CNHC Complementary & Natural Healthcare Council

POLICY

Consensual Disposal Policy

Version 1
Pending approval
Published for information. Not yet in force.

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POLICY

How we resolve cases by consent (consensual disposal)

How a case referred to a Panel can be concluded by agreement with the registrant, when this is suitable, and how the Panel decides.

Pending approval

This policy is published for information only. It has not yet been approved and is not in force.

1 What this policy covers

1.1 Consensual disposal allows a case that has been referred to a Conduct and Competence Panel or Health Panel to be concluded by agreement with the registrant, without a contested hearing.

1.2 It is already provided for in paragraph 30 of Appendix 2 to our **Detailed Procedures for Dealing with Complaints**. This policy does not change those rules. It explains how they work in practice, so that decisions are consistent, transparent and properly recorded.

1.3 It is different from informal resolution, which is used earlier for less serious complaints under our Informal Resolution Framework, and from accepted outcomes, which Case Examiners can propose before a case reaches a Panel (Accepted Outcomes Policy). Consensual disposal is a formal route for cases where a sanction may still be needed, including suspension or removal.

1.4 Consensual disposal is not a way to avoid accountability. The Panel must still protect the public and maintain confidence in the Register.

2 The rules in paragraph 30

2.1 A Panel cannot agree to resolve a case by consent without considering its wider obligations (30.1).

2.2 We will only consider consensual disposal where the registrant admits the allegations **in full**, and the proposed outcome is consistent with the likely outcome of a contested hearing (30.2).

2.3 Consensual disposal does not limit the sanctions the Panel can impose (30.3).

2.4 The Panel may reject a proposal. The case then goes to a full hearing before an **entirely different Panel**, which is not told about the proposal unless the registrant chooses to raise it (30.4).

3 When it is suitable

3.1 The Head of Operations and Governance, or a nominated officer, assesses each case against the following:

Usually suitable	Usually not suitable
Allegations admitted in full, without qualification	Partial, qualified or conditional admissions
Facts are clear and can be set out in an agreed statement	Disputed facts that need to be tested at a hearing
The registrant has shown insight into the concerns	Serious doubts about the registrant's insight or attitude
Evidence of remediation, such as training or corrected advertising	Complex cases, or cases where the right outcome is unclear
Low risk of the concerns being repeated	An ongoing criminal investigation or proceedings
The right outcome is clear rather than borderline	Concerns that form part of a wider pattern not covered by the allegations
Testing the evidence at a hearing would not add to public protection	A proposal that seeks to avoid a sanction by leaving the Register

3.2 These are guidelines, not fixed rules. Serious cases, such as sexual misconduct, dishonesty or harm to a client, are not automatically excluded, but the agreed outcome must reflect how serious they are. This will often mean suspension or removal.

4 Making a proposal

4.1 The registrant, their representative or CNHC can suggest consensual disposal at any point after the case has been referred to a Panel and before the hearing starts.

4.2 Proposals should normally be made at least **28 days** before the hearing, so that we can ask the complainant for their views and the Panel has time to consider it. A late proposal will not delay a hearing unless the Panel agrees.

4.3 The proposal must be made in writing using the form in section 11, and include:

- a signed admission of each allegation in full
- an agreed statement of facts
- the proposed outcome and why it is proportionate
- any evidence of insight, reflection and remediation
- any mitigation or character references
- confirmation that the registrant understands the outcome will be recorded and published.

4.4 We encourage registrants to get independent advice, for example from their professional association or a legal adviser. Section 13 of our complaints leaflet lists sources of support. A registrant can withdraw a proposal at any time before the Panel decides. The case then continues to a hearing, and the proposal is treated as if it had been rejected (5.6).

4.5 We will make clear to the registrant that taking part does not mean the Panel will approve the proposal. Admissions made only for the proposal are treated like a "without prejudice" offer: they cannot be used against the registrant if the proposal is rejected.

5 How we review and decide

5.1 We review each proposal before it goes to the Panel, and check:

- the admissions are full and unequivocal
- the agreed facts are supported by the evidence
- the outcome is consistent with the likely outcome of a contested hearing, taking account of how serious the concerns are, any aggravating and mitigating factors, the sanctions in paragraph 23.1 and our Sanctions Guidance
- the outcome protects the public and maintains confidence in the Register
- the outcome is consistent with similar cases.

We may suggest changes. We will not put forward a proposal that we think is too lenient.

5.2 We tell the complainant about the proposal, explain what it means and invite their views, normally within **14 days**. Their views go to the Panel. The complainant cannot veto the proposal, but the Panel will take their views into account. If the proposal is accepted, the complainant does not need to attend a hearing.

5.3 The proposal is decided by a Conduct and Competence Panel or Health Panel, set up in line with paragraph 8 of the Detailed Procedures and including at least one lay member.

5.4 Before accepting a proposal, the Panel must be satisfied that:

- the registrant has admitted the allegations in full
- the admitted facts amount to misconduct or lack of competence, where relevant, and the registrant's fitness to practise is impaired
- the outcome is consistent with the likely outcome of a contested hearing
- the outcome protects the public and maintains confidence in the Register
- it has met its wider obligations under paragraph 30.1.

