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STATUTORY INSTRUMENTS

2004 No. 1877

**HEALTH CARE AND
ASSOCIATED PROFESSIONS
CHIROPRACTORS**

**The General Chiropractic Council (Continuing
Professional Development) Rules Order of Council 2004**

<i>Made</i>	- - - -	<i>12th July 2004</i>
<i>Laid before Parliament</i>		<i>31st August 2004</i>
<i>Coming into force</i>	- -	<i>1st September 2004</i>

At the Council Chamber, Whitehall, the 12th day of July 2004
By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in exercise of the powers conferred on it by sections 6(2) and (4), 17 and 35(2) of the Chiropractors Act 1994⁽¹⁾, and of all other powers enabling it in that behalf, the General Chiropractic Council has made the General Chiropractic Council (Continuing Professional Development) Rules 2004 as set out in the Schedule to this Order:

And whereas by sections 35(1) and 36 of the Act such Rules shall not have effect until approved by The Privy Council:

Now, therefore, Their Lordships, having taken the Rules into consideration, are pleased to, and do hereby, approve them.

This Order may be cited as the General Chiropractic Council (Continuing Professional Development) Rules Order of Council 2004 and shall come into force on 1st September 2004.

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A. K. Galloway
Clerk of the Council

SCHEDULE

THE GENERAL CHIROPRACTIC COUNCIL (CONTINUING PROFESSIONAL DEVELOPMENT) RULES 2004

The General Chiropractic Council, in exercise of its powers under sections 6(2) and (4), 17 and 35(2) of the Chiropractors Act 1994⁽²⁾ and of all other powers enabling it in that behalf, and having consulted registered chiropractors and other persons the Council considers appropriate in accordance with section 17(3) of that Act, makes the following Rules—

Citation and commencement

1. These Rules may be cited as the General Chiropractic Council (Continuing Professional Development) Rules 2004 and shall come into force on 1st September 2004.

Interpretation

2. In these Rules—

“the Act” means the Chiropractors Act 1994;

“the Council” means the General Chiropractic Council;

“CPD” means training which comprises lectures, seminars, courses, practical sessions, individual study or other activities undertaken by a registered practitioner which could reasonably be expected to advance his professional development as a chiropractor or contribute to the development of the profession of chiropractic;

“CPD Record” shall be construed in accordance with rule 5;

“CPD requirement” shall be construed in accordance with rule 4;

“CPD year” shall be construed in accordance with rule 3;

“learning with others” means any CPD other than individual study;

“the Registration Rules” means the Rules scheduled to the General Chiropractic Council (Registration) Rules Order of Council 1999⁽³⁾.

CPD year

3. A CPD year shall run from 1st September to 31st August.

CPD requirement for registered chiropractors

4.—(1) Subject to rule 10, every registered chiropractor (whether practising full-time or part-time, or non-practising, or whose registration is or has been suspended under any provision of the Act) shall complete the CPD requirement during the course of a CPD year.

(2) Subject to rules 9 and 10, the CPD requirement shall consist of—

(a) the completion of at least 30 hours of CPD of which at least 15 hours shall involve the verifiable (by or on behalf of the Council) participation of the registered chiropractor in learning with others; and

(b) the completion of at least one learning cycle as described in paragraph (3) (which shall entail the completion of CPD that counts towards the 30 hours total in sub-paragraph (a)).

(2) 1994 c. 17. The Act was amended by the National Health Service Reform and Health Professions Act 2002 c. 17, section 34.

(3) S.I.1999/1856 as amended by S.I. 2003/3148.

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(3) For the purposes of paragraph (2)(b), a learning cycle shall consist of the following four stages—

- (a) reflecting on and assessment by a registered chiropractor of his learning needs and interests within the context of his professional practice;
- (b) planning how the registered chiropractor intends to meet the learning needs or interests identified in accordance with sub-paragraph (a) and recording this in a personal development plan (which may be revised as necessary during the CPD year);
- (c) undertaking CPD in accordance with the personal development plan; and
- (d) evaluating CPD undertaken and its effectiveness in meeting the learning needs or interests identified in the personal development plan.

Obligation to keep CPD records

5.—(1) A registered chiropractor shall—

- (a) keep an up to date record of CPD undertaken during a CPD year to be known as a CPD Record; and
- (b) produce the CPD Record to the Council on demand.

(2) The CPD Record shall include a record of each stage of the registered chiropractor’s learning cycle and shall be in such format as the Council may from time to time specify.

Compliance with CPD requirement

6.—(1) Subject to paragraphs (6) and (7), the Registrar shall send to every registered chiropractor annually—

- (a) a summary sheet to be completed by the registered chiropractor showing the CPD he has undertaken;
- (b) a notice requiring the registered chiropractor to complete the summary sheet and return it to the Registrar by the date specified in the notice (“the return date”), which shall be at least 28 days after the date of the sending of the notice; and
- (c) a warning that unless the completed summary sheet is received by the Registrar by the return date, the registered chiropractor’s name may be removed from the register.

(2) Where the completed summary sheet is not received by the Registrar by the return date, he shall send a notice of final warning to the registered chiropractor warning him that, if the completed summary sheet is not provided before the end of the period of 14 days beginning with the day on which the notice was issued (“the final warning date”), his name may be removed from the register.

(3) If the completed summary sheet is not received by the final warning date, the Registrar may remove the name of the registered chiropractor from the register.

