



# Professional Registrations Policy - Fitness to Practice

This procedural document supersedes: Professional Registration Policy - Fitness to Practice - CORP/EMP 11 v.7

***Please Note: This policy is currently under review and is still fit for purpose.***



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The Trust discourages the retention of hard copies of policies and can only guarantee that the policy on the Trust website is the most up-to-date version. **If, for exceptional reasons, you need to print a policy off, it is only valid for 24 hours.**

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Author/reviewer: (this version)	Adam Evans
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Approved by:	Workforce, Research and Education Committee
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Target audience:	Trust-wide

## Amendment Form

Version	Date Issued	Brief Summary of Changes	Author
Version 8	8 October 2019	Review for Factual Accuracy and changing of logo and Care Groups/Directorates to Divisions. Change from NCAS to NHS resolutions. Added conditions of practice and interim suspension orders.	Adam Evans
Version 7	17 December 2015	Title change.  This policy supersedes: Professional Registration Policy - CORP/EMP 11 v.6 and Procedure – Receipt & Issue of Alert Letters CORP/EMP 18 v.3.  Reflects current practice and covers a wider spread of professions.	Joanne Lodge

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## 1. INTRODUCTION

Our staff are key to the continuing success of Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust (DBTH) and the safe provision of services to our patients. Our aim is to become an employer of choice - summarised in the phrase Develop. Belong. Thrive. Here – attracting quality staff into our roles.

To do that we must ensure that all prospective, and current employees are recognised by the appropriate regulatory body and hold the right qualifications to do their job.

## 2. PURPOSE

The purpose of this policy is to ensure that we have a clear, consistent and fair approach to monitor the professional qualifications and registration status of all healthcare professionals within DBTH. This includes the monitoring of Healthcare Professional Alert Notices (Alert Notices), to ensure the safest environment for our patients.

‘Professional regulation is intended to protect the public, making sure that those who practise a health profession are doing so safely’ ([NHS Employers- Professional Registrations and Qualifications Check](#)). It is therefore a contractual condition of employment that a health professional maintains their registration throughout their employment with DBTH, and it is their personal responsibility to keep it up to date.

Each regulatory body has different procedures for disclosing information, but their four main functions are:

- Establishing standards of competence, ethics and conduct
- Establishing standards for training
- Keeping a register of those who meet the standards
- Dealing with registrants who are not compliant with full registration, (for example, suspended or registration lapsed). DBTH are updated about these via the receipt of alert letters.

### 3. DUTIES AND RESPONSIBILITIES

For the policy and procedure to be effective, everyone involved in either the recruitment of, or management of health professional staff need to be aware of this policy and follow it.

Ultimately, it is the responsibility of the senior management of the Trust (including the Chief Executive, Executive Team and Divisional Directors); in conjunction with People & Organisational Development to ensure that this is the case. A table of responsibilities is included in Appendix 2.

### 4. PROCEDURE

This policy, and the related procedures, covers all activities that form part of the professional registration process. It applies to:

- All health professionals employed by DBTH (full time and part time),
- Non-health professionals, where specific qualifications are a requirement for their position. (e.g. Accountants)
- People undertaking work for, but not directly employed by, DBTH (e.g. honorary contract)

In addition, some staff groups have additional or separate arrangements in place:

- Agency staff - Arrangements are in place for external agencies providing the health professional to confirm professional registration/qualifications.

#### 4.1 Core Principles

All professional registration activity in DBTH will be consistent with the [Fair Treatment for All](#) and Recruitment and selection policies and reflect the following core principles:

Recruiting a health professional:

- The individual is registered with the appropriate professional body, and holds the relevant qualifications to undertake the specific role within DBTH.
- There are no current restrictions which may affect the individual's ability to undertake all duties required.
- The regulatory body has a duty to disclose any information relating to any current/past investigations into fitness to practice.

Managing existing DBTH health professionals:

- A lapse in registration can lead to suspension without pay or alternative employment arrangements; or possible dismissal where lapses in registration are not acted upon within a reasonable period of time
- Appropriate action will be taken upon receipt of an alert letter, or a conditions of practice order.

