

12 April 2013

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Chair
Professor Sir Peter Rubin

Chief Executive
Niall Dickson

Dear Ms Salim

Review of the Public Sector Equality Duty (PSED)

Thank your letter of 19 March about the review of the operation of the Public Sector Equality Duty (PSED).

The GMC is the independent regulator of the UK's 250,000 doctors. Our job is to protect, promote and maintain the health and safety of the public by ensuring proper standards in the practice of medicine.

We do this by managing entry to the medical register and setting the educational standards for all UK doctors through medical schools and postgraduate education and training. We also determine the principles and values that underpin good medical practice and we take firm but fair action where those standards have not been met. This role and the powers to do it are derived from the 1983 Medical Act.

Our Equality and Diversity Strategy 2010-13 sets out our vision to be a fair regulator and inclusive employer. Remaining compliant with UK legislation (including the PSED) is one of our priorities in implementing the strategy.

We are using the duty in the following ways:

- a. As a lever to ensure that our activities are informed by an understanding of the impact of our work on people who share the protected characteristics.
- b. To help ensure that we are fair and non-discriminatory in regulating the medical profession.
- c. To provide an audit trail and to drive a systematic approach to considering the needs of doctors, patients and the public in delivering our work.

Attached are examples of documents which evidence our work in this area:

- a. Our guidance for staff undertaking equality analyses.
- b. The equality analysis (EA) for the review of *Good Medical Practice*, which sets out the standards for all doctors practising in the UK.
- c. The EA for revalidation, which is the process by which doctors demonstrate on a regular basis that they are up to date and fit to practise.
- d. The EA for the reforms which separate our investigation and adjudication functions.

We are trying to develop a coherent approach to collecting equality data and monitoring. The current duty does not set out clearly to what extent an organisation should gather and analyse data on individuals to inform decisions. We have received legal advice on this area and have decided in general to make decisions based on specific processes and legitimate need. However, we would welcome clearer guidance on what protected characteristics and situations a professional regulator should monitor.

Another area where guidance would be welcome relates to what extent we are expected to hold other bodies to account with regards to their compliance with the duty. For example, the GMC sets the standards and outcomes which must be met by other bodies involved in medical education and training. This includes the medical royal colleges, medical schools and the postgraduate deaneries. To date we have set some expectations for our interest groups through standards and guidance that contain the principles of the PSED. We would welcome a clearer steer as to whether we should be more explicit in our expectations around how other public bodies should implement the duty.

Please contact [REDACTED], our Head of Diversity ([REDACTED]) if you require further information about our work in this area.

Yours sincerely



Niall Dickson

(Supporting documentation supplied separately to GEO)