

Commentary on revised standards of conduct, performance and ethics for consultation

The extent of the changes we are proposing to the structure and content of the existing standards may make tracked changes difficult to understand. We produced this document to provide more information and outline the differences between the draft standards for consultation and the existing standards. We identify where the content of the existing standards can be found in the consultation draft. We also provide a short commentary of the main changes we have made.

Note: In the commentary column, references in brackets are to the current Standards of conduct, performance of ethics.

Existing standard	Draft standard	Commentary
<u>1. Promote and protect the interests of service users and carers</u>		
<p>Treat service users and carers with respect</p> <p>1.1 You must treat service users and carers as individuals, respecting their privacy and dignity.</p> <p>1.2 You must work in partnership with service users and carers, involving them, where appropriate, in decisions about the care, treatment or other services to be provided.</p> <p>1.3 You must encourage and help service users, where appropriate, to maintain their own health and well-being, and support them so they can make informed decisions.</p>	<p>Treat service users and carers with respect</p> <p>1.1. You must treat service users and carers as individuals, respecting their privacy and dignity.</p> <p>1.2. You must work in partnership with service users and carers, involving them, where appropriate, in decisions about the care, treatment or other services to be provided.</p> <p>1.3. You must empower and enable service users, where appropriate, to play a part in maintaining their own health and well-being and support them so they can make informed decisions.</p>	<p>We have proposed changes that align with the revised Standards of Proficiency. These changes ensure that the support registrants offer to service users promotes informed decision-making.</p> <p>Download the revised standards of proficiency (hcpc-uk.org)</p> <p>It is also in line with using active language throughout the Standards.</p>

<p>Make sure you have consent</p> <p>1.4 You must make sure that you have consent from service users or other appropriate authority before you provide care, treatment or other services.</p>	<p>Make sure you have consent</p> <p>1.4. You must make sure that you have valid consent, which is voluntary and informed, from service users who have capacity to make the decision or other appropriate authority before you provide care, treatment or other services.</p>	<p>We have proposed changes to Standard 1.4 to reflect the changes made to the Standards of Proficiency. These changes ensure that registrants understand that for consent to be valid, it must be voluntary and informed, and the person consenting must have the capacity to make the decision.</p> <p>Download the revised standards of proficiency (hcpc-uk.org)</p>
<p>Challenge discrimination</p> <p>1.5 You must not discriminate against service users, carers or colleagues by allowing your personal views to affect your professional relationships or the care, treatment or other services that you provide.</p> <p>1.6 You must challenge colleagues if you think that they have discriminated against, or are discriminating against, service users, carers and colleagues.</p>	<p>Challenge discrimination</p> <p>1.5. You must treat people fairly and be aware of the potential impact that your personal values biases and beliefs may have on the care, treatment or other services that you provide to service users and carers and your interactions with colleagues.</p> <p>1.6. You must take action to ensure that your personal values, biases and beliefs do not lead you to discriminate against service users, carers or colleagues. Your personal values, biases and beliefs must not detrimentally impact the care, treatment or other services that you provide.</p>	<p>We have proposed changes to the language in this Standard 1.6 and 1.7 (Standard 1.5 and 1.6) that is more active and added a standard, Standard 1.5 (new). This is in line with changes to the Standards of Proficiency, which make the implementation of standards more active for registrants. This means that the standards support registrants in being autonomous and caring professionals.</p> <p>Active implementation of the standards (hcpc-uk.org)</p> <p>Standard 1.5 retains a simple duty not to discriminate, by including a duty to treat people fairly.</p> <p>The proposed changes to Standard 1.6 (Standard 1.5) ensure that registrants are being asked to take action to ensure they are</p>

