

GENERAL OSTEOPATHIC COUNCIL

Minutes of the 63rd meeting of the General Osteopathic Council held in public on Wednesday 15 July 2009 at 10.00am at Osteopathy House, 176 Tower Bridge Road, London, SE1 3LU.

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Chairman: Professor Adrian Eddleston

Present:

Geraldine Campbell	Brian McKenna
John Chuter	Kenneth McLean
Paula Cook	Robin Shepherd
Jonathan Hearsey	Julie Stone
Nick Hounsfield	Fiona Walsh
Professor Ian Hughes	Jenny White
Kim Lavelly	

In attendance:

Evlynne Gilvarry, Chief Executive & Registrar (CE)
Alan Currie, Head of Registration and MIS
Marcus Dye, Professional Standards Manager
Matthew Redford, Head of Finance & Administration
Velia Soames, Head of Regulation
Brigid Tucker, Head of Communications

Jane Quinnell, Clerk to Council

1. Nigel Graham from the British Osteopathic Association (BOA) was welcomed as an observer.

APOLOGIES

2. There were no apologies.

QUESTIONS FROM OBSERVERS (five minutes)

3. There were no questions.

MINUTES OF THE PREVIOUS MEETING

4. Subject to an amendment confirming, at paragraph 6, that the Care Quality Commission also safeguarded the rights of people detained under the Mental Health Act and that the GOsC would keep a watching briefing on the equivalent bodies in Northern Ireland, Scotland and Wales, the minutes would be signed.

MATTERS ARISING

5. National Osteopathic Archive (NOA) It was confirmed that accommodation on the second floor had been set aside for the NOA. Representatives of the NOA had most recently confirmed that they would take up the facility. The NOA's exact requirements and the length of time the facility would be available would be the subject of a further

meeting between the executive and NOA representatives. The GOsC had proposed that the facility would be available for a period of 3 years.

CHAIR'S REPORT

6. Regional Consultation Meetings The round of 6 consultation meetings had finished. The Chair wished to record his thanks to the staff for their hard work in making the meetings so successful.
7. GOsC appraisal system The Council was informed that development of a new appraisal scheme for all members of the GOsC's governance structure was underway. The Chair confirmed that he would be contacting all Council members to discuss the setting of objectives.
8. The Chair confirmed that his appraisal would be overseen by Margaret Scott, a Regional Commissioner with the Appointments Commission. With her assistance, he would seek 360 degree input from all chairs of Council Committees, 4 randomly selected Council members, both lay and osteopath and input from one external chair of one of the other healthcare regulatory bodies (the chairs meet on a regular basis to discuss matters of common concern). Council members suggested that input from external stakeholders such as the British Osteopathic Association and the Osteopathic Educational Institutions would also be useful and it was agreed that this would be added to the list of those inputting into the Chair's appraisal.

CHIEF EXECUTIVE'S REPORT

9. Governance Documentation Work to review all the governance documentation, including drafting new Standing Orders in the light of the new Constitution Orders, was taking a little longer than originally anticipated but it was important to get the work right and to present a well developed draft for Council members to scrutinise. The electronic document library (the Members' Area), accessible through the public website via password, would be made available at the same time as the documentation was finalised.
10. Job Evaluation Project A Job Evaluation Project was underway involving the updating of all Job Descriptions with each job being allocated a rating according to a formula. This would be followed by a pay benchmarking exercise conducted on behalf of the GOsC by an external consultancy. The aim was to ensure that staff had accurate job descriptions and were being rewarded appropriately for the work done. The project was being overseen by the Remuneration Committee.
11. International Arena The Chief Executive reported that the feasibility of developing pan-European osteopathic standards through CEN, the international standards body for European Union member countries, was being explored and a report would be brought back to the Council in due course.
12. New Registration Powers The new Rules (The General Osteopathic Council (Registration of Osteopaths with United Kingdom Qualifications that are not Recognised Qualifications) Rules Order of Council 2009) for the registration powers had been agreed by the Council and awaited formal approval by the Privy Council. Application had already been invited and one application had been received so far. Applications could be made up until 31 December 2010.

13. In respect of the cost of the new powers to current registrants, the GOsC's legislation did not allow for a charge to be made until applicants were registered. The cost of registration under the new powers would be £1,250 per applicant.

