



## ADVICE NOTE

### **SUPERVISION AND DELEGATION IN CHIROPRACTIC UNDERGRADUATE EDUCATION: WHERE DOES THE RESPONSIBILITY LIE IF COMPLAINTS ARE MADE?**

#### **The nature of delegation in chiropractic undergraduate education**

1. Delegation in chiropractic undergraduate education is different in nature from the delegation that may take place in a practice environment. In the latter, if a principal chiropractor delegates the assessment and care of a patient to an associate, both chiropractors are registered and the transaction is essentially one of referral of the patient to another chiropractor i.e. the associate chiropractor takes responsibility for the care of the patient and is accountable for it.
2. In the chiropractic undergraduate education environment, the supervising chiropractor will delegate tasks to the student(s) but the responsibility remains with the chiropractor who is delegating the tasks. In addition within the education environment, the delegation should take place within a framework of systems, policies and procedures, which are designed to protect the patients, students and the educational institution. The overall chain of accountability is from the institution to the Principal / Head of School, to the clinic director, to the clinic tutors through to the students.

#### **If complaints are made, where does the responsibility lie?**

3. If complaints are made, the actions taken may be complex dependent on who made the decision to act and whether it was within the systems, policies and procedures that have been put in place to protect the patients, students and the educational institution. The range of different possibilities is set out below.

#### *Complaints to the educational institution*

4. If a complaint is made against a **student** then it would be necessary to establish whether:
  - a. The student had acted reasonably in the circumstances given the systems, policies and procedures that are in place. If they had, then there will be no case for the student to answer although the institution would need to consider whether the systems, policies and procedures are sufficient to protect patients, students and staff.

- b. The student had proposed a course of action, checked this with the tutor who had agreed with their suggestion but the course of action was outwith the systems, policies and procedures. It would then be necessary to establish whether the tutor had acted reasonably in the circumstances. Such cases might be handled internally as a disciplinary issue within the educational institution or through the GCC, dependent on to whom the complaint was made and the seriousness of the case.
    - c. The student had acted unreasonably and outside of the educational institution's systems, policies and procedures – in these situations then this is likely to be taken through the institution's Student Fitness to Practise procedures. The GCC requires educational institutions to inform the GCC of the outcomes of any Student Fitness to Practise cases considered by the institution.
- 5. If a complaint is made against a **clinic tutor** then it would be necessary to establish whether:
  - a. The tutor had acted reasonably in the circumstances given the systems, policies and procedures that are in place. If they had, then there will be no case for the tutor to answer although the institution would need to consider whether the systems, policies and procedures are sufficient to protect patients, staff and students.
  - b. The tutor had acted unreasonably and outside of the educational institution's systems, policies and procedures. In these situations then the matter is likely to be dealt with through the institution's disciplinary procedures unless the institution considers the issue to be sufficiently serious to warrant bringing it to the attention of the GCC.
- 6. If a complaint is made against the **undergraduate student clinic** generally then it would be necessary to establish whether the institution's systems, policies and procedures are of sufficient quality to protect patients, public, staff and students. This would be an institutional / system matter and would be dealt with by the institution.
- 7. Educational institutions will have their own procedures as to when the institution's insurers are informed of complaints made by a patient.

#### *Complaints to the GCC*

- 8. If a patient complained to the GCC about the treatment they received in an educational institution, then the GCC would have an obligation to consider the complaint although the course of action it might take would vary dependent on the nature of the complaint:
  - a. If the complaint was against a **student**, then the GCC would inform the complainant that the GCC does not regulate students and suggest that the complainant contacts the educational institution concerned.

- b. If the complaint was against an individual **registrant**, such as a **clinic tutor**, the **clinic director** or the **head of school**, then the matter would be referred to the Investigating Committee. The Investigating Committee would consider all available information and decide whether there was a 'case to answer' in respect of a registrant. Any 'case to answer' would be referred to either the GCC Professional Conduct Committee or the Health Committee for determination.
- c. If the complaint was against the chiropractic **education programme, clinic or institution**, then the matter would be referred to the Education Committee for it to determine whether the matter raised concerns about the recognition of the chiropractic degree programme (e.g. because of a failure in the systems, policies and procedures used within the programme).

### **Conclusions**

- 9. Complaints from patients and the public about their treatment by a student / within a student clinic are inherently complex as there are a number of factors that need to be investigated.
- 10. If the complaints are made directly to the educational institution they can normally be dealt with through internal mechanisms unless an issue of the conduct or competence of a chiropractor is raised that needs to be passed onto the GCC.
- 11. If complaints are made to the GCC then there is a duty to consider the complaints. The nature of that consideration will vary dependent on whether the complaint refers to a student, a chiropractor or the educational institution.

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