	<p>1.7. You must raise concerns about colleagues if you think that they are treating people unfairly and/or their personal values biases and beliefs have led them to discriminate against service users, carers and/or colleagues or they have detrimentally impacted the care, treatment or other services that they provide. This should be done following the relevant procedures within your practice and maintain the safety of all involved.</p>	<p>meeting equality, diversity and inclusion commitments.</p> <p>Changes to Standard 1.7 (Standard 1.6) provides registrants with clearer requirements to raise concerns about colleagues whom they think are discriminating against service users, carers or other colleagues. This is in line with feedback from stakeholders during the pre-consultation period workshops and survey.</p> <p>We have removed the duty for registrants to challenge colleagues. This was following feedback during our stakeholder workshops that challenging colleagues could put registrants at risk of harm.</p> <p>We received feedback through our pre-consultation online survey from that a minority of registrants were concerned about the protection of gender critical views and their belief that sex matters. The proposed Standards prioritise ensuring that all people have access to the health and care that they require no matter the views and opinions of their health and care practitioner. Accordingly, we have not made changes to the Standards in relation to the feedback.</p>
<p>Maintain appropriate boundaries</p>	<p>Maintain appropriate boundaries</p>	<p>We have added four new Standards (1.8, 1.9, 1.10 and 1.11) to include more active language regarding maintaining professional</p>

<p>1.7 You must not use your professional relationship to pursue a personal, sexual or emotional relationship with a service user and carer.</p>	<p>1.8. You must be aware of the potential impact that the position of power and trust you hold as a health and care professional may have on individuals when in social or personal settings.</p> <p>1.9. You must take action to set and maintain appropriate professional boundaries with service users and/or carers and colleagues.</p> <p>1.10. You must use appropriate methods of communication to provide care and other services related to your practice</p> <p>1.11. You must ensure that existing personal relationships do not impact professional decisions.</p> <p>1.12. You must not abuse your position as a health and care practitioner to pursue personal, sexual, emotional or financial relationships with service users and/or carers or colleagues.</p>	<p>boundaries. This will support registrants in being autonomous and caring professionals.</p> <p>Active implementation of the standards (hcpc-uk.org)</p> <p>We have adjusted the language in Standards 1.9, 1.10 (new), 1.11 and 1.12 (Standard 1.7) to provide better clarity regarding maintaining boundaries.</p> <p>The proposed Standard 1.11 (new) makes it clear that registrants must ensure that any personal relationships between colleagues should not influence their professional decisions.</p> <p>In Standard 1.12 (Standard 1.7) we have changed the wording from “use” to “abuse” and added reference to colleagues in Standard 1.12.</p> <p>These changes are in line with stakeholder feedback received during our pre-consultation workshops and survey that the previous Standard (1.7) did not make clear the boundary between the personal and professional.</p> <p>For example, registrants were unsure how to respond to personal requests from service users. Participants were also unsure of how to manage their personal relationships within a professional setting i.e., where colleagues were spouses. We had also received multiple</p>
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		questions during our #myhpcstandards webinars asking for clarity regarding boundaries between the personal and professional.
<u>2. Communicate appropriately and effectively</u>		
<p>Communicate with service users and carers</p> <p>2.1 You must be polite and considerate.</p> <p>2.2 You must listen to service users and carers and take account of their needs and wishes.</p> <p>2.3 You must give service users and carers the information they want or need, in a way they can understand.</p> <p>2.4 You must make sure that, where possible, arrangements are made to meet service users' and carers' language and communication needs.</p>	<p>Communicate with service users and carers</p> <p>2.1 You must be polite and considerate.</p> <p>2.2 You must listen to service users and carers and take account of their needs and wishes.</p> <p>2.3 You must give service users and carers the information they want or need, in a way they can understand.</p> <p>2.4 You must make sure that all practicable steps are taken to meet service users' and carers' language and communication needs.</p> <p>2.5 You must use all forms of communication responsibly when communicating with service users and their carers.</p>	<p>We propose to add a new Standard 2.5 to make clear that in all communication with service users and carers, registrants must communicate responsibly.</p> <p>This standard was previously under social media and networking. Following stakeholder requests that we make our standards on social media clearer, we have separated the requirement to use all forms of communication appropriately from social media communications. This makes it clear that registrants must use forms of communication that are not social media responsibly when communicating with service users.</p> <p>We have proposed changes to Standard 2.4 (Standard 2.4) to better reflect statutory principles to meet service user's and their carer's communication needs.</p> <p>Throughout our pre-consultation workshops and online survey, we heard concerns about how service users treat health and care professionals. Some participants asked that the Standards better protect health and care professionals from abuse by service users.</p>

