



**General  
Chiropractic  
Council**

# **GCC Consultation: On Publication and Disclosure Policy**

**6 January – 14 February 2020**

## About the General Chiropractic Council

The General Chiropractic Council (GCC) regulates chiropractors in the UK to ensure the safety of patients undergoing chiropractic treatment.

The GCC is an independent statutory body established by Parliament to regulate the chiropractic profession. We protect the health and safety of the public by ensuring high standards of practice in the chiropractic profession.

## Background

As part of our regulatory work we publish and disclose certain information about chiropractic professionals.

The GCC is making some changes to the information we create, publish and disclose via our website such as the Register, professional conduct committee matters as well as upcoming interim order matters. We call this our publication and disclosure policy.

The amended publication and disclosure policy sets out:

- The information that we publish on our website and online register, and that we disclose to third parties;
- The extent to which we are specifically required to publish or disclose any information, in line with our statutory functions;
- Where we are not specifically required to publish information, what we choose to publish so as to discharge our overriding objective and broader statutory

responsibilities, as well as public law concepts of open justice;

- The balance between being open and transparent about our processes and how we make decisions, whilst recognising that these need to be balanced with the legitimate privacy rights of registrants and other stakeholders; and
- How we deal with individual requests for information, and overall, how we do this in a consistent, transparent and fair way.

The annex to the policy shows what we publish and disclose about chiropractic professionals who are subject to GCC fitness to practise procedures.

Under the law we have a range of duties covering information governance. These include the Data Protection Act 2018, the Human Rights Act 1998, and the Freedom of Information Act 2000. Under the Chiropractors Act 1994 we may publish information about a chiropractic professional's fitness to practise.

Our publication and disclosure policy, with the annex, sets out how we carry out these duties, and our approach to publishing and disclosing fitness to practise information. This includes how long a fitness to practise sanction will remain on the public register.

The current disclosure policy was originally published in September 2003 and the amended policy has been reviewed to take into account changes in the law, including the introduction of the General Data Protection Regulation (GDPR) and Data Protection Act 2018. We are now asking for views on the

policy and the changes we have made, which are detailed below.

## Overview

We welcome comments on all aspects of the amended policy and the supporting annex, but the focus of this consultation is our proposal to amend the lengths of time that fitness to practise sanctions will be published on a chiropractic professional's entry on the online register on the basis of a sliding scale of seriousness of sanction.

## Revised time periods for publication on the online register

Fitness to practise sanctions are intended to make sure patients and the public receive safe and effective care from chiropractic professionals.

We have changed how long fitness to practise sanctions are published on the register.

We believe these amendments strike the right balance between the public interest and the rights and freedoms of individuals, so that what we publish or disclose is proportionate.

How long we publish the information for will depend on the sanction imposed: the more serious the sanction, the longer the time period (which we have referred to as a sliding scale). When the time limit is reached, this information will not be available by searching the register.

We propose reducing the length of time for which an admonishment is published from 1 year to 6 months.

We are not proposing to change the length of time for which an order of conditions of practice is published: for the duration of the conditions plus one year.

We propose amending the length of time for which some other sanctions are published:

- A suspension will be published for the duration of the suspension plus two years (instead of the current one year). This increase takes into consideration the patient safety implications, the severity of the sanction and fairness to the individual professional.
- Previously, when an individual was removed from registration by a Professional Conduct Committee, we published the notice of decision with an indefinite duration. We have considered reducing this to 5 years however we are of the view that in thinking about our public protection aims, it would be arguable to have this information available indefinitely on the basis that no successful application for restoration has been made.
- Following restoration to the register, after removal by a Professional Conduct Committee, the original determination of removal will be taken down.

## The consultation

We have undertaken a review of our current Disclosure Policy to ensure that any changes have considered best practice from other regulators as well as legal updates in terms of changes to legislation and case law which has a bearing on the policy.

We are seeking your views on the questions set out below.

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## Consultation Questions:

1. Name of individual or organisation (optional)

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

Yes

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

## Consultation questions

The questions are set out below:

3. We have outlined the revised time periods for publication on the online register. Do you think that the length of time for which a sanction is published should depend on the seriousness of the sanction?

Yes

No

Please give comments explaining your response.

4. It is our aim to strike the right balance between the public interest, which includes the health, safety and wellbeing of the public, and the rights and freedoms of the chiropractic professional. Do you think the time limits we have introduced for sanctions and restorations to be published achieve this balance?

Yes

No

Please give comments explaining your response.

5. We are keen to hear views about the impact of the publication and disclosure policy and supporting annex. What kind of impact do you think the changes will have on patients and the public?

Positive impact

Negative impact

Both positive and negative impact

No impact

Please give comments explaining your response.

6. What kind of impact do you think the changes will have on chiropractic professionals?

Positive impact

Negative impact

Both positive and negative impact

No impact

Please give comments explaining your response.

7. Do you have any other comments on our publication and disclosure policy or supporting annex?

**Thank you for responding to the consultation**

## HOW TO RESPOND

Responses are invited by **14 February 2020** online [[here](#)]. Alternatively, we are happy to receive responses by email or post. Our contact details are listed below:

[Investigation@gcc-uk.org](mailto:Investigation@gcc-uk.org) or

**FtP Team Consultation  
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General Chiropractic Council  
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## AFTER THE CONSULTATION

As part of this consultation we will also:



