



Policy and Education Committee

15 June 2021

Conflicts of Interest

Classification	Public
Purpose	For discussion
Issue	The management of conflicts of interest in the osteopathic sector.
Recommendation	To consider the current conflicts of interest policy in relation to Visitors and members of Committee and Council.
Financial and resourcing implications	None associated with this paper.
Equality and diversity implications	Feedback from some osteopathic educational institutions suggests that educators are not as diverse as the profession or the society which the profession serves. We are working with the OEIs and others to understand more precisely the diversity of the profession and how this can continue to be enhanced. The UrGEnT ¹ project, part funded by Council will contribute to this aim.
Communications implications	Our general conflicts of interest policy is published in our Governance Handbook.
Annexes	A - Extracts of the GOsC Governance Handbook related to Conflicts of Interest B - Section 12 of the Osteopaths Act 1993 C - Table outlining potential interests and conflicts arising with Visitors sitting as decision makers D - Information from other regulators about decision making structure and conflict of interest (supplemented with information from websites)
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¹ Research into Underrepresented Groups Experiences of Osteopathic Education and Training (UrGEnT)

Key messages from the paper

- Consideration of the issues that arise in the management of conflicts of interest for Visitors who are also Committee or Council members.
- The paper explores
 - our current GOsC conflicts of interest policy,
 - our current approach to the management of the conflicts of interests for Visitors who are also Committee or Council members,
 - the position of other regulators (including context)
- The paper asks the Committee to consider and reflect on the issues that might arise both for Visitors, the Committee and for external stakeholders.
- We will reflect on next steps which will be dependent on the discussion of the Committee.

Background

1. Our Strategic Plan provides that 'We will develop our assurance of osteopathic education to produce high quality graduates who are ready to practise'.
2. In a small sector with a diverse range but small number of institutions with a range of commercial interests, and a very small pool of osteopathic educational expertise, a review of our current approach to conflicts of interest in education is appropriate.
3. This paper outlines our current conflicts of interest policy, examples of the types of conflicts of interests that arise in education and the way that we currently manage them and asks the Committee to consider the issues arising and whether our current conflicts of interest policy is fit for purpose.

Discussion

The GOsC Conflict of Interest Policy

4. Our conflicts of interest policy is outlined in the GOsC [Governance Handbook](#) and relevant extracts are attached at Annex A. Conflicts of interest are also dealt with, to an extent, in section 12 of the Osteopaths Act 1993 set out at Annex B. The [Mott MacDonald Interim Review Handbook](#) (pages 18 and 19) refers to the Act and to the Policies in the GOsC Governance Handbook about Conflict of Interest.
5. In essence, the test for conflict 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. 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.²

6. The policy provides examples of interests in education, but does not specifically reference the example of the independent Committee appointed Visitor, as follows:

'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.³*

7. The appropriate management of those interests is set out as follows (but is ultimately a matter for the Chair of the Committee):

- ***'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,*

² See paragraph 7 of the Conflicts of Interest Policy at Annex 3 to the GOsC Governance Handbook.

³ See paragraph g. to Annex A to the Conflicts of Interest Policy at Annex 3 of the GOsC Governance Handbook, p78

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.'

8. The policy does not specifically provide for the relationship between Visitors appointed by the Education Committee to undertake a visit and Committee or Council members and issues of conflict that may arise in this scenario.

The GOsC current approach to management of conflicts of interest for Visitors who are also members of the governance structure.

9. The table at Annex C seeks to explore the possible conflicts that could arise in relation to an institution from the point of appointment as a Visitor (who is also a Committee or Council member) to the Visit Report consideration and subsequent follow up. It uses the perspectives of the Visitor, the Institution being visited, the other OEIs, the Committee itself and the reasonable member of the public. It sets out our current custom and practice. Typically, we allow members of the Governance Structure to be appointed as Visitors, but they are not involved in decisions about the institution they have been involved in visiting, typically for a period of around two years from the consideration of the Visit Report.

