



Step 1 – Scoping the EIA

Title of policy or activity	
Draft Guidance on Imposing Interim Suspension Orders (the Guidance) and the Practice Note on Undertakings (the Practice Note)	
Is this a new or existing policy/activity?	
Existing policy	
What is the main purpose and what are the intended outcomes of the policy/activity?	
<p>We conducted a review of the Guidance and the Practice Note and are proposing that the following areas are amended:</p> <ul style="list-style-type: none"> • The relevant sections of the Interim Orders Guidance, in relation to risk assessment and written reasons are refreshed to place enhanced focus on the issues of risk assessment and proportionality and the need to adequately explain the committees' decisions on these aspects within their written determinations. • The Interim Orders Guidance and the Undertakings Practice Note are amended to set out the procedure for Committees considering an offer of undertakings by an Osteopath. • Make it clearer within the Guidance on Imposing Interim Suspension Orders that the Investigating Committee, Professional Conduct Committee and Health Committee are under a duty to have regard to the overarching objective within the Osteopaths Act when considering interim order applications. 	
Who is most likely to benefit or be affected by the policy/activity	
<p>This guidance has primarily been developed to assist the 3 statutory committees of the GOsC to enable them to make decisions fairly, transparently and consistently. It is also to be used by osteopaths who have been referred for an interim suspension order and their legal representatives and professional bodies. The Legal Assessors advising the Committees will also find this guidance a useful reference document as will members of the public.</p>	
Who is doing the assessment?	
Sheleen McCormack, Director of Fitness to Practise	
Dates of the EQIA	
• When did it start?	February 2023
• When was it completed?	5 May 2023
• When should the next review of the policy/activity take place?	May 2025

Annex C to 10

Useful information

What information would be useful to assess the impact of the policy/activity on equality?

It will be useful to obtain feedback from osteopaths and their representatives after interim order hearings as to whether they found the guidance and practice note to be more accessible and the process relating to undertakings easier to follow. We will also be encouraging panellists, legal assessors and all users involved in out FtP processes to respond to our planned public consultation.

Is there data relating to people with any/each of the protected characteristics?¹

EDI information is collected from registrants on a voluntary basis at the outset of investigations.

Where can we get this information and who can help?

- Registrants
- Third parties (such as the police, courts etc)
- Defence and legal stakeholders

Step 2 – Involvement and consultation

If you have involved stakeholders, briefly describe what was done, with whom, when and where. Please provide a brief summary of the response gained and links to relevant documents, as well as any actions.

We commissioned an external audit of all IC and PCC applications for an interim order between January 2020 - March 2021. The scope of the audit looked at all IC and PCC applications for an interim order between January 2020 - March 2021. One of the review criteria for the audit was whether there were any diversity issues identified and adequately addressed at the hearing.

The audit recommended:

- Refresher training for Committees on risk assessment, proportionality undertakings, consistency of decisions and the requirement to give adequate written reasons.
- The Interim Orders Guidance and the Undertakings Practice Note should be amended to set out the procedure for Committees considering an offer of undertakings by the Registrant.
- The relevant sections of the Interim Orders Guidance, in relation to risk assessment and written reasons, could be refreshed to place enhanced focus on the issues of risk assessment and proportionality and the need to adequately explain the committees' decisions on these aspects within their written determinations.

¹ The nine protected characteristics in the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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At the Investigating Committee and Professional Conduct Committee training day in 2021, the key findings from the audit were presented to panellists and legal assessors. At the most recent IC training day on 30 November 2022, panellists and legal assessors undertook a case-based discussion facilitated by the legal auditor who had conducted the audit. The case studies focused on assessing risk, proportionality, undertakings and providing adequate written reasons in interim order applications. Attendees were also provided with a revised draft Interim Suspension Order guidance setting out the amendments to the guidance and were also provided with an opportunity to provide feedback on its development.

We also plan to run a three-month public consultation amended guidance and practice note following its consideration by Council at a meeting in May 2023.

Step 3 – Data collection and evidence

What evidence or information do you already have about how this policy might affect equality for people with protected characteristics under the Equality Act 2010?

Please cite any quantitative (such as statistical data) and qualitative (such as survey data, complaints, focus groups, meeting notes or interviews) relating to these groups. Describe briefly what evidence you have used.

We do not have specific information or data specifically relating to the guidance. We have FtP data collected around concerns made against osteopaths.

What additional research or data is required to fill any gaps in your understanding of the potential or known effects of the policy? Have you considered commissioning new data or research?

Yes, we plan to commission another external audit of interim order decisions to monitor the impact of the guidance and practice note. This will be scheduled in 2024 before the review of both documents takes place.

Step 4 – assessing impact and strengthening the policy

What does the data reviewed tell us about the people the policy/activity affects, including the impact or potential impact on people with each/any of the protected characteristics?

Please see above.

Are there any implications in relation to each/any of the different forms of discrimination defined by the Equality Act?

No

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What practical changes will help to reduce any adverse impact on particular groups?

N/A

What could be done to improve the promotion of equality within the policy?

Step 6 – making a decision

Summarise your findings and give an overview of whether the policy will meet the GOsC's objectives in relation to equality.

We have added a section within the guidance stating the GOsC's commitment to and policy on EDI.

What practical actions do you recommend to reduce, justify or remove any adverse/negative impact?

N/A

What practical actions do you recommend to include or increase potential positive impact?

Reviewing feedback received from the public consultation and incorporating this within the draft policy.

Encouraging feedback and suggestions for improvement from all key external stakeholders such as membership bodies.

Encouraging feedback from complainants and registrants and members of the public to ensure their voices not only continues to be heard but is actively engaged in improvements

Step 6 – monitoring, evaluation and review

How will you monitor the impact/effectiveness of the policy/activity?

GOsC must take account of the rights of registrants and others involved in proceedings. We must also act in accordance with our legislation but fairly and transparently. We will review feedback garnered from our public consultation to assess whether there are any other areas we need to address in relation to the guidance and practice note.

What is the impact of the policy/activity over time?

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N/A

Where/how will this EIA be published and updated?

The EIA will be available on request. The first update will be after the evaluation of the responses we receive after the 3-month public consultation has concluded.

Step 7 – action planning

Please detail any actions that need to be taken as a result of this EIA

Action	Owner	Date