



General
Osteopathic
Council

General Osteopathic Council

Governance Handbook

May 2020

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Key to use of terms

The Act	The Osteopaths Act 1993, as amended (see http://www.osteopathy.org.uk/uploads/osteopaths_act_1993_(as%20amended).pdf)
Chair	The person appointed by the Privy Council to be the Chair of Council.
Council	The 10 members (five lay, five registrant) appointed by the Privy Council to govern the work of the GOsC
Executive	The Chief Executive and Registrar and other members of the GOsC's staff
Fitness to practise panellists	Members of panels drawn from the Investigation Committee, Professional Conduct Committee or Health Committees
General Osteopathic Council (GOsC)	The regulatory body known as the General Osteopathic Council (i.e. incorporating Council, statutory and non-statutory committees, working groups established by Council and staff)
Governance structure	The structure that includes Council, committees, both statutory and non-statutory, fitness to practise panels and ad hoc working groups
Legal Assessors	Legally qualified persons appointed by Council to give advice on questions of law to the Screener, Investigating Committee, Professional Conduct Committee, Health Committee or Registrar.
Members	Members of the governance structure, whether of Council, committees, panels or working groups established by Council.
Medical Assessors	Registered medical practitioners appointed by Council to give advice on matters within their professional competence to the Screener, Investigating Committee, Professional Conduct Committee, Health Committee or the Registrar.
Registrar	The Registrar exercises statutory duties under the Act and is the appointed Chief Executive of the organisation.
Visitor	A person/persons undertaking a visit, on behalf of the GOsC, to an osteopathic educational institution to assess courses of training as part of the process of accreditation. At present such visits are undertaken by the Qualifications Assurance Agency

About this handbook

1. This handbook sets out the GOsC's governance structure, how it operates and the procedures followed, in compliance with:
 - [The Osteopaths Act 1993](#), as amended ('the Act')
 - [The General Osteopathic Council \(Constitution\) Order 2009](#) (SI 2009/263) ('the Council Constitution Order') as amended by [The General Osteopathic Council \(Constitution\) \(Amendment\) Order 2015](#) (SI 2015/1906)
 - [The General Osteopathic Council \(Constitution of the Statutory Committees\) Rules Order of Council 2009](#) (SI 2009/468) ('the Statutory Committee Rules')
2. It also incorporates the Code of Conduct for members of the governance structure (Annex 1); Standing Orders (Annex 2), where the GOsC is required by legislation or has chosen to make Standing Orders to govern some aspects of governance; and the supporting documents for the Handbook contained in Annex 3.
3. It is designed to be an aid to members in discharging their statutory responsibilities effectively. It is updated regularly and this version reflects changes to the governance structure from 1 April 2016.

The GOsC's statutory duties

Statutory objective

1. The GOsC's statutory objective, set out in the Act, is 'to develop and regulate the profession of osteopathy'.
2. Following amendment in 2016, the Osteopaths Act now provides that the overarching objective of the GOsC is the protection of the public. This involves the pursuit of the following objectives:
 - a. To protect, promote and maintain the health, safety and well-being of the public
 - b. To promote and maintain public confidence in the profession of osteopathy, and
 - c. To promote and maintain proper professional standards and conduct for members of that profession.

Strategic aims

3. Through the strategic aims set out below (adopted in the 2016-19 Corporate Strategy), the GOsC aims to fulfil the statutory objective.
 - a. To promote public and patient safety through patient-centred, proportionate, targeted and effective regulatory activity
 - b. To encourage and facilitate continuous improvement in the quality of osteopathic healthcare
 - c. To use our resources efficiently and effectively, while adapting and responding to change in the external environment.

Principles of the GOsC

4. The GOsC is committed to conducting all its activities as a regulator and an employer based on a number of key principles:

Proportionality

We will ensure that the regulatory burden is no greater than it needs to be to deliver our statutory duty, focusing our resources on areas of risk to public protection and where there is scope to achieve the most in terms of improving standards of osteopathic practice.

Fairness

We will be consistent in the development and application of our policies and procedures in order to ensure fairness, with the aims of promoting equality, valuing diversity and removing any unfair discrimination in shaping all our activities.

Accountability

We will publicise our actions and decisions, wherever possible, ensuring that the information is clearly explained and easily accessible. We will explain how we have taken our stakeholders' views into consideration in developing policy and in improving our performance. Council will seek to exemplify high standards of governance.

Anticipation

We will monitor trends in healthcare, regulation, osteopathic practice and education, in order to respond effectively to change and to support the osteopathic profession to respond accordingly.

Inclusivity

We will respond to the needs of patients, the public, registrants and other stakeholders, taking their views into account in deciding the most effective way to carry out our regulatory functions and working in partnership with others, where appropriate, to achieve our goals.

Efficiency

We will foster a culture of innovation and continuous improvement, taking steps to benchmark our performance periodically and setting targets to achieve best practice. We will use our resources efficiently, seeking to achieve further efficiencies without compromising the quality of our work.

Discharge of duties

5. The GOsC discharges its statutory duties through a governance structure made up of Council, the committees, ad hoc working groups and the Executive (see Annex 3 for fuller details of each category).

6. *Council*

Council, which is the governing body, comprises five registrant and five lay members. It is currently chaired by a lay member. All members are appointed by the Privy Council. Council has responsibility for ensuring that the GOsC fulfils its statutory objectives. It sets the strategic direction for the organisation and oversees the implementation of that strategy. The detailed role of Council is set out in Annex 3.

7. *Statutory and non-statutory committees*

Four statutory committees are provided for in the Act, and in statutory rules made pursuant to that Act. The GOsC has established two non-statutory committees to assist in ensuring that the GOsC fulfils its statutory duties. The committees are:

Statutory committees

Policy and Education Committee¹

The Policy and Education Committee carries out the functions specified in section 11 of the Act and contributes to the development of standards of osteopathic practice and to ensuring that only those appropriately qualified are able to register with the GOSc.

Investigating Committee

The Investigating Committee considers whether there is a case to answer in relation to allegations which may be made against a registered osteopath, and if it considers that there is such a case to answer, to refer the allegation(s) to the Professional Conduct or Health Committee.

Professional Conduct Committee

The Professional Conduct Committee investigates and considers allegations referred to it by the Investigating Committee to the effect that an osteopath has been guilty of unacceptable professional conduct or professional incompetence, or that they have been convicted of a criminal offence which may have a material relevance to their fitness to practise osteopathy.

Health Committee

The Health Committee considers allegations referred to it by the Investigating Committee to the effect that the ability of an osteopath to practise as such is seriously impaired because of their physical or mental condition.

Registration Appeals Committee

The Registration Appeals Committee has delegated to it by Council the function of hearing appeals pursuant to s29 of the Act, and the power to make decisions in respect of such appeals.

Non-statutory committees

Audit Committee

The role of the Audit Committee is to provide oversight that the necessary internal and external systems and processes are in place for identifying, managing and mitigating the risks relating to the discharge of the GOSc's statutory duties, and make recommendations for any actions to Council and the executive as appropriate.

¹ For the purposes of the Osteopaths Act 1993, the Policy and Education Committee performs the role of the statutory Education Committee.

Remuneration and Appointments Committee

The Remuneration and Appointments Committee oversees appointment, performance and remuneration policy in relation to non-executives² and staff of the GOsC and makes recommendations to Council.

8. *Ad hoc working groups*

From time to time, ad hoc working groups may be established by Council to develop policy in new areas or to review specific issues. The composition of these groups will reflect all the necessary expertise to take forward the issue in question. The constitution, role, terms of reference and the life span of the group will be established at the outset.

At present, Council has no working groups.

9. *Executive*

Comprises:

- Chief Executive and Registrar
- Senior Management Team
- All other staff of the GOsC

The Executive is accountable to Council through the Chief Executive and has the primary role of implementing the strategic policy set by Council.

Corporate Strategy

10. A four-year Corporate Strategy, approved by Council, sets out the key objectives to be achieved in fulfilling its strategic aims. This is underpinned by an annual business plan detailing the operational activities and budget necessary to achieve those objectives. In November 2019, Council approved the Corporate Strategy for 2019-24.

Scheme of delegation

11. The scheme of delegation (set out in full in Annex 3, Section 6) details all the GOsC's responsibilities under the Act. It specifies where responsibility for the GOsC's statutory responsibilities lies. Some responsibilities, such as the making of rules, are reserved to Council. Delegation might be to the Chief Executive or to a Committee. The scheme of delegation also sets out the authority delegated to committees from Council, outside of that provided for in the Act.
12. Other than where functions are specifically delegated to committees, Council regards the Chief Executive as its main point of delegation and holds the post-

² Non-executives are defined as members of Council, statutory and non-statutory committees and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

holder accountable for implementing its strategic objectives, including the effective management of the organisation. The Chief Executive may delegate functions to other staff but will be held accountable by Council for the discharge of all functions delegated under the scheme.

13. The scheme of delegation sets out:
 - a. Matters reserved to Council
 - b. Matters delegated to the Chair of Council
 - c. Matters reserved to the Policy and Education Committee
 - d. Matters delegated to committees and ad hoc working groups
 - e. Matters delegated to the Chief Executive which may also be carried out by persons nominated by the Chief Executive.

14. *Withdrawal of delegated power*

The scheme remains in force subject to amendment or revocation by Council.

15. *Exercise of delegated power*

Where power is delegated under the scheme, the power must be exercised in a manner which is consistent with the GOsC's statutory objective, other relevant legislation and the GOsC's current Strategic Plan .

Financial Procedures

16. The purpose of the GOsC's financial procedures (set out in full in Annex 3, Section 7) is to ensure the proper use of resources and effective maintenance of assets. The Finance Procedures set out the policies adopted by Council to ensure financial control to comply with legal obligations and accounting standards.

Induction, training and performance

Members' induction

17. All members will be required to undertake a programme of induction and training as soon as possible after appointment or, where possible, in advance of the appointment date. The programme will aim to ensure that members are fully aware of the implications of the GOsC's statutory role and members' responsibilities in discharging that role, whether as members of Council or of committees.

Ongoing training of members

18. Training needs will be kept under review and the GOsC will provide further training where this is necessary during the terms of office of members. Provision of training will be through a mix of external and internal sources, depending on the subject matter.

Performance and development review

19. All members of Council and members of committees are expected to participate fully in the GOsC's performance and development review process.
20. Details of the performance and development review scheme are set out at Annex 3, Section 9

General Osteopathic Council**Code of Conduct****Introduction**

1. The General Osteopathic Council (GOsC) was established in 1997, as the regulator of osteopathy in the United Kingdom, following the passage of the Osteopaths Act 1993

Statutory role

2. The GOsC's statutory role, set out in the Osteopaths Act 1993 (as amended) is to 'develop and regulate' the profession of osteopathy. The GOsC has three statutory objectives:
 - a. To protect, promote and maintain the health, safety and well-being of the public
 - b. To promote and maintain public confidence in the profession of osteopathy, and
 - c. To promote and maintain proper professional standards and conduct for members of that profession.
3. The GOsC is also a charity registered in England and Wales (1172749) and its charitable purposes are those set out in the Osteopaths Act 1993 (as amended). The GOsC's Council members undertake the role of charity trustees.
4. Members of the GOsC's governance structure (Council, committees, fitness to practise panellists and ad hoc working groups), both as individuals and collectively, have a duty to ensure that the GOsC's functions meet its statutory duties and public benefit requirements.
5. This Code provides guidance for members and others, acting on behalf of the GOsC, on carrying out these functions in line with currently accepted standards of public service. It applies to:
 - Members of the Council
 - Members of committees, both statutory and non-statutory
 - Members of working groups
 - Any other individuals who may from time to time act on behalf of the GOsC in a non-executive capacity.

General guidance

6. Members and other non-executive persons acting on behalf of the GOsC will comply with the following general guidelines at all times:
 - Act in good faith

- Act in accordance with the GOsC's statutory objectives, both as individuals and collectively
- Act in the best interests of the GOsC and its beneficiaries
- Act in accordance with the seven principles of public life (set out below)
- Treat others equally, fairly and with respect

Seven principles of public life

7. The principles, as set out by the Committee on Standards in Public Life <http://www.public-standards.gov.uk/>, are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Specific guidance

8. In addition to complying with the general guidance, those covered by the Code should observe the following specific guidance in carrying out their various functions:

a. Confidentiality and information security

Members and others covered by the Code will sometimes be party to discussions or information of a confidential nature. They may also receive confidential information from other bodies.

It is the duty of all members to ensure that all such information, whether in electronic or paper form, is held and disposed of securely. Any loss or accidental disclosure, and the circumstances leading to the loss or disclosure, must immediately be notified to the Chair and the Chief Executive.

