

**Health Professions Council
Education and Training Committee – 5th December 2006**

Health and Character Statistics

Executive Summary and Recommendations

Introduction

At its meeting in September, the Education and Training Committee asked for clarification about the statistics provided to the Committee.

The Council's Standards of Conduct, Performance and Ethics sets out HPC's expectations of registrants and it is expected that anyone who wishes to be admitted to the HPC register will have kept to those standards. They are the basis on which HPC will assess complaints against a health professional and they are also the standards that will be used to help decide whether to allow a prospective registrant onto the register.

Furthermore, applications for registration with HPC must satisfy the Education and Training Committee as to their good health and character. Rule 5 of The Health Professions Council (Registration and Fees) Rules Order of Council 2003 provides:

“5. – (1) For the purpose of satisfying itself as to the good character of the applicant, the Committee shall have regard to-

- (a) the character reference provided under rule 4(2) or (3);
- (b) any conviction or caution which the applicant has received in the United Kingdom for a criminal offence or a conviction received elsewhere for an offence, which if committed in England and Wales, would constitute a criminal offence;
- (c) any determination by a body responsible for regulating or licensing a health or social care profession to the effect that the applicant's fitness to practise is impaired; and
- (d) any other matters which, in the opinion of the Committee, appear to be relevant to the issue,

and for this purpose the Committee may seek information additional to that provided with the application for registration from any person or source as it considers appropriate.

- (2) For the purpose of being satisfied as to the physical or mental health of the applicant, the Committee shall have regard to -
 - (a) the health reference or other evidence provided under rule 4(2)(b), (4) or (5); and
 - (b) such other matters as appears to it to be relevant,

and for this purpose the Committee may seek information additional to that provided with the application for registration from the applicant and from any other person or source as it considers appropriate and may require the applicant to be examined or further examined by a doctor nominated by the Committee.”

At its meeting on 15th February 2005, the Education and Training Committee resolved that “self-referrals” are to be dealt with in the first instance as character (and thus registration) issues rather than fitness to practise issues and should be treated in a similar way to convictions and cautions that are disclosed in the course of applying for or renewing registration. In such instances a Registration Panel is asked to decide whether the conviction or caution (or any other disclosure made) is relevant to the person’s registration.

A Registrant who makes a declaration in line with paragraph 4 of the Standards of Conduct, Performance and Ethics will be advised that this information – and any other observations the registrant wishes to make – will be presented to a Registration Panel. The role of the Panel is to determine whether the issue is of such a nature that its consideration via the fitness to practise process is required. In cases where registrants self-refer, HPC will make it clear that, in the first instance, the matter will be assessed by a Registration Panel for guidance. The registrant will be also warned that if, on the basis of that guidance the Council considers that the registrant’s fitness to practise is brought into question, the matter may be referred to the Investigating Committee at which time the registrant will have a further opportunity to comment. At this point the matter becomes an Article 22(6) allegation and the procedures under Part V of the Health Professions Order 2001 apply.

Registrants and applicants are also obliged to declare on renewal, readmission and admission to the register health or character issues. If an applicant declares a health or character issue, further inquiries would be made (in line with Rule 5 of the Registration and Fees rules) and the applicant would be advised that their declaration, and any further representations that they may wish to make, will be considered by a Registration Panel. The applicant would be given 14 days in which to make any representations. The role of the Registration Panel in such cases is to determine whether the declaration prevents the individual from being renewed, readmitted or registered. If that is found to be the case, the applicant would have the right to make a registration appeal.

The statistics provided to the Committee show a break down of declaration by type of contact. Self-referrals are made outside of the normal renewal cycle and are thus treated as a potential fitness to practise rather than registration issue.

Panels are currently meeting four times a month and meet after the conclusion of investigating panels.

In September and October the panels considered 51 cases. Four registrants had their self-referrals referred to the Investigating Committee as an Article 22(6) allegation. The self-referrals that have been referred to the Investigating Committee have either been convictions or competence/misconduct issues that have arisen during employment. No health declarations have been referred to the Investigating Committee.

Decision

This paper is for information only. No decision is required.

Background information

The Health and Character policy was approved by the Committee in June 2005.

Resource implications

The Fitness to Practise team has two Case Officers who manage health and character declarations from registrants and applicants.

Financial implications

Registration panels meet immediately after investigating panels. Therefore the cost is incurred by the investigating panels which are meeting in any event

Appendices

Health and Character statistics

Date of paper

21st November 2006

Health Professions Council

Health and Character Declarations

	2005												2006		
	April	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar			
Renewal	-	0	0	5	3	0	10	2	3	8	5				
Readmission	-	0	3	1	2	6	8	8	1	4	0				
Admission	-	0	12	10	32	15	16	34	9	20	17				
Total	-	0	15	16	37	21	34	44	13	32	22				
Not on Register	-	1	0	0	1	3	1	0	0	0	0				
Self Referral	-	1	6	3	3	6	6	9	7	5	8				
Total	-	2	6	3	4	9	7	9	7	5	8				
Overall Total	-	2	21	19	41	30	41	62	20	42	38				

2005-2006	YTD
	36
	33
	165
	234
	6
	54
	60
	354

	2006												2007			2006-2007	2005-2006
	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	YTD	FYE			
Renewal	5	2	6	2	0	0	4						19	36			
Readmission	4	4	4	6	2	2	3						25	33			
Admission	6	9	5	12	29	23	23						107	165			
Total	15	15	15	20	31	25	30	0	0	0	0	0	151	234			
Self Referral	10	12	10	3	5	6	6						52	54			
Total	10	12	10	3	5	6	6						52	60			
Overall Total	25	27	25	23	36	31	36	0	0	0	0	0	203	354			
Open Cases														28			