



Agreement between FPH and users of the FPH revalidation service April 2021

The purpose of this document is to describe the mutual responsibilities and expectations of users of the FPH revalidation service. This document should be used in conjunction with the FPH Revalidation Policy.

This document only applies to members who either have a prescribed connection to FPH as their Designated Body in accordance with the relevant legislation¹ or decide to use the FPH revalidation service as UKPHR public health specialists.

1. Introduction

As a Designated Body under the terms of the Medical Profession (Responsible Officers) Regulations 2010 (Regulations), the Faculty of Public Health (FPH) has appointed a Responsible Officer (RO).

The RO will carry out the legal responsibilities of an RO as set out in the Regulations with regard to those members whose prescribed connection is with FPH.

Connecting to FPH places a number of requirements on the connecting member, which are set out below. Members who connect to FPH are obliged to sign an undertaking that they will abide by these requirements and should be aware that failure to comply may be regarded as 'failure to engage' and that this will be reported to the General Medical Council (GMC).

Members seeking a connection to FPH as their Designated Body (DB) must first ensure that they have no connection to another DB which is higher up the GMC connection algorithm.

2. Registration process

Members for whom FPH is their designated body should contact the FPH Revalidation Team at: revalidation@fph.org.uk stating that FPH is their designated body and that they wish to register for the Revalidation Service.

The FPH Revalidation Team will email the appraisee, welcoming them and making them aware of the FPH Revalidation policy and its associated processes and procedures as well as any fees associated with the revalidation service. The appraisee will also be asked specific information to ensure the established prescribed connection is correct. This might include, but not limited to current job and employer, scope of practice, etc.

They will receive details of how to register including:

- this document;
- a registration form;
- invoice for revalidation related fees.

¹ The Medical Profession (Responsible Officers) Regulations 2010 and The Medical Profession (Responsible Officers) (Amendment) Regulations 2013

Once the fully completed and signed registration form and the Medical Practice Information Transfer (MPIT) form from their previous designated body have been received and the correct fees have been paid, FPH will acknowledge receipt and confirm the prescribed connection.

This document and the registration form signed by the appraisee and accepted by FPH and any other documents referred to in this agreement form the entire agreement between FPH and the appraisee. The user agreement comes into force on FPH's acceptance of the appraisee for registration.

The FPH Revalidation Team will then:

- arrange for annual appraisals which are compliant with revalidation requirements
- inform the appraisee about 360°/patient and colleague feedback
- give advice about the need to record continuing professional development
- give access to the revalidation management system provided by FPH, which will store all information associated with revalidation
- link to various guidance documents, including specialty specific guidance relating to public health medicine

3. FPH responsibilities

Throughout a user's connection, FPH will aim to respond within 5 working days to questions and enquiries sent by email and telephone.

FPH will provide users with access to L2P, a Revalidation Management System which allows users to securely share appraisal documentation with their appraiser and then store appraisal summaries and supporting information. FPH will ensure that a trained and suitably experienced appraiser is available who will support the user throughout the appraisal process.

FPH will organise an annual development day for their appraiser to ensure they meet the core competencies to enable revalidation to be delivered fairly and consistently.

FPH will ensure that all their appraisers meet with the Lead Appraiser annually for a formal review of performance.

The Lead Appraiser and/or RO will review the uploaded information for each appraisee. In the event that the information is not satisfactory, the RO will set out what steps are required, which might include the provision of additional information, or remediation or other measures. For these purposes, failing to upload satisfactory information may include without limitation (a) failing to upload sufficient or accurate information, and/or (b) uploading information which raises conduct or performance concerns.

The appraisal discussion is confidential and the privacy that this allows is needed to consider some of the more difficult areas that may be raised in appraisal. However, confidentiality is not absolute and there may be situations in which the appraiser is obliged to share information gained in the appraisal discussion. This would clearly be the case should patient safety issues be identified in which case the appraiser should follow the managing concerns procedure. Please see separate FPH policy on managing concerns.

In the event of concerns being raised about the appraisee, the RO will instigate an investigation and may refer the matter on to the GMC.

Once every five years (or sooner if required by the GMC), the RO will make a recommendation to the GMC concerning the appraisee's suitability for revalidation.

