

## GMC response to EC consultation on regulated professions: proportionality

### Introduction

The General Medical Council (GMC) is an independent organisation that helps to protect patients and improve medical education and practice across the UK.

- We decide which doctors are qualified to work here and we oversee UK medical education and training.
- We set the standards that doctors need to follow, and make sure that they continue to meet these standards throughout their careers.
- We take action when we believe a doctor may be putting the safety of patients, or the public's confidence in doctors, at risk.

We are not here to protect doctors - their interests are protected by others. Our job is to protect the public.

### Patient safety in regulated professions

Healthcare is a sector unlike other regulated professions which may have an overriding economic consideration. Patient safety is, and must remain, the principle consideration when assessing the proportionality of regulation in the healthcare sector.

Indeed the European Commission acknowledged this when launching the mutual evaluation exercise via its *Communication on evaluating national regulations on access to professions* (COM (2013) 676).\*

Patients across Europe should have confidence in their health professionals. For any consideration of the regulation of health professionals, the preservation of that trust and of patient safety is paramount. Professional regulation must create a framework that

\* "Professions may be regulated for health and safety reasons so as to avoid accidents caused by malpractice or faulty products. For example, for the majority of health professions, adequate qualifications, including traineeships, are required."

maintains safe and effective clinical practice and provides the foundation for effective relationships between patients and health professionals.

In considering the role of regulation of healthcare professionals, decision makers must remain vigilant about the purpose of the regulatory measures imposed. When asking questions about whether regulation makes access to a profession more or less easy, decision makers need to balance this consideration against whether the measures serve to protect the public in a proportionate way.

GMC  
July 2016