(4) Where the Registrar is not satisfied from the information provided in the summary sheet or otherwise that the registered chiropractor has complied with the CPD requirement he shall send a notice to the registered chiropractor which shall include—

- (a) a statement of the reasons why he is not satisfied that the registered chiropractor has complied with the CPD requirement;
- (b) an invitation to the registered chiropractor to submit his observations on the matter by the date specified in the notice, which shall be at least 14 days after the date of the sending of the notice; and
- (c) a request that the registered chiropractor produce within the same period his CPD Record for the relevant year.

(5) Where—

- (a) the registered chiropractor fails to produce his CPD Record by the date specified in the notice sent under paragraph (4); or
- (b) after considering any observations submitted by the registered chiropractor pursuant to paragraph (4)(b) and the contents of the CPD Record, the Registrar remains of the view that the registered chiropractor has not complied with the CPD requirement for the year in question,

the Registrar may remove the name of the registered chiropractor from the register.

(6) The Registrar shall not send the documents mentioned in paragraph (1) to a person—

- (a) who has received notification under section 20(9)(a) of the Act and is subject to an investigation under sections 20, 22 or 23 of the Act in connection with which all proceedings and appeals arising have not been completed (or the time for all such appeals has not expired); or
- (b) whose registration is suspended,

until the relevant event set out in paragraph (7) occurs at which time the Registrar shall send to the chiropractor the documents mentioned in paragraph (1), and paragraphs (2) to (6) shall have effect accordingly.

(7) The event mentioned in paragraph (6) is—

- (a) completion of any investigation referred to in paragraph (6)(a) and of all proceedings and appeals arising from it, or as the case may be upon the expiry of the time for any such appeal without such appeal being made, where the decision is not one that the chiropractor's name be removed from the register or his registration suspended; or
- (b) the ending of the suspension referred to in paragraph (6)(b).

(8) Whenever the Registrar removes the name of a chiropractor from the register under this rule, he shall notify the chiropractor in writing of the removal and of the reasons for it.

Restoration to the register following removal for non-compliance

7.—(1) Any person whose name has been removed from the register by the Registrar under rule 6 may apply to have his name restored to the register.

(2) Rule 10(1) of the Registration Rules shall apply to any application made under paragraph (1) as if it were an application for restoration to the register under section 6(5) of the Act, and subject to paragraph (3) and rule 10 below—

- (a) the application shall be accompanied by evidence that the applicant has undertaken—
 - (i) any CPD necessary to satisfy the CPD requirement set out in rule 4(2)(a) for the CPD year in relation to which his name was removed from the register, and
 - (ii) at least two and a half hours of CPD for each whole month in the period beginning with the day after the end of the CPD year in relation to which his name was removed from the register and ending with the date of receipt by the Registrar of his application for restoration;
- (b) in respect of the CPD mentioned in sub-paragraph (a)(ii), at least one and a quarter hours for each such month shall be CPD which involves the verifiable (by or on behalf of the Council) participation of the applicant in learning with others.

(3) The maximum amount of CPD for which any applicant under this rule shall be required to provide evidence to the Registrar shall be 150 hours.

(4) An applicant shall not be required to satisfy the provisions of paragraph (2) insofar as they relate to a period more than five years before the date of his application for registration.

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(5) Whenever the Registrar refuses an application made under paragraph (1), he shall notify the applicant in writing of his decision and the reasons for it.

Appeals from decisions of the Registrar

8. A person may appeal to the Council from a decision made by the Registrar to remove him from the register under rule 6 or to refuse an application for restoration under rule 7, and that appeal—

- (a) shall be subject to the rules set out in the General Chiropractic Council (Appeals Against Decisions of the Registrar) Rules Order 2000(4) as if it were an appeal under section 29 of the Act; and
- (b) must be made before the end of the period of 28 days beginning with the date on which notice of the Registrar’s decision is sent to the person concerned.

Chiropractors admitted or readmitted after Rules come into force

9.—(1) Any chiropractor who first becomes registered or whose name is restored to the register, other than under rule 7, after these Rules come into force shall complete at least two and a half hours of CPD for each whole month in the period between—

- (a) the date on which he first becomes registered or the date of restoration to the register as the case may be; and
- (b) the end of the CPD year in which the date referred to in sub-paragraph (a) falls.

(2) At least one and a quarter hours of CPD for each month of the period referred to in paragraph (1) shall be CPD which involves the verifiable (by or on behalf of the Council) participation of the registered chiropractor in learning with others.

Chiropractors affected by exceptional circumstances

10. Where the Registrar is satisfied that a person has been unable to comply with the CPD requirement for any CPD year for reasons of ill health, bereavement or other exceptional circumstances, he may extend the time for the person concerned to comply with the CPD requirement (without affecting the CPD requirement for the following CPD year) or may reduce the number of hours of CPD to be completed in any CPD year.

Service of notices

11. Any summary sheet, demand, warning or notice to be given by the Registrar under these Rules may be sent by post to the address of the chiropractor concerned which appears in the register pursuant to section 6(1)(b) of the Act, and shall be treated as sent or issued at the time of its posting.

Given under the common seal of the General Chiropractic Council this 1st day of July 2004

L.S.

Dana Green
Member

(4) S.I. 2000/2265.

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Alexandra R. M. Lewis
Member

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under the Chiropractors Act 1994, approves Rules made by the General Chiropractic Council which set out the requirements in respect of post-registration training which have to be met by registered chiropractors.