



General
Osteopathic
Council

Draft Guidance on Voluntary Removal Applications

1 September to 30 November 2016

About the General Osteopathic Council

The General Osteopathic Council (GOsC) is the regulator for the osteopathic profession in the UK. Our role is to develop and regulate the profession of osteopathy which we do by setting standards of education, training, conduct and competence and keeping a register of those who have qualified and met those standards. By law osteopaths must be registered with us in order to practise in the UK; there are over 5,000 registered osteopaths.

The consultation

We would welcome your views on new guidance which publishes the factors that the GOsC Registrar will take into consideration where an osteopath requests to be removed from the Register of osteopaths. This is a process known as voluntary removal.

About Voluntary Removal Applications

The *Osteopaths Act 1993*, the legislation governing the work of the GOsC, is silent as to the procedure for dealing with requests for voluntary removal from the Register and generally there are no barriers preventing an osteopath from applying to do so. However, where there are ongoing fitness to practise issues relating to that osteopath, the application needs to be considered by the Registrar who determines whether the osteopath's request for removal should be granted.

Each year, only a handful of osteopaths that fall within the latter category above ask to be removed from the Register. Formalising the criteria the Registrar takes into consideration in assessing applications will assist osteopaths in determining whether they may wish to make an application for voluntary removal, and will improve the transparency of our processes while aiding consistency in the decision-making process.

Removing an osteopath from the Register can provide a more proportionate and efficient mechanism for dealing with osteopaths who have fitness to practise issues and who no longer wish to stay on the Register. For example, while providing immediate protection to patients and the public, this would also remove the stress of a hearing for witnesses and osteopaths alike.

However, developing a robust, transparent decision-making framework would also ensure public protection, declaring and upholding standards and maintaining public confidence in the profession and its regulation is taken into account. For example, in circumstances where former osteopaths choose to practise in another discipline as manual therapists, there is a clear public interest in bringing this matter to a hearing so that the fitness to practise concerns can be put on record and the public can see that the osteopath has faced a hearing.

This new guidance supports our work to promote public and patient safety through proportionate, targeted and effective regulatory activity.

The purpose of this consultation is to invite views on the framework of decision making as set out in the guidance. We would welcome your views on [this draft guidance, which can be found here](#).

If you would like to respond, please answer the questions that begin on page 5 of this response form or respond online at <http://www.osteopathy.org.uk/about-us/our-work/consultations-and-events/guidance-on-voluntary-removal-applications/>

The consultation will run from **1 September to 30 November 2016**.

How to respond

You can send us your views by responding to our online consultation at:

<http://www.osteopathy.org.uk/about-us/our-work/consultations-and-events/guidance-on-voluntary-removal-applications/>

by emailing us at: regulation@osteopathy.org.uk or by post to:

Guidance on Voluntary Removal Applications consultation
General Osteopathic Council
Osteopathy House
176 Tower Bridge Road
London
SE1 3LU

Copies of the draft Guidance on Voluntary Removal Applications, and this consultation response form, are also available on request in other formats by contacting the GOsC via email at: regulation@osteopathy.org.uk or 020 7357 6655 x224.

We are asking some specific questions that we would like responses to, but you are welcome to offer any comments you wish. All feedback will be taken into consideration.

We will publish a report about the consultation and the responses we have received. If you would prefer your response not to be made public, please indicate this when sending us your views.

The deadline for responses to this consultation is **30 November 2016**.

We look forward to receiving your comments.

Thank you.

Consultation Questions:

1. Name of individual or organisation (optional)

Architects Registration Board

2. Are you happy for the GOsC to publish your response to this consultation?

Happy for the GOsC to publish my response

I would prefer my response to be published in a non-attributable form

3. Do you think the draft guidance is clear?

Yes

No

If no, please set out your reasons and any suggestions for improvement.

4. Do you have any suggestions on how we can improve the guidance?

The section on 'Voluntary removal where there are current fitness to practise concerns' is a large piece of text and might benefit from being subdivided. Possible headings might be based on the points at paragraph 9.

5. Do you think there any other factors the Registrar should take into consideration as part of their decision making?

Yes

No

If yes, please set these out below.

6. While the guidance has been drafted to be succinct to aid clarity, does it strike the right balance in tone and content to ensure public protection?

Yes

No

If no, please set out your reasons and any suggestions for improvement.

7. Please provide us with any other comments you may have.

The Architects Registration Board has a similar statutory scheme to GOSC, and has been challenged on the legality of the Registrar refusing a resignation request whilst disciplinary proceedings are outstanding. The High Court however upheld that approach as being legitimate in Woodman Smith v Architects Registration Board [2014] EWHC 3639 (Admin)

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Thank you for your response to this consultation.

We would also like to ask some questions about you. Completing [the diversity questionnaire](#) is optional, but we would welcome information about our respondents. The information you provide will only be used for the purposes of analysing the consultation responses.