

GENERAL OSTEOPATHIC COUNCIL
PROFESSIONAL CONDUCT COMMITTEE

Case No: 933

Professional Conduct Committee Meeting

DECISION

Case of: Marianne Hiisha Buente

Registration Number: 10988

Committee: Sue Ware (Chair)
Robert Thomas (Osteopath)
Andrew Howard (Lay)

Legal Assessor: Peter Steel

Clerk to the Committee: Sajinee Padhiar

This case has been considered by the Professional Conduct Committee at a private meeting without the necessity for a hearing, under the procedure set out in Rule 8 of the General Osteopathic Council (Professional Conduct Committee) (Procedure) Rules 2000.

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Allegation:

The allegation is that Ms Marianne Hiisha Buente ("the Registrant") has been guilty of unacceptable professional conduct, contrary to section 20(1)(a) of the Osteopaths Act 1993, in that:

1. From 21 May 2024 to 27 May 2024, inclusive of both dates ("the Relevant Period"), the Registrant:
 - a. was registered and/or practised as an osteopath; and
 - b. failed to obtain and maintain insurance cover as required by Rule 3 of the General Osteopathic Council (Indemnity Arrangements) Rules Order 2015 ("the Order");
2. During the Relevant Period, the Registrant:

- a. knew that in holding herself out to the public as a registered osteopath, she was required to hold professional indemnity insurance; and/or
 - b. treated patients despite not having appropriate professional indemnity insurance, thereby acting to the potential detriment of such patients and placing them at risk;
3. The Registrant's conduct as set out at paragraph 1(b) and/or paragraph 2(b):
 - a. was misleading; and/or
 - b. demonstrated a lack of integrity.

Decision

Background

1. The Committee was asked to consider whether it was appropriate to deal with these allegations under the procedure set out in Rule 8 of the General Osteopathic Council (Professional Conduct Committee) (Procedure) Rules 2000. The Rule 8 procedure permits the Committee to deal with a case by agreement without a hearing before the Professional Conduct Committee. The sanction proposed in this case was an admonishment. The background is as follows.
3. The Registrant was first registered with the GOsC on 24 August 2021.
4. On 28 May 2024, the Registrant emailed the GOsC Registration team with a request to change her status from 'non-practising' to 'practising'. The Registrant's email stated that she had incorrectly assumed that she was not required to get in touch with the GOsC before returning to practice and that she would automatically be updated as practising again on the register once her requested period of non-practising had expired.
5. The Registrant also explained in her email that she had similarly misunderstood the position regarding her insurance. As a result, she reported that she had practised from 21 May 2024 to 27 May 2024 without insurance in place and that she was in the process of trying to have her insurance retrospectively approved.
6. The Registration team reported the matter to the GOsC's Regulation team on 31 May 2024.
7. The GOsC had obtained a statement from Ben Chambers, its Registration Manager, dated 4 October 2024, which confirmed the Registration department's dealings with the Registrant as set out above.

8. The bundle before the Committee also contained a statement from Georgina Leelodharry, the Head of Operations at the iO, the professional association through which the Registrant had obtained insurance between 1 December 2022 and 30 November 2023.
9. Ms Leelodharry stated that the Registrant had emailed the iO on 26 September 2023 to ask whether her insurance fees could be reduced as she was taking a five-month sabbatical and the GOsC had reduced her fees as a result. A member of staff at the iO had called the Registrant and left a voicemail message later the same day.
10. Ms Leelodharry stated that the iO emailed the Registrant on 9 and 17 November 2023 inviting her to renew her Osteopathy Insurance Policy. However the Registrant did not renew her insurance, which expired on 30 November 2023.
11. The Registrant next contacted the iO on 17 May 2024 requesting a copy of her current insurance certificates as she intended to recommence practice as an osteopath from 21 May 2024. A staff member of the iO responded to the Registrant's email and notified her that she was not insured with the iO as she had changed her status to non-practising. The staff member requested that the Registrant call the iO on 20 May 2024 to restore her insurance cover.
12. Ms Leelodharry's statement reported that on 28 May 2024, the Registrant rang the iO and left a voicemail requesting a copy of her insurance certificate as she had been travelling. The iO attempted to return her call without success.
13. Later the same day, the Registrant spoke to the iO. She was asked when she planned to return to work and disclosed that she had been working as an osteopath since 21 May 2024. The call was transferred to a Services Manager at the iO, to whom the Registrant explained that she had told the GOsC that she was travelling for five months and assumed she would automatically be put back on the register at that time. The Services Manager offered to start the Registrant's insurance from that day (i.e. 28 May 2024) but advised her that there was now a gap in her insurance cover.
14. The correspondence continued over the following weeks during which time the iO confirmed that it was unable to cover the gap in the Registrant's insurance cover as she had been on the GOsC register as non-practising while she was in fact practising.
15. On 11 September 2024, the Registrant emailed the iO to request that that they cancel her insurance policy as of 2 September 2024, as she had found another insurer that had agreed to cover the uninsured

period, and that new policy started on 3 September 2024. The iO duly cancelled the Registrant's insurance cover on 17 September 2024.

