GENERAL OSTEOPATHIC COUNCIL

PROFESSIONAL CONDUCT COMMITTEE

Case No: 940/10076

Professional Conduct Committee Review Hearing

DECISION

Case of:	**Ben Brown**
Committee:	Sue Ware (Chair) Manjit Darby (Lay Member) Tamsyn Webb (Osteopathic Member)
Legal Assessor:	Hala Helmi
Representation for Council:	Chris Gillespie
Representation for Osteopath:	Jonathan Goldring
Clerk to the Committee:	David Bryan
Date of Hearing:	10 November 2026

Summary of Decision:

The Committee determined that it would make no further direction and that the Suspension Order imposed on 11 November 2025 should lapse on expiry.

Declarations

1. Prior to the commencement of a hearing, each member of the Professional Conduct Committee (PCC) is required to declare that they know of no reason why they should not sit upon the case. This declaration is intended to ensure that fairness is done and is seen to be done to all parties.

2. Each member of the PCC made this declaration.

Background and Summary

3. The Registrant had appeared before the Professional Conduct Committee (the previous Committee) on 10 and 11 November 2025. The previous Committee considered the following amended allegations and made the following findings:

Allegation

The allegation is that Ben Brown (the Registrant) has been guilty of unacceptable professional conduct, contrary to section 20(1)(a) of the Osteopaths Act 1993, in that:

1. On 10 September 2024, BUPA requested confirmation from the Registrant of the dates and cost of appointments with Person A, as set in Schedule 1.
Admitted and found proved

2. On 11 September 2024, the Registrant responded to BUPA confirming the accuracy of the dates and cost of appointments with Person A, as set out in Schedule 2 (Email 1).
Admitted and found proved

3. At the time the Registrant sent Email 1, he knew that:
a. not all of the appointments listed at Schedule 1 took place with Person A; and/or
b. Person A had provided false costing for the appointments listed at Schedule 1; and/or
c. Person A had submitted fraudulent claims to BUPA.
Admitted and found proved

4. On 13 September 2024, following query from BUPA, the Registrant:
a. provided BUPA with updated confirmation of the dates and cost of appointments with Person A;
b. indicated to BUPA that Email 1 was "*sent in error*";
c. indicated to BUPA that Person A had submitted fraudulent invoices.

Admitted and found proved

5. The Registrant's conduct as set out at paragraphs 2 and/or 3 and/or 4b above was dishonest.;

Admitted and found proved

Schedule 1

Date of Treatment	Treatment Description	Charge	Notes
20/10/2023	Follow on osteopath session	£55.00	
28/10/2023	Follow on osteopath session	£55.00	
03/11/2023	Follow on osteopath session	£55.00	
08/11/2023	Follow on osteopath session	£55.00	
17/11/2023	Follow on osteopath session	£55.00	
20/11/2023	Follow on osteopath session	£55.00	

27/11/2023	Follow on osteopath session	£55.00	
06/12/2023	Follow on osteopath session	£55.00	
13/12/2023	Follow on osteopath session	£55.00	
20/12/2023	Follow on osteopath session	£55.00	
29/12/2023	Follow on osteopath session	£55.00	
05/01/2024	Follow on osteopath session	£55.00	
12/01/2024	Follow on osteopath session	£55.00	
17/01/2024	Follow on osteopath session	£55.00	
24/01/2024	Follow on osteopath session	£55.00	
31/01/2024	Follow on osteopath session	£55.00	
14/02/2024	Follow on osteopath session	£55.00	

Schedule 2

Date of Treatment	Treatment Description	Charge	Notes
20/10/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
28/10/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
03/11/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
08/11/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
17/11/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
20/11/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
27/11/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
06/12/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
13/12/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
20/12/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
29/12/2023	Follow on osteopath session	£55.00	Yes £55 45min follow up
05/01/2024	Follow on osteopath session	£55.00	Yes £55 45min follow up
12/01/2024	Follow on osteopath session	£55.00	Yes £55 45min follow up
17/01/2024	Follow on osteopath session	£55.00	Yes £55 45min follow up
24/01/2024	Follow on osteopath session	£55.00	Yes £55 45min follow up
31/01/2024	Follow on osteopath session	£55.00	Yes £55 45min follow up
14/02/2024	Follow on osteopath session	£55.00	Yes £55 45min follow up

