

GENERAL OSTEOPATHIC COUNCIL

**SUPPORTING DOCUMENTS FOR THE GOVERNANCE
HANDBOOK**

JANUARY 2012

Contents:

Section	Page
1. Council	4
1. Principles to underpin the work of the Council	4
2. Role of the Council	5
3. Appointment of the Chair of Council and Treasurer and deputising arrangement for Chair	6
4. Office holders – Chair and Treasurer	6
5. Attendance at Council meetings	9
2. Statutory Committees	
Role, terms of reference, meeting frequency, membership and quorum of:	10
1. Education Committee	10
2. Investigating Committee	12
3. Professional Conduct Committee	14
4. Health Committee	15
5. Appointments to statutory committees	16
6. Ceasing to be a Council member	16
7. Validity of proceedings	16
8. Length of appointment to committees	16
9. Attendance at committee meetings	16
10. Co-option	17
11. Failure to meet quorum	17
3. Non-Statutory Committees	
Role, terms of reference, meeting frequency, membership and quorum of:	
1. Audit Committee	18
2. Finance and General Purposes Committee	19
3. Fitness to Practise Policy Committee	20
4. Remuneration Committee	22
5. Appointments to non-statutory committees	23
6. Appointment of chairs and deputising arrangements	23
7. Role of chairs of non-statutory committees	24
8. Ceasing to be a Council member	24
9. Validity of proceedings	24

10.	Length of appointment to committees	24
11.	Co-option	24
12.	Attendance	24
13.	Failure to meet quorum	24
4.	Ad hoc working groups	25
5.	The Executive	26
6.	Scheme of Delegation	28
7.	Financial Procedures	32
8.	Performance and development appraisal scheme	38
9.	Remuneration Policy	41
10.	Register of Interests	44
11.	Complaints about members of the governance structure	53
12.	Gifts and Hospitality Register	68

1. COUNCIL

1. Principles to underpin the work of the Council

- a. The Council will uphold the purpose of the organisation as established by Parliament and set out in the Osteopaths Act 1993, as amended (the Act). That purpose is 'to develop and regulate the profession of osteopathy'. Implicit in that purpose is the aim of public protection and the promotion of the health, safety and wellbeing of members of the public. The Council has determined its values and keeps both its purpose and its values in mind at all times, with mechanisms in place for annual review.
- b. The Council will be forward and outward looking, focusing on the future, assessing the environment, engaging with the outside world, and setting strategy.
- c. The Council will determine the desired outcomes and outputs of the organisation and specify the objective of achieving value for money, in support of its purpose and values.
- d. The Council will hold the Chief Executive & Registrar accountable for the achievement of the organisation's outcomes and outputs.
- e. For each of its desired outcomes the Council will decide the level of detail at which it wishes to set policy; any greater level of detail of policy formulation should then be a matter for the determination of the Chief Executive & Registrar and staff.
- f. The means by which the outcomes and outputs of the organisation are achieved are a matter for the Chief Executive & Registrar and staff and the Council will provide appropriate support to the Executive for this purpose.
- g. In assessing the extent to which the outcomes have been achieved, the Council will use a framework of pre-determined criteria against which performance is reported both internally and externally.
- h. The Council will engage with its key interest groups including patients, the public, registrants, employers, educators, central government and the devolved administrations, and be confident that it understands their views and priorities.
- i. The membership of the Council should have the capacity and skill to understand the priorities of each of these key constituents.

- j. Information received and considered by the Council should support one of three goals – to allow informed decision making, to fulfil control and monitoring processes or to enable the Council to co-operate with the Council for Healthcare Regulatory Excellence (CHRE) and to be accountable to Parliament.
- k. The Council will aim to govern itself effectively, with clear role descriptions for itself, its chair, and its members, with agreed methods of working and self-discipline to ensure that time and resources are used efficiently
- l. The Council will aim to ensure that issues of equality and diversity are considered as part of all its work

2. **Role of the Council**

- a. To ensure the protection of the public through regulation of the osteopathic profession.
- b. To work with key stakeholders to enhance professional standards and the quality of osteopathic care.
- c. To ensure effective engagement with a wide range of interest groups so that policy making is adequately informed and is seen to be so.
- d. To set the strategic plan for the regulation of the profession and in addition identify the key risks facing the organisation.
- e. To approve the budget in support of the strategic plan and review the registration fee annually.
- f. To ensure that appropriate audit and monitoring systems are in place in relation to the key risks facing the organisation.
- g. To agree a scheme of delegation to committees.
- h. To hold the executive to account for the delivery of the business plan and the mitigation of risks and to provide appropriate support to the Chief Executive & Registrar (CE&R) in managing the organisation.
- i. To ensure implementation of the GOsC's Equality Scheme and Action Plan.
- j. To make an Annual Report to Parliament on the GOsC's performance across all functions and specifically in relation to fitness to practise and equality and diversity. This should be accompanied by a business plan for the year ahead.
- k. To appoint the Chief Executive.

3. **Appointment of Chair of Council and Treasurer and deputising arrangements for the Chair**

a. Chair of Council

The Privy Council appoints the Chair of Council, through an open recruitment process conducted by the Appointments Commission. The GOsC (Constitution) Order 2009 SI 2009 No. 263('Council Constitution Order') governs the appointment, term of office and cessation of office of the Chair of Council (Article 8).

b. Treasurer

The Appointments Commission will recruit a Council member who will also be the Treasurer. The Privy Council will appoint this Council member and the Council will make the Treasurer appointment. The Treasurer shall hold office for a period not exceeding his term of appointment as a Council member.

c. Deputy Chair

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

4. **Office Holders**

a. Chair of the Council

MAIN PURPOSE

To provide leadership to the Council in discharging its primary statutory function which is to ensure the protection of the public through the development and regulation of the osteopathic profession

KEY RESULT AREAS

- Setting the strategic direction for regulation and development of the profession and underpin this by approving appropriate business plans and budgets
- Identifying the key risks facing the organisation and hold the executive to account for mitigating those risks
- Setting the registration fee annually based on a comprehensive analysis of the cost of regulation

- Ensuring effective engagement with the GOsC's key stakeholders so that regulation and policy making is properly informed
- Ensuring that the GOsC's Equality and Diversity Scheme is implemented
- Monitoring the GOsC's Fitness to Practise procedures to ensure they are fit for purpose
- Ensuring that the GOsC responds effectively to recommendations in the annual performance review conducted by the Council for Health Regulatory Excellence
- Holding the executive to account for the effective management of the GOsC and providing appropriate support in this regard
- Making a comprehensive annual report to Parliament on the performance of the GOsC including a report on fitness to practise, and equality and diversity activity and submitting a forward looking business plan
- Ensuring effective consultation and engagement with osteopaths and students on all the key issues likely to impact on their practices.
- Ensuring that a report on the activities of the GOsC including a detailed breakdown of the cost of regulation, is provided to all registrants annually

The Chair will also be responsible for the following key outcomes:

- Ensuring the GOsC's position is effectively presented in meetings with external stakeholders
- Representing the GOsC on public platforms as its ambassador
- Conducting an annual appraisal of Council members
- Conducting a bi-annual appraisal of the Chief Executive

CONTEXT

The Chair is independently appointed to lead the Council in acting as the guardian of the public interest with particular reference to those members of the public seeking the services of osteopaths. The Chair will lead the Council in ensuring the effective regulation of the osteopathic profession and the good governance of the GOsC.

CONTACTS & COMMUNICATIONS

The Chair will be the principal spokesperson and ambassador for the GOsC and will represent the organisation on public platforms and in meetings with key stakeholders

b. Treasurer

MAIN PURPOSE

To ensure the GOsC's approach to financial management effectively supports the strategic aims of the GOsC and, in a cost effective manner, facilitates fulfilment of its statutory purpose which is to ensure the protection of the public through the development and regulation of the osteopathic profession.

