

Howard Lamb  
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6 July 2016

Registration Number: 00024

## **REGISTER OF CHIROPRACTORS**

### **NOTICE OF REMOVAL FROM THE REGISTER**

I have very carefully examined again your Continuing Professional Development summary sheet dated 25 September 2015 for the 2014/15 CPD year and all the subsequent correspondence between the General Chiropractic Council ("the GCC") and you in connection with it. I very much regret to say that, in my view, you have not complied with the CPD requirement set out in Rule 4 of the General Chiropractic Council (Continuing Professional Development Rules 2004) ("the CPD Rules") in relation to the completion of at least one learning cycle.

You were first notified by email from the GCC's Registrations Manager on 20 October 2015 that the information provided in the summary sheet did not comply with the CPD requirement. You were reminded of this in my letter of 25 November 2015, in which it was explained that your CPD learning cycle as stated in your summary sheet related to the GCC itself and not to your professional development as a chiropractor. You were invited to provide further details and/or submit an alternative learning cycle. Another reminder was sent to you by letter from the Registrations Manager on 13 January 2016. You responded by letter dated 20 January 2016.

However, I was still not satisfied that you had met the CPD requirement in relation to your learning cycle and a formal Notice of Final Warning was then issued to you by letter dated 9 May 2016, in accordance with the provisions of Rule 6(4) of the CPD Rules. It gave you until 5:00 pm on Monday 23 May 2016 to submit a further CPD summary sheet giving an alternative learning cycle and any additional observations. An email sent on your behalf on 10 May 2016 asked for further clarification of why the summary sheet was not considered to be acceptable. Your solicitor also sent an email on 11 May 2016 requesting a two week extension to the deadline.

I responded by letter dated 13 May 2016, in which I provided a full explanation and I agreed to extend the deadline for your response until 5:00 pm on Monday 6 June 2016. You wrote to me on 20 and 27 May 2016 to which I replied on 25 and 31 May 2016 respectively, in which I again restated my view that you had not met the CPD requirement. On 3 June 2016, you sent an email to the Registrations Manager asking for a further two week extension of time. This was granted by the Registrations Manager in his email to you of 6 June 2016, stating he was agreeing to extend the deadline further until 5:00 pm on Monday 20 June 2016. Your most recent letter to me is dated 17 June 2016 and I have considered this too before coming to my decision.

**I hereby give notice**, in accordance with Rule 6(8) of the CPD Rules, **that your name has been removed from the Register of Chiropractors** in accordance with the provisions of Rule 6(5)(b) of the CPD Rules with effect from today, 6 July 2016.

Further, in accordance with Rule 6(8) of the CPD Rules, I confirm that **the reasons for my decision are:**

1. The CPD requirement is set out in Rule 4 of the CPD Rules. It consists of the following elements, each of which must be satisfied:
  - (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 (2) (which shall entail the completion of CPD that counts towards the 30 hours total in sub-paragraph (a)).
2. Rule 4 further stipulates that 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;
  - (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.
3. The terms "CPD" and "learning with others" are defined in the CPD Rules as follows:
  - "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 ".
  - "learning with others" means any CPD other than individual study".
4. Guidance has been published by the GCC and is to be found in the CPD pages on its website. It includes guidance on what constitutes contributing to "the development of the profession of chiropractic". This category is learning which involves research and takes the profession forward and includes those activities which do not directly impact on a chiropractor's own patients, but which would inform the profession and improve the clinical skills of other professionals.
5. You recorded one learning cycle in the CPD summary sheet that you submitted for the 2014/2015 CPD year (1 September 2014 to 31 August 2015) on 25 September 2015. For the different stages of the learning cycle, you stated that;
  - You identified your learning needs as *"to find out why the GCC is to down-grade our profession to therapists instead of doctors"*;
  - Your plans to meet this learning need were: *"Research and take professional advice on how to organise a public inquiry and a judicial review as neither I nor my patients have*

*been protected from fraud or abuse. My expectation is that the GCC finally fulfil the criteria of the first Chiropractic Act, 15 years late, rather than not at all";*

- The CPD undertaken to meet the learning need was: *"Research through books and the internet on serotonin and it's (sic) effect on autism"; and "Research on the internet on the Chiropractic Act and the GCC non-compliance".*
6. With the exception of the research on serotonin, none of the above comes within the definition of CPD in the CPD Rules and so cannot count towards the CPD requirement. In particular, the learning cycle as stated does not directly improve the clinical care of your patients, nor does it develop the chiropractic profession in the context of the CPD scheme. In essence, this learning cycle involves little more than some legal research into the GCC's role as a regulator.
  7. Despite numerous invitations to do so, you have not provided details of any alternative learning cycle for the 2014/15 CPD year.
  8. Finally, I have noted that you have twice stated in correspondence that you have *"high functional spectrum autism"*. In my letters to you of 9 and 13 May 2016 I asked you to provide advice from a suitably qualified registered medical practitioner confirming this and providing a view as to whether any reasonable adjustments were needed to enable you to meet the CPD requirement. You have provided no such advice. Further, in your letter of 20 May 2016, you stated that you are *"registered with the GCC as dyslexic"*. In my reply of 25 May 2016 I informed you that I could find no record of this and so I asked you to provide copies of your earlier correspondence with the GCC regarding this. Again, you have not done so. In the absence of such evidence of a medical condition and, in particular, of whether any reasonable adjustments are needed, I have not been able to take such matters into account in coming to my decision.

**I further give notice** that, pursuant to Rule 8 of the CPD Rules, **you have a right of appeal to the Council** from my decision to remove you from the Register. I enclose the Appeals against the decision of the Registrar guidance Note. Please note that you have a period of 28 days from the date of this notice to submit an appeal. This time limit is set by Section 29 of the Chiropractors Act 1994 and cannot be exceeded or extended.

Your attention is also drawn to the enclosed notice regarding Section 32 (1) of the Chiropractors Act 1994 and the information regarding restoration to the Register. You will see that if you wish to apply for restoration you must provide: a completed application form; the restoration fee; a completed CPD record summary for the 2014/15 CPD year that meets the requirements of the CPD Rules; evidence of CPD completed since 1 September 2015 to the date you apply of not less than 2.5 hours per full month, with half that requirement including learning with others; and evidence of your indemnity arrangement.



**David Howell**  
Registrar