Consultation on changes to the standards of proficiency

This consultation relates to the standards for all 15 of the professions regulated by HCPC

Contents

1. Introduction

1.1 The standards of proficiency set out the professional standards that we consider necessary for the safe and effective practice of each of the professions that we regulate.

1.2 We periodically review all of our standards to ensure that they remain up to date and fit for purpose, and we are currently reviewing the standards of proficiency across all 15 of our registered professions.

1.3 This document seeks the views of stakeholders on proposed changes to the standards of proficiency for all 15 of the professions regulated by the HCPC.

1.4 The consultation will be of interest to members of the professions, as well as relevant education providers, employers, professional bodies and those who use the services of this profession.

1.5 The consultation will run from **Wednesday 17 June to Friday 30 October 2020.** We will keep this consultation period under review, taking into consideration any impact of COVID-19.

2. About the Health and Care Professions Council

2.1 The Health and Care Professions Council is one of ten UK statutory regulators of health and social care professions. We are an independent public body, and we are not part of the government or the NHS.

2.2 We were established by the Health Professions Order 2001 to protect the public. To do this, we set standards for professionals' education, training and behaviour, and keep a register of professionals, known as 'registrants', who meet our standards. We can also take action where concerns are raised about our registrants' fitness to practise.

2.3 We currently regulate 15 professions: arts therapists, biomedical scientists, chiropodists/podiatrists, clinical scientists, dietitians, hearing aid dispensers, occupational therapists, operating department practitioners, orthoptists, paramedics, physiotherapists, practitioner psychologists, prosthetists/orthotists, radiographers, and speech and language therapists.

3. About the standards of proficiency

3.1 The standards of proficiency are the standards that we consider necessary for the safe and effective practice of each of the professions we regulate. They describe what professionals must know, understand, and be able to do at the time they apply to join our Register.

3.2 The standards play an important role in public protection. When a professional applies for or renews their registration, or if concerns are raised about their fitness to practise while they are registered with us, we use the standards of

proficiency to check whether they have the necessary knowledge and skills to be able to practise their profession safely and effectively.

3.3   This means that the standards of proficiency are the 'necessary' or 'minimum' standards that we consider to be required for safe and effective practice. The standards therefore do not set out best practice for that profession, and should not limit a registrant's ability to provide the best care they can.

3.4   The standards of proficiency complement our other standards, such as our standards for conduct, performance and ethics, as well as policies developed by employers and guidance produced by professional bodies.

Structure of the standards

3.5   Each of our 15 registered professions has its own set of standards. The standards are made up of 15 overarching standards, which are then broken up into generic standards (which apply to all professions) and profession-specific standards (which only apply to their profession). The purpose of the generic standards is to recognise commonality across all the professions that we regulate. The profession-specific standards set out the threshold requirements which are relevant to the specific profession.

3.6   The standards of proficiency are not hierarchical in order, and are all equally important. We have therefore tried to order the standards in a way that seems logical and clear. This means that we have listed the generic standards first, followed by standards that address more specific elements of practice.

Language used in the standards

3.7   The standards of proficiency are the minimum standards for safe and effective practice. This means that they have to be relevant and applicable to prospective registrants applying to come on to the Register for the first time and who are not yet in practice, as well as existing registrants and their practice.

3.8   The language used in the standards plays an important role. We intentionally use verbs such as 'understand', 'know', and 'be able to', to ensure that both prospective registrants and current registrants will be able to meet the standards. For example: *be able to practise within the legal and ethical boundaries of their profession*.

3.9   This wording does not mean that we consider some standards to be more important than others, or that a registrant currently in practice would not be expected to meet the standard, if it's relevant to their scope of practice. To take the example above, we would expect registrants already in practice to practise within the legal and ethical boundaries of their profession at all times, even though the wording says 'be able to…' If we changed the wording of the standard above, for example, to 'registrants must practise within the legal and ethical boundaries of their profession' it could no longer be met by prospective registrants who have not yet practised in their profession.

3.10   We also write the standards in a way that means they are relevant to all registrants in a profession, regardless of their area of practice. For example, we may use the term 'service user' or words like 'treatment' or 'intervention', even though these may not be the preferred term for a particular profession. We do this to ensure that the standards are as clear and consistent as possible to all who may read them. We propose including a glossary in the new versions of the standards of proficiency, to make these terms clearer.

3.11   The standards are also drafted in language which should enable them to stay relevant if there are changes in the law, technology or working practices. We have therefore avoided referring to specific pieces of legislation or particular approaches, to ensure that the standards remain relevant over time.

3.12   We have received some feedback to suggest that the language and terminology used in the profession-specific standards for some professions needs to be amended to better reflect the practice of those professions. We hope that the new draft standards will address these concerns.