## 4.2 The Professional Registration Process:



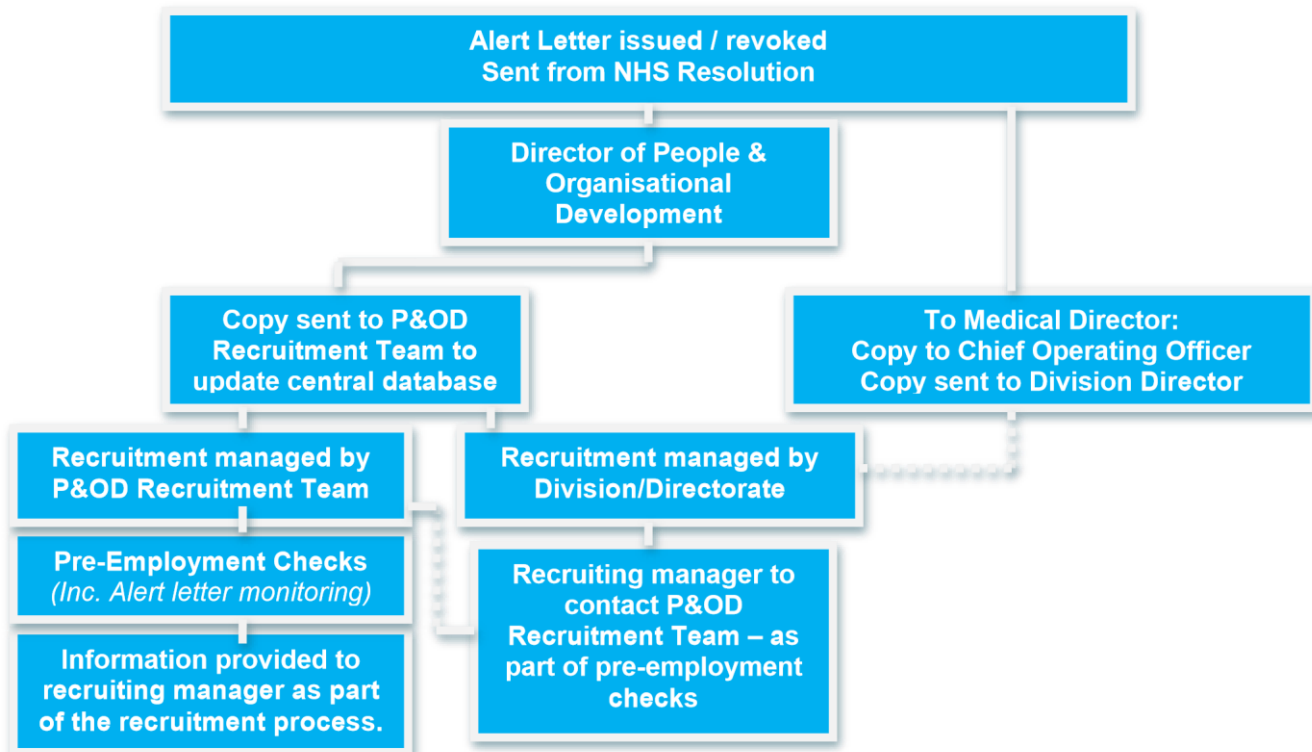
#### 4.3 Alert Letters:

DBTH can be made aware of a registered health professional whose performance or conduct could place patients or staff at risk of harm, through the receipt of an alert letter. (Alerts are also issued if the performance or conduct seriously compromises the effective functioning of a clinical team).

This process is:

- Separate from the [disciplinary process](#);
- Integral part of pre-employment checks – to check suitability, prior to formal appointment.

#### 4.4 Receipt of Alert Letters Process:



#### 4.5 Issue of Alert Letters Process:

If a manager considers an alert letter regarding an employee may be appropriate, NHS Resolution can offer advice.

## 5. TRAINING/ SUPPORT

For recruiting managers, advice and support is available from the P&OD Recruitment Team. For managers of existing health professionals, support is available from the respective professional regulatory body, NHS Resolution, and their HR Business Partner.

