

**THE STATES OF DELIBERATION**  
**of the**  
**ISLAND OF GUERNSEY**

**COMMITTEE *FOR* HEALTH & SOCIAL CARE**

RE-APPOINTMENT OF THE MEDICAL DIRECTOR AS RESPONSIBLE OFFICER UNDER THE  
REGULATION OF HEALTH PROFESSIONS (MEDICAL PRACTITIONERS) (GUERNSEY AND  
ALDERNEY) ORDINANCE, 2015

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled 'Re-appointment of the Medical Director as Responsible Officer under The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015, dated 28<sup>th</sup> May 2021, they are of the opinion:-

1. To re-appoint Dr Peter Rabey as Responsible Officer for Guernsey and Alderney, under section 10(1) of The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015, for both classes of medical practitioners for whom revalidation is required – with effect from 8<sup>th</sup> March 2021 for a period of 5 years.

The above Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

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The Presiding Officer  
States of Guernsey  
Royal Court House  
St Peter Port

28<sup>th</sup> May, 2021

Dear Sir

**1      Executive Summary**

- 1.1      The appointment to Responsible Officer ('RO') is made by the States of Deliberation on the recommendation of the Committee *for* Health & Social Care ('Committee') under section 10(1) of The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015 ('Ordinance').
- 1.2      It is the role of the RO to oversee the regulation of doctors who practise locally, according to the revalidation standards set out by their professional regulator - the General Medical Council ('GMC').
- 1.3      Dr Peter Rabey, the Medical Director for Health and Social Care, was appointed as RO under section 10(1) of the Ordinance on 8th March 2016 for a term of 5 years, which recently expired. The Committee would like to nominate Dr Rabey for re-appointment to the role of RO for Guernsey and Alderney for both classes of medical practitioners for whom revalidation is required, for a period of 5 years with effect from 8<sup>th</sup> March 2021.
- 1.4      The recommendation to re-appoint Dr Rabey as RO was made by the Committee at its meeting on 18<sup>th</sup> May 2021 and it can confirm that he continues to satisfy the eligibility for the role as set out in section 10(6) of the Ordinance.

**2      Background**

- 2.1      In November 2009 the GMC established a new system of regulating doctors,

when it introduced the requirement for a licence to practise. In order to retain their licence, all doctors must take part in medical revalidation which requires regular appraisals to demonstrate that they are fit to practise across all of their roles.

- 2.2 Revalidation provides a framework within which doctors are required to maintain and improve their practice and is overseen by a RO. It is the mandate of a RO to make a recommendation to the GMC as to the appropriateness of re-issuing licences to practise for doctors in a given organisation. The RO is also required to revalidate their practice, overseen by an independent RO in the United Kingdom (UK).
- 2.3 A RO regime has been in place for Guernsey and Alderney since 1<sup>st</sup> February 2014 and was placed on a statutory footing via The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015. Dr Peter Rabey, the Medical Director for Health and Social Care, was appointed as RO under section 10(1) of the Ordinance on 8<sup>th</sup> March 2016. While the Ordinance limits the term of office of a RO to 5 years, with the ability to reappoint, this time limit was unfortunately not included in the Resolution appointing Dr Rabey and therefore there has been an oversight in recommending his reappointment to the States. The Committee regrets this oversight.
- 2.4 Provision under section 10(3) of the Ordinance enables the Policy & Resources Committee ('P&RC') to appoint a second or further ROs if it considers there to be a conflict of interest or an appearance of bias in relation to the RO and any other registered practitioner. As you would expect in a small community, it is likely that matters arise from time to time in which it might be considered that a conflict of interest exists. On this basis Dr Nicola Brink was appointed as second RO in 2019 for both classes of medical practitioner. Her appointment replaced the previous second RO, Dr Martyn Siodlak upon his retirement. As a family member of Dr Rabey also practises medicine in the Bailiwick, Jersey-based Dr John McNerney was also appointed as a further RO by P&RC to maintain absolute independence for the revalidation of this doctor. Both Dr Brink and Dr McNerney's revalidation is overseen by a UK RO and both continue to perform their duties under the Law to support the regulation of medical practitioners practising in Guernsey and Alderney.

