



General
Osteopathic
Council

Fitness to Practise Annual Report 2022-23

**Investigating
Committee**

**Professional
Conduct
Committee**

**Health
Committee**

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Any enquiries about this publication should be sent to the General Osteopathic Council, Osteopathy House, 176 Tower Bridge Road, London SE1 3LU.

The current Fitness to Practise Annual Report and the previous five years' reports are available on our website: osteopathy.org.uk/ftp-annual-report

1. Updates to Fitness to Practise Procedures in 2022-2023

The General Osteopathic Council continually works to enhance its fitness to practise processes, this year we have a number of updates. Some of these are set out below.



Whistleblowing Policy

The GOsC's [Whistleblowing Policy](#) has been in place since 2014. Given the length of time since the previous review, together with the recent changes in reporting, this prompted a review of our Whistleblowing Handling Concerns Policy in 2022, to ensure its continued relevance and accessibility.

We conducted a literature review of materials and policies of the other healthcare regulators and identified some amendments to our approach. The main changes to the Whistleblowing Handling Concerns Policy include:

- Restructuring the layout and flow to make it practical as well as enhancing accessibility for those seeking to raise a whistleblowing concern (for example setting out the criteria that must be met for a concern to amount to a qualifying disclosure).
- Removing the tables setting out details of other organisations to contact (these will be placed on the dedicated page on the GOsC website which has the flexibility to be updated regularly) but retaining a section on sources of further advice.
- An addition of a help section for whistleblowers.
- Removing the annex which contained key points relating to whistleblowing legislation.
- General updating, for example, the addition of the requirement for the GOsC to publish an annual report on whistleblowing disclosures.

Fitness to Practise webinars

On 4 October 2022, we hosted a joint fitness to practise (FtP) webinar with the General Chiropractic Council. Our aim for the joint webinar was to open up discussion about fitness to practise hearings with both osteopaths and chiropractors and encourage interprofessional collaboration and learning. We focused on what happens at a hearing, including processes and the set up for remote and in-person hearings. We increased engagement by encouraging attendees to ask questions. We received questions on topics such as unintended bias by the panel, private hearings, how long the FtP process takes and whether the practitioner can continue to work while an FtP investigation progresses.

Insights on Fitness to Practise bulletin

At the beginning of the period covered by this report, on 25 April 2022, we published an 'Insights on Fitness to Practise' bulletin designed to help demystify our fitness to practise processes. In this issue we highlighted the Independent Support Service available to all osteopaths going through a fitness to practise investigation. We also responded to some of the recurring questions arising at our previous Fitness to Practise webinar, which had taken place in September 2021, and the feedback we have received.

2. Stages of the Fitness to Practise Process

The General Osteopathic Council (GOsC) has a duty under the Osteopaths Act 1993 to investigate concerns about osteopaths.



We receive concerns about osteopaths from a variety of sources, including:

- patients
- members of the public
- employers
- other osteopaths
- referrals from other regulators

Patient concerns continue to be the main source of complaints about osteopaths. Through our fitness to practise processes we have a duty to identify whether a concern about an osteopath is a legitimate matter that needs to be investigated. The fitness to practise procedures are designed to protect the public and are not intended to serve as a general complaints resolution process.

The GOsC has 3 statutory committees:

- The Investigating Committee, which carry out the initial scrutiny of complaints about osteopaths, and decides whether the osteopath has a case to answer.
- The Professional Conduct Committee, which hear cases involving criminal convictions or allegations against an osteopath's conduct or competence. If the Committee finds the allegation is well founded, it imposes an appropriate and proportionate sanction on the osteopath.
- The Health Committee, which consider cases where an osteopath is alleged to be in poor physical or mental health. Appropriate action is taken in the interests of the public and the osteopath.

Each committee meeting or hearing is attended by a legal assessor – a legally qualified person who provides the committee with advice on matters of law and procedure.

Any of our fitness to practise committees can impose an interim suspension order on an osteopath, if they feel it is necessary to protect the public in a case involving serious allegations.