FPH may contact a member's previous Designated Body, if applicable, to ask whether the previous RO has any information concerning the member's fitness to practice which they

would like to share with the current RO. This may occur even after a MPIT form has been returned during the registration process. Likewise when a member moves onto another Designated Body the RO will share upon request, with that RO, any information about any concerns that they might have.

FPH will take all reasonable steps to ensure that personal information is held securely. All information disclosed as part of appraisal and revalidation of the appraisee is personal data or sensitive personal data and will be used by the RO and FPH only for purposes related to revalidation. Such data may be shared or discussed with the RO, with the appraisee's appraiser. Were the RO to seek further information from any other person, for example: manager; employer or any person appointing the appraisee to provide medical services, the appraisee will be informed and, unless there is a safety issue, consent will be sought. The RO will share any information necessary with the GMC and with any other relevant authorities as required to comply with FPH's RO duties to the GMC or other competent regulator or as required by law.

In the event of the appraisee retiring or otherwise ceasing their need to maintain a licence to practise, and thereby their need for revalidation, their access to the FPH Revalidation Service will cease. In such cases, personal data relating to the appraisee will be retained for five years, from the date of the appraisee being notified that their access to the FPH Revalidation Service has ceased.

FPH will support appraisees accessing the FPH Revalidation Service by providing written guidance and telephone advice and signposting to further information as required. The appraisee accessing the FPH Revalidation Service is invited to provide comments and, should the need arise, may avail him/herself of FPH complaints procedure.

The appraisee should be aware that, although the recommendation is made by the FPH RO, the decision on revalidation is made by the GMC and any appeal against a revalidation decision should be made to the GMC.

4. User responsibilities

Members connected to FPH should be aware of the relevant Regulations and guidance (sent in the email referred to in 2. above).

Having registered to access the FPH Revalidation Service, the appraisee must pay the required annual fee and sign an agreement to comply with the requirements as set out in this document and other related documents issued from time to time by FPH.

In particular (but not exclusively) users of the FPH Revalidation Service: must:

- comply with Good Medical Practice
- ensure that FPH has a current and functioning email address. FPH manages all routine correspondence through email and it is essential that users ensure that the FPH Revalidation Team has an up to date email address throughout their connection.
- remain in Good Standing with FPH throughout the period of their connection. This means their membership subscription to FPH must be paid up AND their CPD must be up to date (unless an exemption has been agreed). Any member who is not in good standing will be unable to maintain their connection to the FPH revalidation service and their prescribed connection under the Medical Profession (Responsible Officer) Regulations 2010 with the Faculty of Public Health will cease.
- undergo annual appraisals, (unless the RO approves a missed appraisal)
- participate in a system approved by the FPH RO of 360°/multisource feedback (MSF) at least once every five years
- record continuing professional development (CPD) using the FPH CPD online diary (recommended) or any other system that better fits their professional registration.

- use the Revalidation Management System (RMS) provided by FPH to upload all required information related to their revalidation. Presently this system is L2P.
- upload, upon joining the FPH Revalidation Service, onto the revalidation management system, their previous appraisal documentation from the present Revalidation cycle including:
 - a copy of their previous personal development plan (PDP),
 - a copy of their previous appraisal summary,
 - copies of previous appraisal summaries from the current cycle, and
 - a copy of any multi-source feedback (MSF) exercise undertaken in the current cycle.
- contact their appraiser at least 3 months before their appraisal month in order to agree a time and place for the appraisal meeting. Minor changes within the appraisal month can be agreed between member and appraiser. The revalidation management system can be updated by either party. Changes beyond the appraisal month should be requested through the FPH Revalidation Team.
- submit their appraisal documentation to their appraiser at least two weeks before the date of their appraisal meeting. It may be necessary to postpone a meeting if the appraiser has insufficient time to review the appraisal documentation before the meeting. If a user fails to submit their documentation a second time, the matter will be referred to the RO.
- ensure the final agreed version of the appraisal summary and PDP are agreed on no later than 28 days after the appraisal meeting.
- expect their appraiser to ask for a photographic form of identity. This is due to the fact that FPH does not employ the appraisees with whom they have a prescribed connection.
- have the necessary knowledge of the English language to provide a good standard of practice and care in the UK.' as set out in the GMC's [Good medical practice](#) guidance which includes an explicit duty about appraisees' knowledge of English.
- supply any further information that may be required by the RO and in the format as required by the RO in a timely manner (including the appraiser's scope of practice)
- inform the RO promptly of any incidents or complaints about his/her own practice
- comply with any requirements, procedures and timescales made by the RO for extra appraisals, investigation, remediation or any other measures
- pay for all costs concerned with extra appraisals, investigation, remediation or any other measure required by the RO.
- undertake not to withhold any information from the RO relevant to the revalidation process, since such withholding would be regarded as a serious matter
- provide such information requested by the RO as is necessary to enable the RO to monitor the appraiser's compliance with conditions imposed by or undertakings agreed with the GMC
- pay the required fees
- inform promptly the RO and the GMC if his/her employment and/or his/her prescribed connection changes
- if moving into a new prescribed connection, provide details of his/her new RO and consent to the transfer of information to the new RO
- engage fully with the revalidation process. In practice, this means paying fees and responding to requests for information or actions in relation to appraisal in a timely manner.

