

## PUBLIC RECORD

Date: 17/07/2023

Medical Practitioner's name: Dr Oliver TURNER  
GMC reference number: 7304114  
Primary medical qualification: MB BS 2012 University College London

Type of case	Outcome on impairment
Misconduct	Impaired
XXX	XXX

**Summary of outcome**  
Conditions for 12 months

### Legally Qualified Chair:

Legally Qualified Chair:	Miss Gillian Temple-Bone
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### Review on the Papers

This case was reviewed on the papers, with the agreement of both parties, by a Legally Qualified Chair.

### Overarching Objective

1. Throughout the decision making process the chair has borne in mind the statutory overarching objective as set out in s1 Medical Act 1983 to protect, promote and maintain the health, safety and well-being of the public, to promote and maintain public confidence in the medical profession, and to promote and maintain proper professional standards and conduct for members of the medical profession.
2. I have reviewed the background to Dr Turner's case, which was first considered by a medical practitioners tribunal in May 2022.

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3. Dr Turner qualified in 2012 with an MBBS from University College London. At the time of the events the subject of these proceedings Dr Turner was working as a Specialty Registrar in Anaesthetics. In 2019, he appropriated XXX and XXX from Lister hospital where he was working, without permission to do so. He self-administered the XXX whilst on duty at the hospital. When questioned about what he had disposed of in XXX, Dr Turner stated words to the effect that '*someone in CCU central needed a XXX.*' That statement was dishonest.
4. XXX.
5. Dr Turner self-referred to the GMC on 11 February 2020. XXX. The Tribunal noted his dishonesty in seeking to conceal his dishonest taking of XXX.
6. XXX.
7. In November 2021 and in March 2022, the Tribunal found Dr Turner's fitness to practise to be impaired due to misconduct and XXX and that his misconduct was inextricably linked to XXX.
8. The Tribunal concluded that whilst his dishonest behaviour was capable of remediation and that there had not been any repetition of it, it did not consider that it was highly unlikely that it would be repeated.
9. The Tribunal considered the risk of harm to have been exacerbated by five occasions of self-administration of XXX and his continuing to provide medical care to patients, including on the CCU. The Tribunal considered his level of insight whilst developing was incomplete, that the risk of XXX was low but not insignificant. It was reported that two months before the Tribunal hearing, Dr Turner expressed the view that the regulator's actions were harsh and wholly misplaced, demonstrating a lack of insight in that regard. The Tribunal concluded that because of the risk of harm to patients and to the reputation of the profession, that confidence in the profession would be undermined if a finding of impairment were not made. XXX.
10. That Tribunal determined to impose conditions on Dr Turner's registration for a period of 14 months and made an order of immediate conditions.

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11. The Tribunal indicated that the period of 14 months would allow Dr Turner to demonstrate progress, XXX and successfully transition into a new GP workplace with good prospects of employment. The Tribunal recommended the following information be available at the next hearing :
- XXX
  - A statement of reflection detailing XXX how his dishonesty impacted upon his professional reputation and the reputation of the medical profession as a whole
  - XXX
  - XXX
  - A report from his GMC adviser
  - Report from his GP supervisor
12. Dr Turner and the GMC have agreed that this review should be considered on the papers in accordance with Rule 21B of the General Medical Council (Fitness to Practise) Rules 2004. They have provided agreed terms of an order which I could make at this review.
13. I have considered all of the information presented to me, and the agreed submissions made on behalf of Dr Turner and by the GMC. In their submissions, Dr Turner and the GMC agree that the order of conditions should be extended for a further period of 12 months from the date on which they would otherwise expire on 23<sup>rd</sup> August 2023. XXX.
14. I have taken into account that since the previous order was imposed XXX.
15. Dr Turner changed his career from Anaesthesia to General Practice in August 2020. He is now working as a GP Trainee ST2 ITP Post in Cambridge which he is due to finish in August, and plans thereafter to continue working as a GP registrar until he finishes his GP training. Two workplace supervisor reports from Dr A and Dr C in April and May 2023 are broadly positive. He has passed part of the MRCGP exam and will take the final part in November.
16. Dr Turner's GP training was interrupted following an incident in July 2022 in which he left an abusive answerphone message for an Associate Dean following perceived delay in obtaining RO authorisations for reporters for a new placement. That led to a disciplinary investigation and Dr Turner missing work for several months XXX. He XXX made a formal apology and was later allowed to resume his training in December 2022. XXX.