The management of conflicts in education in other regulators

10. The table at Annex D sets out the position with regards to other regulators (Please note that we have produced the table on the basis of information from the regulators and a review of their website and any errors are ours). There is not a directly comparable scenario. Relevant factors in approaches to managing conflicts of interest include:
 - Principles including fairness and transparency.
 - Few conflict of interest policies seem to deal directly with the scenario of Visitor and decision maker, direct and indirect interests.
 - Conflict of interest policies tend to be based on custom and practice and principles to be applied in a given scenario.
 - Most regulators have custom and practice of not using Education Visitors in decision making structures, although one regulator does use individual members of the Education Committee to work with particular educational institutions in relation to annual reporting.
 - Specific issues of expertise arise with smaller professions where fixed rules on management and complete separation are less clear.
 - The views of the educational institution are important when considering the impact of a conflict. (Although the perception of the external observer is also critically important.)
 - Decision making structures are different in different regulators. Some decisions about educational approval are made by Registrars, some by Councils and some on the recommendation of an Education Committee.

Questions for consideration

11. The Committee are asked to consider the following questions:
- a. What type of expertise and experience is needed for Visitors to undertake independent and fit for purpose visits? (E.g. experience of teaching or governance in osteopathic education; experience as external examiner at other institutions? Or is general educational expertise sufficient?)
 - b. What type of expertise and experience within the (Policy and) Education Committee to make fit for purpose determinations about osteopathic educational approval? (E.g. is experience of teaching or governance in osteopathic education needed i.e. are the same skills needed in both Visitors and Committee members?)
 - c. What interests and conflicts arise for Visitors being part of the decision making structure? What interests and conflicts arise for Visitors being part of the decision making structure in relation to the institution that they have been involved in inspecting? How long do these interests and conflicts last?
 - d. Should there be a separation between Visitors and members of the Governance Structure (Council, Committee, other roles such as fitness to practise panellists, registration assessors). Why or why not?
 - e. Can the profession resource such a separation? Why or why not?
 - f. If Visitors are part of the Education Committee or Council, what rules or practice should be in place for phases 1 to 4 outlined at Annex C?
 - g. What sort of time period does a conflict last in relation to an institution for a Visitor following the visit or the report?
 - h. Any other factors to our approach to interests and managing conflicts of interest so that our position is fair, transparent and fit for purpose?
12. In light of the responses above, the Committee may also wish to consider whether the current Conflict of Interests Guidance in the Governance Handbook (annex A to Annex 3) set out below, might need strengthening and if so how.
13. Next steps will be identified following the discussion of the Committee. Where appropriate, we will also bring these discussions to Council.

Recommendations: To consider the current conflicts of interest policy in relation to Visitors and members of Committee and Council.

Extracts of the GOsC Governance Handbook related to Conflicts of Interest

Annex 1 – Specific Guidance

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.

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.'

Annex 3 - 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, co-opted members of committees and working groups, Legal and Medical Assessors, 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.⁴
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.
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.
18. The completed declaration form should be returned to the Council and Executive Support Officer:

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

⁴ The Seven Principles see: <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>

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

Council and Executive Support Officer
council@osteopathy.org.uk

Annex A to Annex 3 of the Governance Handbook

'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.'

Section 12 of the Osteopaths Act 1993

'12 Visitors

- (1) The Education Committee may appoint persons to visit any place at which or institution by which or under whose direction--
- (a) any relevant course of study is, or is proposed to be, given;
 - (b) any examination is, or is proposed to be, held in connection with any such course;
 - (c) any test of competence is, or is proposed to be, conducted in connection with any such course or for any other purpose connected with this Act.
- (2) In subsection (1) "relevant course of study" means any course of study which forms, or is intended to form, part of--
- (a) the complete course of study required in order to obtain a recognised qualification or a qualification for which recognition is being sought; or
 - (b) any training which a registered osteopath may be required to undergo after registration.
- (3) No person appointed as a visitor may exercise his functions under this section in relation to--
- (a) any place at which he regularly gives instruction in any subject; or
 - (b) any institution with which he has a significant connection.
- (4) A person shall not be prevented from being appointed as a visitor merely because he is a member of--
- (a) the General Council; or
 - (b) any of its committees.
- (5) Where a visitor visits any place or institution, in the exercise of his functions under this section, he shall report to the Education Committee--
- (a) on the nature and quality of the instruction given, or to be given, and the facilities provided or to be provided, at that place or by that institution; and
 - (b) on such other matters (if any) as he was required to report on by the Committee.
- (6) Requirements of the kind mentioned in subsection (5)(b) may be imposed by the Education Committee--
- (a) generally in relation to all visits;

