



Education and Registration Standards Committee
19 September 2013
Temporary and Occasional Registration

Classification	Public
Purpose	For decision
Issue	<p>GOSc may receive applications for registration from visiting professionals wishing to provide temporary and occasional services in the UK. GOSc needs a position statement setting out its interpretation of temporary and occasional services.</p> <p>A position statement is set out at Annex A for consideration. An internal factsheet for use by the Registration team when handling temporary registration applications is at Annex B.</p>
Recommendations	<ol style="list-style-type: none">1. To recommend Council approves the position statement set out at Annex A.2. To note the internal factsheet to be used by the Registration team set out at Annex B.
Financial and resourcing implications	None
Equality and diversity implications	None
Communications implications	Information on the GOSc public website will be updated.
Annexes	<p>Annex A: Temporary Registration position statement</p> <p>Annex B: Temporary Registration factsheet</p>
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Background

1. The General Osteopathic Council (GOsC) may receive an application from a visiting professional to be temporarily registered in the UK where they are an EU/EEA or Swiss national and where they are lawfully established in their home state (other than the UK).
2. The application for temporary registration can be made under section 5A of the Osteopaths Act 1993 (as amended) which implements Directive 2005/36/EC on the recognition of professional qualifications.
3. While in past years the number of applicants applying for temporary registration has been limited, GOsC needs a position statement setting out its interpretation of temporary and occasional services.

Purpose

4. The purpose of the statement is twofold:
 - a. It will ensure individuals are aware of the GOsC position concerning temporary registration before they submit an application;
 - b. It will ensure the Registration team, and ultimately the Registrar, have a position statement against which temporary registration applications can be assessed.

Discussion

5. An applicant for temporary registration will need to declare that they intend to provide temporary and occasional services in the UK. It should be noted that the applicant can not be required to complete the standard registration application forms or pay a registration fee.
6. An application for temporary registration will need to demonstrate that the services which are to be provided are both temporary and occasional. The Collins English dictionary defines temporary as '*lasting for only a short time*' and occasional as '*happening sometimes*'.
7. The GOsC has only ever received two applications for temporary registration and therefore we do not have a sufficient evidence base to say what we would or would not accept as being suitable professional services that qualify for temporary registration.
8. Currently our public website provides examples of what may constitute temporary and occasional service. This information was drafted a number of years ago and we believe it should now be replaced by the position statement set out at Annex A.

9. At an operational level the Registration team will need to process temporary registration applications. To assist the team they require a factsheet which can be used on the few occasions when temporary registration applications are received. A temporary registration factsheet is set out at Annex B.

Recommendations:

1. To recommend Council approves the position statement set out at Annex A.
2. To note the internal factsheet to be used by the Registration team set out at Annex B.

Temporary Registration position statement

The General Osteopathic Council (GOsC) may consider an application from a visiting professional to be temporarily registered where they are an EU/EEA or Swiss national (or have acquired equivalent rights) and where they are lawfully established in their home state (other than the UK).

An application for temporary registration can be made under section 5A of the Osteopaths Act 1993 (as amended) which implements Directive 2005/36/EC on the recognition of professional qualifications.

Temporary registration is available only for those who are providing services on a temporary and occasional basis.

We consider temporary and occasional to mean the provision of services for short periods of time and not taking place on a regular or ongoing basis. We shall review applications for temporary registration on a case by case basis.

Factsheet on applications for temporary registration

Purpose

1. The purpose of this factsheet is to support the General Osteopathic Council's Registration team, and the Registrar, in having a clear understanding on how applications for temporary registration should be handled.
2. This factsheet will ensure that temporary registration applications are handled efficiently and that decision making is fair, consistent and in line with legislative requirements.

What is temporary and occasional service?

3. The dictionary definitions are as follows:

Temporary	Lasting only for a short time
Occasional	Happening sometimes

4. Within the temporary registration application declaration form, the applicant is required to set out the professional activities for which they will be providing services on a temporary basis in the UK. It is against the two definitions set out above that the professional activities should be assessed.
5. If the duration of the professional activities appears to be continuous in nature and/or have a frequency or regularity to them, then the Registration team may wish to recommend to the Registrar that the application for temporary registration should be rejected.
6. If the duration of professional activities appear to be lasting for a short period and are not continuous, and if they do not have a frequency or regularity to them, then the Registration team may wish to recommend to the Registrar that the application for temporary registration be accepted.

Does the General Osteopathic Council have a position statement on temporary registration?

7. Yes. The GOsC position statement is published on the public website and can be found via the following link: <http://www.osteopathy.org.uk/practice/How-to-register-with-the-GOsC/Qualified-outside-the-UK/EUEEA-or-Swiss-nationals--temporary-registration/>¹

¹ From October 2013 once approved by Council.

Who can apply for temporary registration with the General Osteopathic Council?

8. The GOsC may receive an application from a visiting professional to be temporary registered where the individual is an EU/EEA or Swiss national (or has acquired equivalent rights) and where they are lawfully established in their home state (other than the UK).