Confidential information also must not be disclosed without the consent of a person authorised to give it or where there is a legal requirement to do so. In any cases of uncertainty about handling confidential information, the Chair or the Chief Executive should be consulted.

b. Media, public speaking engagements and communications with external organisations

Media contact should be discussed, if possible, in advance with the Chair, the Chief Executive or the Head of Communications and Engagement who are the appointed spokespersons of the GOsC. In speaking or writing about the work of the GOsC, those covered by the Code should ensure they reflect current policies of the GOsC. This applies in any dealings with the media, or when in a public forum or in an informal discussion. Members should make sure their comments are accurate, well-considered and well-informed and that they do not undermine confidence in the GOsC.

c. Collective decision-making

Members of Council, committees and ad hoc working groups must recognise any decisions made by the majority even if they personally disagree with them. This does not preclude a member from expressing a dissenting view but he/she should not, by commenting in public or by other means, attempt to frustrate the implementation of decisions properly made.

d. Personal behaviour

Members and others covered by the Code must not act in a way which would bring the GOsC into disrepute, and their behaviour must demonstrate the standards expected of holders of public office. Where a member or other person covered by the Code has been charged with, or has been convicted of, a criminal offence, or has been the subject of a disciplinary procedure by another regulator, the member must inform the Chair at the earliest

opportunity. Where any other matter involving a member has the potential to undermine confidence in the GOsC, the member should consult the Chair or Chief Executive at the earliest opportunity.

e. Roles of executives and non-executives

Those covered by the Code must recognise that staff members are part of a line management structure responsible to the Chief Executive for the implementation of corporate decisions, and not to any individual non-executive. Care must be taken to ensure that the distinctive roles and responsibilities of executives and non-executives are respected.

f. Equality and diversity

Individuals covered by this Code will be expected to follow best practice on equality and diversity issues, defined as complying fully with the GOsC's responsibilities under anti-discrimination legislation and ensuring the GOsC's equality and diversity policy is implemented.

g. Conflicts of interest

Individuals covered by this Code are free to engage in political activities or to maintain associations with professional organisations provided that such activity does not conflict with the essential purpose of the GOsC in protecting the public. They must declare, in writing to the Chief Executive, any professional, personal or business interests, which may, or might be seen to, conflict with their GOsC responsibilities. The Chief Executive will be responsible for keeping the Register of Members' Interests which will be a public document. Individuals covered by this Code will be invited to update their entries in the spring of each year but in any case changes in circumstances necessitating amendments to the Register should be notified to the Chief Executive as soon as they arise.

h. Testimonials

Individuals covered by this Code should avoid providing testimonials, references or acting as character witnesses for individuals who are applicants for registration with the GOsC or who are subject to fitness to practise proceedings within the GOsC.

i. Attendance

Members of Council, committees and working groups will be expected to make the time commitment necessary to attend meetings and discharge their duties, absenting themselves only for compelling personal or professional reasons. Details of expected attendance levels are set out in the GOsC's Standing Orders.

j. Performance and development review

Members of Council, committees and working groups will be expected to participate constructively in periodic performance and development reviews (see details of the GOsC Performance and Development Review Scheme in Annex 3).

k. Gifts and Hospitality

Members and those covered by this Code are required to adhere to the Bribery Act 2010, which explicitly prohibits bribery. Further guidance on the Bribery Act 2010 can be found on the Ministry of Justice website under <http://www.justice.gov.uk/guidance/making-and-reviewing-the-law/bribery.htm>

Members and those covered by this Code must not accept gifts, hospitality or benefits, offered in relation to GOsC business, which might be seen to compromise their personal judgement or integrity. In case of uncertainty, the Chief Executive should be consulted. Any gifts, hospitality or benefits accepted as a consequence of GOsC business must be formally registered on the GOsC's gifts and hospitality register within 15 days.

Complaints

9. Any complaints made against anyone covered by this Code will be handled in accordance with the GOsC's procedure for handling such complaints.

General Osteopathic Council

Standing Orders

Introduction

The Osteopaths Act 1993, as amended (the Act) makes provision for standing orders which are designed to ensure that the business of the Council and committees is conducted as effectively as possible. The Standing Orders ensure that there are consistent governance processes in place and play an essential role in defining the remit and membership of a committee.

In these Standing Orders, references to 'the Council Constitution Order' mean the General Osteopathic Council (Constitution) Order 2009 (SI 2009/263) as amended by The General Osteopathic Council (Constitution) (Amendment) Order 2015 (SI 2015/1906) and references to 'the Statutory Committee Rules' mean the General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009 (SI 2009/468).

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Part 1 – Meetings and proceedings of Council

Chair

1. The chair will be taken at all Council meetings by the Chair.
2. If for any reason the Chair is absent from a meeting of the Council, the members who are present at that meeting shall nominate one of their number to serve as Chair at that meeting.
3. If for any reason the Council is on notice that the Chair is likely to be absent for more than one meeting of the Council, or to be unavailable to perform the duties of its chair for more than one month, or the office of chair is vacant, the Council may nominate a member as Deputy Chair for the relevant period in accordance with Paragraph 10 of the Council Constitution Order.

4. Where a deputy Chair has been nominated, references to the Chair in these Standing Orders shall apply as relevant to the deputy Chair.

Dates of Council meetings

5. Council will meet not less than four times a year for general business.
6. A special meeting of the Council may be called at any other time by the Chair or any six members of the Council who have signed a written request addressed to the Chair.
7. Any meeting of the Council shall be convened by the Chief Executive by notice addressed to each member, sent by hand, post, or electronic means and stating the purpose of the meeting, whether for general business or any named special business.
8. At a meeting convened for special business, no other business shall be dealt with except that given in the notice, unless the Council by a resolution agrees to consider any other business.

Agenda papers

9. The Chief Executive will endeavour to send details of the business to be considered to each member, at least seven clear days before the day of the meeting, together with as many supporting papers as are available.
10. A start time will be included on the agenda.
11. No business other than that which has been included in the agenda, or any raised under 'Any other business' and accepted as such for discussion by the Chair, shall be discussed at any Council meeting, with the exception of urgent business which may be discussed with the prior consent of the Chair.
12. In the case of special meetings, the requirements may be varied as circumstances require.

Attendance

13. Council members are expected to attend meetings of the Council and of any other committee or working group where they serve in their capacity as a Council member.
14. Once noted in the minutes as attending a meeting, members are expected to remain until business has been completed or the meeting otherwise terminated. In exceptional circumstances members may leave early by prior arrangement with the Chair.
15. A Council member failing, without reasonable cause, to attend two out of any eight meetings of Council in a rolling 24 month period will be regarded as having made an insufficient contribution to the work of the Council, which will

be taken into account in the annual performance and development review and any reappointment.

16. A Council member failing, without reasonable cause, to attend three or more of any eight meetings of the Council in a rolling 24 month period may be removed from office by the Privy Council in accordance with Paragraph 6(1)(g) of the Council Constitution Order.
17. In exceptional circumstances, the Member may obtain prior permission from the Chair or deputy Chair for a leave of absence from attending Council meetings for a defined period.

Quorum

18. The quorum of the Council shall be six in accordance with Paragraph 11 of the Council Constitution Order.
19. A meeting of the Council shall stand adjourned if fewer than six Council members are present.
20. Where a meeting becomes inquorate, business transacted before the meeting was inquorate will not be invalidated by the later lack of quorum.

Adjournment

21. The Chair may adjourn a meeting to a fixed day and time, as directed by the meeting.
22. Notice of the adjourned meeting shall be given to all Council members if a meeting is adjourned for seven days or more. In other cases no further notice need be given.

Agenda and business of Council meetings

23. The business at Council meetings shall include:
 - a. Presentation of the minutes of the last meeting and subject to any correction, authorisation for the Chair to sign them;
 - b. In the public session only, answers to questions from observers;
 - c. Items as detailed in the agenda; and
 - d. Any other business accepted as such for discussion by the Chair.

Rules of debate

24. Members of the Council shall speak only when called by the Chair.
25. All debate shall be directed to the Chair.
26. All debate must relate to the matter under discussion.

27. Members should avoid repetition.
28. The Chair may direct any member whose behaviour is, in the Chair's opinion, disruptive of the meeting, to leave the meeting.

Recommendations

29. No recommendation shall be approved at any Council meeting unless supported by a majority of Council members present and voting.
30. Any proposal from a Council member to be included in the business of any meeting must be received by the Chief Executive at least 14 clear days before the date appointed for the meeting.

Closure of debate

31. Any member who wishes to bring the debate to a close may do so by requesting of the Chair either:
 - a. That a vote be taken on the recommendation; or
 - b. That the meeting proceed to the next business; or
 - c. That the recommendation be remitted elsewhere for consideration.
32. The Chair may decline to accept a request that a vote be taken but if the Chair accepts the request the recommendation shall be put to the vote immediately, subject to the right of reply of the proposer of the recommendation or proposal concerned.

Voting and decision making

33. All questions shall be decided by a majority of members of the Council present and voting.
34. Voting at Council meetings will be by show of hands or by any technological equipment provided.
35. The Chair shall, in the event of a tie, have a second or a casting vote.
36. A record of the number of members voting for and against any recommendation at a Council meeting shall be taken. A record of the number of members abstaining from a vote shall also be taken.
37. Members are required to support all Council decisions on the basis of collective responsibility even where they have voted against the decision.
38. Members may be asked to approve recommendations outside of meetings, by email or any other electronic means, if time requires a decision to be made. Approval will require six votes in favour of the recommendation.

39. Where it is known at a meeting of Council that a decision of Council is required to be taken before the next meeting of Council, members shall be informed at the meeting. Where a matter arises between meetings it shall only be considered outside of a meeting with the permission of the Chair.

Effect of vacancies on the validity of proceedings

40. The validity of any proceedings of Council shall not be affected by:
- a. A vacancy among the members of the Council,
 - b. A defect in the appointment of a member of the Council,
 - c. The participation of a member whom the Privy Council must remove from the Council under Paragraph 6 (1) (b) to (f) of the Council Constitution Order (although such a member is not entitled to participate pending his removal),
 - d. The participation of a member whom the Privy Council has removed under Paragraph 6 (1), or
 - e. The participation of a member provisionally suspended by the Council under its standing orders or suspended by the Privy Council under Paragraph 7 (1) or (2).

Requests for supplementary information on papers

41. Requests for further information on any of the papers should be made in writing and sent to the Chief Executive at least two working days before the date of the meeting.
42. Where possible written answers to such questions will be provided to Members in advance of the meeting and will become part of the relevant paper.

Designation and conduct of confidential business

43. In principle, all business should be conducted in public. However, business may be designated as confidential (and therefore conducted in private), if it is, in the opinion of the Chair, in the interests of the GOsC or other relevant parties so to do.
44. At the discretion of the Chair business in the following categories may be conducted wholly or partly in private:
- a. Any personal matter relating to a present or former osteopath or applicant for registration
 - b. Any personal matter relating to an employee or member, or a former employee or member
 - c. Any matter which is commercially sensitive
 - d. Any matter relating to employment negotiations or consultations between the GOsC and staff
 - e. Any matter relating to future policy or strategy where, in the opinion of the Chair, public discussion would be premature
 - f. Any matter which is subject to legal professional privilege

- g. Any matter relating to the prevention or detection of crime or the prosecution of offenders
 - h. Identification of the source of any information given to the GOsC in confidence
 - i. Any other matter deemed to be confidential by the Chief Executive which is justified as having equivalent characteristics to one or more of the above.
45. The Chair will inform the Council prior to the meeting of any matter where it is proposed it should be considered during the private session of the meeting.
46. If it appears to the Chair that confidential matters may arise or may have arisen during the discussion of business in the public session of the Council meeting, the Chair may:
- a. Adjourn the discussion to the private session of the meeting and proceed immediately with the next item of non-confidential business; or
 - b. Direct any or all of those attending the meeting who are not members of the council, to leave whilst confidential matters are discussed in private. At the conclusion of such a discussion in confidence, the chair may announce in a public session any decision taken in the private session of the meeting.

Access to meetings

47. The Chair may invite any person to attend the whole or part of a Council meeting to speak or present a report. Such persons must withdraw from the meeting if requested to do so by the Chair.
48. Anyone may attend a meeting of the Council as an observer, on request to the Chief Executive. The number of observers will be limited as necessary in order to comply with restrictions on seating space and fire regulations.
49. Observers may put questions to Council in that part of the proceedings designated for such matters. Where possible, such questions should be sent in writing to the Chief Executive in advance of the meeting. Observers will be invited to restate their questions orally and where possible, the Chief Executive or other persons present at the meeting will answer such questions.
50. Observers will be excluded from the private session of Council meetings and during the public session of meetings in the circumstances described.
51. No one shall make a permanent record of proceedings, except with the leave of the Chair.
52. The Council may resolve that any observer attending a meeting of the Council be required to withdraw from the meeting if the observer's conduct seriously disrupts the Council's consideration of the business of the meeting.

Declarations of interest

53. No member may speak, vote or in any other way participate in debate where they have, or could be inferred to have, a personal interest in the matter under discussion except with the permission of the Chair.
54. Where a Council member has an interest in any matter under discussion, they shall inform the Chair at the beginning of the meeting and, as needed, during the course of the meeting. The Chair may direct that any member with an interest will leave the meeting for the duration of the debate.
55. Members should err on the side of caution in making declarations. Failure to declare an interest will be regarded as a serious breach of the Code of Conduct for Members.
56. If the withdrawal of a member makes the meeting inquorate, the meeting will not close but will move to the next item of business for which sufficient members are present.

Minutes of Council meetings

57. Minutes of Council meetings will be taken and retained as a record of the decisions taken. Where possible, minutes will be forwarded to the Chair of the meeting for approval within ten working days of each meeting and circulated to the Council within a further five working days. The minutes will be considered for final approval at the next meeting of the Council.
58. The minutes shall be available for inspection by any Council member.

Part 2 – Removal and suspension from office

Removal

59. Council members will be removed from office by the Privy Council in the circumstances laid down in paragraph 6(1) of the Council Constitution Order.

Suspension

60. Council members may be suspended from office by the Privy Council in the circumstances set out in paragraph 7 of the Council Constitution Order. Members of the statutory committees may be suspended from appointment by the Council in the circumstances set out in paragraph 14 of the Statutory Committee Rules.
61. The Council may provisionally suspend a Council member from office if, by a majority of those present and voting, it agrees to do so at a quorate meeting of the Council. The provisional suspension has effect when the proposal is agreed.

62. Exceptionally, the Chair may provisionally suspend a member with immediate effect by informing the member in writing. Such a suspension must be reported to and considered at the next meeting of the Council.
63. Provisional suspensions of members must be reported in writing, as soon as reasonably practicable, to the Privy Council for consideration of further action under the Council Constitution Order. The Privy Council will then consider the matter to determine whether to suspend the member under paragraph 7 or remove the member under Paragraph 6.
64. If, after considering a provisional suspension, the Privy Council decides not to suspend or remove the member, the Council will terminate the provisional suspension.

Part 3 – Education, training and performance

65. The GOsC shall make available education and training opportunities for all members relevant to their role. This may be provided by external organisations.
66. The GOsC will establish standards of performance for members and have in place a system of annual performance and development review. All Council members are expected to participate fully in the performance and development review process for Council members.
67. Where a member, without reasonable cause, fails to undertake satisfactorily the GOsC's requirements with regard to education and training, the Privy Council will, in accordance with Paragraph 6(1)(h) of the Council Constitution Order, remove that member from office.

Part 4 – Powers of the Council

68. The Council has power to do anything which facilitates its functions, subject to any provisions made by or under the Act. In particular, paragraph 15(2) of the Schedule to the Act gives the Council power:
 - a. To borrow
 - b. To appoint staff and pay salaries and pensions etc
 - c. To pay allowances and expenses to its members and committee members
 - d. To establish sub-committees of its committees
 - e. To regulate its procedures and those of its committees or sub-committees
 - f. To abolish any of its non-statutory committees or sub-committees thereof
 - g. To delegate to its committees any functions other than a power to make rules.

Part 5 – Committees

Meetings and proceedings of committees (other than the fitness to practise committees)

- 69. Committees will normally meet three times in each calendar year.
- 70. Standing Orders 9-11, 13-14, 17, 24-39, 41-58 may be read as applying to committee meetings as well as to meetings of Council.

Appointments to Committees

- 71. Appointments to statutory committees will be made in accordance with the Statutory Committee Rules (paragraphs 4 to 11).
- 72. Appointments to non-statutory committees will be made in accordance with the terms of reference of those committees.

Co-option

- 73. The co-option of members to statutory committees requires the Council's approval. The committee concerned must submit a request for approval accompanied by:
 - a. The CV of the proposed member
 - b. The reasons for co-option.
- 74. If the Council agrees to approve the co-option, the member's term of office will commence the day after the agreement is made.
- 75. The duration of terms of office of co-opted members shall be determined by the committee co-opting them but must not exceed three years.

Removal from statutory and non-statutory committees

- 76. Members of the statutory and non-statutory committees will be removed from appointment by the Council in the circumstances laid down in paragraph 13 of the Statutory Committee Rules.

Education, training and performance

- 77. Standing Orders 65-67 may be read as applying to committee members as well as to members of Council.

Attendance

Fitness to practise committees

- 78. Members of the Professional Conduct, Health and Investigating Committees are expected to attend any meeting or hearing to which they have been invited by

the Chief Executive (or staff on his behalf), and which they have agreed to attend.

79. If a member fails, without reasonable cause, to attend any meeting or hearing they have agreed to attend, that absence will be taken into account in the performance and development review and reappointment and they may ultimately be removed from office by the Council.

Policy and Education Committee and non-statutory committees

80. A member, without reasonable cause, failing to attend any two meetings of a Committee in a rolling 24 month period, will be regarded as having made an insufficient contribution to the work of the Committee and this will be taken into account in the performance and development review and reappointment.
81. A Policy and Education Committee member who fails to attend, without reasonable cause, three or more Committee meetings in a rolling 24 month period, may be removed from office by the Privy Council in accordance with paragraph 13(1)(g) of the Statutory Committee Rules.
82. In exceptional circumstances, members may obtain prior permission from the Chair of Council for a leave of absence from a committee for a defined period.

Supporting information and documents**1. Council****1.1 Role of Council**

The role of Council is to be satisfied that the GOsC is meeting its statutory duties under the Osteopaths Act and other legislation. To meet these duties it:

- a. Sets the corporate strategy and objectives, and determines key policies for the organisation, testing these against its statutory duties.
- b. Makes rules as provided for under the Osteopaths Act.
- c. Approves the annual Budget and Business Plan.
- d. Appoints the Chief Executive and Registrar.
- e. Keeps under review how the GOsC meets its charitable purpose and public benefit requirements.
- f. Holds the Chief Executive to account for the delivery of the Corporate Strategy, Business Plan, Budget, risk mitigation, organisational performance, staff leadership and external perception.
- g. Ensures the quality of decision making is supported by effective stakeholder engagement and appropriate evidence, including approving for consultation any policy proposal that relates to any matter reserved to Council and ensuring that due consideration has been given to all other policy matters by the relevant committee of Council.
- h. Provides effective oversight of any partnership arrangements entered into to support how it meets its statutory objectives.
- i. Ensures that appropriate audit, control and assurance systems are in place.
- j. Appoints members of statutory and non-statutory committees on the recommendation of the Chair of Council.
- k. Maintains high standards of corporate governance.
- l. Makes sure that the GOsC's values are reflected in all of its work.
- m. Agrees and keeps under review a scheme of delegation.
- n. Ensures effective reporting to Parliament, the Professional Standards Authority, Charity Commission, registrants and others.

- o. Undertakes those functions of Council not otherwise delegated to committees, including:
 - i. Considering reports of the Registrar relating to fraud or error in relation to registration.
 - ii. With the approval of the Privy Council, recognising qualifications or withdrawing their recognition.
 - iii. Appointing legal assessors and medical assessors.
 - iv. Hearing appeals against decisions of the Registrar.
 - v. Appointing financial auditors.
 - vi. Approving the Annual Report and Accounts
 - vii. Approving the financial reserves policy.

1.2 Appointment of Chair of Council and deputising arrangements for the Chair

Chair of Council

The Privy Council appoints the Chair of Council, following an open recruitment process conducted by the GOsC in accordance with standards set by the Professional Standards Authority. The Council Constitution Order governs the appointment, term of office and cessation of office of the Chair of Council (paragraph 8).

Deputising arrangements

Deputising arrangements in relation to the Chair are set out in the Council Constitution Order (paragraph 10).

1.3 Chair of Council's role

1. The principal role of the Chair is to lead and guide Council in discharging its statutory function – ensuring the protection of the public through the development and regulation of the osteopathic profession – and to be a principal spokesperson for the GOsC.
2. The Chair will lead Council to:
 - a. Set the strategic direction for regulation and development of the profession in the context of current statutes.
 - b. Underpin the strategic direction through the institution of good governance including appropriate business, financial and risk assurance.
 - c. Hold the Chief Executive to account for the operation of its business function and the effective management of the organisation, including through regular review and appraisal.

- d. Hold chairs of fitness to practise committees to account for the effective discharge of their functions.
- e. Ensure effective engagement with key stakeholders on relevant issues.
- f. Be accountable to Parliament and respond to directions, recommendations and requests from government departments including any of their agents such as the Professional Standards Authority.
- g. Ensure high ethical standards within Council and throughout the organisation.
- h. Conduct performance and development reviews as appropriate.
- i. Chair the Remuneration and Appointments Committee.

1.4 Attendance at Council meetings

The Standing Orders (Annex 2) set out the detailed requirements for attendance at meetings.

2. Statutory Committees

2.1 Policy and Education Committee³ (PEC)

Terms of reference

The role of the Policy and Education Committee is to contribute to the development of Council policy. To do this it will:

- a. Advise Council on all matters of policy including:
 - i. The standards required for initial registration and appropriate means for assessing those standards.
 - ii. On all matters relating to pre-registration education and training of osteopaths, including the standards of osteopathic practice required for registration.
 - iii. Post-registration education and training, including the requirements for ensuring osteopaths remain fit to practise.
 - iv. The management, investigation and adjudication of concerns about the fitness to practise of registrants.
 - v. Matters relating to the exercise of powers under section 32 of the act (protection of title).
 - vi. The development of the osteopathic profession.
 - vii. Measures to encourage research and research dissemination within the osteopathic profession.
 - viii. Any research needs to support the GOsC's work.
- b. Take into account the decisions of fitness to practise committees, information from the PSA and other relevant sources, and external legal or other requirements.
- c. Ensure that policy development has been informed by effective engagement with the full range of the GOsC's stakeholders.
- d. Make an annual report for Council on the work of the Committee.

The Committee will also undertake the statutory functions that are reserved to the Education Committee, which are to:

³ n.b. for the purposes of the Osteopaths Act 1993, the Policy and Education Committee performs the role of the statutory Education Committee.

- a. Advise Council on the recognition of qualifications in accordance with section 14(6) of the Act.
- b. Appoint and manage the performance of visitors to conduct the evaluation of courses under section 12 of the Act.
- c. Advise Council on matters relating to the withdrawal of recognition of a qualification in accordance with sections 16(1) and 18(5) of the Act.
- d. Exercise powers to require information from osteopathic educational institutions in connection with its statutory functions in accordance with Section 18 of the Act.

Meeting Frequency

Three times yearly or more frequently if required. Some business may be appropriately conducted out of committee.

Membership

Ordinary members

- Five members of Council, of whom two shall be osteopaths and three shall be lay members. One of the lay members shall be appointed by Council to be Chair of the Committee
- Four members who are not members of Council.

Co-opted members

The Committee may co-opt up to five members in accordance with Rule 3 of the Statutory Committee Rules.

Observers with speaking rights

The member organisations of the Osteopathic Development Group are invited to send an observer with speaking rights to each meeting.

Observers may not take part in any part of the meeting where the business is that reserved to the Education Committee.

Quorum

Five, of which:

- at least one must be a lay person and one must be an osteopath
- at least two must be members of Council and two must be members who are not members of Council

2.2 Investigating Committee (IC)

Functions

The role of the Investigating Committee is to carry out the initial investigation of a complaint against an osteopath which may allege unacceptable professional conduct, professional incompetence or matters relating to physical or mental ill health.

1. To determine whether there is a case to answer concerning allegations made to the GOsC against a registered osteopath that:
 - a. he has been guilty of unacceptable professional conduct;
 - b. he has been guilty of professional incompetence;
 - c. he has been convicted (at any time) in the United Kingdom of a criminal offence; or
 - d. his ability to practise as an osteopath is seriously impaired because of his physical or mental condition

in accordance with section 20(1) of the Act.

2. To receive reports from those persons appointed by the GOsC to give preliminary consideration to any allegation made or referred to it under section 20(7).
3. To exercise, additionally, powers under the following:
 - a. section 20(11), where it considers a criminal conviction has not material relevance to the fitness of an individual osteopath to practise osteopathy;
 - b. section 20(12), to refer an allegation to either the Health Committee or the Professional Conduct Committee, where it concludes that there is a case to answer;
 - c. section 20(13), where it concludes that there is no case to answer;
 - d. section 21(2),(3) and (4), where the Committee may order the interim suspension of an osteopath from the Register in order to protect members of the public;
 - i. section 21(5) and (6) relating to hearings against such interim suspension orders; and
 - ii. hearings under section 10 where the Registrar proposes to suspend an osteopath's registration for fraud or error in relation to registration.

- e. paragraphs 32(3) and (4) to the Schedule of the Act in the event of a tie in any voting as specified;

Meeting Frequency

By invitation of the Registrar or their nominee but not less than three times a year.

Membership

Ordinary members

Not more than 15 persons who are osteopaths or lay persons appointed to the Committee by Council.

Co-opted members

The Committee may co-opt members, subject to rule 3 of the Statutory Committee Rules.

Quorum

Five, of which at least two must be lay persons and two must be osteopaths.

2.3 Professional Conduct Committee (PCC)

Functions

The role of the Professional Conduct Committee is to hear cases concerning serious unacceptable conduct, incompetence or convictions and, where the committee finds any such case proved, impose an appropriate sanction on the osteopath concerned.

1. To determine allegations referred to it under section 20 or rules made under section 26(2)(a), in accordance with section 22.
2. To exercise powers under sections 22(3), 22(4), 22(6) and 22(8).
3. To publish reports in accordance with section 22(13) and 22(14) about the way in which it has dealt with allegations referred to it.
4. To exercise interim powers of suspension in accordance with section 24, and the revocation of interim suspension orders under section 25.
5. To receive advice from medical assessors under section 28(2)I.
6. To receive advice from legal assessors under section 27(2)I.
7. To exercise powers under paragraphs 36(3) and (4) to the Schedule of the Act in the event of a tie in any voting as specified.

Meeting attendance

On an as-needed basis by invitation of the Registrar or their nominee.

Membership

Ordinary members

Not more than 18 persons who are osteopaths or lay persons appointed to the Committee by Council.

Co-opted members

The Committee may co-opt members subject to Rule 3 of the Statutory Committee Rules.

Quorum

Three, of which at least one must be a lay person and one must be an osteopath.

2.4 Health Committee (HC)

Functions

The role of the Health Committee is to consider cases in which an osteopath is alleged to be in poor physical or mental health and if the allegation is upheld, to take appropriate action in the interests of the public and the osteopath.

1. To determine allegations referred to it under section 20 of the Act or rules made under section 26(2)(a), in accordance with section 23.
2. To exercise powers under sections 23(2), 23(4), 23(5) and 23(6).
3. To exercise interim powers of suspension under section 24 and the revocation of interim suspension orders under section 25.
4. To receive advice from medical assessors under section 28(2)(d).
5. To receive advice from legal assessors under section 27(2)(d).
6. To exercise powers under paragraphs 40(3) and (4) of the Schedule of the Act in the event of a tie in any voting as specified.

Meeting attendance

On an as-needed basis by invitation of the Registrar or their nominee.

Membership

Ordinary members

Not more than 18 persons who are osteopaths or lay persons appointed to the Committee by Council.

Co-opted members

The Committee may co-opt members subject to Rule 3 of the Statutory Committee Rules.

Quorum

Three, of which at least one must be a lay person and one must be an osteopath.

2.5 Registration Appeals Committee

Functions

In exercise of its powers under section 1(8) of the Act, the Council shall appoint a Registration Appeals Committee (the Committee) in connection with the discharge of its function under section 29 of the Act.

The Committee shall have delegated to it by the Council, under paragraph 15(2)(i) of the Schedule to the Act, the function of hearing appeals pursuant to s29 of the Act, and the power to make decisions in respect of such appeals.

The terms of reference of the Committee are:

1. To hear registration appeals that are made in accordance with section 29(1) of the Osteopaths Act 1993.
2. To hear such appeals in accordance with the General Osteopathic Council (Fraud or Error and Appeals) Rules 1999.
3. To give advice on matters arising out of any registration appeal hearing.

Meeting attendance

On an as-needed basis by invitation of the Chair of Council.

Membership

The Committee shall consist of all members of Council.

Quorum

The quorum of the Committee shall be three, two of which shall be registrant members and one shall be a lay member.

The Committee shall be chaired by a lay member.

A Legal Assessor, appointed by the Council under section 27 of the Act, shall attend all hearings.

The Legal Assessor's role shall be as set out in the General Osteopathic Council (Legal Assessor) Rules 1999 and includes giving advice to the Committee on questions of law.

2.6 Appointments to Statutory Committees

1. The Statutory Committee Rules provide for the appointment of members and Chairs and appropriate deputising arrangements where necessary.
2. In relation to Council members of the Policy and Education Committee, the Chair of Council shall consider nominations from individuals who wish to serve on the Committee and determine the membership based on the needs of Council in providing an appropriate balance of skills and turnover across the governance structure. Once the Chair of Council has determined the composition of the Committee, they will also nominate one of the lay members of the Committee to be the Chair of the Committee. Council will then be asked to approve the Chair's nomination.

2.7 Ceasing to be a Council Member

A person who ceases to be a member of Council or who is suspended shall cease to be a member of every committee on which they sit.

2.8 Validity of proceedings

No proceedings of a committee will be invalidated by any defect in the appointment of a member or a vacancy among its members.

2.9 Length of appointment to committees

1. Members of statutory committees, other than those who are members of Council, shall hold office from appointment to the committee up to the end of their term of appointment, subject to removal, resignation or suspension.
2. The terms of appointment of co-opted members of statutory committees will be agreed by the committee co-opting them, up to a maximum of 3 years.

