



General  
Osteopathic  
Council

# **General Osteopathic Council**

## **Governance Handbook**

**April 2024**

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## Key to use of terms

The Act	The Osteopaths Act 1993, as amended (see <a href="http://www.osteopathy.org.uk/uploads/osteopaths_act_1993_(as%20amended).pdf">http://www.osteopathy.org.uk/uploads/osteopaths_act_1993_(as%20amended).pdf</a> )
Chair	The person appointed by the Privy Council to be the Chair of Council.
Council	The ten members (five lay, five registrant) appointed by the Privy Council to govern the work of the GOsC
Council Associate	Registrant appointed by Council as part of the Council Associate Programme (CAP) which identifies individuals to be mentored and to shadow Council. A Council Associate participates in Council/Committee meetings but does not have voting rights.
Education Visitor	A person undertaking a visit, on behalf of the GOsC, to an osteopathic educational institution (OEI) to assess courses of training as part of the process of accreditation. At present such visits are undertaken by the GOsC quality assurance provider, Mott McDonald.
Executive	The Chief Executive and Registrar and other members of the GOsC's staff
External Examiner	A person appointed to provide impartial, independent advice and informative comment on OEI standards and student achievement in relation to those standards. External Examiners will confirm that providers consistently and fairly implement policies and procedures to ensure the integrity of assessment practices, they will also comment on the quality and standards of courses, comment on good practice, and make recommendations for enhancement.
Fitness to practise panellists	Members of panels drawn from the Investigation Committee, Professional Conduct Committee or Health Committees
General Osteopathic Council (GOsC)	The regulatory body known as the General Osteopathic Council (i.e. incorporating Council, statutory and non-statutory committees, working groups established by Council and staff)
Governance structure	The structure that includes Council, committees, both statutory and non-statutory, fitness to practise panels and ad hoc working groups
Legal Assessors	Legally qualified persons appointed by Council to give advice on questions of law to the Screener, Investigating Committee, Professional Conduct Committee, Health Committee or Registrar.
Members	Members of the governance structure, whether of Council,

Council Associates, committees, panels or working groups established by Council.

Medical Assessors	Registered medical practitioners appointed by Council to give advice on matters within their professional competence to the Screener, Investigating Committee, Professional Conduct Committee, Health Committee or the Registrar.
Registrar	The Registrar exercises statutory duties under the Act and is the appointed Chief Executive of the organisation.
Registration Assessors	Registration Assessors are registered osteopaths appointed by Council to undertake registration assessments as directed by the Registration Department.

## About this handbook

1. This handbook sets out the GOsC's governance structure, how it operates, and the procedures followed, in compliance with:
  - [The Osteopaths Act 1993](#), as amended ('the Act')
  - [The General Osteopathic Council \(Constitution\) Order 2009](#) (SI 2009/263) ('the Council Constitution Order') as amended by [The General Osteopathic Council \(Constitution\) \(Amendment\) Order 2015](#) (SI 2015/1906)
  - [The General Osteopathic Council \(Constitution of the Statutory Committees\) Rules Order of Council 2009](#) (SI 2009/468) ('the Statutory Committee Rules')
2. It also incorporates the Code of Conduct for members of the governance structure (Annex 1); Standing Orders (Annex 2), where the GOsC is required by legislation or has chosen to make Standing Orders to govern some aspects of governance; and the supporting documents for the Handbook contained in Annex 3.
3. Underpinning all aspects of the GOsC's work and how it functions as an organisation are its values incorporated through the work of Council, the Committees, the Executive and staff.
4. It is designed to be an aid to members in discharging their statutory responsibilities effectively. It is updated regularly, and this version reflects changes to the governance structure from 1 April 2016.

## The GOsC's statutory duties

### Statutory objective

1. The GOsC's statutory objective, set out in the Act, is 'to develop and regulate the profession of osteopathy'.
2. Following amendment in 2016, the Osteopaths Act also provides that the overarching objective of the GOsC is the protection of the public. This involves the pursuit of the following objectives:
  - a. To protect, promote and maintain the health, safety and well-being of the public
  - b. To promote and maintain public confidence in the profession of osteopathy, and
  - c. To promote and maintain proper professional standards and conduct for members of that profession.

### Vision and Strategic aims

3. The [Vision](#) of the General Osteopathic Council is to be inclusive, innovative regulator, trusted by all.
4. Through the strategic aims set out below (adopted in the [GOsC Strategy 2024-2030](#)) the GOsC aims to fulfil the statutory objective.
  - a. **Strengthening Trust:** We will work to enhance and improve our relationships with those we work with so together we can help protection patients and the public.
  - b. **Championing inclusivity:** It is important to us that people who interact with us, or who work for us, can be their true selves and that we understand and break down any barriers which prevent them from doing do.
  - c. **Embracing innovation:** We will continually see out and take opportunities to improve what we do and how we do it, so we continue to improve as an organisation.
  - d. We will be an exemplar in modern healthcare regulation – accessible, effective, innovative, agile, proportionate and reflective.

### Principles and Values of the GOsC

5. The GOsC is committed to conducting all its activities as a regulator and an employer based on a number of key principles and through its values:

## **Principles of the GOsC**

### **Proportionality**

We will ensure that the regulatory burden is no greater than it needs to be to deliver our statutory duty, focusing our resources on areas of risk to public protection and where there is scope to achieve the most in terms of improving standards of osteopathic practice.

### **Fairness**

We will be consistent in the development and application of our policies and procedures in order to ensure fairness, with the aims of promoting equality, valuing diversity and removing any unfair discrimination in shaping all our activities.

### **Accountability**

We will publicise our actions and decisions, wherever possible, ensuring that the information is clearly explained and easily accessible. We will explain how we have taken our stakeholders' views into consideration in developing policy and in improving our performance. Council will seek to exemplify high standards of governance.

### **Anticipation**

We will monitor trends in healthcare, regulation, osteopathic practice and education, in order to respond effectively to change and to support the osteopathic profession to respond accordingly.

### **Inclusivity**

We will respond to the needs of patients, the public, registrants and other stakeholders, taking their views into account in deciding the most effective way to carry out our regulatory functions and working in partnership with others, where appropriate, to achieve our goals.

### **Efficiency**

We will foster a culture of innovation and continuous improvement, taking steps to benchmark our performance periodically and setting targets to achieve best practice. We will use our resources efficiently, seeking to achieve further efficiencies without compromising the quality of our work.

## **Values of the GOsC**

### **Collaborative**

We work with our stakeholders to ensure patients and osteopaths are at the centre of our approach to regulation.



**Influential**

We seek to support and develop those we work with to enhance public protection.

**Respectful**

We seek to hear, understand and consider the views of the people with whom we engage.

**Evidence-informed**

We use a range of evidence to guide our work to ensure the best outcomes for patients and the public.

**Discharge of duties**

6. The GOsC discharges its statutory duties through:

- a governance structure (made up of Council, Council Associates, the committees, ad hoc working groups) and,
- the Executive (see Annex 3 for fuller details of each category).

7. *Council*

Council, which is the governing body, comprises five registrant and five lay members. The Chair can either be a registrant or lay member. All members are appointed by the Privy Council. Council has responsibility for ensuring that the GOsC fulfils its statutory objectives. It sets the strategic direction for the organisation and oversees the implementation of that strategy. The detailed role of Council is set out in Annex 3.

Council meetings may be held in-person, online or as a hybrid of the two. The default for Council meetings will be in-person unless advised otherwise ahead of the meeting taking place.

*Council Associates*

Council Associates are registrants appointed by Council. The Council Associate role permits appointees to participate in the activities of Council as full members but without voting rights.

8. *Statutory and non-statutory committees*

Statutory committees are provided for in the Act, and in statutory rules made pursuant to that Act. The GOsC has also established non-statutory committees to assist in ensuring that the GOsC fulfils its statutory duties. The committees are:

## ***Statutory committees***

### **Policy and Education Committee<sup>1</sup>**

The Policy and Education Committee carries out the functions specified in section 11 of the Act and contributes to the development of standards of osteopathic practice and to ensuring that only those appropriately qualified are able to register with the GOSc.

### **Investigating Committee**

The Investigating Committee considers whether there is a case to answer in relation to allegations which may be made against a registered osteopath, and if it considers that there is such a case to answer, to refer the allegation(s) to the Professional Conduct or Health Committee.

### **Professional Conduct Committee**

The Professional Conduct Committee investigates and considers allegations referred to it by the Investigating Committee to the effect that an osteopath has been guilty of unacceptable professional conduct or professional incompetence, or that they have been convicted of a criminal offence which may have a material relevance to their fitness to practise osteopathy.

### **Health Committee**

The Health Committee considers allegations referred to it by the Investigating Committee to the effect that the ability of an osteopath to practise as such is seriously impaired because of their physical or mental condition.

### **Registration Appeals Committee**

The Registration Appeals Committee has delegated to it by Council the function of hearing appeals pursuant to s29 of the Act, and the power to make decisions in respect of such appeals.

## ***Non-statutory committees***

### **Audit Committee**

The role of the Audit Committee is to provide oversight that the necessary internal and external systems and processes are in place for identifying, managing and mitigating the risks relating to the discharge of the GOSc's statutory duties, and make recommendations for any actions to Council and the executive as appropriate.

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<sup>1</sup> For the purposes of the Osteopaths Act 1993, the Policy and Education Committee performs the role of the statutory Education Committee.

## **People Committee**

The People Committee oversees appointment, performance and remuneration policy in relation to non-executives<sup>2</sup> and staff of the GOsC and makes recommendations to Council.

### 9. *Ad hoc working groups*

From time to time, ad hoc working groups may be established by Council to develop policy in new areas or to review specific issues. The composition of these groups will reflect all the necessary expertise to take forward the issue in question. The constitution, role, terms of reference and the life span of the group will be established at the outset.

The establishment of working groups will be recorded in the minutes of Council which are published online. As at February 2021, Council has no working groups.

### 10. *Executive*

Comprises:

- Chief Executive and Registrar
- Senior Management Team
- All other staff of the GOsC

The Executive is accountable to Council through the Chief Executive and has the primary role of implementing the strategic policy set by Council.

## **Corporate Strategy**

11. The [GOsC Strategy 2024 - 2030](#) approved by Council, set out the key objectives to be achieved in fulfilling its strategic aims. This is underpinned by an annual business plan detailing the operational activities and budget necessary to achieve those objectives.

## **Scheme of delegation**

12. The scheme of delegation (set out at Annex 3, Section 6) details all the GOsC's responsibilities under the Act. It specifies where responsibility for 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 or to a Committee. The scheme of delegation also sets out the authority delegated to committees from Council, outside of that provided for in the Act.

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<sup>2</sup> Non-executives are defined as members of Council, Council Associates, statutory and non-statutory committees and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

13. 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 its strategic objectives, including the effective management of the organisation. 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.
14. The scheme of delegation sets out:
  - a. Matters reserved to Council
  - b. Matters delegated to the Chair of Council
  - c. Matters reserved to the Policy and Education 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.

15. *Withdrawal of delegated power*

The scheme remains in force subject to amendment or revocation by Council.

16. *Exercise of delegated power*

Where power is delegated under the scheme, the power must be exercised in a manner which is consistent with the GOsC's statutory objective, other relevant legislation and the GOsC's current [Strategic Plan](#).

## **Financial Procedures**

17. The purpose of the GOsC's financial procedures (set out in Annex 3, Section 7) is to ensure the proper use of resources and effective maintenance of assets. The Finance Procedures set out the policies adopted by Council to ensure financial control to comply with legal obligations and accounting standards.

## **Induction, training and performance**

### **Members' induction**

18. All members will be required to undertake a programme of induction and training as soon as possible after appointment or, where possible, in advance of the appointment date. The programme will aim to ensure that members are fully aware of the implications of the GOsC's statutory role and members' responsibilities in discharging that role, whether as members of Council, as Council Associates, or of committees.
19. A record of the induction and training provided to members, which includes who has responsibility for ensuring it is delivered, shall be kept. Feedback from members is sought on the training so that we are able to assess its ongoing effectiveness.

### **Ongoing training of members**

20. Training needs will be kept under review and the GOsC will provide further training during the terms of office of members as identified during the performance and development reviews. Provision of training will be through a mix of external and internal sources, depending on the subject matter.

### **Performance and development review**

21. All members of Council, members of committees, and Council Associates are expected to participate fully in the GOsC's performance and development review process.
22. Details of the performance and development review scheme are set out at Annex 3, Section 9

**General Osteopathic Council****Code of Conduct****Introduction**

1. The General Osteopathic Council (GOsC) was established in 1997, as the regulator of osteopathy in the United Kingdom, following the passage of the Osteopaths Act 1993

**Statutory role**

2. The GOsC's statutory role, set out in the Osteopaths Act 1993 (as amended) is to 'develop and regulate' the profession of osteopathy. The GOsC has three statutory objectives:
  - a. To protect, promote and maintain the health, safety and well-being of the public
  - b. To promote and maintain public confidence in the profession of osteopathy, and
  - c. To promote and maintain proper professional standards and conduct for members of that profession.
3. The GOsC is also a charity registered in England and Wales (1172749) and its charitable purposes are those set out in the Osteopaths Act 1993 (as amended). The GOsC's Council members undertake the role of charity trustees.
4. Members of the GOsC's governance structure (Council, members of committees, Council Associates, fitness to practise panellists, registration assessors and ad hoc working groups), both as individuals and collectively, have a duty to ensure that the GOsC's functions meet its statutory duties and public benefit requirements.
5. This Code provides guidance for members and others, acting on behalf of the GOsC, on carrying out these functions in line with currently accepted standards of public service. It applies to:
  - Members of the Council
  - Members of committees, both statutory and non-statutory
  - Council Associates
  - Members of working groups
  - Any other individuals who may from time-to-time act on behalf of the GOsC in a non-executive capacity, such as registration assessors.

**General guidance**

6. Members and other non-executive persons acting on behalf of the GOsC will comply with the following general guidelines at all times:

- Act in good faith
- Act in accordance with the GOsC's statutory objectives, both as individuals and collectively
- Act in the best interests of the GOsC and its beneficiaries
- Act in accordance with the seven principles of public life (set out below)
- Treat others equally, fairly and with respect

### Seven principles of public life

7. The principles, as set out by the Committee on Standards in Public Life <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life> , are:

#### Selflessness

Holders of public office should act solely in terms of the public interest.

#### Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### Honesty

Holders of public office should be truthful.

#### Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

**Specific guidance**

8. In addition to complying with the general guidance, those covered by the Code should observe the following specific guidance in carrying out their various functions:

a. Confidentiality and information security

Members and others covered by the Code will sometimes be party to discussions or information of a confidential nature. They may also receive confidential information from other bodies.

It is the duty of all members to ensure that all such information, whether in electronic or paper form, is held and disposed of securely. Any loss or accidental disclosure, and the circumstances leading to the loss or disclosure, must immediately be notified to the Chair and the Chief Executive.

Confidential information also must not be disclosed without the consent of a person authorised to give it or where there is a legal requirement to do so. In any cases of uncertainty about handling confidential information, the Chair or the Chief Executive should be consulted.

b. Media, public speaking engagements and communications with external organisations

Media contact should be discussed, if possible, in advance with the Chair, the Chief Executive or the Head of Communications and Engagement. In speaking or writing about the work of the GOsC, those covered by the Code should ensure they reflect current policies of the GOsC. This applies to any dealings with the media, or when in a public forum or in an informal discussion, which might not immediately relate to the work of the GOsC. Members should make sure their comments are accurate, well-considered and well-informed and that they do not undermine confidence in the GOsC.

c. Collective decision-making

Members of Council, committees and ad hoc working groups must recognise any decisions made by the majority even if they personally disagree with them. This does not preclude a member or an Associate from expressing a dissenting view, but they should not, by commenting in public or by other means, attempt to frustrate the implementation of decisions properly made.

d. Personal behaviour

Members and others covered by the Code must not act in a way which would bring the GOsC into disrepute, and their behaviour must demonstrate the standards expected of holders of public office. Where a member or other person covered by the Code has been charged with, or has been convicted of, a criminal offence, or has been the subject of a disciplinary procedure by another regulator, the member must inform the Chair at the earliest



opportunity. Where any other matter involving a member has the potential to undermine confidence in the GOsC, the member should consult the Chair or Chief Executive at the earliest opportunity.

e. Roles of executives and non-executives

Those covered by the Code must recognise that staff members are part of a line management structure responsible to the Chief Executive for the implementation of corporate decisions, and not to any individual non-executive. Care must be taken to ensure that the distinctive roles and responsibilities of executives and non-executives are respected.

f. Equality, diversity and inclusion

Individuals covered by this Code will be expected to follow best practice on equality and diversity issues, defined as complying fully with the GOsC's responsibilities under anti-discrimination legislation and ensuring the GOsC's [Equality and Diversity Policy](#) is implemented.

g. Conflicts of interest

Council is required to establish and maintain a Register of Members' Interest (Osteopaths Act 1993, Schedule [The General Council and Committees] Part I, 1(C)(1) and (2))

The Chief Executive has delegated authority from Council to maintain the Register of Members' Interests.