16. On 9 July 2025, the Registrant signed a Rule 8 statement, admitting the allegations in full and admitting that they constituted unacceptable professional conduct. She confirmed that she had the opportunity to seek advice and that she accepted the sanction of admonishment without requiring a hearing. The Registrant accepted that this would form part of her fitness to practise record.

Legal advice

17. The Legal Assessor advised the Committee that, to deal with this matter under the Rule 8 procedure, it must be satisfied that the Registrant fully admits the allegation and also admits that the factual particulars amount to unacceptable professional conduct. The Committee must itself be satisfied that the facts admitted amount to unacceptable professional conduct. The Committee must also be satisfied that the Registrant accepts that admonishment is an appropriate sanction and that she does not wish the case to be dealt with at a hearing.
18. The Committee should have regard to GOsC's Practice Note on the Rule 8 procedure ('the Practice Note'). That gives guidance on the type of cases which are and are not suitable for this procedure. Taking into account this guidance and GOsC's Hearings and Sanctions Guidance, it must be satisfied that the proposed sanction of admonishment is appropriate and proportionate.

Finding on allegation

19. The Registrant signed a Rule 8 Statement on 9 July 2025 in which she admitted the allegations. She accepted that she was guilty of unacceptable professional conduct, and accepted the sanction of admonishment. The Registrant was content for the matter to be dealt with without a hearing.
20. In light of the Registrant's admissions in her Rule 8 statement, the Committee was satisfied that she accepted all the factual particulars in the allegation. The Committee bore in mind that maintaining PII cover is a statutory requirement. The Committee also noted that the GOsC's PII Guidance (2020) states that an osteopath's failure to have insurance is not an 'administrative' failure, it is serious and can potentially have wider consequences for the wider public interest including maintaining proper professional standards of conduct and maintaining public confidence in the profession. The Committee was therefore satisfied that

the Registrant's failure to do so in this case amounted to unacceptable professional conduct.

21. It therefore found the allegations, including unacceptable professional conduct, proved in full.

Sanction

22. Having had regard to the Registrant's admissions contained in the Rule 8 Statement, as well as the Practice Note and the Hearings and Sanctions Guidance, the Committee was satisfied that a sanction of admonishment is appropriate and proportionate in this case.

23. The Committee had regard to paragraph 33 of the Practice Note. It noted that in determining whether admonishment is an appropriate sanction, the Committee should take into account the following:

- a. whether there is evidence to suggest that the Registrant poses any danger to patients or the public;
- b. whether the Registrant has shown insight into their failings;
- c. whether the behaviour was an isolated incident;
- d. whether there has been any repetition of the behaviour complained about;
- e. whether the Registrant acted under duress;
- f. whether the Registrant has genuinely expressed remorse;
- g. whether there is evidence that the Registrant has taken rehabilitative/corrective steps; or
- h. whether the Registrant has previous good history.

24. Save for the factor listed at 'e', which is clearly not relevant here, the Committee considered that all the above factors pointed towards an admonishment being the appropriate sanction.

25. The Committee noted, in particular, that the gap in the Registrant's insurance was only of short duration (a week in total) and that the lapse seemed to have resulted from a slapdash approach to administration rather than any deliberate wrongdoing. The Registrant had expressed her "deep regret" and embarrassment at the situation. Further she had taken steps to remedy the situation when she realised the error, and had eventually obtained retrospective cover for the lapse in cover.

26. The Committee was therefore satisfied that there was little, if any, risk of repetition and that an admonishment would adequately meet the public interest in this case.

27. The Committee therefore imposed a sanction of admonishment on the Registrant.

Section 22(13) of the Osteopaths Act 1993 requires this Committee to publish a report that sets out the names of those osteopaths who have had Allegations found against them, the nature of the Allegations and the steps taken by the Committee in respect of the osteopaths so named.