

EXPLANATORY MEMORANDUM

The General Chiropractic Council (Continuing Professional Development) Rules Order of Council 2004 No. 1877

1. i) Title of the Instrument

The General Chiropractic Council (Continuing Professional Development) Rules Order of Council 2004 (S.I. 2004 No.1877)

ii) Laying Authority and Purpose

This explanatory memorandum is laid before Parliament by Command of Her Majesty.

iii) Department responsible

Department of Health

2. Description

The Instrument makes provision for a statutory scheme of Continuing Professional Development (CPD) for chiropractors.

3. Matters of special interest to the Joint Committee on Statutory Instruments

This instrument was laid before both Houses of Parliament on 10 August 2004 but, because of an oversight, the General Chiropractic Council (Continuing Professional Development) Rules 2004 were not attached to the Order of Council as a Schedule.

The Order of Council was properly made by the Privy Council and the rules were validly approved in accordance with sections 35 and 36 of the Chiropractors Act 1994. After having been made, the Order and the rules were together e-mailed to another office for arrangements to be made to lay them before both Houses of Parliament. They became separated and only the Order was laid.

The instrument which was laid on 10 August has therefore been withdrawn and a complete instrument with the Rules scheduled to the Order has been laid in its place.

The Rules are still to come into force on 1 September 2004 as intended. The instrument therefore breaches the twenty one day rule. The Privy Council Office and Department of Health apologise for this error. The General Chiropractic Council consulted the profession and other interested parties before making the rules and has issued guidance to those affected by them.

The General Chiropractic Council and members of the profession are expecting the rules to come into force on 1 September 2004 introducing from that date statutory requirements in respect of continuing professional development for registered chiropractors and they will not be affected adversely by breach of the twenty one day rule.

S.I.2004/1877 will be reprinted with the rules attached as a Schedule to the Order made by the Privy Council and the instrument will be issued without charge to those known recipients of the original statutory instrument.

4. Legislative background

The General Chiropractic Council (GCC) is an independent statutory body established by the Chiropractors Act 1994 to develop, promote and regulate the profession of chiropractic. Over the past few years it has made a number of sets of rules relating, for example, to registration and the procedure of its fitness to practise committees.

Section 17 of the Chiropractors Act 1994 enables the GCC to make rules requiring registered chiropractors to undertake further courses of training. Relevant rule-making powers are also provided to the GCC under section 6 (which relates to registration) and section 35 of the 1994 Act.

5. Extent

The instrument applies to all four UK countries.

6. Policy background

The GCC has four main duties:

- to protect the public by establishing and operating a scheme of statutory regulation for chiropractors;
- to set the standards of chiropractic education, practice and conduct;
- to ensure the development of the profession of chiropractic;
- to promote the profession of chiropractic.

Continuing Professional Development is the process whereby chiropractors, in line with many other healthcare professionals, continue to develop their professional skills after they have become registered. CPD is undertaken in the interest of both patient care and the development of the profession as a whole. It offers enhanced protection for the public and improved professional satisfaction for chiropractors, by enabling them to develop their knowledge and skills and apply these developments to their professional practice.

Under the statutory scheme, individual chiropractors will be required to undertake at least 30 hours of CPD a year and will be responsible for identifying their own learning needs and planning their CPD accordingly.

Chiropractors who do not comply with the CPD requirement set out in the Instrument may be removed from the register.

The Instrument is expected to be of little public interest outside the chiropractic profession.

7. Impact

Following consultation with the profession and other interested parties, the CPD scheme has been carefully designed by the GCC to take account of the professional needs and interests of chiropractors and their current working arrangements. It formalises a process which is already being undertaken by most chiropractors. The chiropractic professional associations have had their own CPD arrangements in place for some time and support a statutory scheme.

8. Contact

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