Individuals covered by this Code are free to engage in political activities or to maintain associations with professional organisations provided that such activity does not conflict with the essential purpose of the GOsC in protecting the public. They must declare, in writing to the Chief Executive, any professional, personal or business interests, which may, or might be seen to, conflict with their GOsC responsibilities.

On appointment to Council or to a Statutory or non-statutory committee, members who act on behalf of the GOsC as an Education Visitor and/or an External Examiner must declare these roles and for the duration of the appointment should not undertake or participate in work relating to these roles. This is to ensure that as far as possible there can be no perceived conflict in the GOsC's interactions with the Osteopathic Education Institutions nor other areas pertaining to relevant stakeholders.

The Chief Executive will be responsible for keeping the [Register of Members' Interests](#) which will be a public document. Individuals covered by this Code will be invited to update their entries twice a year but in any case changes in circumstances necessitating amendments to the Register should be notified to the Chief Executive as soon as they arise.

### h. Testimonials

Individuals covered by this Code should avoid providing testimonials, references or acting as character witnesses for individuals who are applicants for registration with the GOsC or who are subject to fitness to practise proceedings within the GOsC.

### i. Attendance

Members of Council and committees, Council Associates, and working groups will be expected to make the time commitment necessary to attend meetings, either in person or by remote means, and discharge their duties, absenting themselves only for compelling personal or professional reasons. Details of expected attendance levels are set out in the GOsC's Standing Orders.

### j. Performance and development review

Members of Council and committees, Council Associates, and working groups will be expected to participate constructively in periodic performance and development reviews (see details of the GOsC Performance and Development Review Scheme in Annex 3).

### k. Gifts and Hospitality

Members and those covered by this Code are required to adhere to the Bribery Act 2010, which explicitly prohibits bribery. Further guidance on the Bribery Act 2010 can be found on the Ministry of Justice website under <http://www.justice.gov.uk/guidance/making-and-reviewing-the-law/bribery.htm>

Members and those covered by this Code must not accept gifts, hospitality or benefits, offered in relation to GOsC business, which might be seen to compromise their personal judgement or integrity. In case of uncertainty, the Chief Executive should be consulted. All offers of gifts and hospitality to members of the governance structure and staff, whether accepted or not, must be recorded in the Gifts and Hospitality Register which is maintained by the Council and Executive Support Officer to whom all declarations must be made.

## Complaints

9. Any complaints made against anyone covered by this Code will be handled in accordance with the GOsC's procedure for handling such complaints, which can be found at Annex 3, Section 12 of this Handbook.

## General Osteopathic Council

### Standing Orders

#### Introduction

The Osteopaths Act 1993, as amended (the Act) makes provision for standing orders which are designed to ensure that the business of the Council and committees is conducted as effectively as possible. The Standing Orders ensure that there are consistent governance processes in place and play an essential role in defining the remit and membership of a committee.

In these Standing Orders, references to 'the Council Constitution Order' mean the General Osteopathic Council (Constitution) Order 2009 (SI 2009/263) as amended by The General Osteopathic Council (Constitution) (Amendment) Order 2015 (SI 2015/1906) and references to 'the Statutory Committee Rules' mean the General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009 (SI 2009/468).

	<b>Paragraphs</b>
<b>Part 1 – Meetings and proceedings of Council</b>	<b>1-59</b>
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#### **Part 1 – Meetings and proceedings of Council**

##### **Chair**

1. The chair will be taken at all Council meetings by the Chair.
2. If for any reason the Chair is absent from a meeting of the Council, the members who are present at that meeting shall nominate one of their number to serve as Chair at that meeting.
3. If for any reason the Council is on notice that the Chair is likely to be absent for more than one meeting of the Council, or to be unavailable to perform the duties of its chair for more than one month, or the office of chair is vacant, the Council may nominate a member as Deputy Chair for the relevant period in accordance with Paragraph 10 of the Council Constitution Order.

4. Where a deputy Chair has been nominated, references to the Chair in these Standing Orders shall apply as relevant to the deputy Chair.

### **Dates of Council meetings**

5. Council will meet not less than four times a year for general business.
6. A special meeting of the Council may be called at any other time by the Chair or any six members of the Council who have signed a written request addressed to the Chair.
7. Any meeting of the Council shall be convened by the Chief Executive by notice addressed to each member, sent by hand, post, or electronic means and stating the date, location and purpose of the meeting, whether for general business or any named special business.
8. At a meeting convened for special business, no other business shall be dealt with except that given in the notice, unless the Council by a resolution agrees to consider any other business.

### **Agenda papers**

9. The Chief Executive will endeavour to send details of the business to be considered to each member, at least one week before the day of the meeting, together with as many supporting papers as are available.
10. No business other than that which has been included in the agenda, or any raised under 'Any other business' and accepted as such for discussion by the Chair, shall be discussed at any Council meeting, with the exception of urgent business which may be discussed with the prior consent of the Chair.
11. In the case of special meetings, the requirements may be varied as circumstances require.

### **Attendance**

12. Meetings of Council and its Committees will be normally conducted in-person with the potential for online participation where appropriate.
13. Council members and Council Associates are expected to attend meetings of the Council and of any other committee or working group, either in person or by remote means, where they serve in their capacity as a Council member or Council Associate.
14. Once noted in the minutes as attending a meeting, members are expected to remain until business has been completed or the meeting otherwise terminated. In exceptional circumstances members may leave early by prior arrangement with the Chair.

15. A Council member or Council Associate failing, without reasonable cause, to attend two out of any eight meetings of Council (including any special meetings convened) in a rolling 24-month period, either in person or by remote means, will be regarded as having made an insufficient contribution to the work of the Council, which will be taken into account in the annual performance and development review and any reappointment.
16. A Council member failing, without reasonable cause, to attend three or more of any eight meetings of the Council, either in person or by remote means, in a rolling 24-month period may be removed from office by the Privy Council in accordance with Paragraph 6(1)(g) of the Council Constitution Order.
17. In exceptional circumstances, a Member may obtain prior permission from the Chair or deputy Chair for a leave of absence from attending Council meetings for a defined period.

### **Quorum**

18. The quorum of the Council shall be six in accordance with Paragraph 11 of the Council Constitution Order.
19. A meeting of the Council shall stand adjourned if fewer than six Council members are present, in person and/or attending by remote means.
20. Where a meeting becomes inquorate, business transacted before the meeting was inquorate will not be invalidated by the later lack of quorum.

### **Adjournment**

21. The Chair may adjourn a meeting to a fixed day and time, as directed by the meeting.
22. Notice of the adjourned meeting shall be given to all Council members if a meeting is adjourned for seven days or more. In other cases, no further notice need be given.

### **Agenda and business of Council meetings**

23. The business at Council meetings shall include:
  - a. Presentation of the minutes of the last meeting and subject to any correction, authorisation for the Chair to approve them;
  - b. In the public session only, answers to questions from observers;
  - c. Items as detailed in the agenda; and
  - d. Any other business accepted as such for discussion by the Chair.

### Discussion of agenda items

24. A member of the Executive team, who has authored the agenda paper, will be invited by the Chair to briefly introduce the item before discussion is opened up to Members and Associates of Council.
25. The Chair will facilitate discussion encouraging a collaborative/consensus approach.
26. All debate must relate to the matter under discussion.
27. Members should avoid repeating points already made in the discussion.
28. The Chair may direct any member whose behaviour is, in the Chair's opinion, disruptive of the meeting, to leave the meeting.

### Recommendations

29. In discussion of the agenda items the intention is to reach a decision by consensus. If a general consensus emerges, the Chair may choose to bring the discussion to a close and seek agreement of the recommendation(s), which will be recorded within the minutes.
30. On an exceptional basis, any member who dissents from the decision may be entitled to require such dissent to be formally recorded in the minutes of the meeting.
31. Formal voting will only occur when the consensual agreement cannot be reached.
32. Any proposal from a Council member or associate to be included in the business of any meeting must be received by the Chief Executive at least two weeks before the date appointed for the meeting.

### Closure of debate

33. Any Council member who wishes to bring the debate to a close may do so by requesting of the Chair either:
  - a. That a vote be taken on the recommendation; or
  - b. That the meeting proceed to the next business; or
  - c. That the recommendation be remitted elsewhere for consideration.
34. The Chair may decline to accept a request that a vote be taken but if the Chair accepts the request the recommendation shall be put to the vote immediately, subject to the right of reply of the proposer of the recommendation or proposal concerned.

**Voting and decision making**

35. If it has not proven possible to reach a decision by consensus, the Chair may call a formal vote. Voting at Council meetings will be by show of hands or by any technological equipment provided.
36. The Chair shall, in the event of a tie, have a second or a casting vote.
37. A record of the number of members voting for and against any recommendation at a Council meeting shall be taken. A record of the number of members abstaining from a vote shall also be taken.
38. Members are required to support all Council decisions on the basis of collective responsibility even where they have voted against the decision.
39. Members may be asked to approve recommendations outside of meetings, by email or any other electronic means, if time requires a decision to be made. Approval will require six votes in favour of the recommendation. Decisions made in this way will be reported in the public session of Council, through the Chairs' Report at the next available meeting, with a note recorded in the minutes.
40. Where it is known at a meeting of Council that a decision of Council is required to be taken before the next meeting of Council, members shall be informed at the meeting. Where a matter arises between meetings it shall only be considered outside of a meeting with the permission of the Chair.

**Effect of vacancies on the validity of proceedings**

41. The validity of any proceedings of Council shall not be affected by:
  - a. A vacancy among the members of the Council,
  - b. A defect in the appointment of a member of the Council,
  - c. The participation of a member whom the Privy Council must remove from the Council under Paragraph 6 (1) (b) to (f) of the Council Constitution Order (although such a member is not entitled to participate pending their removal),
  - d. The participation of a member whom the Privy Council has removed under Paragraph 6 (1), or
  - e. The participation of a member provisionally suspended by the Council under its standing orders or suspended by the Privy Council under Paragraph 7 (1) or (2).

**Requests for supplementary information on papers from Council Members and Associates**

42. Requests for further information on any of the papers should be made in writing and sent to the Chief Executive at least two working days before the date of the meeting.

43. Where possible written answers to such questions will be provided to Members in advance of the meeting and will become part of the relevant paper.

### **Designation and conduct of confidential business**

44. In principle, all business should be conducted in public. However, business may be designated as confidential (and therefore conducted in private), if it is, in the opinion of the Chair, in the interests of the GOsC or other relevant parties so to do.
45. At the discretion of the Chair business in the following categories may be conducted wholly or partly in private:
- a. Any personal matter relating to a present or former osteopath or applicant for registration
  - b. Any personal matter relating to an employee or member, or a former employee or member
  - c. Any matter which is commercially sensitive
  - d. Any matter relating to employment negotiations or consultations between the GOsC and staff
  - e. Any matter relating to future policy or strategy where, in the opinion of the Chair, public discussion would be premature
  - f. Any matter which is subject to legal professional privilege
  - g. Any matter relating to the prevention or detection of crime or the prosecution of offenders
  - h. Identification of the source of any information given to the GOsC in confidence
  - i. Any other matter deemed to be confidential by the Chief Executive which is justified as having equivalent characteristics to one or more of the above.
46. The Chair will inform the Council prior to the meeting of any matter where it is proposed it should be considered during the private session of the meeting.
47. If it appears to the Chair that confidential matters may arise or may have arisen during the discussion of business in the public session of the Council meeting, the Chair may:
- a. Adjourn the discussion to the private session of the meeting and proceed immediately with the next item of non-confidential business; or

Direct any or all of those attending the meeting who are not members of the Council, to leave whilst confidential matters are discussed in private. In such circumstances the Chair may ask the Council and Executive Support Officer or the minute taker to remain in the meeting in order for the discussion and any related decision or decisions to be recorded. It will be at the discretion of the Chair as to whether Council Associates are permitted to remain in the meeting where matters of a confidential nature are to be considered by Council.



At the conclusion of such a discussion in confidence, the Chair may announce in a public session any decision taken in the private session of the meeting

### **Access to meetings**

48. The Chair may invite any person to attend the whole or part of a Council meeting to speak or present a report. Such persons must withdraw from the meeting if requested to do so by the Chair.
49. Anyone may attend a meeting of the Council as an observer, on request to the Chief Executive or his office. Attendance may be in person or via remote attendance using virtual technology. The number of in-person observers will be limited as necessary in order to comply with restrictions on seating space and fire regulations. The number of on-line observers may also be limited.
50. Observers may put questions to Council in that part of the proceedings designated for such matters. Where possible, such questions should be sent in writing to the Chief Executive in advance of the meeting. Observers will be invited to restate their questions orally and where possible, the Chief Executive or other persons present at the meeting will answer such questions.
51. Observers (both in-person and online) will be excluded from the private sessions of Council's meetings and also during the public sessions of meetings in the circumstances described.
52. No member of Council, Council Associate, the Executive or observer shall make a permanent record of proceedings, except with the leave of the Chair. By permanent record of proceedings, this is intended to cover all video, audio, written, photographic or other recordings.
53. The Council may resolve that any observer attending a meeting of the Council be required to withdraw from the meeting if the observer's conduct seriously disrupts the Council's consideration of the business of the meeting.

### **Declarations of interest**

54. No member may speak, vote or in any other way participate in debate where they have, or could be inferred to have, a personal interest in the matter under discussion except with the permission of the Chair.
55. Where a Council member or an Associate has an interest in any matter under discussion, they shall inform the Chair at the beginning of the meeting and, as needed, during the course of the meeting. The Chair may direct that any member with an interest will leave the meeting for the duration of the debate. A record of any declaration of interest will be recorded in the minutes.
56. Members should err on the side of caution in making declarations. Failure to declare an interest will be regarded as a serious breach of the Code of Conduct for Members.

57. If the withdrawal of a member makes the meeting inquorate, the meeting will not close but will move to the next item of business for which sufficient members are present.

### **Minutes of Council meetings**

58. Minutes of Council meetings will be taken and retained as a record of the decisions taken. Where possible, minutes will be forwarded to the Chair of the meeting for approval within ten working days of each meeting and circulated to the Council within a further five working days. The minutes will be considered for final approval at the next meeting of the Council.
59. The minutes shall be available for inspection by any Council member.

### **Part 2 – Removal and suspension from office**

#### **Removal of Council Members**

60. Council members will be removed from office by the Privy Council in the circumstances laid down in paragraph 6(1) of the Council Constitution Order.

#### **Removal of Council Associates**

61. The position of Council Associate is made by Council and not by Privy Council. Council Associates may be removed from position by a vote of Council following a recommendation from the Chair.

#### **Suspension**

62. Council members may be suspended from office by the Privy Council in the circumstances set out in paragraph 7 of the Council Constitution Order. Members of the statutory committees may be suspended from appointment by the Council in the circumstances set out in paragraph 14 of the Statutory Committee Rules.
63. The Council may provisionally suspend a Council member or an Associate from office if, by a majority of those present and voting, it agrees to do so at a quorate meeting of the Council. The provisional suspension has effect when the proposal is agreed.
64. Exceptionally, the Chair may provisionally suspend a member or an Associate with immediate effect by informing the member in writing. Such a suspension must be reported to and considered at the next meeting of the Council.
65. Provisional suspension of a Council member must be reported in writing, as soon as reasonably practicable, to the Privy Council for consideration of further action under the Council Constitution Order. The Privy Council will then consider the matter to determine whether to suspend the member under paragraph 7 or remove the member under Paragraph 6.

66. If, after considering a provisional suspension, the Privy Council decides not to suspend or remove the Council member, the Council will terminate the provisional suspension.

### **Part 3 – Education, training and performance**

67. The GOsC shall make available education and training opportunities for all members relevant to their role. This may be provided by external organisations.
68. The GOsC will establish standards of performance for members and have in place a system of annual performance and development review. All Council members and Associates are expected to participate fully in the performance and development review process for Council members.
69. Where a member, without reasonable cause, fails to undertake satisfactorily the GOsC's requirements with regard to education and training, the Privy Council will, in accordance with Paragraph 6(1)(h) of the Council Constitution Order, remove that member from office.
70. Where a Council Associate, without reasonable cause, fails to undertake satisfactorily the GOsC's requirements to education and training, the Chair/members of Council will consider the removal of the Associate from post.

### **Part 4 – Powers of the Council**

71. The Council has power to do anything which facilitates its functions, subject to any provisions made by or under the Act. In particular, paragraph 15(2) of the Schedule to the Act gives the Council power:
- a. To borrow
  - b. To appoint staff and pay salaries and pensions etc.
  - c. To pay allowances and expenses to its members and committee members
  - d. To establish sub-committees of its committees
  - e. To regulate its procedures and those of its committees or sub-committees
  - f. To abolish any of its non-statutory committees or sub-committees thereof
  - g. To delegate to its committees any functions other than a power to make rules.

### **Part 5 – Committees**

#### **Meetings and proceedings of committees (other than the fitness to practise committees)**

72. Committees will normally meet three times in each calendar year, although they may meet more regularly if business requires.
73. Standing Orders 9-11 (agenda papers), 12-13 (attendance), 14-16 (absence), 23-39 (discussion of agenda items), 41-58 (requests for supplementary

information, access to meetings, declarations of interest and minutes) may be read as applying to committee meetings as well as to meetings of Council.

### **Appointments to Committees**

74. Appointments to statutory committees will be made in accordance with the Statutory Committee Rules (paragraphs 4 to 11).
75. Appointments to non-statutory committees will be made in accordance with the terms of reference of those committees.
76. The appointment processes will be managed by the Executive with appropriate governance oversight at the different stages of the process provided by the People Committee.

### **Co-option**

77. The co-option of members to statutory committees requires the Council's approval. The committee concerned must submit a request for approval accompanied by:
  - a. The CV of the proposed member
  - b. The reasons for co-option including the method employed for identifying the co-opted member.
78. The duration of terms of office of co-opted members shall be determined by the committee co-opting them but must not exceed three years.
79. If the Council agrees to approve the co-option, the member's term of office will commence at a date to be stipulated by Council.

### **Removal from statutory and non-statutory committees**

80. Members of the statutory and non-statutory committees will be removed from appointment by the Council in the circumstances laid down in paragraph 13 of the Statutory Committee Rules.

### **Education, training and performance**

81. Standing Orders 65-67 may be read as applying to committee members as well as to members of Council.

### **Attendance**

### **Fitness to practise committees**

82. Members of the Professional Conduct, Health and Investigating Committees are expected to attend any meeting or hearing to which they have been invited by the Chief Executive (or staff on his behalf), and which they have agreed to

attend.

83. If a member fails, without reasonable cause, to attend any meeting or hearing they have agreed to attend, that absence will be taken into account in the performance and development review and reappointment, and they may ultimately be removed from office by the Council.
84. The process by which a member of a fitness to practise committee is reappointment is overseen by the People Committee.

### **Policy and Education Committee and non-statutory committees**

85. A member, without reasonable cause, failing to attend any two meetings of a committee, either in person or by remote means, in a rolling 24-month period, will be regarded as having made an insufficient contribution to the work of the Committee and this will be taken into account in the performance and development review and reappointment.
86. A member of Council who is appointed to the Policy and Education Committee (which sits as the Statutory Education Committee) and who fails to attend, without reasonable cause, three or more Committee meetings, in person or by remote means, in a rolling 24-month period, may be removed from office by the Privy Council in accordance with paragraph 13(1)(g) of the Statutory Committee Rules.
87. In exceptional circumstances, members may obtain prior permission from the Chair of Council for a leave of absence from a committee for a defined period.
88. The process by which members of the Policy and Education Committee, and other non-statutory committee, are reappointment is overseen by the People Committee.

**Supporting information and documents****1. Council****1.1 Role of Council**

The role of Council is to be satisfied that the GOsC is meeting its statutory duties under the Osteopaths Act and other legislation. To meet these duties it:

- a. Sets the corporate strategy and objectives, and determines key policies for the organisation, testing these against its statutory duties.
- b. Makes rules as provided for under the Osteopaths Act.
- c. Approves the annual Budget and Business Plan.
- d. Appoints the Chief Executive and Registrar.
- e. Keeps under review how the GOsC meets its charitable purpose and public benefit requirements.
- f. Holds the Chief Executive to account for the delivery of the Corporate Strategy, Business Plan, Budget, risk mitigation, organisational performance, staff leadership and external perception.
- g. Ensures the quality of decision making is supported by effective stakeholder engagement and appropriate evidence, including approving for consultation any policy proposal that relates to any matter reserved to Council and ensuring that due consideration has been given to all other policy matters by the relevant committee of Council.
- h. Provides effective oversight of any partnership arrangements entered into to support how it meets its statutory objectives.
- i. Ensures that appropriate audit, control and assurance systems are in place.
- j. Appoints members of statutory and non-statutory committees on the recommendation of the appointment panel.
- k. Maintains high standards of corporate governance.
- l. Ensures that the GOsC's values are reflected in all of its work.
- m. Agrees and keeps under review a scheme of delegation.
- n. Ensures effective reporting to Parliament, the Professional Standards Authority, Charity Commission, registrants and others.

- o. Undertakes those functions of Council not otherwise delegated to committees, including:
  - i. Considering reports of the Registrar relating to fraud or error in relation to registration.
  - ii. With the approval of the Privy Council, recognising qualifications or withdrawing their recognition.
  - iii. Appointing legal assessors and medical assessors.
  - iv. Hearing appeals against decisions of the Registrar.
  - v. Appointing financial auditors.
  - vi. Approving the Annual Report and Accounts
  - vii. Approving the financial reserves policy.

### **1.2 The Council Associate Scheme and Council Associates**

The Council Associates Programme (CAP) seeks to identify individuals within the Osteopathic profession who have the potential to develop their skills and knowledge to undertake future non-executive positions.

Council Associates are not full members of Council nor Committees but participate in many of the aspects associated with being a member of the Governance structure. Council Associates participate in discussions at the meetings of Council and Committees but are excluded from voting on decisions.

At the discretion of the Chair of Council or Chair of a Committee Council Associates are permitted to attend private meetings of Council or a Committee, but again do not have voting rights.

Appointment as a Council Associate precludes automatic appointment as a full member of Council or of a GOsC Committee. To become a full member of Council or Committee a Council Associates must apply for a role through the formal recruitment/appointment process.

### **1.3 Appointment of Chair of Council and deputising arrangements for the Chair**

#### *Chair of Council*

The Privy Council appoints the Chair of Council, following a recruitment process conducted by the GOsC in accordance with standards set by the Professional Standards Authority. The Council Constitution Order governs the appointment, term of office and cessation of office of the Chair of Council (paragraph 8).

#### *Deputising arrangements*

Deputising arrangements in relation to the Chair are set out in the Council Constitution Order (paragraph 10).

### 1.4 Chair of Council's role

1. The principal role of the Chair is to lead and guide Council in discharging its statutory function – ensuring the protection of the public through the development and regulation of the osteopathic profession – and to be a principal spokesperson for the GOsC.
2. The Chair will lead Council to:
  - a. Set the strategic direction for regulation and development of the profession in the context of current statutes.
  - b. Underpin the strategic direction through the institution of good governance including appropriate business, financial and risk assurance.
  - c. Hold the Chief Executive to account for the operation of the GOsC's business function and the effective management of the organisation, including through regular review and appraisal.
  - d. Hold chairs of fitness to practise committees to account for the effective discharge of their functions.
  - e. Ensure effective engagement with key stakeholders on relevant issues.
  - f. Be accountable to Parliament and respond to directions, recommendations and requests from government departments including any of their agents such as the Professional Standards Authority.
  - g. Ensure high ethical standards within Council and throughout the organisation.
  - h. Conduct performance and development reviews for members of Council, Chairs of the independent Fitness to Practise Committees, and Council Associates as appropriate.

### 1.5 Attendance at Council meetings

Meetings will be normally conducted in-person with the potential for hybrid facilities where appropriate

The Standing Orders (Annex 2) set out the detailed requirements for attendance at meetings.



## **2. Statutory Committees**

### **2.1 Policy and Education Committee<sup>3</sup> (PEC)**

#### **Terms of reference**

The role of the Policy and Education Committee is to contribute to the development of Council policy. To do this it will:

- a. Advise Council on all matters of policy including:
  - i. The standards required for initial registration and appropriate means for assessing those standards.
  - ii. On all matters relating to pre-registration education and training of osteopaths, including the standards of osteopathic practice required for registration.
  - iii. Post-registration education and training, including the requirements for ensuring osteopaths remain fit to practise.
  - iv. The management, investigation and adjudication of concerns about the fitness to practise of registrants.
  - v. Matters relating to the exercise of powers under section 32 of the act (protection of title).
  - vi. The development of the osteopathic profession.
  - vii. Measures to encourage research and research dissemination within the osteopathic profession.
  - viii. Any research needs to support the GOsC's work.
- b. Take into account the decisions of fitness to practise committees, information from the PSA and other relevant sources, and external legal or other requirements.
- c. Ensure that policy development has been informed by effective engagement with the full range of the GOsC's stakeholders.
- d. Make an annual report for Council on the work of the Committee.

The Committee will also undertake the statutory functions that are reserved to the Education Committee, which are to:

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<sup>3</sup> n.b. for the purposes of the Osteopaths Act 1993, the Policy and Education Committee performs the role of the statutory Education Committee.

- 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.

### **Meeting Frequency**

Four times yearly or more frequently if required. Some business may be appropriately conducted out of committee. Any such activity will be reported formally to the next meeting of the committee with a record made in the minutes.

### **Membership**

#### *Ordinary members*

- Five members of Council, of whom two shall be osteopaths and three shall be lay members. One of the lay members shall be appointed by Council to be Chair of the Committee
- Four members who are not members of Council.

#### *Co-opted members*

The Committee may co-opt up to five members in accordance with Rule 3 of the Statutory Committee Rules.

#### *Council Associates*

Council Associates may attend meetings of the PEC and may participate in business that is reserved to the statutory Education Committee at the discretion of the Committee Chair. Council Associates are not permitted to vote on any recommendations or decisions to be made by members of the PEC.

#### *Observers with speaking rights*

The member organisations of the Osteopathic Development Group (the Council for Osteopathic Education Institutions (COEI), the Institute of Osteopathy (iO), the National Council for Osteopathic Research (NCOR), the Osteopathic Alliance (OA) are invited to send an observer with speaking rights to each meeting.

Observers may not take part in any part of the meeting where the business is that reserved to the Education Committee.

### **Quorum**

Five, of which:

- at least one must be a lay person and one must be an osteopath
- at least two must be members of Council and two must be members who are not members of Council

## **2.2 Investigating Committee (IC)**

### **Functions**

The role of the Investigating Committee is to carry out the initial investigation of a complaint against an osteopath which may allege unacceptable professional conduct, professional incompetence or matters relating to physical or mental ill health.

1. To determine whether there is a case to answer concerning allegations made to the GOsC against a registered osteopath that:
  - a. he has been guilty of unacceptable professional conduct;
  - b. he has been guilty of professional incompetence;
  - c. he has been convicted (at any time) in the United Kingdom of a criminal offence; or
  - d. his ability to practise as an osteopath is seriously impaired because of his physical or mental conditionin accordance with section 20(1) of the Act.
2. To receive reports from those persons appointed by the GOsC to give preliminary consideration to any allegation made or referred to it under section 20(7).
3. To exercise, additionally, powers under the following:
  - a. section 20(11), where it considers a criminal conviction has not material relevance to the fitness of an individual osteopath to practise osteopathy;
  - b. section 20(12), to refer an allegation to either the Health Committee or the Professional Conduct Committee, where it concludes that there is a case to answer;
  - c. section 20(13), where it concludes that there is no case to answer;

- d. section 21(2),(3) and (4), where the Committee may order the interim suspension of an osteopath from the Register in order to protect members of the public;
  - i. section 21(5) and (6) relating to hearings against such interim suspension orders; and
  - ii. hearings under section 10 where the Registrar proposes to suspend an osteopath's registration for fraud or error in relation to registration.
- e. paragraphs 32(3) and (4) to the Schedule of the Act in the event of a tie in any voting as specified;

### **Meeting Frequency**

By invitation of the Registrar or their nominee but not less than three times a year.

### **Membership**

#### *Ordinary members*

Not more than 15 persons who are osteopaths or lay persons appointed to the Committee by Council.

#### *Co-opted members*

The Committee may co-opt members, subject to rule 3 of the Statutory Committee Rules.

### **Quorum**

Five, of which at least two must be lay persons and two must be osteopaths.

### **The role of the Investigating Committee Chair**

The overall role of the Chair of the IC is to provide an appropriate balance between accountability to the GOsC Council for the effective operation of IC panels while maintaining the independence of their decision making.

Specific aspects of the role include:

- understanding the distinct role of Committee Chair from that of a Panel Chair and how this relates to overall accountability for the Committee's performance
- working with the Executive team and Committee members to ensure that the investigating process is fair, economical, efficient and effective

- seeking to ensure that any feedback from Professional Standards Authority reports, judicial reviews, appeals and case law are reflected adequately in the work of the Committee
- providing feedback on meetings and contributing to the continual improvement of the investigating process
- carrying out annual performance reviews for Committee members and helping to identify their individual and collective training needs
- reporting annually to the GOsC Council on the performance of the Committee
- determining applications to refer cases for an interim order hearing in accordance with guidance and the Investigating Committee rules.

### **Reporting to Council**

The Chair of the Investigating Committee will attend Council on an annual basis and present a report outlining the work undertaken by the Committee in the previous twelve months.

## **2.3 Professional Conduct Committee (PCC)**

### **Functions**

The role of the Professional Conduct Committee is to hear cases concerning serious unacceptable conduct, incompetence or convictions and, where the committee finds any such case proved, impose an appropriate sanction on the osteopath concerned.

1. To determine allegations referred to it under section 20 or rules made under section 26(2)(a), in accordance with section 22.
2. To exercise powers under sections 22(3), 22(4), 22(6) and 22(8).
3. To publish reports in accordance with section 22(13) and 22(14) about the way in which it has dealt with allegations referred to it.
4. To exercise interim powers of suspension in accordance with section 24, and the revocation of interim suspension orders under section 25.
5. To receive advice from medical assessors under section 28(2)I.
6. To receive advice from legal assessors under section 27(2)I.
7. To exercise powers under paragraphs 36(3) and (4) to the Schedule of the Act in the event of a tie in any voting as specified.

### **Meeting attendance**

On an as-needed basis by invitation of the Registrar or their nominee.

### **Membership**

#### *Ordinary members*

Not more than 18 persons who are osteopaths or lay persons appointed to the Committee by Council.

#### *Co-opted members*

The Committee may co-opt members subject to Rule 3 of the Statutory Committee Rules.

### **Quorum**

Three, of which at least one must be a lay person and one must be an osteopath.

### **The Role of the PCC Chair:**

The overall role of the Chair of the PCC is to provide an appropriate balance between accountability to the GOsC Council for the effective operation of PCC panels while maintaining the independence of their decision making. Specific aspects of the role include:

- understanding the distinct role of Committee Chair from that of a Panel Chair and how this relates to overall accountability for the Committee's performance
- determining applications to postpone a hearing under rule 18 of the PCC Rules
- working with the Executive team and Committee members to ensure that the fitness to practise process is fair, economical, efficient and effective
- seeking to ensure that any feedback from Professional Standards Authority reports, judicial reviews, appeals and case law are reflected adequately in the work of the Committee
- providing feedback on meetings and contributing to the continual improvement of the PCC process
- carrying out annual performance reviews for Committee members and helping to identify their individual and collective training needs
- reporting annually to the GOsC Council on the performance of the Committee

### **Reporting to Council**

The Chair of the Professional Conduct Committee will attend Council on an annual basis and present a report outlining the work undertaken by the Committee in the previous twelve months.

