



FNOMCeO

COMUNICAZIONE N° 119

AI PRESIDENTI DEGLI ORDINI
PROVINCIALI DEI MEDICI CHIRURGHI
E DEGLI ODONTOIATRI

AI PRESIDENTI DELLE COMMISSIONI
PER GLI ISCRITTI ALL'ALBO DEGLI
ODONTOIATRI

Resp. Proced. : Dr. M. Poladas

Resp. Istruttoria: sig. D. Martinelli

OGGETTO: INVIO COMUNICAZIONE
MPTS REGNO UNITO

Cari Presidenti,

Come richiesto dal Ministero della Salute, vi inoltriamo in allegato la comunicazione concernente il provvedimento adottato dal Medical Practitioners Tribunal Service del Regno Unito nei confronti del dottor Sergio De Cesare, a seguito dell'accordo tra il professionista e il MPTS del Regno Unito riguardo al suo esercizio professionale.

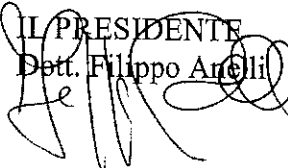
Vi ricordiamo infine che gli Ordini per poter controllare la situazione disciplinare dei professionisti provenienti dai Paesi UE che richiedono l'iscrizione agli Albi, possono accedere al database informativo tramite il programma "application.fnomceo.it" cliccando sulla voce "Accesso a FNOMCeO IMI".

Questa procedura, riveste solo aspetti di carattere pratico, e non sostituisce in alcun modo l'ordinaria procedura di competenza del Ministero della Salute relativamente al riconoscimento delle qualifiche professionali e alla legittimità dell'esercizio della professione in Italia come disciplinato dalla direttiva 2005/36CE.

Cordiali saluti

All.

IL PRESIDENTE
Dot. Filippo Anelli



FNOMCeO Federazione Nazionale degli Ordini dei Medici Chirurghi e degli Odontoiatri

Via Ferdinando di Savoia, 1 - 00196 Roma - Tel. 06.36 20 31 Fax 06.32 22 794 - e-mail: segreteria@fnomceo.it - C.F. 02340010582



Ministero della Salute

DIREZIONE GENERALE DELLE PROFESSIONI SANITARIE E DELLE RISORSE UMANE DEL S.S.N.
Ufficio 4 - Definizione fabbisogni e percorsi formativi del personale sanitario del SSN
Viale Giorgio Ribotta, 5 - 00144 Roma

DGPROF/4/I.5.i.j/2018/1938



Alla Federazione Nazionale degli Ordini dei
medici chirurghi e degli odontoiatri
segreteria@pec.fnomceo.it

Allegati: n. 1

De Cesare Sergio.
Trasmissione della comunicazione del
General Medical Council di Manchester.

Al fine di darne ampia diffusione a tutti gli Ordini provinciali, si trasmette la copia della nota n. JV/C1-1762862466 datata 4.10.2018, inviata dal General Medical Council di Manchester allo scrivente Ufficio, concernente il professionista in oggetto specificato.

Il Direttore dell'Ufficio
Dott.ssa  Maria Teresa Camera

4 October 2018

0048134-09/10/2018-DGPROF-MDS-A

In reply please quote: JV/C1-1762862466

SENT VIA AIRMAIL

**General
Medical
Council**

Private: Addressee Only
FAO The Registrar
Ministero della Salute
Viale Giorgio Ribotta, 5
Rome
00144
Italy

3 Hardman Street
Ministero della Salute
DGPROF
0048134-A-09/10/2018



Dear Sir/Madam

Dr Name: Dr Sergio De Cesare
GMC Registration Number: 4138501

We understand that Dr De Cesare's Primary Medical Qualification is State Exam 1993 Università degli Studi di Bari and he may hold registration with the Ministero della Salute.

We have recently concluded a investigation relating to Dr De Cesare under our fitness to practise procedures and feel it is appropriate to share this information with you. The case has been considered by two case examiners, who are senior GMC staff appointed to make decisions on cases.

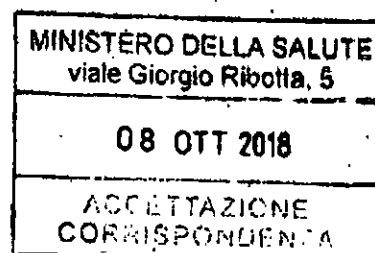
The case examiners concluded that allegations against Dr De Cesare should be dealt with by inviting him to give Undertakings under Rule 10(2) of the General Medical Council (Fitness to Practise) Rules 2004.