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17. Subsequently four reports from his workplace expressed no concerns in 2023.
18. Dr Turner submitted a reflective statement dated 15<sup>th</sup> May 2023 XXX. He has reflected further and shown insight into his dishonest behaviour and the impact of his behaviour upon his professional reputation and the reputation of the medical profession as a whole. He states that he is content for his current conditions to be extended.
19. XXX
20. XXX
21. XXX
22. XXX
23. XXX
24. In the light of XXX Dr Turner now consents to the current conditions imposed on his practice being extended for a further 12 months.
25. An order of conditions can provide a framework XXX to allow Dr Turner to progress towards a return to unrestricted practise.
26. In reaching my decision, I have taken account of the Sanctions Guidance. I have borne in mind that the purpose of the sanction is not to be punitive, but to protect patients and the wider public interest, although it may have a punitive effect.
27. I have applied the principle of proportionality, weighing Dr Turner's own interests with the public interest. The public interest includes amongst other things, the protection of patients, the maintenance of public confidence in the profession, and declaring and upholding of proper standards of conduct and behaviour.
28. I am satisfied that the proposed conditions would be proportionate and sufficient to protect the public and the public interest. XXX. I have therefore determined to extend the

existing conditions to Dr Turner's registration for a further period of 12 months from 23 August 2023 as set out below.

**Details of public conditions**

1. He must personally ensure the GMC is notified of the following information within seven calendar days of the date these conditions become effective:
  - a the details of his current post, including:
    - i his job title
    - ii his job location
    - iii his responsible officer (or their nominated deputy)
  - b the contact details of his employer and any contracting body, including his direct line manager
  - c any organisation where he has practising privileges and/or admitting rights
  - d any training programmes he is in
  - e as appropriate in GP training of the organisation on whose medical performers list he is included
  - f of the contact details of any locum agency or out of hours service he is registered with.
2. He must personally ensure the GMC is notified:
  - a of any post he accepts, before starting it
  - b that all relevant people have been notified of his conditions, in accordance with condition 12

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- c if any formal disciplinary proceedings against him are started by his employer and/or contracting body, within seven calendar days of being formally notified of such proceedings
  - d if any of his posts, practising privileges or admitting rights have been suspended or terminated by his employer before the agreed date within seven calendar days of being notified of the termination
  - e if he applies for a post outside the UK.
3. He must allow the GMC to exchange information with any person involved in monitoring his compliance with his conditions.
4. a He must have a workplace reporter appointed by his responsible officer (or their nominated deputy).
- b He must not work until:
- i his responsible officer (or their nominated deputy) has appointed his workplace reporter
  - ii he has personally ensured that the GMC has been notified of the name and contact details of his workplace reporter.
5. a He must get the approval of his GMC Adviser before accepting any post.
- b He must keep his professional commitments under review and limit his work if his GMC Adviser tells him to.
- c He must stop work immediately if his GMC Adviser tells him to and must get the approval of his GMC Adviser before returning to work.
6. a He must only prescribe, administer, and have primary responsibility for drugs under arrangements which have been agreed by his GMC adviser and approved by his responsible officer (or their nominated deputy)

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- b He must not work until:
  - i his GMC adviser has agreed these arrangements
  - ii His responsible officer (or their nominated deputy) has approved these arrangements
  - iii He has personally ensured that the GMC has been notified of these arrangements.
  
- 7. He must not prescribe any drugs for himself, or anyone with whom he has a close personal relationship
  
- 8. He must get the approval of the GMC before working in a non-NHS post or setting.
  
- 9. a He must be supervised in all of his posts by a clinical supervisor, as defined in the Glossary for undertakings and conditions. His clinical supervisor must be approved by his responsible officer (or their nominated deputy).  
  
b He must not work until:
  - i his responsible officer (or their nominated deputy) has appointed his clinical supervisor and approved his supervision arrangements
  - ii he has personally ensured that the GMC has been notified of the name and contact details of his clinical supervisor and his supervision arrangements.
  
- 10. a He must get the approval of his responsible officer (or their nominated deputy) and the GMC Adviser, before working as:
  - i a locum / in a fixed term contract
  - ii out-of-hours
  - iii on-call.

- b He must not work until:
    - i his responsible officer (or their nominated deputy) and the GMC Adviser has confirmed approval
    - ii he has personally ensured that the GMC has been notified of the approval of his responsible officer (or their nominated deputy) and the GMC Adviser
11. He must not work:
- a as a locum outside a GP setting
  - b out-of-hours unless it is part of his supervised GP training programme
  - c on-call unless supervised at his usual GP training practice
12. He must personally ensure the following persons are notified of the conditions listed at 1 to 11
- a his responsible officer (or their nominated deputy)
  - b the responsible officer of the following organisations:
    - i his place(s) of work, and any prospective place of work (at the time of application)
    - ii all his contracting bodies and any prospective contracting body (prior to entering a contract)
    - iii any organisation where he has, or has applied for, practising privileges and/or admitting rights (at the time of application)
    - iv any locum agency or out of hours service he is registered with.



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v If any of the organisations listed at (i to iv) does not have a responsible officer, he must notify the person with responsibility for overall clinical governance within that organisation. If he is unable to identify this person, he must contact the GMC for advice before working for that organisation.

c the responsible officer for the medical performers list on which he is included or seeking inclusion (at the time of application)

d his immediate line manager and senior clinician (where there is one) at his place of work, at least 24 hours before starting work (for current and new posts, including locum posts).

XXX

29. Notification of this decision will be served on Dr Turner in accordance with the Medical Act 1983, as amended.