An interim suspension order suspends the osteopath's registration pending the investigation and outcome of the hearing.

Screeners

The Regulation Department reviews all the concerns received and conducts an initial risk assessment to ensure there is no immediate risk to public protection.

We gather as much information as possible at this initial stage before referring the concern to a 'Screener' (an osteopath member of the GOsC Investigating Committee).

As part of our information gathering, we usually seek additional information or clarification from the person raising the concern. If the person raising the concern does not provide the further information within 42 days of the request, the concern will then be referred to a Screener with a recommendation for closure on the basis that there is insufficient relevant and credible supporting material.

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

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

Investigating Committee

The Investigating Committee, consisting of five members meet in private to consider cases that have been referred to it by a Screener. The Committee considers whether there is a case to answer against the osteopath in question and takes the threshold criteria into account when making its decision.

If the Investigating Committee decides there is no case to answer, the case will be closed.

The Committee may determine that it has insufficient information in order to fairly consider the matter and will adjourn consideration in order to obtain additional information.

If the Investigating Committee decides there is a case to answer, a hearing will be arranged before the GOsC's Professional Conduct Committee or, if the matter concerns an osteopath's health, a hearing will be arranged before the Health Committee.

Professional Conduct Committee

The Professional Conduct Committee consists of three members where the Chair must be lay. A legal assessor is also present to assist the Committee on any legal matters that may arise during a hearing.

Hearings are usually held in public and members of the public can attend. However, depending on the nature of the case, there may be occasions when part or all of the hearing must be held in private for example, where the hearing involves matters to do with the osteopath's health or private life.

When considering a case, the Committee's decision-making process is in three stages:

1. Findings of fact

The Committee will consider whether it finds the facts alleged against an osteopath proved. Some of the facts may be admitted by the osteopath and other facts may be in dispute. The Committee will consider the disputed facts and decide whether it is more likely than not that they happened. This is known as the 'balance of probabilities'.

If the Committee does not find any of the facts proved, the case will be concluded. Where it finds some or all of the facts proved, the hearing will proceed to the next stage.

2. Finding on allegation

Once the findings of fact have been announced, both parties (the GOsC’s case presenter and the osteopath) will be invited to make submissions on unacceptable professional conduct or professional incompetence or whether a criminal conviction is material (seen as relevant) to the practice of osteopathy. This is a matter for the Committee judgement and is not a matter of proof.

The Committee will hear and consider the submissions and will retire in private to consider its findings. When a decision has been reached, the Chair will announce the Committee’s decision.

3. Sanctions

If the Committee determines that the facts amount to unacceptable professional conduct or professional incompetence, or that a criminal conviction is material to the practice of osteopathy, it will then hear any additional submissions by both parties regarding the allegations. It will also take account of submissions made by each party on the sanction to impose.

The Committee will consider the evidence in private and decide which sanction to impose. Once it has reached a decision, the Chair will announce the sanction.

If the Committee finds an allegation against an osteopath is well founded, it must impose one of the following four sanctions on the osteopath:

- admonishment
- imposition of conditions on the osteopath’s practice
- suspension from the Register
- removal from the Register

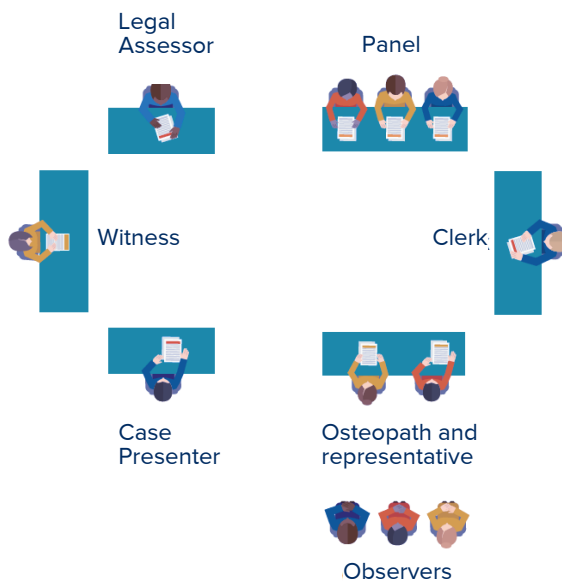
Health Committee

The Health Committee can only impose conditions of practice or a suspension in cases where it finds that the osteopath’s fitness to practise is seriously impaired because of their physical or mental condition.