## 6. MONITORING COMPLIANCE WITH THE PROCEDURAL DOCUMENT

<b>What is being Monitored</b>	<b>Who will carry out the Monitoring</b>	<b>How often</b>	<b>How Reviewed/ Where Reported to</b>
Non-compliance of policy by Divisions and Directorates	People & Organisational Development	On-going	Issues to be reported to respective Division and Directorate management teams at Accountability Meetings



Review of Policy	People & Organisational Development	On-going	Amendments to reflect guidance from NHS Employers, changes in best practice, or changes introduced by professional regulatory bodies.
Compliance at Division/Directorate level	Division/ Directorate Senior Management	On-going	Managers review with Division and Directorate management teams as part of recruitment and workforce monitoring.
Compliance of Policy	Internal Audit	Annual Audit Practice	As per annual audit practice
Compliance with Policy	Senior Responsible Manager for respective health professional group	On-going	<ul style="list-style-type: none"> <li>• Review of management information – NMC renewal dates.</li> <li>• Review of management information – doctor revalidation dates.</li> <li>• Regular review of the alert letter monitoring system.</li> </ul>

## 7. DEFINITIONS

NHS Resolution	NHS Resolution Website
NHS Employers	<a href="#">NHS Employers Website</a>
NMC	<a href="#">Nursing and Midwifery Council</a>
Regulatory Body	Independent organisations who set standards for health professionals to follow, and who take action when patient safety is at risk. (See Section 10).
GMC	<a href="#">General Medical Council</a>
GDC	<a href="#">General Dental Council</a>
HCPC	<a href="#">Health &amp; Care Professions Council</a>
GPhC	<a href="#">General Pharmaceutical Council</a>
GOC	<a href="#">General Optical Council</a>

## 8. EQUALITY IMPACT ASSESSMENT

The Trust aims to design and implement services, policies and measures that meet the diverse needs of our service, population and workforce, ensuring that none are disadvantaged over others. Our objectives and responsibilities relating to equality and diversity are outlined within our equality schemes. When considering the needs and assessing the impact of a procedural document any discriminatory factors must be identified.

An Equality Impact Assessment (EIA) has been conducted on this procedural document in line with the principles of the Equality Analysis Policy (CORP/EMP 27) and the Fair Treatment For All Policy (CORP/EMP 4).

The purpose of the EIA is to minimise and if possible remove any disproportionate impact on employees on the grounds of race, sex, disability, age, sexual orientation or religious belief. No detriment was identified. (See Appendix 1)

## 9. ASSOCIATED TRUST PROCEDURAL DOCUMENTS

- Disciplinary Procedure (CORP/EMP 2)
- Recruitment & Selection Policy (CORP/EMP 36)
- Fair Treatment for All (CORP/EMP 4)
- Equality Analysis Policy (CORP/EMP 27)

## 10 DATA PROTECTION

Any personal data processing associated with this policy will be carried out under 'Current data protection legislation' as in the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) 2016).

For further information on data processing carried out by the trust, please refer to our Privacy Notices and other information which you can find on the trust website:

<https://www.dbth.nhs.uk/about-us/our-publications/uk-data-protection-legislation-eu-generaldata-protection-regulation-gdpr/>

## 11. REFERENCES

General Medical Council (GMC) <http://www.gmc-uk.org/>  
 Nursing & Midwifery Council (NMC) <http://www.nmc.org.uk/>  
 Health & Care Professions Council (HCPC) <http://www.hpc-uk.org/>  
 General Pharmaceutical Council (GPhC) <http://pharmacyregulation.org/>  
 General Dental Council (GDC) <http://www.gdc-uk.org/Pages/default.aspx>  
 General Optical Council (GOC) <https://www.optical.org/>

NHS Employers <http://www.nhsemployers.org/your-workforce/recruit/employment-checks/nhsemployment-check-standards/alert-notice-system> [Healthcare Professional Alert Notices Directions 2006](#)

[Safer Recruitment](#) – scheme for the issue of alert notices for healthcare professionals in England, NHS Employers, November 2006

[Letter to the NHS from Professor Sir Bruce Keogh](#), (Gateway number 00006 18 April 2013)

[NHS Litigation Authority Directions 2013](#)

[National Clinical Assessment Service](#) (NCAS)

