

Response to General Osteopathic Council consultation on its fitness to practise publication policy

April 2023

1. Introduction

- 1.1 The Professional Standards Authority for Health and Social Care promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and registration of people working in health and care. We are an independent body, accountable to the UK Parliament. More information about our work and the approach we take is available at www.professionalstandards.org.uk
- 1.2 As part of our work we:
- Oversee the ten health and care professional regulators and report annually to Parliament on their performance
 - Accredit registers of healthcare practitioners working in occupations not regulated by law through the Accredited Registers programme
 - Conduct research and advise the four UK governments on improvements in regulation
 - Promote right-touch regulation and publish papers on regulatory policy and practice.

2 Detailed comments

Question 2: Do you agree with our proposal to publish only a summary of the Investigating Committee and Professional Conduct Committee decisions before the final hearing where an interim suspension order has been imposed?

- 2.1 Yes

Please provide reasons for your response

- 2.2 We are aware that GOsC Professional Conduct Committee (PCC) interim suspension order (ISO) hearings take place in public and so some ISO decisions are already in the public domain. An ISO may be necessary while a regulator investigates serious allegations about a registrant's fitness to practise. We agree that publishing a summary rather than full details is appropriate for the reasons outlined in the consultation document.
- 2.3 A summary of decisions would continue to inform the public, employers and colleagues that concerns have been raised about an osteopath's fitness to

practise. This change remains in line with our recommendations¹ on registers from 2010.

Question 3: Do you consider publishing a summary of the decision would be sufficient to address our overarching objective of public protection?

This includes:

a) protecting, promoting and maintaining the health, safety and well-being of the public

b) promoting and maintaining public confidence in the profession of osteopathy

c) promoting and maintaining proper professional standards and conduct for osteopaths

2.4 Yes

Please provide reasons for your response

2.5 As above.

Question 4: Do you agree with our proposal that GOsC will continue to publish a Fitness to Practise decision and sanction for the length of time specified within the publication policy, for those individuals who have been granted voluntary removal by the Registrar?

2.6 Yes

Please provide reasons for your response

2.7 Publishing the fitness to practise decision and sanction for those individuals who have been granted voluntary removal by the Registrar for the relevant time, as detailed in the policy provides transparency to the general public, future employers and colleagues, regarding the fitness to practise record of the former osteopath. We agree that it will promote and maintain professional standards and public confidence in the profession.

2.8 It is important to ensure that taking voluntary removal is not perceived as a way to circumvent the fitness to practise process or sanctions. Therefore, it is appropriate for the former registrant's register entry to remain as it would have been had they had remained on the register.

Question 5: Do you agree with our proposal that we publish the current Fitness to Practise annual report on our website with reports from the previous five years archived on the GOsC website and those dating further back to be internally archived and available on request only?

2.9 Yes

¹ [Maximising Registers' Contribution to Public Protection \(2010\)](#)

Please provide reasons for your response

- 2.10 We agree that this appears to be a proportionate approach that aligns the annual reporting of Fitness to Practice more closely with the Publication Policy's sanctions publishing timeframes.
- 2.11 We note that the Consultation document makes reference to the Osteopaths Act 1993, and we would expect the GOsC to satisfy itself that any changes it makes are consistent with its statutory duties.

Question 6: Do you consider that the approach proposed in this consultation supports our overarching objective of public protection (as outlined in question 3)?

- 2.12 Yes

Question 8: Except for issues relating to the Welsh language, do you consider there are any equality and diversity implications for groups or individuals related to this publication policy?

- 2.13 No

Question 9: Please provide additional comments below. Are there any other areas that the policy should address? If so, please set out what these areas are.

- 2.14 Although we recognise that this consultation isn't about the GOsC's Fitness to Practise Publication Policy more generally, we are unclear as to the rationale for the level of transparency provided when a registrant has been issued with an admonishment. The current Fitness to Practise Publication Policy requires (at point 3c) the Professional Conduct Committee's determination not to be linked to a registrant's register entry or noted on the register where a registrant has been admonished.
- 2.15 Other health regulators generally note in the register entry when they impose broadly similar sanctions that do not restrict a registrant's practice. This allows the public and others to make informed choices about a practitioner, as they will know that a registrant's fitness to practice has been found to be impaired.
- 2.16 We recognise that information about admonishments is published elsewhere on the GOsC's website, both in its Fitness to Practise annual reports and on its hearings decisions page. However, this is not the most accessible way for members of the public to find the information, especially since they may not necessarily be aware of the need to look for it. Our policy position, as detailed in *Maximising Registers' Contribution to Public Protection*, is that regulators should provide information about all current fitness to practise sanctions on the online register.
- 2.17 Additionally, admonishments are likely to have a greater effect as a deterrent and in declaring and upholding standards of conduct and performance if they are published on the register entry as well as elsewhere.
- 2.18 We are therefore of the view that including admonishments in the list of sanctions published on the register would enhance its usefulness to the public and promote the GOsC's overarching objective of public protection.

3 Further information

- 3.1 Please get in touch if you would like to discuss any aspect of this response in further detail. You can contact us at:

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