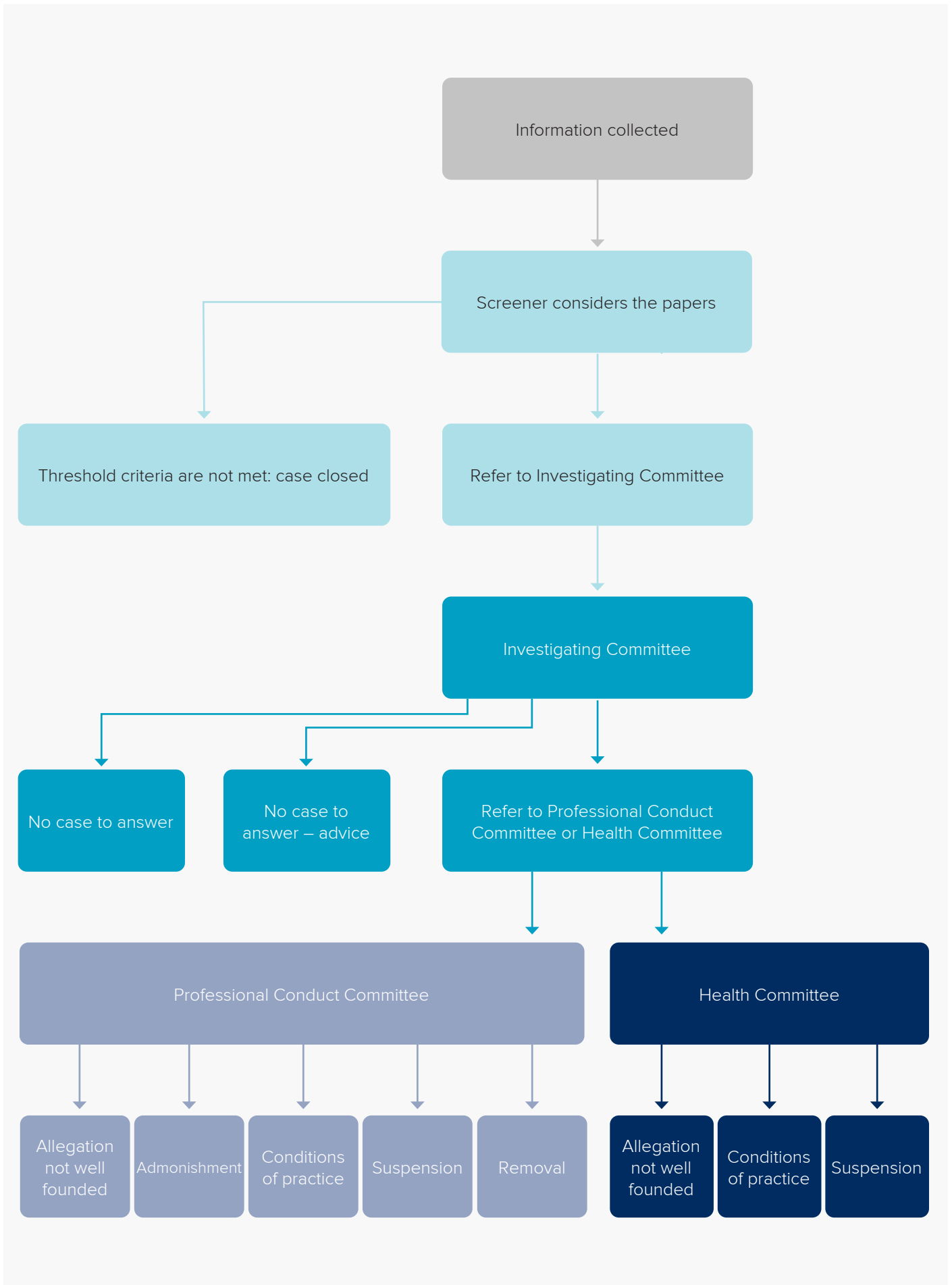
Committee hearings usually take place in private and consist of three members:

- lay Chair
- osteopath
- lay member

A legal assessor and a medical assessor are also present to assist the Committee on any legal and medical matters that may arise during a hearing.