KEY RESULT AREAS

The Treasurer is responsible for achieving the following outcomes

- Conducting an annual review of the registration fee and making recommendations on the required level of fee
- Overseeing the preparation of an annual budget to support the GOsC's business plan
- Identifying the key financial risks facing the organisation and making recommendations on how these may be mitigated
- Ensuring effective conduct of the annual financial audit
- Overseeing preparation of the annual accounts for inclusion in the report to Parliament
- Ensuring effective asset management through regular reviews of investment strategy
- Chairing and managing the business of the Finance and General Purposes Committee
- Reporting to the Council on the recommendations of the Finance and General Purposes Committee on all areas of financial and asset management
- Ensuring registrants receive a clear annual statement of how the registration fee relates to activity and expenditure and provides value for money
- Overseeing any major expenditure projects outside of the rolling three year business plan

CONTEXT

The Treasurer is appointed to advise the Council on all financial matters related to its key role of guardian of the public interest, with particular reference to those members of the public seeking the services of osteopaths. The Treasurer will ensure that all financial decisions support effective regulation of the osteopathic profession and the good governance of the GOsC, whilst providing value for money.

CONTACTS & COMMUNICATIONS

The Treasurer will represent the organisation in discussions with the Auditors, investment managers and any other external stakeholders concerning the financial management of the GOsC.

5. Attendance at Council meetings

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

2. Statutory Committees

1. Education Committee (EdC)

Role

The role of the Education Committee is to advise and develop policy for consideration by the Council so that the Council may set, maintain and develop the standards of osteopathic training and practice.

Terms of Reference

1. To contribute fully to the development of standards of practice and training and advise the Council accordingly
2. To advise the Council on all matters relating to undergraduate and post-graduate education and training and the ongoing continuing professional development of osteopaths
3. To keep the system of professional education and training under review and advise the Council of the need for any changes to support the Council's overall regulatory role.
4. To advise the Council on the recognition of qualifications in accordance with section 14(6) of the Act including a process of evaluation of courses
5. To make recommendations to the Council on any changes to the process of evaluation from time to time
6. To appoint visitors to conduct the evaluation of courses under section 12 of the Act
7. To advise the Council on appropriate means of assessment in connection with applications for registration and revalidation of osteopaths (due to be introduced in 2011/2012).
8. To refer matters relating to the withdrawal of recognition of a qualification to the Council in accordance with sections 16(1) and 18(5) of the Act
9. To advise the Council on the exercise of its powers to require information from Osteopathic Educational Institutions in connection with its statutory functions in accordance with Section 18 of the Act
10. To monitor reports from Fitness to Practise panels and information from other relevant sources in developing policy on professional education for approval by the Council

11. To keep the Continuing Professional Development (CPD) regime under review and make recommendations to the Council on any required changes to the CPD rules under Section 17 of the Act
12. To make recommendations to the Council on accreditation of Continuing Professional Development and on policy relating to post-graduate training and specialisation.
13. To advise Council on measures to promote research at Osteopathic Educational Institutions.
14. To ensure that the work of the Committee contributes to the achievement of the Council's equality and diversity objectives as set out in the Equality Scheme and Action Plan
15. To contribute to the development of the annual business plan for the Professional Standards Department
16. To prepare an annual report for the Council on matters considered by Committee in the previous year and including an outline of work proposed for the following year
17. To report to each Council meeting on matters considered by the committee

Meeting Frequency

4 times yearly or more frequently if the Chair of the Committee considers it necessary. Some business may be appropriately conducted out of committee.

Membership

Ordinary members

- 5 members of the Council, of whom 2 shall be osteopaths and 3 shall be lay members. 1 of the lay members shall be appointed by the Council to be Chair of the Committee
- 4 members who are not members of the Council

Co-opted members

The Committee may co-opt up to 5 members in accordance with Rule 3 of the GOsC (Constitution of the Statutory Committees) Rules Order of Council 2009 SI 2009 No. 468 (Statutory Committees' Rules).

Quorum

5, of which:

- at least 1 must be a lay person and 1 must be an osteopath
- at least 2 must be members of the Council and 2 must be members who are not members of the Council

2. Investigating Committee (IC)

Role

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

Terms of Reference

1. To determine whether there is a case to answer concerning allegations made to the General Council against a registered osteopath that:
 - (1) he has been guilty of unacceptable professional conduct;
 - (2) he has been guilty of professional incompetence;
 - (3) he has been convicted (at any time) in the United Kingdom of a criminal offence; or
 - (4) his ability to practise as an osteopath is seriously impaired because of his physical or mental conditionin accordance with section 20(1).
2. To receive reports from those persons appointed by the General Council to give preliminary consideration to any allegation made or referred to it under section 20(7).
3. To exercise, additionally, powers under the following:
 - (1) section 20(11), where it considers a criminal conviction has not material relevance to the fitness of an individual osteopath to practise osteopathy;

- (2) 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;
- (3) section 20(13), where it concludes that there is no case to answer;
- (4) 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(4)(a) where the CE&R proposes to suspend an osteopath's registration for fraud or error in relation to registration under section 10(1).
- (5) paragraphs 32(3) and (4) to the Schedule of the Act in the event of a tie in any voting as specified;

Meeting Frequency

On an as needed basis but not less than 3 times a year.

Membership

Ordinary members

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

Co-opted members

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

Quorum

5, of which at least 2 must be lay persons and 2 must be osteopaths.

3. **Professional Conduct Committee**

Role

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, an appropriate sanction is imposed on the osteopath concerned.

Terms of Reference

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)(c).
6. To receive advice from legal assessors under section 27(2)(c).
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 Frequency

On an as needed basis but not less than 3 times a year provided there is business to discharge.

Membership

Ordinary members

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

Co-opted members

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

Quorum

3 of which at least 1 must be a lay person and 1 must be an osteopath.

4. **Health Committee (HC)**

Role

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, appropriate action is taken in the interests of the public and the osteopath.

Terms of Reference

1. To determine allegations referred to it under section 20 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) to the Schedule of the Act in the event of a tie in any voting as specified).

Meeting Frequency

On an as needed basis.

Membership

Ordinary members

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

Co-opted members

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

Quorum

3 of which at least 1 must be a lay person and 1 must be an osteopath.

5. Appointments to Statutory Committees

Members and Chairs

- a. The Statutory Committees' Rules provide that the GOsC may enter into arrangements with the Appointments Commission to assist with the appointment of members and Chairs of the statutory committees. The Rules also provide for the appointment of members and Chairs and appropriate deputising arrangements where necessary.
- b. In relation to the 5 Council members of the Education Committee, the following recruitment method is used:

Candidates are invited to nominate themselves for the position of Chair or ordinary member. They are then appraised at interview against the same set of competences that are used in recruiting the external members of the committee. Interviews for the Chair are conducted by the Chair of the Council and interviews for member seats are conducted by the Chair of Council and the Chair of the Education Committee.

6. Ceasing to be a Council Member

A person who ceases to be a member of the Council or who is suspended shall cease to be a member of every committee.

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.

8. Length of appointment to committees

Members of committees (other than co-opted members whose term of appointment will be agreed by the committee co-opting them up to a maximum of 3 years) shall hold office from appointment to the committee up to the end of their term of appointment, subject to removal or suspension.

9. Attendance at committee meetings

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

10. **Co-option**

Rules 3 of the Statutory Committees' Rules sets out the protocol for co-option to committees.

