



**Council**  
**2 February 2021**  
**Equality, Diversity and Inclusion**

<b>Classification</b>	Public
<b>Purpose</b>	For discussion
<b>Issue</b>	<p>An independent audit of our approach to Equality, Diversity and Inclusion was completed in 2020.</p> <p>This paper presents to Council the key findings of the audit and sets out the initial actions the Executive propose so that our focus can be on implementation of identified recommendations.</p>
<b>Recommendations</b>	<ol style="list-style-type: none"><li>1. To discuss the contents of the paper.</li><li>2. To provide feedback to the Executive on the Equality, Diversity and Inclusion Framework 2021-24 and the outlined internal EDI governance mechanism.</li></ol>
<b>Financial and resourcing implications</b>	Some elements of the Action Plan may require investment however these will be covered within the annual budgets.
<b>Equality and diversity implications</b>	This paper considers the independent audit of Equality, Diversity and Inclusion and next steps to ensure effective implementation of recommendations.
<b>Communications implications</b>	We have developed a new draft Equality, Diversity and Inclusion Framework 2021-24. If this draft meets with Council expectations we would seek feedback/input on the framework before seeking approval from Council later this year.
<b>Annex</b>	A. Draft Equality, Diversity and Inclusion Framework 2021-24
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### Key messages from paper:

- An independent equality, diversity and inclusion (EDI) audit has been completed.
- The report has not identified any potential breaches in the Equality Act 2010 or the Human Rights Act 1998.
- The audit has made recommendations which will enhance our approach to EDI. Key findings from the report are set out in the paper at paragraph 7.
- The Executive have developed a draft Equality, Diversity and Inclusion Framework 2021-24 to replace the current [Equality and Diversity Policy 2018](#).
- Council feedback on the new framework is sought. Wider feedback/input will be gathered over the next few months to facilitate an approval decision from Council in either May or July 2021.
- We are proposing developing an internal staff EDI group to bolster our internal EDI governance approach.

### Background

1. In July 2019, Council considered the General Osteopathic Council (GOsC) Equality and Diversity Policy and associated action plan. Council noted that work was required to strengthen our approach as the policy, and specifically the action plan, had not changed significantly over a number of years.
2. At the end of 2019, as part of the Performance Review process, GOsC was required to submit to the Professional Standards Authority (PSA) our self-assessment against the new equality and diversity standard of good regulation. The PSA confirmed that the GOsC had passed the standard without the need for further evidence being required, or for any targeted audit, to be completed.
3. In March 2020, the Audit Committee considered an independent audit proposal which set out a methodology for conducting a review of our approach to equality, diversity and inclusion. The independent auditor had prior regulatory experience having previously worked for the General Medical Council and Nursing and Midwifery Council in senior equality positions.
4. Although Audit Committee approved the independent audit, the work was immediately paused due to the impact of the coronavirus pandemic. The audit was rescheduled for later in the year concluding by December 2020.
5. The Audit Report will be considered by the Audit Committee at its meeting in March 2021 and members of Council will be able to access the report via the GOsC private document library at DocMonster ([www.docmonster.co.uk](http://www.docmonster.co.uk)) once the March papers have been dispatched to the Committee.

## Discussion

### *Key findings from the report:*

6. The Audit Report states clearly that: *'This audit has not shown that the GOsC has any potential breaches in the Equality Act 2010 or the Human Rights Act 1998'*. While we did not expect the Audit to identify any failures in that regard, independent, external verification is always reassuring.
7. The Audit Report identified a number of actions for the GOsC which will enable us to enhance our work. The key headlines and actions arising from the report include:
  - a. Updating our current EDI policy.
  - b. Being more systematic and consistent about data specification, collection, diversity monitoring, data analysis and equality impact assessments.
  - c. Ensuring diversity in our communications.
  - d. Improving the monitoring of EDI initiatives.
  - e. Continuing to assure compliance with equalities legislation such as applying reasonable adjustments consistently.
  - f. Enhanced monitoring and review around recruitment campaigns.
  - g. Enhancing EDI training.
8. The report and its findings have been discussed at a number of Senior Management Team meetings and our reflections are that we recognise the headline findings and actions as being areas where we can focus attention and resource.
9. There are two immediate areas where the Executive consider that action can be taken to ensure our focus is on the implementation of the recommendations identified.
  - a. Refreshing the Equality and Diversity Policy 2018 and associated action plan, as identified by Council in July 2019.
  - b. Establishing an internal governance mechanism to prioritise the actions and monitor their delivery over time.
10. These two areas will be discussed in turn.