STAKEHOLDER ENGAGEMENT REPORT

14. The Head of Communications, Brigid Tucker, presented a Stakeholder Engagement Report highlighting various aspects of the Report:
- a. Regional Consultation Meetings It was felt that the GOsC had benefited a lot from the meetings. All feedback from the meetings would be taken into account and an explanation given if it was not used. The GOsC had hosted an additional meeting to discuss scope of practice and the implications for specialist interest areas of practice. The general feedback from osteopaths was that they were encouraged by a new sense of transparency and openness at the GOsC.
 - b. The UK Joint Regulators' Public & Patient Involvement (PPI) Group The GOsC would continue to be involved in this group and depending on its level of activity would review the need to have a lay Council member representative.
 - c. Public Website The new website had been launched in April and feedback was positive.
 - d. National Council for Osteopathic Research (NCOR) NCOR had hosted a stakeholder meeting the previous week looking at the future of NCOR and its funding as it had now been in existence for over 5 years. A key issue was funding and how NCOR could secure its future without reliance on the GOsC.
 - e. Advertising by osteopaths The GOsC wrote to all osteopaths at the beginning of July to remind them of their duties to comply with the law and the GOsC's Code of Practice in all their publicity material. The letter was prompted by a bulk complaint (totalling 590 individual complaints) about chiropractors' publicity made to the General Chiropractic Council (GCC). The BOA was also advising its members to ensure compliance with the requirements of the Advertising Standards Authority and had withdrawn a poster it provided to its members which may have not complied with those standards.
 - f. The Chief Executive confirmed that she had sought preliminary advice on the options open to the GOsC for managing a very large caseload should it receive a bulk complaint. The CHRE had expressed approval of the move to send a written reminder about compliance to all osteopaths. The situation would be kept under review and the online blogging of the principal complainants in the chiropractors' cases was being monitored. Some Council members felt that the GOsC should make further contingency plans but after discussion it was concluded that all steps that could be taken had been taken.
 - g. Vetting and Barring Scheme Clearer information from the Independent Safeguarding Authority was required about how the scheme would work so that osteopaths could make a decision on registration. The executive was monitoring all guidance issued by the ISA and, jointly with other healthcare regulators, the GOsC was in dialogue with the ISA about how the scheme was developing.

- h. Language testing bar: The GOsC's procedures for registration of applicants from EU countries were conducted in English and the Assessment of Clinical Performance would pick up any language difficulties. The bar on regulators testing language skills was being challenged afresh by the regulator of pharmacists which had recently sought legal opinion indicating that the bar was unlawful. The GOsC was monitoring developments.

EQUALITY & DIVERSITY

15. An update on the equality and diversity activities of each Department was reported. More extensive work had been commissioned with a view to strengthening the Equality Scheme and Action Plan Two involvement exercises would be conducted with disabled people who are practising osteopaths/students and with patients to facilitate improvements to the Equality Scheme.

REVALIDATION

16. A revised governance scheme to oversee the next stages of development of the draft revalidation scheme was required. The paper presented summarised the work of the original Working Group and set out the four key areas that represented the next stages of work. Members considered the proposals. There was some concern about the establishment of a working group comprising only lay members of the Council to serve as a consultation body itself and to oversee other forms of public and patient involvement – it was felt that there should be osteopathic members on this group to ensure osteopathic input. This was accepted. **Agreed to:**
- a. establish a working group comprising 7 lay members and 2 osteopath members of the Council (Robin Shepherd and Fiona Walsh – they had sat on the original Revalidation Working Group and would offer valuable continuity) to serve as a consultation body itself and to oversee other forms of public and patient involvement
 - b. establish a number of feedback groups to reflect osteopaths practising in varying circumstances and styles
 - c. draw on the Education Committee as a primary source of expertise on methods of assessment
 - d. continue to use the original reference group comprising representatives from the OEIs, BOA and the regional groups and;
 - e. report to each Council meeting. A number of special sessions of the Council devoted to overseeing the development revalidation would be held,

INVESTMENT STRATEGY

17. The Treasurer presented a paper proposing an amendment to the current investment strategy in order to maximise returns to the GOsC. He took members through the interim variation proposals and answered questions raised.
18. **Agreed:** the interim variation on the current investment strategy (as set out in the paper) and the commissioning of a thorough review into the medium / long-term investment strategy with the provider of the review being chosen following a tender exercise.

