



General
Osteopathic
Council

Consultation on draft Screeners Guidance

A consultation on guidance for screeners

Xx xx 2020

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About the General Osteopathic Council

The General Osteopathic Council (GOsC) is the regulator for the osteopathic profession in the UK. Our role is to develop and regulate the profession of osteopathy which we do by setting standards of education, training, conduct and competence and keeping a Register of those who have qualified and met those standards. By law, osteopaths must be registered with us in order to practise in the UK; there are currently around 5,400 osteopaths.

One important aspect of our work is dealing with concerns and complaints about osteopaths. We have legal powers with clear and transparent processes to investigate and deal with osteopaths who may fall short of the standards we have set.

The consultation

In this consultation, we are inviting views on our revised and updated draft *Screeners Guidance*.

The Regulation department reviews all concerns received and conducts an initial risk assessment to ensure there is no immediate risk to public protection. We gather as much information as possible at this initial stage before referring the concern to a 'Screener' (an osteopath member of the GOsC Investigating Committee). As part of our information gathering, we usually seek additional information or clarification from the person raising the concern. If the person raising the concern does not provide the further information within 42 days of the request, the papers will then be referred to a Screener with a recommendation for closure under the Initial Closure Procedure on the basis that there is insufficient relevant and credible supporting material.

If we do receive the information, the case is passed to the Screener who reviews the concern to determine whether it is capable of amounting to an allegation under the Osteopaths Act 1993. In reaching a decision, the Screener can refer to 'Threshold Criteria' to help decide whether an activity complained about constitutes unacceptable professional conduct, which is 'conduct which falls short of the standard required of a registered osteopath'.

If the Screener decides that the GOsC has no power to investigate the concern against the osteopath, the matter is referred to a Lay Screener to review the documentation and the Screener's decision. If they both agree, the matter can be closed. If they disagree, then the matter is referred to the Investigating Committee.

Part of our reform programme over the past five years has included the introduction of the Threshold Criteria and Initial Closure Procedure. The introduction of these initiatives brought step changes in our processes in the initial stages of our investigations. Whilst all members of the Investigating Committee have received training on these processes,

it is essential that the training is consolidated by up-to-date, accessible guidance which continues to support Screeners in their decision-making role.

A summary of the main changes in the draft *Screeners guidance* includes:

- A separate section on the application of the initial closure procedure
- A general refresh of the guidance on applying the threshold criteria
- A section on 'regulatory concerns' and the documents that will be considered by the Screener
- A separate section on interim orders
- A Screener decision making flowchart
- Added appendices on the Initial Closure Procedure, the Threshold Criteria and an amended enhanced template Screener's Report

The purpose of these changes is also to further enhance transparency and consistency in the approach to be taken by Screeners at the initial stages of our fitness to practice processes.

We are not consulting on either the Initial Closure Procedure or the Threshold Criteria, as both documents have been approved by Council in 2015 and 2016.

The Initial Closure Procedure and the Threshold Criteria are both publicly available at: <https://www.osteopathy.org.uk/standards/complaints/guidance-practice-notes-and-policies/>

Please read the draft *Screener Guidance* on page XX before answering the consultation questions below.

How to respond

The deadline for responses to this consultation is **xx**.

You can send us your views by responding to our online consultationor if you would prefer, you can email your response to: regulation@osteopathy.org.uk.

Alternatively, you may wish to post your response, in which case, please address to:
Guidance on insurance requirements for osteopaths
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

Copies of the draft *Screeners Guidance*, and this consultation response form, are also available on request in other formats by emailing regulation@osteopathy.org.uk or by calling 020 7357 6655 x224.

Information in responses, including personal information, may need to be published or disclosed under the access to information regimes (mainly the Freedom of Information Act 2000, the General Data Protection Regulation, the Data Protection Act 2018 and the Environmental Information Regulations 2004). We will publish a report about the consultation and the responses we have received. If you would prefer your name not to be made public, please indicate this when sending us your views.