2.10 Attendance at committee meetings

Part 7 of the Standing Orders (Annex 2) sets out details about attendance at meetings and hearings.

2.11 Co-option

Rule 3 of the Statutory Committee Rules sets out the protocol for co-option to statutory committees.

2.12 Failure to meet quorum

If a meeting is not quorate, or becomes inquorate, it must be adjourned.

3. Non-Statutory Committees

3.1 Audit Committee (AC)

Terms of reference

The role of the Audit Committee is to provide advice that the necessary internal and external systems and processes are in place for identifying, managing and mitigating the risks relating to the discharge of the GOsC's statutory duties, and make recommendations for any actions to Council and the Executive as appropriate. To do this it will:

- a. Review and make recommendations to Council the content and structure of the risk register at the start of each business planning cycle and keep it under review.
- b. Review and made recommendations to Council about the effectiveness and proportionality of the risk management process.
- c. Request and receive reports on the management of risk areas identified in the register and make recommendations to Council about improvements needed.
- d. Review the internal financial controls and advise Council on these controls.
- e. Make a recommendation to Council on the appointment of financial auditors to conduct the annual financial audit.
- f. Receive a report on preparations for the annual financial audit.
- g. Receive the audit report, Audits Findings Report (AFR), draft Annual Report and Accounts, and Governance Statement and make recommendations to Council on the approval of these, and monitor the implementation of agreed recommendations in the AFR.
- h. Approve proposals for the commissioning of audits of key functions within the organisation and to recommend any areas where special investigation might be necessary.
- i. Receive audit reports and the Executive's response and make recommendations to Council on the implementation of recommendations arising from such audits and investigations.
- j. Receive reports on any incidents reportable under the serious events framework, data breaches and corporate complaints or whistleblowing, and the Executive's response to them, and make any recommendations to the Executive and Council.

- k. Receive reports on the Executive's approach to organisational performance management and corporate governance and make any recommendations.
- l. Make an annual report to Council on the work of the Committee and an overall opinion on the management of risk within the GOsC.
- m. To review periodically its own effectiveness as a Committee.

Meeting Frequency

Three times yearly or more frequently if required. Some business may be appropriately conducted out of committee.

Membership

Four members:

- Two Council members, of whom one must be an osteopath and the other a lay member.
- Two external members (one of whom is the Chair).

There are no co-opted members.

Quorum

Three members – the Chair and at least one Council member and one external member (who may be the Chair).

3.2 Remuneration and Appointments Committee (RAC)

Terms of Reference

The Remuneration and Appointments Committee oversees appointment, performance and remuneration policy in relation to Council, non-executives⁴ and staff of the GOsC and makes recommendations to Council. To do this it will:

- a. Advise Council on the arrangements for the appointment, induction and performance review of the Chair and members of Council in accordance with the PSA's standards.
- b. Appoint the panel, including independent members, for appointing the Chair and members of Council.

⁴ Non-executives are defined as members of Council, statutory and non-statutory committees and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

- c. Provide assurance of high standards in the appointment and performance review of all other Council appointees including non-Council members of committees and other Council appointees.
- d. Advise Council on its structure, composition and competences.
- e. Make arrangements for the performance review process for Council as a whole.
- f. Make arrangements for the appointment of the Chief Executive and make a recommendation to Council.
- g. Following appointment, make arrangements for the formal review of the probation period of the Chief Executive and Registrar to be informed by feedback from Council, staff and stakeholders.
- h. Advise Council that the formal review of the probation period of the Chief Executive and Registrar has been completed and clarify whether the probation period has been successfully passed or whether the probation period has been extended.
- i. If required, oversee a performance management process for the Chief Executive and Registrar, which will ensure feedback is provided to them by the Chair of Council supported by two members of the Remuneration and Appointments Committee.
- j. If appropriate, make recommendations to Council concerning the removal of the Chief Executive and Registrar.
- k. Consider and approve the remuneration of the Chief Executive on an annual basis.
- l. Receive an annual report from the Chief Executive on HR strategy.
- m. Consider and approve recommendations of the Chief Executive in relation to pay, performance and reward of all other staff.
- n. Consider any issues in relation to the remuneration of non-executives (including the requirements of the Charity Commission), review the remuneration of non-executives annually and make recommendations to Council.
- o. Consider any issues in relation to the performance review of non-executive members and make recommendations to Council.
- p. Make an annual report to Council on the work of the Committee.

Meeting Frequency

Three times yearly or more frequently if required. Some business may be appropriately conducted out of committee.

Membership

The Chair of Council, one lay member and two osteopath members of Council and one external lay member with appropriate expertise.
There are no co-opted members.

Quorum

Three members – the Chair of Council, and at least one lay member and one osteopath member.

3.3 Appointments to Non-Statutory Committees

- a. The Chair of Council shall consider nominations from Council members who wish to serve on the Committee and determine the membership based on the needs of Council in providing an appropriate balance of skills and turnover across the governance structure.
- b. Appointment of external members to the Audit Committee and Remuneration and Appointments Committee is made by Council, following the recommendation by the Chair of Council.
- c. No person shall serve more than eight years as a member of any single non-statutory committee.

3.4 Appointment of chairs and deputising arrangements

Chairs

The Chair of the Remuneration and Appointments Committee is the Chair of Council.

The Chair of the Audit Committee is appointed by Council on the recommendation of the Chair of Council, should be suitably qualified to hold the appointment, and must be a non-Council member, either lay or registrant

Deputising arrangements

In the event of the absence of the Chair of a non-statutory committee, the Chair of Council will ask a member of the Committee to take the chair for one or more meetings of the Committee.

3.5 Role of chairs of non-statutory committees

The Chairs are responsible for ensuring that the committee discharges its role effectively. They must consult with the Executive in setting the agenda for each meeting and will be responsible for monitoring the implementation of the committee's decisions. The Chair of the Audit Committee will be responsible for carrying out performance and development reviews of the external member of the committee.

3.6 Ceasing to be a Council Member

A person who ceases to be a member of Council or who is suspended shall at the same time cease to be a member of every committee on which they sit.

3.7 Validity of proceedings

No proceedings of a committee will be invalidated by any defect in the appointment of a member or a vacancy among its members.

3.8 Length of appointment to committees

Membership of the non-statutory committees will be reviewed annually by the Chair of Council and be determined by the needs of Council in providing an appropriate balance of skills and turnover across the governance structure.

3.9 Co-option to non-statutory committees

Currently, none of the non-statutory committees have any powers co-opt additional members to their committees.

3.10 Attendance at committee meetings

Part 7 of the Standing Orders (Annex 2) sets out details about attendance at meetings and hearings.

3.11 Failure to meet quorum

If a meeting is not quorate, or becomes inquorate, it must be adjourned.

3.12 Removal from statutory and non-statutory committees

A member of a non-statutory committee who is not a member of Council shall be removed from office in accordance with the Statutory Committee rules as if they were a member of Council.

4. Ad hoc working groups

From time to time, ad hoc working groups may be established by Council to develop policy in new areas or to review specific issues. The composition of these groups will reflect all the necessary expertise to take forward the issue in question. The constitution, role, terms of reference and the life span of the group will be agreed by Council at the outset.

5. The Executive

The Executive comprises all staff members of the GOsC, led by the Chief Executive and the Senior Management Team.

5.1 Senior Management Team (SMT)

- a. The SMT acts as a board of management and comprises:
 - Chief Executive and Registrar
 - Director of Education, Standards and Development
 - Director of Fitness to Practise
 - Director of Registration and Resources
- b. The collective responsibility of the SMT is to:
 - i. Prepare strategic plans, business plans and budgets for agreement by Council
 - ii. Implement an annual business plan within the budget agreed by Council
 - iii. Develop major policy proposals to a stage where they can be considered by Council
 - iv. Provide support to statutory and non-statutory committees in discharging their roles
 - v. Liaise with all relevant stakeholders to ensure that policy development and decision making is fully informed
 - vi. Alert Council to any issues that have a bearing on the performance of the GOsC as a regulator
 - vii. To mitigate risks that might impact on the operational effectiveness or public confidence in the GOsC.

5.2 Chief Executive and Registrar

- a. Statutory Duties
 - i. To establish and maintain the register of osteopaths (section 2(3) of the Act and SSI 1998/1328).
 - ii. To carry out such other functions as Council may direct (section 2(4)).

- iii. To consider whether applicants for registration are of good character and in good health (sections 3 and SI 2000/1038).
- iv. To consider whether applicants for registration from outside the UK have reached the required standard of proficiency (section 3(6)).
- v. To consider whether certain applicants for registration [new powers applicants] are capable of the competent and safe practice of osteopathy (section 3(6A)),
- vi. To consider certain matters relating to Conditional Registration (section 4) – n.b. this registration category is not in use.
- vii. To deal with temporary registration for visiting osteopaths from relevant European States (section 5A).
- viii. To enter a note in the register of the details of every suspension of registration (section 7).
- ix. To refer applications for restoration to the register to the Professional Conduct Committee, and to register applicants when direction by the Committee (section 8).
- x. To investigate allegations of fraud or error in the register and report on the investigation to Council; to suspend registration during investigation if satisfied it is necessary to protect members of the public and to remove the registration on the order of Council, subject to the right of appeal (section 10).
- xi. To suspend or remove an osteopath's name from the register where ordered to do so by the IC, PCC or HC (sections 21-25)
- xii. To invite members of the IC, PCC and HCC to attend meetings of the committees (SI 2009/468)
- xiii. To collect entry fees, retention fees and restoration fees; to agree payment to payment by instalments; and to remove an osteopath from the register if instalments are not paid (SI 2000/1038).
- xiv. To deal with continuing professional development requirements (including reductions or variations in requirements, issuing of final warnings, and removal from the register for failure to comply with the requirements) (SI 2006/3511).
- xv. To deal with professional indemnity insurance requirements (SI 1998/1329).

- b. Other duties
 - i. Development of corporate plan and annual business plans to meet the GOsC's statutory objectives.
 - ii. Leading the Senior Management Team in collective management of the GOsC.
 - iii. Staff management.
 - iv. Organisational management.
 - v. Reporting to the Professional Standards Authority and Parliament.
 - vi. External relations and international affairs.
 - vii. Risk management.
 - viii. Ensuring effective governance of the GOsC.

6. Scheme of delegation

1. The scheme of delegation details all the GOsC's responsibilities under the Act. It specifies where responsibility for ensuring the achievement of the GOsC's statutory responsibilities lies. Some responsibilities, such as the making of rules, are reserved to Council. Delegation might be to the Chief Executive, in his capacity as Registrar or as head of staff, or to a Committee or to an ad hoc working group. The scheme also sets out the authority delegated to committees by Council, outside of that provided for in the Act.
2. Other than where functions are specifically delegated to committees, Council regards the Chief Executive as its main point of delegation and holds the post-holder accountable for implementing the strategic objectives set by Council. The Chief Executive may delegate functions to other staff but will be held accountable by Council for the discharge of all functions delegated under the scheme.
3. The scheme sets out:
 - a. Matters reserved to Council
 - b. Matters delegated to the Chair of Council
 - c. Matters reserved to the Policy and Education Committee
 - d. Matters delegated to committees and ad hoc working groups
 - e. Matters delegated to the Chief Executive which may also be carried out by persons nominated by the Chief Executive.

6.1 Withdrawal of delegated power

The Scheme remains in force unless it is amended or revoked by Council.

6.2 Exercise of delegated power

Where power is delegated under this Scheme, the power must be exercised in a manner which is consistent with the GOsC's statutory objective, other relevant legislation and the current strategic plan.

6.3 Matters reserved to Council

1. The Act provides for Council to:
 - a. Develop and regulate the profession of osteopathy.
 - b. Establish committees and to regulate their procedure.
 - c. Appoint the Registrar.

- d. Make rules as provided for under the Act in order to discharge its functions.
 - e. Publish the register.
 - f. Consider reports of investigations in relation to fraud or error in relation to registration.
 - g. Consult the Education Committee⁵ on matters relating to education, training, examinations or tests of competence.
 - h. Determine the standard of proficiency⁶.
 - i. Recognise qualifications (and withdraw recognition).
 - j. Prepare and publish and keep under review a Code of Practice⁷.
 - k. Appoint Legal Assessors, Medical Assessors and members of the statutory committees (including the approval of co-options).
 - l. Consider appeals against decisions of the Registrar.
 - m. Appoint auditors.
 - n. Keep and publish accounts and publish an annual report and strategic plan.
 - o. Delegate to any of its committees any functions other than any power to make rules.
2. The role of Council is set out in Section 1 of this annex.

6.4 Matters delegated to the Chair of Council

The Chair will:

- a. Authorise action on minor, non-contentious matters falling within the responsibilities of Council.
- b. Have authority for urgent decisions necessitating a decision outside a Council meeting. In such cases the Chair will consult with the Chief Executive and, where relevant, the chair of the committee concerned with the issue.

⁵The work of the Education Committee is undertaken by the Policy and Education Committee

⁶The Standard of Proficiency and the Code of Practice are combined in the Osteopathic Practice Standards.

⁷See above.

- c. Have responsibility for conducting regular performance and development reviews of Council members and other individuals as specified in the performance and development scheme.
- d. Have responsibility for conducting the annual appraisal and mid-year review of the performance of the Chief Executive

6.5 Matters reserved to the Policy Education Committee⁸

- 1. The Act provides for the Policy Education Committee to:
 - e. Advise Council on the recognition of qualifications in accordance with section 14(6) of the Act.
 - f. Appoint and manage the performance of visitors to conduct the evaluation of courses under section 12 of the Act.
 - g. Advise Council on matters relating to the withdrawal of recognition of a qualification in accordance with sections 16(1) and 18(5) of the Act.
 - h. Exercise powers to require information from osteopathic educational institutions in connection with its statutory functions in accordance with Section 18 of the Act.
- 2. The terms of reference of the Policy and Education Committee are set out in Section 2 of this document.

6.6 Matters delegated to committees and ad hoc working groups

- 1. Matters delegated by Council to committees are set out in their individual terms of reference in Sections 2 and 3 of this document.
- 2. Where any matter is to be delegated to an ad hoc working group it will be set out in the terms of reference of that working group.

6.7 Matters delegated to the Chief Executive and Registrar

The Chief Executive has responsibility for all matters provided for specifically within the Act in their role as Registrar and additional matters as set out under Role of the Chief Executive and Registrar, in section 5.2 above.

⁸n.b. for the purposes of the Osteopaths Act 1993, the Policy and Education Committee performs the role of the statutory Education Committee.

