

MPTS Committee Members' Code of Conduct

- 1 For us to command the confidence of all of our key interests, it is necessary that the Medical Practitioners Tribunal Service, as a statutory committee of Council, should adopt and comply with appropriate standards of conduct. Upon appointment, all MPTS Committee members are required to confirm their commitment to the Members' Code of Conduct. In addition members of the MPTS Committee who are sitting tribunal members will be required to comply with the Tribunal Members Code of Conduct.

Principles

- 2 In performing their duties, members uphold the seven principles first identified by the Nolan Committee in its first report on standards in public life in May 1995 (the Nolan principles), and updated by the Committee on Standards in Public Life in its report of January 2013, *Standards Matter*:
 - a selflessness: holders of public office should act solely in terms of the public interest
 - b integrity: holders of public office must not place themselves under any obligation to people or organisations that might try inappropriately influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships
 - c objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias
 - d accountability: holders of public office are accountable for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this
 - e openness: holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing
 - f honesty: holders of public office should be truthful

- g** leadership: holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Responsibilities

- 3** The Medical Practitioners Tribunal Service (MPTS) is a statutory committee of the General Medical Council established under Section 1 (3) (g) of the Medical Act 1983 (as amended) as constituted in accordance with the MPTS Rules.
- 4** 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 within the General Medical Council.
- 5** The MPTS is accountable to the GMC and to the public through Parliament and the Privy Council.

Duties of individuals

- 6** Members have a duty to make themselves available for service on the Committee.
- 7** Members have a duty to notify the Council and the MPTS if, following appointment, they become or may be about to become liable to be removed from office in any of the circumstances provided in paragraph 6 of the Constitution of the MPTS Rules.
- 8** Members have a duty to ensure that all their decisions and actions as Committee members are taken in the best interests of the MPTS and the public interest, putting its interests before any personal or professional interests, and that they:
 - a** contribute to our overarching statutory objective to protect the public
 - b** are within our obligations under the Medical Act 1983 as amended and other legislation
 - c** take into account the views and needs of all users of the MPTS.
- 9** Members have a duty to ensure that they have a clear understanding of the scope of the section of the Schedule of authority relating to MPTS delegations and, having been given that authority, ensure that it is not undermined.
- 10** Members accept collective responsibility for enabling the MPTS to achieve its objectives and for decisions taken by the Committee. Members are expected to contribute to discussion and debate freely to enable a robust decision to be made. Once the Committee has taken a decision, members must support the communication and implementation of that decision.

- 11** Members have a duty to be as open as possible with key interests about the decisions and actions of the MPTS, restricting information only when the principles of confidentiality or the law require it.
- 12** Members have a duty to distinguish clearly, when speaking or writing, between views held by themselves personally or based on any other organisational affiliations they may have and those of the MPTS. Any communication with the media about our work, including publication of views via the internet or by other means, should be discussed with the Strategy and Communication Directorate before a statement is published. In communicating with the media or making any statement, members do so on the basis of collective responsibility and in support of our purpose and policies.
- 13** Members may be approached by individuals or organisations that wish to lobby them on our work, including policy matters and operational decisions on particular cases. Members may take account of the views of others and undertake to make them known to the GMC if appropriate, but should avoid taking any action or making any commitment which might indicate their acceptance of the lobbyist's position. Any queries or correspondence about operational decisions involving cases of individual doctors are to be referred to the executive for any response.
- 14** Members have a duty to lead by example, always demonstrating respect and dignity for others (http://www.gmc-uk.org/Dignity_at_work_policy.pdf 37469315.pdf); valuing diversity and conducting themselves in a non-discriminatory manner at all times. Working together effectively means, for Committee members and staff, observing the following working principles:
 - a** trust between colleagues - being honest and open; acting with integrity and respect for each other
 - b** good communication - sharing information and listening to others
 - c** ideas and creativity - offering ideas and being open to ideas proposed by others
 - d** individual responsibility - accepting responsibility for achieving goals and for the quality of our work
 - e** problem solving, finding solutions - working to find creative solutions to problems
 - f** openness to learning and feedback - seeking to improve ourselves and how we work
 - g** collaboration with others - working constructively with colleagues to a common purpose.
- 15** Members have a duty to lead by example in upholding the values of the GMC (<http://www.gmc-uk.org/about/11564.asp>).

- 16** Members have a duty to be committed to the continuing demonstration of the competences required for the effective performance of their role as Committee members.
- 17** Members have a duty to participate in the appraisal process and actively commit to achieving any personal development objectives identified during the appraisal process.
- 18** Members have a duty to complete and maintain their entry in the Members' Register of Interests, declaring any professional, business, or personal interests which may, or might be perceived to, conflict with their responsibilities as Committee members in accordance with Council's guidance.
- 19** Members have a duty to avoid placing themselves under obligation to any individual or organisation which might affect their ability to act impartially and objectively as Committee members. This includes observing our guidance on conflicts of interest and on gifts, hospitality and fees for speaking engagements and making any declarations as required by this guidance.
- 20** Members have a duty to raise any concerns about possible wrongdoing within the MPTS, as set out in our Public Interest Disclosure Policy (whistleblowing), with the Chief Executive if it concerns a member of staff, with the Chair of the MPTS if it concerns another member, or with the Chair of Council if it concerns the Chair of the MPTS.
- 21** Members are expected to adopt the highest standards of propriety and accountability and to promote an anti-fraud culture, as set out in our Anti-Fraud Policy. This includes ensuring compliance with the law on bribery and taking steps to avoid any situation where there is an expectation of a gift or payment in return for an advantage of any kind.
- 22** Members have a duty to raise any concerns about compliance with this code with the Chair of the MPTS and the Assistant Director, MPTS at the earliest opportunity.