Example of how a hearing room is set up



3. Investigations and Hearings 2022-2023

Investigating Committee Decisions

During the 12 months from 1 April 2022 to 31 March 2023, the GOsC's Investigating Committee met 12 times and considered 32 cases. It concluded that 16 of those cases should be heard by the Professional Conduct Committee. In 13 cases it found no case to answer. In 3 cases it found no case to answer but issued advice and zero cases were adjourned.

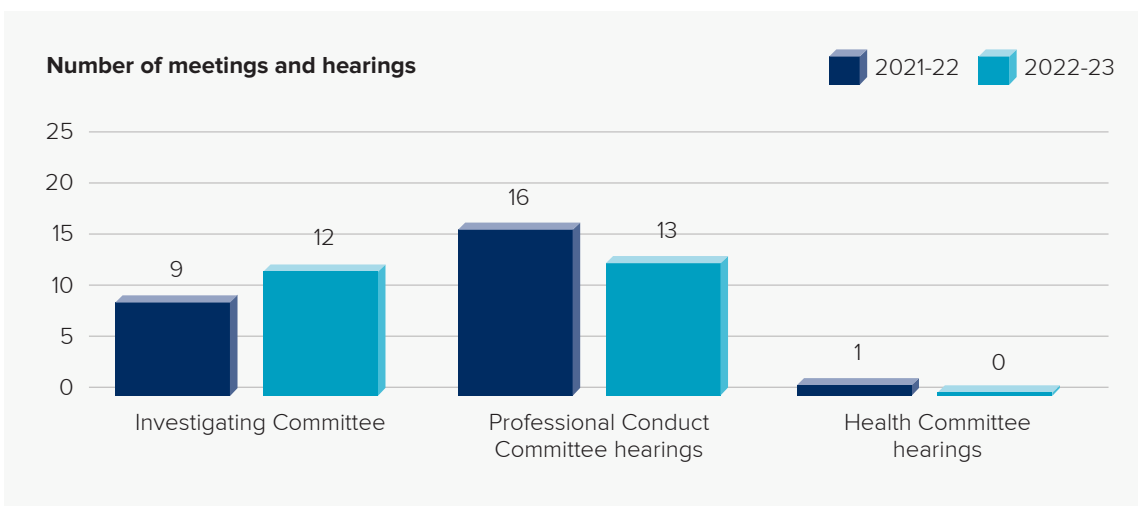
In 3 cases, the complaint was sufficiently serious for the Investigating Committee to impose an interim suspension order pending a hearing. In 2 cases the Investigating Committee did not impose an interim suspension order but accepted undertakings from the osteopath.

Health Committee Decisions

There were no substantive cases heard by the Health Committee from April 2022 to March 2023. Although there were 2 review hearings where the Committee determined that the suspension should be extended by 12 months.

Professional Conduct Committee Decisions

From 1 April 2022 to 31 March 2023 the Professional Conduct Committee made a final decision in 17 cases, of which all related to unacceptable professional conduct. Of these cases, 2 related to the same osteopath (ie were heard jointly). The Committee removed 2 osteopaths from the Register and 2 osteopaths were suspended from practice. Conditions of practice were imposed on 1 osteopath and 6 osteopaths were admonished by the Committee. No findings were made against the osteopaths concerned in 2 cases and these were closed with no further action.