7. Financial Procedures**7.1 Financial management**

1. The Chief Executive is responsible for the day to day management of the GOsC's financial operations in accordance with these procedures. The Chief Executive may delegate responsibility for financial management to a member of staff and, for that purpose, it shall be the Director of Registration and Resources.
2. The Director of Registration and Resources shall ensure there are written policies and procedures in place, and that a robust control framework exists, for the effective management of the financial operation.
3. Quarterly Management Accounts are prepared by the Director of Registration and Resources with departmental accounts sent to the head of individual departments. The Chief Executive and Director of Registration and Resources consider the overall financial position of the GOsC and any deviations from budget.
4. Council will receive financial management information at every meeting.

7.2 Accounting

1. The Director of Registration and Resources is responsible for all accounting procedures and records, and shall ensure procedures comply with all current accounting requirements and best practice (currently the Charities SORP (FRS102)).
2. The Director of Registration and Resources will facilitate the annual financial audit and will comply with all reasonable requests from the auditors. The Director of Finance will report to the Chief Executive on the progress of the audit, any issues raised and the proposed methods for resolving such issues.
3. The auditors will produce an Audits Findings Report (AFR), which will be submitted to the Audit Committee for consideration. Once endorsement from the Audit Committee is received, the AFR and Letter of Representation will be presented to Council.
4. The GOsC's Annual Report and Accounts shall be published in full on its public website.
5. The Audit Committee has responsibility to ensure the external auditors appropriately scrutinise the financial records and offer value for money. It shall recommend to Council the appointment or removal of the external auditors.

7.3 Annual Business Plan, Budget, and Annual Report and Accounts

1. Council shall receive annually the Business Plan and Budget for consideration, scrutiny and approval.
2. If a budget holder (head of department) believes that an individual budget may be overspent or underspent, he or she shall inform the Chief Executive who will have authority to transfer funds up to £20,000 between budget allocations. Budget transfers of more than £20,000 require the approval of Council.
3. The Council will receive for its approval the Annual Report and Financial Statements.

7.4 Financial reserves

1. Council shall agree a reserves policy based on recommended best practice for charities and keep this under regular review.
2. The reserves policy will be reported in the Annual Report and Accounts.

7.5 Borrowing and lending

1. Funds may only be borrowed with the prior approval of Council, having received details of the reason for the borrowing, the proposed lender, the sum to be borrowed, the security provided, the rate of interest and repayment terms.
2. With the exception of staff season ticket loans (repayable in full by the employee), the GOsC shall not lend funds under any circumstances.

7.6 Income, banking and investment

1. The Director of Registration and Resources will ensure that income received is kept secure and promptly banked.
2. Investments shall be made in accordance with Council's agreed policy. Council shall receive an annual report from the Chief Executive and Director of Registration and Resources on the investment strategy, and the risks posed by such a strategy.
3. The Director of Registration and Resources will monitor and draft reports on investments for Council.

7.7 Expenditure

1. Payments to suppliers (including expense claims to individuals), shall only be made once an invoice has been authorised by an appropriate person. Invoices should be authorised by the head of department or manager

within that department where they have responsibility for a specific project or work activity.

2. The line manager of the individual making an expense claim shall sign off the expense claim as long as there are supporting receipts and it is completed on the appropriate form.
3. Cheques and other payments must be signed or authorised in accordance with the payment procedure and the bank mandate.
4. Only Senior Managers (excluding the Director of Registration and Resources) may sign cheque payments or authorise bank transfers.
5. Payments or bank transfers can only be signed or authorised by an individual senior manager if they did not authorise the invoice being paid.
6. One authorised signatory may sign off payments up to £10,000. Payments exceeding this value must have two signatures, one of which must be the Chief Executive.
7. Payments over £75,000 must be signed off by the Chief Executive with either the Chair or any other Council member authorised for such purposes.
8. A limited number of GOsC Corporate Credit Cards exist. Held within departments, the cards are used for purchasing small items, such as travel tickets, and for use by the Director of the Department if out of the office on GOsC business. The reconciled statements must be signed by the Director of the Department and authorised by the Chief Executive.

7.8 Staff expenses

The GOsC will reimburse staff for expenses reasonably incurred in the normal course of business.

7.9 Procurement of services

Principles

1. It is the duty of all those engaged in the procurement of goods and services for the GOsC to ensure that contracts are reviewed on a regular basis to ensure they represent value for money, while having due regard for quality and sustainability.
2. There are a number of principles which underpin the procurement of services:
 - a. All procured goods and services should be obtained on the most economically advantageous terms and assessed using objective criteria.

- b. All procured goods and services should strive to ensure the best quality is achieved for the price being paid.
 - c. Advice should be sought from the Director of Fitness to Practise as to any legal implications arising at the start of a procurement process and on the contractual arrangements following the conclusion of a procurement process.
 - d. Those individuals procuring goods or services should have regard for all relevant legislative requirements under The Public Contracts Regulations 2015⁹ and any relevant EU Procurement Directives¹⁰.
 - e. Contracts should be reviewed on a regular basis having due regard for latest best practice, e.g. external financial audit.
 - f. Contracts should be reviewed on a regular basis having due regard to the competitiveness of relevant markets, e.g. utilities and insurance.
 - g. Those individuals procuring goods or services should have regard for the procurement criteria as specified in paragraph 5 below.
3. The Chief Executive is authorised to sign all contracts on behalf of the GOsC.
 4. The procurer of the goods or services will, where the value of the contract is over £25,000, inform the Director of Registration and Resources so that the details of the contract can be added to the list of procured goods and services published on the GOsC website.

Procurement criteria

Procurement value (calculated over the lifetime of the contract)	Governance involvement	Procurement approach	Sign off authority
Up to £10,000	Not required	One written quote	Department head
£10,000 - £35,000	Not required	Three written quotes	Department head plus Chief Executive and Registrar and/or Director of Registration and Resources

⁹ http://www.legislation.gov.uk/ukxi/2015/102/pdfs/ukxi_20150102_en.pdf

¹⁰ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0024>

£35,000 - £180,000	Business case and tender document signed off at appropriate Committee level or at Council	Public tender	Procurement decision delegated to panel ¹¹ . Decision reported back to Committee or Council
Over £180,000	Business case and tender document signed off at appropriate Committee level or at Council	Full OJEU public tender	Procurement decision delegated to panel ¹² . Decision reported back to Committee or Council

7.10 Assets

The Director of Registration and Resources shall keep a fixed asset register and shall ensure the safe custody of title deeds and contracts relating to the assets owned.

7.11 Security and fraud

1. The Director of Registration and Resources shall ensure procedures exist to control the entry to Osteopathy House and to keep all occupants safe.
2. The risk of fraud is minimised through a continuous programme of independent audit, including the annual financial audit. Any fraud or suspected fraud must be raised with the Chief Executive immediately.

7.12 Insurance

1. The Director of Registration and Resources shall ensure the GOsC carries adequate insurance. The current insurance policies cover:
 - Professional Indemnity Insurance
 - Combined Professional Business Policy
 - Internet and Email
 - General Liability

¹¹ The nature of the services being procured will determine whether expertise from the governance structure is needed on the tender panel. For example, provision of financial audit services will involve expertise from the Audit Committee, whereas the procurement of IT services is less likely to require input from members of the Governance structure on the tender panel.

¹² A tender panel considering procurement of services using a full OJEU tender process will almost certainly require input from members of the governance structure.

- Employers Liability
 - Property and Buildings
 - Directors and Officers Liability
 - Employment Practices Liability
 - Terrorism Insurance.
2. Any member of the Executive or non-executive who becomes aware of an incident or issue that they feel may jeopardise any insurance policy in existence should notify the Director of Registration and Resources immediately.

8. Whistleblowing policy for staff and non-executives

About this policy

1. The term whistleblowing is used to describe incidents where a member of staff or a non-executive¹³ discloses some alleged wrongdoing within the organisation, publicly or internally but bypassing normal reporting lines.
2. This policy is separate from our policy on how we handle whistleblowing concerns relating to the fitness to practise of individual osteopaths. This policy can be found at <http://www.osteopathy.org.uk/about-us/our-work/handling-whistleblowing-concerns-policy/>
3. The Public Interest Disclosure Act 1998 aims to promote greater openness in the workplace and while it reinforces the obligations for staff not to disclose to external sources any confidential information acquired during the course of their employment, it protects 'whistleblowers' from detrimental treatment, such as victimisation or dismissal, for raising concerns about matters in the public interest.
4. This policy provides a means by which staff and non-executives can make a disclosure if they have reasonable grounds for believing there is serious wrongdoing within the organisation. The issues of concern may include:
 - a criminal offence is being committed, or is likely to be committed, including suspected fraud or misuse of funds
 - a person has failed, is failing, or is likely to fail to comply with a legal obligation
 - a miscarriage of justice has occurred, is occurring or is likely to occur
 - an individual's health or safety, is being, or is likely to be put at risk
 - the environment has been, is being, or is likely to be damaged
 - you have information that any of the above has been, is being or is likely to be deliberately concealed.
5. The policy also aims to ensure that anyone who makes a disclosure in such circumstances will not be penalised or suffer any adverse treatment for doing so, regardless of whether their concern is proved unfounded.
6. The policy does not apply to personal grievances concerning an individual's terms and conditions of employment or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters which are all covered by separate policies.

¹³Non-executives are defined as members of Council, statutory and non-statutory committees and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

Raising a concern

Staff members

7. In the first instance, you should normally raise the concern with your line manager or Director of Department, or if the issue concerns the Director of Department, with the Chief Executive.
8. If the issue concerns the Chief Executive you should raise it with the Chair of Council. Concerns about the Chair of Council should be raised with the Chair of the Audit Committee.

Non-executives

9. In the first instance you should normally raise the concern with the relevant Director of Department or the Chief Executive. If the issue concerns the Chief Executive you should raise it with the Chair of Council. Concerns about the Chair of Council should be raised with the Chair of the Audit Committee.
10. The independent Chair of the Audit Committee who can be contacted via the Council and Executive Support Officer on +44 (0) 20 7357 6655 x246 or at council@osteopathy.org.uk
11. As far as possible you will be assured of confidentiality unless at a later stage this becomes unavoidable (for example where the investigation leads to action under disciplinary procedures or criminal or civil proceedings and your testimony is likely to be required). Remaining anonymous can however, in some cases make any potential investigation more difficult and lengthier.
12. The person receiving the disclosure will be responsible for ensuring that the issue is investigated. Before doing so, they will inform the Chief Executive, Chair of Council or Chair of the Audit Committee as appropriate. In all cases, an independent person may be appointed to investigate the concerns raised.
13. If the person receiving the disclosure decides there are insufficient grounds to warrant an investigation this decision they will explain this to you giving reasons for their decision. You may then make the disclosure directly to the Chair of Council or to the Chair of the Audit Committee.

Investigating your concerns

14. Any investigation will be handled as sensitively and speedily as possible. You will be notified of the timetable for the investigation. This will depend on the nature of the concern but we will endeavour to complete the investigation within two months. The person or people against whom the disclosure is made will be told at an early stage and will be allowed to respond. Their confidentiality will be respected. The name of the person making the disclosure will not be disclosed at this stage.

15. You will be kept informed of the progress of the investigation and notified if there are delays with an outline of the reason for the delay. At the end of the investigation you will be advised of the outcome. This will be followed up with a written summary.
16. If in the course of the investigation any concern raised appears to the investigator to relate more appropriately to grievance, bullying, harassment or discipline, or a breach of the GOsC's Code of Conduct for non-executives the relevant procedures will be invoked.
17. The person initiating or undertaking the investigation will ensure that the findings are reported to the Chief Executive, Chair of Council or Chair of Audit Committee as appropriate who will determine what action should be taken. The report of the investigation and actions taken will also be reported directly to the Audit Committee, which may meet in private to consider the matter.
18. Any staff member who has made a disclosure and who feels that as a result they have suffered some detriment can submit a formal complaint under the grievance procedure. If it appears there are reasonable grounds for making the complaint the onus will be on the person against whom the complaint of adverse treatment has been made to show that the actions complained of were not taken in retaliation for the disclosure.
19. If you are considering raising a concern and want to receive independent advice before you do so then you can seek advice from the independent charity Public Concern at Work. You can find details of how they can support you at <http://www.pcaw.co.uk/individual-advice/advice-line> or you can call them on 020 7404 6609.

9. Annual performance and development reviews for members of the GOsC governance structure

Introduction

1. The GOsC recognises that the non-executive members¹⁴ of its governance structure are a most important and valuable resource. The success of the GOsC in fulfilling its statutory duties and strategic objectives will depend, to a considerable extent, on the work and expertise of the members of its governance structure. Through an effective scheme of annual performance reviews, the GOsC aims to ensure that the efforts of non-executives are effectively aligned with the organisation's strategic objectives, to provide a means of developing individuals and to enhance overall performance. Gathering feedback about members of the governance structure is a valuable part of the process and is part of the role of all members.
2. On appointment, all members of the governance structure commit to engaging constructively in the annual performance review process. The purpose is to:
 - a. Give members an opportunity to reflect on their achievements and successes
 - b. Provide members with an opportunity to learn from what has not gone as expected
 - c. Give members time to agree with their reviewer what they will be doing over the 12 months to follow
 - d. Help members to identify any development needs to support them in their role.
3. These guidance notes are intended to assist all participants in the performance review scheme.

Responsibility

4. The responsibility for the overall operation of the scheme lies with the Chair of Council. The Chair of Council's role in this context is to ensure that all members of Council, committees and fitness to practise panels have an opportunity to discuss their performance annually, receive feedback and, where necessary, are enabled to improve any aspects of their performance that fall below standard.

¹⁴ Non-executives are defined as members of Council, statutory and non-statutory committees and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

5. The process is designed to include a full discussion of performance between the reviewer and the member. It encourages self-reflection on performance. Where performance is judged to be below standard, the individual will be encouraged to improve and, where a development need requiring specific training is identified, the GOsC will have a responsibility to provide that training in a timely way.
6. Reviewers:
 - a. The Chair of Council will review Council members and all Chairs of statutory and non-statutory committees
 - b. The Chairs of the Policy and Education, Audit, and Remuneration and Appointments Committees will review the external members of their committees
 - c. The Chairs of the fitness to practise committees will review their respective committee members.
7. It is the responsibility of the member to prepare for the performance review meeting – including obtaining third-party feedback on their performance – and reflect on their performance in the period under review. The preparation should include consideration of ongoing or new work and development goals so that there can be appropriate discussion and agreement at the meeting. Members should seek to vary the individuals they approach for feedback from year-to – year.

