EXPLANATORY MEMORANDUM TO

THE POSTGRADUATE MEDICAL EDUCATION AND TRAINING (AMENDMENT) ORDER OF COUNCIL 2016

2016 No. 198

1. Introduction

1.1 This explanatory memorandum has been prepared by The Department of Health and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This Order amends the Postgraduate Medical Education and Training Order 2010 (S.I. 2010/473) ("the 2010 Order"), which lists the Specialties recognised in the United Kingdom. It adds Aviation and space medicine to that list in the Schedule of the 2010 Order.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Other matters of interest to the House of Commons

3.2 As this instrument is subject to negative resolution procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

4.1 Article 2 of this Order adds the specialty of Aviation and space medicine ("ASM") to the list of specialties in which the General Medical Council (GMC) can award a Certificate of Completion of Training ("CCT"). A CCT is the qualification awarded by the United Kingdom competent authority (currently the GMC) when the necessary training has been completed in a medical specialty.

4.2 It achieves these things by amending the Schedule to the 2010 Order, which contains a list of all the specialties in which the GMC can award a CCT.

5. Extent and Territorial Application

5.1 The extent of this instrument is the United Kingdom.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

What is being done and why

7.1 The addition of the new specialty in ASM follows a positive response to consultation of key medical, public health and other relevant stakeholders undertaken by the Secretary of State for Health on the need for this new specialty.

7.2 The initial proposal for ASM came from the Joint Royal Colleges of Physicians Training Board (JRCPTB) supported by the Specialist Advisory Committee (SAC) for Aviation and space medicine.

7.3 The first application argued that;

7.4 There is a national need to establish a specialty of ASM to encompass the rapidly growing demands for expertise in this field, across airline, regulatory, aeromedical transport, research and military practice.

7.5 The specialty encompasses the civilian airline industry, military aviation, recreational flying, design and manufacture of air and space vehicles, and aeromedical patient transfer.

7.6 The specialty will provide the mechanism for ASM practitioners to comply with revalidation legislation.

7.7 As ASM is recognised as a specialty in parts of Europe, the present curriculum is at odds with that applying in the rest of Europe.

7.8 The benefits of developing an independent specialty status for ASM include:

7.9 Improving provision of timely, accessible and convenient services in military and civilian aviation situations;

7.10 Forming international alliances with specialists in ASM;

7.11 Meet EU regulations that mandate aeromedical practitioners undergo training in aviation medicine which the specialty will provide.

Consolidation

7.12 Once legislation is in place the appropriate College or Faculty will submit their curriculum to the GMC for approval. Once approved, decisions will be taken locally on the creation and funding of training posts in the new specialties.

8. Consultation outcome

8.1 In line with the protocols for Developing Specialties in Medicine and on behalf of the four UK Health Departments, Department of Health England carried out a formal two stage consultation on the new specialty of ASM, an application having been made to the Department by the JRCPTB for this new speciality to become law.

8.2 The first stage of the process is consultation which sets out the evidence supporting either a service need or a notional need for the proposed new specialty. It must also test the basic educational requirements for the new specialty.

8.3 The outcome of the first stage consultation for ASM was supportive. The Department and the Medical Education UK Reference Group confirmed that second stage of the process could take place.

8.4 The second stage of the process is consultation which must provide details on the development of proposals for implementation. There were 43 responses; 37 in support of the stage two application and 4 against it. There were concerns about there being too few trainees and also that the proposed curriculum overlapped with that for Occupational Medicine. Approval of the curriculum is outside of the scope of this legislation and the responsibility of the GMC.

9. Guidance

9.1 Not applicable. We will not be publicising the creation of this new specialty.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies unless they determine it is necessary for them to employ or train an ASM specialist.

10.2 The impact on the public sector is negligible. Training will predominantly take place outside the NHS, for example in the aviation industry or military.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to activities that are undertaken by small businesses.

12. Monitoring & review

12.1 Not applicable.

13. Contact

13.1 Alan Robson at the Department of Health. Telephone: 0113 254 6891 or e-mail: alan.robson@dh.gsi.gov.uk can answer any queries regarding the instrument.