11. **Failure to meet quorum**

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

3. Non-Statutory Committees

1. Audit Committee

Role

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

Terms of Reference

- a. Agree the content of the risk register at the start of each business planning cycle and keep it under review
- b. Request and receive reports on the management of risk areas identified in the register and make any recommendations
- c. Review the internal financial controls and provide assurance to Council on these controls
- d. Approve proposals for the commissioning of audits of key functions within the organisation
- e. Receive reports from the auditors appointed to conduct this work and monitor the implementation of agreed recommendations arising from such audits
- f. Approve the appointment of auditors to conduct the annual financial audit
- g. Receive an annual report and Key Issues Memorandum (KIM) from the financial auditors and monitor the implementation of agreed recommendations in the KIM
- h. Receive reports on any critical incidents, data breaches or corporate complaints and the executive's response to them and make any recommendations
- i. Receive reports on the executive's approach to organisational performance management and make any recommendations.
- j. Make an annual report to the Council on the work of the Committee

Meeting Frequency

Twice yearly, or more frequently if the Chair of the Committee considers it necessary (including meeting the auditors without staff present, if required). Some business may be appropriately conducted out of committee.

Membership

Ordinary members

Five members:

- Two Council members, of whom one must be an osteopath and the other a lay member.
- Three external members, of whom one must be the chair and the other two must have expertise in risk management.

Co-opted members

None.

Quorum

Three members – the Chair and at least one Council member and one external member

2. Finance & General Purposes Committee (F&GP)

Role

Its role is to oversee the effective financial governance and management of the GOsC and in addition, to consider the initiation and monitor the implementation of any special projects related to the requirements of the organisation.

Terms of Reference

- a. To consider the business plan, the annual budget drawn up in its support and make recommendations to the Council
- b. To consider the management accounts at each meeting and more frequently if deemed necessary; review any deviations from budget and approve measures proposed by the executive to deal with these
- c. To consider any major in year deviations from the business plan and make recommendations to Council.

- d. To make recommendations to the Council on an appropriate strategy for investment of surplus funds and to keep this under review
- e. To receive a report from the executive on preparations for the annual financial audit
- f. To consider all proposals for major investment in IT and other infrastructure projects and make recommendations to the Council
- g. To consider applications for funding from external bodies e.g. the National Council for Osteopathic Research and make recommendations to the Council
- h. To monitor the implementation of any special projects e.g. alterations to premises and installation of IT systems
- i. To consider any other matters as directed by the Council and to report to each Council meeting on matters considered by the committee

Meeting Frequency

2 times yearly, or more frequently if the Chair of the Committee considered it necessary. Some business may be appropriately conducted out of committee.

Membership

Ordinary members

The Treasurer and 3 lay members and 3 osteopath members of Council.

Quorum

3 members – the Treasurer and at least 1 lay member and 1 osteopath.

3. **Fitness to Practise Policy Committee**

Role

The role of the Committee is to consider matters of fitness to practise policy and procedure and to make recommendations for any changes to the Council.

Terms of reference

- a. Consider any questions of policy concerning fitness to practise brought to it by GOsC staff

- b. Identify and explore any other issues of fitness to practise policy and procedure which require review or decision
- c. Advise staff, the Fitness to Practise committees and the Council on matters of policy and procedure
- d. Consider and assist in the revision of documents published on behalf of fitness to practise committees (for example, indicative sanctions guidance, publication policy)
- e. Consider and advise on changes to legislation governing the fitness to practise function
- f. Make recommendations on policy to the Council, having taken account of the views of staff, the fitness to practise committees and other relevant stakeholders (such as the CHRE)
- g. Undertake an equality impact assessment and consider human rights legislation in respect of any policy decisions
- h. Consult with the Chair of the Professional Conduct Committee, the Chair of the Investigating Committee and the Chair of the Health Committee as appropriate before making recommendations about the policies, procedures and work of the Committees
- i. Undertake any other work related to fitness to practise procedure and policy which it considers appropriate
- j. Make an annual report to the Council on matters considered in the previous 12 months and indicating any areas for investigation in the future

Meeting Frequency

Meet two or three times a year, and undertake other work online (including taking decisions) between meetings, as necessary.

Membership

5 members of Council.

Quorum

Advice awaited, following first meeting.

4. **Remuneration Committee**

Role

The Remuneration Committee oversees all issues of remuneration policy in relation to the staff of the General Osteopathic Council and makes recommendations to the Council on remuneration of non-executive members of the GOSc's Council and committees

Terms of Reference

The Remuneration Committee will:

- a. Consider and approve the remuneration of the Chief Executive on an annual basis
- b. Consider and approve recommendations by the Chief Executive in relation to pay and reward of all other staff on an annual basis
- c. Keep under review the overall reward policies for staff, taking into account affordability and the need to stay competitive
- d. Commission benchmark studies as required to assess the competitiveness of staff reward strategies
- e. Review the remuneration of non-executive members annually and make recommendations to the Council on any changes
- f. Consider any ad hoc issues arising in relation to the level of non-executive members' remuneration and make recommendations to the Council
- g. Advise the Finance and General Purposes Committee and the Council of the financial implications of staff reward policies and remuneration of non-executive members
- h. Monitor compliance with legislation and observance of good practice in relation to reward strategies and propose action when required
- i. Make a report to each meeting of the Council

Meeting Frequency

Twice yearly, or more frequently if the Chair of the Committee considered it necessary. Some business may be appropriately conducted out of committee.

Membership

Ordinary members

The Chair of Council, 1 lay member and 2 osteopath members of Council and 1 external lay member with appropriate expertise.

Quorum

3 members – the Chair of Council, and at least 1 lay member and 1 osteopath member.

5. Appointments to Non-Statutory Committees

Council members are proposed for appointment to non-statutory committees on their appointment to the GOsC, based on an appraisal by the Chair of the Council of their specific skills, expertise and experience. Proposed committee appointments are then approved by the Council. Appointment of external members to the Audit and Remuneration Committees is currently made by Council, following recommendation by the Chair of Council.

6. Appointment of chairs and deputising arrangements

a. Chairs

The Treasurer is the Chair of the Finance & General Purposes Committee. The Chair of the Council is the Chair of the Remuneration Committee. The Chair of the Audit Committee should be suitably qualified to hold the appointment, can be either lay or osteopath and is appointed by the Chair of the Council.

b. Deputising arrangements

- i. If at any meeting, the chair is absent, the members of the Committee at that meeting may nominate from amongst the members who are present a person to chair that meeting.
- ii. If the Council is on notice that a Committee chair is likely to be absent for a meeting, be unavailable to perform his/her duties for more than one month or the office of chair is vacant, the Council may nominate a member of the Committee to serve as deputy chair during the absence, unavailability or vacancy.
- iii. A member serving as deputy chair shall cease to be deputy chair:
 - a. on the date on which the committee chair notifies the Chair of the Council that they are able to resume their duties
 - b. in the case of a vacancy, the vacancy is filled
 - c. if the member ceases to be a member of the Committee
 - d. if the member resigns as deputy chair by notice in writing to the Council

- e. if the member's membership of the Council is provisionally suspended by the Privy Council or by the Council; or
- f. if the Council votes to terminate the member's appointment as deputy chair.

7. 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 appraisals of external members of the committee.

8. Ceasing to be a Council Member

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

9. 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.

10. Length of appointment to committees

Members of committees shall hold office from appointment to the committee up to the end of their term of appointment as a Council member or an appointed external member of the committee, subject to removal or suspension.