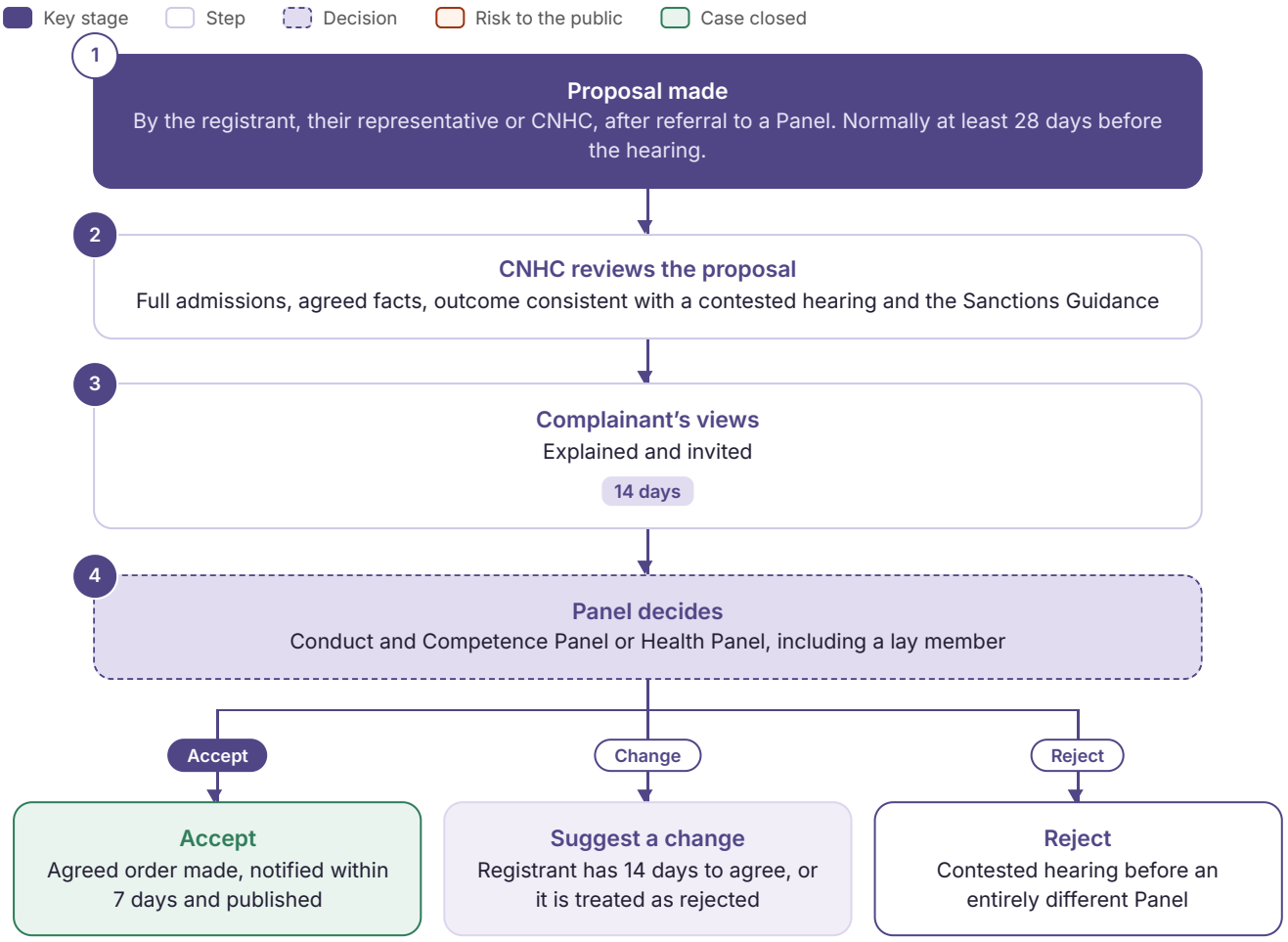
5.5 The Panel will make one of three decisions:

Panel decision	What happens
Accept	The Panel makes the agreed order, using the Consent Order in section 13. It has the same effect as a decision made after a contested hearing.
Suggest a change	The Panel says it would accept the proposal with a different outcome, and why. The registrant has 14 days to agree. If the change is material, we ask the complainant for their views first. If the registrant does not agree within 14 days, the proposal is treated as rejected (Appendix 2, paragraph 30.7).
Reject	The case goes to a contested hearing (5.6).

5.6 If a proposal is rejected, the case is heard by an entirely different Panel. That Panel is not told about the proposal, or about any admissions made only for the proposal, unless the registrant chooses to raise it (30.4). The registrant can still admit any of the allegations at the hearing (Appendix 2, paragraph 16).

5.7 A proposal does not affect any Interim Order, which remains in force, subject to the applicable limits on its duration, review and renewal, unless the Panel revokes it.

