

Standards of Proficiency and the Renewal of Registration

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Introduction

This note is by way of clarification of the comment in my report of January 2003 on safe and effective practice that “all registrants must continue to be able to meet the standards of proficiency required of a newly qualified practitioner in order to remain on the register.”

Renewal requirements

Article 10(2) of the Health Professions Order 2001 (the Order) requires every health professional, when renewing their registration, to:

- meets the conditions set out in Articles 9(2)(b) and (c) of the Order;
- meets any CPD requirements set under the Order; and
- if they have not practised since they were last registered, to complete any “top up” training specified under Article 19(3) of the Order.

Articles 9(2)(c) is simply the requirement to pay the prescribed renewal fee and therefore it is compliance with Article 9(2)(b) with which we are concerned here. That Article requires a person to satisfy the Education & Training Committee (ETC), which is responsible for the registration process, that:

“in accordance with the Council’s requirements mentioned in Article 5(2) that he is capable of safe and effective practice under the part of the register concerned”.

Article 5(2) in turn requires the Council to set:

“the standards of proficiency necessary to be admitted to the different parts of the register being the standards it considers necessary for safe and effective practice...”

and to prescribe:

“the good health and good character requirements” which establish that an applicant “is capable of safe and effective practice”.

Applying these requirements

The Order makes no provision for re-validation of health professionals when they renew their registration and thus a “lighter touch” regime is envisaged. In practice, the process is likely be self-policing to a large extent, requiring the applicant to sign a declaration to the effect that either:

- he or she is still currently in practice, has met any CPD requirements and meets the proficiency and health and character requirements, or
- he or she has not been in practice but meets all those requirements and has completed any "top up" training requirements.

As noted in previous reports, whether a person is practising as a health professional is a question of fact and those in education, management or research may be regarded as being in practice for this purpose.

In the same way that a person who on being first registered is assumed to meet the standards of proficiency by holding an approved qualification which attests to those standards, so a health professional's declaration at renewal should be accepted as accurate unless there are good grounds to doubt it. The declaration should be made on a form which contains a warning that fraudulently procuring the renewal of a register entry is a criminal offence.

Obviously, the Council will wish to put some form of audit mechanism in place to verify that the renewal system is sufficiently robust, but the need to be "satisfied" that an existing practitioner continues to meet the standards of proficiency should not be an unduly onerous requirement. Once the CPD scheme is in existence, although it is not a measure of continuing competence, it will assist those who are in practice but perhaps not involved in the day to day treatment of patients to show that they meet the continuing competence requirement.

If there reasonable grounds to believe that a person has made an inaccurate declaration then further enquiries may be made and if that person cannot satisfy the ETC that they meet the standards of proficiency, then ultimately disciplinary proceedings or a criminal prosecution may follow.

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Introduction

This document sets out the **standards of proficiency** that we expect registrants to meet. We also expect registrants to keep to our **standards of conduct, performance and ethics**, which are published in a separate document.

The standards of proficiency in this document include both generic elements, which all our registrants must meet, and profession-specific elements, which are relevant to registrants belonging to one of the 12 professions we currently regulate. There is no other difference between the generic and profession-specific elements of the standards, and we will treat any breach of any part of the standards very seriously, whether generic or profession-specific.

Any registrant reading this document can find a single section that contains the standards of proficiency for their profession. This section includes both the generic and the profession-specific elements. The profession-specific elements have been highlighted to help distinguish them.

A note about our expectations of you

We expect you to be able to meet these standards. We do recognise, though, that your scope of practice may mean that you are unable to demonstrate that you continue to meet each of the standards that apply for your profession. For instance, if you work with adults alone, then any standards that relate to how you must work with children will not apply to your day-to-day work. So long as you stay within your scope of practice and make reasonable efforts to stay up to date with the whole of these standards, this will not be problematic. However, if you move outside your scope of practice, you must be absolutely certain that you are capable of working safely and effectively, including undertaking any necessary training and experience.

You do not have to maintain a portfolio that demonstrates how you meet or continue to meet the standards of proficiency, and we will not routinely test registrants to ensure that they meet or continue to meet the standards. But we can and will ask you to take a test of competence (or carry out some other form of assessment) if we have good reasons for believing that you might not meet the standards.

It is also important to recognise that different parts of the standards for your profession may make different requirements of you:

Some of the standards describe things that **you must be able to do**: they describe activities you must be able to undertake safely and effectively. An example for biomedical scientists would be "prepare reagents accurately and consistently" (2b.4). These standards normally use the terms "do", "demonstrate". Sometimes other active terms such as "select" or "prepare" are used as well.

Some of the standards describe things that **you must know**: they describe concepts that you must understand fully. An example for prosthetists and orthotists would be "demonstrate a knowledge of relevant materials, their properties and their appropriate application to orthotic and/or prosthetic hardware and clinical practice" (3a.1). These standards normally use the terms "know" or "understand".

Finally, some of the standards describe things that **you must be aware of**: they describe concepts that either should inform your practice or that you do not need to understand fully but that you must understand in principle. An example of the first for clinical scientists would be "understand the wider clinical situation relevant to the patients presenting to the specialty" (3a.2). An example of the second for arts therapists would be "recognise the obligation to maintain fitness for practice including maintaining a commitment to personally engaging in their own arts-based process" (1a.7). These standards normally use the terms "be aware of" or "recognise".

These standards may change in the future (but not for the next two years)

We keep these standards under continual review, and we will update them to take into account changes in practice in the professions we regulate. So the version that you have now may not be the same as future versions that you may see. We will highlight all the changes we make to the standards, so you will be able to see what has changed. However, we will not make any changes to the standards during the transitional period during which grandparenting can take place. The transitional period lasts for two years from the date that the register opens. We will always publicise any changes to the standards that we make by, for instance, publishing notices on our website and informing professional bodies.

FOR FUTURE VERSIONS: These standards may have changed since you last saw them

We keep these standards under continual review, and update them to take into account changes in practice in the professions we regulate. So the version that you have now may not be the same as previous versions that you have seen. We have highlighted all the changes we have made to the standards since the previous version, so you can see what has changed. If you have previously been on the register, it is very important that you look at the changes, because to be on you must be able to meet these standards of proficiency, rather than any previous version, to continue to be on the register. We will always publicise any changes to the standards that we make by, for instance, publishing notices on our website and informing professional bodies.