

**Education Committee**  
**18 March 2010**  
**Public session**  
**The Role of Lay Observers in Recognised Qualification Approvals**

<b><u>Classification</u></b>	Public
<b><u>Purpose</u></b>	For Decision
<b><u>Issues</u></b>	This paper discusses the role of Lay Observers at Education Committee meetings to monitor discussions surrounding the approval of Recognised Qualifications (RQs). The Committee is asked to approve, in principle, the discontinuance of their use in light of developments within the osteopathic educational field.
<b><u>Financial &amp; Resourcing Implications</u></b>	<p>During the period 2010 to 2013 it is anticipated that the Education Committee will be considering at least 8 Recognised Qualification (RQ) Reviews, including new osteopathic qualifications and RQ renewal reviews..</p> <p>The daily fee for a Lay Observer is £500.</p>
<b><u>Equality &amp; Diversity Implications</u></b>	None arising from this paper.
<b><u>Communications Implications</u></b>	Any proposed change to the process would require effective consultation with the osteopathic educational institutions (OEs), students and possibly other stakeholders to ensure they are content with the independence and fairness of the Recognised Qualification (RQ) accreditation process.
<b><u>Annexes</u></b>	None

## **Summary**

1. This paper discusses the role of Lay Observers at Education Committee meetings to monitor discussions surrounding the approval of Recognised Qualifications (RQs). The Committee is asked to approve the discontinuance of their use in light of developments within the osteopathic educational field.

## **Background**

2. From 8 May 2000, all UK osteopathic graduates wishing to gain access to the UK Register of Osteopaths, had to be able to demonstrate the standards outlined in the 'Standard 2000 – Standard of Proficiency'.
3. To ensure the maintenance of standards, the GOsC is responsible for reviewing and approving all osteopathic qualifications leading to a 'Recognised Qualification'. Where the GOsC is satisfied that a qualification has met the required standards it may, with the approval of the Privy Council, recognise the qualification for the purposes of the Osteopaths Act 1993.
4. To ensure that students already enrolled onto an osteopathic course were not disadvantaged, the process of evaluating the different qualifications commenced in August 1999, in advance of the May 2000 deadline.
5. Initially, the visiting teams comprised an osteopath, a lay member of Council and the Director of the Education Department. This was then amended to one lay member of Council, who would also be Chairman; two osteopaths, the Director of the Education Department or his Deputy, and one administrator.
6. Concerns were raised by the OEIs, as to the independence of both the visiting teams and the decision making process, and suggestions were made for both stages to include an independent lay observer. Although the lay members of Council were independent of the profession, and had principal responsibility for looking to the public interest, nonetheless they were not necessarily perceived to be independent of the GOsC, or of the RQ process.
7. The OEIs maintained that an Independent Lay Observer could be distinguished from the lay Chairman, because the observer would be independent of the RQ process, of the osteopathic profession, and of the Council itself, as an entity, and would be able to confirm the fairness of the accreditation process.
8. In April 1999, after discussion with the OEIs, Council proposed that a lay observer be present at the Education Committee meetings where decisions were made on recommending RQ status. This proposal was approved at the Education Committee meeting held on 3 June 1999. The new protocol was reported back to Council at the 8 July 1999 meeting.
9. In September 2005, the GOsC outsourced its RQ function to the Quality Assurance Agency for Higher Education (QAA).
10. The new process differs in that the GOsC no longer leads in the training of assessors, GOsC committee members who act as reviewers are only present to provide information on review visits at these items and do not vote on the final approval of RQs for which they

have reviewed. In April 2009, a wholly new Education Committee was appointed with clear terms of reference and code of conduct.

### **Discussion**

11. The GOsC has not stood still in its commitment to be fair, open and transparent in its procedures, and has employed further mechanisms to ensure the independence of its RQ Approval process. This can be demonstrated in a number of ways, such as the use of the QAA in the visiting process; its clear and published procedures about how the review process is undertaken and the appointment of a new, independent Council, selected by the Appointments Commission.
12. In light of these further mechanisms, the Committee is therefore asked to consider whether it is still appropriate and proportionate to have a Lay Observer present at the Education Committee meetings when decisions are being made on recommending RQ status

### **Advantages**

13. The advantage of continuing to employ a Lay Observer to observe the RQ decision making process is that it re-confirms the GOsCs continued commitment to conduct all its activities as a regulator in a transparent and accountable manner.

### **Disadvantages**

14. The disadvantage with continuing with this process is that if a Review has been concluded shortly before an Education Committee meeting is scheduled, a Lay Observer must be present for the item to be discussed. In the absence of an available Lay Observer, the item would need to be deferred to the next meeting. This could cause an unnecessary delay of several months.
15. The services of a Lay Observer were originally engaged to allay any concerns the OEIs may have about impartiality or bias on the part of the GOsC. However, the relationship between the OEIs and the GOsC is very different now to that of 10 years ago and the process of recognition is more open, with the opportunity for sustained dialogue between both the OEI and the GOsC before an application would go before the Education Committee. This has been confirmed by the realisation that the intervention of the Lay Observer has in the deliberations of the Committee has not been necessary in past years other than to confirm contentment with the procedure.
16. Initial informal feedback from some OEIs has indicated that there would be no objection to the discontinuance of the Lay Observer role, however, a full consultation with all the OEIs will be carried out in due course.
17. Given that the QAA are now undertaking the assessments and are a completely independent body, which was the original request from the OEI's, it would now appear to be disproportionate to continue to engage the services of a Lay Observer when discussing RQ recommendations.

### **Recommendation**

18. The Committee is recommended to approve the discontinuance of the role of Lay Observer in the RQ Approval process.