

## Frequently asked questions – student fitness to practise seminars

### Introduction

This document provides a summary of all the common questions which delegates asked across all of the education and training seminars delivered in autumn / winter 2012 – 13 that relate to student fitness to practise seminars. If you require any further information regarding any of the information contained within this document please contact us at: [education@hcpc-uk.org](mailto:education@hcpc-uk.org)

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## Standards

### **? How does the HCPC deal with student fitness to practise issues consistently across institutions?**

The standards of education and training (SETs) are not designed to ensure that all HCPC approved programmes meet every standard in the same way. The SETs are generic across the 16 professions we regulate, are flexible and are set at a 'threshold' level. The threshold level means that the standards are set at the minimum level required for safe and effective practice.

SET 3.16 states that there must be a process in place throughout the programme for dealing with concerns about students' profession-related conduct. When we approve, or continue to approve an education programme our visitors will need to satisfy themselves that there is a process in place to address issues of student fitness to practice. They will want to see evidence to support the choice of process, which must be appropriate to the programme and how it is delivered. It is important that an education provider is able to justify and be responsible for, any decision that they make, and that the process is thorough, fair and open. As the standards are flexible this means that each approved programme will have met this standard at least at the threshold level but that different education providers may have met this standard in different ways.

More information about our Standards of education and training can be found on our website at [www.hcpc-uk.org/education/downloads/](http://www.hcpc-uk.org/education/downloads/)

## Registration

### **? If the HCPC rejects an application to the Register and the applicant has applied through the UK approved course route, are there any implications for the education provider?**

Education providers must only offer places to students on their programmes of suitable character, which involves carrying out criminal conviction checks. Education providers are responsible for deciding who is admitted onto their programmes and will need to make sure that they do not offer a place to a student on their programmes who is not of suitable character.

We expect education providers to have overall responsibility for ensuring that students remain fit to practise throughout their period of study and that any successful graduates meet the relevant standards of proficiency (SOPs). If an education provider has concerns over a student's performance or conduct while they are on practice placement it is expected that remedial action would be taken to address the issue which may include removing a student from the programme. The

education provider must ensure that students and practice placement educators are prepared for placement which should include details of how, if an issue such as this occurred, the education provider would be informed and what action would be taken.

Education providers must ensure that students, as prospective registrants, are taught and assessed on the standards required of them when they are on our Register (our standards of conduct, performance and ethics). We have published supporting guidance to help students understand what is required of them (our Guidance on conduct and ethics for students) and encourage educators, including those on placements, to use this with students to think about what it is to be a professional.

Completing an approved programme does not guarantee that someone will be able to register with us. Sometimes a student who has completed an education programme declares very serious information which may mean that we reject their application to the Register. It is important to stress this only happens very rarely due to the robust policies and procedures that education providers have in place which are ensured through the SETs. In these rare cases, we would not normally contact the education provider and there have been no previous examples when we have needed to do so.

### **🔍 Do education providers have to provide a reference for individuals applying to the HCPC Register?**

We do not require education providers to submit a reference as part of an individual's application to the Register. We ask education providers to submit the pass lists for approved programmes to confirm that applicants to the Register have completed an approved programme. This is because we do not ask applicants to submit their programme certificates (original or copies) to us. Instead we ask them to record the name of their qualification, the name of the educational provider they attended and the start and end dates of their programme. We then cross reference this information against the pass list to progress their application. This process allows us to safeguard against fraudulent applications for registration. More information about pass lists can be found on our website at [www.hcpc-uk.org/education/providers/passlists/](http://www.hcpc-uk.org/education/providers/passlists/)

The standards of education and training (SETs) require approved programmes to have in place robust processes to deal with admissions and any concerns about a students' profession-related conduct. Therefore it is the education provider's responsibility to determine whether an individual can join the programme or whether a student can continue on the programme. Only students who have met all the standards of proficiency (SOPs) during a programme can complete the approved

programme. Therefore the education provider needs to ensure that the student is fit to practise at the end of the programme.

For more information please see the HCPC website at [www.hcpc-uk.org/education/providers/](http://www.hcpc-uk.org/education/providers/)

**? Does the HCPC have a view on whether individuals from an education provider can provide the character reference for an application to the Register for one of their students?**

When an individual applies to the HCPC Register they are required to complete a character and health self-declaration and a completed character reference form. It is up to the applicant who they ask to provide the character reference but it must be completed by a person of standing in the community who is not a relative of the applicant and has known the applicant for at least three years.

A professional person (eg a registered professional, a solicitor, barrister or other legal practitioner or an accountant) will be recognised as a person of standing in the community as will a:

- bank manager or officer;
- judge, magistrate or other judicial official;
- minister of the Church, Rabbi, Imam or other recognised religious official;
- member of a parliament or other legislative body;
- serving officer in HM Armed Forces; or
- teacher or lecturer.

This is not an exhaustive list and more information can be obtained from our website at [www.hcpc-uk.org/apply/uk/character/](http://www.hcpc-uk.org/apply/uk/character/)

**? Are there any criminal offences which the HCPC unanimously says someone is not fit to be admitted to the Register?**

No. The HCPC is not prescriptive on this issue as all applications to the Register are considered on an individual basis, and therefore the HCPC does not unanimously state that someone with a specific conviction or caution is not fit to be admitted onto the Register. However, as stated in our Standards of conduct, performance and ethics: “.. we will consider rejecting an application for registration or removing you from the Register if you are already registered, if you are convicted of a criminal offence or accept a police caution that involves one of the following types of behaviour.

- Violence;
- Abuse;
- Sexual misconduct;
- Supplying drugs illegally;
- Child pornography;
- Offences involving dishonestly; and
- Offences for which you received a prison sentence.

This is not a full list. We will always look at any conviction or cautions we find out about, and we have arrangements in place to be told about convictions and cautions involving registrants”.

For more information for information about the Standards of conduct, performance and ethics please see the HCPC website at [www.hcpc-uk.org/education/downloads/](http://www.hcpc-uk.org/education/downloads/)

### **❓ Can you provide examples of the reasons why applicants were unsuccessful in joining the HCPC Register?**

We consider the information we receive about applicants on a case by case basis. As a result, we cannot provide a list of convictions and cautions that would definitely lead to us rejecting an application for registration. We also cannot provide a list of convictions or cautions that should definitely lead to education providers rejecting an application to the programme.

However, there are certain types of offences which we believe are usually incompatible with being registered within one of the professions we regulate. The types of convictions which might result in us removing a registrant from the Register usually relate to offences of a sexual nature or dishonesty. These types of conviction might also prevent an applicant from registering with us.

More information can be found in our publications Guidance on health and character and the Fitness to practise annual report 2012 which can be downloaded from our website at [www.hcpc-uk.org/publications/](http://www.hcpc-uk.org/publications/)

### **❓ Please can you tell me more about the health declaration and the recent changes made to this?**

We consulted between 4 January and 9 April 2010 on removing the requirement to provide a health reference for entry to the Register. At the time of the consultation applicants to the Register needed to include a health reference completed by a doctor (‘a registered medical practitioner’). The consultation suggested that the health reference should be replaced with a self-declaration to confirm that the

applicant does not have a health condition which would affect the safe and effective practice of their profession.

You can find out full information about the consultation and the responses to this on our website at [www.hcpc-uk.org/aboutus/consultations/closed/index.asp?id=98](http://www.hcpc-uk.org/aboutus/consultations/closed/index.asp?id=98)

In January 2011, the requirement for applicants to submit a health declaration upon application to the Register was removed. We have produced a document entitled Guidance on health and character which provides detailed information about how we consider information which applicants or registrants declare. The document is broken down into sections and provides specific information for applicants, registrants and education providers. This document can be downloaded from our website at [www.hcpc-uk.org/publications/](http://www.hcpc-uk.org/publications/)

## Continuing professional development (CPD)

### **? When submitting a CPD profile do I need to submit information related to my modality eg for practitioner psychologists or radiographers?**

If you are asked to submit a CPD profile, you will be required to submit information and evidence of CPD activities which are relevant to your work in order to stay registered with us. You need to make sure you keep to your 'scope of practice'. Your 'scope of practice' is the area or areas of your profession in which you have the knowledge, skills and experience to practise lawfully, safely and effectively, in a way that meets our standards and does not present any risk to the public or yourself.

Further details about CPD can be found on our website at [www.hcpc-uk.org/registrants/cpd/](http://www.hcpc-uk.org/registrants/cpd/)

### **? When will registrants be informed, and what will they be asked to submit to the HCPC as part of their CPD profile?**

The CPD audit is the process where we randomly select a percentage of registrants who are renewing their registration, and ask them to send in a profile showing how their CPD activities meet our standards.

Registrants who are chosen for audit must send us a written profile (which must be their own work and supported by evidence) which explains how the CPD they have undertaken meets our standards. The profile will then be assessed by CPD assessors from the professions we regulate, who decide if the profile meets the CPD standards.

Further details about the CPD audit and our standards can be found on our website at [www.hcpc-uk.org/registrants/cpd/](http://www.hcpc-uk.org/registrants/cpd/)

### **? How is the percentage chosen?**

At present a random sample of 2.5 per cent of registrants are selected per profession for the CPD audit. This is under continual review and may change in the future. Please see the HCPC website for more information, as any update to this will be publicised at [www.hcpc-uk.org/registrants/cpd/](http://www.hcpc-uk.org/registrants/cpd/)

## **Student suitability scheme for social work education and training programmes in England**

### **? What is the student suitability scheme?**

On 1 August 2012, the HCPC became responsible for the statutory regulation of social workers in England. The title 'social worker' continues to be legally protected and those social workers registered with the General Social Care Council (GSCC) automatically transferred onto the HCPC Register.

Previously the GSCC registered students but in the run up to the transfer to the HCPC our Council agreed that social work students in England should not be registered by the HCPC. At its meeting on 19 June 2012 the Council agreed to introduce a new suitability scheme to deal with concerns about social work students in England. This was because the Council recognises that the social work community, including education providers, employers and placement providers, may face additional challenges during the transition to the new system of quality assurance by the HCPC.

The Council believes that the most effective means of assuring the fitness to practise of social work students in England is through the standards of education and training (SETs) and the approval of education and training programmes. These standards will ensure that education providers have processes in place to deal effectively with concerns about the conduct of students.

The student suitability scheme is a transitional scheme and will be in place whilst we assess social work programmes in England against the SETs. It will be accessible to individual programmes until the programme has received confirmation of on-going approval. The scheme will provide a mechanism for dealing with concerns about students where this is deemed necessary;

Specifically, it will enable us to:

- provide an opinion, in exceptional circumstances, to a social work education provider on whether an applicant is of suitable character to be admitted to a programme;
- investigate where we consider that the education provider has failed to deal with a credible complaint about a student appropriately;
- consider the outcomes of an education provider's fitness to practise procedures to determine whether a student should be prohibited from a programme;
- maintain [a record of students](#) who are not permitted to participate in a social work programme in England; and
- manage open cases concerning individuals applying to be on the student register maintained by the GSCC and those individuals who are on the GSCC student register.

Further information about the student suitability scheme can be found on our website at [www.hcpc-uk.org/education/studentsuitability/](http://www.hcpc-uk.org/education/studentsuitability/)

**? When do social work programmes need to inform the HCPC if they have withdrawn a student from a programme through their student fitness to practise process?**

Where an education provider makes a final decision to remove a student from a programme because they are not of suitable character, the information should be referred to the HCPC for consideration within 7 days (including any appeal period).

If a student has been permitted to withdraw or withdraws from a programme whilst being subject to a complaint which may have led to them being removed from a programme on the grounds of not being of suitable character, the education provider should also refer the student to the HCPC.

The education provider does not need to refer decisions to remove a student or withdraw a student from a programme which are based upon academic failure or personal reasons.

Further information about the student suitability scheme can be found on our website at [www.hcpc-uk.org/education/studentsuitability/](http://www.hcpc-uk.org/education/studentsuitability/)

## Policy

### **? What are the HCPC plans regarding assistant practitioners?**

In February 2011, the Government published the Command Paper 'Enabling Excellence – Autonomy and Accountability for Healthcare Workers and Social Care Workers'. In chapter seven of the paper, the Government proposes that the Department of Health will by the end of 2013 explore the HCPC establishing a voluntary register of adult social care workers in England.

We have begun preliminary work to explore how adult social care workers in England might be regulated. A policy statement outlining our preliminary proposals on this topic is available to download on our website. Please note that it is for the Government to decide on the most appropriate approach to regulation for this group.

For more information, including a copy of our position statement, please see the HCPC website at

[www.hcpc-uk.org/aboutregistration/aspirantgroups/adultsocialcareworkersinengland/](http://www.hcpc-uk.org/aboutregistration/aspirantgroups/adultsocialcareworkersinengland/)

### **? How big is the group of people represented by assistant practitioners?**

We can answer this question in terms of the work we have currently undertaken regarding adult social care workers in England (outlined in the question above).

Our position statement on this states 'The adult social care workforce in England has been estimated as numbering 1.63m individuals, with the majority working within the independent sector. 888,000 were estimated as working in locations regulated by the Care Quality Commission (CQC). The number of jobs in adult social care in England is projected to grow by between 24 per cent and 82 per cent between 2010 and 2025.'

A copy of our position statement relating to 'Regulating the adult social care workforce in England 2013' can be found on our website at

[www.hcpc-uk.org/aboutregistration/aspirantgroups/adultsocialcareworkersinengland/](http://www.hcpc-uk.org/aboutregistration/aspirantgroups/adultsocialcareworkersinengland/)

### **? How often does the HCPC review its standards?**

We review our standards approximately every five years to ensure they continue to be current and appropriate. We are in the process of reviewing the profession specific standards of proficiency and consultations are currently running for

chiropractors/podiatrists and prosthetists/orthotists. For more information please see the HCPC website at [www.hcpc-uk.org/aboutus/consultations/](http://www.hcpc-uk.org/aboutus/consultations/)

We keep our education stakeholders informed about any reviews or consultations relating to standards via our thrice yearly newsletter – Education Update which can be downloaded at [www.hcpc-uk.org/education/downloads/](http://www.hcpc-uk.org/education/downloads/)

### Teaching materials

**?** Can we use the case studies from the seminar as examples when teaching our own students?

Yes. It is not a problem for you to use the case studies provided as examples when teaching your students.