Dear Mr Alexander,

Your information access request – F17/9285/SW

Thank you for your email of 11 December 2017 asking for the following information:

1. **How many doctors who are currently registered, and hold a licence to practice, are on the Sex Offenders Register?**

   *If so, please disclose the number of such doctors and a breakdown of the offences for which they were convicted.*

2. **How many doctors who are currently registered, and hold a licence to practice, have been convicted of a criminal offence in the last four years?**

   *If so, please disclose the number of such doctors, and if it is within the cost limits, a breakdown of the offences for which they were convicted.*

3. **Can the GMC advise if it is a matter of GMC policy to strike off any doctors convicted of gross negligence medical manslaughter?**

   *If so, please point me to the relevant policy or provide a copy of the relevant document if it is not published.*

4. **Does the GMC have memoranda of understanding, or any equivalent protocols, with the Crown Prosecution Service and with the Criminal Case Review Commission?**
I’ve considered your request under the Freedom of Information Act 2000 (FOIA).

I can’t provide the information you requested. This is because of the amount of data you’ve asked for and the work that would be involved. Under the FOIA there’s an exemption for requests where it would cost the public authority more than £450 to process - equivalent to two and half days’ work.

The cost of your request

To estimate the cost we can take into account determining, locating, retrieving and extracting the information requested.

We do not hold the information you are seeking in questions 1 and 2 in a way which can be extracted electronically; this means that we would need to manually check though each case file. There are 114 registered and licenced doctors who were subject to investigation for drink-driving and/or speeding since 1 January 2014. It would take around 10 minutes to check through each record, which equates to over 18 hours in total. Based on an hourly rate of £25 per hour (which is set by the Freedom of Information (Fees and Appropriate Limit) Regulations 2004 ) it would cost us in excess of the ‘appropriate limit’ to process just a small part of your request.

Further, in respect of question 1, information contained in the initial case file would not take into account any successful appeals taking place at a later date.

Whilst I duly I note that you have mentioned the costs limit in your request, it is not for us to decide on your behalf how to narrow the scope of the information you are seeking.

The exemption

Under the FOIA, the specific exemption which we believe applies is at section 12. This states that we are not required to comply with a request if we estimate that the cost of doing so would exceed the appropriate limit.
Response to Questions 3 and 4

A doctor’s name can only be erased from the medical register for reasons relating to their fitness to practise by a Medical Practitioners Tribunal (MPT) following a hearing. The MPT hearings are run by the Medical Practitioners Tribunal Service (MPTS) and they are operationally independent from the GMC (for further information please see here). Therefore, the decision on what sanction should be placed on a doctor, whose fitness to practise is found to be impaired, is not determined by the GMC. Please find their sanctions guidance here.

Information about organisations which the GMC has a Memorandum of Understanding with are published here.

Your right to appeal

I'm sorry I couldn’t provide all the information you requested. You can appeal against this decision to Elizabeth Hiley, Information Access Manager. If you want to appeal, please set out your reasons and write to her at elizabeth.hiley@gmc-uk.org. You can also appeal to the Information Commissioner, the regulator of the FOIA and DPA – we can provide more details about this if you need them.

Yours sincerely

Simon Willis
Information Access Officer
Resources & Quality Assurance Directorate