

Summary Report: Thematic Review of Equality, Diversity and Inclusion Issues within the General Chiropractic Council Fitness to Practise Process

Introduction

The General Chiropractic Council (GCC) has a statutory responsibility to protect the public and develop the profession that it oversees. This is the first of a series of reports visiting aspects of GCC processes to identify whether they are fair, non-biased and non-discriminatory.

As part of its 15-point Equality, Diversity and Inclusion (EDI) Action Plan, the GCC sought to identify whether the Fitness to Practise (FtP) processes are fair, non-biased, and non-discriminatory. The FtP process is at the core of a healthcare profession's regulation, focusing on judgements regarding whether the well-being of the public is threatened by a registrant.

There is a need to identify whether EDI concerns are found within the FtP process, given its function is to be proportionate, consistent, transparent, fair, robust, equitable and defensible, as well as formative.

This study¹ considered any thematic similarities between a random pool of FtP cases from 2019-2021, and to establish whether there are any fundamental issues of fairness within the FtP system and any links between EDI issues and complaints against registrants, either in the written commentary or in the registrant data on the GCC register of chiropractors.

Limitations of the approach

The study was not expected to be fully comprehensive or to adjust for differences in style of practice between chiropractors (for example, the length of time in practice or the volume of patients seen). It was commissioned as an early indication of where further research could be valuable, or further work could be useful, to rapidly address any EDI concerns within the FtP process.

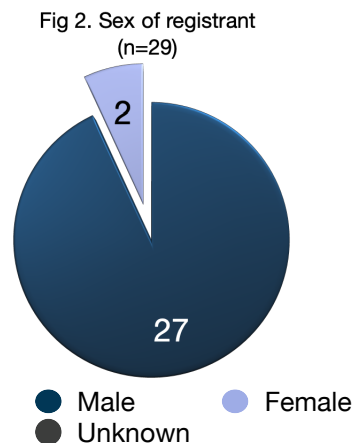
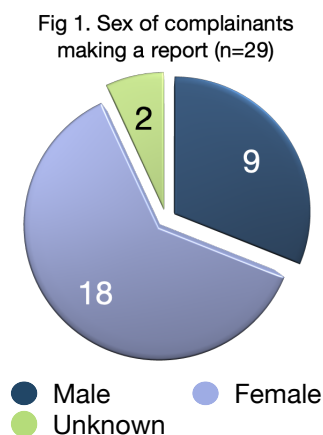
Findings

Several key themes were identified in the review process, including:

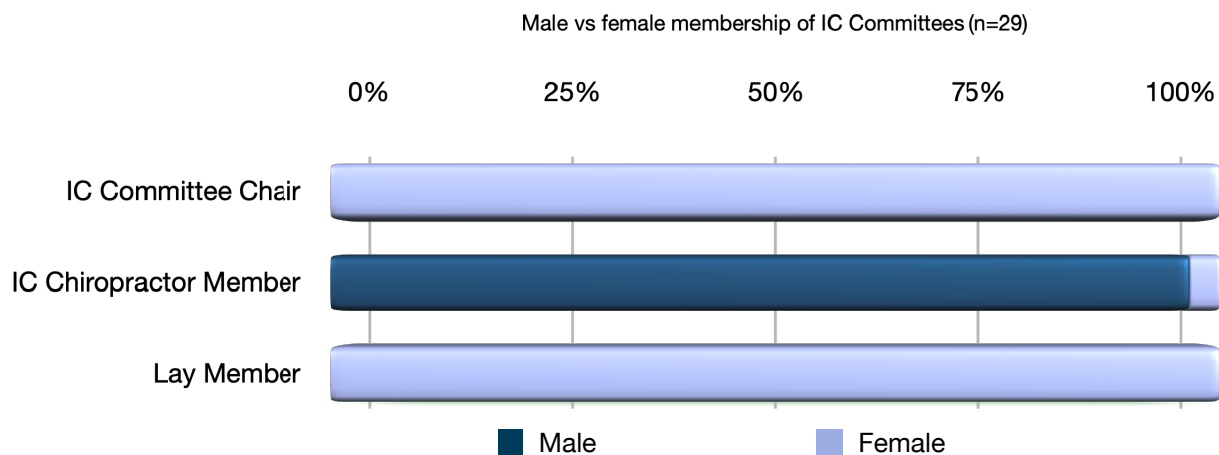
1. Complaints made by female complainants against male registrants accounted for 55.17% of all complaints (Fig 1). In total, male registrants accounted for 93.1% of all cases reviewed under

¹ The GCC commissioned Oakley Partnership, a specialist EDI consultancy, to conduct the research.

the FtP process (Fig 2). This is a compelling tendency not accounted for by the sex of Register population (50.2% women and 49.8% men as of 2022) that may require further exploration.



- The data was checked for a negative impact of intersectional protected characteristics. There was no evidence that any intersectional characteristics made a patient more likely to feature within the FtP process, however, there was evidence that pregnant women and those with disabilities (including mental health concerns as detailed under the Equality Act 2010) who made a complaint were more likely to make a complaint relating to clinical aspects of care, rather than non-clinical aspects.
- The Investigating Committees (IC) lacked diversity. A lack of complete diversity data from IC committee members and complainants prevented a full analysis of key trends or themes within these groups.



- Some complainants had difficulties with the accessibility of information during the FtP process.
- It should be noted that the IC found “No Case To Answer” in all cases. The review was therefore unable to identify if there were differential rates of sanction between registrants with protected characteristics.

A number of areas of positive practice were identified, including increased attendance at hearings following a move to online case hearings during the COVID-19 pandemic. There was also no evidence of bias within the current FtP process, only the possibility of bias.

Further action

- In response to finding 3: In February 2023, the GCC launched a recruitment campaign to increase the representation of minority groups within IC panels following this FtP review. We will continue to monitor and increase the diversity of IC panels through recruitment campaigns.
- In response to finding 3: We will take steps to collect full and standardised diversity data of complainants and IC members to allow for full analysis of any EDI issues within these groups.
- In response to finding 4: The GCC is a participant in the Open University “Witness to Harm” research programme, which aims to use findings from across all medical regulators to make FtP process more accessible to complainants. We received their findings in March 2023 and will be reviewing all GCC communications, correspondence and website to check for accessibility concerns in relation to the FtP process.
- In response to finding 5: We have started a review of protected characteristics in FtP cases which have led to sanctions, in order to identify if there is a potential for any bias in sanctions applied.