		<p>The HCPC is only empowered to set standards for registrants and not for the public. Abuse from service users is a very serious issue and we know that registrants face difficulties in handling these situations.</p> <p>Our registrants should never have to tolerate abuse and during our review of the guidance that supports the SCPEs, we will we will integrate material that supports registrants in situations where they have been harmed or have witnessed harm to another health and care practitioner.</p>
<p>Work with colleagues</p> <p>2.5 You must work in partnership with colleagues, sharing your skills, knowledge and experience where appropriate, for the benefit of service users and carers.</p> <p>2.6 You must share relevant information, where appropriate, with colleagues involved in the care, treatment or other services provided to a service user.</p>	<p>Work with colleagues</p> <p>2.6 You must work in partnership with colleagues, sharing your skills, knowledge and experience where appropriate, for the benefit of service users and carers.</p> <p>2.7 You must share relevant information, where appropriate, with colleagues involved in the care, treatment or other services provided to a service user.</p> <p>2.8 You must treat your colleagues in a professional manner showing them respect and consideration.</p>	<p>Many participants throughout our workshops and survey responses were concerned about the way that colleagues treat each other. They asked for clearer standards to avoid disrespect, bullying or harassment between colleagues.</p> <p>In response, we have proposed Standard 2.8 (new) to require more clearly that registrants must interact with their colleagues in a professional, respectful and considerate way.</p> <p>We have also proposed Standard 2.9 (Standard 2.7). This new standard ascertains to registrants that they must use all forms of</p>

	<p>2.9 You must use all forms of communication with colleagues and other health and care professionals responsibly including media sharing networks and social networking sites.</p>	<p>communication appropriately and responsibly when communicating with colleagues.</p> <p>This standard was previously under social media and networking. Following stakeholder requests that we ensure our standards on social media are clearer, we have separated the requirement to use all forms of communication responsibly from social media communications. This makes it clear that registrants must use forms of communication, including but not limited to social media, responsibly when communicating with service users.</p>
<p>Social media and networking sites</p> <p>2.7 You must use all forms of communication appropriately and responsibly, including social media and networking websites.</p>	<p>Social media and networking sites</p> <p>2.8 You must use media sharing networks and social networking sites responsibly.</p> <p>2.9 You must make reasonable checks to ensure information is accurate, true, does not mislead the public and is in line with your duty to promote public health when sharing information on media sharing networks and social networking sites.</p> <p>2.10 You must use media sharing networks and social networking sites responsibly, maintaining professional</p>	<p>Many of our stakeholders throughout our pre-consultation stages referred to social media and the lack of relevance to how social media is used in practice and protection against misinformation.</p> <p>We have proposed changes to Standard 2.10 (Standard 2.7) and proposed new Standards 2.11 and 2.12 to make registrant responsibilities on social media sites and applications clearer.</p> <p>We have referred to media sharing networks and social networking sites to ensure that the range of social media applications and sites is referred to within the Standards.</p>

	<p>boundaries at all times and protecting service user/carer privacy.</p>	<p>The proposed new Standard 2.11 tackles the increased occurrence of misinformation shared on social media. It ensures that registrants understand they have a responsibility to check the accuracy of the information they share.</p> <p>The proposed new Standard 2.12 ensures that registrants responsibilities to maintain professional boundaries and protect service user information on social media is stated clearly.</p>
<p><u>3. Work within the limits of your knowledge and skills</u></p>		
<p>Keep within your scope of practice</p> <p>3.1 You must keep within your scope of practice by only practising in the areas you have appropriate knowledge, skills and experience for.</p> <p>3.2 You must refer a service user to another practitioner if the care, treatment or other services they need are beyond your scope of practice.</p>	<p>Keep within your scope of practice</p> <p>3.1. You must only practice in the areas where you have the appropriate knowledge, skills and experience to meet the needs of a service user safely and effectively.</p> <p>3.2. You must undertake additional training to update your knowledge, skills and experience if you wish to widen your scope of practice.</p> <p>3.3. You must refer a service user to an appropriate practitioner if the care, treatment or other services they need are beyond your scope of practice.</p>	<p>We have proposed changes to Standard 3.1 to add reference to “safely and effectively”. We often receive questions from registrants regarding their scope of practice. The changes we have proposed will ensure that registrants better understand the limits of their scope of practice.</p> <p>We propose to add Standard 3.2 (new) to ensure that registrants understand the actions they can take to widen their scope of practice. Many of the queries we receive from registrants are asking for further guidance on taking on new roles. These changes provide clarity on this and reflect the changing nature of health and care work and</p>