11. Co-option to Non-statutory committees

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

12. Attendance at committee meetings

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

13. Failure to meet quorum

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

4. Ad hoc working groups

From time to time, ad hoc working groups may be established by the 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 the 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

1. **Senior Management Team (SMT)**

a. The SMT acts as a board of management and comprises:

Chief Executive & Registrar
Head of Policy and Communications
Head of Finance & Administration
Head of Professional Standards
Head of Registration & Management Information Services
Head of Regulation

b. The collective responsibility of the SMT is to:

- i. implement strategic plans agreed by the Council
- ii. prepare an annual update of the three-year corporate plan for consideration by the Council
- iii. develop policy proposals to a stage where they can be considered by the Council
- iv. provide support to statutory and non-statutory committees in discharging their roles
- v. liaise with key stakeholders to ensure that policy development is fully informed
- vi. alert the Council to any issues that have a bearing on the performance of the GOsC as a regulator.

a. Chief Executive & Registrar

a. Statutory Duties

- i. To establish and maintain the register of osteopaths (section 2(3) of the Act).
- ii. To carry out such other functions as the Council may direct (section 2(4)).
- iii. To consider whether applicants for registration are of good character and in good health (sections 3-4 and SI 2000/1038).

- iv. 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).
- v. 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).
- vi. To deal with temporary registration for visiting osteopaths from relevant European States (section 5A).
- vii. To enter a note in the register of the details of every suspension of registration (section 7).
- viii. To refer applications for restoration to the register to the Professional Conduct Committee, and to register applicants when directed by the Committee (section 8).
- ix. To investigate allegations of fraud or error in the register and report on the investigation to the 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 the Council, subject to the right of appeal (section 10).

b. Other Duties

- i. Development of a 3 year Corporate Plan and annual business plans to meet the GOsC's statutory objective
- ii. Leads the Senior Management Team in collective management of the GOsC
- iii. Staff management
- iv. Organisational management
- v. Reporting to the Council for Health Regulatory Excellence and Parliament
- vi. External relations
- vii. Risk management
- viii. Ensures 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 the Council. Delegation might be to the Chief Executive, in her capacity as Registrar, or as head of staff. or to a Committee or to an ad hoc working group. The Scheme of Delegation also sets out the authority delegated to committees from the Council, outside of that provided for in The Act.
2. Other than where functions are specifically delegated to committees, the Council regards the Chief Executive & Registrar as its main point of delegation and holds the post-holder accountable for implementing the strategic objectives set by the Council. The Chief Executive & Registrar may delegate functions to other staff but will be held accountable by the Council for the discharge of all functions delegated under the Scheme.
3. The Scheme of delegation sets out:
 - a. matters reserved to the Council
 - b. matters delegated to the Chair of the Council
 - c. matters delegated to statutory and non-statutory committees
 - d. matters delegated to ad hoc working groups
 - e. matters delegated to the Chief Executive which may also be carried out by persons nominated by the Chief Executive.

Withdrawal of delegated power

4. The Scheme remains in force unless it is amended or revoked by the Council. It shall be reviewed by the Council annually.

Exercise of delegated power

5. 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 corporate plan.

Matters reserved to the General Council

6. The Council will have responsibility for all matters as set out in the Role of the Council:
 - a. To ensure the protection of the public through regulation of the osteopathic profession.

- b. To work with key stakeholders to enhance professional standards and the quality of osteopathic care.
- c. To ensure effective engagement with a wide range of interest groups so that policy making is adequately informed and is seen to be so.
- d. To set the strategic plan for the regulation of the profession and in addition identify the key risks facing the organisation.
- e. To approve the budget in support of the strategic plan and review the registration fee annually.
- f. To ensure that appropriate audit and monitoring systems are in place in relation to the key risks facing the organisation.
- g. To agree a scheme of delegation to committees.
- h. To hold the executive to account for the delivery of the business plan and the mitigation of risks and to provide appropriate support to the Chief Executive & Registrar (CE&R) in managing the organisation.
- i. To ensure implementation of the GOsC's Equality Scheme and Action Plan.
- j. To make an Annual Report to Parliament on the GOsC's performance across all functions and specifically in relation to fitness to practise and equality and diversity. This should be accompanied by a business plan for the year ahead.
- k. To appoint the Chief Executive.

Matters delegated to the Chair of the Council

- 7. The Chair will:
 - a. authorise action on minor, non-contentious matters falling within the responsibilities of the Council.
 - b. have authority for urgent decisions necessitating a decision outside a Council meeting. In such cases the Chair will consult with the Treasurer, Chief Executive & Registrar and, where relevant, the chair of the committee concerned with the issue.
 - c. have responsibility for conducting regular appraisals of Council members and other individuals as specified in the scheme of appraisal
 - d. have responsibility for conducting the annual appraisal and mid-year review of the performance of the Chief Executive

Matters delegated to statutory committees

Education Committee

8. The Education Committee has responsibility for advising and developing policy for consideration by the General Council so that the General Council may set, maintain and develop the standards of osteopathic training and practice – see its Terms of Reference at Section 2 above.

Investigating Committee

9. The Investigating Committee has responsibility for carrying out the initial investigation of a complaint against an osteopath which may allege serious unacceptable conduct, professional incompetence or matters relating to physical or mental ill health – see its Terms of Reference at Section 2 above.

Professional Conduct Committee

10. The Professional Conduct Committee has responsibility for hearing cases concerning serious unacceptable conduct, incompetence or convictions and where the committee finds any such case proved, imposing an appropriate sanction on the osteopath concerned – see its Terms of Reference at Section 2 above.

Health Committee

11. The Health Committee has responsibility for considering cases in which an osteopath is alleged to be in poor physical or mental health and if the allegation is upheld, taking appropriate action in the interests of the public and the osteopath – see its Terms of Reference at Section 2 above.

Matters delegated to non-statutory committees

Audit Committee

12. The role of the GOsC's Audit Committee is to monitor the management of risk; to provide assurance across all categories of risk; and make recommendations for any actions to the Council and executive as appropriate – see its Terms of Reference at Section 3 above.

Finance & General Purposes Committee

13. The Finances & General Purposes Committee has responsibility for overseeing the effective financial governance and management of the General Osteopathic Council and in addition, considering the initiation and monitor the implementation of any special projects related to the requirements of the organisation – see its Terms of Reference at Section 3 above.

Fitness to Practice Policy Committee

14. The Fitness to Practise Policy Committee has responsibility for considering matters of fitness to practise policy and procedure and making recommendations for any changes to the Council – see its Terms of Reference at Section 3 above.

Remuneration Committee

15. The Remuneration Committee has responsibility for overseeing all issues of remuneration policy in relation to the staff of the GOsC and makes recommendations to the Council on remuneration of non-executive members of the GOsC's Council and committees – see its Terms of Reference at Section 3 above.

Matters delegated to ad hoc working groups

16. From time to time, the Council may establish ad hoc working/steering groups to oversee particular matters. The council will agree in each case the degree of delegation accorded at the outset.

Matters delegated to the Chief Executive & Registrar

17. The Chief Executive & Registrar has responsibility for all matters provided for in the Act and additional matters as set out under Role of the Chief Executive & Registrar – see Part 5 - Executive above.

7. Financial Procedures

Agreed by the Finance & General Purposes Committee June 2009

1. Introduction

- 1.1 These financial procedures will form part of the Governance Handbook for Members and shall be reviewed on a regular basis by the Finance & General Purposes Committee.

2. Financial Management

- 2.1 The Chief Executive & Registrar is responsible for the day to day management of the Council's financial operations in accordance with these procedures. The Registrar may delegate responsibility for financial management to a member of staff, and for that purpose, it shall be the Head of Finance.
- 2.2 The Head of Finance 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.
- 2.3 Quarterly Management Accounts are prepared by the Head of Finance with departmental accounts sent to the Head of individual departments. The Chief Executive & Registrar and Head of Finance consider the overall financial position of the Council and any deviations from budget.
- 2.4 The Finance & General Purposes Committee will receive management information at every meeting.