4. The previous Committee determined that the conduct found proved amounted to Unacceptable Professional Conduct and ordered that the Registrant's registration should be subject to a Suspension Order for a period of 12 months (to be reviewed), on the basis that this was required to uphold the wider public interest. Relevant parts of the previous Committee's decision are set out as follows:

"Decision on UPC

68. The Committee accepted the advice of the Legal Assessor as set out above and gave careful consideration to the submissions by both Counsel. It has determined that the events that comprise the Allegation are to be viewed as one continuing episode of short duration and that the Registrant acted at the behest of Patient A. The Committee has concluded that, without Patient A, the Registrant would not have acted as he did. However, the Committee was of the view that the Registrant's actions do amount to serious dishonesty. Whilst the sums of money gained by Patient A are modest, the Registrant agreed to help Patient A cover his tracks. His actions were akin to facilitating the fraud.

69. The Committee regarded fraud upon companies such as BUPA to be very serious. It may be thought by some in society that there is no victim. That is a false premise since fraud affects everyone. BUPA are subjected to loss or to risk and need to act accordingly. This means patients are subjected to higher fees and the profession and/or colleagues are subjected to scrutiny. This is the 'ripple effect' now perhaps recognised by the Registrant. It is not that fraud affects no-one, it is that fraud affects everyone.

70. The Committee considered the questions postulated in CHRE v Grant (amended to cover the issues in these proceedings) as follows:

'Do our findings of fact, … amount to UPC in the sense that the Registrant has,
(a) in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm. And/or
(b) has in the past brought and/or is liable in the future to bring the profession into disrepute. And/or
(c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession. And finally,
(d), "Has in the past acted dishonestly and/or is liable in the future to act dishonestly.'"

71. The Committee concluded that the answer to question (a) was no, however, in

respect of questions (b), (c), and (d) the answer was undoubtedly yes at least in the past. Regarding future risk, this is dealt with below under sanction however in short, the Committee considered that there was a very limited risk of repetition.

72. *Finally, the Committee looked at the OPS. It concluded that the following standards were engaged. Standards D1, D2 and D7 which provide as follows:*

D1 You Must act with honesty and integrity in your professional practice.
D2 You must establish and maintain clear professional boundaries with patients

D7 You must uphold the reputation of the profession at all times through your conduct, in and out of the workplace.
D7.1 The public's trust and confidence in the profession (and the reputation of the profession generally) can be undermined by an osteopath's professional or personal conduct. You should have regard to your professional standing, even when you are not acting as an osteopath.
D7.2 Upholding the reputation of the profession may include . . .
2.4 behaving honestly in your personal and professional dealings
2.9 not falsifying records, data or other documents.

73. Taking account of the above the Committee determined that the Registrant's failings were serious and amounted to UPC. The Committee acknowledged that there is no suggestion of patients being put at direct risk. Rather, this is a case where the Registrant's conduct impacts upon the profession and the wider public interest of trust and the need to declare and upholding standards.

74. The Committee next moved to consider the issue of sanction.

Decision on Sanction

75. The Committee determined that the appropriate and proportionate sanction is a suspension order of twelve months duration with a review.

76. In coming to the above conclusion, the Committee considered the Hearings and Sanctions Guidance (HSG) produced by the GOsC, the submissions by both Counsel and it accepted the advice of the Legal Assessor as set out above. The Committee kept the overarching objective at the forefront of its considerations and in particular the public interest. It looked with equal care at the issues of character, insight, remediation and proportionality.

77. In concluding that the Registrant's conduct amounted to UPC the Committee has already determined that it involved a serious departure from the standards expected of a registered osteopath. Furthermore, the Committee recognised that honesty sits at the heart of professional practice and it is rightly guarded by the profession and its regulator. That is the start point for the consideration of cases such as this.

