



General
Osteopathic
Council

**Making a complaint
about a member of
the GOsC's 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 and committee members, fitness to practise panellists, ad hoc working group members), or other individuals acting on behalf of the organisation, 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](#).

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 email your complaint, please say whether a reply by email 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 Council and Executive Support Officer 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
Telephone: 020 7357 6655
Email: 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 the individuals who 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 email address, if you have one).
7. If you make your complaint by telephone, we will ask for the above information to complete the form. We will then send you the completed form and ask you to sign the required Declaration confirming that you have no objection to the individual involved seeing your complaint, and that the information you give is true and accurate.
8. 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

9. 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 the 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 him or her 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, he 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, he 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

10. 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.

11. **Composition of Panel**

The Chair will arrange for the complaint to be fully investigated by convening a Panel of three people appointed by the 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. 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.

12. **Procedure**

- a. Copies of your 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 considers 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.

13. **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.
14. 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.

15. **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.
16. **Further consideration by the panel**
- a. The panel will review its 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 12c and d will apply on a further consideration by the panel of the complaint.
 - c. When the panel has finished its further consideration of the complaint, it will resubmit its original report to Council together with its findings, recommendations and reasons from its further consideration. These will also be made available to the parties involved.
17. The panel's new report will be considered in private session at the next meeting of Council, which will accept the panel's decision and recommended sanction, in which case the provisions at paragraph 15c above will apply.

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

18. 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.



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If you have any difficulty reading or accessing this document, contact the General Osteopathic Council on tel: 020 7357 6655 x242 or email: info@osteopathy.org.uk

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London SE1 3LU**

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