Interim Suspension Order Hearings

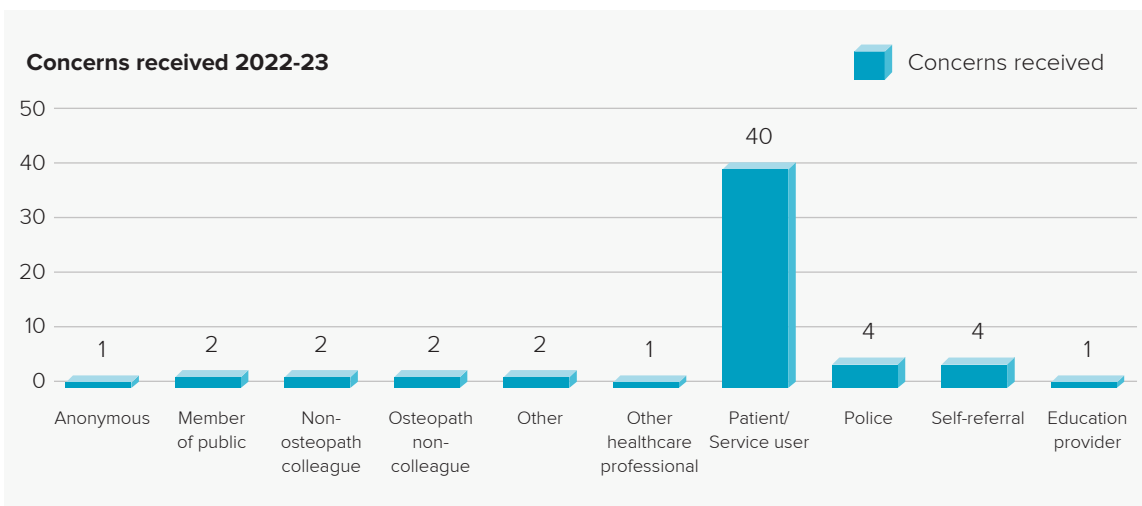
The Investigating Committee, Professional Conduct Committee and Health Committee can impose a suspension order on a registrant for an interim period if there is a real risk to members of the public.

The table below shows how many interim suspension order (ISO) hearings took place, and the number of ISOs imposed, from April 2022 to March 2023.

Committee	Number of ISOs applied for	Number of ISOs imposed	Number of undertakings
Investigating Committee ISOs applied for	9	3	2
Professional Conduct Committee ISOs applied for	3	3	0
Health Committee ISOs applied for	0	0	0

Who Raises Concerns?

The GOsC receives concerns from a variety of sources. The highest number of concerns come from patients or those who have engaged the services of the osteopath. The GOsC also receives concerns from colleagues and employers. In some cases, concerns come to the attention of the GOsC without an identifiable complainant. In these circumstances, the GOsC’s Registrar becomes the complainant.



How Quickly Do We Process Concerns?

The table below shows the time taken for cases to be heard, from April 2022 to March 2023.

Committee	Median time from receipt of concern to decision
Investigating Committee	37 weeks (target = 26 weeks)
Professional Conduct Committee	58 weeks (target = 52 weeks)

4. Professional Conduct Committee Decisions 2022-2023

The table below covers substantive hearings concluded by the Professional Conduct Committee during the period 1 April 2022 to 31 March 2023.

This report is produced in accordance with the Osteopaths Act 1993, Section 22(13) and (14), which requires the Committee to publish a report setting out the names of those osteopaths in respect of whom it has investigated allegations and found the allegations to be well founded. Issues involving osteopaths' fitness to practise

are an integral part of the GOsC's duty to regulate the profession and thereby protect the public and the profession's reputation. The information contained in this report provides a valuable resource to osteopaths on the high standards of conduct and proficiency required to maintain registration as an osteopath.

