

EXPLANATORY MEMORANDUM TO
THE GENERAL OSTEOPATHIC COUNCIL (CORONAVIRUS) (AMENDMENT)
RULES ORDER OF COUNCIL 2020

2020 No. 596

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department of Health and Social Care and is laid before Parliament by Command of Her Majesty.
- 1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

- 2.1 The Order contains amendments to the General Osteopathic Council (GOsC) Rules. The amendments ensure that the GOsC's processes can continue during the period of the Covid-19 pandemic. These are permanent rules changes and will still be in force once the Covid-19 pandemic is over.
- 2.2 Specifically, this order is made under the Osteopaths Act 1993 (c. 21). The Order will amend the General Osteopathic Council (Investigation of Complaints) (Procedure) Rules 1999 (as contained in S.I. 1999/1847), the General Osteopathic Council (Professional Conduct Committee) (Procedure) Rules 2000 (as contained in S.I. 2000/241) and the General Osteopathic Council (Application for Registration and Fees) Rules 2000 (as contained in S.I. 2000/1038).

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 This Order will come into force within 21 days of being laid before Parliament.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

- 3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

- 4.1 The territorial extent of this instrument is the United Kingdom.
- 4.2 The territorial application of this instrument is the United Kingdom.

5. European Convention on Human Rights

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

- 6.1 This instrument is being made in accordance with the GOsC's powers, as set out in the Osteopaths Act 1993, to make rules in accordance with its core regulatory functions. Further detail as to the various enabling provisions used is set out below.

7. Policy background

What is being done and why?

- 7.1 This instrument is being made in order to allow the GOsC to adapt its current operating procedures to respond to the Covid-19 emergency and to align with one of its broader aims on better use of technology.
- 7.2 The instrument will allow the GOsC to amend its rules on how it can contact registrants when a fitness to practise or professional conduct allegation is made against them. Current rules provision requires registrants to be contacted by post or recorded delivery, using a postal address the osteopath has registered on the professional's register. The rules changes will enable the GOsC to use electronic mail to contact osteopaths when a fitness to practise or professional conduct allegation is made against them. Registered osteopaths will be asked to register an email address with the GOsC's registrar to enable this form of communication to take place.
- 7.3 In addition, the GOsC will be able to use electronic mail to contact applicants and registrants with notifications regarding their application for registration and fees rather than having to contact them by a registered post service or by a postal service in which delivery or receipt is recorded.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

- 9.1 The GOsC will inform its registrants of the rule changes.

10. Consultation outcome

- 10.1 A consultation on the rules changes has not taken place.

11. Guidance

- 11.1 Guidance is not required to be published.

12. Impact

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies.
- 12.2 There is no, or no significant, impact on the public sector.
- 12.3 An Impact Assessment has not been prepared for this instrument because the SI relates to measures to maintain the GOsC's regulatory operations.

13. Regulating small business

13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

14.1 The GOsC will keep the new rules under review.

15. Contact

15.1 Kathryn Flynn at the Department of Health and Social Care Telephone: 0113 2545967 or email: Kathryn.Flynn@dhsc.gov.uk can be contacted with any queries regarding the instrument.

15.2 Mark Bennett at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.

15.3 The Minister of State (Minister for Care) at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.