



Regulatory Bodies and Councils

Introduction

There are 13 health and social care regulators whose role is to protect the public. Workers practising in their respective fields must be registered by the relevant regulator who make sure that they meet professional standards.

The health regulators are:

- The General Chiropractic Council (GCC)
- The General Dental Council (GDC)
- The General Medical Council (GMC)
- The General Optical Council (GOC)
- The General Osteopathic Council (GOsC)
- The Nursing and Midwifery Council (NMC)
- General Pharmaceutical Council (GPhC)
- Pharmaceutical Society of Northern Ireland (PSNI)
- The Professional Standards Authority (PSA)

Introduction

The social care regulators are:

- Social Work England (SWE)
- Northern Ireland Social Care Council (NISCC)
- Social Care Wales
- Scottish Social Services Council (SSSC)

In this information booklet you will learn an overview of each of the regulators that operate in England.

Professional standards authority

The Professional Standards Authority describe themselves as 'set up under the NHS Reform and Health Care Professions Act 2002, which has been amended and the most recent legislation was the Health and Social Care Act (2012).

This gave two new responsibilities relating to their work with Accredited Registers; and their work advising the Privy Council about appointments to the nine regulators' Councils. They have the authority to:

- Review decisions made by the regulators about practitioners' 'fitness to practise' if they consider them to be insufficient for the protection of the public.
- Accredite voluntary registers that meet their standards - and suspend accreditation, apply conditions and remove accreditation.



Professional standards authority

They do not have the power to investigate complaints about the regulators as this part of the legislation has not been put into practice, but they do value hearing from people who are willing to share their experiences to help inform their work.

There are 10 health and care regulators that 'register' health and care professionals working in occupations that Parliament has said must be regulated. For example, doctor, nurse, pharmacist and paramedic are all regulated occupations.

The register is more than a list. It shows that the professionals on it are properly trained and qualified and meet the regulator's standards.

Professional standards authority

The Regulators do four things:

- Set standards of competence and conduct that health and care professionals must meet in order to be registered and practise
- Check the quality of education and training courses to make sure they give students the skills and knowledge to practise safely and competently
- Maintain a register that everyone can search
- Investigate complaints about people on their register and decide if they should be allowed to continue to practise or should be struck off the register - either because of problems with their conduct or their competence.

General Medical Council (GMC)

The GMC works to protect patient safety and improve medical education and practice across the UK. Working with doctors, employers, educators and patients to achieve high standards of care. As part of their role they:

- decide which doctors are qualified to work in the UK
- oversee UK medical education and training
- set the standards doctors need to follow throughout their careers
- where necessary, take action to prevent a doctor from putting the safety of patients, or the public's confidence in doctors, at risk.

General
Medical
Council

Regulating doctors
Ensuring good medical practice

General Medical Council

As an advocate you might support a person to use the GMC where they have serious concerns about the safety of a doctor or if the complaint is very serious.

Examples of these types of concerns include, but are not limited to:

- serious or repeated mistakes in patient care
- failure to respond reasonably to patient needs (eg not referring for further investigations where necessary)
- violence, sexual assault or indecency
- fraud or dishonesty
- a serious criminal offence
- abuse of professional position (eg an improper sexual relationship with a patient)
- discrimination against patients, colleagues or others
- harassment or bullying of colleagues, patients or others
- serious breaches of patient confidentiality

Nursing and Midwifery Council

This is the professional regulator for nurses and midwives in the UK, and nursing associates in England. Their core role is:

1. To maintain the register of nurses and midwives who meet the requirements for registration in the UK, and nursing associates who meet the requirements for registration in England.
2. To set the requirements of the professional education that supports people to develop the knowledge, skills and behaviours required for entry to, or annotation on, the register.
3. To shape the practice of the professionals on the register by developing and promoting standards including the Code, and promote lifelong learning through revalidation.
4. Where serious concerns are raised about a nurse, midwife or nursing associate's fitness to practice, they can investigate and, if needed, take action.



Nursing and Midwifery Council

If someone raises a concern about someone's skills, education and behaviour, this will go through a fitness to practice process.

They suggest that in most cases, it's best to raise the concerns with the nurse, midwife or nursing associate's place of work first, as the employer is best placed to resolve issues quickly and fairly. The employer can investigate the concern and if they decide to refer the case to the NMC, they can send their information they may have gathered through an internal investigation, which will speed things up.

