

General Chiropractic Council (Constitution) Order 2008

Consultation Questions

Please fill in and/or tick the appropriate response.

Response form

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The Department will process your personal data in accordance with the DPA and in most circumstances this will mean that your personal data will not be disclosed to third parties. However, the information you send us may need to be passed on to colleagues within the UK Health

Departments and/or published in a summary of responses to this consultation.

I do not wish my response to be passed to other UK Health Departments

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Please indicate all the countries to which your comments relate:

UK-wide *and/or*
England *Northern Ireland*
Scotland *Wales*

Are you responding: - *as a member of the public*
 - *as a health or social care professional*
 - *on behalf of an organisation X*

If you are responding as a member of the public, please supply the following details:

If you are responding as a health or social care professional, please supply the following details:

Country of qualification

Please indicate as appropriate:

UK Other EEA Rest of World

Area of work

- NHS**
- Social Care**
- Private Health**
- Voluntary**
- Regulatory Body**
- Professional Body**
- Education**
- Union**
- Local Authority**

Trade Body
Other (please give details)

If you are responding on behalf of an organisation, please supply the following details:

NHS
Social Care
Private Health
Voluntary
Regulatory Body X
Professional Body
Education
Union
Local Authority
Trade Body
Other (please give details)

The GCC (Constitution) Order 2008

Consultation Questions

Composition of the Council

Q1: Do you agree that the Council of the GCC should consist of 7 registrant members and 7 lay members?

Support (X)

Not Support ()

Unsure ()

Comments

We support the move for the councils of regulatory bodies to become smaller and more board like, and agree with the proposal in Niall Dickson's report that regulators should aim for councils to be made up of between 9 and 15 members.

Terms of office of members

Q2: Do you agree that the Privy Council (Appointments Commission) should determine the duration of the term of office of each GCC member, on appointment?

Agree (X)

Disagree ()

Unsure ()

Comments

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Q3: Do you agree that no member should hold office for more than an aggregate of 8 years?

Agree ()

Disagree ()

Unsure (X)

Comments

We note that the formulation of the maximum term of office is different in the GCC Order to that in other orders (e.g. GMC, GOC, GOsC) which specify that non-member should hold office for more than an aggregate of 8 years over a period of 20 years. We are unsure why a different formulation has been used for the GCC Order. Will this prevent anybody who has served an aggregate of 8 years from ever serving again? If this is the case, whilst we have no views as to whether this would be appropriate for GCC, we do not agree that this should be the standard requirement for all regulatory bodies. In particular, where a regulator is regulating a profession which is small in number, it may be difficult to find persons within the profession with the skill set required to be on a strategic board to serve as registrant members on the council. Ruling out the possibility that someone who has served 8 years should be able to serve again, even after a reasonable break in service, will mean that some regulators will be drawing from an ever diminishing pool of persons with the skills required. The Department should give consideration to this issue when deciding a formula for those professions where the numbers are small.

Q4: Do you agree that service as a member since 9th February 2005 should be included in aggregating a Council members service?

Agree ()

Disagree (X)

Unsure ()

Comments

This will mean that the regulation has retrospective application, which may be perceived to be unfair. For example, someone's decision to serve on the current Council may have been different had they have known that this would affect the time they could serve under the new arrangements.

Education and training of members

Q5: Do you agree that the GCC should have the flexibility to make arrangements for the provision of education and training of Council members with another body?

Agree (X)

Disagree ()

Unsure ()

Comments

Disqualification for appointment as a member

Q6: Do you agree with the reasons for disqualifying a person from appointment as a member of the GCC? If not, please specify which reasons you disagree with and explain why.

Agree (X)

Disagree ()

Unsure ()

Comments

We believe that it is imperative that financial penalty orders are added to the sanctions resulting from fitness to practise proceedings carried out by other licensing bodies. For example, the General Optical Council, the Architects Registration Board, and the Solicitors Regulation Authority all impose financial penalty orders under their fitness to practise regimes, and we do not believe that it would be appropriate for persons who have been subject to such orders to be able to become a member of the GCC Council.

Removal and suspension of members from office

Q7: Do you agree with the reasons given for removing or suspending members from office? If not, please specify which reasons you disagree with and explain why.

Agree (X)

Disagree ()

Unsure ()

Comments

The same point regarding financial penalty orders as made above applies.

Appointment, term of office and cessation of office of the chair

Q8: Do you agree that the term of office of the Chair should be determined by the Privy Council (Appointments Commission) on appointment?

Agree (X)

Disagree ()

Unsure ()

Comments

Q9: Do you agree with the reasons why a member should cease to be Chair?

Agree (X)

Disagree ()

Unsure ()

Comments

Deputising arrangements in respect of the Chair

Q10: Do you agree with the deputising arrangements in respect of the Chair?

Agree (X)

Disagree ()

Unsure ()

Comments

Quorum of the GCC, effect of vacancies etc. on the validity of proceedings

Q11: Do you agree that the quorum of the GCC should be 8?

Agree (X)

Disagree ()

Unsure ()

Comments

Q12: Do you agree with the provisions that prevent GCC proceedings being invalidated?

Agree (X)

Disagree ()

Unsure ()

Comments