78. Notwithstanding the above, the Committee accepted the proposition that there is a scale to dishonesty and to seriousness. This required careful assessment to ensure any sanction is both just and proportionate. The Committee has already set out certain findings of fact that assist in that process. Furthermore, the Committee looked at any aggravating and mitigating factors. It then considered the wider public interest the Registrant's character and the impact of sanction upon him and others.

79. Regarding aggravating factors, the Committee determined that the Registrant acted dishonestly twice albeit they formed part of one course of conduct. The Registrant abused his professional position by confirming false data and then lying. His conduct was deliberate and although he acted at the behest of a third party, he did have at least some time to reflect and consider what he was doing. As to mitigating factors, the events were not initiated by the Registrant, rather he was drawn into dishonesty by another. The Registrant admitted his conduct to his regulator. The Registrant has genuinely apologised and demonstrated remorse for his actions. Whilst his dismay was perhaps more directed to the impact upon himself and his family, it was nonetheless genuine as was his shame and embarrassment. The Committee found that the Registrant had demonstrated some insight into the impact his actions have upon the profession, but this required further work. The Registrant has recognised a weakness in himself and has taken some steps to address this, to understand why he placed his loyalty with a friend rather than act honestly and to strengthen the separation between his personal life and his professional life. Finally, there is no evidence of direct harm to patients.

80. The Committee regarded the Registrant's otherwise good conduct both before and since these events to be a matter worthy of standalone consideration. The Committee received and took account of statements and oral evidence from a very wide range of people. Whilst it understood the caution expressed by Mr Geering regarding the weight to be applied to such evidence, the Committee was of the view that they were sufficiently broad in their scope, sources and understanding of the case to be reliable. In addition, whilst some evidence came from family and friends, several of the witnesses were professionals who are themselves regulated and/or highly regarded in society. These included some seven osteopaths, several registered healthcare professionals (including a GP, a physiotherapist and a podiatrist), a headteacher, a solicitor, a company CEO, two accountants, an international HR manager and more. They were aware of the necessity and their duty to be candid. They all spoke in measured but firm tones in support of the Registrant. All regarded him as an asset to the community providing safe, reliable clinical care. Crucially all knew of the case and the fact the Registrant had admitted being dishonest, yet all remained of the view that the Registrant is at heart an honest and professional man who serves his community well. The Committee concluded that together these witnesses provided a clear, consistent and sufficient body of evidence for the Committee to agree that the Registrant can, as Mr Goldring asserted, be viewed as an otherwise decent man who has been led badly astray over a period of some 48 hours.

81. Drawing the above themes together, the Committee determined that, whilst the Registrant's conduct was deplorable and could not be said to fall at the lowest end of dishonesty or seriousness, it was not so serious as to fall at the top end of the scale. The character evidence also provided a firm basis for the consideration of risk, insight, remediation and impact. In other words, this is not a case where the facts are so egregious or the Registrant's character so

unprofessional as to preclude consideration of a sanction other than removal from the Register.

82. *Concerning the issues of insight and remediation, the Committee noted that the Registrant has demonstrated some insight into his wrongdoing and has undertaken some remedial work. This has for the most part been in the form of an exploration of himself and his thought processes with the assistance of psychotherapy. His conclusion that he is susceptible to influence from others is, in the Committee's view, borne out by the fact that he appears to become quite involved, perhaps too involved, in the personal life of his patients which led to a change in the expectations of both patient and practitioner. Whilst it is important to understand one's patients, there is a risk of over-involvement and a weakening of the therapeutic relationship and consequently, professional boundaries, that are designed to protect both patients and osteopaths. The Registrant stated, and the Committee accepted that he has taken some steps to deal with this and to strengthen those professional boundaries. The Committee took the view that the Registrant had genuinely been rocked by what has occurred and he would in future be more cautious in his dealings with patients and others who may ask him to do them a favour. The Committee determined that he has some insight into this, but not full insight.*

