

Recording hearings and providing transcripts

Contents

Overview	2
Recording hearings	2
Microphones in virtual hearings	3
Playback facility.....	4
Handing down and/or announcing determinations.....	4
Hearing transcripts	5
Use of mobile devices in hearing rooms	7
Making recordings.....	7
Retention of recordings and transcripts.....	7
Annex A - Requests for transcripts during proceedings.....	8
Rights to a transcript	8
Exceptional requests	8
Request approved - turnaround times.....	9

Overview

1. This document provides information on recording MPTS hearings and when we would provide a transcript.
2. Rule 39 of the GMC (Fitness to Practise) Rules 2004 states:
‘Notes and transcript of proceedings
39. ...
(2) The MPTS shall arrange for the proceedings of the Tribunal to be recorded by electronic or other means.
(3) Any party to the proceedings shall, on application to the Registrar or MPTS (as the case may be), be furnished with a copy of the written transcript of any part of the proceedings at which he was entitled to be present.
(4) Paragraphs (1) to (3) shall not apply to the deliberations of the Committee or Tribunal.’
3. Rule 47 of the GMC (Fitness to Practise) (Anaesthesia Associates and Physician Associates) Rules 2024 states:
‘Recording of proceedings
(1) The MPTS must arrange for proceedings to be recorded.
(2) The MPTS must provide a transcript of a hearing or section of a hearing if:
(a) a party to the proceedings makes a request for a transcript within a period of 7 years, beginning on the date of the last day of the hearing; and
(b) the request relates to a part of the proceedings at which the party was entitled to be present.’
4. To ensure this requirement is met, we operate digital recording in all hearings using Microsoft Teams (MS Teams). This guidance has been produced to clarify the responsibilities of tribunals and the MPTS in relation to digital recording and the processes that must be followed to create a complete and accurate record of every hearing. It also outlines the process to be followed where requests are made to review the record of a hearing.

Recording hearings

5. MPTS staff are responsible for turning the recording system on and off and ensuring that audio files are saved appropriately.

6. At the outset the chair will announce that the hearing is being recorded.
7. The tribunal chair and MPTS staff involved in the hearing are jointly responsible for ensuring that hearings are recorded and checking the red light appears on the top left of the MS Teams meeting or screen in the hearing room throughout the day. If it does not appear the recording is operating effectively, the chair should pause the hearing so that any issues can be resolved.
8. The chair must allow MPTS staff sufficient time to ensure that the recording has been activated and should check that they are satisfied that the recording is in progress before the hearing begins.
9. The chair must state clearly on the record whether the hearing is in public or private session and make additional statements if the status of the hearing changes. The chair must also announce clearly that the tribunal is moving to deliberate in camera. In camera discussions are not recorded.
10. When the tribunal goes into camera, or at the end of the day, the digital recording will be stopped. The chair and MPTS staff involved in the hearing are jointly responsible for stopping the recording.
11. Each time the hearing resumes, the chair must announce for the record that the hearing is resuming and whether it is in public or private session.
12. It is essential that witnesses give verbal responses to the questions put to them so that responses are recorded. A witness may need to give their evidence through an intermediary such as a communicator or interpreter, (for example, a sign language interpreter if the witness is deaf). In these circumstances, the translated response by the intermediary will be recorded. If a witness has no speech, and communicates through an aid (for example, a computer), then the response will be read out by a member of MPTS staff so it can be recorded.
13. Periodic checks of the digital recording are conducted by MPTS staff throughout the day to ensure an accurate recording is obtained.

Microphones in virtual hearings

14. In virtual hearings, it is essential that microphones are switched on so that other participants can hear, and the speaker's input is recorded. Participants should ensure their microphone is switched off when not speaking so unnecessary background sound is not captured as part of the recording.

15. The tribunal and MPTS staff are jointly responsible for monitoring the use of microphones.
16. The ambient microphones in the rooms at the hearing centre will pick up all audio.

Playback facility

17. MS Teams has a playback facility. However, playback is not a substitute for tribunals and parties taking comprehensive notes and, therefore, playback will only be permitted in exceptional cases.
18. If playback is requested by either party or by the tribunal, a written application must be made to the MPTS Head of Operations and Development providing reasons for the request.
19. The decision rests solely with the MPTS Head of Operations and Development.
20. The operation of playback can be disruptive and time consuming to identify the audio and video clip. The impact on the continuation of the hearing and other hearings will be considered when a request for playback is made.
21. If a request is granted, playback would usually be undertaken in private session.
22. Counsel and / or their instructing representative may be present to identify the beginning of the audio and video clip that is required, but the recording must be played with all participants present. Before the recording is played, the chair should announce on the record that a specific part of the proceedings will be played back in response to a request.

Handing down and/or announcing determinations

23. The rules for tribunal hearings explicitly state that any tribunal must 'announce' its decision(s) and provide reasons for them.
24. Tribunals 'hand down' determinations rather than reading them out. This is when the tribunal announces the outcome, so that it is on the record, but parties are expected to read the written reasons in the determination afterwards. In exceptional circumstances, for example where a party to the

hearing has a disability that might prevent them from understanding the determination if they do not have access to a full explanation, it may be appropriate to read the determination in full.

25. The transcript will include any summary (as set out above) and any concluding remarks. We will provide the full determinations to the transcribers for inclusion in the transcript - it is essential, therefore, that the tribunal proofreads the determination fully before handing it down.

