

IOT reviews on the papers: Operational guidance for tribunal chairs or tribunals

Introduction

- 1 This guidance is for interim orders tribunals (IOT) or legally qualified chairs (LQC) conducting reviews on the papers. It should be read in conjunction with [Guidance for medical practitioners tribunals/interim orders tribunals/chairs conducting reviews on the papers](#).
- 2 Reviews on the papers are reviews of an interim order without the attendance of parties, so the principles set out in the [IOT hearings section](#) of the guidance for MPTS tribunals apply. Interim orders are maintained, varied or revoked in accordance with the need to protect the public, because it is otherwise desirable in the public interest to maintain public confidence and uphold proper standards of conduct and behaviour and/or because it is in the interests of the doctor.
- 3 Although a tribunal can carry out reviews on the papers, in most instances a review on the papers will be carried out by a LQC.

Overview of the reviews on the papers process

- 4 A number of IOT reviews will be scheduled for consideration on the papers on each day that a LQC has been scheduled to consider RoPs.
- 5 When a doctor is contacted by the GMC with regard to an upcoming review, they will also be provided with information about reviews on the papers if it is considered such a review may be appropriate.
- 6 The GMC and the doctor, and their legal representatives, discuss whether they can agree on outcome in the weeks before the doctor's scheduled hearing date. In some instances, agreement for a review to take place on the papers will be made shortly before the date for consideration of the reviews on the papers.

Documents may therefore not be received until close to the date for consideration of the case.

- 7 Case papers will be provided to you via Connect. Documentation provided to you for a review on the papers will include:
 - ▶ An 'agreement document' containing the agreement form signed by the GMC and the doctor and the agreed order from the parties.
 - ▶ Case papers provided in the form of an initial 'bundle' of documents and additional addenda documents.

- 8 Reviews will be listed on the basis that they can be completed on the day as scheduled. It should be borne in mind that agreement has been reached between the parties. The 'new' documentation arising since the order was made or the previous review took place is generally limited and the focus of considerations will be on this 'new' material.

Powers applicable to reviews on the papers

- 9 In considering reviews on the papers you should decide whether the agreed submissions provided by the doctor and the GMC are sufficient to protect the public.

- 10 Alternatively, you have the power to direct that a tribunal hearing should take place to consider the matter if you are not satisfied that the agreement adequately protects the public or are in any doubt as to the doctor's capacity to agree to the proposed action. If you reach this decision, the doctor will be informed of the decision and the hearing date.

How are reviews on the papers different to IOT review hearings?

- 11 The chair or tribunal can maintain, revoke, or vary an interim order as at a hearing provided this is in accordance with the agreement reached by the parties. There are, however, a number of differences between reviews on the papers and reviews at a hearing:
 - ▶ There are no attendees at a review on the papers.
 - ▶ Reviews on the papers take place by agreement so there is no need to make a finding with regard to proof of service.
 - ▶ There are no proceedings to be recorded at a review on the papers so no transcript is produced.

- ▶ The date of a review is not disclosed to a doctor when it takes place on the papers.
- ▶ There is no power to postpone or adjourn reviews on the papers.
- ▶ The chair or tribunal cannot make a different order to that agreed by the parties and will determine that a hearing should be held if they consider the order agreed is not sufficient, insufficient information has been provided or there is a doubt as to the doctor's capacity to agree to the proposed action.
- ▶ The right of appeal by means of a part 8 application, does apply to decisions made on the papers to maintain, vary or revoke an order. However, because reviews on the papers take place by agreement, they are unlikely to be the subject of such an application.

Producing determinations

- 12** Reviews on the papers will not ordinarily take place at the MPTS hearing centre but the process is governed by the same policies as apply to other aspects of MPTS work.
- 13** Written determinations must be produced for each case considered. You must use the templates, which are available for your use on the tribunal members website, to produce these determinations.
- 14** The decision on what to include in a determination is ultimately one for you, considering the case, but you must ensure that the decisions reached are clear and reasoned. In determining cases you should take account of the [IOT hearings section](#) of the guidance for MPTS tribunals.
- 15** When producing your determinations, you should ensure that you:
- ▶ Summarise the reasons for the original referral and order made.
 - ▶ Refer to all previous hearings/reviews on papers and outcomes.
 - ▶ Confirm that you have considered all the information presented.
 - ▶ Summarise the agreed submission made by the parties.
 - ▶ State your decision, and reasons for that decision as to why it is necessary to maintain/replace/vary or revoke the order (the reasons must relate to the position as at the review date).
 - ▶ Select the correct review paragraph to reflect whether the GMC may apply for an extension of the order.

Revocations

- 16** When producing revocation determinations, you should ensure that you:

- ▶ Summarise the reasons for the original referral and order made
- ▶ Confirm that the case has been concluded by the Case Examiners and the outcome e.g. warning or undertakings
- ▶ Confirm there is therefore no basis to maintain the interim order
- ▶ Confirm the order revoked.

Determining that a tribunal should hold a hearing

17 When determining that the review should be carried out at a hearing by a tribunal, you should ensure that you:

- ▶ Summarise the reasons for the original referral and order made.
- ▶ Refer to all previous hearings/reviews on papers and outcomes.
- ▶ Confirm that you have considered all the information presented.
- ▶ Summarise the agreed submission made by the parties.
- ▶ State your decision, and reasons for that decision, eg that the agreed order is insufficient to protect the public or public interest, you don't have enough information to make a decision or you are in doubt as to the doctor's capacity to agree to the proposed action.

18 In addition to the specific points set out above, there are three general points to bear in mind when drafting any determination:

- ▶ Keep it simple.
- ▶ Use plain English.
- ▶ Ensure decisions are clear and reasoned.

19 Your finalised determination should be uploaded, in Word format, to the session folder on Connect where you accessed the case papers by the date scheduled. Once the determination has been uploaded it will be treated by the MPTS as a final decision.

20 An email should also be sent to ROPIOTUpdate@mpts-uk.org to confirm that all decisions have been provided. Please do not provide details of the actual cases considered or decisions reached in the email. The MPTS will then inform parties of the outcome.

Queries relating to reviews of interim orders on the papers

21 For any queries relating to reviews of interim orders on the papers, you should contact the Interim Hearings team at interimhearings@mpts-uk.org or by phone at 0161 240 7260.

Document history

Revision	Date
18	November 2025