	<p>This person must hold the appropriate knowledge, skills and experience to meet the needs of the service user safely and effectively.</p>	<p>the flexibility that many health and care professionals need.</p> <p>The changes that we have proposed to Standard 3.3 (Standard 3.2). These changes follow queries we receive from registrants about who to refer their service user's to when a service users care or treatment falls outside their scope of practice. The changes make it clear that they must refer to another practitioner whose scope of practice fits the service user's needs.</p>
<p>Maintain and develop your knowledge and skills</p> <p>3.3 You must keep your knowledge and skills up to date and relevant to your scope of practice through continuing professional development.</p> <p>3.4 You must keep up to date with and follow the law, our guidance and other requirements relevant to your practice.</p> <p>3.5 You must ask for feedback and use it to improve your practice.</p>	<p>Maintain and develop your knowledge and skills</p> <p>3.4. You must keep your knowledge and skills up to date and relevant to your scope of practice through continuing professional development.</p> <p>3.5. You must keep up to date with and follow the law, our guidance and other requirements relevant to your practice.</p> <p>3.6. You must ask for feedback and use it to improve your practice.</p>	<p>No changes made.</p>
<p><u>4. Delegate appropriately</u></p>		
<p>Delegation, oversight and support</p>	<p>Delegation, oversight and support</p>	<p>No changes made.</p>

<p>4.1 You must only delegate work to someone who has the knowledge, skills and experience needed to carry it out safely and effectively.</p> <p>4.2 You must continue to provide appropriate supervision and support to those you delegate work to.</p>	<p>4.1. You must only delegate work to someone who has the knowledge, skills and experience needed to carry it out safely and effectively.</p> <p>4.2. You must continue to provide appropriate supervision and support to those you delegate work to.</p>	
<p>5. Respect Confidentiality</p>		
<p>Using information</p> <p>5.1 You must treat information about service users as confidential.</p>	<p>Using information</p> <p>5.1. You must treat information about service users as confidential.</p>	<p>No changes made</p>
<p>Disclosing information</p> <p>5.2 You must only disclose confidential information if:</p> <ul style="list-style-type: none"> • you have permission; • the law allows this; • it is in the service user's best interests; or • it is in the public interest, such as if it is necessary to protect public 	<p>Disclosing information</p> <p>5.2. You must only disclose confidential information if:</p> <ul style="list-style-type: none"> • you have permission; • the law allows this; • it is in the service user's best interests; or • it is in the public interest, such as if it is necessary to protect public 	<p>No changes made</p>

safety or prevent harm to other people.	safety or prevent harm to other people.	
6. Manage risk		
<p>Identify and minimise risk</p> <p>6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.</p> <p>6.2 You must not do anything, or allow someone else to do anything, which could put the health or safety of a service user, carer or colleague at unacceptable risk.</p>	<p>Identify and minimise risk</p> <p>6.1. You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.</p> <p>6.2. You must not do anything, or allow someone else to do anything, which could put the health or safety of a service user, carer or colleague at unacceptable risk.</p>	<p>No changes made.</p>
<p>Manage your health</p> <p>6.3 You must make changes to how you practise, or stop practising, if your physical or mental health may affect your performance or judgement or put others at risk for any other reason.</p>	<p>Manage your health</p> <p>6.3 You must take responsibility for assessing whether changes to your physical and/or mental health will detrimentally impact your ability to practice safely and effectively.</p> <p>6.4 You must adjust your practice if your physical and/or mental health will detrimentally impact your ability to practice safely and effectively. These adjustments must promote safe and effective practice. Where it is not possible to make these adjustments</p>	<p>We have received feedback from some of our registrants with a disability that this Standard can cause delays to their registration and thereby create distressing situations. The changes we propose address this issue and make the link between this standard and our fitness to practice procedures clearer.</p> <p>The proposed changes to Standard 6.3 (Standard 6.3) make it clear that registrant's responsibilities are to actively assess the impact their health has on their practice.</p>