RESEARCH NEEDS

19. It was proposed to establish a working group to look closely at the Council's current research needs with reference to its statutory objectives, to review research activity undertaken by the GOsC and its relationship with NCOR. The group, chaired by the Chair of the Council, would complete the review and make recommendations, at which point a standing group would be established to oversee and implement the recommended research strategy. It was proposed that the review group would meet 3 times and carry out work online.
20. **Agreed:** the establishment of a working group to recommend a research strategy for the GOsC. Members interested in being involved would self-nominate. The group would work to the Terms of Reference set out in the Council paper.

PATIENT EXPECTATIONS RESEARCH

21. The Council received an update on the research into patient expectations of osteopathic care - The OPEn Study. The project began in February 2009 and was due for completion in December 2009.

FINANCIAL MATTERS

22. 2008-2009 Finance Audit The Council noted that the financial accounts for the year ended 31 March 2009 were not available for consideration by the Council as the auditors, Grant Thornton, required more time to ascertain precisely how financial sums paid by the GOsC to the National Council for Osteopathic Research (NCOR) should be reflected in the accounts. It was expected that the accounts would be presented to the Council for approval when the Council met in September 2009. The Treasurer confirmed that the financial audit had gone very well.

CODE OF PRACTICE

23. The Council received an update on the work of the working group set up to steer the revisions to the Code of Practice. The group was considering a revised format setting out principles, supported by guidance with the emphasis on clearer wording.

COUNCIL FOR HEALTHCARE REGULATORY EXCELLENCE

24. Performance Review Report The Council noted the Council for Healthcare Regulatory Excellence's Report *Performance review of health professional regulatory bodies 2008/09, Promoting improvement in regulation* dated 3 July 2009. This was the first year that the Performance Review Report had been associated with CHRE's Annual Report and Accounts and both documents had been laid before the 4 UK parliaments. The Report confirmed that the GOsC was meeting its statutory duties and highlighted a number of examples of good practice.
25. The Council noted the favourable report and commended the staff for the work that led to it.
26. Minutes from CHRE's meeting of 22 January and 19 March 2009 **Noted.**

COMMITTEE REPORTS

27. Education Committee The minutes of the Education Committee's meeting of 16 June 2009 were noted. A substantial programme of work had been identified for the Committee over the next few years.
28. Finance & General Purposes Committee The minutes of the meeting of 24 June 2009 were noted.
29. Fitness to Practise Committees The Chair reminded members that the Chairs and panellists to all the Fitness to Practise Committees had been appointed by Council following the Appointments Commission's recruitment campaign. The committees would be operating at arms length but the Council was accountable for the committees' actions. An early meeting had taken place with all three Fitness to Practise Committees' Chairs to consider modus operandi and governance and Professor Eddleston would be meeting regularly with the three Chairs. He then introduced David Plank, Chair of the Professional Conduct Committee.
 - a. Professional Conduct Committee Mr Plank presented his report which was a joint report with the Head of Regulation.. He confirmed that the newly refurbished Osteopathy House and, in particular, the Council Chamber and the meetings rooms worked well for hearings and that the support from the GOsC staff involved with Fitness to Practise meetings and hearings was excellent. It was too early, having only heard 2 cases, to draw any significant conclusions but some, identified at paragraph 7 of the report, would be considered when all PCC panellists met in September 2009. The Head of Regulation confirmed that the targets for disposal of complaints were set by the Regulation Department in order to give justice to all parties and so there were implications both for the complainant and the osteopath if these targets were not met. One member who had been a member of the Professional Conduct Committee pre 1 April 2009 understood the need to reduce panels down to 3 members on occasion but felt that where the hearing could lead to a difficult or finely balance decision, retaining 5 members would be preferable.
 - b. Investigating Committee (IC) Mr John Mundy, Chair of the IC, presented his report and highlighted the proposals, at paragraph 7, to change procedures..

ANY OTHER BUSINESS

30. Royal College of Osteopaths In order to prevent any conflicts of interest, Robin Shepherd said he wished to report that he had been invited to consider heading up and establishing a Royal College of Osteopaths. He had already canvassed potential support of the profession and he and Vince Cullen, former GOsC Director of Professional Standards, would be leading the project. A number of high profile osteopaths and experienced lay people would be involved. The next step would be talking to representatives from existing Royal Colleges in order to build up a profile of what a Royal College could look like. He would keep the Council fully informed of progress.

QUESTIONS FROM OBSERVERS (five minutes)

36. There were no questions from the observer.

DATE OF NEXT MEETING

31. 29/30 September 2009 for the GOsC Strategy Meeting at the Royal Holloway University of London, Egham.
32. The next Council meeting was set for 18 November 2009 and replaced the scheduled 15 October meeting.