### *Refreshing the Equality and Diversity Policy 2018*

11. To inform a review of our current policy we undertook a desk review of the policies/approaches of our fellow healthcare regulators. While there was a clear variance based on available resources, this work identified that our current policy could be refreshed to not only set out the policy and legal requirements, but also to set the direction for our approach to EDI over the remainder of the Strategic Plan period to 2024.
12. A draft Equality, Diversity and Inclusion Framework 2021-24, which would replace the existing policy, is attached at Annex A for initial comment and review by Council.
13. The framework recognises that for GOsC to be a robust, effective regulator, it is critical that EDI is embedded through our entire business approach. The draft framework sets out:
  - Our policy and legal duties
  - The actions we intend to take
  - Our EDI governance
14. The draft framework describes our approach to EDI and sets out the actions we intend to take over the next 18 months.
15. Council is not being asked to approve the framework at the February 2021 meeting. The Executive wish to obtain Council feedback on the framework as to whether this approach meets expectations. The Executive would then wish to seek feedback/input from a wider audience in advance of presenting an updated document to Council in either May or July 2021 for approval.

### *Internal EDI governance mechanism*

16. The Audit Report identified that we should be clearer about our EDI governance. While Audit Committee will discuss the audit report and monitor the implementation of the recommendations, with Council retaining accountability and oversight, we feel that an internal governance mechanism will add a level of emphasis and robustness to our approach.
17. This internal mechanism would make use of a newly established staff EDI group which members of the team have formed as a response to the EDI audit. So far, seven members of the staff team have volunteered to participate. We feel that this group will be able to take ownership of the audit report and action plan, and will be able to prioritise those actions which have the greatest impact, delivered across a realistic timeframe. Reports from this group can be made to the Senior Management Team, Audit Committee and to Council.
18. We may also wish to identify someone independent to the GOsC who can occasionally attend this group to provide an external view on how we are responding to the audit plan, recommendations and our approach. As an

example, this might be an individual from the inter-regulatory EDI group which would be at no cost to the GOsC.

19. Council is asked for their reflections on this approach to EDI governance, which has also been articulated in the draft framework at Annex A.

**Recommendation:**

1. To discuss the contents of the paper.
2. To provide feedback to the Executive on the Equality, Diversity and Inclusion Framework 2021-24 and the outlined internal EDI governance mechanism.



General  
Osteopathic  
Council

**DRAFT**

**Equality, Diversity and  
Inclusion Framework  
2021-24**

## Introduction

1. As the statutory healthcare regulator for the practice of osteopathy in the UK, our approach to Equality, Diversity and Inclusion (EDI) is critical to the successful delivery of our Strategic Plan 2019-24.
2. To be a robust, effective regulator, it is critical that EDI is embedded through our entire business approach and at the heart of our activities.
3. This framework sets out:
  - Our policy and legal duties.
  - The actions we intend to take.
  - Our EDI governance.
4. We are absolutely committed to raising further our approach to EDI and this framework will be reviewed at least annually by the Council of the General Osteopathic Council.

## About the General Osteopathic Council (GOsC)

5. We are the independent statutory regulator for the osteopathy profession in the UK established through the Osteopaths Act 1993.
6. The over-arching objective of the GOsC is the protection of the public and this involves the pursuit of the following objectives:
  - a. Protecting, promoting and maintaining the health, safety and well-being of the public;
  - b. Promoting and maintaining public confidence in the profession of osteopathy, and
  - c. Promoting and maintaining proper professional standards and conduct for members of the profession.
7. We also have responsibility to develop and regulate the profession of osteopathy as outlined in Section 1(2) of the Osteopaths Act 1993.
8. We achieve our over-arching objectives and responsibilities through:
  - Keeping a Register of all those permitted to practise osteopathy in the UK.