3. Accounting

- 3.1 The Head of Finance is responsible for all accounting procedures and records and shall ensure procedures comply with all current accounting requirements and best practice.
- 3.2 The Head of Finance will facilitate the annual financial audit and will comply with all reasonable requests from the auditors. The Head of Finance & Administration will report to the Chief Executive & Registrar on the progress of the audit; any issues raised and the proposed methods for resolving such issues.
- 3.3 The auditors will produce a Key Issues Memorandum (KIM), which will be submitted to the Audit Committee for consideration. Once endorsement from the Audit Committee is received, the management letter will be presented to Council.

- 3.4 The Council shall publish its Annual Report & Accounts in full on its public website.
- 3.5 The Audit Committee has responsibility to ensure the external auditors appropriately scrutinise the financial records and offer value for money. It shall recommend to the Council the appointment/removal of the external auditors.

4. Annual Business Plan and Budget

- 4.1 The Finance & General Purposes Committee shall receive annually the Business Plan and Budget for consideration and scrutiny. The Council will receive the Business Plan and Budget for approval following its endorsement by the Finance & General Purposes Committee.
- 4.2 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 & Registrar who will have authority to transfer funds up to £20,0000 between budget allocations.
- 4.3 The Chief Executive & Registrar will report all budget transfers to the Finance & General Purposes Committee.

5. Borrowing and Lending

- 5.1 Funds may only be borrowed with the prior approval of the Finance & General Purposes Committee and the 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.
- 5.2 With the exception of staff season ticket loans (repayable in full by the employee), the Council shall not lend funds under any circumstances.

6. Income, Banking & Investment

- 6.1 The Head of Finance will ensure that income received is kept secure and promptly banked.
- 6.2 Investments shall be made in accordance with the Council's agreed policy. The Finance & General Purposes Committee shall receive a report from the Chief Executive & Registrar and Head of Finance on the investment strategy, and the risks posed by such a strategy.
- 6.3 The Finance & General Purposes Committee shall be notified at each meeting what proportion of the organisation's funds are invested, in what type of investment and the rate of return. The Head of Finance has responsibility to monitor and draft reports on the investments.

7. Expenditure

- 7.1 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.
- 7.2 The line manager of the individual making an expense claim shall sign off the expense claim as long as there are backing receipts and it is completed on the appropriate form.
- 7.3 Cheque payments raised must be signed in accordance with the payment procedure and the bank mandate.
- 7.4 Only Senior Managers (excluding the Head of Finance) may sign cheque payments or bank transfers.
- 7.5 Payments or bank transfers can only be signed by a Senior Manager if they did not authorise the invoice being paid.
- 7.6 One authorised signatory may sign off cheque payments up to £10,000. Payments exceeding this value must have two signatures, one of which must be the Chief Executive & Registrar.
- 7.7 Payments over £75,000 must be signed off by the Chief Executive & Registrar with either the Treasurer and/or Chairman.
- 7.8 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 Head of the Department if out of the office on business, i.e. attending a regional conference. The reconciled statements are signed by the Head of the Department and authorised by the Chief Executive & Registrar.

8. Staff expenses

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

9. Procurement of Services

- 9.1 All contracts over the value of £5,000 shall be subject to the process for procurement of services set out below.

9.2 The following shall be subject to tender at least once every five years:

- a) Audit
- b) Insurance, investment and pension advice
- c) Banking
- d) Office services (printing, stationery catering)
- e) Legal services procured (specifically relating to the Fitness to Practise arena)
- f) Other consultancy services
- g) Any major service contract in existence

9.3 The procurement process shall be as set out below, unless otherwise varied by the Finance & General Purposes Committee.

- a) The relevant Head of Department shall prepare an invitation to tender setting out the specification for goods and/or services
- b) The relevant Head of Department shall consult with the Head of Regulation on the legal implications of any tender process, and shall comply with the requirements
- c) Where no legal requirement exists, or the number of suppliers is not specified, the relevant Head of Department will arrange for at least three suppliers to tender
- d) At least one of the Chief Executive & Registrar, Head of Finance and/or Head of Regulation, will sit on the selection panel considering the tender documents.
- e) For tenders of significant value, (+£50,000), the Treasurer shall be involved in the selection process either as a panel member receiving the tenders or as an outside observer to ensure independence of the process.
- f) The selection panel shall assess the tenders and make a recommendation on which of the potential suppliers offers best value.
- g) The Finance & General Purposes Committee shall receive reports of the tender exercises completed and the results.

9.4 The Chief Executive & Registrar is authorised to sign all contracts on behalf of the Council.

10. Assets

10.1 The Head of Finance shall keep a fixed asset register and shall ensure the safe custody of title deeds and contracts relating to the assets owned.

11. Security and Fraud

11.1 The Head of Finance shall ensure procedures exist to control the entry to Osteopathy House keeping all occupants safe.

11.2 The risk of fraud is minimised through a continuous programme of independent audit, including the annual financial audit. Any fraud or suspected fraud will be raised with the Chief Executive & Registrar immediately.

Whistle blowing

11.1 If a staff member has information that leads them to believe that one of the following has occurred, they should report the matter immediately to the Chief Executive & Registrar. If it is believed that the Chief Executive & Registrar is implicated, the matter should be raised, in writing with the Chairman of Council. The issues of concern may include:

- A criminal offence being committed, or is likely to be committed;
- A person has failed, or is likely to fail to comply with a legal obligation;
- A miscarriage of justice has occurred, is occurring or is likely to occur;
- The environment has been, is being, or is likely to be damaged;
- You have information that the above has been, is being or is likely to be deliberately concealed

12. Insurance

12.1 The Head of Finance shall ensure the Council carries adequate insurance. The current insurance policies cover:

- Professional Indemnity Insurance
- Combined Professional Business Policy (incl.)
 - Internet & Email
 - General Liability
 - Employers Liability
 - Property & Buildings
- Directors & Officers Liability Insurance (incl.)
 - Directors & Officer Liability
 - Employment Practices Liability
- Terrorism Insurance

12.2 Any member of the GOsC (Executive & Non-Executive) who becomes aware of an incident or issue that they feel may jeopardise any insurance policy in existence should notify the Head of Finance immediately.

8. Performance and Development Appraisal Scheme

INTRODUCTION

1. The GOsC recognises that the non-executive members of its governance structure (Council members, Fitness to Practise panelists and external members of its committees) 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 appraisal scheme, the GOsC aims to ensure that the efforts of non-executives are effectively aligned with the organisations' strategic objectives; to provide a means of developing individuals and to enhance overall performance.
2. The GOsC's Appraisal Scheme was designed by Cumberlege Connections following agreement by the Council on some key principles and features. About a third of the members of the governance structure were involved during the development of the scheme including participation in a pilot of the proposed scheme. The scheme was reviewed after its first cycle and will be reviewed again after three annual cycles have run, in 2013.

THE AIMS OF APPRAISAL

3. On appointment, all members of the governance structure commit to engaging constructively in the annual appraisal process. The purpose of the appraisal 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 appraiser what they will be doing over the 12 months to follow
 - d. help members to identify any development needed to support them in their role.

APPRAISERS

1. The Chair of Council will appraise Council members and all Chairs of statutory and non-statutory committees.
2. The Chairs of the Education and Audit Committees will appraise the external members of their committees.

