



General
Osteopathic
Council

Good Character Assessment Framework

1. The purpose of this framework

Under Section 3 of the Osteopaths Act 1993 (1993 c.21), a person seeking registration with the General Osteopathic Council (GOsC) must satisfy the GOsC Registrar that they are 'of good character'.

In practice, the function of deciding whether or not an applicant is of good character, will be carried out by the GOsC Registration team.

The purpose of the Good Character Assessment Framework is to assist the Registration team in making consistent and proportionate decisions.

In deciding whether or not an applicant is of good character, the Registration team will have regard to the matters set out in this framework.

Where the Registrar decides that an applicant is not of good character, the applicant may appeal to the Registration Appeals Committee in accordance with section 29 of the Osteopaths Act 1993.

2. The definition of good character

For the purpose of the GOsC's registration procedures, we define 'good character' as:

'the absence of evidence that a person has committed conduct or behaviour that is inconsistent with the [Osteopathic Practice Standards](#) published by the GOsC, or the exercise of the profession of osteopathy; and that he or she has any disposition to commit such conduct or behaviour.'

In the Professional Standards Authority (PSA) guidance titled [A Common Approach to Good Character across the Health Professions Regulators](#), the PSA stated that 'Health professionals have a relationship with members of the public unlike that in many other sectors, one which is rooted in the mutual trust, confidence and respect that are necessary for a profession to be practised safely and effectively. To prove that they are fit to enter this relationship there are expectations that a prospective professional must meet.'

The PSA set out a suggested test of good character (at paragraph iii, p.2 and paragraph 4.9):

'Has the applicant in the past acted, or is there reason to believe that the applicant may be liable in the future to act:

- (i) in such a way that puts at risk the health, safety or wellbeing of a patient or other member of the public
- (ii) in such a way that their registration would undermine public confidence in the profession
- (iii) in such a way that indicates an unwillingness to act in accordance with the standards of the profession
- (iv) in a dishonest manner.

In deciding whether or not an applicant for registration is of good character, the GOsC Registration team will apply the test suggested by the Professional Standards Authority.

In making decisions about an applicant's character, the GOsC Registration team will also have regard to the GOsC's published [Hearings and Sanctions Guidance](#), to provide a benchmark about the seriousness of any findings or convictions received by the applicant; or any allegations or other information about his or her conduct or behaviour.

The rationale for this is that conduct or behaviour that would lead to a registrant being barred from practising should also prevent an applicant from entering the profession in the first place.

Any person applying for registration bears the burden of proving that he or she is of good character.

3. Good Character Assessment Framework

In deciding whether or not an applicant is of good character, the Registrar will consider all available evidence about his or her character, in accordance with relevant national legislation.

This may include evidence relating to:

- a) criminal convictions;
- b) cautions, bind-overs, conditional discharges, admonishments or reports to a procurator fiscal;
- c) findings by a body responsible for the regulation of a health or social care profession;
- d) findings made by an osteopathic education provider;
- e) findings made by a Criminal or Civil Court relating to the applicant;

- f) any evidence in criminal or civil proceedings relating to the registrant, including claims for negligence and disciplinary proceedings;
- g) allegations, complaints or information about the conduct or behaviour of the applicant which have been brought to attention of the Registrar and which are incompatible with the standards set out in the Osteopathic Practice Standards; and
- h) testimonials and character references about the applicant.

In the case of applicants seeking temporary registration under Section 5A of the Osteopaths Act, the Registrar may also take into account information received from the Competent Authority in the applicant's state of establishment. This may include whether or not the applicant is subject to any conditions on practice in his or her state of establishment; and the absence of any disciplinary or criminal sanctions of a professional nature.

In assessing the weight and significance of any evidence about the applicant's character, the following factors will be considered:

The seriousness of the conviction, finding, conduct or behaviour
The relevance of the conviction, finding, conduct or behaviour to the practice of osteopathy
The relevance of the conviction, finding, conduct or behaviour to maintaining public confidence in the osteopathy profession
The extent and nature of any risk to patients or the public
The length of time since the conviction or finding was received, or the conduct or behaviour was committed
The number and nature of instances of the conviction, finding, conduct or behaviour, and whether or not they form part of a pattern
The applicant's age at the time the conviction or finding was received, or the conduct or behaviour was committed
The applicant's personal mitigation in respect of the conviction, finding, conduct or behaviour
The applicant's efforts (or lack of) to rehabilitate [themselves] since the conviction and/or finding was received or the conduct or behaviour was committed
The applicant's insight (or lack of) in relation to the conviction, finding, conduct or behaviour
The extent to which the conviction, finding, conduct or behaviour is counterbalanced by testimonials and character references about the applicant's subsequent and recent conduct and behaviour
The extent to which the conviction, finding, conduct or behaviour is characteristic of the applicant, or indicative of a disposition by the applicant to commit such conduct or behaviour
The extent to which the applicant disclosed (or failed to disclose) the existence of the conviction, finding, conduct or behaviour, during the application process
The extent (or lack) of co-operation by the applicant with any [enquiries] made by the GOsC

When considering the seriousness of the conviction, finding, conduct or behaviour in question, the following factors will, where present, be regarded **automatically** as serious:

Dishonesty, fraud, deceit or misrepresentation
Drug or alcohol dependency
Violence or intentional or deliberate or reckless disregard of human life
Sexualised behaviour as defined in <i>Clear sexual boundaries between healthcare professionals and patients; responsibilities of healthcare professionals</i> published by the Council for Healthcare Regulatory Excellence in January 2008
Sexual acts with children
Abuse of trust or other inappropriate behaviour with vulnerable persons ¹
Breach of confidentiality
Trafficking, diversion or illegal manufacture of any medicines (including controlled drugs) or medicinal products
Threats to public health, safety or welfare
Unlawful discrimination, harassment or victimisation, contrary to the requirements of the Equality Act 2010
Blatant disregard for the law or the system of registration
Any other behaviour which is incompatible with the Osteopathic Practice Standards

Any disclosure that is considered to be serious will be referred **automatically** to the Registrar for consideration.

The Registration team places great emphasis on the importance of full and frank disclosure by an applicant as part of the registration process.

As such, any failure to disclose matters that are potentially relevant to an applicant's character will be viewed as positive evidence of a lack of good character, and may result in a decision not to register the applicant.

It is therefore in the applicant's interest to declare any and all matters which may be relevant to a decision about 'good character'.

4. Application of the Good Character Assessment Framework to renewal of registration

Anyone registered with the GOsC is required to renew their registration annually. As part of this process, registrants are required to complete a self-declaration in relation to character.

The Registration team will apply the factors and principles set out in this framework to any matters which come to light as part of the registration renewals process, and which call into question the registrant's continued good character.

¹ Vulnerable persons are to be regarded as persons under 18; or adults who are to be regarded as vulnerable within the meaning of section 59 of the [Safeguarding Vulnerable Groups Act 2006](#).