Confidentiality

8. The outcome of discussions at performance reviews, including all finalised paperwork, will be confidential between the reviewer and the member and the Chair of Council¹⁵ who has overall responsibility for the scheme. The scheme will be administered by the Council and Executive Support Officer.
9. The data collected and the records maintained in connection with the performance review scheme are used solely for the following purposes:
 - a. Appraisal of performance of individual members and of the organisation as a whole.
 - b. Training and development: where a training/development need is identified, the reviewer will notify the HR Manager in order that appropriate training/development is provided.

¹⁵ In circumstances where the removal, termination or suspension from office/appointment is being considered then any matters relating to performance and development reviews may be shared with those considering removal, termination or suspension.

- c. Reappointment: in cases where the member is eligible for consideration for reappointment, the outcome of performance reviews in each year of the term served by the individual will be a factor in the decision making.
 - d. Removal or termination and suspension from office/appointment: performance review documentation may be relevant in circumstances where a member is removed or has their appointment terminated or suspended from office/appointment under the relevant provisions in the GOsC (Constitution) Order 2009 (SI 2009/263) and the GOsC (Constitution of the Statutory Committees) Rules Order of Council 2009 (SI 2009/468).
 - e. Monitoring the fair, equitable and appropriate application and administration of the scheme.
10. All finalised performance review documentation will be held, on behalf of the Chair of Council, securely at Osteopathy House. All draft documentation (electronic and paper) between the reviewer and members should be kept by each party securely and destroyed once the final paperwork is completed and sent to the HR Manager for secure storage on behalf of the Chair of Council.
11. The performance review records will be accessible to the HR Manager, the Council and Executive Support Officer and the Chair of Council. All reviewers will have access to records relating to those individuals reviewed by them. All members will have access to their individual records.

Timetable

12. The annual performance meetings should take place in accordance with the following timetable:

Target months for formal annual performance review process to be completed	
Chair of Council	May to July
Council members and fitness to practise chairs	May to July
External members of committees	May to July
Fitness to practise committee members	May to August/September

13. There may be circumstances when it will not be possible to adhere to the performance review timetable, e.g. maternity leave, and appropriate alternative arrangements should be made in discussion with the relevant chair.

Performance review for the Chair of Council

14. Council, in private and in the absence of the Chair, should nominate one lay and one registrant member to undertake the Chair’s annual performance

review. This meeting should also be used to discuss any aspects of the Chair's performance that Council wishes to be considered during the performance review process.

15. The two nominated members shall seek feedback from the Chief Executive on the Chair's performance and any other stakeholders as they feel necessary to support the process.

The process

16. At the commencement of the process, the timing of which will be agreed with the relevant Chairs, each member will be sent the following by the Council and Executive Support Officer:
 - a. These guidance notes
 - b. A performance review form which will be pre-populated with their attendance record over the previous year (including the hearings attended by PCC/HC members) as well as any other activities they have undertaken during the year
 - c. The competencies against which they were appointed (or any which may have superseded those at the time of appointment).

Prompts for reflection

17. The aim of our appraisal scheme is to ensure continual improvement in the performance of Council and our Committees by supporting the ongoing development of individual members. In completing the annual performance review form, you may find it helpful to reflect on the following areas which have been provided as prompts to assist in your reflection of your contribution to the work of Council and / or the Committee.
 - How you have progressed the development points identified at the appraisal last year
 - How you have maintained your skills and knowledge in order to ensure you continue to optimise the value of your contribution
 - The knowledge, skills or other capabilities you have enhanced through undertaking your Council and / or Committee role
 - Your impact and the added value you have brought and how this can be evidenced
 - The reason for choice of colleague you selected to receive feedback from
 - How you plan to act on the feedback you have received
18. The reviewer may also seek feedback from other members or a Senior Management Team member if they wish.

19. The member should send the completed self-assessment to the reviewer in advance of their meeting.
20. The reviewer and member should meet in order to review the self-assessment, for the reviewer to provide their feedback and to agree development points for the year ahead.
21. If the paperwork is not completed at the meeting, the reviewer and member should agree who will complete the recording of the performance review discussion and the agreed outcomes and then the paperwork is signed by both parties to allow for any additional comments and to confirm agreement to the finalised documentation.
22. The reviewer should forward the completed paperwork to the HR Manager for secure storage.
23. In the case of the Health Committee, if there have been no hearings, the PCC Chair will conduct all performance reviews of the PCC/HC pool of panellists. If there have been HC hearings, then the Chairs of the PCC and the HC will determine who shall review which panellists based on frequency of seeing the panellists at meetings and in hearings.

The performance review meeting

24. The meeting will take place at a mutually convenient time within the period specified by the timetable above. The meeting will take place at a suitable location, most likely Osteopathy House. The meeting should take place in an atmosphere of mutual respect, cooperation and support.
25. At the discretion of the reviewer and with the consent of the member concerned, the meeting may be conducted by telephone, Skype or other electronic means.

Annex to Section 9

Annual performance review for members of the GOsC governance structure

Your name	
Position	
Review year	
Date of review	
Reviewer's name	

Prompts for reflection:

The aim of our appraisal scheme is to ensure continual improvement in the performance of Council and our Committees by supporting the ongoing development of individual members. In completing the annual performance review form, you may find it helpful to reflect on the following areas which have been provided as prompts to assist in your reflection of your contribution to the work of Council and / or the Committee.

- How you have progressed the development points identified at the appraisal last year
- How you have maintained your skills and knowledge in order to ensure you continue to optimise the value of your contribution
- The knowledge, skills or other capabilities you have enhanced through undertaking your Council and / or Committee role
- Your impact and the added value you have brought and how this can be evidenced
- The reason for choice of colleague you selected to receive feedback from
- How you plan to act on the feedback you have received

1. Self assessment of your contribution to the work of Council and / or Committee over the past year

Please complete this having taken into account:

- The development points agreed at last year's performance review meeting
- Your performance against the competencies for your role
- Feedback that you have sought from at least one person who is familiar with your work on Council and / or the Committee

2. Reviewer’s comments on your contribution to the work of Council and / or Committee over the past year

Appraiser’s comments

3. Attendance (this will be pre-populated before the performance and development review form is sent to you)

Title of governance group	Meetings held	Meetings attended

4. Development points for enhancing your performance in the year ahead

To be agreed between you and your reviewer

--

Your signature	
Date agreed by you	
Appraiser's signature	
Date agreed by reviewer	

10. Remuneration Policy

10.1 Fees

1. Members of Council are paid an annual fee as set out below:

Chair	£25,500
Council members	£7,500
2. An additional responsibility allowance of £2,250 is payable to the Chair of the Policy and Education Committee.
3. Committee members who are not members of Council and members co-opted to committees are paid a daily allowance of £306 based on actual attendance; they will also be reimbursed for expenses incurred.
4. The Chair of the Audit Committee is not a member of Council and is eligible for a Chair's allowance of £2,250 but not the daily allowance.

10.2 Fitness to practise committees

1. A number of additional policies apply to members of fitness to practise committees as set out in the table below.

Cancellation fees	<p>If fitness to practise panels are cancelled, in respect of each day of the hearing, the following will be reimbursed to those members affected:</p> <p>Prior to hearing</p> <ul style="list-style-type: none"> • 0-5 working days notice: half fee • More than 5 working days notice: no fee <p>During hearing</p> <ul style="list-style-type: none"> • working days notice: full fee • 2-5 working days notice: half fee • More than 5 working days notice: no fee <p>Out-of-pocket expenses incurred by a panel member will continue to be reimbursed. For example, if a registrant member has arranged a locum who would in turn have to be paid for the full number of days booked, they should continue to be reimbursed for that expense.</p>
Half day attendance fees	Where a member undertakes any work lasting 3.5 hours or less (including travel time to/from home/work) a half day fee (currently £153) may be claimed.
Reading fee	A fee of £12.50 is payable to members of the Investigating Committee for each case.

	A fee of £75 is payable to members of the Professional Conduct and Health Committees at the discretion of the Director of Regulation.
Screening fee	A fee of £12.50 is payable to members of the Investigating Committee for each case screened.
Overnight accommodation	Daily travel to and from the panel venue is expected where a member's travel time is no more than one and a half hours each way. Where a member's journey time is longer they may claim up to £150 for overnight accommodation and subsistence.

10.3 Expenses

1. All members may have their expenses reimbursed in accordance with the remuneration policy set out below.
2. Annual fees and daily attendance rates are normally reviewed annually the Remuneration and Appointments Committee who make a recommendation to Council. Expenses are also reviewed by the Committee as required by changes in the external financial environment.
3. A standard system for the payment of allowances and expenses has been implemented via the GOsC Payroll
4. Members are responsible for their own tax arrangements and it is recommended that they seek guidance from a financial advisor where appropriate.
5. Travel from Osteopathy House to other business (non-Council) should be paid by the other organisation or at least shared. Please make these arrangements prior to travel. The GOsC reserves the right to add an administrative charge if it needs to reclaim from an alternative organisation.
6. The following expenses will be paid **if supported by appropriate receipts** (no receipt required for tube/bus/coach travel). If no receipt is available, agreement of the Executive is required before a claim can be made:

Subsistence for journeys over 2 hours	£15
Subsistence for evening meal	£30
Additional costs are not recoverable and no reimbursement will be made for alcoholic beverages.	

Annex 3

Overnight accommodation and breakfast where a member's return journey exceeds 6 hours (allowance available only if not booked through the GOsC)	London – up to a maximum of £150 Outside London – up to a maximum of £120. Members cannot claim for expenditure in excess of this allowance.
Allowance for staying with friends or family	£30 per night
Airfares (unless cheaper than rail travel, or it is previously agreed with the Executive, airfares will not be paid for travel in England and Wales). Members residing in Scotland may travel by air if they choose.	For travel abroad under 4 hours economy class; over 4 hours, enhanced class.
Rail fares	Travel should normally be undertaken in Standard Class. First Class rail travel should only be allowable where the ticket is categorised as 'Advanced'.
Motor mileage (where appropriate)	45p per mile
Tube, coach and bus fares	Reimbursed as incurred. For journeys around London, this should be the preferred travelling option. Route planners from each major train station are available from the Facilities team.
Taxi Fares	Reimbursed to a limit of £30 where a taxi journey is considered quicker or more economical than using public transport. Members are asked to consider whether a taxi is absolutely necessary and whether it is the most efficient means of transport. Taxi fares for local journeys, i.e. those within a 10-15 minute walk from Osteopathy House (London Bridge and Tower Hill) will not be paid unless prior agreement has been reached with the budget holder.
Bicycles and Scooters	To encourage more environmentally friendly means of travel, the GOsC will pay:

	20p per mile bicycle travel allowance 30p per mile scooter travel allowance
Other Travelling Expenses	Expenses incurred in respect of tolls, parking and ferries may be claimed
Carers' Allowance	Costs incurred in the performance of Council members' duties for childcare and elderly care will be reimbursed in full against receipts

7. Claims should be submitted within three months of them being incurred. When a claim is submitted after a period of six months, without good reason, the claim will not be paid.

10.4 Booking arrangements

The GOsC has accounts with Premier Inn Hotel Group (and a hotel located on Tower Bridge Road a short walk from Osteopathy House), a travel agent for those who need to fly to meetings and an account with a train company for train travel. Details can be obtained from the Registration and Resources Department.

10.5 Publication policy

The fees and expenses of non-executive members of the governance structure are published in the GOsC's Annual Report.

11. Register of Interests

Conflicts of Interest Policy

Introduction

1. The Osteopaths Act 1993 requires the GOsC to establish and maintain a system for the declaration and registration of the private interests of its members, as well as to publish these interests.
2. Failure to manage conflict of interests effectively runs the serious risk that the GOsC could be perceived to be acting improperly, rendering its actions and decisions vulnerable to legal challenge.
3. The GOsC strives to ensure transparency and probity in the fulfilment of its statutory functions. In so doing, it aims to avoid any appearance of impropriety or conflict of interest that would undermine confidence in the regulatory process.
4. Best practice in corporate governance requires that this policy applies not only to Council members but all those acting on behalf of the GOsC including members of committees who are not members of Council, co-opted members of committees and working groups, Legal and Medical Assessors, Visitors and any other office holders.
5. Members of the Executive are also required to follow the principles set out in this policy and notify the Council and Executive Support Officer of any potential or actual conflicts of interest between their work and any non-work activity.

What is a conflict of interest?

6. A conflict of interest is any situation in which the personal interests of an individual (or the responsibilities or allegiances owed by them to another body), may or may appear to influence their personal judgment, actions or decision-making.
7. In UK law the legal test for bias, derived from case law is:

'whether the fair-minded observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased' (Porter v Magill [2002] 2 AC 357).

Therefore it follows that a perception of wrongdoing, impaired judgement or undue influence can be equally as detrimental as any of them actually occurring.

8. Conflicts may be financial as well as non-financial, and may be direct or indirect. So for example, conflicts can arise from an indirect financial interest

(e.g. payment to a spouse) or a non-financial interest (e.g. preserving the individual's reputation).

9. Conflicts of loyalty may arise in respect of an organisation of which the individual is a member or with which they have an affiliation, or from personal or professional relationships with others, e.g. where the role or interest of a family member, friend or acquaintance may influence an individual's judgement or actions, or could be perceived to do so. Depending upon the individual circumstances, these factors can all give rise to potential or actual conflicts of interest.
10. A conflict of interest may also be anticipatory, where the actions of an individual may be perceived to put them in a more favourable future position in relation to another party.
11. Members and all those who act on behalf of the GOsC are expected **to act impartially and objectively in carrying out the GOsC's business.**
12. In considering what might constitute a potential conflict, those covered by this policy should bear in mind the seven principles of public office: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership.¹⁶
13. There is a duty on those covered by this policy to avoid situations of conflict of interest between the individual's personal interests and his/her GOsC duties.

Procedure for registering interests

14. All those covered by this policy must declare in writing to the Chief Executive any professional, personal or business interests which they consider may pose, or might be seen to pose, a conflict with their GOsC responsibilities. The interests will then be transferred to a Register of Interests which will be made available on the public website. Annex A provides a list of examples of interests that must be declared although it cannot represent the totality of what should be declared.
15. The Chief Executive will be responsible for keeping the Register of Interests which will be published on the GOsC website.
16. If any member is unsure as to whether they need to declare a particular interest, they should discuss it with the Chair of Council, the relevant committee chair or the Chief Executive. The final decision on whether a matter is a conflict of interest is taken by the Chair of Council.
17. On appointment, all members are asked to complete the attached form (Annex B) giving details of their interests. All individuals concerned will be invited to

¹⁶ The Seven Principles see: [Committee on Standards in Public Life](#)

review and update their declared interests on an annual basis and aside from this, are required to amend their entries to reflect any changes as soon as possible.