CONSENSUAL DISPOSAL: HOW A PROPOSAL IS DECIDED



6 Outcomes

6.1 An agreed outcome can be any of the sanctions available to the Panel under paragraph 23.1. Consensual disposal does not limit or extend these powers.

Outcome	What it means
Caution	Recorded on the registrant's Register entry for up to two years.
Restriction of Practice Order	For between one and three years. It can include requirements such as further training, supervision or corrective action, for example removing misleading advertising.
Suspension Order	Suspension from the Register for up to two years.
Removal Order	Removal from the Register. An application for restoration cannot be made within five years (Appendix 4, paragraph 9.1).

6.2 Remedial steps, such as training or changing a website, can form part of an agreed outcome. They support a sanction but do not replace one where it is needed.

6.3 A registrant cannot end an outstanding allegation by asking to leave the Register (paragraph 4.3 of the Detailed Procedures). The case continues, and an agreed Removal Order can be considered instead. This means the outcome is recorded and published, and the registrant can only rejoin through the restoration process.

7 Telling people and publishing the outcome

7.1 We send a Notice of Decision to the registrant, the complainant and any interested third parties within **seven days** (paragraph 24.1).

7.2 We publish the Panel's findings and decision as soon as reasonably practicable, and record the outcome on the Register (paragraph 27.1), in line with our Publication Policy. We may share it with statutory regulators or other interested parties where this is in the interests of justice (paragraph 27.2).

7.3 A decision made through consensual disposal is a Panel decision and is subject to the appeal provisions in Appendix 3 (Appendix 2, paragraph 30.8). The registrant's admissions and agreement to the proposed outcome will be relevant to the consideration of any appeal, but do not remove the rights provided by those provisions. This is different from a Case Examiner accepted outcome, which cannot be appealed.

8 Records

8.1 For each case we keep the signed proposal form, the agreed statement of facts, our review, the complainant's views, the Panel decision record (section 12), and the Notice of Decision with evidence of publication.

8.2 We keep records in line with our Record Retention Schedule and data protection law.

9 Monitoring

9.1 We keep a log of every proposal and whether it was accepted, changed, rejected or withdrawn. We check agreed outcomes are consistent with the outcomes of contested hearings and, where we have the data, monitor outcomes by protected characteristics to spot any unfair differences.

9.2 We report on consensual disposal to the Board each year as part of our complaints reporting.

9.3 This policy follows the Professional Standards Authority's guidance, *Using accepted outcomes in fitness to practise* (June 2025). Where we depart from that guidance, we will record our reasons. It should be read with our Accepted Outcomes Policy, which covers decisions by Case Examiners before a case reaches a Panel.

10 Review

10.1 We will review this policy every two years, or sooner if the Detailed Procedures for Dealing with Complaints change.

11 Consensual disposal proposal form

To be completed by the registrant or their representative and returned to CNHC.

Registrant name	
Registration number	
Discipline(s)	
Case reference	
Panel and hearing date (if listed)	
Allegations admitted (list each one)	
Agreed statement of facts	Attached
Proposed outcome	
Why the outcome is proportionate	
Evidence of insight and remediation	
Mitigation and character references	
Representative (if any)	
Declaration	I admit the allegations listed above in full. I understand that the agreed outcome will be recorded and published, and that the Panel may reject this proposal.
Signature and date	
CNHC use: complainant consulted (date)	

12 Panel decision record

To be completed by the Panel Chair for each proposal considered.

Case reference	
Panel	Conduct and Competence Panel / Health Panel
Panel members (Chair, lay member and others)	
Date of decision	
Documents considered	
Admissions full and unequivocal?	Yes / No
Findings	Misconduct / Lack of competence / Health
Fitness to practise impaired?	Yes / No
Complainant's views considered?	Yes / No
Wider obligations under paragraph 30.1 considered?	Yes / No
Decision	Accepted / Change suggested / Rejected
Outcome and duration	
Interim Order revoked?	Yes / No / Not applicable
Reasons for the decision	
Chair's signature and date	

13 Consent Order

To be completed when the Panel accepts a proposal. The registrant, CNHC and the Panel Chair each sign it.

Case reference	
Panel	Conduct and Competence Panel / Health Panel
Registrant's consent	[Name] consents to the Panel making the Order below in respect of the allegations admitted in the proposal dated [date].
CNHC's consent	CNHC consents to the Order, being satisfied that it is appropriate in all the circumstances for these reasons:
Reasons	
Order	The Panel, with the consent of the Parties and being satisfied that it is appropriate, directs the Registrar to: [record a Caution for [x] years / make a Restriction of Practice Order for [x] years on the terms below / suspend the registration for [x] months / remove the registrant from the Register].
Terms of any restrictions	
Signed: Panel Chair, and date	
Signed: registrant, and date	
Signed: for CNHC, and date	

Document control

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Replaces	New document. Supports paragraph 30 of Appendix 2 to the Detailed Procedures for Dealing with Complaints (version 2).
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Next review	Two years after it comes into force

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