- Users experiencing difficulties should inform the FPH Revalidation Team as soon as practical in order that suitable advice and/or support can be provided.

If there is any breach to this agreement or failure to comply with the RO's requirements, the RO may report this to the GMC as it constitutes inadequate engagement.

The appraisee acknowledges that his/her personal data or sensitive personal data will be disclosed as part of his appraisal and revalidation. The appraisee consents that such data may be:

- used by the RO and FPH only for purposes related to his/her appraisal and revalidation
- shared or discussed with the RO, his/her appraiser, the GMC and any other relevant authorities as necessary as required to comply with the RO's duties to the GMC or other competent regulator or as required by law
- (where the appraisee's prescribed connection changes from FPH to a different designated body) transferred to the RO of the new designated body.

Members based overseas are reminded that the licence to practise is for use solely in the UK. The FPH Revalidation Service will aim to support members based overseas in revalidation. However, members based overseas should note that the requirements for revalidation are the same as for members based in the UK. Members practicing only overseas should consider revoking their license to practice until they plan to return to the UK.

5. Fees

The fees set out in Appendix 1 will apply to appraisees connecting to FPH.

6. Termination

FPH will cease to act as the member's designated body and immediately terminate the Revalidation Contract if information is received that the member's circumstances have changed, which means that the member's prescribed connection is no longer with FPH

Personal data in relation to an appraisee will be retained for a period of five years, from the date of the Revalidation Contract terminated.

On termination of this contract, the member may be entitled to a partial refund of any fees paid prior to the date of termination, as per set out in Appendix 1.

7. General

FPH may vary any term of the Revalidation User Agreement as necessary to comply with changes in the responsibilities of a RO made as a result of a change of law or policy or requirements of the GMC or an account of any other relevant factor.

A person who is not a party to this Revalidation User Agreement shall have no rights under the Contracts (Rights of Third Parties) Act 1999 (as modified or re-enacted) to enforce any of its terms.

If a notice has to be given under this Revalidation User Agreement to the appraisee, it must be sent by email to the appraisee at the email address of which he/she has notified FPH in which case it will be regarded as received upon return email to FPH confirming receipt of the email.

This Revalidation User Agreement shall be governed by, and construed in accordance with, the laws of England. The appraisee and FPH irrevocably submit to the exclusive jurisdiction

of the Courts of England to settle any dispute or claim which arises out of this Revalidation User Agreement.

Appendix 1: FPH Revalidation Service fee policy

Introduction

Participation in the revalidation process and annual strengthened appraisal is a requirement for revalidation in order for you to retain your licence to practice with the GMC.

FPH is legally required, under the 2010 Responsible Officer regulations, to act as the designated body for appraisees as described in the prescribed connection of said regulations.

This means FPH has a legal obligation to provide an annual appraisal service; recruit and train adequate numbers of appraisers for the members who will revalidate through us, the administrative and support systems in place to support annual appraisal and revalidation and provide access to an RO who will make a recommendation to the GMC regarding a appraisee's fitness to practise once every five years.

FPH does not receive additional funding for our statutory duties in providing this revalidation service. The FPH Board has agreed that it is unreasonable to provide this service to a small number of members, which is not a universal requirement on all members, out of subscriptions.

Please note: FPH requires that a Fellow or Member must be in good standing with FPH in order to take up the revalidation service we offer. This means being up to date with subscription fees and being satisfactory in CPD. If you are not in good standing you must address the outstanding issues before FPH proceeds with your revalidation.