The Undertakings related to his medical practice are attached to this letter at Annex A. A summary of the reasons why undertakings have been agreed will be published alongside with the undertakings on our medical register. The summary can be found at Annex B ~~together with more information about our medical register at Annex C.~~

We are providing this information so that you are aware of the action we have taken. If you have any queries or require further information, please let me know. My direct dial number is below.

Yours sincerely

Mr Jack Vance
Investigation Officer
Fitness to Practise Directorate
Direct Dial: 0161 923 6581
Fax No: 0161 923 6578
Email: jack.vance@gmc-uk.org



Working with doctors Working for patients

The GMC is a charity registered
England and Wales (108927
and Scotland (SC03775)

Enc: Annex A – Schedule of Undertakings
Annex B – Summary
Annex C – Information about the medical register

Annex A – Schedule of Undertakings

Case reference number: C1-1762862466

Investigation Officer: Jack Vance

Your name: Dr Sergio De Cesare

Your GMC number: 4138501

The following undertakings relate to my practice and are disclosable to any person requesting information about my registration status:

1	<p>1. To notify the GMC within seven calendar days of signing these undertakings:</p> <p>A of the details of my current post, including my job title, job location and responsible officer or their nominated deputy) information</p> <p>B of the contact details for my employer and/or contracting body, including my direct line manager</p> <p>C of any organisation where I have practising privileges and/or admitting rights</p> <p>D of any training programmes I am in</p> <p>E for GPs only: of the organisation on whose medical performers list I am included.</p> <p>F of the contact details of any locum agency I am registered with</p>
2	<p>2. To notify the GMC:</p> <p>A of any post I accept, before starting it</p> <p>B if any formal disciplinary proceedings against me are started by my employer and/or contracting body, within seven calendar days of being formally notified of such proceedings</p> <p>C if I apply for a post outside the UK.</p>
3	<p>1. To allow the GMC to exchange information with any person involved in monitoring my compliance with my undertakings.</p>
4	<p>4. a To have a workplace reporter approved by my responsible officer and to</p>

	<p>inform the GMC of these arrangements.</p> <p>B Not to start/restart work until my responsible officer has approved my workplace reporter and this approval has been forwarded to the GMC.</p>
5	<p>5. a To design a personal development plan (PDP), approved by my responsible officer, with specific aims to address the deficiencies in the following areas of my practice.</p> <ul style="list-style-type: none"> • Assessment • Clinical Management • Record Keeping • Relationships with Patients <p>B To give the GMC a copy of my approved PDP within three months of the date I agree these undertakings.</p> <p>C To give the GMC a copy of my approved PDP on request.</p> <p>D To meet with my responsible officer, as required, to discuss my achievements against the aims of my PDP.</p>
6	<p>6. a To have an educational supervisor approved by my responsible officer and to inform the GMC of these arrangements.</p> <p>B Not to start/restart work until my responsible officer has approved my educational supervisor and this approval has been forwarded to the GMC.</p>
7	<p>7. To get the approval of the GMC before starting work in a non-NHS post or setting.</p>
8	<p>8. To get the approval of my responsible officer and to inform the GMC of the approved arrangements before working:</p> <p>A as a locum/in a fixed term contract</p> <p>B on-call</p>
9	<p>9. Not to work in any locum post or fixed term contract of less than 4 weeks duration.</p>
10	<p>10. Not to work: A out-of-hours</p>