The GOsC is a data controller registered with the Information Commissioner's Office. We use personal data to support our work as the regulatory body for osteopaths. We may share data with third parties to meet our statutory aims and objectives, and when using our powers and meeting our responsibilities under the Osteopaths Act and the associated rules made under the Act. We may use personal data to update the Register, administer and maintain the Register, process complaints, compile statistics and keep stakeholders updated with information about our work.

Consultation questions

Draft *Screeners Guidance*

1. Your name or your organisation if replying on behalf of an organisation (optional)

2. Did you find the draft *Screeners Guidance* clear and accessible?

Yes No

Please provide any suggestions about how the draft *Guidance* might be made clearer

3. The draft *Screeners* template report has been designed to support *Screeners* in providing adequate written reasons for their decisions.

Do you think the draft template report has the potential to improve the adequacy of *screeners* written reasons?

Yes No

Please provide suggestions for what you consider could be added / amended to the draft *Screeners* template report

4. Do you think the draft *Screeners Guidance* provides helpful guidance to *Screeners* on the application of:

The initial closure policy:

Yes

No

The Threshold criteria

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

5. Do you consider that the approach proposed in this consultation supports our overarching objective of public protection? This includes:
- 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
 - c. promoting and maintaining proper professional standards and conduct for osteopaths

Yes No

Please provide additional comments below

As set out above, we are asking some specific questions that we would like responses to, but you are welcome to offer any other comments you wish.

All feedback will be taken into consideration.

Diversity questionnaire

We would like to ask some questions about you. Completing the diversity questionnaire is optional but we would welcome information about our respondents. We ask for this information to help us analyse the consultation responses to help ensure we are not inadvertently discriminating against any particular group. We are also required as an organisation to monitor diversity.

It would be very helpful to us if you would provide this information. You can skip any questions you do not wish to answer.

Thank you for your response to this consultation

Questions about you (optional)

The following questions will help the GOsC in a number of ways, including:

- understanding the demographics of the respondents to this consultation
- enabling the GOsC to prioritise actions to support protected groups as defined by the Equality Act 2010

The information you provide will only be used for the purposes of analysing the consultation responses.

If you do not wish to answer any of the equality and diversity questions, please tick the 'Do not wish to state' box. If you are responding on behalf of an organisation, then please ignore these questions.

1. Who you are [please tick one box]

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Osteopath |
| <input type="checkbox"/> | Patient |
| <input type="checkbox"/> | Member of the public |
| <input type="checkbox"/> | Other health professional |
| <input type="checkbox"/> | Pre-registration osteopathy education provider |
| <input type="checkbox"/> | Post-registration education provider |
| <input type="checkbox"/> | Statutory regulatory body |
| <input type="checkbox"/> | Public/patient representative |

Other, please specify _____

2. Your Age

- | | |
|--------------------------|----------|
| <input type="checkbox"/> | Under 21 |
| <input type="checkbox"/> | 21-30 |
| <input type="checkbox"/> | 31-40 |

- 41-50
- 51-60
- 61-70
- 71-80
- 81-90
- 90+
- Do not wish to state

3. Your Gender

- Female
- Male
- Transgender
- Do not wish to state

4. Disability

Do you consider yourself disabled*? Yes No

*This is being defined as someone who has an impairment, experiences externally imposed barriers or self-identifies as a disabled person.

5. Ethnic origin

Asian or Asian British

- Bangladeshi
- Indian
- Pakistani

Any other Asian background, please specify _____

Black or Black British

- African
- Caribbean

Any other Black background, please specify _____

Chinese or any other East Asian ethnic group

- Chinese
- Caribbean

Any other East Asian background, please specify _____

Mixed Ethnic background

- White and Asian
- White and Black
- White and Chinese

Any other Mixed ethnic background, please specify _____

White or White British

- English
- Irish
- Scottish
- Welsh

Any other White background, please specify _____

6. Religion/Belief

- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- None
- Prefer not to say

Other, please specify _____

7. Sexual orientation

- Bisexual
- Gay Woman/Lesbian
- Gay Man
- Heterosexual
- Prefer not to say

Please return this form by email to: regulation@osteopathy.org.uk or by post to:

Draft Screeners Guidance
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London SE1 3LU

Thank you