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- Working with the public and osteopathic profession to promote patient safety by registering qualified professionals and setting, maintaining and developing standards of osteopathic practice and conduct.
  - Helping patients with any concerns or complaints about an osteopath including having the power to remove from the Register any osteopaths who are unfit to practise.
  - Assuring the quality of osteopathic education and ensuring that osteopaths undertake continuing professional development.
9. EDI is a fundamental component of how we meet our over-arching objectives, and taking account of different needs and recognising the diversity of different perspectives, is a strength and brings an added depth to our work.
10. This means we will behave consistently and fairly towards everyone we work with, valuing and respecting their views and interests, and we will seek to eliminate any activities that may result in discrimination or exclusion based on individual characteristics.
11. We understand that we have a critical role to encourage and promote EDI to our osteopaths so they are able to identify their own benefits particularly in how they interact, communicate and work in collaboration with their patients.
12. We understand that to be the best possible version of our organisation, we need to attract, develop, motivate and retain talented people across the breadth and depth of our business and that every member of staff has a key role within our organisation. It is therefore important that our culture and values reflect EDI and that our people are able to be their true selves within our workplace.
13. We expect our staff and non-executives to be committed to promoting EDI and meeting our equality duties and the objectives of this framework, which support the delivery of our Strategic Plan goals.

### **GOsC Strategic Goals 2019-24**

- We will support the osteopathic profession to deliver high quality care, which will protect patients and the public in the context of changes in the dynamic landscape of healthcare.
- We will develop our assurance of osteopathic education to produce high quality graduates who are ready to practise.



## Annex A to 9

- We will build closer relationships with the public<sup>1</sup> and the profession based on trust and transparency.
- We will be an exemplar in modern healthcare regulation – accessible, effective, innovative, agile, proportionate and reflective.

### Our EDI objectives

14. Our EDI objectives are best described against our commitment to:

- Promote equality
- Value diversity
- Embrace inclusivity

### Promote equality

15. To promote equality we will ensure that our regulatory activities are fair and free from unlawful discrimination and that this is reflected in the standards we set for the osteopathy profession. And in doing this, we will also promote equality of opportunity and access to the osteopathy profession.

### Value diversity

16. In line with our Communications and Engagement Strategy, we will communicate and engage with a diverse range of stakeholders in an accessible and timely manner. We will continue to recognise the strength which exists in diversity and we will ensure we value this in our recruitment, development and ongoing work of staff, non-executives and stakeholders.

### Embrace inclusivity

17. Diverse and inclusive organisations outperform homogenous businesses. We will ensure our culture and values enable those who work with us to be their true selves without hesitation, and for their views to be included fully with respect and dignity.

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<sup>1</sup> We have interpreted 'the public' here to mean osteopathic patients and potential patients rather than the wider public who we are not able to influence with our small budgets and specific focus.

### How the Framework will guide our approach to EDI

**Our policy and legal duties:** ensuring we meet our legal duties as a designated public authority subject to the public sector equality duties under the Equality Act 2010 and the Human Rights Act 1998<sup>2</sup>.

18. In the exercise of its functions the GOsC must have due regard to the need to:

- a. Eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act.
- b. Advance equality of opportunity between people who share a protected characteristic<sup>3</sup> and those who do not.
- c. Foster good relations between people who share a relevant protected characteristic and those who do not.

19. Having due regard means we must think consciously and carefully about these duties in our day-to-day work, so that equality issues influence our decisions in developing policy, in delivering services, and in our role as an employer.

20. We have to do this in a proportionate way, focusing more attention on functions that have the most impact on different groups of people. We have this duty even if a third party carries out the function on our behalf.

21. Advancing equality of opportunity involves having due regard to the need to:

- a. Remove or minimise disadvantages experienced by people due to their protected characteristics.
- b. Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

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<sup>2</sup> You can find more information on these from the Equality and Human Rights Commission or Government Equalities Office.

We also regulate education, training and practice in Northern Ireland. The Equality Act does not apply in Northern Ireland. But similar equalities legislation applies, which we support through our regulatory activities.

<sup>3</sup> The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. The protected characteristics of marriage and civil partnership are only relevant to duty A.

