

- Probity means integrity, trustworthiness, openness and honesty. These qualities are expected in all areas of medical practice, not just financial dealings.

As a doctor, you need to sign a declaration of probity, which is submitted to the General Medical Council (GMC) as part of the revalidation process. This includes acceptance of professional obligations and a declaration that there have been no criminal convictions and there are no proceedings pending, or formal regulatory or disciplinary issues. If you can't declare probity, you will need to provide an explanation.

Transgressions against probity include:

- the law, for example fraudulent benefit claim
- trust policies and standards, for example not making clear leave or sickness arrangements, inaccurate applications, false expense claims, prescribing illegitimately, not being available as agreed
- professional standards, for example misleading patients, falsifying records to cover up errors, making false claims.

## GMC guidance

You need to be aware of all GMC guidance but the section on probity emphasises four areas in particular:

- 1. Providing information about your services** – this must be factual and not exaggerated. Prospective patients must not be pressurised in any way.
- 2. Writing reports, giving evidence and signing documents.** Take reasonable steps to verify any verbal or written formal statements – these should not be misleading due to missing information.
- 3. Research** – an independent research ethics committee must approve research and you have to make sure patients have given fully informed consent.
- 4. Financial and commercial dealings:**

Patients should not be pressured into accepting private treatment and should be fully informed about fees. Similarly, patients should not be pressed to donate money or gifts to an individual, project or organisation.

Separate income for projects and personal income and spend as intended.

Declare interests and avoid conflicts of interest.

Issues of probity may be referred to:

- the police and the Crown Prosecution Service
- your employer, who may seek advice from the National Clinical Advisory Service (NCAS) and/or use their own disciplinary policy. They can also refer to the National Health Service (NHS) Counter Fraud and Security Management Service
- the GMC.

## FAQs

- How can I make sure I maintain my own probity?**

Be familiar with the GMC's *Good Medical Practice* and their probity guidance, which are both regularly updated.

Be familiar with *Maintaining High Professional Standards in the Modern NHS* and how it has been applied by your employer.

Bear in mind that any law-breaking, even if not apparently connected with your profession, may be grounds for action by your employer or the GMC.

Make sure your job plan is agreed and adhered to.

Follow procedure on leave applications and claiming expenses, keeping copies.

Do not do other work when on sick leave.

Make sure communications are accurate and documented.

- What should I do about a potential probity allegation?**

Be open and honest, approach concerns on a problem-solving, not adversarial basis, and show insight in dealing with any genuine expressions of concern.

If you become aware of an error you have made, ask a trusted colleague for advice on how to put it right and avoid such a circumstance in the future.

Start keeping a diary of events related to the issue.

Consider consulting your defence or professional organisation.

'Others do it too' is rarely an acceptable defence.

• **What if I receive a formal allegation?**

Ask your defence and professional organisations for advice. They will agree between them who should lead on the issue.

Start keeping a diary of events related to the issue.

Gather all the information you can about the nature of the allegation and the formal procedures that are taking place. Your trust's HR department should be able to help.

• **What should I avoid doing?**

Do not respond impulsively or aggressively, for example blaming others.

Do not attempt to supply, alter or amplify a contemporaneous record. However, a correctly dated addendum may be of use later.

• **What might happen next?**

This will vary according to the process, but suspension from employment pending investigation is quite a possibility (for more information, see the [PSS guide on exclusion](#)).

The GMC might consider the allegation as possible grounds for removal for serious professional misconduct and therefore may suspend your registration under the Interim Orders procedure, often for 18 months.

Any formal procedure is likely to be prolonged and stressful, so seek a variety of support and ensure you look after your health.

☛ Sources of further help and support can be found on the [resources page](#) of the PSS website.

**References**

Department of Health. *Maintaining High Professional Standards in the Modern NHS*. Department of Health, 2003.

General Medical Council. *Good Medical Practice*. GMC, 2013.

General Medical Council. *Probity*. GMC, 2015 ([http://www.gmc-uk.org/education/postgraduate/F1\\_outcomes\\_probity.asp](http://www.gmc-uk.org/education/postgraduate/F1_outcomes_probity.asp)).

*Notes*

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Acknowledgements to NCAS.

The information can be used as a guide only and is not a substitute for professional advice. If you need further advice and support, please contact the Psychiatrists' Support Service or one of the organisations listed on the PSS website (resources).

