



General  
Osteopathic  
Council

## **Welsh Language Standards for healthcare regulators and the Professional Standards Authority**

### **General Osteopathic Council response to consultation 2 October 2020**

#### **The General Osteopathic Council**

##### **About us**

The General Osteopathic Council (GOsC) regulates the practice of osteopathy in the four countries of the United Kingdom. We have one office, in London, and 25 FTE staff.

The Osteopaths Act 1993 requires us to develop and regulate the profession of osteopathy and our overarching objective is to protect the public. Our statutory objectives are:

- a. To protect, promote and maintain the health, safety and wellbeing of the public
- b. To promote and maintain public confidence in the profession of osteopathy
- c. To promote and maintain proper professional standards and conduct for members of the profession.

We work with the public and osteopathic profession to promote patient safety by:

- registering qualified professionals
- helping patients with any concerns or complaints about an osteopath
- setting, maintaining and developing standards of osteopathic practice and conduct
- assuring the quality of osteopathic education and ensuring that osteopaths undertake continuing professional development.

By law osteopaths must be registered with the GOsC in order to practise in the UK and we keep the Register of all those permitted to practise osteopathy in the UK.

The GOsC is funded solely by registrants' fees; as of 2 October 2020 there were 5,443 osteopaths on the Register, of whom 146 had a registered address in Wales, and we are aware of 27 osteopathic practices where Welsh is spoken.

At the time of submission, there is one Osteopathic Education Provider in Wales, with a course delivered at Swansea University.

## **Summary**

The GOsC is committed to promoting equality in our operations and services and we will do everything reasonable to provide the best possible service in Wales, and to comply with the standards applicable to us.

We are grateful for the opportunity to respond to your consultation on the Welsh Language Standards.

One of the key principles on which our Strategic Plan 2019-24 is based on is proportionality. We have set out in our response how we anticipate that we would work proportionately to implement the standards. We are therefore concerned that if all of the standards proposed were to be applied, this would result in our limited resources being used in a disproportionate manner, which in turn is likely to have a significant negative impact on our regulatory business, and fundamentally on patient and public safety.

The GOsC's response to the specific consultation questions is below. Our responses focus on those areas of direct relevance to us as a UK-wide service provider supporting the public in Wales, rather than as a body with a specific interest in the promotion of the Welsh language.

## ANNEX A:

### Consultation Response Form

Your name:  
Adarsh Muppane

Organisation (if applicable):  
General Osteopathic Council

email / telephone number:  
amuppane@osteopathy.org.uk

**Question 1:** Do you have any comments on the service delivery standards proposed in the regulations?

We are committed to delivering an equally high quality service in Welsh and English in accordance with the contents of our Welsh Language Scheme.

**Written correspondence:** As an organisation with an office based in London, without any Welsh speakers at present, if we receive and respond to correspondence in Welsh there would be a delay in the response, as a result of us requiring to have the original correspondence and our response translated.

In response to Standard 2, we would welcome a greater level of clarity as we feel the Standard is open to different interpretations, which poses a risk to consistency of application and for the potential that resources are misapplied. For example, does the Standard expect that all UK-wide communications would also have an accompanying version in Welsh for those who live in Wales, or is the Standard referring to when we communicate only with those individuals who live in Wales? As a small organisation we do not have any Welsh speaking staff members and therefore translation services will need to be procured at a cost. The approach to this standard is likely to lead to delays in communicating and engaging for translating services.

We could comply with Standard 4 in inviting correspondence in Welsh from individuals in Wales, but we would be unable to guarantee that corresponding in Welsh won't lead to a delay, as we do not currently have a member of staff who speaks Welsh to a suitable level. There would be costs involved in the need to procure translation services.

**Telephone system:** We would be able to include instructions in Welsh in our automated telephone system message. However, we do not currently have any Welsh speaking members of staff. Therefore, we would have to conduct all telephone conversations in English and invite written correspondence in Welsh as an alternative, which would lead to delays.