Substantive Hearings

Osteopath	Date of decision	Source of concern	Outcome	Summary
Richard Skudder (5015)	24 May 2022	Patient	Admonishment	<p>During treatment appointments with Patient A, Mr Skudder said inappropriate things to her in that he:</p> <ul style="list-style-type: none"> On one occasion, commented on Patient A's feet while holding them in his hands, using words to the effect of 'ooh so cute'. In or around the summer of 2019 said words to the effect of 'that was for me, not for you' after he had hugged her. <p>On or around 12 February 2021 Mr Skudder:</p> <ul style="list-style-type: none"> Told Patient A that as he had been vaccinated it would be safe for her to enter his home. Said to Patient A words to the effect of 'I'm going to cook you dinner'. <p>During treatment appointments with Patient A, Mr Skudder made unnecessary physical contact with Patient A in that he:</p> <ul style="list-style-type: none"> Hugged Patient A on at least one occasion. Re-clasped Patient A's bra without asking her if he could. <p>(Continued on next page)</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
				<p>During February 2021, outside of the clinical setting, Mr Skudder acted inappropriately in that he:</p> <ul style="list-style-type: none"> • Texted Patient A to make arrangements to go for a walk together. • Invited Patient A to accompany him to view a property. • Asked Patient A about her recent relationship break-up. • Asked Patient A on more than one occasion whether she was in a romantic relationship with her personal trainer. • Invited Patient A to go for a further walk with him on another day. • Referred to having dinner with Patient A. • Told Patient A intimate information about a sexual relationship he had been in with a former patient. • Asked Patient A whether he could consider their walk to be a date. • Blew a kiss towards Patient A. <p>Mr Skudder sent an inappropriate communication to Patient A in that on 21 February 2021 at 11.16pm he sent a text message to her which read: "Choke you till you pass out then face fuck you." It's very direct isn't it. Hope you had a good Sunday x.'</p> <p>Mr Skudder sent this text message despite knowing that Patient A had previously been distressed by reading a similar message on social media.</p> <p>Mr Skudder's conduct, as set out above, was an abuse of his professional position and was a transgression of professional boundaries.</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
Caspar Hull (608)	5 August 2022	Two osteopath colleagues Two patients	Suspension	<p>Mr Hull provided treatment to Patient C, in or around 2006 (Appointment 1). During Appointment 1, Mr Hull made comments to Patient C as follows:</p> <ul style="list-style-type: none"> • ‘Oh sorry, that’s my 10-year-old daughter. She’ll be up there masturbating as she has special needs.’ • ‘That’s all she does.’ <p>Mr Hull treated Patient D around 10 times between or around 8 June 2016 to 9 December 2019 including the dates 14 January 2019 (Appointment 9) and 9 December 2019 (Appointment 10).</p> <p>During appointments 9 and/or 10 with Patient D, Mr Hull made comments to Patient D as follows:</p> <ul style="list-style-type: none"> • ‘Since splitting from my wife, I’ve been on a dating website.’ • ‘Women have commented that as I have my own business, I must have plenty of money. But as I’m splitting from my wife, that’s not the case.’ • ‘I’m fed up of women on the dating website sending me pictures of their tits.’ <p>Mr Hull provided treatment to Patient B (Treatment 1) on 5 July 2021.</p> <p>During this treatment, Mr Hull imitated Donald Trump, and in doing so:</p> <ul style="list-style-type: none"> • talked about Donald Trump ‘not getting the erection’ or words to that effect • used the word ‘pussy’ • made inappropriate and/or racial comments to Patient B referencing two Eastern European nationalities, namely ‘because they let them all in’, or words to that effect. <p>(Continued on next page)</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
