



MAKING A COMPLAINT

THE WORK OF THE GENERAL OSTEOPATHIC COUNCIL

The General Osteopathic Council (GOsC) is responsible for:

- maintaining a Register of those entitled to call themselves an osteopath;
- promoting and developing osteopathy in the UK;
- providing for osteopaths' education and conduct;
- regulating the osteopathic profession.

Parliament has given the GOsC powers to carry out its duties and ensure that trust is maintained between osteopaths and their patients.

The Council has 24 members. Twelve of the members are osteopaths, eight are members of the public, three are educationalists (appointed at present by the Privy Council) and one special member appointed by the Secretary of State. Since 2001 the osteopathic members are directly elected by the osteopathic profession.

THE STATUTORY REGISTER OF OSTEOPATHS

The GOsC maintains the Register of those entitled to practise osteopathy. The Register is open for inspection by anyone. Members of the public can obtain up-to-date details of an osteopath's registration or general information on osteopaths practising in a particular area by telephoning us on 020 7357 6655.

EDUCATION AND TRAINING OF OSTEOPATHS

We have a legal duty to determine and monitor the 'Standard of Proficiency'. This is the standard required for the safe practise of osteopathy. We must ensure that qualifications awarded by any educational institution in osteopathy reach that standard. Once osteopaths are registered, they must keep their training and development up-to-date and maintain professional standards.

FITNESS TO PRACTISE

We have legal powers to consider cases where it is alleged that an osteopath:

- has been guilty of unacceptable conduct;
- has been guilty of professional incompetence;
- has been convicted of a criminal offence;
- is unable to practise properly as an osteopath because of his/her physical or mental condition.

WHAT CAN I DO IF I HAVE A PROBLEM WITH MY OSTEOPATH?

If you believe your complaint is to do with the sort of service you received from the practice, or the behaviour of the osteopath, then contact them direct and talk it through. The majority of problems are caused by misunderstandings and can easily be resolved locally.

If you are still not satisfied, or the complaint is more serious, you should contact our Fitness to Practise department, as the GOsC may have the power to deal with it. We shall, in any case, be able to advise you on the most appropriate course of action.

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You can telephone us to discuss your complaint. If you decide to lodge a formal complaint with us, we will ask you to provide as much information as you can about your allegations. We need this in writing, so we may ask you to fill in a form to help us.

WHAT HAPPENS NEXT?

We take any complaint about an osteopath very seriously. The steps we take to investigate and deal with them are governed by rules agreed by the Privy Council. Your complaint will be assessed by a Screener, to make sure it is something we should be dealing with. The Screener will look carefully at all the information you have given us. If need be, we may contact you to clarify certain details.

Having considered all the information and evidence available, the Screener may decide not to act on the complaint at this stage. If this happens, we will tell you why we are not taking your complaint further. It may be because:

- the practitioner is not registered with the GOsC;
- the complaint is not serious enough;
- the complaint is not related to an osteopath's practice;
- there is unlikely to be sufficient evidence to support the complaint.

The Screener will not reject a complaint without first consulting with a lay member of the Investigating Committee (IC). Where the Screener cannot proceed with a case, they may still want the osteopath formally notified that the matter will be taken into account should there be further investigation to see whether enough evidence can be gathered to support your allegations. However serious your complaint is, we must have sufficient evidence to make a case at a hearing. If we cannot do this, your case will not proceed.

If we investigate a complaint, we will tell the osteopath about the allegations, who will have the right to respond to them. We shall need your agreement to contact the osteopath and so your identity will be revealed. We will also send a copy of the allegations to the osteopath.

THE INVESTIGATING COMMITTEE

The Screener will report to the Investigating Committee (IC). This is made up of osteopaths and lay members. Their job is to assess the complaint, the supporting evidence and any response from the osteopath. They must then decide whether there should be a public hearing.

After considering the Screener's report, the IC can:

- refer the case to the Health Committee (HC) if the osteopath appears to have a health problem (please contact us if you would like more information on how the HC works);
- decide to take no further action;
- refer the allegations for a public hearing.

If the IC decides on a public hearing, we will instruct our solicitors to prepare the case against the osteopath.

A PUBLIC HEARING BEFORE THE PROFESSIONAL CONDUCT COMMITTEE

All Professional Conduct Committee (PCC) hearings are held in public and must follow formal procedures, like a court case. The press may attend. The PCC will listen to both sides and then, in private and with help from a legal assessor, consider which facts are proved and whether these amount to:

- serious incompetence;
- unacceptable conduct; or
- a conviction for a serious criminal offence.

Although you may have made the original complaint, your role in any PCC hearing is that of a witness, and you may be asked to give evidence on oath. The PCC will always include at least one lay GOsC member to see each case from the public interest point of view.

THE DECISION OF THE PROFESSIONAL CONDUCT COMMITTEE

The Professional Conduct Committee (PCC) will usually announce its decision after the hearing and in the presence of everyone who took part. If the case is proven, the osteopath or his/her legal representative may give mitigation before the PCC considers what action to take. An osteopath's name will be removed from the Register (meaning they cannot practise as an osteopath) only in the most serious cases.

Other steps the PCC might take are:

- suspending an osteopath from practice, for a period of time;
- imposing conditions on the osteopath's practice or allowing them to continue work in a limited way;
- formally admonishing the osteopath.

The PCC cannot order an osteopath to compensate a client or pay a fine.

APPEALS

An osteopath can appeal to the Judicial Committee of the Privy Council (Law Lords) against a decision to remove or restrict their registration.

HOW TO CONTACT THE GENERAL OSTEOPATHIC COUNCIL

The offices of the General Osteopathic Council (GOsC) are based at:

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