## **2.4 Health Committee (HC)**

### **Functions**

The role of the Health Committee is to consider cases in which an osteopath is alleged to be in poor physical or mental health and if the allegation is upheld, to take appropriate action in the interests of the public and the osteopath.

1. To determine allegations referred to it under section 20 of the Act or rules made under section 26(2)(a), in accordance with section 23.
2. To exercise powers under sections 23(2), 23(4), 23(5) and 23(6).
3. To exercise interim powers of suspension under section 24 and the revocation of interim suspension orders under section 25.
4. To receive advice from medical assessors under section 28(2)(d).
5. To receive advice from legal assessors under section 27(2)(d).
6. To exercise powers under paragraphs 40(3) and (4) of the Schedule of the Act in the event of a tie in any voting as specified.

### **Meeting attendance**

On an as-needed basis by invitation of the Registrar or their nominee.

### **Membership**

#### *Ordinary members*

Not more than 18 persons who are osteopaths or lay persons appointed to the Committee by Council.

#### *Co-opted members*

The Committee may co-opt members subject to Rule 3 of the Statutory Committee Rules.

### **Quorum**

Three, of which at least one must be a lay person and one must be an osteopath.

### **The role of the Health Committee Chair**

It should be noted that currently, and until 31 March 2024, the Chair of the Professional Conduct Committee is also the Chair of the Health Committee. It should also be noted that when considering a case as a panel member of the

Health Committee the individual cannot then sit as a PCC panel member considering the same case.

The overall role of the Chair of the HC is to provide an appropriate balance between accountability to the GOsC Council for the effective operation of HC panels while maintaining the independence of their decision making.

Specific aspects of the role include:

- understanding the distinct role of Committee Chair from that of a Panel Chair and how this relates to overall accountability for the Committee's performance
- working with the Executive team and Committee members to ensure that the fitness to practise process is fair, economical, efficient and effective
- seeking to ensure that any feedback from Professional Standards Authority reports, judicial reviews, appeals and case law are reflected adequately in the work of the Committee
- providing feedback on meetings and contributing to the continual improvement of the HC process
- carrying out annual performance reviews for Committee members and helping to identify their individual and collective training needs
- reporting annually to the GOsC Council on the performance of the Committee.

### **Reporting to Council**

The Chair of the Health Committee will attend Council on an annual basis and present a report outlining the work undertaken by the Committee in the previous twelve months.

## **2.5 Registration Appeals Committee**

### **Functions**

In exercise of its powers under section 1(8) of the Act, the Council shall appoint a Registration Appeals Committee (the Committee) in connection with the discharge of its function under section 29 of the Act.

The Committee shall have delegated to it by the Council, under paragraph 15(2)(i) of the Schedule to the Act, the function of hearing appeals pursuant to s29 of the Act, and the power to make decisions in respect of such appeals.

The terms of reference of the Committee are:

1. To hear registration appeals that are made in accordance with section 29(1) of the Osteopaths Act 1993.
2. To hear such appeals in accordance with the General Osteopathic Council (Fraud or Error and Appeals) Rules 1999.



3. To give advice on matters arising out of any registration appeal hearing.

### **Meeting attendance**

On an as-needed basis by invitation of the Chair of Council.

### **Membership**

All members of Council (excluding Council Associates) are eligible to sit on the Registration Appeals Committee.

### **Quorum**

The quorum of the Committee shall be three, two of which shall be registrant members and one shall be a lay member.

The Committee shall be chaired by a lay member, but ideally not the Chair of Council.

A Legal Assessor, appointed by the Council under section 27 of the Act, shall attend all hearings.

The Legal Assessor's role shall be as set out in the General Osteopathic Council (Legal Assessor) Rules 1999 and includes giving advice to the Committee on questions of law.

## **2.6 Appointments to Statutory Committees**

1. The Statutory Committee Rules provide for the appointment of members and Chairs and appropriate deputising arrangements where necessary.
2. In relation to Council members of the Policy and Education Committee, the Chair of Council shall determine the membership based on the needs of Council in providing an appropriate balance of skills. Once the Chair of Council has determined the composition of the Committee, they will also nominate one of the lay members of the Committee to be the Chair of the Committee. Council will then be asked to approve the Chair's nomination.
3. Appointment processes to statutory committees are overseen by the People Committee.

## **2.7 Ceasing to be a Council Member**

A person who ceases to be a member of Council or who is suspended shall cease to be a member of every committee on which they sit.

### **2.8 Validity of proceedings**

No proceedings of a committee will be invalidated by any defect in the appointment of a member or a vacancy among its members.

### **2.9 Length of appointment to committees**

1. Members of statutory committees, other than those who are members of Council, shall hold office from appointment to the committee up to the end of their term of appointment, subject to removal, resignation or suspension.
2. The terms of appointment of co-opted members of statutory committees will be agreed by the committee co-opting them, up to a maximum of 4 years, approved by Council.

### **2.10 Attendance at committee meetings**

Part 7 of the Standing Orders (Annex 2) sets out details about attendance at meetings and hearings.

### **2.11 Co-option**

Rule 3 of the Statutory Committee Rules sets out the protocol for co-option to statutory committees.

### **2.12 Failure to meet quorum**

If a meeting is not quorate, or is about to become inquorate, consideration should be given as to whether the meeting is adjourned. If inquorate, no recommendations or decisions can be agreed.

### **3. Non-Statutory Committees**

#### **3.1 Audit Committee (AC)**

##### **Terms of reference**

The role of the Audit Committee is to provide advice that the necessary internal and external systems and processes are in place for identifying, managing and mitigating the risks relating to the discharge of the GOsC's statutory duties, and make recommendations for any actions to Council and the Executive as appropriate. To do this it will:

- a. Review and make recommendations to Council about the content and structure of the risk register at the start of each business planning cycle and keep it under review.
- b. Review and make recommendations to Council about the effectiveness and proportionality of the risk management process.
- c. Request and receive reports on the management of risk areas identified in the register and make recommendations to Council about improvements needed.
- d. Review the internal financial controls and advise Council on these controls.
- e. Make a recommendation to Council on the appointment of external financial auditors to conduct the annual financial audit.
- f. Receive a report on preparations for the annual external financial audit.
- g. Receive the audit report, Audits Findings Report (AFR), draft Annual Report and Accounts, and Governance Statement and make recommendations to Council on the approval of these, and monitor the implementation of agreed recommendations in the AFR.
- h. Approve proposals for the commissioning of internal audits of key functions within the organisation and to recommend any areas where special investigation might be necessary.
- i. Receive audit reports and the Executive's response and make recommendations to Council on the implementation of recommendations arising from such audits and investigations, and monitor the implementation of agreed recommendations.
- j. Receive reports on any incidents reportable under the serious events framework, data breaches and corporate complaints or whistleblowing, and the Executive's response to them, and make any recommendations to the Executive and Council.

- k. Receive reports on the Executive's approach to organisational performance management and corporate governance and make any recommendations.
- l. Ensure that reports received across all aspects of the Committee's work consider the importance of equality, diversity and inclusion.
- m. Make an annual report to Council on the work of the Committee and an overall opinion on the management of risk within the GOsC.
- n. To review periodically its own effectiveness as a Committee.

### **Meeting Frequency**

Three times yearly or more frequently if required. Some business may be appropriately conducted out of committee. Any such activity will be reported formally to the next meeting of the committee with a record made in the minutes.

### **Membership**

Four members:

- Two Council members (one of whom will be the Chair), of whom one must be an osteopath and the other a lay member.
- Two external members.

There is one co-opted member of Council effective from 1 April 2023.

### *Council Associates*

Council Associates may attend meetings of the Audit Committee and may participate in business at the discretion of the Committee Chair. Council Associates are not permitted to vote on any recommendations or decisions to be made by members of the Audit Committee.

### **Quorum**

Three members – the Chair of the Committee (who is a Council Member) (or appointed deputy if unavailable), one Council member (which may be the co-opted member) and at least one external member.

## **3.2 People Committee**

### **Terms of Reference**

The People Committee oversees appointment, performance and remuneration policy in relation to Council, non-executives<sup>4</sup> and staff of the GOsC and makes recommendations to Council. To do this it will:

- a. Advise Council on the arrangements for the appointment, induction and performance review of the Chair and members of Council in accordance with the PSA's standards.
- b. Appoint the panel, including independent members, for appointing the Chair and members of Council.
- c. Provide assurance of high standards in the appointment and performance review of all other Council appointees including non-Council members of committees and other Council appointees.
- d. Advise Council on its structure, composition and competences.
- e. Make arrangements for the performance review process for Council as a whole.
- f. Make arrangements for the appointment of the Chief Executive and make a recommendation to Council.
- g. Following appointment, make arrangements for the formal review of the probation period of the Chief Executive and Registrar to be informed by feedback from Council, staff and stakeholders.
- h. Advise Council that the formal review of the probation period of the Chief Executive and Registrar has been completed and clarify whether the probation period has been successfully passed or whether the probation period has been extended.
- i. If required, oversee a performance management process for the Chief Executive and Registrar, which will ensure feedback is provided to them by the Chair of Council supported by two members of the People Committee.
- j. If appropriate, make recommendations to Council concerning the removal of the Chief Executive and Registrar.
- k. Consider and approve the remuneration of the Chief Executive on an annual basis.
- l. Receive an annual report from the Chief Executive on HR strategy.

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<sup>4</sup> Non-executives are defined as members of Council, statutory and non-statutory committees and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

- m. Consider and approve recommendations of the Chief Executive in relation to pay, performance and reward of all other staff.
- n. Consider any issues in relation to the remuneration of non-executives (including the requirements of the Charity Commission), review the remuneration of non-executives annually and make recommendations to Council.
- o. Consider any issues in relation to the performance review of non-executive members and make recommendations to Council.
- p. Consider the Equality, Diversity and Inclusion Framework as it relates to GOsC staff and non-executives.
- q. Consider issues of health and wellbeing as they relate to Executive and Non-Executives.
- r. Make an annual report to Council on the work of the Committee.

### **Meeting Frequency**

Three times yearly or more frequently if required. Some business may be appropriately conducted out of committee. Any such activity will be reported formally to the next meeting of the committee with a record made in the minutes.

### **Membership**

Two lay members and two osteopath members of Council and one external lay member with appropriate expertise.

There are no co-opted members.

### **Quorum**

Three members - two lay members (Council or external) and one osteopath member.

**3.3 Appointments to Non-Statutory Committees**

- a. The Chair of Council shall consider nominations from Council members who wish to serve on the Committee and determine the membership based on the needs of Council in providing an appropriate balance of skills and turnover across the governance structure.
- b. Appointment of external members to the Audit Committee and People Committee is made by Council, following the recommendation of the recruitment panel.
- c. Appointment processes to non-statutory committees is overseen by the People Committee.
- d. No person shall serve more than eight years as a member of any single non-statutory committee.

**3.4 Appointment of chairs and deputising arrangements***Chairs*

The Chairs of the Audit Committee and the People Committee are members of Council, either a lay or a registrant member, and suitably qualified to hold the appointment.

Appointment processes are overseen by the People Committee.

*Deputising arrangements*

In the event of the absence of the Chair of a non-statutory committee, the Chair of Council will ask a member of the Committee to take the chair for one or more meetings of the Committee.

**3.5 Role of chairs of non-statutory committees**

The Chairs are responsible for ensuring that the committee discharges its role effectively. They must consult with the Executive in setting the agenda for each meeting and will be responsible for monitoring the implementation of the committee's decisions. The Chairs of the Audit Committee and the People Committee will be responsible for carrying out the performance and development reviews of the external members of their respective committees.

**3.6 Ceasing to be a Council Member**

A person who ceases to be a member of Council or who is suspended shall at the same time cease to be a member of every committee on which they sit.

### **3.7 Validity of proceedings**

No proceedings of a committee will be invalidated by any defect in the appointment of a member or a vacancy among its members.

### **3.8 Length of appointment to committees**

Membership of the non-statutory committees will be reviewed annually by the Chair of Council and be determined by the needs of Council in providing an appropriate balance of skills and turnover across the governance structure.

### **3.9 Co-option to non-statutory committees**

Currently, none of the non-statutory committees have any powers to co-opt additional members to their committees without prior approval of Council.

### **3.10 Attendance at committee meetings**

Part 7 of the Standing Orders (Annex 2) sets out details about attendance at meetings and hearings.

### **3.11 Failure to meet quorum**

If a meeting is not quorate, or is about to become inquorate, it must be adjourned.

### **3.12 Removal from statutory and non-statutory committees**

An external member of a non-statutory committee shall be removed from office in accordance with the Statutory Committee rules as if they were a member of Council.



### 4. Ad hoc working groups

From time to time, ad hoc working groups may be established by Council to develop policy in new areas or to review specific issues. The composition of these groups will reflect all the necessary expertise to take forward the issue in question. The constitution, role, terms of reference and the life span of the group will be agreed by Council at the outset.

If an ad hoc working group is established, this will be recorded in the minutes of the Council meeting where the decision was taken.

**5. The Executive**

The Executive comprises all staff members of the GOsC, led by the Chief Executive and the Senior Management Team.

**5.1 Senior Management Team (SMT)**

- a. The SMT acts as a board of management and comprises:
  - Chief Executive and Registrar
  - Director of Education, Standards and Development
  - Director of Fitness to Practise
- b. The collective responsibility of the SMT is to:
  - i. Prepare strategic plans, business plans and budgets for agreement by Council
  - ii. Implement an annual business plan within the budget agreed by Council
  - iii. Develop major policy proposals to a stage where they can be considered by Council
  - iv. Provide support to statutory and non-statutory committees in discharging their roles
  - v. Liaise with all relevant stakeholders to ensure that policy development and decision making is fully informed
  - vi. Alert Council to any issues that have a bearing on the performance of the GOsC as a regulator
  - vii. To mitigate risks that might impact on the operational effectiveness or public confidence in the GOsC.

**5.2 Chief Executive and Registrar**

- a. Statutory Duties
  - i. To establish and maintain the register of osteopaths (section 2(3) of the Act and SSI 1998/1328).
  - ii. To carry out such other functions as Council may direct (section 2(4)).
  - iii. To consider whether applicants for registration are of good character and in good health (sections 3 and SI 2000/1038).

- iv. To consider whether applicants for registration from outside the UK have reached the required standard of proficiency (section 3(6)).
- v. To consider whether certain applicants for registration [new powers applicants] are capable of the competent and safe practice of osteopathy (section 3(6A)),
- vi. To consider certain matters relating to Conditional Registration (section 4) – n.b. this registration category is not in use.
- vii. To deal with temporary registration for visiting osteopaths from relevant European States (section 5A).
- viii. To enter a note in the register of the details of every suspension of registration (section 7).
- ix. To refer applications for restoration to the register to the Professional Conduct Committee, and to register applicants when directed by the Committee (section 8).
- x. To investigate allegations of fraud or error in the register and report on the investigation to Council; to suspend registration during investigation if satisfied it is necessary to protect members of the public and to remove the registration on the order of Council, subject to the right of appeal (section 10).
- xi. To suspend or remove an osteopath's name from the register where ordered to do so by the IC, PCC or HC (sections 21-25)
- xii. To invite members of the IC, PCC and HCC to attend meetings of the committees (SI 2009/468)
- xiii. To collect entry fees, retention fees and restoration fees; to agree payment to payment by instalments; and to remove an osteopath from the register if instalments are not paid (SI 2000/1038).
- xiv. To deal with continuing professional development requirements (including reductions or variations in requirements, issuing of final warnings, and removal from the register for failure to comply with the requirements) (SI 2006/3511).
- xv. To deal with professional indemnity insurance requirements (SI 1998/1329).