- (b) generally in relation to all visits made to a specified kind of place or institution; or
 - (c) specifically in relation to a particular visit.
- (7) Where a visitor reports to the Education Committee under subsection (5), the Committee shall on receipt of the report--
- (a) send a copy of it to the institution concerned; and
 - (b) notify that institution of the period within which it may make observations on, or raise objections to, the report.
- (8) The period specified by the Committee in a notice given under subsection (7)(b) shall not be less than one month beginning with the date on which a copy of the report is sent to the institution under sub-section (7)(a).
- (9) The Education Committee shall not take any steps in the light of any report made under sub-section (5) before the end of the specified period.
- (10) The General Council may--
- (a) pay fees, allowances and expenses to persons appointed as visitors; or
 - (b) treat any such person, for the purposes of paragraph 15(2)(c) to (e) of the Schedule, as a member of its staff.
- (11) In the case of a visitor who is also such a member as is mentioned in subsection (4), any payment made to him in his capacity as a visitor shall be in addition to any to which he is entitled as such a member.'

Table outlining potential interests and conflicts arising

This table seeks to explore possible interests and perceptions of conflicts from the views of the different parties involved. It is presented merely to prompt discussion and reflection.

Management of Conflicts Policy:

- **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.’

Phase	Committee / Council member and Visitor Scenario	Committee decision and current practice	Issues of conflict (Visitor)	Issues of conflict (Institution)	Issue of conflict (other institutions)	Issue of Conflict (Committee)	Issue of Conflict (Reasonable member of the public)
1	Appointment as a Visitor – requirement to undertake the visit on behalf of the Committee and to be advised of all information to do so.	Should Committee member be appointed to OEI? Our current practice is that Committee and Council members	Interest – direct personal interest in being appointed as a Visitor, this is a remunerated position in addition to that	Interest – Individual has an interest in being appointed. Is the Visitor independent or is there a possibility of	Interest: Visitor being paid to review another institution. Is the composition	Interest: Committee will have interest in future fair decision making. Conflict: In future, the	Interest / conflict : Could be perceived issue over consistency and fairness, if the knowledge and experience of Visitors is perceived to be

Phase	Committee / Council member and Visitor Scenario	Committee decision and current practice	Issues of conflict (Visitor)	Issues of conflict (Institution)	Issue of conflict (other institutions)	Issue of Conflict (Committee)	Issue of Conflict (Reasonable member of the public)
	<p>If the Visitor sits on Committee decisions prior to the visit potential conflicts might arise as follows:</p>	<p>have been appointed to Visiting Teams. The potential Visitor declares a direct conflict of interest in this decision and does not participate.</p>	<p>of Committee member. Conflict – Yes direct interest. Fair minded observer would consider that they might be inclined to be appointed.</p>	<p>bias for or against institution based on information previously received? Conflict? – There is no distinction between the information known to the Committee and the Institution prior to the visit. The institution could perceive that Committee member will have knowledge of other</p>	<p>of the team fair? Conflict: May perceive unfairness if members of Committee or Council are on some but not all visiting teams?</p>	<p>Committee member will not be able to take part in decision making for the Committee with potential impact on the quality of decision making and quorum for the Committee moving forward.</p>	<p>different for different institutions.</p>

Phase	Committee / Council member and Visitor Scenario	Committee decision and current practice	Issues of conflict (Visitor)	Issues of conflict (Institution)	Issue of conflict (other institutions)	Issue of Conflict (Committee)	Issue of Conflict (Reasonable member of the public)
				members dissenting views as well as the decisions of the Committee. (Although these would be recorded in the Minutes)			
2	<p>Undertaking the Visit and producing a report for consideration by the Committee.</p> <p>If the Visitor sits on Committee and participates in decision making prior to consideration of the Visiting Report:</p>	<p>Should the Committee member participate in Committee decisions about that institution whilst the report has not yet been presented to Committee?</p> <p>Our current practice is that a Committee member would</p>	<p>Interest: Has a current association as an independent Visitor to an institution and report not yet published. Interest in being paid for report.</p> <p>Conflict: May bring to the meeting information not otherwise</p>	<p>Interest: Current involvement in live reporting process.</p> <p>Conflict: Could perceive unfairness as such involvement brings into play the findings of the report before it has been</p>	<p>Interest: Current involvement in live reporting process.</p> <p>Conflict: perception of inequitable knowledge about institutions challenging consistency.</p>	<p>Interest: Will want balanced and fair decision making.</p>	<p>As above</p>

