



Post, programme and GP trainer approval - withdrawals process

Introduction

1. PMETB is the statutory authority for approving GP trainers and training programmes and posts for training leading to the award of a CCT. PMETB has set criteria against which it will approve such training, referred to here and in the Approvals Rules as the Approvals Criteria.
2. If the training offered by a training institution or a GP trainer does not meet PMETB Approval Criteria, an approvals panel (or the Director of Quality in cases delegated to him/her) will normally seek to set conditions for improvement which will enable the training provider to meet the criteria within a reasonable period. The first approach to inadequate standards will be to work with the training provider collaboratively to bring about the necessary change, bringing in the knowledge and expertise of the local deanery and royal college/faculty/speciality association. This will normally involve the writing of an action plan to be monitored by the deanery and college/faculty/speciality association locally on PMETB's behalf.
3. Only PMETB can give or withdraw CCT training approval. A visiting panel can advise PMETB but cannot, itself, impose sanctions. A PMETB approvals panel should consider all cases where withdrawal of approval is a possibility.
4. PMETB is responsible for educational standards. Withdrawal of educational approval will not be made solely because of concerns about service issues or patient and trainee safety that do not impact on training.
5. The Approvals Rules provide the framework within which the following process for considering withdrawal will take place. Those Rules also provide for an option of provisional withdrawal in any case where there appears to be a real risk to the health and well-being of any person. That option has not been proposed here. Provisional withdrawal would set up yet another complexity in an already complex process. A real risk to safety should be dealt with as a matter of clinical governance or as an employment matter not as a training approval.
6. PMETB will refer information describing concerns about patient and/or trainee safety to other appropriate regulators.

7. Notwithstanding any part of the process described here, and whilst a post, programme or GP trainer continues to be approved by PMETB, a postgraduate dean may remove trainees from a training placement at any time. PMETB will inform a deanery if it is considering a withdrawal case. In these circumstances the deanery should consider informing trainees.

Conditions for activating the withdrawal procedure

8. There are two situations in which PMETB will activate its procedure for withdrawal of training approval:
 - (a) if there is a documented history of significant failure to comply with PMETB standards and PMETB judges that further opportunity for improvement by the training provider will not bring about change to secure compliance with the criteria either with sufficient speed or in a lasting way; or
 - (b) If conditions placed on a PMETB approval are not met in the timescales prescribed by PMETB¹ despite warnings that withdrawal of training approval could result and in the absence of circumstances accepted by the Board as appropriately extenuating factors.
9. PMETB will not activate the withdrawal procedure unless:
 - (a) It has documented and triangulated evidence of persistent or serious failure to meet PMETB standards and
 - (b) It, or the postgraduate dean and royal college/faculty/speciality association have sought to work with the training provider to secure the necessary changes and
 - (c) It has explicitly warned the training provider in writing that withdrawal could occur if changes are not made and
 - (d) It has sought and taken account of any views expressed by the training provider and the views of the postgraduate dean and college/faculty/speciality association (including the RCGP where a post/programme in secondary care is used for GP training).

Withdrawal process

10. The paperwork will be considered by an approvals panel². The members of the approvals panel will normally meet in person. The panel will consider the situation in light of all the relevant and available information and will make a recommendation on training approval.

¹ Time scales will vary according to the seriousness of the failure but will normally be between one and twelve months. Immediate action can be required where the failure is very serious.

² A Training Committee paper dated April 2006 describes the composition and terms of reference for approvals panels

11. The Chair of the Training Committee (on behalf of the Training Committee) will be asked to endorse the recommendation of the approvals panel and the process by which that recommendation was reached. The Chair of the Training Committee may invite the Training Committee to assist him/her in this activity. Any member of the Training Committee who was on the original approvals panel will be excluded from this process.
12. If the Chair of the Training Committee supports the approvals panel recommendation that approval should be withdrawn, PMETB will issue a formal notice to the training provider copied to the relevant postgraduate dean, the Departments of Health and any other body it thinks fit that it proposes to withdraw training approval from a stated date either by:
 - reducing the training capacity; or
 - only approving part of the training offered by the training provider or
 - withdrawing approval from the whole training programme/post or GP trainer
13. Having established that all the actions described above have been completed the Director of Quality will inform the relevant Health Department.
14. Withdrawal of approval will not normally take effect until the end of any statutory appeals process unless there are serious safety issues which mean that the Board considers withdrawal has to take effect earlier to avoid risk to the health and safety of patients and/or trainees. In these circumstances the precise date of withdrawal of approval will be the date on which the training provider receives the PMETB notice.
15. All trainees in post at the time of the confirmed withdrawal notice will normally have their training recognised until the end of that post. In exceptional circumstances, and in the interests of patients, where PMETB has clear evidence that training has been very sub-standard, recognition of training for current post-holders will not be granted. No training will be recognised for any trainees arriving at the hospital after the withdrawal notice has been received unless and until new approval is given.
16. Withdrawal of approval will also take effect when and if the training provider
 - fails to make an application for a statutory appeal within the necessary time frame (see paragraph 32 below) or
 - confirms that a challenge (a request for review or an application for a formal appeal) will not be made against the decision to withdraw approval or
 - withdraws from an ongoing review or appeals process.
17. PMETB will inform all relevant parties of its decision. The letter to the training provider will contain detailed information on the review process

and will also refer to the right of the training provider to make a statutory appeal and to the fee for this process.

Review mechanism

18. The training provider will have one month³ from the date of confirmed receipt by email of the notice of proposed withdrawal in which to seek a review of the decision by setting out clearly the reasons why it wants a review, together with supporting documentation.
19. No fee will be payable by the training provider for the review at present. However a fee may be introduced in the future.
20. PMETB may seek the views of the postgraduate dean and/or college/faculty/speciality association on the application for review.
21. PMETB will appoint three people to form a review panel⁴ ⁵ none of whom were part of the panel which recommended withdrawal of training approval and none of whom work in the training provider or the deanery in which it is located. At least one member of the review panel will be a PMETB Board member and normally one a representative of the service. The panel will normally meet in person.
22. The review panel will consider all the submissions received relating to the review as well as the information which was before the original approval panel.
23. The review panel will have due regard to the interests of those undertaking or intending to undertake the relevant training.
24. The review panel will issue its decision within twenty working days of the date of receipt of the request for a review.
25. Withdrawal of approval will not normally take effect until the end of any appeals process unless there are serious safety issues which mean that the Board considers withdrawal has to take effect earlier to avoid risk to the health and safety of patients and/or trainees.
26. Withdrawal of approval can also take effect when and if the training provider
 - fails to make an application for a statutory appeal within the necessary time frame (see paragraph 32 below) or

³ or such shorter period as may be determined by the panel if the circumstances require that a final decision be taken urgently

⁴ Legal advice confirms that it is acceptable in law for a Board appointed panel of Board members and/or staff to take a withdrawal decision at the review stage on behalf of the Board

⁵ The Board has not yet considered the composition and terms of reference of review panels and will need to do so

- confirms that an appeal will not be made against the decision to withdraw approval or
- withdraws from an ongoing appeals process.

27. All trainees in post at the time of the confirmed withdrawal notice will normally have their training recognised until the end of that post. In exceptional circumstances, and in the interests of patients, where PMETB has clear evidence that training has been very sub-standard, recognition of training for current post-holders will not be granted. No training will be recognised for any trainees arriving at the hospital after the withdrawal notice has been received unless and until new approval is given.

28. The time limits given above may be altered if all parties agree.

29. PMETB will discuss with the training provider and postgraduate dean any steps which could be taken to mitigate any detrimental effect of a decision to withdraw training approval.

30. PMETB will inform all relevant parties of its decision. The letter to the training provider will refer to the right of the training provider to make a statutory appeal and to the fee for this process.

31. An application for re-approval can be made by the training provider at any time after withdrawal has taken effect.

Appeals against a decision of the Board

32. A training provider may make a formal appeal against the PMETB's decision to withdraw approval before or after the review process described above has been carried out.

33. Appeals are conducted by the Office of the Director of Appeals which is statutorily independent of the PMETB and can provide more information on the process and the fee.

34. The training provider may appeal against the decision within three months of the notice of withdrawal. This means a notice of withdrawal following initial consideration by a panel or following a review. PMETB's Appeals Rules will apply to this appeal.

35. A fee will be charged to the training provider making the appeal. The fee is £1,400 for a written appeal and £2,100 for an oral appeal.

36. An application for re-approval can be made by the training provider at any time after withdrawal has taken effect.