				<p>Mr Hull provided treatment to Patient A on 7 July 2021 (Treatment 2) and 14 July 2021 (Treatment 3).</p> <p>During Treatment 2, Mr Hull:</p> <ul style="list-style-type: none"> • Shared personal information about his daughter with Patient A. • Told Patient A that while he was studying at university, a fellow student (Person C) had told him that she was so sensitive around the hip area to the point that she would orgasm if touched there, or words to that effect. • Confirmed that Person C shared the above in private with him but he subsequently shared the information with the whole university class. <p>During Treatment 3, Mr Hull:</p> <ul style="list-style-type: none"> • Told Patient A that a young boy (Child D) had caught him having sex with Child D's mother, and asked him 'how many times did you put your penis in mummy?' or words to that effect. • Told Patient A that as a child he played a game with children where he and the children would sit on the floor with their legs apart, and would throw a ball into each other's crotches and that he threw a ball into a young girl's (Child E's) crotch. <p>Mr Hull's conduct was a transgression of professional and sexual boundaries.</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
Steven Davies (302)	13 September 2022	Patient	Admonishment	Between around 6 July 2021 to 21 October 2021, Mr Davies showed and/or directed Patient D and/or Patient E to another Patient, (Patient A's) social media account/s and/or webpage/s, thereby making Patient A's identity known as the complainant in a case brought against Mr Davies. Mr Davies' conduct was inappropriate and a breach of confidentiality.
Georgina Jones (4431)	15 September 2022	Registrar	Admonishment	<p>Ms Jones was removed from the GOsC's Register on 8 December 2020 after failing to renew her registration. Ms Jones' professional indemnity cover was cancelled the same day.</p> <p>Ms Jones practised as an osteopath from 9 December 2020 to 30 June 2021 while not being registered with the GOsC and without professional indemnity cover. By continuing to practise osteopathy without registration, Ms Jones thereby held herself out to the public as a registered osteopath.</p> <p>Ms Jones knew that in holding herself out to the public as an osteopath, she was required to hold professional indemnity insurance. But she treated patients despite not being registered with the GOsC and without having appropriate professional indemnity insurance, thereby acting to the potential detriment of such patients and placing them at risk.</p> <p>Ms Jones' conduct was misleading and lacked integrity.</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
Kiron Patel (6444)	28 September 2022	Patient	Admonishment	<p>Patient A attended appointments with Mr Patel on or around 25 February 2021 (Appointment 1) and 4 March 2021 (Appointment 2).</p> <p>During these appointments, Mr Patel applied treatment to Patient A's buttocks with his elbow using excessive force and did not obtain Patient A's valid consent to do so. Mr Patel did not stop treatment despite Patient A vocalising her pain while receiving the treatment.</p> <p>Mr Patel did not communicate with Patient A with regard to the pain she was in during the treatment.</p> <p>Mr Patel was aware that Patient A was diagnosed with hip trochanteric tendonitis/bursitis but Mr Patel failed to take into account Patient A's diagnosis when formulating a treatment plan and when applying treatment.</p> <p>Mr Patel did not adequately conduct and/or record an examination of Patient A's hip areas before proceeding with treatment to the hip muscles.</p> <p>Mr Patel's conduct was inappropriate and not in Patient A's best interests.</p>
Roy Roberts (6571)	14 October 2022	Self-referral	Admonishment	<p>Mr Roberts was registered and practising as an osteopath from 1 September 2015 to 31 August 2016 and/or 1 September 2017 to 10 May 2021 (inclusive of both dates) without professional indemnity insurance cover.</p> <p>Mr Roberts failed to immediately inform the GOsC that his insurance had lapsed.</p> <p>Mr Roberts knew that in holding himself out to the public as an osteopath, he was required to hold professional indemnity insurance.</p> <p>(Continued on next page)</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
				<p>Mr Roberts treated patients despite not having appropriate professional indemnity insurance, thereby acting to the potential detriment of such patients and placing them at risk.</p> <p>Mr Roberts' conduct was misleading.</p>
Oliver Eaton (8557) (a) and (b)	28 November 2022	Patient	Removal	<p>Mr Eaton had been suspended for a period of 3 months by the PCC from February until 5 May 2019.</p> <p>During this period of suspension, Mr Eaton treated Patient A on various occasions between 6 February and 10 April 2019.</p> <p>Mr Eaton did not inform Patient A that:</p> <ul style="list-style-type: none"> • He had been suspended from practising as an osteopath. • He was not practising as an osteopath. <p>Mr Eaton's conduct, set out above, was misleading, demonstrated a lack of integrity and was dishonest.</p>
