



**Council**  
**3 May 2018**  
**Review of Scheme of Delegation**

<b>Classification</b>	Public
<b>Purpose</b>	For decision
<b>Issue</b>	A periodic review of the scheme of delegation set out in the Governance Handbook
<b>Recommendation</b>	To consider and agree any changes to the Scheme of Delegation.
<b>Financial and resourcing implications</b>	None
<b>Equality and diversity implications</b>	None
<b>Communications implications</b>	The Scheme of Delegation forms part of the Governance Handbook published on the GOsC's website.
<b>Annex</b>	Current Scheme of Delegation
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## Background

1. The GOsC's Governance Handbook contains the Scheme of Delegation which identifies those matters reserved to Council and those that are delegated to:
  - a. The Chair of Council
  - b. The Policy Advisory Committee
  - c. Committees and ad hoc working groups
  - d. The Chief Executive and Registrar.

The Governance Handbook is published at: <http://www.osteopathy.org.uk/about-us/the-organisation/governance-handbook/>

2. Council's recent review of its own effectiveness identified that it should review the Scheme of Delegation periodically and that it had not done so for some time.

## Discussion

3. Council is asked to consider the current Scheme of Delegation set out at the Annex and whether any amendments are required.

**Recommendation:** to consider and agree any changes to the Scheme of Delegation.

### 6. Scheme of delegation

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

#### 6.1 Withdrawal of delegated power

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

#### 6.2 Exercise of delegated power

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

#### 6.3 Matters reserved to Council

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

- c. Appoint the Registrar.
  - d. Make rules as provided for under the Act in order to discharge its functions.
  - e. Publish the register.
  - f. Consider reports of investigations in relation to fraud or error in relation to registration.
  - g. Consult the Education Committee<sup>1</sup> on matters relating to education, training, examinations or tests of competence.
  - h. Determine the standard of proficiency<sup>2</sup>.
  - i. Recognise qualifications (and withdraw recognition).
  - j. Prepare and publish and keep under review a Code of Practice<sup>3</sup>.
  - k. Appoint Legal Assessors, Medical Assessors and members of the statutory committees (including the approval of co-options).
  - l. Consider appeals against decisions of the Registrar.
  - m. Appoint auditors.
  - n. Keep and publish accounts and publish an annual report and strategic plan.
  - o. Delegate to any of its committees any functions other than any power to make rules.
2. The role of Council is set out in Section 1 of this annex.

### 6.4 Matters delegated to the Chair of Council

The Chair will:

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

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<sup>1</sup>The work of the Education Committee is undertaken by the Policy Advisory Committee

<sup>2</sup>The Standard of Proficiency and the Code of Practice are combined in the Osteopathic Practice Standards.

<sup>3</sup>See above.

Executive and, where relevant, the chair of the committee concerned with the issue.

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

### **6.5 Matters reserved to the Policy Advisory Committee<sup>4</sup>**

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

### **6.6 Matters delegated to committees and ad hoc working groups**

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

### **6.7 Matters delegated to the Chief Executive and Registrar**

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

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<sup>4</sup>n.b. for the purposes of the Osteopaths Act 1993, the Policy Advisory Committee performs the role of the statutory Education Committee.