9. Currently the relevant European States are:

Austria (AT)	Finland (FI)	Malta (MT)
Belgium (BE)	France (FR)	Netherlands (NL)
Bulgaria (BG)	Croatia (HR)	Norway (NO)
Switzerland (CH)	Hungary (HU)	Poland (PL)
Cyprus (CY)	Ireland (IE)	Portugal (PT)
Czech Republic (CZ)	Iceland (IS)	Romania (RO)
Germany (DE)	Italy (IT)	Sweden (SE)
Denmark (DK)	Liechtenstein (LI)	Slovenia (SI)
Estonia (EE)	Lithuania (LT)	Slovakia (SK)
Greece (EL)	Luxembourg (LU)	
Spain (ES)	Latvia (LV)	

10. Applications for temporary registration are made under section 5A of the Osteopaths Act 1993 (as amended) which implements Directive 2005/36/EC on the recognition of professional qualifications.

Do we have clear examples of what we would accept as being temporary and occasional service?

11. No. The GOsC has received few applications for temporary registration and therefore we do not have a sufficient evidence base to say what we would or would not accept as being suitable professional services that qualify for temporary registration².

Does the applicant have to meet criteria?

12. Yes. In order to apply for temporary registration the applicant must:

- a. Be a national of a relevant European State or have similar acquired rights;
- b. Be established to practise a relevant profession within a relevant European State other than the UK;
- c. Has pursued the profession there for at least two years in the 10 years preceding the move to the host Member State (where no qualification is held), and

² Correct as at July 2013

- d. Have moved to the UK to provide professional services on a temporary and occasional basis, having regard to the duration, frequency, regularity and continuity of those services

How do we know if an applicant wants to temporary registered?

13. The onus is on the applicant to advise us, in writing, that they wish to apply for temporary registration.

An applicant has advised us in writing that they wish to be temporary registered. What do they need to do next?

14. The applicant will need to provide us with the following information:
 - a. Proof of EEA or Swiss nationality or similar acquired rights;
 - b. Proof of qualification. This will be a certified copy of their professional osteopathic qualification, or if they do not have a qualification, evidence that they have practised as an osteopath for at least two of the last ten years;
 - c. A certified copy of their academic transcript which outlines the results they achieved for each module studied;
 - d. The applicant should also submit a course guideline/handbook which outlines the modules studied;
 - e. If applying from Finland, France, Iceland, Liechtenstein, Malta or Switzerland, evidence that they are registered with the regulatory body of that country. This should be in the form of a Certificate of Current Professional Status or an equivalent document.

How do we know if the qualification is equivalent to UK standards?

15. The Professional Standards team will arrange for the qualification of the applicant to be assessed. Professional Standards will advise Registration of the outcome once the qualification has been assessed.
16. If the qualification does not meet the required UK standard, the applicant will need to provide further evidence to us. This will involve:
 - a. Submission of written information on the *Further evidence of practice questionnaire*; and if passed,
 - b. A clinical assessment of performance, which needs to be passed.

What documents does the applicant need to provide for registration?

17. The applicant will need to provide the following for the purposes of registration:

- a. A completed temporary registration declaration form;
- b. Proof of legal establishment in the country of their main established practice. This will be documentary evidence such as taxation records, which clearly establishes their practice in one member state other than the UK. These documents should be translated and certified.

Can the applicant now be registered?

18. No. The Registrar needs to be satisfied that the temporary registration declaration form has been fully completed.
19. To be registered as a temporary registrant the applicant must be moving to the UK to provide professional services on a temporary and occasional basis, having regard to the duration, frequency, regularity and continuity of the service.
20. Registration need to consider whether this measure has been satisfied and make a recommendation to the Registrar.

How long does a temporary registration last?

21. Temporary registration may last for one year but may also be renewed providing the temporary registrant can demonstrate to the Registrar that their circumstances are such that they remain eligible for a continuation of their temporary registration.

Can a temporary registrant renew their registration?

22. The temporary registrant will need to be sent a new temporary registration declaration form in order to make a fresh declaration about the professional services they have provided over the last twelve months, and the professional services they intend to provide in the coming period.
23. Registration will be required to again consider those professional services against the definitions of temporary and occasional, as outlined above, before making a recommendation to the Registrar about whether an application should or should not be renewed.
24. The temporary registrant is not required to fulfil any of the traditional registration requirements such as payment of a fee or compliance with the Continuing Professional Development scheme.

How can the Registrar remove a temporary applicant from the Register?

25. A temporary registrant in the UK will lose his entitlement to provide temporary and occasional services if he becomes subject to a decision of the competent or judicial authority in the Member State in which he is established and that

decision means that he is no longer lawfully established or prohibited from practising there.

26. Additionally, when a temporary registration is due for renewal, the Registrar may conclude the criteria for temporary registration no longer apply. The name of the temporary registrant would be removed from the Register unless the applicant converts to full registration or successfully appeals against the decision of the Registrar.
27. Finally, the name of a temporary registrant would also be removed from the Register if they fail to complete the temporary registration declaration form within the timescale set by the Registrar, i.e. to have completed their renewal declaration before the end of their period of temporary registration.