4. How we use the standards of proficiency

Approval of education programmes

4.1   The primary role of the standards of proficiency is to set out the skills, knowledge, and abilities necessary to become registered for the first time.

4.2   To enter on to our Register, students must complete an approved education programme. We conduct approval visits to education providers to ensure that the programmes meet the standards. Our standards of education and training cover areas such as admissions, assessment, and practice placements, and we approve programmes using these standards. A programme which meets the standards of education and training will also allow a student who successfully completes that programme to meet the standards of proficiency.

Registration and renewal

4.3   The standards of proficiency play a central role in how a professional becomes and remains registered with us.

4.4   Most applicants complete their study within the UK and apply for registration through our UK approved programme route. We assess all approved programmes to ensure that students who successfully complete them meet the standards of proficiency and are therefore eligible for registration.

4.5   International applications are also assessed against the standards of proficiency. Each application is assessed by assessors from the relevant profession to determine whether the applicant's education, training, and experience mean that they meet the standards.

4.6 Every time a registrant renews their registration, we ask them to sign a declaration to confirm that they continue to meet the standards of proficiency which apply to them and their scope of practice.

Fitness to practise

4.7 If a registrant's fitness to practise is called into question we will consider whether the registrant has the skills, knowledge, experience, character, and health to practise their profession safely and effectively.

4.8 To do this we may look at the standards of proficiency in deciding whether we need to take any action. This does not mean that we will take action if a registrant does not meet all of the standards for their profession, but we may use the standards to decide whether they are practising safely and effectively within their individual scope of practice.

4.9 If a registrant's scope of practice extends beyond the standards of proficiency, we would expect them to continue to practise safely and effectively within their scope of practice, even if their scope of practice is not covered specifically by the standards. The standards of proficiency therefore do not represent the upper limit of the skills, knowledge, and experience a registrant may need to demonstrate to work safely and effectively within their scope of practice.

Scope of practice

4.10 When registrants renew their registration they must sign a declaration to state that they meet the standards which apply to them.

4.11 Once someone becomes registered, we recognise that their scope of practice may change. We define scope of practice as the area or areas of a registrant's profession in which they have the knowledge, skills, and experience to practise lawfully, safely, and effectively, in a way that meets our standards and does not pose any danger to the public or to themselves.

4.12 A registrant's scope of practice may change over time and we recognise that the practice of experienced registrants often becomes more focussed and specialised than that of newly registered colleagues. This might be because of specialisation in a particular area of practice or with a particular group, or a movement into roles in management, education or research.

4.13 A registrant's particular scope of practice may mean that they are unable to continue to demonstrate that they meet all of the standards of proficiency that apply for the whole of their profession. As long as they make sure that they are practising safely and effectively within their given scope of practice and do not practise in the areas where they are not proficient to do so, this will not be a problem.

5. Reviewing the standards of proficiency

The review process

5.1   We began the current review of the standards of proficiency with an initial paper-based review. We invited stakeholders across all professions, (including education providers, professional bodies, employers, regulatory and public bodies, service user and carer organisations, and representatives of government across all four nations) to complete an online survey or to email us with their feedback on the standards. We also offered stakeholders the opportunity to meet with us or to participate in a teleconference. The feedback we collected addressed both the generic and the profession-specific standards across a variety of professions.

5.2   We analysed the feedback we received and identified some common themes which generally affected all our professions. To discuss these themes further we invited stakeholders to workshops across Belfast, Cardiff, Edinburgh, and London. We hope that the new draft standards will reflect the feedback we received.

5.3   Alongside the survey and workshops, we also encouraged stakeholders to meet with us separately if they wanted to provide any additional feedback or discuss the standards in more depth, especially in relation to the profession-specific standards. We held a number of these meetings with professional bodies and other stakeholders, which has allowed us to gather more feedback on the standards for each profession.

5.4   We have carefully considered the comments and other feedback we have received and produced a proposed set of draft standards for each profession.

5.5   We are now publicly consulting on the draft standards to seek the view of all our stakeholders. This is an opportunity for those affected by the standards to let us know if they think any changes are necessary to ensure that the standards reflect safe and effective practice. Please note this review will not be able to look at wider issues, such as which professions and titles are registered, or the education threshold for certain professions.

5.6   After consultation, we will analyse the responses we receive to decide if any further amendments are needed.

5.7   Once the final set of standards are approved, they will be published on our website. We will then work with education providers to gradually phase-in the new standards after they are published.

Updating the generic standards

5.8   As a result of the feedback we have received, we have proposed some changes to the generic standards. The changes proposed address the following topics in particular:

- The role of equality, diversity, and inclusion in the standards; specifically the importance of making sure that practice is inclusive for all service-users.
- The central role of the service-user, including the importance of informed-consent and effective communication in providing good care.
- The importance of maintaining fitness to practise, considering the roles of mental health and seeking help where necessary.
- The need to be able to keep up to date with digital skills and new technologies.
- The role and importance of leadership at all levels of practice.

5.9   We are inviting our stakeholders to consider whether the changes we have suggested to the generic standards of proficiency are appropriate. In addition to the changes we have suggested there may be other areas we have not considered that may also need to be reflected in the standards.

Updating the profession-specific standards

5.10   The review of the profession-specific standards is an opportunity to make sure the standards of proficiency are relevant to each profession. No relevant or useful standards will be lost, but the language used may change to ensure the standards are appropriate and applicable to individual professions. Where it is appropriate to do so, we also aim to maintain as much consistency as possible in the standards between different professions.

5.11   We have proposed some changes to the profession-specific standards where necessary to:

- reflect current practice or changes in the scope of practice of each profession;
- update the language where needed to ensure it is relevant to the practice of each profession and to reflect changes in current use of terminology;
- reflect the current content of pre-registration education programmes;
- clarify the intention of existing standards; and
- correct omissions or to avoid duplication.

5.12   Our current standards of proficiency are available to download for comparison on our website: https://www.hcpc-uk.org/standards/standards-of-proficiency/

5.13   We invite our stakeholders to consider whether the changes we have suggested to the profession-specific standards of proficiency for each profession are appropriate. In addition to the changes we have suggested, there may be other areas we have not considered that need to be reflected in the standards.

6. Your response

6.1 We are now publicly consulting on the draft standards to seek the view of all our stakeholders. This is an opportunity for those affected by the standards to let us know if they think any changes are necessary to ensure that the standards reflect safe and effective practice.

6.2 After consultation, we will analyse the responses we receive to decide if any further amendments are needed.

Consultation questions

6.3 We would welcome your response to our consultation and have listed some questions to help you. The questions are not designed to be exhaustive and we would welcome your comments on any related issue. Please provide reasons alongside your answers where possible.

6.4 The questions are listed below for your reference:

Questions on the generic standards

- Do you think the generic standards make it clear that registrants must ensure their practice is equal, fair, and inclusive in their approach to all service users?

- Do you think the generic standards place enough emphasis on the importance of the service user in decision making?

- Do you think the generic standards are clear enough about the importance of maintaining fitness to practise?

- Do you think the generic standards adequately address the importance of keeping up to date with technology and digital skills?

- Do you think the generic standards are clear about the role leadership plays for all registrants?

Questions on the profession-specific standards

Please specify in your response which profession's standards you are providing feedback on.

- Do you have any comments about the profession-specific standards? In particular we would welcome comments on the following:

  a. whether the standards are set at the threshold level necessary for safe and effective practice;
  b. whether the wording of the standards is clear and appropriate; and
  c. whether we should include any additional standards.

Other questions

- Do you have any comments on the proposed amendments to the preamble and glossary to the standards of proficiency?

- Do you consider there are any aspects of our proposals that could result in equality and diversity implications for groups or individuals based on one or more of the following protected characteristics, as defined by the Equality Act 2010?

  - Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation

- Do you consider that our proposals are proportionate to our role to protect the public, and represent the threshold level necessary for safe and effective practice?

- Do you have any additional comments about the standards of proficiency?

How to respond to the consultation

6.5   You can respond to this consultation in the following ways.

- By completing our easy-to-use online survey:
  https://www.research.net/r/2020SOPsreview

- By emailing us at: consultation@hcpc-uk.org

- By writing to us at the following address:

  Consultation on changes to the standards of proficiency
  Policy and Standards Department
  Health and Care Professions Council
  Park House
  184-186 Kennington Park Road
  London
  SE11 4BU

Please note, due to COVID-19, the organisation is currently working from home and so post is not checked frequently. If you are able to respond by email or online survey, we would encourage you to do so.

6.6   We do not normally accept responses by telephone or in person. We normally ask that consultation responses are made in writing to ensure that we can accurately record what the respondent would like to say. However, if you are unable to respond in writing please contact us on +44 (0)20 7840 9815 to discuss any reasonable adjustments which would help you to respond.

6.7   **Due to COVID-19, the organisation is currently working from home and so this phone line is not manned. However, you will be able to leave a message for the team to review and get back to you as soon as possible.**

6.8   Please complete the online survey or send us your response by **30 October 2020.** We will keep this consultation period under review, taking into consideration any impact of COVID-19. We look forward to receiving your comments.

Please contact us to request a copy of this document in an alternative format, or in Welsh, or if you require any reasonable adjustments.

6.8   Once the consultation period is completed, we will analyse the responses we have received. We will then publish a document which details the comments received and explains the decisions we have taken as a result. This will be available on our website.

6.9   If you would prefer your response not to be made public, please indicate this when you respond.