### Other duties

- i. Development of the strategic plan and annual business plans to meet the GOSC's statutory objectives.

- ii. Leading the Senior Management Team in collective management of the GOsC.
- iii. Staff management.
- iv. Organisational management.
- v. Reporting to the Professional Standards Authority and to Parliament.
- vi. External relations and international affairs.
- vii. Risk management.
- viii. Ensuring effective governance of the GOsC.

### 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 and Education 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 [Strategic 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>5</sup> on matters relating to education, training, examinations or tests of competence.
  - h. Determine the standard of proficiency<sup>6</sup>.
  - i. Recognise qualifications (and withdraw recognition).
  - j. Prepare and publish and keep under review a Code of Practice<sup>7</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 Executive and, where relevant, the chair of the committee concerned with the issue. Such matters will be reported to Council at the earliest opportunity and also at the next meeting of Council with a record made in the minutes.

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<sup>5</sup>The work of the Education Committee is undertaken by the Policy and Education Committee.

<sup>6</sup>The Standard of Proficiency and the Code of Practice are combined in the Osteopathic Practice Standards.

<sup>7</sup>See above.

- 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 Education Committee<sup>8</sup>**

1. The Act provides for the Policy Education 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 and Education Committee are set out in Section 2 of the Governance Handbook

### **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 the Governance Handbook.
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.

The Registration Manager has delegated authority from the Chief Executive and Registrar to sign applicants onto the Register where there are no issues associated with the applicant's good character, as described by the GOsC Good Character Assessment Framework.

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<sup>8</sup>n.b. for the purposes of the Osteopaths Act 1993, the Policy and Education Committee performs the role of the statutory Education Committee.

In the absence of the Chief Executive and Registrar, the Registration Manager has delegated authority to remove osteopaths from the Register in accordance with the respective legislation.



**7. Financial Procedures****7.1 Financial management**

1. The Chief Executive is responsible for the day-to-day management of the GOsC's financial operations in accordance with these procedures. The Chief Executive may delegate responsibility for financial management to a member of staff and, for that purpose, it shall be the Head of Resources and Assurance/Registration Manager.
2. The Chief Executive and Registrar/Head of Resources and Assurance/Registration Manager shall ensure there are written policies and procedures in place, and that a robust control framework exists, for the effective management of the financial operation.
3. Management Accounts are prepared by the Head of Resources and Assurance with departmental accounts sent to the head of individual departments. The Chief Executive and Registrar and Head of Resources and Assurance consider the overall financial position of the GOsC and any deviations from budget.
4. Council will receive financial management information at every meeting.

**7.2 Accounting**

1. The Head of Resources and Assurance/Registration Manager are responsible for all accounting procedures and records, and shall ensure procedures comply with all current accounting requirements and best practice (currently the Charities SORP (FRS102)).
2. The Head of Resources and Assurance will facilitate the annual financial audit and will comply with all reasonable requests from the auditors. The Head of Resources and Assurance will report to the Chief Executive on the progress of the audit, any issues raised and the proposed methods for resolving such issues.
3. The auditors will produce an Audits Findings Report (AFR), which will be submitted to the Audit Committee for consideration. Once endorsement from the Audit Committee is received, the AFR and Letter of Representation will be presented to Council.
4. The GOsC's Annual Report and Accounts shall be published in full on its public website.
5. The Audit Committee has responsibility to ensure the external auditors appropriately scrutinise the financial records and offer value for money. It shall recommend to Council the appointment or removal of the external auditors.

### **7.3 Annual Business Plan, Budget, and Annual Report and Accounts**

1. Council shall receive annually the Business Plan and Budget for consideration, scrutiny and approval at its first meeting at beginning of each calendar year.
2. If a budget holder (head of department) believes that an individual budget may be overspent or underspent, they shall inform the Chief Executive who will have authority to transfer funds up to £20,000 between budget allocations. Budget transfers of more than £20,000 require the approval of Council.
3. The Council will receive for its approval the Annual Report and Financial Statements.

### **7.4 Financial reserves**

1. Council shall agree a reserves policy based on recommended best practice for charities and keep this under regular review.
2. The reserves policy will be reported in the Annual Report and Accounts.

### **7.5 Borrowing and lending**

1. Funds may only be borrowed with the prior approval of Council, having received details of the reason for the borrowing, the proposed lender, the sum to be borrowed, the security provided, the rate of interest and repayment terms.
2. With the exception of staff season ticket loans (repayable in full by the employee), the GOsC shall not lend funds under any circumstances.

### **7.6 Income, banking and investment**

1. The Head of Resources and Assurance/Senior Registration Officer will ensure that income received is kept secure and promptly banked.
2. Investments shall be made in accordance with Council's agreed policy. Council shall receive an annual report from the Head of Resources and Assurance on the investment strategy, and the risks posed by such a strategy. Council will meet with the external investment management team annually.
3. The Head of Resources and Assurance will monitor and draft reports on investments for Council.

### **7.7 Expenditure**

1. Payments to suppliers (including expense claims to individuals), shall only be made once an invoice has been authorised by an appropriate person.

Invoices should be authorised by the head of department or manager, or other delegated individual where delegation has been agreed, within that department where they have responsibility for a specific project or work activity.

2. The line manager of the individual making an expense claim shall sign off the expense claim as long as there are supporting receipts and it is completed on the appropriate form.
3. Cheques and other payments must be signed or authorised in accordance with the payment procedure and the bank mandate.
4. Only Directors may sign cheque payments or authorise bank transfers.
5. Payments or bank transfers can only be signed or authorised by a Director if they did not authorise the invoice being paid.
6. The signing limits, reviewed by Audit Committee, are:

<b>Bank signing limits</b>	<b>Authorised signatory</b>
Amounts up to £15k	Chief Executive and Registrar or a single Director
Amounts between £15k and £35k	Chief Executive and Registrar or both Directors
Amounts over £35k up to £75k	Chief Executive and Registrar and one Director
Amounts over £75k	Chair and Chief Executive and Registrar

7. A limited number of GOsC Corporate Credit Cards exist. Held within departments, the cards are used for purchasing small items, such as travel tickets, and for use by the Director of the Department if out of the office on GOsC business. The reconciled statements must be signed by the Director of the Department and authorised by the Chief Executive.

### **7.8 Staff expenses**

The GOsC will reimburse staff for expenses reasonably incurred, as outlined in the remuneration policy (see section 10) in the normal course of business.

### **7.9 Procurement of services**

#### *Principles*

1. It is the duty of all those engaged in the procurement of goods and services for the GOsC to ensure that contracts are reviewed on a regular

basis to ensure they represent value for money, while having due regard for quality and sustainability.

2. There are a number of principles which underpin the procurement of services:
  - a. All procured goods and services should be obtained on the most economically advantageous terms and assessed using objective criteria.
  - b. All procured goods and services should strive to ensure the best quality is achieved for the price being paid.
  - c. Advice should be sought from the Director of Fitness to Practise as to any legal implications arising at the start of a procurement process and on the contractual arrangements following the conclusion of a procurement process.
  - d. Those individuals procuring goods or services should have regard for all relevant legislative requirements under The Public Contracts Regulations 2015<sup>9</sup>.
  - e. Contracts should be reviewed on a regular basis having due regard for latest best practice, e.g. external financial audit.
  - f. Contracts should be reviewed on a regular basis having due regard to the competitiveness of relevant markets, e.g. utilities and insurance.
  - g. Those individuals procuring goods or services should have regard for the procurement criteria as specified in paragraph 5 below.
3. The Chief Executive is authorised to sign all contracts on behalf of the GOsC.
4. The procurer of the goods or services will, where the value of the contract is over £25,000, inform the Chief Executive and Registrar/Head of Registration and Assurance so that the details of the contract can be added to the list of procured goods and services published on the GOsC website.

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<sup>9</sup> [http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi\\_20150102\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf)

*Procurement criteria*

<b>Procurement value (calculated over the lifetime of the contract)</b>	<b>Governance involvement</b>	<b>Procurement approach</b>	<b>Sign off authority</b>
Up to £10,000	Not required	One written quote	Department head
£10,000 - £35,000	Not required	Three written quotes	Department head plus Chief Executive and Registrar
£35,000 +	Business case and tender document signed off at appropriate Committee level or at Council	Public tender	Procurement decision delegated to panel <sup>10</sup> . Decision reported back to Committee or Council

**7.10 Assets**

The Head of Resources and Assurance/Registration Manager shall keep a fixed asset register and shall ensure the safe custody of title deeds and contracts relating to the assets owned.

**7.11 Security and fraud**

1. The Head of Resources and Assurance shall ensure procedures exist to control the entry to Osteopathy House and to keep all occupants safe.
2. The risk of fraud is minimised through a continuous programme of independent audit, including the annual financial audit and regular training around anti-fraud, anti-bribery. Any fraud or suspected fraud must be raised with the Chief Executive and Head of Resources and Assurance immediately.

**7.12 Insurance**

1. The Head of Resources and Assurance shall ensure the GOsC carries adequate insurance. The current insurance policies cover:
  - Professional Indemnity Insurance

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<sup>10</sup> The nature of the services being procured will determine whether expertise from the governance structure is needed on the tender panel. For example, provision of financial audit services will involve expertise from the Audit Committee.

- Combined Professional Business Policy
  - Internet and Email
  - General Liability
  - Employers Liability
  - Property and Buildings
  - Directors and Officers Liability
  - Employment Practices Liability
  - Terrorism Insurance.
2. Any member of the Executive or non-executive who becomes aware of an incident or issue that they feel may jeopardise any insurance policy in existence should notify the Head of Resources and Assurance immediately.

### 8. Whistleblowing policy for staff and non-executives

#### About this policy

1. The term whistleblowing is used to describe incidents where a member of staff or a non-executive<sup>11</sup> discloses some alleged wrongdoing within the organisation, publicly or internally but bypassing normal reporting lines.
2. This policy is separate from our policy on how we handle whistleblowing concerns relating to the fitness to practise of individual osteopaths. This policy can be found at <http://www.osteopathy.org.uk/about-us/our-work/handling-whistleblowing-concerns-policy/>
3. The Public Interest Disclosure Act 1998 aims to promote greater openness in the workplace and while it reinforces the obligations for staff not to disclose to external sources any confidential information acquired during the course of their employment, it protects 'whistleblowers' from detrimental treatment, such as victimisation or dismissal, for raising concerns about matters in the public interest.
4. This policy provides a means by which staff and non-executives can make a disclosure if they have reasonable grounds for believing there is serious wrongdoing within the organisation. The issues of concern may include:
  - a criminal offence is being committed, or is likely to be committed, including suspected fraud or misuse of funds
  - a person has failed, is failing, or is likely to fail to comply with a legal obligation
  - a miscarriage of justice has occurred, is occurring or is likely to occur
  - an individual's health or safety, is being, or is likely to be put at risk
  - the environment has been, is being, or is likely to be damaged
  - you have information that any of the above has been, is being or is likely to be deliberately concealed.
5. The policy also aims to ensure that anyone who makes a disclosure in such circumstances will not be penalised or suffer any adverse treatment for doing so, regardless of whether their concern is proved unfounded.
6. The policy does not apply to personal grievances concerning an individual's terms and conditions of employment or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters which are all covered by separate policies.

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<sup>11</sup>Non-executives are defined as members of Council, statutory and non-statutory committees, Council Associates, and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

### Raising a concern

#### *Staff members*

7. In the first instance, you should normally raise the concern with your line manager or Director of Department, or if the issue concerns the Director of Department, with the Chief Executive.
8. If the issue concerns the Chief Executive you should raise it with the Chair of Council. Concerns about the Chair of Council should be raised with the Chair of the Audit Committee.
9. The Chair of the Audit Committee can be contacted via the Council and Executive Support Officer or at [council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)

#### *Non-executives*

10. In the first instance you should normally raise the concern with the relevant Director of Department or the Chief Executive. If the issue concerns the Chief Executive you should raise it with the Chair of Council. Concerns about the Chair of Council should be raised with the Chair of the Audit Committee.
11. The Chair of the Audit Committee who be contacted via the Council and Executive Support Officer or at [council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)
12. As far as possible you will be assured of confidentiality unless at a later stage this becomes unavoidable (for example where the investigation leads to action under disciplinary procedures, or criminal or civil proceedings and your testimony is likely to be required). Remaining anonymous can however, in some cases make any potential investigation more difficult and lengthier.
13. The person receiving the disclosure will be responsible for ensuring that the issue is investigated. Before doing so, they will inform the Chief Executive, Chair of Council or Chair of the Audit Committee as appropriate. In all cases, an independent person may be appointed to investigate the concerns raised.
14. If the person receiving the disclosure decides there are insufficient grounds to warrant an investigation they will explain this to you giving reasons for their decision. You may then make the disclosure directly to the Chair of Council or to the Chair of the Audit Committee.

### Investigating your concerns

15. Any investigation will be managed as sensitively and speedily as possible. You will be notified of the timetable for the investigation. This will depend on the nature of the concern but we will endeavour to complete the investigation within two months. The person or people against whom the disclosure is made will be told at an early stage and will be allowed to respond. Their



confidentiality will be respected. The name of the person making the disclosure will not be disclosed at this stage.

16. You will be kept informed of the progress of the investigation and notified if there are delays with an outline of the reason for the delay. At the end of the investigation you will be advised of the outcome. This will be followed up with a written summary.
17. If in the course of the investigation any concern raised appears to the investigator to relate more appropriately to grievance, bullying, harassment or discipline, or a breach of the GOsC's Code of Conduct for non-executives the relevant procedures will be invoked.
18. The person initiating or undertaking the investigation will ensure that the findings are reported to the Chief Executive, Chair of Council or Chair of Audit Committee as appropriate who will determine what action should be taken. The report of the investigation and actions taken will also be reported directly to the Audit Committee, which may meet in private to consider the matter.
19. Any staff member who has made a disclosure and who feels that as a result they have suffered some detriment can submit a formal complaint under the grievance procedure. If it appears there are reasonable grounds for making the complaint the onus will be on the person against whom the complaint of adverse treatment has been made to show that the actions complained of were not taken in retaliation for the disclosure.
20. If you are considering raising a concern and want to receive independent advice before you do so then you can seek advice from the independent charity Public Concern at Work. You can find details of how they can support you at <https://protect-advice.org.uk/advice-line/> or you can call them on 020 3117 2520.

### 9. Annual performance and development reviews for members of the GOsC governance structure

#### Introduction

1. The GOsC recognises that the non-executive members<sup>12</sup> of its governance structure are a most important and valuable resource. The success of the GOsC in fulfilling its statutory duties and strategic objectives will depend, to a considerable extent, on the work and expertise of the members of its governance structure. Through an effective scheme of annual performance reviews, the GOsC aims to ensure that the efforts of non-executives are effectively aligned with the organisation's strategic objectives, to provide a means of developing individuals and to enhance overall performance. Gathering feedback about members of the governance structure is a valuable part of the process and is part of the role of all members.
2. On appointment, all members of the governance structure commit to engaging constructively in the annual performance review process. The purpose is to:
  - a. Give members an opportunity to reflect on their achievements and successes
  - b. Provide members with an opportunity to learn from what has not gone as expected
  - c. Give members time to agree with their reviewer what they will be doing over the 12 months to follow
  - d. Help members to identify any development needs to support them in their role.
3. These guidance notes are intended to assist all participants in the performance review scheme.

#### Responsibility

4. The responsibility for the overall operation of the scheme lies with the Chair of Council. The Chair of Council's role in this context is to ensure that all members of Council, Council Associates, committees and fitness to practise panels have an opportunity to discuss their performance annually, receive feedback and, identify any aspects of their performance that could benefit from improvement.

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<sup>12</sup> Non-executives are defined as members of Council, statutory and non-statutory committees, Council Associates, and any other individuals, other than the Chief Executive and the executive team, appointed from time to time to undertake tasks on behalf of Council.