We would be able to comply with Standard 6; however, this would involve a cost to the business as we do not have a Welsh speaker on our staff team and one would need to be procured.

**Meetings:** We would welcome clarity around when Standards 8 and 9(A-C) would apply. Our interpretation is that these would apply for events we were holding in Wales and not any UK-wide meeting/event, such as a focus group being held in Osteopathy House.

Members of the public are welcome at all our public meetings. Notices of meetings held in Wales will be published in Welsh and English and will clearly specify that members of the public who wish to attend will be welcome to contribute in Welsh or English. Those proposing to attend will be asked to inform us in advance of their wish to have a Welsh language interpreter present.

**Publicity:** Our statutory functions prohibit us from conducting advertising campaigns on behalf of the profession. However, if we were to host a public exhibition in Wales or attend as an exhibitor, we would be able to present bilingual display materials.

**Legal proceedings:** The GOsC's statutory fitness to practise hearings are held in England and through the medium of English. If a hearing concerned an osteopath practising in Wales, or we had members of the public/witnesses from Wales attending a hearing, they will be offered the choice of addressing the hearing in Welsh and appropriate interpreting arrangements will be made.

Appeal hearings in the High Court against fitness to practise decisions are held in the country of the address recorded in the Register for the osteopath

If we were to hold hearings in Wales we would ensure that all materials were available in the Welsh language for those that wanted them.

We have been running hearings remotely/blended during the pandemic where some or all participants attend virtually. If we receive a request for a Welsh interpreter, we would arrange this in a similar way to the arrangements we make for in person hearings.

**Website and online services:** Our public website contains a section devoted to information for the general public, containing core details of our work. This section is available in Welsh, along with online versions of our Welsh Language publications.

**Social media:** If we receive a message via social media in Welsh we would be able to respond in Welsh, but it would take more time than a reply in English as we would have to get the initial message and our response translated into Welsh at a cost to the organisation.

To date, we have not received any correspondence via social media in Welsh, but believe that the cost of responding bilingually on social media would be substantially high, particularly for queries which require a number of exchanged messages.

We believe that if there were a number of queries that arose from a related incident (e.g. queries from the public regarding an osteopath practising in a region with high numbers of Welsh speakers), then the cost of translating all correspondence could be significantly high, and isn't something that we can adequately plan and budget for.

**Notices:** We are not certain what kind of notices standards 29 and 30 refer to. We do not display public notices, (except for notices relating to fitness to practise hearings) so do not believe these are relevant to us. We would welcome further clarification.

**Standards relating to a body producing and publishing documents and forms:** We are concerned about the implications of Standards 18 - 19 and how they might apply in practise. Our interpretation of the Standards is that if we are requested to make the form available in Welsh we need to do so, rather than every form must be made available in Welsh for all UK-wide registrants. We would welcome clarification.

**Standards for raising awareness about Welsh language services provided by a body:** We are already meeting these standards.

**Standard relating to a body's corporate identity:** We would be able to comply with this standard.

**Question 2:** Part 3 of Schedule 1 to the Regulations includes interpretations for some of the Service Delivery Standards. Paragraphs 16-37 explains how some of the standards work and if what circumstances they apply. Do you have any comments on the interpretation of standards as set out in Part 3?

We are unclear how these standards would apply in practice and would welcome further clarity.

**Question 3:** Do you have any comments on the policy making standards proposed in the regulations?

We routinely consider the equality and diversity implications of any new policy or initiative. As a result of this consultation we will consider whether our Equality Impact Assessment could be made clearer to draw out specifically whether the new policy would affect opportunities for people to use the Welsh language and on

treating the Welsh language no less favourably than the English language. However, we believe we are already complying with these standards.

As part of any proposal for a new policy, an assessment will be made of the likely implications of that policy for our Welsh Language Scheme and, where relevant, on the ability of other organisations to provide services in Welsh.

