

Interim Orders Tribunal – Factsheet

WHAT IS THE IOT?

The role of the IOT is to consider whether a doctor's registration (and therefore practice) should be restricted on an interim basis. This can be done either by suspension or by imposing conditions on their registration. Cases considered by an IOT are heard in private although they may be heard in public in certain circumstances e.g. the doctor requests a public hearing or the IOT considers it appropriate.

The GMC may refer a doctor for an interim orders hearing at the Medical Practitioners Tribunal Service [MPTS] at any stage in proceedings.

WHAT TYPES OF CASES ARE REFERRED TO THE IOT?

A case can be referred to the IOT at any stage of the GMC investigation. Cases are referred to the IOT where the evidence suggests it may be necessary to restrict that doctor's registration for one of the following reasons:

- Protection of members of the public;
- Where it is in the public interest to do so;
- Where it is in the doctor's own interests.

WHAT DOES THE IOT CONSIDER?

R (Sosanya) v General Medical Council

In this case the Court reinforced the GMC/MPTS guidance to IOT panels that it is "incumbent on the panel to consider the individual features of each case and the particular charges", and that the IOT should have in mind the possibility of the practitioner's acquittal as well as the possibility of his or her being convicted."

WHAT ORDERS CAN THE IOT MAKE?

The IOT can make one of three decisions:

- *No order*
- *Conditions*
- *Suspension.*

HOW LONG DO THE CONDITIONS LAST?

Generally once imposed, interim orders must be reviewed within 6 months and then every 6 months thereafter, however the doctor may request an early review. A review of an interim order can be held at any time if new information relevant to the order becomes available. The maximum period is 18 months and if the GMC need to extend that period they will have to make an application to do so to the Court.

WHAT KINDS OF CONDITIONS CAN BE IMPOSED?

The GMC has published an IOT Conditions Bank document, which provides examples of Conditions that an IOT panel may impose. The Conditions Bank should be read in conjunction with the GMC's publication Glossary of Terms, which defines the words used in Conditions of Practice Orders. The conditions imposed should be relative to the allegations or issues being investigated, and can cover all manner of things such as:

- **Performance**
- **Supervision**
- **Health conditions and restrictions**
- **Alcohol/drug use**
- **Audit requirements**
- **Conduct**
- **Language ability**
- **Prescribing**
- **Locum/on-call/out of hours restrictions**

WHAT HAPPENS AT THE IOT HEARING?

Interim orders hearing are normally held in private. Three tribunal members sit at one end of the room. There are separate tables for the doctor and his representative and the GMC's legal representative. The hearing is digitally recorded.

Tribunal Chair introduces the members of the tribunal, and the documents

Doctor states name and GMC Numbers

GMC presents case and requests either specific conditions, suspension or general conditions

The Panel has the opportunity to ask questions of the GMC

The Doctor and/or Legal Team present their submissions

The panel can then ask questions of the Doctor and/or the Doctor's legal team

Panel retires to make their decision; this can often take a couple of hours.

The Panel can return a decision of either no order, place conditions on practice, or a suspension order.

The MPTS' website and the electronic medical register on the GMC's website will record the details of any conditions or the length of a suspension. Health conditions are usually kept private.

There are instances where the review can occur on the papers and documents provided by the parties. Attendance at an oral hearing is therefore not necessary in these cases, but this must be agreed between the parties in advance.

WHAT DO I DO IF I AM REFERRED TO AN INTERIM ORDERS TRIBUNAL HEARING?

Immediately upon receipt of the GMC's letter, doctors should notify their Medical Defence Organisation or insurance provider and obtain advice about the next steps. It is likely that solicitors will be instructed on the doctor's behalf and meetings will need to be arranged at fairly short notice.