## Annex A to 9

- c. Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.
22. Complying with the duty may involve treating some people differently. The duty recognises that the needs of people who have a disability are different from the needs of others.
23. This may mean making reasonable adjustments or treating people with a disability who are disabled more favourably than people who aren't disabled – for example, through positive action to help them participate more fully.
24. Having due regard to the need to foster good relations involves having due regard to the need to tackle prejudice and promote understanding.
25. In addition to our duties under the Equality Act, as a UK-wide body, the GOsC has legal duties under the Welsh Language Act 1993, set out in our [Welsh Language Scheme](#).

**The actions we intend to take:** ensuring that EDI is threaded through the delivery of our Strategic Plan goals 2019-24.

26. We recognise the importance of EDI, and in particular ensuring that EDI implications are considered before commencing business activity. During 2020 we commissioned an external independent audit of our approach to EDI. This was to ensure we could develop a new sustainable approach which builds upon what we do well, and which identifies what we can do better.
27. The independent audit identified a number of actions which will be addressed across the first 18 months of this Framework 2021-24. There will be a review of the Framework at that stage to identify what actions are next required to enhance our approach to EDI.
28. Those actions are set out in the Annex to this Framework.

**Our EDI governance:** ensuring that we strive to continuously improve our approach to EDI in accordance with best practice.

29. It is important to recognise there will never be an end point when we will be able to say our work on EDI has concluded. We must therefore always seek to continuously improve across all aspects of our work. This will include:
- how we develop and implement policy;
  - how we develop and maintain our culture;
  - how we ensure the diversity of the people we work and contract with;

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- how we communicate; and,
  - how we evidence and report on what we do.
30. The Chief Executive and Registrar is responsible for ensuring that EDI is integral to the organisation's work and they will be held accountable by the Council.
31. The Council of the GOsC has overall responsibility for ensuring that the organisation meets its statutory duties under the Act. Council will receive an annual report on EDI matters including performance against the actions outlined in the Annex to the Framework.
32. As part of every paper presented to Council and one of its committees, EDI implications will be identified on the cover paper and within the content of the discussion document.
33. Audit Committee will support Council by overseeing what progress the Executive team have made implementing the recommendations of the independent audit report of 2020.
34. Our EDI staff group will take ownership of delivering the recommendations identified in the independent audit of 2020. The group will prioritise those actions which have the greatest impact, delivered across a realistic timeframe. They will be supported, where necessary, by independent expertise and they will issue reports to the Senior Management Team, Audit Committee and Council.
35. In-conjunction with Council and Audit Committee, the EDI staff group will develop a range of metrics to demonstrate our progress against the Framework.
36. In our Annual Report to Parliament, we will report on the arrangements that we have put in place to ensure that we apply good practice in relation to EDI, as required by section 40A(1)(a) of the Osteopaths Act 1993.

### Annex to framework: EDI Action Plan 2021-24

The following action plan will cover the opening 18 months of the Framework:

#### **By end July 2021, we will have:**

- Published and promoted our first Equality, Diversity and Inclusion Framework.
- Started the systematic promotion of equality and diversity events, such as LGBT+ history month, mental health awareness, through the GOsC social media channels.
- Updated our Equality Impact Assessment template and provided guidance for staff on how and when to use the document.
- Reviewed our recruitment materials for non-executive positions to ensure they are EDI friendly and do not introduce barriers that may prevent applications from applying.

#### **By end December 2021, we will have:**

- Reviewed and updated our EDI webpages.
- Developed more systematic systems for reviewing EDI data on our staff and non-executives.
- Developed metrics for reviewing the progress of our EDI activity.
- Commenced a review of our Human Resources policies.
- Reviewed the accessibility (ease and understanding) of how people may raise complaints about osteopaths and the GOsC.

#### **By end June 2022, we will have:**

- Reviewed the training we provide to staff and non-executives and implemented changes to ensure its relevancy to our work.
- Improved the systematic monitoring of diversity data across the GOsC.
- Improved how we report on our EDI activities to Council and our wider stakeholders.
- Finalised a review of our Human Resources policies and made all appropriate changes.
- Ensured that our approach to EDI is more systemic across the organisation and that good practice is routinely shared.