

## Response to the General Osteopathic Council Consultations on Draft Guidance about Professional Behaviours and Fitness to Practise for Osteopathic Students and Draft Guidance for Osteopathic Educational Institutions

June 2016

### 1. Introduction

- 1.1 The Professional Standards Authority for Health and Social Care promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and voluntary registration of people working in health and care. We are an independent body, accountable to the UK Parliament. More information about our work and the approach we take is available at [www.professionalstandards.org.uk](http://www.professionalstandards.org.uk)
- 1.2 As part of our work we:
- Oversee nine health and care professional regulators and report annually to Parliament on their performance
  - Conduct research and advise the four UK governments on improvements in regulation
  - Promote right-touch regulation and publish papers on regulatory policy and practice.

### 2. General comments on guidance

- 2.1 We welcome the opportunity to comment on both the draft guidance about Professional Behaviours and Fitness to Practise for Osteopathic Students and the draft guidance for Osteopathic Educational Institutions. We have made some general comments which relate to both pieces of guidance and then some specific points on each piece of guidance separately with reference to the consultation questions where relevant.
- 2.2 We remain supportive of the General Osteopathic Council's approach to ensure public protection through the provision of guidance for students and an obligation for educational institutions to fully supervise student practice until a recognised qualification has been awarded and a student can become a registered professional.
- 2.3 As students are in a different position pre-registration and do not face the same penalties for misconduct in terms of being removed from the register, we would suggest that it would be helpful for the guidance to more clearly outline upfront the purpose of Fitness to Practise (FtP) for students as distinct from registrants.
- 2.4 We are very supportive of the addition of references to the duty of candour in the guidance for students but would suggest that this should also be in the

guidance for educational institutions. More detail on why this requirement for a duty of candour is important would also be useful to ensure that the issue is taken seriously and becomes embedded into students' practice before and after they become registrants.

- 2.5 We would agree that further detail may be useful on the issue of maintaining boundaries between students practising on each other and the implications of this. We would also highlight the importance of referencing the effect that breach of boundaries with patients can have on the public's trust in health professionals at large.

### **3. Guidance for students**

- 3.1 Question 3 - Do you think the draft guidance is clear?

3.2 The guidance is generally clear, however as highlighted above it would be useful to include an explanation of the difference between fitness to practise procedures as a registered professional and as a student. Although student fitness to practise procedures may ultimately have implications for the registration of the individual it would be useful to clearly explain upfront how they differ. The guidance could also be made clearer and more easily navigable with the addition of an index.

- 3.3 Question 5 - Is the more detailed guidance on professional behaviours for students helpful in identifying where problems might arise?

3.4 Yes - The table mapping the professional behaviours which might lead to concern against the osteopathic practice standards is very clear and helpful and should give a clear indication to students on how to interpret the standards and how they apply.

- 3.5 Questions 6 - Is the guidance given on speaking up and the duty of candour sufficient?

3.6 We welcome the inclusion of the reference to the duty of candour in the guidance but would suggest that a little more detail on why this is important might be useful. It may be useful to highlight both that candour may be an important factor in FtP proceedings and also the importance to patients and service users of a proactive approach to the duty of candour when something goes wrong. It would also be helpful to place this section closer to the front of the document, perhaps following the section on the Osteopathic Practice Standards, page 8. This would help to emphasise the importance of the duty of candour and ensure that it is seen as part of the key requirements that student should take into account.

- 3.7 Question 7 - Is more detail required on the issue of boundaries in relation to students working with each other, and in the context of relationships between educational staff and students?

3.8 We would agree that it would be useful to include more detail on this issue, in particular with reference to students' practising techniques on each other as this is a fairly unusual situation occurring due to the nature of the practice of osteopathy. It may be useful to more clearly highlight the potential

consequences of inappropriate behaviour in relation to a student's ability to remain on the course and ultimately being awarded a recognised qualification enabling them to practise as a registrant. We would also suggest that in relation to maintaining boundaries with patients it may be helpful to highlight more clearly the potential effect on the individual patient's and the public's trust of healthcare professionals overall. We have published guidance boundaries between healthcare professionals and patients which may be useful to reference.<sup>1</sup>

- 3.9 Question 8 - Is the guidance on fitness to practise processes and procedures helpful?
- 3.10 As highlighted, the guidance would benefit from a little more background and a clearer description of how student fitness to practise differs from fitness to practise as a registrant and what the potential implications are for the student's ability to register as an osteopath following receipt of a recognised qualification. This would provide more context for the description of student fitness to practise processes and procedures and the implications and significance that they might have for the student.

#### **4. Guidance for educational institutions**

- 4.1 Question 3 - Do you think the draft guidance is clear?
- 4.2 Please see answer given on guidance for students in 3.2 above.
- 4.3 Question 5 - Is the more detailed guidance on professional behaviours for students helpful in identifying where problems might arise?
- 4.4 Yes – please see answer given on guidance for students in 3.4 above.
- 4.5 Questions 6 - Is the guidance given on speaking up and the duty of candour sufficient?
- 4.6 As this currently does not appear to be included in the guidance for Osteopathic Educational Institutions we would like to see a reference to the duty of candour added. It is important that the institution as leaders, understands the importance of instilling this duty into students and ensuring that it is embedded within their practice. As highlighted in the above answer on the guidance for students (3.6) we would suggest that this section should include more detail on why the duty of candour is important and how it relates to patients and service users. It would also be helpful for this to be placed prominently near the front of the document, for example after 'Learning professional behaviours' on page 7 to highlight the importance of the issue.
- 4.7 Question 7 - Is more detail required on the issue of boundaries in relation to students working with each other, and in the context of relationships between educational staff and students?
- 4.8 Please see above answer on guidance for students, paragraph 3.8.

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<sup>1</sup> Clear sexual boundaries between healthcare professionals and patients: responsibilities of healthcare professionals <http://www.professionalstandards.org.uk/docs/default-source/publications/policy-advice/sexual-boundaries-responsibilities-of-healthcare-professionals-2008.pdf>

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- 4.9 Question 8 - Is the guidance on fitness to practise processes and procedures helpful?
- 4.10 Please see the answer above on the guidance for students (3.10). Although we recognise that this guidance is intended to be used by Educational Institutions who will have a clear grasp of the purpose and format of student fitness to practise, as the two pieces of guidance are intended to be read together, we would suggest that this guidance would also benefit from more context and a clearer description of how student FtP differs from FtP as a registrant.

## 5. Further information

- 5.1 Please get in touch if you would like to discuss any aspect of this response in further detail. You can contact us at:

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