5. The process is designed to include a full discussion of performance between the reviewer and the member. It encourages self-reflection on performance. Where improvement has been identified, the individual will be supported and encouraged to improve and, where a development need requiring specific training is identified, the GOsC will have a responsibility to provide that training in a timely way.
6. Reviewers:
  - a. The Chair of Council will review Council members, Council Associates, and all Chairs of statutory and non-statutory committees
  - b. The Chairs of the Policy and Education, Audit, and People Committees will review the external members of their committees
  - c. The Chairs of the fitness to practise committees will review their respective committee members.
7. It is the responsibility of the member to prepare for the performance review meeting – including obtaining third-party feedback on their performance – and reflect on their performance in the period under review. The preparation should include consideration of ongoing or new work and development goals so that there can be appropriate discussion and agreement at the meeting. Members should seek to vary the individuals they approach for feedback from year-to – year.

### **Confidentiality**

8. The outcome of discussions at performance reviews, including all finalised paperwork, will be confidential between the reviewer and the member and the Chair of Council<sup>13</sup> who has overall responsibility for the scheme. The scheme will be administered by the Council and Executive Support Officer.
9. The data collected and the records maintained in connection with the performance review scheme are used solely for the following purposes:
  - a. Appraisal of performance of individual members and of the organisation as a whole.
  - b. Training and development: where a training/development need is identified, the reviewer will notify the HR Manager in order that appropriate training/development is provided.

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<sup>13</sup> In circumstances where the removal, termination or suspension from office/appointment is being considered then any matters relating to performance and development reviews may be shared with those considering removal, termination or suspension.

- c. Reappointment: in cases where the member is eligible for consideration for reappointment, the outcome of performance reviews in each year of the term served by the individual will be a factor in the decision making.
  - d. Removal or termination and suspension from office/appointment: performance review documentation may be relevant in circumstances where a member is removed or has their appointment terminated or suspended from office/appointment under the relevant provisions in the GOsC (Constitution) Order 2009 (SI 2009/263) and the GOsC (Constitution of the Statutory Committees) Rules Order of Council 2009 (SI 2009/468).
  - e. Monitoring the fair, equitable and appropriate application and administration of the scheme.
10. All finalised performance review documentation will be stored, on behalf of the Chair of Council, securely at Osteopathy House. All draft documentation (electronic and paper) between the reviewer and members should be kept by each party securely and destroyed once the final paperwork is completed and sent to the HR Manager for secure storage on behalf of the Chair of Council.
11. The performance review records will be accessible to the HR Manager, the Council and Executive Support Officer and the Chair of Council. All reviewers will have access to records relating to those individuals reviewed by them. All members will have access to their individual records.

**Timetable**

12. The annual performance meetings should take place in accordance with the following timetable:

<b>Target months for formal annual performance review process to be completed</b>	
Chair of Council	May to July
Council members and fitness to practise chairs	May to July
External members of committees	May to July
Fitness to practise committee members	May to September

13. There may be circumstances when it will not be possible to adhere to the performance review timetable, e.g. maternity leave, and appropriate alternative arrangements should be made in discussion with the relevant chair.

**Performance review for the Chair of Council**

14. Council, in private and in the absence of the Chair, should nominate one lay and one registrant member to undertake the Chair’s annual performance review. This meeting should also be used to discuss any aspects of the Chair’s

performance that Council wishes to be considered during the performance review process.

15. The two nominated members shall seek feedback from the Chief Executive on the Chair's performance and any other stakeholders as they feel necessary to support the process.

### **The process**

16. At the commencement of the process, the timing of which will be agreed with the relevant Chairs, each member will be sent the following by the Council and Executive Support Officer:
  - a. These guidance notes
  - b. A performance review form which will be pre-populated with their attendance record over the previous year (including the hearings attended by IC/PCC/HC members) as well as any other activities they have undertaken during the year
  - c. The competencies against which they were appointed (or any which may have superseded those at the time of appointment).

### **Prompts for reflection**

17. The aim of our appraisal scheme is to ensure continual improvement in the performance of Council and our Committees by supporting the ongoing development of individual members. In completing the annual performance review form, you may find it helpful to reflect on the following areas which have been provided as prompts to assist in your reflection of your contribution to the work of Council and / or the Committee.
  - How you have progressed the development points identified at the appraisal last year
  - How you have maintained your skills and knowledge in order to ensure you continue to optimise the value of your contribution
  - The knowledge, skills or other capabilities you have enhanced through undertaking your Council and / or Committee role
  - Your impact and the added value you have brought and how this can be evidenced
  - The reason for choice of colleague you selected to receive feedback from
  - How you plan to act on the feedback you have received
18. The reviewer may also seek feedback from other members or a Senior Management Team member if they wish.
19. The member should send the completed self-assessment to the reviewer in advance of their meeting.

20. The reviewer and member should meet in order to review the self-assessment, for the reviewer to provide their feedback and to agree development points for the year ahead. For new members who have not previously completed the review process consideration of the member's objectives for the year ahead should be discussed.
21. If the paperwork is not completed at the meeting, the reviewer and member should agree who will complete the recording of the performance review discussion and the agreed outcomes and then the paperwork is signed by both parties to allow for any additional comments and to confirm agreement to the finalised documentation.
22. The reviewer should forward the completed paperwork to the Council and Executive Support Officer ([council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)) or the HR Manager ([hr@osteopathy.org.uk](mailto:hr@osteopathy.org.uk)) for secure storage.
23. In the case of the Health Committee, if there have been no hearings, the Chair of the Professional Conduct Committee/Health Committee will conduct all performance reviews based on the frequency of members attendance at PCC hearings and meetings. If there have been HC hearings, the Chair will determine the review based the on the attendance of those members who have attended as HC panellist.

### **The performance review meeting**

24. The meeting will take place at a mutually convenient time within the period specified by the timetable above. The meeting will take place at a suitable location, most likely Osteopathy House. The meeting should take place in an atmosphere of mutual respect, cooperation and support.
25. At the discretion of the reviewer, and with the consent of the member concerned, the meeting may be conducted by telephone, online platform, or other electronic means .

**Annex to Section 9**

**Annual performance review for members of the GOsC governance structure**

Your name	
Position	
Review year	
Date of review	
Reviewer's name	

**Prompts for reflection:**

The aim of our appraisal scheme is to ensure continual improvement in the performance of Council, Council Associates, and our Committees by supporting the ongoing development of individual members. In completing the annual performance review form, you may find it helpful to reflect on the following areas which have been provided as prompts to assist in your reflection of your contribution to the work of Council and / or the Committee.

- How you have progressed the development points identified at the appraisal last year
- How you have maintained your skills and knowledge in order to ensure you continue to optimise the value of your contribution
- The knowledge, skills or other capabilities you have enhanced through undertaking your Council and / or Committee role
- Your impact and the added value you have brought and how this can be evidenced
- The reason for choice of colleague you selected to receive feedback from
- How you plan to act on the feedback you have received

**1. Self-assessment of your contribution to the work of Council and / or Committee over the past year**

Please complete this having taken into account:

- The development points agreed at last year's performance review meeting
- Your performance against the competencies for your role
- Feedback that you have sought from at least one person who is familiar with your work on Council and / or the Committee

**2. Reviewer’s comments on your contribution to the work of Council and / or Committee over the past year**

Appraiser’s comments

**3. Attendance (this will be pre-populated before the performance and development review form is sent to you)**

Title of governance group	Meetings held	Meetings attended



**4. Development points for enhancing your performance in the year ahead**

To be agreed between you and your reviewer

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Your signature	
Date agreed by you	
Appraiser's signature	
Date agreed by reviewer	

**10. Remuneration Policy**

**10.1 Fees: Members of Council and the Members of the Audit, People and Policy and Education Committees**

1. Members of Council are paid an annual fee as set out below:
 

Chair	£27,000
Council members	£7,500
  
2. An additional responsibility allowance of £2,250 is payable to the Chairs of the Audit Committee, the Policy and Education Committee, and the People Committee.
  
3. Committee members who are not members of Council and members co-opted to committees are paid a daily allowance of £330 based on actual attendance; they will also be reimbursed for expenses incurred.
  
4. Council Associates are paid a daily allowance of £200 based on attendance they will also be reimbursed for expenses incurred.

**10.2 Fees: Fitness to practise (FtP) committees: Investigating, Health and Professional Conduct**

1. FtP Chairs: The Chairs of the Investigating Committee and the Health/Professional Conduct Committees are paid a fee of £330 plus a £50 Chairing allowance per day.
  
2. FtP Committee members and those members co-opted to the committees are paid a daily allowance of £330 based on actual attendance; they will also be reimbursed for expenses incurred.

<p>Cancellation fees</p>	<p>If fitness to practise panels are cancelled, in respect of each day of the hearing, the following will be reimbursed to those members affected:</p> <p>Prior to hearing</p> <ul style="list-style-type: none"> <li>• 0-5 working days notice: half fee</li> <li>• More than 5 working days notice: no fee</li> </ul> <p>During hearing</p> <ul style="list-style-type: none"> <li>• working days notice: full fee</li> <li>• 2-5 working days notice: half fee</li> <li>• More than 5 working days notice: no fee</li> </ul> <p>Out-of-pocket expenses incurred by a panel member will continue to be reimbursed. For example, if a registrant</p>
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	member has arranged a locum who would in turn have to be paid for the full number of days booked, they should continue to be reimbursed for that expense.
Half day attendance fees	Where a member undertakes any work lasting 3.5 hours or less (including travel time to/from home/work) a half day fee (currently £160) may be claimed. This includes time for completion of the appraisal process.
Reading fee	A fee of £75 per meeting is payable to members of the Investigating, Professional Conduct and Health Committees at the discretion of the Director of Regulation
Screening fee	The following fees are payable to members of the Investigating Committee for each case screened:  a. Cases closed under the Initial Closure Procedure - £20 b. Cases closed under the Threshold Criteria or referred to the Investigating Committee - £25
Overnight accommodation	Daily travel to and from the panel venue is expected where a member's travel time is no more than one and a half hours each way. Where a member's journey time is longer they may claim up to £220 for overnight accommodation and subsistence.

### **10.3 Expenses**

1. All members and Council Associates may have their expenses reimbursed in accordance with the remuneration policy set out below.
2. Annual fees and daily attendance rates are normally reviewed annually by the People Committee who make a recommendation to Council. Expenses are also reviewed by the Committee as required by changes in the external financial environment.
3. A standard system for the payment of allowances and expenses has been implemented via the GOsC Payroll
4. Members are responsible for their own tax arrangements and it is recommended that they seek guidance from a financial advisor where appropriate.
5. Travel from Osteopathy House to other business (non-Council) should be paid by the other organisation or at least shared. Please make these arrangements prior to travel. The GOsC reserves the right to add an administrative charge if it needs to reclaim from an alternative organisation.

6. The following expenses will be paid **if supported by appropriate receipts** (no receipt required for tube/bus/coach travel). If no receipt is available, agreement of the Executive is required before a claim can be made:

Subsistence for journeys over 2 hours	£15
Subsistence for evening meal	£30  Additional costs are not recoverable and no reimbursement will be made for alcoholic beverages.
Overnight accommodation and breakfast where a member's return journey exceeds 6 hours (allowance available only if not booked through the GOsC)	Overnight accommodation up to £220.  Members cannot claim for expenditure in excess of this allowance.
Allowance for staying with friends or family	£30 per night
Airfares (unless cheaper than rail travel, or it is previously agreed with the Executive, airfares will not be paid for travel in England and Wales). Members residing in Scotland may travel by air if they choose.	For travel abroad under 4 hours economy class; over 4 hours, enhanced class.
Rail fares	Travel should normally be undertaken in Standard Class. First Class rail travel should only be allowable where the ticket is categorised as 'Advanced'.
Motor mileage (where appropriate)	45p per mile
Tube, coach and bus fares	Reimbursed as incurred. For journeys around London, this should be the preferred travelling option. Route planners from each major train station are available from the Facilities team.
Taxi Fares	Reimbursed to a limit of £30 where a taxi journey is considered quicker or more

	economical than using public transport. Members are asked to consider whether a taxi is absolutely necessary and whether it is the most efficient means of transport. Taxi fares for local journeys, i.e. those within a 10–15-minute walk from Osteopathy House (London Bridge and Tower Hill) will not be paid unless prior agreement has been reached with the budget holder.
Bicycles and Scooters	To encourage more environmentally friendly means of travel, the GOsC will pay:  20p per mile bicycle travel allowance 30p per mile scooter travel allowance
Other Travelling Expenses	Expenses incurred in respect of tolls including congestion charges, parking and ferries may be claimed
Carers' Allowance	Costs incurred in the performance of Council members' duties for childcare and elderly care will be reimbursed in full against receipts

7. Claims should be submitted to the Resources and Assurance Department within three months of them being incurred. When a claim is submitted after a period of six months, without good reason, the claim will not be paid.

### 10.4 Travel and booking arrangements

The GOsC has accounts with First Western Business Direct for train travel and Premier Inn Hotel Group for accommodation (a hotel is located on Tower Bridge Road a short walk from Osteopathy House). Details can be obtained from the Council and Executive Support Officer, email: [council@osteopathy.org.uk](mailto:council@osteopathy.org.uk).

### 10.5 Publication policy

The fees and expenses of non-executive members of the governance structure are published in the GOsC's Annual Report.

### 11. Register of Interests

#### Conflicts of Interest Policy

##### Introduction

1. The Osteopaths Act 1993 requires the GOsC to establish and maintain a system for the declaration and registration of the private interests of its members, as well as to publish these interests.
2. Failure to manage conflict of interests effectively runs the serious risk that the GOsC could be perceived to be acting improperly, rendering its actions and decisions vulnerable to legal challenge.
3. The GOsC strives to ensure transparency and probity in the fulfilment of its statutory functions. In so doing, it aims to avoid any appearance of impropriety or conflict of interest that would undermine confidence in the regulatory process.
4. Best practice in corporate governance requires that this policy applies not only to Council members but all those acting on behalf of the GOsC including members of committees who are not members of Council, Council Associates, co-opted members of committees and working groups, Legal and Medical Assessors, Education Visitors and any other office holders.
5. Members of the Executive are also required to follow the principles set out in this policy and notify the Council and Executive Support Officer of any potential or actual conflicts of interest between their work and any non-work activity.

##### What is a conflict of interest?

6. A conflict of interest is any situation in which the personal interests of an individual (or the responsibilities or allegiances owed by them to another body), may or may appear to influence their personal judgment, actions or decision-making.
7. In UK law the legal test for bias, derived from case law is:

*'whether the fair-minded observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased'* (Porter v Magill [2002] 2 AC 357).

Therefore it follows that a perception of wrongdoing, impaired judgement or undue influence can be equally as detrimental as any of them actually occurring.

8. Conflicts may be financial as well as non-financial, and may be direct or indirect. So, for example, conflicts can arise from an indirect financial interest

(e.g. payment to a spouse) or a non-financial interest (e.g. preserving the individual's reputation).

9. Conflicts of loyalty may arise in respect of an organisation of which the individual is a member or with which they have an affiliation, or from personal or professional relationships with others, e.g. where the role or interest of a family member, friend or acquaintance may influence an individual's judgement or actions, or could be perceived to do so. Depending upon the individual circumstances, these factors can all give rise to potential or actual conflicts of interest.
10. A conflict of interest may also be anticipatory, where the actions of an individual may be perceived to put them in a more favourable future position in relation to another party.
11. Members and all those who act on behalf of the GOsC are expected **to act impartially and objectively in carrying out the GOsC's business.**
12. In considering what might constitute a potential conflict, those covered by this policy should bear in mind the seven principles of public office: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership.<sup>14</sup>
13. There is a duty on those covered by this policy to avoid situations of conflict of interest between the individual's personal interests and his/her GOsC duties.

### *Procedure for registering interests*

14. All those covered by this policy must declare in writing to the Chief Executive any professional, personal or business interests which they consider may pose, or might be seen to pose, a conflict with their GOsC responsibilities. The interests will then be transferred to a Register of Interests which will be made available on the public website. Annex A provides a list of examples of interests that must be declared although it cannot represent the totality of what should be declared.
15. The Chief Executive will be responsible for keeping the Register of Interests which will be published on the GOsC website.
16. If any member is unsure as to whether they need to declare a particular interest, they should discuss it with the Chair of Council, the relevant committee chair or the Chief Executive. The final decision on whether a matter is a conflict of interest is taken by the Chair of Council.