3. The Chairs of the Fitness to Practise Committees will appraise their respective committee members.

THE PROCESS, IN A NUT SHELL

7. The documentation for the Appraisal Scheme explains the process, the preparation required and how the documentation should be used.
8. Appraisals for Council members and external members of statutory and non-statutory committees (other than FtP committees)
 - a. The Chair of Council/of the committee contacts the appraisee to remind them of the process.
 - b. The appraisee completes the reflection form and offers a self-assessment of his/her performance.
 - c. The Chair seeks feedback from a minimum of two people who have regularly seen the appraisee in action. For Chairs of committees, the Chair will seek feedback from a relevant member of the Senior Management Team.
 - d. The Chair completes the performance/behavioural evaluation form based upon their own observations and the information provided by others.
 - e. The Chair and appraisee meet for 1½ to 2 hours and go through the appraisal.
 - f. If the paperwork is not completed at the appraisal meeting, the appraisee will complete the recording of the appraisal discussion and the agreed outcomes and submit it to the Chair for comments and agreement..
 - g. The Chair forwards the completed paperwork to the Governance Manager for secure storage.
 - h. If there are significant development needs then stages c. and d. are conducted more frequently together with regular discussions.
9. Appraisals for Chairs of the Investigating (IC), Professional Conduct (PCC) and Health (HC) Committees
 - a. The Chair of Council contacts the Committee Chair to remind them of the process.
 - b. The appraisee completes the reflection form and rates his/her performance.
 - c. The Chair of Council seeks feedback for each FtP Chair from half of the Committee members and a member of the Regulation Department, at random, each year to provide feedback on the Chair's performance.
 - d. The Chair completes the performance/behavioural evaluation form based upon their own observations and the information provided by others.
 - e. The Chair and appraisee meet to go through the appraisal.
 - f. If the paperwork is not completed at the appraisal meeting, the appraisee will complete the recording of the appraisal discussion and the agreed outcomes and submit it to the Chair for comments and agreement.

- g. The Chair forwards the completed paperwork to the Governance Manager for secure storage.

10. Appraisals for Fitness to Practise (FtP) panellists

- a. If there have been no HC hearings, the PCC Chair will conduct all appraisals 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 appraise which panellists based on frequency of seeing the panellists at meetings and in hearings. The Chair of the relevant FtP Committee contacts the panellist to remind them of the process.
- b. The appraisee completes the reflection form and rates his/her performance.
- c. The FtP Chair seeks feedback from a minimum of two people who have regularly seen the appraisee in action and from a member of the Regulation Department.
- d. The Chair completes the behavioural evaluation form based upon their own observations and the information provided by others.
- e. The Chair and appraisee meet and go through the appraisal.
- f. If the paperwork is not completed at the appraisal meeting, the appraisee will complete the recording of the appraisal discussion and the agreed outcomes and submit it to the Chair for comments and agreement.
- g. The Chair forwards the completed paperwork to the Governance Manager for secure storage.
- h. In addition to the above, if the chair observes panellists behaving either positively or negatively they are encouraged to provide feedback at the time rather than wait until the appraisal. The behaviours within the appraisal documentation will help them to ensure the feedback is constructive and specific.

Remuneration Policy

a. Council Members

The Chair of Council and Council Members are paid an annual fee. Currently, the annual fees are:

Chair	£22,440
Council members	£6,630

An additional annual responsibility allowance is payable to the Treasurer and the Chairs of the Education and Audit Committees as follows:

Treasurer	£5,000
Chair of Education and Audit Committees	£2,000

b. Members of fitness to practise committees and other committee members, who are not members of Council

Daily Attendance Fee = £306 per day

- c. Levels of remuneration will be reviewed annually by the Remuneration Committee.
- d. A standard system for the payment of allowances and expenses has been implemented via the GOsC Payroll.
- e. The following expenses will be paid **if supported by an appropriate receipt** (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
Overnight accommodation and breakfast where a member's return journey exceeds 6 hours (if not booked through the GOsC)*	London – up to a max. of £150 Outside London – up to a max. 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 Northern Ireland or Scotland may travel by air if they chose.	For travel abroad under 4 hours economy class; over 4 hours enhanced class.
Rail fares *	Members may travel first class if they so wish but they are required to provide a full justification for claiming first class rail travel and should be guided to buy tickets as far in advance as possible to achieve savings.
Motor mileage (where appropriate)	40p 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 elder care will be reimbursed in full against receipts

- f. Members are responsible for their own tax arrangements and it is recommended that they seek guidance from a financial advisor where appropriate.
- g. 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.

h. **Annual Review of the GOsC Remuneration Policy**

Annual fees, daily attendance rates and expenses will be reviewed annually in line with selected external benchmarks e.g. the recommendations of the Senior Salaries Review Body. The SSRB makes recommendations to Government in relation to Senior Civil Service posts, taking into account not only changes in inflation and the retail price index, but also other changes which affect the pay of those with roles which have a significant element of public service

i. ***Overnight Accommodation, Train and Air Travel**

The Council has set up accounts with Travel Inn (who have a hotel across the road 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 will be provided.

10. Register of Interests

Conflicts of Interest Policy

Introduction

1. 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.
2. In order to achieve that aim, Council 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**. This includes a requirement to avoid situations of conflict of interest including those where there might reasonably be said to involve a conflict between the individual's personal interests and his/her GOsC duties.
3. 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 challenge.
4. This policy applies to GOsC Council members and all those acting on behalf of the GOsC including members of committees who are not members of the Council, co-opted members of committees and working groups, Legal and Medical Assessors, Visitors and any other office holders.
5. The Chief Executive and other staff members are also required to follow the principles set out in this policy and notify the Governance Manager of any potential or actual conflicts of interest.
6. All those covered by this policy must declare in writing to the Chief Executive & Registrar (CE&R), 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.
7. Those covered by this policy must declare on the Register of Interests those outside interests that are relevant to the GOsC's business and activities. This includes any interest that might influence their judgment or which could be perceived as influencing their judgment: the test is whether a fair-minded member of the public would consider that such an interest might influence their judgment.

Guidance

8. In considering what might constitute a potential conflict, members should bear in mind the seven principles of public office (the *Nolan principles* – [Committee on Standards in Public Life](#)):
 - Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
9. The GOsC requires that certain interests must be declared on the Register of Interests and these are listed in Annex A. Where a Member of the Council or other office holder has declared their membership of any of the organisations or bodies listed in Annex A, the Chair of Council will decide whether it is appropriate for that Member of Council or office holder to participate in a relevant discussion or decision.
10. While it is not possible to produce an exhaustive list of situations which may give rise to a conflict of interests, Members should bear in mind three categories of interest to guide them in assessing whether a conflict may exist.
11. The three categories of interest, together with their effect on participation in the issue for discussion/decision are:
 - **Irreconcilable interests**
Interests with direct relevance to specific items of business such that a fair-minded observer would conclude that the interest would certainly prejudice the Member's judgment in any discussion and give rise to a perception of bias in any decision: in such circumstances it will not be permissible to participate in any relevant discussion/decision
 - **Prejudicial interests**
Interests with direct relevance to specific items of business such that a fair-minded observer would conclude that the interest may prejudice the Member's judgment in any discussion/decision: it may be necessary for the individual to withdraw from the discussion/decision. It will be a matter for the Chair of the Council or relevant committee to decide, following a consideration of the likely impact of the prejudicial interest, whether it is appropriate for the individual to participate in the discussion/decision.