	<p>within your scope of practice, you must stop practicing.</p>	<p>The proposed Standard 6.4 (new) lays out what a registrant must do if their physical or mental health detrimentally impacts their practice. It specifically makes clear that they must stop practicing <i>only</i> if adjustments to make their practice safe and effective are not possible. The changes are also in line with the guidance that we have written on health and character declarations.</p>
<p><u>7. Report concerns about safety</u></p>		
<p>Report concerns</p> <p>7.1 You must report any concerns about the safety or well-being of service users promptly and appropriately.</p> <p>7.2 You must support and encourage others to report concerns and not prevent anyone from raising concerns.</p> <p>7.3 You must take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults.</p> <p>7.4 You must make sure that the safety and well-being of service users always comes before any professional or other loyalties.</p>	<p>Report concerns</p> <p>7.1. You must report any concerns about the safety or well-being of service users promptly and appropriately.</p> <p>7.2. You must support and encourage others to report concerns and not prevent anyone from raising concerns.</p> <p>7.3. You must take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults.</p> <p>7.4. You must make sure that the safety and well-being of service users always comes before any professional or other loyalties.</p>	<p>We have proposed Standard 7.5 (new) to ascertain registrant responsibilities to report bullying, harassment and intimidation. This is in line with feedback from participants in our pre consultation work who expressed their concern about bullying in the workplace, particularly between colleagues.</p>

	<p>7.5. You must raise concerns about colleagues if you witness bullying, harassment or intimidation of a service user, their carer or another colleague. This should be done following the relevant procedures within your practice and maintaining the safety of all involved.</p>	
<p>Follow up concerns</p> <p>7.5 You must follow up concerns you have reported and, if necessary, escalate them.</p> <p>7.6 You must acknowledge and act on concerns raised to you, investigating, escalating or dealing with those concerns where it is appropriate for you to do so.</p>	<p>Follow up concerns</p> <p>7.6. You must follow up concerns you have reported and, if necessary, escalate them.</p> <p>7.7. You must acknowledge and act on concerns raised to you, investigating, escalating or dealing with those concerns where it is appropriate for you to do so.</p>	<p>No changes made.</p> <p>We received feedback during our pre-consultation workshops that the Standards do not make clear a registrant's responsibility to follow up concerns that they raise until they are resolved. Upon reviewing the standards, we found that Standard 7.5 is sufficient to ensure understanding of a registrant's responsibility to follow up concerns.</p>
<p><u>8. Be open when things go wrong</u></p>		
<p>Openness with service users and carers</p> <p>8.1 You must be open and honest when something has gone wrong with the care, treatment or other services that you provide by:</p>	<p>Openness with service users and carers</p> <p>8.1 You must be open, honest and candid when something has gone wrong with the care, treatment or other services that you provide by:</p>	<p>Participants throughout our workshops asked that registrant responsibilities when things go wrong be made clearer. They wanted to see more correlation between the Standard and our online materials on duty of candour.</p> <p>We have proposed changes to Standard 8.1 and Standard 8.2 (which sets out the</p>

<ul style="list-style-type: none"> • informing service users or, where appropriate, their carers, that something has gone wrong; • apologising; • taking action to put matters right if possible; and • making sure that service users or, where appropriate, their carers, receive a full and prompt explanation of what has happened and any likely effects. 	<ul style="list-style-type: none"> • Where applicable, alerting your employer of what has gone wrong and following the relevant internal procedures. • Informing service users and/or where appropriate, their carer to inform them that something has gone wrong • Providing service users and/or their carer with a detailed explanation of the circumstances in which things have gone wrong and the likely impact • Taking action to correct the mistake if possible and detailing this action to the service user and/or where appropriate, their carer. <p>8.2 You must apologise to a service user and/or their carer when something has gone wrong with the care, treatment or other service that you provide.</p>	<p>requirement to apologise) requiring registrants to apologise. These changes make the processes that registrants must follow clearer and are better aligned with online materials on the duty of candour.</p> <p>The duty of candour (hcpc-uk.org)</p> <p>Setting out the need to apologise in a separate standard highlights the centrality of apologising when things go wrong and recognises it as a professional duty. This better aligns with our guidance.</p>
Deal with concerns and complaints	Deal with concerns and complaints	No changes made.