83. *Concerning the Registrant's capacity and willingness to remediate, the Committee noted that whilst he did not admit matters immediately and he lied to BUPA, once he realised the full extent of his predicament, he faced up to it, admitted his guilt (including providing the incriminating WhatsApp messages between Patient A and himself) and cooperated fully with GOsC and with the regulatory process. In this and in his reconsideration of himself, the Committee regards the Registrant as having shown a willingness and potential to remediate. This is supported by the Registrant's evidence before the hearing and by the strength, breadth and depth of the character evidence.*

84. *Turning therefore to the available sanctions and the ISG, the Committee first reaffirmed that there was no issue of patient harm or public protection. The issue is the wider public interest. The Registrant's actions are properly to be described as serious but isolated. He acted under the influence of another. He has shown some insight and taken some steps to rehabilitate himself.*

85. *The Committee first considered the sanction of admonishment. It regarded this, the lowest sanction, as insufficient to mark the seriousness of the case or to reassure the profession or public that matters of dishonesty are taken most seriously.*

86. *The Committee next considered a Conditions of Practice Order (COPO) however; these are generally more appropriate to address issues of competence rather than dishonesty. Whilst the Registrant has some insight and undertaken some remediation, he has by no means finished that journey. The Committee was satisfied that there is no evidence of a harmful and deep-seated attitudinal problem but rather, in the absence of very firm professional*

boundaries, the Registrant may be vulnerable to influence by others. The Committee noted that the Registrant had undertaken some work on this but had not yet addressed the issue of dishonesty itself. That was work he needed to undertake. The Committee determined that a COPO would not mark the seriousness of this case, nor would it reassure the profession or the public.

87. *The Committee went on to consider suspending the Registrant from the register. In considering the HSG, the Committee noted that this was a serious breach of the standards expected of the Registrant. However, it was unable to conclude that the conduct was so serious or that the Registrant's overall character is so unprofessional as to indicate a fundamental incompatibility with remaining on the register. The Committee has already commented that the Registrant has started to gain insight, he has started to remediate, and he may have the potential to remediate further. That is certainly the opinion of those who know him best and the Committee regarded that opinion as genuine and persuasive.*

88. *To test its consideration of suspension the Committee went on to look at the sanction of removal from the Register. The Committee has noted that the Registrant's actions were serious, deliberate and that he disregarded his professional standards. However, whilst it was dishonest there is no evidence of persistent conduct, covering up or a persistent lack of insight. In addition, there are no issues of risk of harm, abuse, violence and the like.*

89. *Having considered the level of seriousness and the probable sanction the Committee next looked at the impact a suspension or removal order may have on the wider public interest, the local community and/or the Registrant. As regards the wider public interest, suspension and/or removal would undoubtedly signal to the public and profession that dishonesty is not acceptable. Regarding the local community the evidence was clear, the local community would suffer an adverse impact – all the more so if the Registrant was removed from the register. In respect of the Registrant, the Committee accepted that either sanction may have a harsh impact upon him but this was outweighed by the public interest in declaring to the public and to the profession that such conduct is not tolerated.*

90. *The Committee concluded that the Registrant's conduct sat right on the cusp of suspension and erasure; it was, however, persuaded by all the evidence that the latter sanction is not currently in the public interest. Having determined that the Registrant had fully admitted his conduct and was on the way to gaining insight and remediating the Committee was not persuaded that this case necessitated the sanction of removal. He has engaged at least in part with the issues that have brought him to this point and the Committee was of the view that such was his potential that he deserved the opportunity to remediate and continue to serve the public well as he had to date.*

91. *Having determined that the Registrant should be suspended the Committee next considered the length of such an order. It determined that twelve months*

was appropriate to mark the seriousness of the case. It would allow the Registrant time to fully explore and understand his own character and the issue of dishonesty such that he may in future safely return to practice. It would protect the public in the meantime, and it was sufficient to protect the public interest and confidence in the profession. Whilst the Committee accepted that such an order would be viewed with dismay by those who supported the Registrant and, it may cause some hardship for him, it was of the view that no lesser period would meet the public interest as set out above.