Nursing and Midwifery Council

Examples of concerns the NMC want to know about immediately include:

- serious or repeated mistakes in patient care
- violence, sexual assault or indecency
- abuse of professional position, e.g. an improper sexual relationship with a patient

For more information see

<https://www.nmc.org.uk/concerns-nurses-midwives/>

General Chiropractic Council

The GCC are an organisation which regulates chiropractors in the United Kingdom. They set standards, hold a register, quality assure education and investigate complaints. They review the performance of the General Chiropractic Council for parliament each year. They also review every decision made by the regulator's final fitness to practice panels.

They uphold five standards covering a range of areas including: providing accurate, accessible information; clarity of purpose; equality, diversity and inclusion; reporting on performance.

**General
Chiropractic
Council**



General Chiropractic Council

Similar to the GMC and NMC they operate a list of registered Chiropractors. As an advocate you might help someone access the list to check if the person they are complaining about is actually registered.

The GMC can consider complaints relating to:

- treatment, care or advice given by a chiropractor
- any aspect of the professional or personal behaviour of a chiropractor
- the physical or mental health of a chiropractor.

But are unable to investigate:

- complaints against clinics or companies - this is because they regulate individual chiropractors
- refund of fees/payment matters
- compensation requests.

For more information see <https://www.gcc-uk.org/>

General Dental Council (GDC)

The GDC are an organisation which regulates dentists and dental care professionals in the United Kingdom. They set standards, hold a register, quality assure education and investigate complaints.

They regulate:

- Dentists
- Clinical dental technicians
- Dental hygienists
- Dental nurses
- Dental technicians
- Dental therapists
- Orthodontic therapists

The logo for the General Dental Council, featuring the words "General", "Dental", and "Council" stacked vertically in a bold, blue, sans-serif font.

General Dental Council (GDC)

Although the GDC will investigate serious complaints they recommend the person raises their concern directly with the dental professional and practice in the first instance.

If the problem is so serious that the dental professional could cause significant harm to patients, colleagues or the general public, or undermine public confidence in the dental profession, people can raise their concerns directly with the GDC.

For more information see <https://www.gdc-uk.org/>

General Optical Council (GOC)

The GOC are an organisation which regulates optical professionals in the United Kingdom. They set standards, hold a register, quality assure education and investigate complaints.

They regulate:

- Optometrists
- Dispensing opticians
- Student opticians
- Optical businesses.



General Optical Council (GOC)

The GOC are only able to investigate serious concerns about an optician, which may mean that they are not fit to practise, including:

- Poor professional performance, such as failing to notice signs of eye disease
- Physical or mental health problems affecting their work
- Inappropriate behaviour, such as violence or sexual assault
- Being under the influence of alcohol or drugs at work
- Fraud or dishonesty
- A criminal conviction or caution.

General Optical Council (GOC)

The GOC cannot:

- Arrange refunds, compensation or apologies
- Give legal advice
- Provide an explanation of what has happened to you
- Order an optician to give you access to your records.

As an advocate you might need to explain the above to your advocacy partner and consider if they want to report anything serious to the GOC.

For more information see <https://www.optical.org/>

General Osteopathic Council (GOsC)

The GOsC are an organisation which regulates osteopaths in the United Kingdom. They set standards, hold a register, quality assure education and investigate complaints.

An important part of their work is dealing with concerns and complaints about osteopaths. Every year they publish the outcomes of complaints made in the Annual Reports and Fitness to Practise Annual Reports.

Complaints may come from:

- members of the public, including patient:
- other osteopaths
- employers of osteopaths
- students of osteopathy
- other health professionals.



**General
Osteopathic
Council**

General Osteopathic Council (GOsC)

Many concerns can be resolved directly with the osteopath in question. However, the person you are supporting might want to contact the GOsC in any cases in which the osteopath is:

- acting in a dishonest, indecent or violent way
- working under the influence of alcohol or drugs
- having a personal relationship with a patient
- examining or treating a patient without their consent
- incompetent (when an osteopath's work fails to meet the standards set in the Osteopathic Practice Standards.)

For more information see <https://www.osteopathy.org.uk/home/>

Health and Care Professions Council (HCPC)

The HCPC are an organisation which regulates health, psychological and care professionals in the United Kingdom. They set standards, hold a register, quality assure education and investigate complaints. They regulate:

- Arts therapists
- Biomedical scientists
- Chiropodists/Podiatrists
- Clinical scientists
- Dietitians
- Hearing aid dispensers
- Occupational therapists
- Operating department practitioners
- Orthoptists
- Paramedics
- Physiotherapists
- Practitioner psychologists
- Prosthetists/Orthotists
- Radiographers
- Speech and language therapists.

