested to do so by the suspended member at any time after the expiry of 3 months from when the suspension commenced, review any such suspension.

(5) Following a review, the General Council may—

- (a) terminate the suspension;
- (b) if that review is within 3 months of the end of a period of suspension, extend the suspension for a further period of up to 6 months from the date on which the suspension would otherwise come to an end.

(6) The General Council must notify the suspended member in writing of the outcome of any review and that notice must include the reasons for any decision taken.

Chair of the MPTS

Appointment, term of office and cessation of office of the chair

9.—(1) The General Council must, as one of its functions relating to the appointment of members of the MPTS, appoint the chair of the MPTS.

(2) The General Council may appoint a person to be the chair of the MPTS (“the appointee”)—

- (a) when it appoints that person to be a member of the MPTS; or
- (b) whom it has already appointed as a member of the MPTS.

(3) The General Council must, upon making the appointment, determine the term of the appointee’s office as chair and that term cannot last beyond the date on which the appointee’s term of office as a member of the MPTS is due to expire (irrespective of whether or not the appointee is thereafter reappointed as a member of the MPTS).

(4) An appointee ceases to be chair upon—

- (a) ceasing to be a member of the MPTS;
- (b) resigning as chair, which the appointee may do at any time by a notice in writing to the General Council;
- (c) suspension of the appointee’s membership of the MPTS by the General Council; or
- (d) a vote to terminate the appointee’s appointment as chair by a simple majority of the members of the General Council.

Deputising arrangements

10.—(1) If, for any reason, the chair is absent from a meeting of the MPTS, the General Council may —

- (a) nominate a member of the MPTS (“deputy chair”) to serve as chair at that meeting; or
- (b) determine that the meeting will not take place, or will not continue (in circumstances where the meeting has already commenced).

This is subject to paragraph (2).

(2) This paragraph applies where, for any reason—

- (a) the General Council is aware that the chair is likely—

- (i) to be absent for more than one meeting of the MPTS; or
 - (ii) to be unavailable to perform the duties of a chair for more than one month; or
- (b) the office of chair is vacant.
- (3) Where paragraph (2) applies, the General Council may, for the duration of the absence or unavailability of the chair or the vacancy—
 - (a) nominate a member (“deputy chair”) to serve as chair;
 - (b) delegate the functions of the chair of the MPTS to the chair of the General Council.
- (4) A member serving as deputy chair must cease to be deputy chair—
 - (a) in the case of—
 - (i) the absence or unavailability of the chair, once the chair notifies the MPTS that they are able to resume their duties; or
 - (ii) the office of chair being vacant, once the vacancy is filled;
 - (b) if the member ceases to be a member;
 - (c) if the member resigns as deputy chair, which the member may do at any time by a notice in writing to the General Council;
 - (d) if the member’s membership of the MPTS is suspended by the General Council; or
 - (e) if the General Council votes (by a majority at a quorate meeting) to terminate the member’s appointment as deputy chair.

Delegation

11.—(1) The General Council may direct the MPTS to delegate to the chair of the MPTS, or to such other officer of the General Council as the Council determines, such of the functions of the MPTS as the Council determines.

(2) Where a direction is made by the General Council under paragraph (1), the MPTS must comply with it.

Proceedings of the MPTS

Quorum

12. The quorum of the MPTS is to be 3.

Effect of vacancies etc. on the validity of proceedings

13.—(1) The validity of any proceedings of the MPTS is not to be affected by—

- (a) any vacancy among the members of the MPTS;
- (b) any defect in the appointment of a member of the MPTS;
- (c) the participation in proceedings of a member whom the General Council must remove from the MPTS under any of paragraphs (2), (3), (4)(b) or (c) of rule 7;
- (d) a member whom the General Council has removed under rule 7 having participated in the proceedings; or
- (e) a member who has been suspended by the General Council under rule 8(1) or (2) having participated in the proceedings.

(2) Notwithstanding paragraph (1)(c), a member whom the General Council must remove from the MPTS under any of paragraphs (2), (3), (4)(b) or (c) of rule 7 is not entitled to participate in proceedings of the MPTS, pending the member’s removal from the MPTS by the General Council.

Given under the official seal of the General Medical Council this 19th day of November 2015.

Terence Stephenson
Chair

Niall Dickson
Chief Executive and Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves the General Medical Council (Constitution of the Medical Practitioners Tribunal Service) Rules 2015 (“the Rules”) which have been made by the General Medical Council (GMC) and are contained in the Schedule to the Order.

The Rules provide for the constitution of the Medical Practitioners Tribunal Service (“the MPTS”).

Rule 3 provides for constitution of the MPTS to consist of 2 registrant and 3 lay members.

Rule 4 provides that the GMC is to determine the term of office of a member of the MPTS upon their appointment. It further provides that no person can be a member for more than a total of 8 years in any continuous period of 20 years.

Rule 5 requires the GMC to make provision in its standing orders in respect of education and training of members of the MPTS.

Rule 6 specifies when a person is disqualified from appointment as lay, or as the case may be, registrant member of the MPTS.

Rule 7 specifies when a lay, or as the case may be, registrant member of the MPTS must be removed from that position by the GMC.

Rule 8 specifies when a lay, or as the case may be, registrant member of the MPTS may be suspended from the MPTS by the GMC. It also provides that a registrant member must be suspended by the GMC if that member is subject to an immediate suspension order or interim order arising from fitness to practise proceedings. Provision is also made for the review of a suspension by the GMC either on its own initiative or, in certain cases, upon application of the suspended member.

Rule 9 enables certain functions of the MPTS to be delegated to the chair of that body or to another officer of the GMC.

Rule 10 provides that the quorum of the MPTS is to be 3.

Rule 11 provides that the proceedings of the MPTS are unaffected by certain specified defects.