

## GENERAL OSTEOPATHIC COUNCIL

### STANDING ORDERS

#### Introduction

1. The Osteopaths Act 1993, as amended (the Act) makes provision for standing orders which are designed to ensure that the business of the Council and committees is conducted as effectively as possible. The Standing Orders ensure that there are consistent governance processes in place and play an essential role in defining the remit and membership of a committee.
2. In these Standing Orders, references to 'the Council Constitution Order' mean the General Osteopathic Council (Constitution) Order 2009 SI 2009 No. 263 and references to the 'Statutory Committees' Rules' mean the GOsC (Constitution of the Statutory Committees) Rules Order of Council 2009 SI 2009 No. 468.

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#### **PART 1 - MEETINGS AND PROCEEDINGS OF COUNCIL**

##### **Chair**

1. The chair will be taken at all Council meetings by the Chair.
2. If for any reason the Chair is absent from a meeting of the Council, the members who are present at that meeting shall nominate one of their number to serve as Chair at that meeting.

3. If for any reason the Council is on notice that the Chair is likely to be absent for more than one meeting of the Council, or to be unavailable to perform the duties of its chair for more than one month, or the office of chair is vacant, the Council may nominate a member as deputy Chair for the relevant period in accordance with Article 10 of the Council Constitution Order.
4. Where a deputy Chair has been nominated, references to the Chair in these Standing Orders shall apply as relevant to the deputy Chair.

### **Dates of Council meetings**

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

### **Agenda papers**

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

## **Attendance**

13. Council members are expected to attend meetings of the full Council and of any other GOsC committee or working group where they serve in their capacity as a Council member.
14. Once noted in the minutes as attending a meeting, members are expected to remain until business has been completed or the meeting otherwise terminated. In exceptional circumstances members may leave early by prior arrangement with the Chair.
15. A Council member failing, without reasonable cause, to attend two out of any eight meetings of Council in a rolling 24 month period will be regarded as having made an insufficient contribution to the work of the Council, which will be taken into account at appraisal.
16. A Council member failing, without reasonable cause, to attend three or more of any eight meetings of the Council in a rolling 24 month period may be removed from office by the Privy Council in accordance with Article 6 (1) (g) of the Council Constitution Order.
17. In exceptional circumstances, the Member may obtain prior permission from the Chair or deputy Chair for a leave of absence from attending Council meetings for a defined period.

## **Quorum**

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

## **Adjournment**

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

## **Agenda and Business of Council meetings**

23. The business at Council meetings, both in the public and the private sessions, shall include:
  - a. presentation of the minutes of the last meeting and subject to any correction, authorisation for the Chair to sign them;
  - b. answers to written questions;
  - c. items as detailed in the agenda; and
  - d. any other business as agreed by the Council at the start of the meeting.

## **Rules of Debate**

24. Members of the Council shall speak only when called by the Chair.
25. All debate shall be directed to the Chair.
26. All debate must relate to the matter under discussion.
27. Members should avoid repetition.
28. The Chair may direct any member whose behaviour is, in the Chair's opinion, disruptive of the meeting, to leave the meeting.

## **Recommendations**

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

## **Closure of Debate**

31. Any member who wishes to bring the debate to a close may do so by requesting of the Chair either:
  - a. that a vote be taken on the recommendation; or
  - b. that the meeting proceed to the next business; or
  - c. that the recommendation be remitted elsewhere for consideration.

32. The Chair may decline to accept a request that a vote be taken but if the Chair accepts the request the recommendation shall be put to the vote immediately, subject to the right of reply of the proposer of the recommendation or proposal concerned.

### **Voting and decision making**

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

### **Effect of vacancies on the validity of proceedings**

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

### **Requests for supplementary information on papers**

40. Requests for further information on any of the papers should be made in writing and sent to the Chief Executive & Registrar at least 2 working days before the date of the meeting.
41. Where possible written answers to such questions will be provided to Members in advance of the meeting and will become part of the relevant paper.

### **Designation and conduct of Confidential Business**

42. In principle, all business should be conducted in public. However, business may be designated as confidential (and therefore conducted in private), if it is, in the opinion of the Chair, in the interests of the Council or other relevant parties so to do.
43. The Chair may direct the following categories of business to be conducted wholly or partly in private:
  - a. Any personal matter relating to a present or former osteopath or applicant for registration
  - b. Any personal matter relating to an employee or member, or a former employee or member
  - c. Any matter which is commercially sensitive
  - d. Any matter relating to employment negotiations or consultations between the Council and staff
  - e. Any matter relating to future policy or strategy where, in the opinion of the Chair, public discussion would be premature
  - f. Any matter which is subject to legal professional privilege
  - g. Any matter relating to the prevention or detection of crime or the prosecution of offenders
  - h. Identification of the source of any information given to the Council in confidence
  - i. Any other matter deemed to be confidential by the Chief Executive & Registrar which is justified as having equivalent characteristics to one or more of the above.
44. The Chair will inform the Council prior to the meeting of any matter where it is proposed it should be considered during the private session of the meeting.
45. If it appears to the Chair that confidential matters may arise or may have arisen during the discussion of business in the public session of the Council meeting, the Chair may:
  - a. adjourn the discussion to the private session of the meeting and proceed immediately with the next item of non confidential business; or