2. Setting the fee

The fee will be reviewed each year to take account of numbers using the service and any additional costs and price changes.

3. The Fee

The current fee for members connected to the FPH for the purposes of revalidation is **£1300.00**. This is split into **£900** (service fee) and **£400** (appraisal fee)

This is an **annual** fee for any member using the service. Members might not use the service every year (because the organisation that is responsible for a member's revalidation might change along with a change in the member's employment). Therefore, the annual fee is applicable for as long as the member retains a Prescribed Connection to FPH.

The annual fee covers the appraisal service, including payment, training and quality assurance of appraisers, costs associated with the Responsible Officer role and routine costs for administering and managing the system.

FPH does not offer appraisal-only services. The fee is for the service as a whole and the split of monies shown above is provided for the purpose of transparency.

Failure to pay the service fee may jeopardise your membership of the Faculty. As with any fee due to FPH, failure to pay may result in your name being put forward to the Board for removal from membership under Standing Order 15.

4. Concessions

It is important to note that no concessions for retired, part-time or overseas Fellows/Members are available.

5. Timings

Members will initially be invoiced upon take-up of the FPH revalidation service. You will be invoiced annually in January thereafter for the upcoming revalidation and appraisal year (which runs April to March), the fee being due by 1 April.

The fee must be paid in full before your appraisal meeting. In special circumstances you can pay by instalments, this needs to be discussed and agreed with the Faculty. If an appraisee has not paid the revalidation service fee in full their appraisal meeting may not go ahead. Also, an administration fee may be charged for late payment.

It is your responsibility, as an appraisee, to inform FPH of any changes to your circumstances such as a change of designated body or relinquishing of GMC licence to practice.

6. Withdrawing from the service

Should the prescribed connection of an appraisee change during the year, they are required to inform FPH, in writing, immediately. This will allow us to notify the regulator of the change in the Prescribed Connection.

7. Additional charges/conditions

Responsible Officer: The fee includes costs associated with the Responsible Officer role.

Multi Source Feedback (MSF) is a requirement for revalidation at least once in every five year cycle. It is the appraisee's responsibility to source, pay for and submit evidence of an MSF exercise prior to being revalidated. If you require assistance in sourcing an MSF tool FPH will provide you with information on an acceptable MSF that meets the current GMC requirements.

Late submission of your appraisal portfolio to your appraiser prior to your initial appraisal meeting may result in additional charges. The appraisal portfolio should be submitted to your appraiser at least two weeks before your agreed appraisal meeting date. If the appraisal portfolio is not received by the appraiser within the required timeframe the appraiser may cancel this meeting and an additional charge may be made for the rescheduled appraisal and the Responsible Officer's decision on this is final. The additional charge will represent the appraisal fee element of the revalidation service fee applicable at the time, see the fee split information set out above for the current fees payable.

If the appraisal is cancelled because the required standard has not been met the appraisal cost will not be refunded. It is the appraisee's responsibility to ensure that their submitted appraisal portfolio and supporting information meets the required GMC standard and is in accordance with current guidance. A further charge may become payable for a rescheduled appraisal. The additional charge will represent the appraisal fee element of the revalidation service fee applicable at the time, see the fee split information set out above for the current fees payable.

If an appraisal meeting is cancelled less than two weeks (14 days) before the meeting date agreed due to the appraisee's action or inaction, the appraisal costs will not be refunded. In addition, the appraisee may be charged for the rescheduled appraisal. The additional charge will represent the appraisal fee element of the revalidation service fee applicable at the time, see the fee split information set out above for the current fees payable.

As stated in the FPH Appraisal and Revalidation Policy, it is the responsibility of the appraisee to ensure the appraisal takes place within the allocated time period.

8. Refunds

- The revalidation service fee is non-refundable. If a member withdraws from the service and the annual appraisal meeting has already taken place, no refund will be given.
- A partial refund may be considered if an appraisee breaks their Prescribed Connection to FPH due to a change in their employment circumstances (e.g. retirement, change of employer, change of career) thereby no longer requiring our revalidation service. A partial refund may be granted if the appraisee's annual appraisal meeting has not yet taken place, or if the RO approves a missed appraisal. The refund will represent the appraisal fee element of the revalidation service fee applicable at the time, see the fee split information set out above for the current fees payable.

In all cases it will be for FPH and/or the Responsible Officer to determine whether a refund may be granted.