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<sup>14</sup> The Seven Principles see: <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>

17. On appointment, all members are asked to complete the attached form (Annex B) giving details of their interests. All individuals concerned will be invited to review and update their declared interests on twice yearly basis and aside from this, are required to amend their entries to reflect any changes as soon as possible. Members who act on behalf of the GOsC as an Education Visitor and/or an External Examiner should declare these roles and for the duration of the appointment should not undertake or participate in work relating to these roles. This is to ensure that as far as possible there can be no perceived conflict in the GOsC's interactions with the Osteopathic Education Institutions nor any other areas pertaining to relevant stakeholders.
18. The completed declaration form should be returned to the Council and Executive Support Officer by post or email [council@osteopathy.org.uk](mailto:council@osteopathy.org.uk):

Council and Executive Support Officer  
General Osteopathic Council  
Osteopathy House  
176 Tower Bridge Road  
London SE1 3LU

### *Procedure for declaring interests*

19. Where a potential or actual conflict arises in the course of GOsC business (for example, in the course of a meeting or when invited to take part in another GOsC activity), the individual should declare at that time that they have a potential or actual conflict of interest.
20. The categories of interest, together with their effect on participation in the issue for discussion/decision are:

- **Indirect interests**

Interests that do not directly relate to specific issues for discussion. In such circumstances, while the interest must be declared, there is no reason not to participate in the discussion or decision. A record of the declaration will be made in the minutes of the meeting.

- **Direct interests**

Interests with direct relevance to specific items of business such that a fair-minded observer, having considered the facts, would conclude that there was a real possibility that the individual was biased in any discussion or decision.

In such circumstances it will not normally be permissible to participate in any relevant discussion or decision and the individual should withdraw from the meeting. A record of the declaration and the decision to withdraw from the meeting will be made in the minutes.



Should the Chair of Council or relevant committee decide, following a consideration of the likely impact of the interest, that it is appropriate for the individual to participate in the discussion or decision this must be recorded, with reasons, in the minutes of the meeting.

21. Where an interest has been declared the Chair of Council (or Chair of a Committee) will decide whether it is appropriate for that Member of Council or office holder to participate in a relevant discussion or decision.
22. If any member is unsure in advance of a meeting as to whether they need to declare a particular interest, they should discuss it with the Chair of Council, the relevant committee chair or the Chief Executive. The final decision on whether a matter is a conflict of interest is taken by the Chair of Council.
23. If there are any queries over any aspect of this policy please contact the Chief Executive, in the first instance, or the Council and Executive Support Officer:

Chief Executive and Registrar  
[ce@osteopathy.org.uk](mailto:ce@osteopathy.org.uk)

Council and Executive Support Officer  
[council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)

## Annex A

## Interests which must be declared

The following interests must be declared:

- a. posts held in the ordinary course of employment or professional practice, including unpaid
- b. membership of professional bodies or specialist societies
- c. any office (e.g. President, Chairman, Chief Executive, Treasurer or Secretary) of any professional body, specialist society or similar body, whether in the public, private or voluntary sector
- d. consultancies, directorships or advisory positions
- e. active membership of a political party or pressure group
- f. a current, anticipatory or recent association with any osteopathic educational institution (OEI):

*'Association 'includes:*

- being a trustee, governor, director or other office holder
- being an employee
- any other paid or unpaid association, e.g. as a consultant, adviser or external examiner

*'Current, anticipatory or recent':*

- the individual's association with the OEI is active at the time
- the individual expects to have a future association with an OEI
- the individual's association lapsed less than four years ago

*'Osteopathic educational institution (OEI)':*

- an undergraduate osteopathic provider that already has Recognised Qualification (RQ) status
- an undergraduate osteopathic provider that is known to be seeking (or it is anticipated will seek) RQ status
- a provider of post-graduate or continuing professional development courses in osteopathy.

- g. any close personal ties with the GOsC's advisers, executive or prospective advisers.
- h. any other interest which may be relevant and not covered by the above e.g. association through family such as might lead a fair-minded observer, having considered the facts, to conclude that there was a real possibility that such an interest might influence an individual's judgment.

**Annex B**

**Declaration of interests form**

I, \_\_\_\_\_, understand that I must act in accordance with the [Nolan principles](#). The principles of selflessness, integrity and honesty relate directly to the management of interests. I must not receive any financial or non-financial benefit from my association with the GOsC that is not explicitly authorised in my appointment letter (i.e. other than annual remuneration/fees and travel and subsistence expenses) and I should not exert any influence to acquire any preferential treatment for myself or other connected persons (a connected person is someone with whom you have a personal or business relationship which could be perceived as influencing your decision)

**For members of Council and/or Policy and Education Committee only:** I understand that as a member of the GOsC governance structure, sitting on Council and/or the Policy and Education Committee, it is the decision of Council that, as a serving member, I should not undertake any activity as an Education Visitor or External Examiner in relation to an osteopathic education provider.

Areas of interest	Details relating to you
<b>Current employment, business or principal professional practice interests</b>	
<b>Non-executive roles including directorships or advisory positions (please also list any office held, e.g. Chair)</b>	
<b>Membership of professional bodies or specialist societies</b>	

<b>Areas of interest</b>	<b>Details relating to you</b>
<b>Current, anticipatory or recent association with any osteopathic educational institution within the last four years</b>	
<b>Any close personal ties with the GOsC's Executive, advisers, or prospective advisers</b>	
<b>Active membership of a political party or pressure group</b>	
<b>Any other interest which may be relevant and not covered by the above e.g. association through family such as might lead a fair-minded observer, having considered the facts, to conclude that there was a real possibility that such an interest might influence an individual's judgment.</b>	

I will update my register entry regularly, particularly if any significant changes occur. I will alert the Council and Executive Support Officer as soon as possible if I am subject to disqualification under the General Osteopathic Council (Constitution) Order 2009 (SI2009/263). All actual, perceived, apparent and potential conflicts are disclosed above. I confirm that all my known, relevant interests have been declared above.

Signed..... Date.....

A scanned electronic signature or typed name will suffice so that the return can be made electronically.

**Data Protection**

The information provided will be processed in accordance with the data protection principles set out in the Data Protection Act 2018. The information provided will be available publicly; the register will be available on the GOsC website.

If you are not sure what to declare or whether or when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue please contact the Chief Executive ([ce@osteopathy.org.uk](mailto:ce@osteopathy.org.uk)) or the Chair of Council ([chair@osteopathy.org.uk](mailto:chair@osteopathy.org.uk)) for confidential guidance.

## **12. Complaints about members of the governance structure**

### **Introduction**

1. The General Osteopathic Council (GOsC) is committed to providing a high quality, accessible service in accordance with its statutory objective which is 'to regulate and develop the profession of osteopathy'. Any complaints or concerns raised regarding Members of the GOsC's governance structure (Council, Council Associates and committee members, fitness to practise panelists, ad hoc working group members), or other individuals acting on behalf of the organization (such as Registration Assessors), and who are covered by the GOsC's [Code of Conduct](#), will be fully investigated and appropriate action will be taken.

### **Scope**

2. The procedure described in this document provides a formal route for complaints to be raised with the GOsC. However, those who make a complaint are encouraged, wherever possible, to raise concerns directly with the individual concerned in the first instance, in order to seek an early resolution of the issue. Where this does not resolve the issue, or in situations where this is not appropriate, the following two-stage complaints procedure may be used.
3. This procedure is for dealing with complaints against those individuals bound by the GOsC's [Code of Conduct](#). This process is not designed to deal with complaints about a staff member of the GOsC. These complaints are dealt with under the GOsC's corporate complaints procedure, details of which can be found on the GOsC's website at <http://www.osteopathy.org.uk/about-us/our-work/our-performance/>.

### **How to make a complaint**

4. You can make your complaint in writing or by telephone. If you make your complaint in writing please provide your telephone number, if a response by telephone would be convenient. If you e-mail your complaint, please say if a reply by e-mail would be acceptable and, if not, please provide a full postal address. In all cases, however, you will be asked to sign a declaration confirming that you have no objection to the individual involved seeing your complaint, and that the information you have given is true and accurate.
5. Complaints should be addressed to the HR Manager who will manage the process and may be contacted as follows:

Council and Executive Support Officer  
General Osteopathic Council  
Osteopathy House  
176 Tower Bridge Road  
London SE1 3LU  
[council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)

6. Where a complaint is made in writing, it will help us to process it more quickly if the [complaint form](#) is used. All complaints in writing, whether made on the form or not, should include the following:
  - a. A clear description of the circumstances giving rise to the complaint including details of which provision(s) of the Code of Conduct has or have, in your view, been breached
  - b. Confirmation of whether or not you have already raised your concerns with the individual who is, or individuals or are, the subject of the complaint and if you have, what the outcome was
  - c. A description of what you believe would be a satisfactory resolution of the issue.
  - d. Your full postal address and telephone number (and e-mail address if you have one).
7. Complaints should be drawn to our attention at the earliest opportunity and ideally within six months of the issue giving rise to the complaint.

### Stage 1

8. We anticipate that many complaints can be resolved at this stage. The procedure at Stage 1 is as follows:
  - a. The GOsC will acknowledge receipt of your written complaint or signed Declaration within five working days.
  - b. The complaint will be investigated by the Chair of Council, or by two other Council members if the complaint is about the Chair of Council. The Chair (or other Council members where appropriate) will notify the individual complained about and invite them to make representations and may seek such other information as they consider necessary to conduct their investigation.
  - c. If the Chair (or other Council members where appropriate) considers that your complaint is capable of resolution at Stage 1 of the procedure, they will write to you within 21 days of receiving details of the complaint from the Council and Executive Support Officer, setting out the results of the investigation and the suggested resolution. If it is not possible to give a full reply within 21 days, we will explain why and give you a date by which you can expect a full reply.
  - d. If the Chair (or other members where appropriate) considers that your complaint is not capable of resolution at Stage 1 of the procedure, they will write to you within 21 days, giving notice that your complaint will be referred to a panel for a formal investigation and hearing (under Stage 2 of the procedure set out below). If it is not possible to send a full reply

within 21 days, we will explain why and give you a date by which you can expect a full reply.

- e. A referral to a panel under Stage 2 of the procedure will also be made where you are unhappy with the outcome of the investigation or suggested resolution by the Chair (or other Council members) at Stage 1.

### Stage 2

#### 9. Complaint

- a. Where the Chair (or other Council members) has referred your complaint to a panel for a formal investigation and hearing, your original Complaint and Declaration [Form](#) will be used. Where your complaint has been referred because you are not satisfied with the investigation and suggested resolution at Stage 1, your original Complaint and Declaration [Form](#) will need to be supported by a signed letter from you saying why you are not satisfied with the Stage 1 investigation or the suggested resolution.
- b. Complaints will be considered within three months of receipt by the Chair of the Panel (see paragraph 11 below). The Chair of the Panel may extend this period in exceptional circumstances where extra time may be needed to ensure a fair and comprehensive consideration of the complaint.
- c. Council Associates will not be permitted to participate in Stages 1 or 2 investigation of a complaint nor act as an investigating panel member.

#### 10. Composition of Panel

The Chair will arrange for the complaint to be fully investigated by convening a panel of three people appointed by Council. The panel will comprise one Council member from the GOsC (who has not been involved with the Stage 1 investigation and has no conflict of interest) and two other members from amongst members of bodies regulating other health professions and/or of other similar bodies. The process for identifying the individuals and any associated remuneration paid will be agreed at the time the panel is being convened. At least one member of the panel will have appropriate legal experience or experience of acting in a judicial capacity. The Panel will appoint a Chair from amongst its members, which ideally should be the member of Council.

#### 11. Procedure

- a. Copies of the Complaint and Declaration [Form](#) and any other relevant supporting documentation will be sent to the Panel and the individual who is the subject of the complaint. A written response will be requested from the latter within a reasonable time to be determined by the Panel.



- b. The Panel will consider the response and make any necessary enquiries, of both you, the complainant, and the individual who is the subject of the complaint, to enable it to consider the issues thoroughly. The Panel may also hear evidence and both parties will have a right to an oral hearing, with a 'supporter' present, within a reasonable time to be determined by the Panel. Supporters may only address the panel in exceptional circumstances and with the agreement of the panel. If neither party requests an oral hearing and the panel consider it appropriate in all the circumstances, the matter may be considered on the written evidence alone.
- c. Administrative Provisions
  - i. All decisions of the Panel will be made by a simple majority of votes with the Chair of the Panel having an additional, casting vote when needed.
  - ii. Meetings of the Panel will be held in private unless the Chair of the Panel decides otherwise.
  - iii. The Panel may seek any advice, including independent legal advice or secretariat support as it reasonably sees fit.
- d. On conclusion of its enquiries and of any hearing, the Panel will decide whether the complaint is upheld and if so, what action or sanction is appropriate.

## 12. Sanctions

If the Panel concludes that there has been no breach of the Code it will recommend to Council, that no action be taken. If, on the other hand, the Panel concludes that there has been a breach of the Code, it will recommend to Council one or more of the following:

- a. that the individual be admonished by Council and that this be recorded in the relevant minutes.
- b. that the individual be suspended from office for a specified period not exceeding six months in total.
- c. that Council recommend to the Privy Council removal of the individual from office under appropriate provisions in the General Osteopathic Council (Constitution) Rules 2009 (SI 2009/263) or the General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009 (SI 2009/468) or that Council remove the individual from office if the appointment is a Council appointment.
- d. that a report be made to the police or other authority, if appropriate.

13. The Chair of the Panel will then prepare a report of the complaint, the Panel's findings, its recommendation(s) and the reasons. This will be made available to the parties involved as soon as possible. A copy of the report will also be sent to Council for action.

### 14. **Council Procedure**

- a. The Panel's report and recommendation(s) will be considered in private session at the next meeting of Council. Where the Panel has recommended that the police be informed of the matter, no report shall be made public until the conclusion of any action by the police or prosecuting authorities.
- b. Council may:
  - i. Agree to impose the recommended sanction by a majority vote of those present and voting (excluding the member in question if the complaint concerns a member of Council), or
  - ii. In exceptional circumstances, remit the matter to the Panel for further consideration. Council may not substitute its own decision for that of the Panel.
- c. Where Council has accepted the Panel's decision, a report on the outcome of the matter will then be made in the public session of Council, save in those cases where an investigation by the Police or other authority has been recommended and has not been concluded or where the Chair considers it inappropriate to do so. Where a sanction has been recommended, it will be put into effect as soon as practicable.
- d. Where Council has remitted the matter to the Panel for further consideration, it will set out in writing the reasons which have caused it to remit the matter to the Panel, and it may advise the Panel of the factors which it believes the Panel should take into account when giving further consideration to the complaint.
- e. For the purposes of the reconsideration, the Panel may, in exceptional circumstances (such as illness, death, expiry of term of office of Panel Member) be composed of different individuals from before.

### 15. **Further consideration by the Panel**

- a. The Panel will review their decision made under paragraph 12 above, in the light of the reasons and advice provided by Council, within 21 days of remittal by Council.
- b. The administrative provisions set out at paragraph 12 c and d will apply on a further consideration by the Panel of the complaint.

- c. When the Panel has finished their further consideration of the complaint, they will resubmit their original report to Council together with their findings, recommendations and reasons from their further consideration. These will also be made available to the parties involved.
16. The Panel's new report will be considered in private session at the next meeting of Council, who will accept the Panel's decision and recommended sanction, in which case the provisions at paragraph 15 c above will apply.

### **If you are not satisfied with the final response from the GOsC**

17. The acceptance by Council of the Panel's decision and recommended sanction marks the end of the GOsC's complaints procedure. If you are unsatisfied with Council's final decision and wish to pursue the matter further, you should seek separate independent legal advice. Please note that time limits may apply to legal proceedings in court or other tribunals.

**Annex A to Section 12*****General Osteopathic Council*****Code of Conduct****Introduction**

1. The General Osteopathic Council (GOsC) was established in 1997, as the regulator of osteopathy in the United Kingdom, following the passage of the Osteopaths Act 1993

**Statutory role**

2. The GOsC's statutory role, set out in the Osteopaths Act 1993 (as amended) is to 'develop and regulate' the profession of osteopathy. The GOsC has three statutory objectives:
  - a. To protect, promote and maintain the health, safety and well-being of the public
  - b. To promote and maintain public confidence in the profession of osteopathy, and
  - c. To promote and maintain proper professional standards and conduct for members of that profession.
3. The GOsC is also a charity registered in England and Wales (1172749) and its charitable purposes are those set out in the Osteopaths Act 1993 (as amended). The GOsC's Council members undertake the role of charity trustees.
4. Members of the GOsC's governance structure (Council, Council Associates, committees, fitness to practise panellists, registration assessors and ad hoc working groups), both as individuals and collectively, have a duty to ensure that the GOsC's functions meet its statutory duties and public benefit requirements.
5. This Code provides guidance for members and others, acting on behalf of the GOsC, on carrying out these functions in line with currently accepted standards of public service. It applies to:
  - Members of the Council
  - Members of committees, both statutory and non-statutory
  - Council Associates
  - Members of working groups
  - Any other individuals who may from time-to-time act on behalf of the GOsC in a non-executive capacity, such as Registration Assessors.

### General guidance

10. Members and other non-executive persons acting on behalf of the GOsC will comply with the following general guidelines at all times:

- Act in good faith
- Act in accordance with the GOsC's statutory objectives, both as individuals and collectively
- Act in the best interests of the GOsC and its beneficiaries
- Act in accordance with the seven principles of public life (set out below)
- Treat others equally, fairly and with respect.

### Seven principles of public life

6. The principles, as set out by the Committee on Standards in Public Life <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>, are:

#### Selflessness

Holders of public office should act solely in terms of the public interest.

#### Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### Honesty

Holders of public office should be truthful.

### Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Specific guidance**

7. In addition to complying with the general guidance, those covered by the Code should observe the following specific guidance in carrying out their various functions:

- a. Confidentiality

Members and others covered by the Code will sometimes be party to discussions or information of a confidential nature. They may also receive confidential information from other bodies. The effective operation of the GOsC depends on these confidences being maintained for the appropriate time. Even then, confidential information must not be disclosed without the consent of a person authorised to give it or unless there is a legal requirement to do so. In any cases of uncertainty about handling confidential information, the Chair of Council (Chair) or the Chief Executive should be consulted. Any breaches of confidentiality and the circumstances surrounding the disclosure must immediately be notified to the Chair and the Chief Executive.

- b. Media, public speaking engagements and communications with external organisations

Media contact should be discussed, if possible, in advance with the Chair, the Chief Executive or the Head of Communications and Engagement who are the appointed spokespersons of the GOsC. In speaking or writing about the work of the GOsC, those covered by the Code should ensure they reflect current policies of the GOsC. This applies to any dealings with the media, or when in a public forum or in an informal discussion, which might not immediately relate to the work of the GOsC. Members should make sure their comments are accurate, well-considered and well-informed and that they do not undermine confidence in the GOsC.

- c. Collective decision making

Members of Council, committees and ad hoc working groups must recognise any decisions made by the majority even if they personally disagree with them. This does not preclude a member from expressing a dissenting view but he/she should not, by commenting in public or by other means, attempt to frustrate the implementation of decisions properly made.

### d. Personal behaviour

Members and others covered by the Code must not act in a way which would bring the GOsC into disrepute, and their behaviour must demonstrate the standards expected of holders of public office. Where a member or other person covered by the Code has been charged with, or has been convicted of, a criminal offence, or has been the subject of a disciplinary procedure by another regulator, the member must inform the Chair at the earliest opportunity. Where any other matter involving a member has the potential to undermine confidence in the GOsC, the member should consult the Chair or Chief Executive at the earliest opportunity.

### e. Roles of executives and non-executives

Those covered by the Code must recognise that staff members are part of a line management structure responsible to the Chief Executive for the implementation of corporate decisions, and not to any individual non-executive. Care must be taken to ensure that the distinctive roles and responsibilities of executives and non-executives are respected.

### f. Equality and diversity

Individuals covered by this Code will be expected to follow best practice on equality and diversity issues, defined as complying fully with the GOsC's responsibilities under anti-discrimination legislation and ensuring the GOsC's equality policy and supporting action plan is implemented.

### g. Conflicts of interest

Individuals covered by this Code are free to engage in political activities or to maintain associations with professional organisations provided that such activity does not conflict with the essential purpose of the GOsC in protecting the public. They must declare, in writing to the Chief Executive, any professional, personal or business interests (including any significant current association with any osteopathic educational institution), which may, or might be seen to, conflict with their GOsC responsibilities. The Chief Executive will be responsible for keeping the Register of Members' Interests which will be a public document. Individuals covered by this Code will be invited to update their entries in the spring of each year but in any case changes in circumstances necessitating amendments to the Register should be notified to the Chief Executive as soon as they arise.

### h. Testimonials

Individuals covered by this Code should avoid providing testimonials, references or acting as character witnesses for individuals who are applicants for registration with the GOsC or who are subject to fitness to practise proceedings within the GOsC.

### i. Attendance

Members of Council, Council Associates, committees and working groups will be expected to make the time commitment necessary to attend meetings and discharge their duties, absenting themselves only for compelling personal or professional reasons. Details of expected attendance levels are set out in the GOsC's Standing Orders.

### j. Performance and development review

Members of Council, Council Associates, committees and working groups will be expected to participate constructively in periodic performance and development reviews (see details of the GOsC Performance and Development Review Scheme in Annex 3).

### k. Gifts and Hospitality

Members and those covered by this Code are required to adhere to the Bribery Act 2010, which explicitly prohibits bribery. Further guidance on the Bribery Act 2010 can be found on the Ministry of Justice website under <http://www.justice.gov.uk/guidance/making-and-reviewing-the-law/bribery.htm>

Members and those covered by this Code must not accept gifts, hospitality or benefits, offered in relation to GOsC business, which might be seen to compromise their personal judgement or integrity. In case of uncertainty, the Chief Executive should be consulted. All offers of gifts and hospitality to members of the governance structure and staff, whether accepted or not, must be recorded in the Gifts and Hospitality Register which is maintained by the Council and Executive Support Officer to whom all declarations must be made.

## **Complaints**

8. Any complaints made against anyone covered by this Code will be handled in accordance with the GOsC's procedure for handling such complaints.



**Annex B to Section 12**

**General Osteopathic Council (GOsC)  
Making a Complaint about a Member of the  
General Osteopathic Council's Governance Structure**

Complaint and declaration form

The GOsC leaflet *Making a Complaint About a Member of the General Osteopathic Council's Governance Structure* sets out the relevant procedure. Once you have read that leaflet, and decided you wish to proceed with a complaint, please help us by providing the following information:

**Your Details**

Your name

Your address

Your home telephone number

Your work telephone number (if applicable)

Your email address (if applicable)

**Complaint Details**

Is this an original complaint or a follow-up to a reply you were not satisfied with?

Please tick one

Original complaint

Follow-up to a reply you were not satisfied with

Please provide a clear description of the complaint and who has been involved so far. *What would you regard as a satisfactory outcome or how can we help sort things out for you?*

*Please continue on an extra sheet if required*

**Help**

If you would like to discuss any part of your complaint before sending this form or would like help with completing it, please email the Executive Support Officer ([council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)).

**Declaration**

I have no objection to the individual involved seeing my complaint.

I declare that the information I have given is true and accurate.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Checklist**

Thank you for completing this form. Now, please make sure you have:

- Given as many details as you can about your complaint, together with any supporting papers and documents.
- Completed all sections of this form.
- Kept a copy of this completed form for your records.
- Read carefully and signed the Declaration.

Please return this form to:

Council and Executive Support Officer  
General Osteopathic Council  
Osteopathy House  
176 Tower Bridge Road  
London SE1 3LU  
[council@osteopathy.org.uk](mailto:council@osteopathy.org.uk)

### 13. Gifts and Hospitality

#### *Principles*

1. Members of the GOsC's governance structure (Council, Council Associates, committees, fitness to practise panels and ad hoc working groups) and staff will be aware of the *Seven Principles of Public Life*, which apply to all in the public sector (these can be found annexed to the Code of Conduct). When applying these principles to the treatment of gifts and hospitality, additional factors need to be taken into account. These include the value of the gift, the hospitality offered, the number of staff or members in receipt of the gifts and hospitality, the circumstances and the frequency of offer.

#### *Gifts*

2. All gifts<sup>15</sup> should, where possible, be avoided and in all cases be considered very carefully before being accepted. The circumstances in which a gift is received can give rise to concern, particularly where it might be considered that the individual giving the gift was seeking to influence any decision of the GOsC, Council or a committee.

#### *Hospitality*

3. Hospitality should not generally present a problem provided it is recorded and is not out of proportion. For example, invitations to lunch or dinner by a trade representative without reference to any particular piece of business are more likely to be acceptable than a day at Ascot prior to a tendering exercise in which that representative has an interest.

#### *Small gifts and incidental hospitality*

4. Small gifts, such as trade calendars and diaries, and incidental hospitality, such as drinks, are acceptable in most circumstances and do not need to be recorded. But if there is a doubt about the intentions or the circumstances, then the event should be recorded.

#### *General rule*

5. The general rule is to use common sense and not put oneself in a situation where one's integrity could be challenged.

#### *Guidelines for the receipt of gifts*

6. All offers of gifts and hospitality to members of the governance structure and staff, whether accepted or not, must be recorded in the Gifts and Hospitality

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<sup>15</sup> A gift is defined as a personal present with a value in excess of £10. Promotional materials are excluded from this definition.

Register which is maintained by the Council and Executive Support Officer to whom all declarations must be made.

7. When deciding whether to accept or decline an offer of a gift or hospitality the matter may be discussed with the Chair of Council or the relevant committee chair or a staff member's line manager, as appropriate, and the principles set out above must be followed.

**Annex to Section 13**

**General Osteopathic Council**

**Gifts and hospitality register declaration form**

<i>Name of member or staff member</i>	
<i>Description of gift<sup>16</sup> or hospitality and value</i>	
<i>Reason for gift or hospitality</i>	
<i>Comments e.g. confirmation of discussions with Chair or line Manager, how gift or hospitality dealt with e.g. shared amongst staff/returned/retained etc.</i>	
<i>Accepted or declined</i>	
<i>Signed:.....</i>	<i>Dated:.....</i>

Please return completed form to the Council and Executive Support Officer

<sup>16</sup> A gift is defined as a personal present with a value in excess of £10. Promotional materials are excluded from this definition.

## **Legislation governing the work of the General Osteopathic Council**

### **1. The Osteopaths Act**

[Osteopaths Act 1993 \(as amended\)](#)

### **2. Governance**

[The General Osteopathic Council Constitution Order 2009](#) (SI 2009/263)

[The General Osteopathic Council \(Constitution\) \(Amendment\) Order 2015](#) (SI 2015/1906)

[The General Osteopathic Council \(Constitution of the Statutory Committees\) Rules Order of Council 2009](#) (SI 2009/468)

### **3. Registration and fees**

[The General Osteopathic Council \(Application for Registration and Fees\) \(Amendment\) Rules Order of Council 2014](#) (SI 2014/598)

[The General Osteopathic Council \(Application for Registration and Fees\) \(Amendment\) Rules Order of Council 2013](#) (SI 2013/1026)

[The General Osteopathic Council \(Registration of Osteopaths with United Kingdom Qualifications that are not Recognised Qualifications\) Rules Order of Council 2009](#) (SI2009/1993)

[The GOsC \(Application for Registration and Fees\) Rules 2000](#) (SI 2000/1038)

[The GOsC \(Fraud or Error and Appeals\) Rules 1999](#) (SI 1999/1846)

[The GOsC \(Registration\) Rules 1998](#) (SI 1998/1329)

[The General Osteopathic Council \(Continuing Professional Development\) Rules Order of Council 2006](#) (SI 2006/3511)

[The General Osteopathic Council \(Continuing Professional Development\)\(Amendment\) Rules Order of Council 2018](#) (SI 2018/513)

[The GOsC \(Recognition of Qualifications\) Rules 2000](#) (SI 2000/1281)

[The General Osteopathic Council \(Coronavirus\) \(Amendment\) Rules Order of Council 2020](#) (SI 2020/596)

#### **4. Fitness to practise**

[The GOsC \(Professional Conduct Committee\) Rules 2000](#) (SI 2000/241)

[The GOsC \(Health Committee\) \(Procedure\) Rules 2000](#) (SI 2000/242)

[The GOsC \(Health Committee\) \(Appeals\) Rules 2000](#) (SI 2000/243)

[The GOsC \(Medical Assessors\) Rules 1999](#) (SI 1999/1879)

[The GOsC \(Legal Assessors\) Rules 1999](#) (SI 1999/1848)

[The GOsC \(Investigation of Complaints\) \(Procedure\) Rules 1999](#) (SI 1999/1847)

[The General Osteopathic Council \(Coronavirus\) \(Amendment\) Rules Order of Council 2020](#) (SI 2020/596)

#### **5. Professional indemnity insurance**

[The General Osteopathic Council \(Indemnity Arrangements\) Rules Order of Council 2015](#) (SI 2015/693)



## Document History

Version	Date	Description of Change	Author
1	April 2013	Post-Council draft	CE&R
2	April 2013	Revised Nolan principle descriptors	CE&R
3	May 2013	Correction of terms of reference for OPC and ERSC	CE&R
4	June 2013	Revisions to allowances for fitness to practise committee members	CE&R
5	November 2013	Addition of Registration Appeals Committee and revisions to job titles	CE&R
6	January 2014	Link to the Seven Principles – Committee on Standards in Public Life updated.	CESO
7	November 2014	Amendments agreed by Council at meeting of 6 November 2014 – minor amendments and new procurement policy	CE&R
8	May 2015	Amendments agreed by Council at meeting of 14 May 2015 – update to procurement policy, revised Audit Committee ToR and revised conflicts of interest policy	CE&R
9	March 2016	Post-Council draft	CE&R
10	July 2016	Amendments to remuneration policy, code of conduct, whistleblowing policy and committee structure	CE&R
11	June 2017	Amendments incorporating requirements of charity registration and new statutory duties	CE&R
12	June 2017	Addition of Reading and Screening Fees for members of the Investigating Committee	CESO
13	May 2018	Amendment to Continuing Professional Development (CPD) Rules Amendments to Senior Management Team titles	CESO
14	June 2018	Updated conflicts of interest form	CE&R
15	November 2018	Amendments to role of Council, role of Chair, Code of Conduct, expenses policy and procurement policy agreed by Council November 2018	CE&R
16	May 2019	Amendments to the Audit Committee Terms of Reference (ToR)	CESO
17	January 2020	Amendments to the Remuneration and Appointments Committee Terms of Reference	CESO
18	April 2020	Change of Committee name: Policy Advisory Committee to Policy and Education Committee	CESO
19	May 2020	Amendment to the Annual Review Form	Acting CE&R
20	June 2020	The General Osteopathic Council (Coronavirus) (Amendment) Rules Order of Council 2020 (SI 596/2020)	CESO

22	February 2021	Review and updates to Governance Handbook following an independent review. Minor amendments to wording to modernise and reflect current practice: to be reported to Audit Committee in March 2021.	CE&R
23	April 2021	Governance Handbook reviewed by the Audit Committee at its meeting March 2021, and agreed the revisions and the recommendation to Council to publish.	CE&R
24	March 2022	Review and updates to the Governance Handbook including: <ul style="list-style-type: none"> <li>• Addition of details relating to information about Council Associates,</li> <li>• Amendments to Remuneration Policy, Complaints Policy</li> <li>• Changes to details relating Audit Committee (AC) and AC Chair + Remuneration and Appointments Committee (RaAC) and RaAC Chair</li> <li>• Conflicts of Interest Policy and DoI Form</li> <li>• Appraisal procedure and form</li> </ul>	CE&R
25	April 2022	Change of Committee title approved : Remuneration and Appointments renamed People Committee	
26	June 2022	Format of meetings (online, in-person, hybrid)	CE&R
27	April 2023	Amendments to the Remuneration and Expenses Policy – Fitness to Practise Committees	CE&R
28	July 2023	GOsC Values	CE&R
29	April 2024	<ul style="list-style-type: none"> <li>• Vision and Strategic Aims 2024-2030</li> <li>• Non-Executive Remuneration (approved March 2024)</li> </ul>	CESO