### **3 Re-appointment of the Medical Director for Health and Social Care as Responsible Officer for Guernsey and Alderney**

- 3.1 The Committee would like to nominate Dr Peter Rabey for re-appointment to the role of RO for Guernsey and Alderney for both classes of medical practitioners for whom revalidation is required, namely: i) local practitioners and ii) UK connected practitioners. These classes refer to doctors employed locally and those doctors who practice in the islands as visiting consultants.

- 3.2 The recommendation to re-appoint Dr Rabey as RO for Guernsey and Alderney was formally agreed by the Committee at its meeting on 18<sup>th</sup> May 2021. The Committee is pleased to confirm that he satisfies the eligibility criteria for the role as set out in section 10(6) of the Ordinance. A summary of Dr Rabey's curriculum vitae is appended to this Policy Letter (**Appendix 1**).
- 3.3 The Committee therefore asks the States to formally re-appoint Dr Rabey as RO for Guernsey and Alderney for both classes of medical practitioner, with effect from 8<sup>th</sup> March 2021 for a period of 5 years.

#### **4 Compliance with Rule 4**

- 4.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 4.2 In accordance with Rule 4(1), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications. She has advised that there is no reason in law why the Propositions should not be put into effect.
- 4.3 In accordance with Rule 4(4) of the Rules of Procedure of the States of Deliberation and their Committees, it is confirmed that the propositions above have the unanimous support of the Committee.
- 4.4 In accordance with Rule 4(5), the Propositions relate to the duties of the Committee in relation to the regulation of professionals who provide health and social care services.

Yours faithfully

A H Brouard  
President

T L Bury  
Vice-President

M P Leadbeater  
A D S Matthews  
A Snowdon

E J Litten  
Non-States Member

G A Oswald

Non-States Member

### Curriculum Vitae Summary

#### Dr Peter Rabey

Dr Rabey joined Health and Social Care Services as Medical Director in November 2015. He was appointed as Responsible Officer by the States of Guernsey in March 2016. The General Medical Council (GMC) appointed him as “Suitable Person” for doctors in the Bailiwick who do not have a connection to a UK Designated Body in March 2016; a role he continues to fill.

As Responsible Officer Dr Rabey maintains close working relationships with the GMC through the local GMC Employment Liaison Advisor. He has submitted annual reports to the States in his RO role, which provide detail of the activities undertaken in this area of his responsibilities. Dr Rabey takes an active part in the NHS Southeast Responsible Officer Network. Revalidation of local doctors has proceeded smoothly since Dr Rabey’s appointment with 125 positive revalidation recommendations all having been accepted by the GMC. Doctors have been appropriately referred to the GMC when required as indicated in the annual Responsible Officer reports. Local completed appraisal rates for doctors exceed NHS England benchmarks.

Prior to his appointment in Guernsey Dr Rabey was the Deputy Medical Director and Responsible Officer for one of England’s largest NHS trusts, University Hospitals of Leicester (UHL). In that role he was Responsible Officer for some 850 consultant and associate specialist doctors. He had previously filled several high level management positions at UHL, including Divisional Director for Acute Services, Divisional Director for Womens and Childrens Services, Assistant Medical Director leading on the UHL Hospital Modernisation project, and Clinical Director for Anaesthetic services. He was also the Secondary Care member for the Leicester City Clinical Commissioning Group, providing experience of NHS commissioning processes.

Dr Rabey served the maximum permitted 8 years as a panellist on Fitness to Practice panels for the General Medical Council and the Medical Practitioners Tribunal Service (MPTS). This provided invaluable experience on the processes involved in managing doctors whose fitness to practice is in doubt on behalf of the GMC and MPTS.

He has also served for the Royal College of Anaesthetists as a member of their Anaesthetic Review Team, which involves undertaking invited reviews of anaesthetic departments across the UK.

He remains a practicing consultant in anaesthetics in addition to his Medical Director and Responsible Officer roles.