11	<p>11. a To be supervised in all my posts by a clinical supervisor, as defined in the Glossary for undertakings and conditions. My clinical supervisor must be approved by my responsible officer and I must inform the GMC of these arrangements.</p> <p>B Not to start/restart work until my responsible officer has approved my clinical supervisor and this approval has been forwarded to the GMC</p>
12	<p>12. To share my performance assessment report 6 April 2018 with:</p> <p>A my employer and/or contracting body</p> <p>B my responsible officer</p> <p>C my immediate line manager at my place of work, at least one working day before starting work (for current and new posts, including locum posts)</p> <p>D any prospective employer and/or contracting body, at the time of application</p> <p>E the responsible officer of any organisation where I have, or have applied for, practising privileges and/or admitting rights, at the time of application</p> <p>F my workplace reporter and educational supervisor and clinical Supervisor</p> <p>G the organisation on whose medical performers list I am included or seeking to be included, at the time of application</p>
13	<p>13. To undertake an assessment of my performance, on a date given by the GMC, unless notified by the GMC that this assessment is not necessary.</p>
14	<p>14. To inform the following persons of the undertakings listed at 1 to 15:</p> <p>14. a my employer and/or contracting body</p> <p>B my responsible officer</p> <p>C my immediate line manager at my place of work, at least 24 hours before starting work (for current and new posts, including locum posts)</p> <p>D any prospective employer and/or contracting body, at the time of application</p> <p>E the responsible officer of any organisation where I have, or have applied for, practising privileges and/or admitting rights, at the time of application</p> <p>F any locum agency I am registered with</p> <p>H the organisation on whose medical performers list I am included or seeking to</p>

	be included, at the time of application.
15	15. To allow the GMC to disclose the above undertakings to any person requesting information about my registration status.

I confirm that I shall comply with the undertakings listed above from the date I sign them. I understand that failure to comply with an Undertaking may result in my referral to a Medical Practitioners Tribunal. I confirm that I have completed and enclosed the work details form

Annex B – Summary

Undertakings summary

Summary of decision to agree undertakings

What decision has been made?

Two senior decision makers known as case examiners (one medical and one non-medical) have considered concerns raised about Dr Sergio De Cesare's fitness to practise medicine and have decided that they can be effectively addressed by the doctor accepting undertakings.

What are undertakings?

Undertakings are an agreement between us and a doctor about the doctor's practice. They may place requirements or restrictions on a doctor's practice, or may be a commitment by a doctor to have supervision or retraining. Undertakings must be workable, measurable, proportionate and provide the necessary safeguards to protect the public and maintain public confidence in the profession and its regulation.

Why have we made this decision?

We found that the concerns raised were serious and that we had to take action to protect the public and maintain confidence in the medical profession. We have decided that the agreement of undertakings is an effective and proportionate way to achieve this. We could not have made this decision if there was a possibility a Tribunal might have erased Dr De Cesare from the medical register if they had considered the concerns.

What were the concerns about Dr De Cesare?

We decided there was evidence in the findings and recommendations of a GMC Performance Assessment Team, following its assessment of Dr De Cesare's professional performance as a GP, that he was only fit to practise with limitations.

The Performance Assessment Team's report raised concerns about Dr De Cesare's assessment, clinical management, recordkeeping and relationships with patients when compared to the requirements of the GMC guidance *Good medical practice*.

Dr De Cesare accepted the Performance Assessment Team's judgment that he was only fit to practise with limitations.

What else have we considered in making this decision?

- That the nature of the deficiencies in Dr De Cesare's practise were not so serious that he would be erased by a Medical Practitioners Tribunal if it considered his case;

- That the deficiencies in Dr De Cesare's practise were capable of remediation (being remedied);
- That Dr De Cesare had shown insight and a willingness to remediate even before his GMC performance assessment had taken place;
- That Dr De Cesare had adhered to the interim restrictions on his registration whilst his case was determined by the GMC;

That Dr De Cesare has agreed to adhere to the schedule of undertakings until such time as his fitness to practise is deemed by case examiners to no longer be impaired.

Annex C – The medical register

All undertakings that relate to a doctor's practice will be published on their entry on the medical register. A summary of the reasons why undertakings have been agreed will also be published alongside the list of undertakings, except in cases where undertakings have been agreed solely for health reasons. It is our policy to treat information about a doctor's health as confidential and not publish or disclose it unless a doctor requests that we do.

If undertakings are subsequently lifted, they will no longer be published on the face of a doctor's record but both they and the accompanying summary will move to the fitness to practise history section of the doctor's entry in the medical register, which is accessible to the public, and will be published for 10 years from the date they were lifted. After this time, they will no longer be published on their medical register record and will no longer be accessible to the public. We will, however, still disclose these to current employers upon request. Following the removal of the undertakings from a doctor's record, they must continue to disclose their fitness to practise history if asked by an employer or any other interested party.

To protect the public, we share action that has been taken to protect patients and uphold confidence in doctors with a wide range of regulators around the world. We are also legally required to inform European medical regulators about restrictions on a doctor's registration including doctors who have undertakings that affect their practice. We may provide further information about the case in response to specific requests from any regulator. If we disclose further information, we will let the doctor know.