
Making admissions – guidance for registrants & representatives

Fitness to practise fact sheet

What does making an admission mean?

When the HCPC alleges that your fitness to practise is impaired, they set out in an allegation what you did or did not do that amounts to a concern that you are not able to practise safely. This part of the allegation is normally referred to as the alleged facts. It may be alleged that you have done something you should not have done or that you have failed to do something which the HCPC say you should have done.

A panel will only go on to consider if your fitness to practise is currently impaired if they find that one or more of the facts alleged against you are proved. It is the HCPC's responsibility to prove that. This is often referred to as the *burden of proof* or *standard of proof*. Whether a panel can find a fact proved, depends on a *balance of probabilities*. This means before they can find them proved, they must be satisfied that it is more likely than not that the facts alleged against you happened.

Making an admission means that you accept or admit to some or all of the facts alleged against you. It does not mean that you admit your fitness to practise is impaired. When we refer to admissions, we are referring only to the facts alleged in the Notice of Allegation and Notice of Hearing.

Should I make an admission?

Deciding whether to make an admission is an important decision. A trade union, professional body or legal representative can help you make the right decision. You should consult them as early as possible and before you tell the HCPC if you admit to any of the facts. If you do not have a representative, you may want to find one that can help you.

You should only admit to a fact alleged against you if you fully understand and accept what is being alleged. You should not make an admission if you do not fully understand the facts alleged or are uncertain if you did what is alleged against you.

You should never admit to something you have not done or make an admission for convenience or to get the case resolved more quickly. This is sometimes referred to as an *equivocal admission* and the HCPTS' panels will not accept such admissions.

If you understand what is alleged against you and you admit that you did what is alleged, then you can make an admission of that fact.

If I make admissions does that mean I have to admit everything?

No. You can admit to none, all or only some of the facts alleged against you. Even where you do make some admissions, and the panel accepts them, it is still a matter for that panel to decide whether, in their judgement, what you have admitted to establishes that your current fitness to practise is impaired. If you make an admission, it only relates to the relevant alleged facts.

How do I tell the HCPC whether or not I admit to the facts?

If your case is referred for hearing by a panel of the Investigating Committee, you will be sent a Notice of Allegation setting out the facts alleged and explaining what will happen next. At least 28 days before the hearing, you will also be sent a Notice of Hearing confirming the allegation, the date of the hearing and procedural information.

In response to both notices, you can indicate whether you admit to any of the facts. This can be helpful in deciding what witnesses may need to be called to the hearing and how much time may be needed for your case to be heard.

The HCPC appoints external lawyers to manage and present cases on their behalf. These lawyers will also liaise with you regarding the hearing and whether you admit to any of the facts. They cannot advise you on whether or not to make any admissions, but they can assist you with the procedures and processes around the hearing.

How will any admissions I make affect my hearing?

Whether or not you make any admissions, the panel, assisted by their independent legal adviser, will ensure that your hearing is fair.

If you indicate before the hearing that you admit to some or all of the facts, the lawyer presenting the case for the HCPC, normally referred to as the presenting officer, may decide not to call evidence regarding the facts that you admit to. This is because the panel can find the fact proved on the basis of your admission.

The presenting officer may also send you some agreed facts or statements to agree to, so that where there are admissions, the panel's time can be focussed on matters that may remain in dispute.

At the hearing, the allegation will be read out and you will be invited to indicate if you admit to any of the alleged facts. If you do, then those facts, subject to various procedural safeguards, may be recorded as proved without the need for the presenting officer to call any evidence regarding them.

The [Practice Note on Admissions](#) sets out in more detail how panels will approach admissions and what the effect of them are. We encourage you to read the Practice Note and to discuss any questions you have with your representative.

Jargon buster

Admission

Accepting or admitting to some or all of the facts alleged against you.

Alleged facts

Facts set out in an allegation about what you did or did not do that is said to amount to impairment of your fitness to practise.

Balance of probabilities

The likelihood that the facts alleged against someone are true is greater to a satisfactory level based on the presented evidence than not.

Burden of proof / standard of proof

The responsibility to prove the facts alleged against someone as laid out in the allegation.

Equivocal admission

Admitting to something you have not done for convenience or to get the case resolved more quickly.

Notice of Allegation

A document which informs a registrant about the facts alleged ahead of a hearing.

Notice of Hearing

A document which informs the registrant of the hearing date(s) and details.