Chen Chen (9744)	9 December 2022	Patient	Conditions of Practice	<p>On 30 July 2020 Patient A attended an osteopathy appointment with Mr Chen.</p> <p>During the appointment, Mr Chen performed excessive and forceful treatment on Patient A's back. Mr Chen treated Patient A by:</p> <ul style="list-style-type: none"> • performing spinal manipulation • performing acupuncture comprising of electrical stimulation • the use of an inversion table <p>Mr Chen failed to include details of each treatment performed in Patient A's clinical notes.</p> <p>(Continued on next page)</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
				<p>After having received the treatment above, within the same day Patient A experienced symptoms including:</p> <ul style="list-style-type: none"> • numbness in their saddle area • leg muscle twitching • lack of sensation from the waist down • difficulty urinating <p>Patient A was diagnosed with ‘Cauda Equina Syndrome’ and underwent a laminectomy and discectomy surgery.</p> <p>Mr Chen’s conduct was inappropriate and not clinically justified.</p>
Jessica Turner (7608)	16 December 2022	Registrar	Suspension	<p>Ms Turner was registered and practising as an osteopath from 1 September 2013 to 3 August 2014 and 1 September 2015 to 29 February 2020 without professional indemnity insurance cover.</p> <p>Ms Turner had the registration status of non-practising at the GOsC and practised as an osteopath during all or part of the period between 1 March 2020 and 18 August 2021 without professional indemnity cover. Ms Turner failed to immediately inform the GOsC that her insurance had lapsed.</p> <p>During all or part of the periods of 1 September 2013 to 3 August 2014 and/or 1 September 2015 to 29 February 2020 and/or 1 March 2020 to 18 August 2021, Ms Turner treated patients despite not having appropriate professional indemnity insurance, thereby acting to the potential detriment of such patients and placing them at risk.</p> <p>Ms Turner’s conduct was misleading and lacked integrity.</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
Steven Hadlum-Emburey (7624)	10 January 2023	Insurance Company	Admonishment	<p>Mr Hadlum-Emburey was registered as an osteopath from 1 December to 3 December 2020, inclusive of both dates ('the Relevant Period') without professional indemnity insurance cover.</p> <p>Mr Hadlum-Emburey failed to immediately inform the GOsC that his insurance had lapsed.</p> <p>He knew that in holding himself out to the public as an osteopath, he was required to hold professional indemnity insurance.</p> <p>Mr Hadlum-Emburey's conduct was misleading and lacked integrity.</p>
Stephen Blinman (7998)	31 March 2023	Patient	Removal	<p>Mr Blinman treated Patient A on various occasions between December 2021 to around March 2022.</p> <p>He groomed Patient A and pursued an improper sexual relationship with Patient A.</p> <p>Mr Blinman engaged in a sexual relationship with Patient A and contacted Patient A in March and April 2022 after she had ended the relationship with him.</p> <p>Mr Blinman shared details with Patient A which indicated that he had engaged in sexual activity and/or contact with other patients.</p> <p>He did not refer Patient A to any other professionals or colleagues for further advice or support.</p> <p>(Continued on next page)</p>

Osteopath	Date of decision	Source of concern	Outcome	Summary
				<p>Mr Blinman told Patient A that he had made a false entry on her records for 27 January 2022, to the effect that he had advised that they should have some distance due to her feelings of attachment and that he would refer her elsewhere.</p> <p>Mr Blinman's actions:</p> <ul style="list-style-type: none"> • were not clinically justified • breached professional and sexual boundaries • were sexually motivated • lacked integrity

Review Hearings

Osteopath	Date of review	Order requiring review	Outcome of review
Jonathan Nunn (932)	18 July 2022	Conditions of Practice order	The order for conditions imposed by the PCC on 28 March 2022 revoked and case concluded.
Jessica Turner (7608)	1 March 2023	Suspension order	The suspension order to lapse on expiry (April 2023.)



**General
Osteopathic
Council**

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The GOsC is a charity registered in England and Wales (1172749)