18. The completed declaration form should be returned to the Council and Executive Support Officer:

Council and Executive Support Officer
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

Procedure for declaring interests

19. Where a potential or actual conflict arises in the course of GOsC business (for example, in the course of a meeting or when invited to take part in another GOsC activity), the individual should declare at that time that they have a potential or actual conflict of interest.
20. The categories of interest, together with their effect on participation in the issue for discussion/decision are:

- **Indirect interests**

Interests that do not directly relate to specific issues for discussion. In such circumstances, while the interest must be declared, there is no reason not to participate in the discussion or decision.

- **Direct interests**

Interests with direct relevance to specific items of business such that a fair-minded observer, having considered the facts, would conclude that there was a real possibility that the individual was biased in any discussion or decision.

In such circumstances it will not normally be permissible to participate in any relevant discussion or decision and the individual should withdraw from the meeting.

Should the Chair of Council or relevant committee decide, following a consideration of the likely impact of the interest, that it is appropriate for the individual to participate in the discussion or decision this must be recorded, with reasons, in the minutes of the meeting.

21. Where an interest has been declared, the Chair of Council (or Chair of a Committee) will decide whether it is appropriate for that Member of Council or office holder to participate in a relevant discussion or decision.

22. If any member is unsure in advance of a meeting as to whether they need to declare a particular interest, they should discuss it with the Chair of Council, the relevant committee chair or the Chief Executive. The final decision on whether a matter is a conflict of interest is taken by the Chair of Council.
23. If there are any queries over any aspect of this policy please contact the Chief Executive, in the first instance, or the Council and Executive Support Officer:

Chief Executive and Registrar
+44 (0) 20 7357 6655 x244
ce@osteopathy.org.uk

Council and Executive Support Officer
+44 (0) 20 7357 6655 x246
council@osteopathy.org.uk

Annex A**Interests which must be declared**

The following interests must be declared:

- a. posts held in the ordinary course of employment or professional practice, including unpaid
- b. membership of professional bodies or specialist societies
- c. any office (e.g. President, Chairman, Chief Executive, Treasurer or Secretary) of any professional body, specialist society or similar body, whether in the public, private or voluntary sector
- d. consultancies, directorships or advisory positions
- e. active membership of a political party or pressure group
- f. a current, anticipatory or recent association with any osteopathic educational institution (OEI):

'Association 'includes:

- being a trustee, governor, director or other office holder
- being an employee
- any other paid or unpaid association, e.g. as a consultant, adviser or external examiner

'Current, anticipatory or recent':

- the individual's association with the OEI is active at the time
- the individual expects to have a future association with an OEI
- the individual's association lapsed less than four years ago

'Osteopathic educational institution (OEI)':

- an undergraduate osteopathic provider that already has Recognised Qualification (RQ) status
- an undergraduate osteopathic provider that is known to be seeking (or it is anticipated will seek) RQ status
- a provider of post-graduate or continuing professional development courses in osteopathy.

- g. any close personal ties with the GOsC's advisers, executive or prospective advisers.
- h. any other interest which may be relevant and not covered by the above e.g. association through family such as might lead a fair-minded observer, having considered the facts, to conclude that there was a real possibility that such an interest might influence an individual's judgment.

Annex B

Declaration of interests form

I, _____, understand that I must act in accordance with the Nolan principles. The principles of selflessness, integrity and honesty relate directly to the management of interests. I must not receive any financial or non-financial benefit from my association with the GOsC that is not explicitly authorised in my appointment letter (i.e. other than annual remuneration and travel and subsistence expenses) and I should not exert any influence to acquire any preferential treatment for myself or other connected persons (a connected person is someone with whom you have a personal or business relationship which could be perceived as influencing your decision)

Areas of interest	Details relating to you
Current employment, business or principal professional practice interests	
Non-executive roles including directorships or advisory positions (please also list any office held, e.g. Chair)	
Membership of professional bodies or specialist societies	

Areas of interest	Details relating to you
Current, anticipatory or recent association with any osteopathic educational institution	
Any close personal ties with the GOsC's Executive, advisers, or prospective advisers	
Active membership of a political party or pressure group	
Any other interest which may be relevant and not covered by the above e.g. association through family such as might lead a fair-minded observer, having considered the facts, to conclude that there was a real possibility that such an interest might influence an individual's judgment.	

I will update my register entry regularly, particularly if any significant changes occur. I will alert the Council and Executive Support Officer as soon as possible if I am subject to disqualification under the General Osteopathic Council (Constitution) Order 2009 (SI2009/263). All actual, perceived, apparent and potential conflicts are disclosed above. I confirm that all my known, relevant interests have been declared above.

Signed..... Date.....

A scanned electronic signature or typed name will suffice so that the return can be made electronically.

Data Protection

The information provided will be processed in accordance with the data protection principles set out in the Data Protection Act 2018. The information provided will be available publicly; the register will be available on the GOsC website.

If you are not sure what to declare or whether or when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue please contact the Chief Executive (+44 (0) 20 7357 6655 x244, ce@osteopathy.org.uk) or the Chair of Council (chair@osteopathy.org.uk) for confidential guidance.

12. Complaints about members of the governance structure

Introduction

1. The General Osteopathic Council (GOsC) is committed to providing a high quality, accessible service in accordance with its statutory objective which is 'to regulate and develop the profession of osteopathy'. Any complaints or concerns raised regarding Members of the GOsC's governance structure (Council and committee members, fitness to practise panelists, ad hoc working group members), or other individuals acting on behalf of the organisation, and who are covered by the GOsC's [Code of Conduct](#), will be fully investigated and appropriate action will be taken.

Scope

2. The procedure described in this document provides a formal route for complaints to be raised with the GOsC. However, those who make a complaint are encouraged, wherever possible, to raise concerns directly with the individual concerned in the first instance, in order to seek an early resolution of the issue. Where this does not resolve the issue, or in situations where this is not appropriate, the following two-stage complaints procedure may be used.
3. This procedure is for dealing with complaints against those individuals bound by the GOsC's [Code of Conduct](#). This process is not designed to deal with complaints about a staff member of the GOsC. These complaints are dealt with under the GOsC's corporate complaints procedure, details of which can be found on the GOsC's website at <http://www.osteopathy.org.uk/about-us/our-work/our-performance/>.

How to make a complaint

4. You can make your complaint in writing or by telephone. If you make your complaint in writing please provide your telephone number, if a response by telephone would be convenient. If you e-mail your complaint, please say if a reply by e-mail would be acceptable and, if not, please provide a full postal address. In all cases, however, you will be asked to sign a declaration confirming that you have no objection to the individual involved seeing your complaint, and that the information you have given is true and accurate.
5. Complaints should be addressed to the Council and Executive Support Officer who will manage the process and may be contacted as follows:

Council and Executive Support Officer
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU
+44 (0) 20 7357 6655 x246
council@osteopathy.org.uk

6. Where a complaint is made in writing, it will help us to process it more quickly if the [complaint form](#) is used. All complaints in writing, whether made on the form or not, should include the following:
 - a. A clear description of the circumstances giving rise to the complaint including details of which provision(s) of the Code of Conduct has or have, in your view, been breached
 - b. Confirmation of whether or not you have already raised your concerns with the individuals who is or individuals or are the subject of the complaint and if you have, what the outcome was
 - c. A description of what you believe would be a satisfactory resolution of the issue.
 - d. Your full postal address and telephone number (and e-mail address if you have one).
7. If you make your complaint by telephone, we will ask for the above information to complete the [form](#). We will then send you the completed form and ask you to sign the required Declaration confirming that you have no objection to the individual involved seeing your complaint and that the information you give is true and accurate.
8. Complaints should be drawn to our attention at the earliest opportunity and ideally within six months of the issue giving rise to the complaint.

Stage 1

9. We anticipate that many complaints can be resolved at this stage. The procedure at Stage 1 is as follows:
 - a. The GOsC will acknowledge receipt of your written complaint or signed Declaration within five working days.
 - b. The complaint will be investigated by the Chair of Council, or by two other Council members if the complaint is about the Chair of Council. The Chair (or other Council members where appropriate) will notify the individual complained about and invite him or her to make representations and may seek such other information as they considers necessary to conduct their investigation.
 - c. If the Chair (or other Council members where appropriate) considers that your complaint is capable of resolution at Stage 1 of the procedure, he will write to you within 21 days of receiving details of the complaint from the Council and Executive Support Officer, setting out the results of the investigation and the suggested resolution. If it is not possible to give a full reply within 21 days, we will explain why and give you a date by which you can expect a full reply.

- d. If the Chair (or other members where appropriate) considers that your complaint is not capable of resolution at Stage 1 of the procedure, he will write to you within 21 days, giving notice that your complaint will be referred to a panel for a formal investigation and hearing (under Stage 2 of the procedure set out below). If it is not possible to send a full reply within 21 days, we will explain why and give you a date by which you can expect a full reply.
- e. A referral to a panel under Stage 2 of the procedure will also be made where you are unhappy with the outcome of the investigation or suggested resolution by the Chair (or other Council members) at Stage 1.

Stage 2

10. Complaint

- a. Where the Chair (or other Council members) has referred your complaint to a panel for a formal investigation and hearing, your original Complaint and Declaration [Form](#) will be used. Where your complaint has been referred because you are not satisfied with the investigation and suggested resolution at Stage 1, your original Complaint and Declaration [Form](#) will need to be supported by a signed letter from you saying why you are not satisfied with the Stage 1 investigation or the suggested resolution.
- b. Complaints will be considered within three months of receipt by the Chair of the Panel (see paragraph 11 below). The Chair of the Panel may extend this period in exceptional circumstances where extra time may be needed to ensure a fair and comprehensive consideration of the complaint.

11. Composition of Panel

The Chair will arrange for the complaint to be fully investigated by convening a panel of three people appointed by Council. The panel will comprise one Council member from the GOsC (who has not been involved with the Stage 1 investigation and has no conflict of interest) and two other members from amongst members of bodies regulating other health professions and/or of other similar bodies. At least one member of the panel will have appropriate legal experience or experience of acting in a judicial capacity. The Panel will appoint a Chair from amongst its members.

12. Procedure

- a. Copies of the Complaint and Declaration [Form](#) and any other relevant supporting documentation will be sent to the Panel and the individual who is the subject of the complaint. A written response will be requested from the latter within a reasonable time to be determined by the Panel.

- b. The Panel will consider the response and make any necessary enquiries, of both you the complainant, and the individual who is the subject of the complaint, to enable it to consider the issues thoroughly. The Panel may also hear evidence and both parties will have a right to an oral hearing, with a 'supporter' present, within a reasonable time to be determined by the Panel. Supporters may only address the panel in exceptional circumstances and with the agreement of the panel. If neither party requests an oral hearing and the panel consider it appropriate in all the circumstances, the matter may be considered on the written evidence alone.
- c. Administrative Provisions
 - i. All decisions of the Panel will be made by a simple majority of votes with the Chair of the Panel having an additional, casting vote when needed.
 - ii. Meetings of the Panel will be held in private unless the Chair of the Panel decides otherwise.
 - iii. The Panel may seek any advice, including independent legal advice or secretariat support as it reasonably sees fit.
- d. On conclusion of its enquiries and of any hearing, the Panel will decide whether the complaint is upheld and if so, what action or sanction is appropriate.

13. Sanctions

If the Panel concludes that there has been no breach of the Code it will recommend to Council, that no action be taken. If, on the other hand, the Panel concludes that there has been a breach of the Code, it will recommend to Council one or more of the following:

- a. that the individual be admonished by Council and that this be recorded in the relevant minutes.
- b. that the individual be suspended from office for a specified period not exceeding six months in total.
- c. that Council recommend to the Privy Council removal of the individual from office under appropriate provisions in the General Osteopathic Council (Constitution) Rules 2009 (SI 2009/263) or the General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009 (SI 2009/468) or that Council remove the individual from office if the appointment is a Council appointment.
- d. that a report be made to the police or other authority, if appropriate.

14. The Chair of the Panel will then prepare a report of the complaint, the Panel's findings, its recommendation(s) and the reasons. This will be made available to the parties involved as soon as possible. A copy of the report will also be sent to Council for action.

15. **Council Procedure**

- a. The Panel's report and recommendation(s) will be considered in private session at the next meeting of Council. Where the Panel has recommended that the police be informed of the matter, no report shall be made public until the conclusion of any action by the police or prosecuting authorities.
- b. Council may:
 - i. Agree to impose the recommended sanction by a majority vote of those present and voting (excluding the member in question if the complaint concerns a member of Council), or
 - ii. In exceptional circumstances, remit the matter to the Panel for further consideration. Council may not substitute its own decision for that of the Panel.
- c. Where Council has accepted the Panel's decision, a report on the outcome of the matter will then be made in the public session of Council, save in those cases where an investigation by the Police or other authority has been recommended and has not been concluded or where the Chair considers it inappropriate to do so. Where a sanction has been recommended, it will be put into effect as soon as practicable.
- d. Where Council has remitted the matter to the Panel for further consideration, it will set out in writing the reasons which have caused it to remit the matter to the Panel, and it may advise the Panel of the factors which it believes the Panel should take into account when giving further consideration to the complaint.
- e. For the purposes of the reconsideration, the Panel may, in exceptional circumstances (such as illness, death, expiry of term of office of Panel Member) be composed of different individuals from before.

16. **Further consideration by the Panel**

- a. The Panel will review their decision made under paragraph 12 above, in the light of the reasons and advice provided by Council, within 21 days' of remittal by Council.
- b. The administrative provisions set out at paragraph 12 c and d will apply on a further consideration by the Panel of the complaint.

- c. When the Panel has finished their further consideration of the complaint, they will resubmit their original report to Council together with their findings, recommendations and reasons from their further consideration. These will also be made available to the parties involved.
17. The Panel's new report will be considered in private session at the next meeting of Council, who will accept the Panel's decision and recommended sanction, in which case the provisions at paragraph 15 c above will apply.