- **Indirect interests**

Interests that do not directly relate to specific issues for discussion: there is no reason not to participate in the discussion/decision

12. Annex B sets out practical examples of the three categories of interest referred to above.

Procedure

13. The CE&R will be responsible for keeping the Register of Interests which will be published on the GOsC website. All individuals concerned should amend their entries on the Register as soon as possible following any change in their circumstances and, will, in any event, be invited to update their entries annually.
14. If any member is unsure as to whether they need to declare a particular interest, they should discuss it with either the Chair of Council, the relevant committee chair or the Chief Executive & Registrar.
15. On appointment, all members are asked to complete the attached form (Annex C) giving details of their interests. All individuals concerned will be invited to 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.
16. If there are any queries over proposed entries on the Register of Interests, please contact the Chief Executive & Registrar, in the first instance, or the Governance Manager:

Chief Executive & Registrar
020 7357 6655, ext 244
CE@osteopathy.org.uk

Governance Manager
020 357 6655
governance@osteopathy.org.uk

17. Please return completed declaration form to the Governance Manager, on behalf of the CE&R:

Governance Manager
GOsC
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

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 (eg President, Chairman, Chief Executive, Treasurer or Secretary) of any professional body, specialist society or similar body, whether in the private or voluntary sector
- d. consultancies, directorships or advisory positions, if they relate to a healthcare company or organisation, public body or political party.
- e. membership of a political party or pressure group with an interest in the GOSc's work
- f. a significant (see definition below), current or anticipatory association with any Osteopathic Educational Institution (OEI):

Significant association/employment with an OEI (see definition of OEI below)

- A trustee or director of an OEI
- A principal of an OEI
- A vice-principal of an OEI
- A person who is materially associated with the senior management and/or direction of an OEI or with power to influence decisions

Osteopathic Educational Institution (OEI)

- An undergraduate osteopathic provider that already has Recognised Qualification (RQ) status.
- An undergraduate osteopathic provider that is preparing to sign a Declaration of Intent to apply for RQ status.
- An undergraduate osteopathic provider that has signed a Declaration of Intent to apply for RQ status.
- A provider of post-graduate and Continuing Professional Development courses in osteopathy.

Current or anticipatory association

- 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.

- g. any close personal ties with the GOSc's advisers, executive or employees or prospective advisers, executive or employees.
- h. any other interest which may be relevant and not covered by the above eg association through family such as might lead a fair-minded member of the public to consider that such an interest might influence their judgment.

Annex B: practical examples of indirect, prejudicial and irreconcilable interests

1. Member of the Council is also a member of another healthcare regulator's Council or one of its committees

Likely to be a **prejudicial interest** if the GOsC and the other regulator has opposing or different opinions on particular topics, for example in relation to revalidation or policies relating to the remuneration of Council members . The membership should be declared and the Chair of the Council/Committee should invite other members to decide whether the member concerned may continue to participate.

2. Council member is a member of an osteopathic special interest group

Likely to be a **prejudicial interest** if the special interest group undertakes activities which run counter to the statutory objectives of the GOsC. Membership should be declared and the Chair of the Council/Committee should invite other members to decide whether the member concerned may continue to participate in any relevant discussion/decision.

3. A Council member wishes to act as an expert witness in GOsC fitness to practise proceedings

Likely to be an **irreconcilable interest**, as the member's independence would be viewed as impaired.

4. A member is asked to sit on an interview panel for a tendering process

- May be a **prejudicial interest** if member knows one of the parties bidding for the work: member should declare the interest and the Chair of Council/committee should allow other members to decide if the member should participate in the process.
- Likely to be an **irreconcilable interest** if the member has an interest, financial or otherwise, in any of the parties bidding for the work. Member should declare the interest and withdraw from the interview panel.

5. **A Fitness to practise committee member is a member of an NHS board or trust**

- In most cases, likely to be an **indirect interest** only; membership should be declared but unlikely to give rise to any conflict.
- More unusually, may give rise to a **prejudicial interest** if a party to the proceedings is employed by the same NHS board or trust; remaining committee members should decide whether the member concerned should continue to participate in the decision.

6. **Member of Council has a financial or commercial interest in another organisation**

For example, the member has shares in a business which may benefit as a result of a decision made by Council

- May give rise to a **prejudicial interest** if the financial or commercial interest might, in the view of a fair-minded observer, influence the decision of the member in his Council business: remaining Council members should decide whether the member concerned should continue to participate in the decision.
- Will be an **irreconcilable interest** if a fair-minded observer would conclude that it would certainly prejudice the member's judgment in any discussion and give rise to a perception of bias in any decision: in such circumstances it will not be permissible for the member to participate in any relevant discussion/decision.

Annex C – Register of Interests

I, _____, understand and take responsibility 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 that is not explicitly authorised in my appointment letter (i.e. annual remuneration and travel and subsistence expenses) or I should not exert any influence to acquire any preferential treatment for myself or other connected persons.

Areas of interest	Details relating to you <small>(Also include any relevant details relating to a connected person i.e. a person with whom you have a personal or business relationship which could be perceived as influencing your decision)</small>
<p>Posts held in the ordinary course of employment or professional practice, including unpaid</p> <p>Why? Decisions need to be taken in an open and transparent fashion. Therefore Members are required to declare positions so that any perceived interest can be easily managed</p>	
<p>Membership of professional bodies or specialist societies</p> <p>Why? Decisions need to be taken in an open and transparent fashion. Therefore, Members are required to declare positions so that any perceived interest can be easily managed</p>	
<p>Any office (eg President, Chairman, Chief Executive, Treasurer or Secretary) of any professional body, specialist society or similar body, whether in the private or voluntary sector</p> <p>Why? Decisions need to be taken in an open and transparent fashion. Therefore, Members are required to declare positions so that any perceived interest can be easily managed</p>	

Areas of interest	Details relating to you <small>(Also include any relevant details relating to a connected person i.e. a person with whom you have a personal or business relationship which could be perceived as influencing your decision)</small>
<p>Consultancies, directorships or advisory positions, if they relate to a healthcare company or organisation, public body or political party</p> <p>Why? Decisions need to be taken in an open and transparent fashion. Therefore, Members are required to declare positions/holdings so that any perceived interest can be easily managed</p>	
<p>Membership of a political party or pressure group with an interest in the GOsC's work</p> <p>Why? Members are free to engage in political activities or to maintain associations with professional organisations. Members are required to declare such positions to give assurance that they do not conflict with the essential purpose of the Council which is to protect the public.</p>	
<p>A significant, current or anticipatory association with any Osteopathic Educational Institution (OEI) as per Annex A</p> <p>Why? Decisions need to be taken in an open and transparent fashion. Therefore, Members are required to declare positions so that any perceived interest can be easily managed</p>	
<p>Any close personal ties with the GOsC's advisers, executive or employees or prospective advisers, executive or employees</p> <p>Why? Members who have close ties with advisers, directors or employees may be perceived as having an undue influence on decisions. This must be declared so that it can be managed in an open and transparent manner.</p>	

Areas of interest	Details relating to you <small>(Also include any relevant details relating to a connected person i.e. a person with whom you have a personal or business relationship which could be perceived as influencing your decision)</small>
<p>Any other interest which may be relevant and not covered by the above eg association through family such as might lead a fair-minded member of the public to consider that such an interest might influence their judgment</p>	

I will update my register regularly, particularly if any significant changes occur. I will alert the Governance Manager as soon as possible if I am subject to disqualification under the General Osteopathic Council (Constitution) Order 2009 No. 263. All actual, perceived, apparent and potential conflicts are disclosed 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 1998. The information provided will be available publically; the register will be available on the GOsC website.

If you are not sure what to declare or whether/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 & Registrar (020 7357 6655, chiefexec@osteopathy.org.uk) or the Chair of Council (chair@osteopathy.org.uk) for confidential guidance.