Health and Care Professions Council (HCPC)

The HCPC cannot investigate every concern about a registrant, only those where there appears to be a risk to the safety of service users, colleagues or the public, or undermine public confidence in the professions we regulate.

Some of the types of issues they are able to investigate include:

- dishonesty, fraud or abuse of trust or position, including not maintaining professional boundaries with a service user;
- exploitation of a vulnerable person;
- failure to act in the best interests of service users;
- serious breaches of a service user's confidentiality or data protection requirements;
- committing reckless or deliberately harmful acts;

Health and Care Professions Council (HCPC)

- serious or repeated mistakes in service user care;
- where a registrant's performance in their role has harmed service users or put them at risk of harm;
- violence, sexual misconduct or indecent behaviour;
- a caution or conviction for a criminal offence.
- health conditions that are not being managed and may affect the safety of service users, including substance abuse or misuse;
- an adverse finding by another regulatory body;
- fraudulent or incorrect entry onto the HCPC Register, or other equally serious activities which affect public confidence in the profession.

Health and Care Professions Council (HCPC)

However, they cannot:

- get involved in clinical care or social care arrangements;
- deal with complaints about the level of service provided by an organisation;
- reverse the decision of another organisation or body;
- make a registrant or organisation change the content of a report;
- get involved in matters which should be decided by a court, including disagreement with a professional report or other expert evidence presented in court;
- arrange refunds or compensation, or get involved in the fees charged for private treatment;
- make a registrant apologise;
- provide legal advice.

General Pharmaceutical Council (GPhC)

The GPhC are an organisation which regulates pharmacists and pharmacy technicians in the United Kingdom. They set standards, hold a register, quality assure education and investigate complaints.

They can investigate concerns about individual pharmacists and pharmacy technicians but only where they are serious, where there may be a risk to patient safety or the public confidence in pharmacy could be affected.

**General
Pharmaceutical
Council**

General Pharmaceutical Council (GPhC)

The types of concerns they will investigate include:

- Serious unprofessional or inappropriate behaviour
- Dishonesty or fraud
- Criminal conduct
- Dispensing errors
- Working under the influence of drugs or alcohol

But they won't investigate all concerns about pharmacy professionals and pharmacies. They will prioritise concerns where there may be a risk to patient safety or where public confidence in pharmacy could be affected.

General Pharmaceutical Council (GPhC)

They won't be able to help in obtaining compensation or an apology and they usually won't investigate the following types of concerns:

- **Electronic prescriptions** being sent to the wrong pharmacy by a GP or another health professional
- **Customer service issues**; for example, having to wait to get a prescription or a pharmacy professional being rude
- **Contractual issues**; for example, opening hours or charges for private prescriptions
- **Non-medicinal products**; for example, problems with a product such as a shampoo or hairspray which might be sold in a pharmacy but is not a medicine
- **Employment issues**; for example, hours of work or employment contracts

For more information please see <https://www.pharmacyregulation.org/>

Social Work England (SWE)

Social Work England is an organisation which regulates social workers in England. It sets standards, holds a register, quality assures education and investigates complaints.

From 2 December 2019, Social Work England took over the regulation of social workers in England from the Health and Care Professions Council.

If you are supporting someone who is concerned about a social worker's fitness to practise, SWE may be able to help.

Fitness to practise concerns are serious matters - some examples are on the next page.

**Social
Work
England**

Social Work England (SWE)

Examples of fitness to practise concerns

- Dishonesty, fraud or abuse of trust or position. This includes not maintaining professional boundaries with a person with lived experience of social work.
- Exploitation of a vulnerable person.
- Failure to act in the best interests of a person with lived experience of social work (who the social worker is working with).
- Serious breaches of a person's confidentiality or data protection requirements. By 'serious' we mean that the breach represents a risk to the public, or it is capable of undermining public confidence in the profession.
- Serious or repeated failings in a person's care, for example failing to conduct statutory visits.
- Where a social worker's performance in their role has harmed people with lived experience of social work or put them at risk of harm.
- Violence, sexual misconduct or indecent behaviour.
- A caution or conviction for a criminal offence.
- Action (or inaction) that has put either a child or a vulnerable adult at risk of significant harm and which has resulted in a statutory intervention.

Please return to your
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next section of
learning