92. Finally, the Registrant and the public will understand that this suspension order does not simply come to an end but that it will be subject to review. A reviewing committee is entitled to consider all available sanctions including conditions, further suspension or erasure as it thinks appropriate in accordance with the overarching objective. Although it is a matter for the Registrant, the reviewing committee would undoubtedly be assisted by the following:

(i) *Evidence of further and continued professional development and/or face-to-face learning regarding dishonesty and its impact on the public interest and how to build and maintain strong professional boundaries.*
(ii) *Evidence of independent supervision and/or mentoring from which the Registrant has experienced how fellow professionals deal with issues of dishonesty and the possibility of influence by others.*
(iii) *A reflective statement from the Registrant setting out his learning.*
(iv) *A report from a* supervisor/mentor regarding the Registrant's progress."

Evidence of the Registrant:

5. The Registrant submitted a bundle in advance of today's hearing which included the following documents:

i. Registrant's witness statement incorporating his reflections;

ii. Professional remediation and mentoring programme;

iii. CPD Records;

iv. Documents evidencing rebranding of clinic signage, clinic website, reception service and Google business;

v. Five-stage insurance verification and pre-submission checklist;

vi. Letter of support from the Registrant's wife;

vii. Witness statement of the Registrant's mentor, PM.

Submissions on behalf of the Council

6. Mr. Gillespie, on behalf of the GOsC, described the background of the case to the Committee, and highlighted relevant parts of the previous Committee's decision, including the previous Committee's recommendations as to the material which the Registrant may wish to produce for today's hearing. Mr Gillespie informed the Committee that the GOsC did not suggest that the Registrant had not undertaken the expected work, with the GOsC taking a neutral position in respect of today's review. Mr Gillepsie referred to the powers available to the Committee at this review, and suggested that the Committee may think that an extension of the Suspension Order was not appropriate, and submitted that it may be difficult to consider what conditions could be imposed in this case.

7. Mr Goldring, on behalf of the Registrant, submitted that the Registrant had taken seriously the opportunity granted by the previous Committee to learn, and to demonstrate that he is capable of unrestricted practice. Mr Goldring submitted that today's reviewing Committee had evidence under each category suggested by the previous Committee in the latter's recommendations as to the material which the Registrant may wish to produce for today's hearing. Mr Goldring referred to the reflections in the Registrant's witness statement, the training certificates, the report which set out the mentoring which had taken place with PM, the Registrant's mentor since January 2026, as well as PM's witness statement.

8. Mr Goldring highlighted that the Registrant had demonstrated sufficient insight and remediation. He had not simply supplied information, rather he had demonstrated that he had addressed the concerns. He had moved away from a focus on the consequences of his Unacceptable Professional Conduct upon himself and his family, to the wider impact of his actions upon the profession, public confidence and insurers. In addition, the Registrant had confronted the issue, highlighted in the previous Committee's decision, that simply addressing the problem of professional boundaries did not in itself address the issue of the Registrant's dishonesty. This issue had been addressed by the Registrant through his reflective work as evidenced in his witness statement and during his mentoring sessions.

9. Mr Goldring submitted that the nine mentoring sessions, as documented, were engaging and challenged the Registrant, moving beyond the original Unacceptable Professional Conduct to cover wider areas such as how to respond to pressure from patients, how to explain when things had gone wrong, and how to deal with an inaccurate clinical record, such as correcting it openly and honestly. This was relevant in particular to the second instance of dishonesty found proved by the previous Committee, in that the Registrant had attempted to make his initial dishonest conduct appear less serious. Thus the mentoring had asked him to face the same choice but in a different setting.

10. Mr Goldring submitted that the Registrant now recognised the warning signs, such as personal involvement, and feeling obliged to make an exception for others, and had formulated steps, as set out in the evidence, that he would now take to act differently. In addition, the Registrant had formulated an

insurance checklist which was a specific policy for him to apply and follow.