Phase	Committee / Council member and Visitor Scenario	Committee decision and current practice	Issues of conflict (Visitor)	Issues of conflict (Institution)	Issue of conflict (other institutions)	Issue of Conflict (Committee)	Issue of Conflict (Reasonable member of the public)
		not participate in any decisions related to that institution as they would be seized of knowledge not yet consolidated into the review report which could introduce bias.	available to the Committee bypassing a statutory process of review of the report by the OEI prior to consideration by the Committee.	reviewed by the institution.			
3	<p>Consideration of the Report to inform the Education Committee’s recommendation to Council about the ‘recognised qualification’ of the institution.</p> <p>If the Visitor sits on Committee and participates in decision making</p>	<p>Should the Committee member participate in a decision about the recommendations in the report?</p> <p>Our practice is that the Visitor would have a direct conflict interest in this decision and</p>	<p>Visitor will have an interest in the report recommendations being accepted by the Committee. (Credibility and competence)</p>	<p>Interest: Fair decisions.</p> <p>Conflict: The report will not have independent consideration from decision makers. The Committee will be influenced to accept the</p>	<p>Perception of conflict: The report will not have independent consideration from decision makers (could be more favourable)</p>	<p>Visitor is removed from decision making process reducing number and diversity of Committee members making the decision.</p>	<p>The report will not have independent consideration from decision makers.</p>

Phase	Committee / Council member and Visitor Scenario	Committee decision and current practice	Issues of conflict (Visitor)	Issues of conflict (Institution)	Issue of conflict (other institutions)	Issue of Conflict (Committee)	Issue of Conflict (Reasonable member of the public)
	about the Visiting Report:	would withdraw from consideration.		findings of the report if the decision maker is on the Committee for this decision.			
4	<p>Consideration of the follow up actions in relation to the report</p> <p>If the Visitor sits on Committee and participates in decisions related to the satisfactory follow up of conditions or other subsequent matters.</p>	<p>Should the Committee member participate in decisions about whether evidence to satisfy conditions has been provided?</p> <p>Our practice is that the Visitor would not normally be involved in the decisions about fulfilment of the conditions. This would normally last until the</p>	<p>Interest: Visitor will want to ensure that conditions are met. This may involve knowledge and understanding not in the published report.</p> <p>Conflict: Fee will have been paid, so there will be no continuing association with the Institution.</p>	<p>Interest: The institution may perceive a Visitor to be favourably included or unfairly prejudiced in terms of decision making.</p> <p>Potential conflict?</p>	See above	See above	See above

Phase	Committee / Council member and Visitor Scenario	Committee decision and current practice	Issues of conflict (Visitor)	Issues of conflict (Institution)	Issue of conflict (other institutions)	Issue of Conflict (Committee)	Issue of Conflict (Reasonable member of the public)
		<p>conditions in the report have been satisfied. We do not currently impose a minimum time period of four years as in our conflict policy.</p>					

Information from other regulators about decision making structure and conflict of interest (supplemented with information from websites)

Regulator	Professions	Visitors on decision making boards	Conflict of interest
GOC	<p>Optometrists Dispensing Opticians</p> <p>30,000 optometrists, dispensing opticians, student opticians and optical businesses.</p>	<p>They do not allow visitors to have dual role within the education capacity.</p> <p>Decisions about education are made by the Council on advice from the Education Committee.</p> <p>Visitors are permitted to have other roles across the organisation e.g. Hearings panel, case examiners and CET providers.</p> <p>GOC registers students.</p>	<p>There is a general conflicts of interest policy setting out, among other things, how what interests must be declared, how and when to declare conflicts of interest and how to manage conflicts of interests.</p>
HCPC	<p>arts therapists, biomedical scientists, chiropractors/podiatrists, clinical scientists, dieticians, hearing aid dispensers, occupational therapists, operating department practitioners, orthoptists, paramedics, physiotherapists, practitioner</p>	<p>They do not currently have visitors in dual roles as member of either Council or as Committee members. although this has happened in the past.</p> <p>Legislation does permit dual roles, but they prefer to keep a clear line between the two roles</p> <p>Approval decisions are made by the Education and Training Committee.</p>	<p>Conflicts of interest policy:</p> <p>Visitors are asked to complete a COI form when they are appointed. They are asked questions (via a form) which relate to understanding any links they have to institutions and programmes being assessed.</p> <p>HCPC advise:</p> <p>“When considering COIs which are flagged, we generally apply a 5-year</p>

Regulator	Professions	Visitors on decision making boards	Conflict of interest
	<p>psychologists, prosthetists/orthotists, radiographers, speech and language therapists in UK</p> <p>c. 290k registrants (ranging from 1,112 to 58,097)</p>		<p>rule based on a public law advice as a starting point in considering COIs that are flagged to us and often look to simply appoint a panel with no declared conflicts. However for smaller professions we sometimes need to consider interests which fall within this timeframe. In this circumstance we would consider whether the COI can be balanced through the appointment of other visitors to the panel. We would do this only where our options for visitors are really limited, and in the interests of running the QA process, seek to find a suitable arrangement which the provider is supportive of. We would need to be satisfied of course that there will be no detriment to the process and that decision making will be fair and transparent. We also need to satisfy ourselves that any third party would perceive the appointment of the visitor panel to be appropriate to deliver a fair, equitable process and outcome. All visitor appointments and conflicts are also flagged to the education provider and they have the opportunity</p>

Regulator	Professions	Visitors on decision making boards	Conflict of interest
			prior to starting the process to flag concerns”.
NMC	nurses, midwives, nursing associates in UK c. 730k registrants 800 programmes, 80 educational institutions	There are currently no visitors on committee or council, although there may have been in the past. Visitors cannot be prevented from being members of council or committee by NMC’s Order 2001 Approval decisions are made by Council.	The institution being approved have to confirm that there is no conflict of interest from their side.
GDC	dentists, clinical dental technicians, dental hygienists, dental nurses, dental technicians, dental therapists, orthodontic therapists in UK	None of their education associates can sit on their Council, this was changed in 2011 for governance reasons. The GDC do not have an Education Committee. Education Visitors report to the Registrar who determines educational approval. Education associates are not permitted to sit on statutory committees other than FtP hearings panels.	There is a conflicts of interest policy set out in the GDC Governance Manual which applies to associates. It includes the example ‘All Associates must bring any interest relevant to their particular role at the GDC to the attention of the relevant staff owner as soon as they become aware of it, for example, ... Quality Assurance Inspector who is asked to inspect an educational establishment with which they have personal connections.’
GCC	Chiropractors in the UK	Approval decisions are made by Council on advise of the Education Committee.	There is a conflicts of interest policy . It does not directly reference Visitors.

Regulator	Professions	Visitors on decision making boards	Conflict of interest
	<p>c3300 registrants</p> <p>4 educational institutions</p>	<p>Education visitors do not participate in visits. Although the legislation mirrors that of the GOsC in that Visitors are not prevented from being on Council or Committee.</p> <p>Nominated education committee members undertake the annual reporting process with nominated educational institutions.</p>	
<p>PSNI</p>	<p>Pharmacists in Northern Ireland</p>	<p>'The Pharmaceutical Society NI in conjunction with the GPhC accredit pharmacy courses in the two Northern Ireland Universities and accepts the GPhC accreditation of Universities in GB.'</p> <p>There is no Education Committee but there is a Council.</p>	<p>There is a PSNI Code of Conduct for Statutory Committee and Scrutiny Committee members but this does not deal with Education Visitors</p>
<p>GPhC</p>	<p>pharmacists, pharmacy technician, pharmacies in GB</p> <p>70, 000 on register</p> <p>regulate pharmacists, pharmacy technicians and pharmacies</p>	<p>See extract from Conflict of Interest policy which states that each case will be considered on a case by case basis. It does not appear to deal directly with the Visitor / Committee scenario.</p>	<p>The GPhC have a Conflicts of Interest Policy. And a separate Conflicts of Interest Policy for Associates. It states 'There are no absolute proscriptions, and conflicts will be considered on a case by case basis, but certain combinations, such as, for example, statutory committee members who are also office holders or employees of relevant registrant representative organisations, would normally be</p>

Regulator	Professions	Visitors on decision making boards	Conflict of interest
			considered to face an irreconcilable conflict of interest.'
GMC	<p>Doctors in UK</p> <p>300,040 doctors now currently on GMC register</p> <p>95,850 are on the Specialist Register</p> <p>70,154 are on the GP Register</p>	GMC Associates are not allowed to sit on the GMC Council, Medical Practitioners Tribunal Service and the Curriculum Advisory Group and any Education Panel. They can sit on any other decisional making panels such as Registration Panels, PLAB 1 and 2 panels, Specialist Panels and Investigation Committee panels. They can sit on these "decision making" panels and continue to be associates.	There is a GMC Conflicts of Interest Policy which references Education Visitors. It states: 'Associates must avoid making decisions or handling matters where they have interests that might influence, or be perceived as influencing their judgement.'