

Reviews on the papers

The *Medical Act 1983* and the *GMC (Fitness to Practise) Rules 2004*, as amended, allow cases to be reviewed without the need for you or the GMC to attend a hearing. We call this a review on the papers – its aim is to help you avoid the stress and inconvenience of attending a hearing in person.

Which cases will be reviewed on the papers?

All cases that are due for a review will be considered, but a review on the papers won't always be possible. For a review on the papers to go ahead, cases must meet the following conditions.

- 1 You and the GMC must agree on a proposed outcome.
- 1 There must be enough time to prepare for a review.
- 1 If applicable, you must have supplied evidence that you have complied with existing conditions.

How does the process work?

Your oral review hearing will remain scheduled to take place before your current sanction expires or, in the case of an interim order, before end of the statutory review period. But before your hearing takes place, the GMC will decide the outcome it proposes. If there is enough time before the hearing to carry out a review on the papers, the GMC will send you its submission.

If you don't agree with the GMC, or do agree but you or the GMC withdraw, your hearing will go ahead.

If you agree with the GMC's proposed outcome

The proposed outcome will be sent to the MPTS for consideration. This is called a submission.

The case will be reviewed by either a full tribunal* or by a tribunal chair. In most cases, it will be reviewed by a tribunal chair. A full tribunal would only review the case where it would be quicker to do so.

* A full tribunal consists of three members including a chair. At least one will be medically qualified.

The chair or tribunal will consider:

- | the agreement between you and the GMC
- | a bundle of relevant documents (including evidence of compliance with conditions if applicable).

If the chair or tribunal is content with the agreed outcome, they will make an order based on the agreed terms. In this case, your oral hearing will be cancelled and the outcome of the review will be published in accordance with the usual policy on publication of decisions (see factsheet 15, *Publishing hearing decisions*).

For reviews of interim orders, the decision, including any public conditions, will be published. But the full determination of the decision will not be published.

The chair or tribunal may decide that your hearing should take place on the scheduled date. This might happen if they consider the proposed outcome to be insufficient to protect the public, or if they don't have enough information to make a decision.

What will I need to do?

The GMC will contact you once you have been notified of a review hearing to explain the process for reaching agreement on a proposed outcome.

You should seek advice from your medical defence organisation before agreeing to the proposed outcome. If you are not a member of a defence organisation, you can contact the British Medical Association or another professional organisation of which you are a member. You should send them a copy of the GMC's submission.

The GMC will tell you if you need to send any specific information before the review, and when you need to send it by. For example, evidence of complying with conditions.

If your case can't be reviewed on the papers, your hearing will go ahead. You should be prepared to attend the hearing until you receive confirmation that it has been cancelled.

Further questions

What factors might prevent a review on the papers from going ahead?

Where an assessment is needed (eg for health or performance reasons), sometimes it won't be possible for the results to be available in good time for an agreement to be reached.

If the review period is particularly short, there may not be enough time to prepare or to reach an agreement.

What if I don't agree with the proposed outcome?

If you don't agree with the proposed outcome, you should let the GMC know. If an agreement isn't reached, the oral review hearing will go ahead.

What if I change my mind?

If you change your mind, you must let us know before the review on the papers takes place. You will not be able to be able to withdraw your agreement after the review on the papers has taken place but you can appeal the decision. If you tell us that you would like to withdraw your agreement the oral hearing will go ahead.

Can I submit a proposal?

If you haven't yet received the GMC's proposal, you can ask the GMC to consider yours. The GMC might agree to your proposal, or make its own for you to consider.

What if something changes in my case?

If there are changes in your case after you have agreed to an outcome, the GMC can withdraw its agreement. This might happen where new information is received that would affect its proposal. The GMC will tell you if this is the case. If there is enough time, it may be possible to reach a new agreement.

Key points

- | Reviews on the papers are an alternative to a review hearing. Their aim is to help you avoid the stress and inconvenience of attending a hearing in person.
- | If you want your review to be considered on the papers, you need to respond quickly to the GMC, as reviews on the papers take place earlier than a review hearing.

Useful link

You can find more information in:

- | *Policy guidance for medical practitioners tribunals and chairs: conducting reviews on the papers*

available at www.mpts-uk.org/guidance.