11. Mr Goldring referred to the steps taken by the Registrant to make clear to others that he was no longer an osteopath following his Suspension Order, such as changing his clinic signage well as his website information, and his instructions to reception so that the public was not misled. Mr Goldring also referred to the numerous character referees relied on by the Registrant at the original hearing who had been told by the Registrant of his dishonesty, which was indicative of his acceptance of his responsibility even prior to imposition of the Suspension Order.

12. Mr Goldring reminded the Committee that the previous Committee had not found any evidence of a deep seated attitudinal problem, and had determined that the risk of repetition of the conduct was limited.

Decision of the Committee

13. The Committee took account of all the submissions, and the documents provided to it. The Committee accepted the advice of the Legal Assessor. It noted in particular that the decision before it under Rule 52 of the General Osteopathic Council (Professional Conduct Committee) (Procedure) Rules 2000 (the Rules) was whether it was sufficient to make no further direction or, if not, whether to impose a Conditions of Practice Order, or to direct that the current period of suspension should be extended.

14. The Committee considered the evidence presented in the records of the nine mentoring sessions, between 21 January and 9 September 2026, the Registrant's witness statement as well as the witness statement of PM, the Registrant's mentor, an osteopath who had extensive experience in training and supporting practitioners. The mentoring process has been detailed, thorough and comprehensive. It included scenario-based questioning, probing the Registrant's reasoning, and tracking his development. It was clear that this involved work in analysing how the Registrant's thinking had changed, as well as challenging his understanding. This process had been supplemented by training in relevant areas, as evidenced by certificates provided in the areas of Professional Boundaries, Ethics and Ethical Standards, Probity and Ethics, Duty of Candour, Professionalism and Professional Standards, and Remediation.

15. The Committee also noted the steps taken by the Registrant, assisted by the mentoring process, to address any potential risk of repetition, such as work done to identify warning signs, and what actions to take, with a clear methodology to be employed going forwards. There was a recognition of the need to pause, and seek guidance, with a drafted 5 step checklist to assist the Registrant in dealing with patients' insurance claims.

16. The Committee came to the conclusion that the Registrant's level of insight as demonstrated in his witness statement and in the mentoring records was deep, meaningful and genuine. It went far beyond feelings of remorse, apology and a focus on personal consequences, extending to a considerable understanding of the impact upon patients, public confidence, the profession,

and insurers. There was a clear understanding of the reasons for the Registrant's actions and how to prevent recurrence. The Committee also took the view that the reflections as set out in the Registrant's witness statement had been embedded and tested during the mentoring process over a period of several months.

17. The Committee decided that the Registrant had undertaken significant efforts to address the concerns, producing evidence in line with the previous Committee's recommendations. The Committee also noted that the Registrant wished to continue with mentoring after today's hearing for a period of 6 months, which was confirmed by PM's witness statement, and the Committee accepted the submission that this indicated the value which it held for the Registrant.

18. Taking into account the evidence, the Committee concluded that the Registrant had demonstrated a high level of insight and remediation. As such, the risk of repetition is very low, as found by the previous Committee. Furthermore, the Committee decided that the Registrant had engaged fully with the proceedings and had done all that could be reasonably expected to address the issues that had led to his appearance before the previous Committee.

19. The Committee concluded that the public interest had been properly served by the suspension imposed on the Registrant's registration. To impose any further sanction, whether a further period of Suspension or a Conditions of Practice Order, would not serve any useful purpose and would be disproportionate and punitive in the light of the evidence before the Committee.

20. The Committee there determined that it was the proportionate and appropriate outcome for it to make no further direction in this case and that the Suspension Order imposed by the previous Committee should lapse on expiry.

The Registrant will be notified of the Committee's decision in writing in due course.

Under Section 31 of the Osteopaths Act 1993 there is a right of appeal against the Committee's decision.

All final decisions of the Professional Conduct Committee are considered by the Professional Standards Authority for Health and Social Care (PSA). Section 29 of the NHS Reform and Healthcare Professions Act 2002 (as amended) provides that the PSA may refer a decision of the Professional Conduct Committee to the High Court if it considers that the decision is not sufficient for the protection of the public.