11. 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 and/or concerns raised regarding Members of the GOsC's governance structure (Council and committee members, Fitness to Practise panellists, 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 [link to new procedure](#)

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 Governance Manager who will manage the process and may be contacted as follows:

Governance Manager
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

Telephone: 020 7357 6655

E-mail: governance@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/have, in your view, been breached
 - b. Confirmation of whether or not you have already raised your concerns with the individual (s) who is (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 (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 the Council, or by the Treasurer and one other Council member if the complaint is about the Chair of the Council. The Chair (or Treasurer and other Council member where appropriate) will notify the individual complained about and invite him or her to make representations and may seek such other information as he considers necessary to conduct his investigation.
 - c. If the Chair (or Treasurer and other Council member 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 Governance Manager, 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 Treasurer and other member 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 the Stage 2 of 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 and/or suggested resolution by the Chair (or the Treasurer and other Council member) at Stage 1.

STAGE 2**10. Complaint**

- a. Where the Chair (or Treasurer and one other Council member) 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 and 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 the 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 the GOsC, 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 the Council one or more of the following:

- a. that the individual be admonished by the 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 the Council recommend to the Privy Council removal of the individual from office under appropriate provisions in the General Osteopathic Council (Constitution) Rules 2009 SI No 263 or that to the 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 the 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 the 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. The 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 the GOsC), or
 - ii) In exceptional circumstances, remit the matter to the Panel for further consideration. The Council may not substitute its own decision for that of the Panel.
- c. Where the Council has accepted the Panel's decision, a report on the outcome of the matter will then be made in the public session of the Council, save in those cases where an investigation by the Police or other authority has been recommended and has not been concluded. Where a sanction has been recommended, it will be put into effect as soon as practicable.
- d. Where the 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 the Council, within 21 days' of remittal by the 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 the 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 the Council of the Panel's decision and recommended sanction marks the end of the GOsC's complaints procedure. If you are unsatisfied with the 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.

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 in 2008, is to 'develop and regulate' the profession of osteopathy.

Members of the GOsC's governance structure (the Council, committees, Fitness to Practise panellists and ad hoc working groups), as individuals and collectively, have a duty to ensure these functions are effectively discharged in the interests of the public.

3. This Code provides guidance for members and any non-executive persons, acting on behalf of the GOsC, on carrying out these functions in line with currently accepted standards of public service. It therefore applies to:
 - members of the Council;
 - members of committees, both statutory and non-statutory
 - members of working groups
 - legal advisors and legal/medical assessors involved in Fitness to Practise procedures
 - Visitors conducting reviews of training courses for accreditation purposes
 - Assessors undertaking work as part of registration procedures
 - Any other individuals who may from time to time act on behalf of the GOsC in a non-executive capacity.

GENERAL GUIDELINES

4. 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 objective, as individuals and collectively
 - Act in accordance with the 7 principles of public life (set out below)
 - Treat others equally, fairly and with respect

Seven principles of public life

5. As set out by the Committee on Standards in Public Life <http://www.public-standards.gov.uk/>:

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefit for themselves, their family, or their friends;

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties;

Objectivity

Holders of public office should be objective in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for reward and benefits;

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest demands;

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take any steps to resolve any conflicts in a way that protects the public interest and;

Leadership

Holders of public office should promote and support these principles by leadership and example.

SPECIFIC GUIDANCE

6. 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 the Council (Chair) or the Chief Executive & Registrar should be consulted. Any breaches of confidentiality and the circumstances surrounding the disclosure must immediately be notified to the Chair and the Chief Executive & Registrar.

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 Policy and Communications 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 harm the reputation and status of the GOsC.

c. Collective decision making

Members of the Council, committees and ad hoc working groups must recognise that decisions with which they disagree may nonetheless be made by a majority vote. 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 on GOsC business must demonstrate the standards expected of holders of public office. Where a Member 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.

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 & Registrar 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 Scheme 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. Members must declare, in writing to the Chief Executive & Registrar, 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 & Registrar will be responsible for keeping the Register of Members' Private 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 & Registrar as soon as they arise.

h. Attendance

Members of the 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.

i. Appraisal

Members of the Council, committees and working groups will be expected to participate constructively in periodic appraisals of their performance (see details of the GOsC Appraisal Scheme in Annex 3 of the Governance Handbook).

j. Gifts and Hospitality

Members and those covered by this Code must not accept gifts, hospitality or benefits, offered as a consequence of GOsC business, which might be seen to compromise their personal judgement or integrity. In case of uncertainty, the Chief Executive & Registrar 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

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

I,, agree to abide by the above Code of Conduct.

Signed: Date:

GENERAL OSTEOPATHIC COUNCIL (GOSC)**Making a Complaint about a Member of the
General Osteopathic Council's Governance Structure**Complaint and Declaration Form

The GOSC *Making a Complaint About a Member of the General Osteopathic Council's Governance Structure* leaflet 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

Original
complaint

Follow-up to a
reply you were
not satisfied
with

<input type="checkbox"/>
<input type="checkbox"/>

Please provide a clear description of the complaint and who has been involved so far. *What would you regard as a satisfactory outcome/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 and ask for the Governance Manager.

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:

Miss Jane Quinnell
Governance Manager
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

12. Gifts and Hospitality Register

Background

1. The Remuneration Committee considered some principles and guidelines for the establishment of a Gifts and Hospitality Register to enable a clear audit of the offer, receipt and disposal of gifts and hospitality made to members of the governance structure and staff.
2. Members of the Remuneration Committee drafted the following principles and guidelines which were considered by the Audit Committee and approved for use by Council on 4 December 2007.

Principles

Nolan Principles

3. Members of the GOsC's governance structure (the Council, committees, Fitness to Practise panellists and ad hoc working groups) will be aware of the '*Seven Principles of Public Life*', which apply to all in the public sector. For ease of reference, they are attached at Annex A. 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

4. Gifts¹ that are capable of being distributed, even though received by an individual e.g. bottles of wine, generally do not present a problem provided they are recorded and their value and the circumstances in which they are given do not give rise to concern. For example a case of wine donated by an osteopath just before Christmas is more likely to be acceptable than the same case of wine donated by an osteopath prior to their appearance before the Professional Conduct Committee. Similarly a personal gift offered to an individual on leaving the organisation is more likely to be acceptable than one offered in other circumstances particularly if its value is judged to be excessive and if the intention of the donor is not clear or is suspect.

¹ A gift is defined as a personal present *with a value in excess of £10*. Promotional materials are excluded from this definition.
May 2011

Hospitality

5. Hospitality should not generally present a problem provided it is recorded and, again, 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 & Incidental Hospitality

6. 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

7. 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

8. 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 Register and submitted periodically to the Audit Committee for inspection. The Governance Manager will keep the Register of Gifts and Hospitality so please send all details to her using the Declaration Form.
9. When deciding whether to accept or decline an offer of a gift or hospitality the matter must be discussed with the Chair of Council or the relevant committee chair or their line manager, as appropriate, and the principles set out above must be followed.

4 December 2007

Seven principles of public life**Annex A**

As set out by the Committee on Standards in Public Life <http://www.public-standards.gov.uk/>:

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefit for themselves, their family, or their friends;

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties;

Objectivity

Holders of public office should be objective in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for reward and benefits;

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest demands;

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take any steps to resolve any conflicts in a way that protects the public interest and;

Leadership

Holders of public office should promote and support these principles by leadership and example.

GENERAL OSTEOPATHIC COUNCIL

GIFTS AND HOSPITALITY REGISTER DECLARATION FORM

<i>Name of Member or Staff Member</i>	
<i>Description of Gift² or Hospitality and Value</i>	
<i>Reason for Gift or Hospitality</i>	
<i>Comments eg confirmation of discussions with Chair or Line Manager, how gift or hospitality dealt with eg shared amongst staff/returned/retained etc.</i>	
<i>Accepted or Declined</i>	
<i>Signed:.....</i>	<i>Dated:.....</i>

Please return completed form to Jane Quinnell, Governance Manager.

² A gift is defined as a personal present *with a value in excess of £10*. Promotional materials are excluded from this definition.
May 2011