<p>8.2 You must support service users and carers who want to raise concerns about the care, treatment or other services they have received.</p> <p>8.3 You must give a helpful and honest response to anyone who complains about the care, treatment or other services they have received.</p>	<p>8.3. You must support service users and carers who want to raise concerns about the care, treatment or other services they have received.</p> <p>8.4. You must give a helpful and honest response to anyone who complains about the care, treatment or other services they have received.</p>	
<p><u>9. Be honest and trustworthy</u></p>		
<p>Personal and professional behaviour</p> <p>9.1 You must make sure that your conduct justifies the public's trust and confidence in you and your profession.</p> <p>9.2 You must be honest about your experience, qualifications and skills.</p> <p>9.3 You must make sure that any promotional activities you are involved in are accurate and are not likely to mislead.</p> <p>9.4 You must declare issues that might create conflicts of interest and make sure that they do not influence your judgement.</p>	<p>Personal and professional behaviour</p> <p>9.1. You must make sure that your conduct justifies the public's trust and confidence in you and your profession.</p> <p>9.2. You must be honest about your experience, qualifications and skills.</p> <p>9.3. You must take reasonable steps to make sure that any promotional activities you are involved in are accurate and are not likely to mislead.</p> <p>9.4. You must declare issues that might create conflicts of interest and make sure that they do not influence your judgement.</p>	<p>We have amended 9.3 to make clear the extent of the registrant's duty.</p>

<p>Important information about your conduct and competence</p> <p>9.5 You must tell us as soon as possible if:</p> <ul style="list-style-type: none"> • you accept a caution from the police or you have been charged with, or found guilty of, a criminal offence; • another organisation responsible for regulating a health or social-care profession has taken action or made a finding against you; or • you have had any restriction placed on your practice, or been suspended or dismissed by an employer, because of concerns about your conduct or competence. • You must co-operate with any investigation into your conduct or competence, the conduct or competence of others, or the care, treatment or other services provided to service users. 	<p>Important information about your conduct and competence</p> <p>9.5. You must tell us as soon as possible if:</p> <ul style="list-style-type: none"> • you accept a caution from the police or you have been charged with, or found guilty of, a criminal offence; • another organisation responsible for regulating a health or social-care profession has taken action or made a finding against you; or • you have had any restriction placed on your practice, or been suspended or dismissed by an employer, because of concerns about your conduct or competence. <p>9.6. You must co-operate with any investigation into your conduct or competence, the conduct or competence of others, or the care, treatment or other services provided to service users.</p>	<p>During internal workshops, a trend in fitness to practice investigations was identified concerning self-referral. This showed that there was confusion amongst registrants regarding when they should notify us of a police caution, action being taken against them, or any restriction being placed on their practice.</p> <p>We considered changing the Standard to include a one-month time limit to inform us. However, registrants may fail to notify us for several reasons. These reasons will still arise, regardless of whether there is a duty to report in one-month or as soon as possible. Furthermore, our legislation does not set a specific time frame for notification. Setting a time limit for registrants to notify us is therefore beyond our scope of regulation.</p> <p>As an alternative, we expect to update our guidance on this Standard. These updates will give examples/scenarios to illustrate how this duty applies in practice. It will also discuss the time frame in which registrants must inform us.</p>
<p><u>10. Keep records of your work</u></p>		
<p>Keep accurate records</p>	<p>Keep accurate records</p>	<p>No changes made.</p>

<p>10.1 You must keep full, clear, and accurate records for everyone you care for, treat, or provide other services to.</p> <p>10.2 You must complete all records promptly and as soon as possible after providing care, treatment or other services.</p> <p>Keep records secure</p> <p>10.3 You must keep records secure by protecting them from loss, damage or inappropriate access.</p>	<p>10.1. You must keep full, clear, and accurate records for everyone you care for, treat, or provide other services to.</p> <p>10.2. You must complete all records promptly and as soon as possible after providing care, treatment or other services.</p> <p>Keep records secure</p> <p>10.3. You must keep records secure by protecting them from loss, damage or inappropriate access.</p>	