- b. direct any or all of those attending the meeting who are not members of the Council, to leave whilst confidential matters are discussed in private. At the conclusion of such a discussion in confidence, the Chair may announce in a public session, any decision taken in the private session of the meeting.

### **Access to meetings**

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

### **Declarations of Interest**

52. No member may speak, vote or in any other way participate in debate where they have, or could be inferred to have, a personal interest in the matter except with the permission of the Chair.
53. Where a Council member has an interest in any matter under discussion, they shall inform the Chair at the beginning of the meeting and as needed, during the course of the meeting. The Chair may direct that any member with an interest will leave the Council meeting for the duration of the debate.

54. Members should err on the side of caution in making declarations. Failure to declare an interest will be regarded as a serious breach of the Code of Conduct for Members.
55. If the withdrawal of a member makes the meeting inquorate, the meeting will not close but will move to the next item of business for which sufficient members are present.

### **Minutes of Council meetings**

56. Minutes of Council meetings will be taken and retained as a record of the decisions taken. Where possible, minutes will be forwarded to the Chair of the meeting for approval within 10 working days of each meeting and circulated to the Council within a further 5 working days. The minutes will be considered for final approval by the next meeting of the Council.
57. The minutes shall be available for inspection by any Council member.

### **Minutes of committee meetings**

58. Minutes of committee meetings will be taken and retained as a record of the decisions taken. Where possible, minutes will be forwarded to the Chair of the meeting for approval within 10 working days of each meeting and circulated to the members of the Committee within a further 5 working days. The minutes will be considered for final approval by the next meeting of the committee.

## **PART 2 – REMOVAL AND SUSPENSION FROM OFFICE**

### **Removal**

59. Council members will be removed from office by the Privy Council in the circumstances laid down in Article 6(1) of the Council Constitution Order. Members of the statutory committees will be removed from appointment by the Council in the circumstances laid down in Article 13(1) of the Statutory Committees' Rules.

### **Suspension**

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

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

### **PART 3 - EDUCATION, TRAINING AND PERFORMANCE**

#### **Council members**

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

### **PART 4 – POWERS OF THE COUNCIL**

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

## **COMMITTEES AND SUB-COMMITTEES**

### **Part 5 - Appointments to Committees**

68. Appointments to statutory committees will be made in accordance with the Statutory Committees' Rules (Articles 4 to 11).

#### **Co-option**

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

### **Part 6 – Education and training**

72. The Council shall make available education and training opportunities for all statutory and non-statutory committee members relevant to their role as members of such committees. This may be provided by external organisations and the Council may require a member to attend within the framework of their expected time commitment.
73. The Council shall establish standards of performance for committee members and have in place a system of annual appraisal. All committee members are expected to participate fully in the appraisal process for committee members.
74. Where a member has failed, without reasonable cause, to undertake satisfactorily the Council's requirements with regard to education and training, the Council will, in accordance with rule 13(1)(h) of the Statutory Committees Rules, remove that member from office.

## **Part 7 – Attendance**

### **Fitness to Practise Committees**

74. Members of the Professional Conduct, Health and Investigating Committees are expected to attend any meeting or hearing to which they have been invited by the Chief Executive & Registrar (or staff on her behalf), and have agreed to attend.
75. If a member fails, without reasonable cause, to attend any meeting or hearing they have agreed to attend, that absence will be taken into account at appraisal and they may ultimately be removed from office by the Council.

### **Education and non-statutory committees**

76. A member, without reasonable cause, failing to attend:
  - a. two meeting of the Education Committee
  - b. one meeting of any non-statutory committee

in a rolling 24 month period, will be regarded as having made an insufficient contribution to the work of the Committee and this will be taken into account at appraisal.

77. An Education Committee member who fails to attend, without reasonable cause, three or more Committee meetings in a rolling 24 month period, may be removed from office by the Privy Council in accordance with rule 13(1)(g) of the Statutory Committees Rules.
78. In exceptional circumstances, members may obtain prior permission from the Chair (or deputy chair of the Education Committee) for a leave of absence from the Committee for a defined period.