Hearing transcripts

26. The transcript is the official record of the hearing, and recordings are not released. They are prepared by an external transcription company, who are provided with an MP3 (audio only) version of the recording. Transcripts are provided on request at the end of a hearing. They are free of charge to the following:
 - ▶ Parties to the hearing (the registrant, the GMC or their representatives).
 - ▶ The person who made the complaint to the GMC, which resulted in the hearing being transcribed (they may or may not give evidence at the hearing).
 - ▶ The individual(s) whose experience formed all or part of the allegations against the registrant (they may or may not give evidence at the hearing).
 - ▶ Healthcare regulators.
27. Those who give evidence (but are not listed above) are only entitled to a transcript of their witness evidence free of charge. However, several variables affect whether a charge is levied, and responsibility for the final decision lies with the Corporate Services, Information & Insight Manager.
28. Only parties are entitled to receive a transcript of any part of the proceedings. All other requests are processed under the provisions of UK General Data Protection Regulation, the Freedom of Information Act 2000 or legislation governing the rights of other organisations and may exclude all matters considered in private, and / or contain redactions.
29. Transcripts are provided within 20 working days unless parties indicate an intention to litigate any matter arising from the hearing in respect of which the transcript has been requested.
30. Parties can ask to be provided with a transcript before the end of a hearing. However, such requests will only be granted when specific criteria are met.

Where this happens, the turnaround time will be discussed with the party making the request (see [Annex A](#)).

31. Where an individual is not identified [as above](#), transcripts are provided in line with the Publication and Disclosure Policy, i.e. where the Record of Determinations continues to be published. Under the provisions afforded by the Freedom of Information Act 2000 we charge enquirers the cost to us of producing and checking the transcript (this cost will be significantly less if a transcript was requested previously - please see the GMC's [publication scheme](#)). If a copy is required in an alternative format because of a disability this would be a 'reasonable adjustment', and we will not apply an additional charge for providing it in this format.
32. Whilst we may provide parties or other organisations with a transcript before a hearing has concluded, it remains MPTS policy that no other request will be approved. The only exception is where a refusal would place a witness with a disability at a disadvantage. For example, where a hearing is held at the hearing centre and the witness wishes to hear the evidence of the GMC expert, but their disability prevents them from attending in person. In these circumstances, providing a transcript of the expert's evidence prior to the hearing concluding may be considered as a 'reasonable adjustment'. Where a transcript is provided before the end of a hearing, it will contain strict instruction not to present, publish, redistribute, or otherwise share the content with others until the hearing concludes. Requests will be considered by the Corporate Services, Information & Insight Manager.
33. Parties receive the verbatim transcript. In all other instances certain checks will be carried out and, where necessary, anonymisation and / or redaction applied to the transcript before it is released. MPTS policy is that the digital recording will not be released.
34. There will be no transcripts of cases which are reviewed on the papers.
35. Transcripts in an alternative format, for example, large print for the visually impaired can be produced. Please follow the process for written translations to make the necessary arrangements.
36. If we receive a query regarding the accuracy or completeness of a transcript, we will check this against the digital recording and ask our transcription company to do the same. The digital recording will not be released.

Use of mobile devices in hearing rooms

37. As is now the practice in courts and tribunals elsewhere, those attending MPTS hearings held in public may use electronic devices to tweet, email or text, providing they do not disrupt or record proceedings. It is not permitted to make or receive telephone calls whilst in the hearing room.

Making recordings

38. Parties to the hearing and others present are not permitted to make recordings or take images of any MPTS proceedings. No other recording, capturing of images, re-use, re-editing or redistribution of the hearing in any form is permitted at any time.

Retention of recordings and transcripts

39. We retain recordings for seven years from the point the recording is made, at which point they are permanently deleted, in line with our [privacy policy](#). Therefore, unless a request was received during this period, any applications made after this time cannot be fulfilled.

Document history

Revision	Date
13	September 2026

Annex A - Requests for transcripts during proceedings

Rights to a transcript

The Fitness to Practise Rules* provide parties with the right to obtain a transcript of any part of proceedings at which they were *‘entitled to be present.’*

Our [Publication & Disclosure Policy](#) clarifies the Fitness to Practise Rules and states that transcripts are provided to parties *‘free of charge, at the end of a hearing.’*

The policy does not allow parties the right to obtain a transcript during proceedings.

Neither the Fitness to Practise Rules nor the Publication & Disclosure Policy allow tribunal members a right, specific to their role, to obtain a transcript.

Exceptional requests

Tribunal members are expected to make sufficient notes of a hearing to assist their decision making. Therefore, the MPTS will only agree to provide a transcript during proceedings in the following circumstances:

Parties only

- ▶ Part heard during factual evidence – such requests must be supported by a persuasive argument.
- ▶ Reasonable adjustment (as defined by the [Equality Act 2010](#)) - such requests must be supported by evidence.

Tribunal only

- ▶ Where there has been substitution of a tribunal member.

Applications made for other reasons will not be agreed.

All requests will be determined by the Corporate Services, Information & Insight Manager (or the Head of Communications & Corporate Affairs in their absence).

* Rule 39 of the GMC (Fitness to Practise) Rules 2004 and Rule 47 of the GMC (Fitness to Practise) (Anaesthesia Associates and Physician Associates) Rules 2024

Request approved - turnaround times

The Corporate Services & Information team facilitates production of transcripts, which can take up to 20 working days.

Where a request by a party has been made due to a reasonable adjustment and continuous transcripts are required, every effort will be made to provide them on a 48-hour turnaround. However, this cannot be guaranteed, and a longer turnaround time may be offered. Therefore, the requesting party should proceed on the basis that transcripts will be provided every 48 hours.

Where a request has been made following substitution of a tribunal member or where the hearing went part heard during facts, the turnaround time offered will depend on when the hearing is due to reconvene.

Any queries about this guidance should be sent to CS&I@mpts-uk.org