If you are not satisfied with the final response from the GOsC

18. The acceptance by Council of the Panel's decision and recommended sanction marks the end of the GOsC's complaints procedure. If you are unsatisfied with Council's final decision and wish to pursue the matter further, you should seek separate independent legal advice. Please note that time limits may apply to legal proceedings in court or other tribunals.

Annex A to Section 12***General Osteopathic Council*****Code of Conduct****Introduction**

1. The General Osteopathic Council (GOsC) was established in 1997, as the regulator of osteopathy in the United Kingdom, following the passage of the Osteopaths Act 1993

Statutory role

2. The GOsC's statutory role, set out in the Osteopaths Act 1993 (as amended) is to 'develop and regulate' the profession of osteopathy. The GOsC has three statutory objectives:
 - a. To protect, promote and maintain the health, safety and well-being of the public
 - b. To promote and maintain public confidence in the profession of osteopathy, and
 - c. To promote and maintain proper professional standards and conduct for members of that profession.
3. The GOsC is also a charity registered in England and Wales (1172749) and its charitable purposes are those set out in the Osteopaths Act 1993 (as amended). The GOsC's Council members undertake the role of charity trustees.
4. Members of the GOsC's governance structure (Council, committees, fitness to practise panellists and ad hoc working groups), both as individuals and collectively, have a duty to ensure that the GOsC's functions meet its statutory duties and public benefit requirements.
5. This Code provides guidance for members and others, acting on behalf of the GOsC, on carrying out these functions in line with currently accepted standards of public service. It applies to:
 - Members of the Council
 - Members of committees, both statutory and non-statutory
 - Members of working groups
 - Any other individuals who may from time to time act on behalf of the GOsC in a non-executive capacity.

General guidance

10. Members and other non-executive persons acting on behalf of the GOsC will comply with the following general guidelines at all times:

- Act in good faith
- Act in accordance with the GOsC's statutory objectives, both as individuals and collectively
- Act in the best interests of the GOsC and its beneficiaries
- Act in accordance with the seven principles of public life (set out below)
- Treat others equally, fairly and with respect.

Seven principles of public life

6. The principles, as set out by the Committee on Standards in Public Life <http://www.public-standards.gov.uk/>, are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Specific guidance

7. In addition to complying with the general guidance, those covered by the Code should observe the following specific guidance in carrying out their various functions:

- a. Confidentiality

Members and others covered by the Code will sometimes be party to discussions or information of a confidential nature. They may also receive confidential information from other bodies. The effective operation of the GOsC depends on these confidences being maintained for the appropriate time. Even then, confidential information must not be disclosed without the consent of a person authorised to give it or unless there is a legal requirement to do so. In any cases of uncertainty about handling confidential information, the Chair of Council (Chair) or the Chief Executive should be consulted. Any breaches of confidentiality and the circumstances surrounding the disclosure must immediately be notified to the Chair and the Chief Executive.

- b. Media, public speaking engagements and communications with external organisations

Media contact should be discussed, if possible, in advance with the Chair, the Chief Executive or the Head of Communications and Engagement who are the appointed spokespersons of the GOsC. In speaking or writing about the work of the GOsC, those covered by the Code should ensure they reflect current policies of the GOsC. This applies in any dealings with the media, or when in a public forum or in an informal discussion. Members should make sure their comments are accurate, well-considered and well-informed and that they do not undermine confidence in the GOsC.

- c. Collective decision making

Members of Council, committees and ad hoc working groups must recognise any decisions made by the majority even if they personally disagree with them. This does not preclude a member from expressing a dissenting view but he/she should not, by commenting in public or by other means, attempt to frustrate the implementation of decisions properly made.

d. Personal behaviour

Members and others covered by the Code must not act in a way which would bring the GOsC into disrepute, and their behaviour must demonstrate the standards expected of holders of public office. Where a member or other person covered by the Code has been charged with, or has been convicted of, a criminal offence, or has been the subject of a disciplinary procedure by another regulator, the member must inform the Chair at the earliest opportunity. Where any other matter involving a member has the potential to undermine confidence in the GOsC, the member should consult the Chair or Chief Executive at the earliest opportunity.

e. Roles of executives and non-executives

Those covered by the Code must recognise that staff members are part of a line management structure responsible to the Chief Executive for the implementation of corporate decisions, and not to any individual non-executive. Care must be taken to ensure that the distinctive roles and responsibilities of executives and non-executives are respected.

f. Equality and diversity

Individuals covered by this Code will be expected to follow best practice on equality and diversity issues, defined as complying fully with the GOsC's responsibilities under anti-discrimination legislation and ensuring the GOsC's equality policy and supporting action plan is implemented.

g. Conflicts of interest

Individuals covered by this Code are free to engage in political activities or to maintain associations with professional organisations provided that such activity does not conflict with the essential purpose of the GOsC in protecting the public. They must declare, in writing to the Chief Executive, any professional, personal or business interests (including any significant current association with any osteopathic educational institution), which may, or might be seen to, conflict with their GOsC responsibilities. The Chief Executive will be responsible for keeping the Register of Members' Interests which will be a public document. Individuals covered by this Code will be invited to update their entries in the spring of each year but in any case changes in circumstances necessitating amendments to the Register should be notified to the Chief Executive as soon as they arise.

h. Testimonials

Individuals covered by this Code should avoid providing testimonials, references or acting as character witnesses for individuals who are applicants for registration with the GOsC or who are subject to fitness to practise proceedings within the GOsC.

i. Attendance

Members of Council, committees and working groups will be expected to make the time commitment necessary to attend meetings and discharge their duties, absenting themselves only for compelling personal or professional reasons. Details of expected attendance levels are set out in the GOsC's Standing Orders.

j. Performance and development review

Members of Council, committees and working groups will be expected to participate constructively in periodic performance and development reviews (see details of the GOsC Performance and Development Review Scheme in Annex 3).

k. Gifts and Hospitality

Members and those covered by this Code are required to adhere to the Bribery Act 2010, which explicitly prohibits bribery. Further guidance on the Bribery Act 2010 can be found on the Ministry of Justice website under <http://www.justice.gov.uk/guidance/making-and-reviewing-the-law/bribery.htm>

Members and those covered by this Code must not accept gifts, hospitality or benefits, offered in relation to GOsC business, which might be seen to compromise their personal judgement or integrity. In case of uncertainty, the Chief Executive should be consulted. Any gifts, hospitality or benefits accepted as a consequence of GOsC business must be formally registered on the GOsC's gifts and hospitality register within 15 days.

Complaints

8. Any complaints made against anyone covered by this Code will be handled in accordance with the GOsC's procedure for handling such complaints.

Annex B to Section 12

**General Osteopathic Council (GOsC)
Making a Complaint about a Member of the
General Osteopathic Council's Governance Structure**

Complaint and declaration form

The GOsC leaflet *Making a Complaint About a Member of the General Osteopathic Council's Governance Structure* sets out the relevant procedure. Once you have read that leaflet, and decided you wish to proceed with a complaint, please help us by providing the following information:

Your Details

Your name

Your address

Your home telephone number

Your work telephone number (if applicable)

Your email address (if applicable)

Complaint Details

Is this an original complaint or a follow-up to a reply you were not satisfied with?

Please tick one

Original complaint

Follow-up to a reply you were not satisfied with

Please provide a clear description of the complaint and who has been involved so far. *What would you regard as a satisfactory outcome or how can we help sort things out for you?*

Please continue on an extra sheet if required

Help

If you would like to discuss any part of your complaint before sending this form or would like help with completing it, please telephone 020 7357 6655 x246 and ask for the Council and Executive Support Officer.

Declaration

I have no objection to the individual involved seeing my complaint.

I declare that the information I have given is true and accurate.

Signed: _____ Date: _____

Checklist

Thank you for completing this form. Now, please make sure you have:

- Given as many details as you can about your complaint, together with any supporting papers and documents.
- Completed all sections of this form.
- Kept a copy of this completed form for your records.
- Read carefully and signed the Declaration.

Please return this form to:

Council and Executive Support Officer
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

13. Gifts and Hospitality

Principles

1. Members of the GOsC's governance structure (Council, committees, fitness to practise panels and ad hoc working groups) and staff will be aware of the *Seven Principles of Public Life*, which apply to all in the public sector (these can be found annexed to the Code of Conduct). When applying these principles to the treatment of gifts and hospitality, additional factors need to be taken into account. These include the value of the gift, the hospitality offered, the number of staff or members in receipt of the gifts and hospitality, the circumstances and the frequency of offer.

Gifts

2. All gifts¹⁷ should, where possible, be avoided and in all cases be considered very carefully before being accepted. The circumstances in which a gift is received can give rise to concern, particularly where it might be considered that the individual giving the gift was seeking to influence any decision of the GOsC, Council or a committee.

Hospitality

3. Hospitality should not generally present a problem provided it is recorded and is not out of proportion. For example, invitations to lunch or dinner by a trade representative without reference to any particular piece of business are more likely to be acceptable than a day at Ascot prior to a tendering exercise in which that representative has an interest.

Small gifts and incidental hospitality

4. Small gifts, such as trade calendars and diaries, and incidental hospitality, such as drinks, are acceptable in most circumstances and do not need to be recorded. But if there is a doubt about the intentions or the circumstances, then the event should be recorded.

General rule

5. The general rule is to use common sense and not put oneself in a situation where one's integrity could be challenged.

Guidelines for the receipt of gifts

6. All offers of gifts and hospitality to members of the governance structure and staff, whether accepted or not, must be recorded in the Gifts and Hospitality

¹⁷ A gift is defined as a personal present with a value in excess of £10. Promotional materials are excluded from this definition.

Register which is maintained by the Council and Executive Support Officer to whom all declarations must be made.

7. When deciding whether to accept or decline an offer of a gift or hospitality the matter may be discussed with the Chair of Council or the relevant committee chair or a staff member's line manager, as appropriate, and the principles set out above must be followed.

Annex to Section 13

General Osteopathic Council

Gifts and hospitality register declaration form

<i>Name of member or staff member</i>	
<i>Description of gift¹⁸ or hospitality and value</i>	
<i>Reason for gift or hospitality</i>	
<i>Comments e.g. confirmation of discussions with Chair or line Manager, how gift or hospitality dealt with e.g. shared amongst staff/returned/retained etc.</i>	
<i>Accepted or declined</i>	
<i>Signed:.....</i>	<i>Dated:.....</i>

Please return completed form to the Council and Executive Support Officer

¹⁸ A gift is defined as a personal present with a value in excess of £10. Promotional materials are excluded from this definition.

Legislation governing the work of the General Osteopathic Council

1. The Osteopaths Act

[Osteopaths Act 1993 \(as amended\)](#)

2. Governance

[The General Osteopathic Council Constitution Order 2009](#) (SI 2009/263)

[The General Osteopathic Council \(Constitution\) \(Amendment\) Order 2015](#) (SI 2015/1906)

[The General Osteopathic Council \(Constitution of the Statutory Committees\) Rules Order of Council 2009](#) (SI 2009/468)

3. Registration and fees

[The General Osteopathic Council \(Application for Registration and Fees\) \(Amendment\) Rules Order of Council 2014](#) (SI 2014/598)

[The General Osteopathic Council \(Application for Registration and Fees\) \(Amendment\) Rules Order of Council 2013](#) (SI 2013/1026)

[The General Osteopathic Council \(Registration of Osteopaths with United Kingdom Qualifications that are not Recognised Qualifications\) Rules Order of Council 2009](#) (SI2009/1993)

[The GOsC \(Application for Registration and Fees\) Rules 2000](#) (SI 2000/1038)

[The GOsC \(Fraud or Error and Appeals\) Rules 1999](#) (SI 1999/1846)

[The GOsC \(Registration\) Rules 1998](#) (SI 1998/1329)

[The General Osteopathic Council \(Continuing Professional Development\) Rules Order of Council 2006](#) (SI 2006/3511)

[The General Osteopathic Council \(Continuing Professional Development\)\(Amendment\) Rules Order of Council 2018](#) (SI 2018/513)

[The GOsC \(Recognition of Qualifications\) Rules 2000](#) (SI 2000/1281)

4. Fitness to practise

[The GOsC \(Professional Conduct Committee\) Rules 2000](#) (SI 2000/241)

[The GOsC \(Health Committee\) \(Procedure\) Rules 2000](#) (SI 2000/242)

[The GOsC \(Health Committee\) \(Appeals\) Rules 2000](#) (SI 2000/243)

[The GOsC \(Medical Assessors\) Rules 1999](#) (SI 1999/1879)

[The GOsC \(Legal Assessors\) Rules 1999](#) (SI 1999/1848)

[The GOsC \(Investigation of Complaints\) \(Procedure\) Rules 1999](#) (SI 1999/1847)

5. Professional indemnity insurance

[The General Osteopathic Council \(Indemnity Arrangements\) Rules Order of Council 2015](#) (SI 2015/693)

Document History

Version	Date	Description of Change	Author
1	April 2013	Post-Council draft	CE&R
2	April 2013	Revised Nolan principle descriptors	CE&R
3	May 2013	Correction of terms of reference for OPC and ERSC	CE&R
4	June 2013	Revisions to allowances for fitness to practise committee members	CE&R
5	November 2013	Addition of Registration Appeals Committee and revisions to job titles	CE&R
6	January 2014	Link to the Seven Principles – Committee on Standards in Public Life updated.	CESO
7	November 2014	Amendments agreed by Council at meeting of 6 November 2014 – minor amendments and new procurement policy	CE&R
8	May 2015	Amendments agreed by Council at meeting of 14 May 2015 – update to procurement policy, revised Audit Committee ToR and revised conflicts of interest policy	CE&R
9	March 2016	Post-Council draft	CE&R
10	July 2016	Amendments to remuneration policy, code of conduct, whistleblowing policy and committee structure	CE&R
11	June 2017	Amendments incorporating requirements of charity registration and new statutory duties	CE&R
12	June 2017	Addition of Reading and Screening Fees for members of the Investigating Committee	CESO
13	May 2018	Amendment to Continuing Professional Development (CPD) Rules Amendments to Senior Management Team titles	CESO
14	June 2018	Updated conflicts of interest form	CE&R
15	November 2018	Amendments to role of Council, role of Chair, Code of Conduct, expenses policy and procurement policy agreed by Council November 2018	CE&R
16	May 2019	Amendments to the Audit Committee Terms of Reference (ToR)	CESO
17	January 2020	Amendments to the Remuneration and Appointments Committee Terms of Reference	CESO
18	April 2020	Change of Committee name: Policy Advisory Committee to Policy and Education Committee	CESO
19	May 2020	Amendment to the Annual Review Form	Acting CE&R