We are committed to ensuring that new policies and initiatives are consistent with the Welsh Language Scheme and do not undermine it. Where we develop proposals that will potentially affect the scheme, or the schemes of other organisations, we will consult the Welsh Language Board in advance.

We are however concerned that the policy making standards are seeking to introduce an ambition to increase positive effects on opportunities for individuals to use the Welsh language. We do not have the resources to deliver such an ambition and as a four-country regulator this would be disproportionate if we were expected to introduce new processes to meet that aim.

**Question 4:** Do you have any comments on the operational standards proposed in the regulations?

We ensure our employees are aware of the Welsh language and our obligations under our existing Welsh Language Scheme, and we include this information in the induction process for new staff and non-executives. Under the proposed standards we would seek to incorporate greater awareness around the history and culture of the Welsh language in our training.

We expect that our commitments to providing services under the scheme will be predominantly satisfied by using Welsh translation agencies. However, should any member of staff whose work entails interaction with the public wish to learn Welsh, we will encourage and support them in doing so, taking into account the development of the individual concerned and the need to achieve the GOsC's statutory objectives.

We do not consider Standard 43c to be appropriate for the General Osteopathic Council, as an organisation without an office in Wales and without any staff members who are fluent Welsh speakers.

Regarding Standard 45 and 45a: we do not have an office in Wales and, at present, we do not have any posts where the ability to speak Welsh is a requirement. However, we will keep this under review and should such a requirement be identified, it will be reflected in the relevant job description and the process of recruitment will be planned accordingly.

**Question 5:** Do you have any comments on the record keeping standards and standards dealing with supplementary matters proposed in the regulations?

**Record keeping standards:** We note these standards and are able to comply.

**Supplementary standards:** Information on our website will continue to specify how we comply with the Welsh Language Standards.

We note that Standard 49 makes reference to the need for a complaints procedure that deals with how we intend to deal with complaints relating to our compliance with the standards. We currently have an existing corporate complaints process and we would not consider it proportionate to have to develop a bespoke complaints process for complaints about compliance with the Welsh Language Standards. Our interpretation of Standard 49 is that our existing corporate complaints process would be sufficient, but we would welcome the clarification.

We will continue to produce an annual report to our Council which discusses how we have complied with all the standards we are required to comply with, including any complaints about our compliance with those standards. The report is made available to the public within the Council paper pack.

We would be able to provide the information required by the Welsh Language Commissioner as set out in Standard 51; however, we would welcome reassurance that the approach that would be taken by the Commissioner will be proportionate to the size and resource capacity of the organisations to which it was requesting information.

**Question 6:** We would like to know your views on the effects that these regulations would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

The General Osteopathic Council acknowledges the importance of providing a service for Welsh speakers as part of a quality service. We are fully committed to the principle that the English and Welsh languages will be treated equally.

Our Welsh Language Scheme sets out how we will give effect to that principle when providing services to the public in Wales.

We fully support initiatives to enable the public to be able to access information and raise concerns about healthcare in their preferred language and to treat the Welsh language no less favourably than English.

We believe that our Welsh Language Scheme has already enabled us to meet

most of the requirements proposed in the new standards.

We support the Welsh Government's ambitions to grow use of the Welsh language in Wales, and to provide access to essential public services to Welsh speakers in Wales. The implementation of clear and consistent standards will undoubtedly assist with this, and greatly help us, as healthcare regulators, in providing these services efficiently.

We welcome the ability to work closely with the Welsh Government in ensuring that the standards are proportionate and achievable for our organisation, taking into consideration the scope of our activities, whilst enabling Welsh speakers to access public information and services in their first language.

**Question 7:** Please also explain how you believe the regulations could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

As a UK-wide service provider supporting the public in Wales, rather than as a body with a specific interest in the promotion of the Welsh language, we do not believe that we have detailed insight into how the proposed standards could be adapted to have increased positive effects for people to use the Welsh language.

**Question 8:** We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

We do not have any related issues that we would like to address.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: