

Vaughan Gething AC/AM  
Ysgrifennydd y Cabinet dros Iechyd a Gwasanaethau  
Cymdeithasol  
Cabinet Secretary for Health and Social Services



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref MA-P-VG-1281-18

Dr Dai Lloyd  
Chair  
Health, Social Care and Sport Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

27 April 2018

Dear Dai,

Thank you for your letter of 21 March regarding the Health, Social Care and Sport Committee's one-day inquiry into the All Wales Medical Performers List.

I have noted the Committee's Terms of Reference and that three specific areas were considered. I will take each of these in turn below as set out in your letter to me.

#### The existence of separate Medical Performers Lists for England and Wales

As you say, amendments have been made to the NHS (Performers Lists) (Wales) Regulations 2004 as recently as March 2016 in order to reduce the administrative burden in applying to be included in a Local Health Board's (LHB) Performers List.

Notwithstanding these amendments and the streamlined application process, there have been calls for more radical change, for example, for a UK Performers List, or an England and Wales Performers List, or a Wales Performers List in order to further reduce bureaucracy. There have also been calls to consider whether doctors currently listed on a performers list in England, Scotland or Northern Ireland may be given the automatic right to work in Wales.

I therefore agreed to an informal ten week consultation period which commenced on 28 November 2017 and closed on 7 February 2018. Seven options were included in the consultation document which included options covering the issues you have highlighted in your letter were raised by stakeholders at the evidence sessions.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[Gohebiaeth.Vaughan.Gething@llyw.cymru](mailto:Gohebiaeth.Vaughan.Gething@llyw.cymru)  
[Correspondence.Vaughan.Gething@gov.wales](mailto:Correspondence.Vaughan.Gething@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

An initial assessment of the 27 responses received has revealed they present a number of differing views and highlight particular difficulties in certain parts of Wales.

My officials will now analyse the responses received together with the evidence presented to the Committee as part of its inquiry. Any future approach will need to balance carefully the potential for removing any barriers for GPs to work in Wales with clinical governance and patient safety issues.

I also note that the NHS Wales Shared Services Partnership has suggested that IT improvements could possibly streamline their processes and this is something that my officials will raise with them.

#### Ease of access to Medical Performers List registration for GPs returning to Wales

Doctors applying to join the Performers list are required to produce their certification from the competent authority, GMC registration and two clinical referees. Employers have a duty of care to the public to ensure that doctors working in their service are fit to do so, and individual GPs have a duty to ensure they undertake appropriate levels of training / development so their skills remain current.

In 2015 officials considered the arrangements in place to establish whether there were opportunities to relax those requirements whilst maintaining safeguards in relation to patient safety. This resulted in a number of changes to make it easier to assess an individual's skills. These arrangements aimed to make it easier for GPs who have previously worked in Wales to return to practice following a career break or a period of working outside the UK. It also aimed to support doctors who have qualified outside the UK and choose to work in Wales. The package of measures included a more targeted assessment of an individual's skills, to identify those who can safely enter the workforce with minimum support and those who require greater assistance.

As you indicate in your letter, there is work underway to consider whether it would be possible, and appropriate, for GPs who choose to work overseas to be retained on the performers list for up to 5 years and during that period remain part of a UK based appraisal process. This would mean that individuals who returned prior to the expiration of the 5 year period would already be on the performers list and therefore not be subject to the normal application processes. It is important the patient safety aspects of this are fully considered and this work is ongoing. My officials are also considering what additional steps could be taken in this area.

#### How the Medical Performers List registration process assesses the equivalence of medical training undertaken outside the UK

The Mutual Recognition of Professional Qualifications (MRPQ) Directive 2005/36/EC provides a framework for recognising professional qualifications, in the European Union (EU), and under certain conditions, to the other European Economic Area (EEA) countries and to Switzerland. It seeks to encourage the automatic recognition of qualifications and simplify administrative procedures.

In the UK, statutorily regulated health and social care professionals have to be registered with, and show that they meet the standards of, the relevant regulatory body, in order to practice their profession. The regulators control access to regulated professions, professional and vocational titles and professional activities which require specific qualifications, and are subject to national law. In the case of doctors it is the role of the GMC to ensure individuals have an appropriate qualification to support registration.

This matter is an important part of the wider discussions which are being taken forward by the UK Government as part of the work on the UK withdrawal from the European Union. The Welsh Government has been clear about the value we place in those who choose to come to Wales to contribute to the provision of our health and care systems. We are also clear that a failure to agree equivalent provisions to the MPRQ Directive would do significant damage to our ability to recruit and retain staff within NHS Wales. I am interested to hear about the outcome of the work being undertaken by the GMC in terms of the equivalence agenda between the UK and Australia.

I am grateful to the Committee for undertaking this inquiry and I will keep you updated on any proposed changes to the Performers Lists following an analysis of the responses to the consultation on options.

Yours sincerely

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, slightly slanted style.

**Vaughan Gething AC/AM**

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Cabinet Secretary for Health and Social Services