## APPENDIX 1 - EQUALITY IMPACT ASSESSMENT PART 1 INITIAL SCREENING

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Policy	Division/Directorate and Department	Assessor (s)	New or Existing Service or Policy?	Date of Assessment
CORP/EMP 11 v.8 - <b>Professional Registrations Policy - Fitness to Practice</b>	People and Organisational Development	Adam Evans	Combined Policy	September 2019
<b>1. Who is responsible for this policy?</b> P&OD (HR Services)				
<b>2. Describe the purpose of the policy?</b> Process/guidance on implementation of professional registration legislation.				
<b>3. Are there any associated objectives?</b> Provide consistent approach to implementation of legislation and processes across the Trust				
<b>4. What factors contribute or detract from achieving intended outcomes?</b> Staff may be unaware of their roles & responsibilities				
<b>5. Does the policy have an impact in terms of age, race, disability, gender, gender reassignment, sexual orientation, marriage/civil partnership, maternity/pregnancy and religion/belief?</b> No				
<ul style="list-style-type: none"> <li>• <b>If yes, please describe current or planned activities to address the impact</b> N/A</li> </ul>				
<b>6. Is there any scope for new measures which would promote equality?</b> No				
<b>7. Are any of the following groups adversely affected by the policy?</b>				
<b>a. Protected Characteristics</b>	<b>Affected?</b>	<b>Impact</b>		
b. Age	No			
c. Disability	No			
d. Gender	No			
e. Gender Reassignment	No			
f. Marriage/Civil Partnership	No			
g. Maternity/Pregnancy	No			
h. Race	No			
i. Religion/Belief	No			
j. Sexual Orientation	No			
<b>8. Provide the Equality Rating of the service/ function/policy /project / strategy</b>				
Outcome 1 ✓	Outcome 2	Outcome 3	Outcome 4	
<b>9. Date for next review:</b> September 2022				
<b>Checked by:</b> Kelly Fairhurst		<b>Date:</b> September 2019		

## APPENDIX 2 – DUTIES AND RESPONSIBILITIES

<b>Responsibilities</b>	
<b>DBTH Executive Team and Division/Directorate Senior Management Teams</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The Chief Executive is accountable to the Trust Board for ensuring that the Trust is compliant with professional registration requirements.</li> <li><input type="checkbox"/> Executive Directors are accountable to the Chief Executive for ensuring that within their areas of responsibility, professional registrations continually reviewed and monitored. .</li> <li><input type="checkbox"/> Within their agreed area of responsibility, Senior Managers are responsible for ensuring professional registrations are valid and up to date.</li> </ul>
<b>Director of People &amp; Organisational Development</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> To ensure that the Professional Registrations Policy - Fitness to Practice and all relevant procedures are effectively managed.</li> </ul>
<b>P&amp;OD Recruitment Team</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> To undertake registration and qualification checks as part of pre-employment checks.</li> </ul>
<b>P&amp;OD HR Systems Team</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> To provide professional registration compliance reports at a Trust-wide, Division/Directorate and departmental level.</li> </ul>
<b>Recruiting / Line Managers</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> To inform prospective employees that appointment is conditional upon satisfactory registration and qualification checks.</li> <li><input type="checkbox"/> To request the consent of the health professional to check their registration.</li> <li><input type="checkbox"/> To verify the current registration of new starters, prior to appointment, or where an individual moves into a registered post for the first time.</li> <li><input type="checkbox"/> To ensure that any conditions on professional practice are adhered to.</li> <li><input type="checkbox"/> To ensure a robust process is in place for maintaining and recording professional registrations and renewal dates.</li> <li><input type="checkbox"/> To provide training, mentoring, re-skilling etc. where appropriate to ensure practitioners are fit and safe to work and can adhere to their responsibilities.</li> </ul>

<p><b>Staff required to be professionally registered/professional qualifications</b></p> <p><b>(Health, non-health professionals, and agency staff)</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> To accept responsibility for maintaining their professional registration.</li> <li><input type="checkbox"/> Members of staff currently on Maternity and away on long term absence must still adhere to the same responsibilities and procedures as members of staff currently at work.</li> <li><input type="checkbox"/> To inform DBTH of any restrictions new/old linked to their registration. (Withholding, or providing misleading/false information could lead to withdrawal of offer of employment / termination of employment).</li> <li><input type="checkbox"/> To comply with reminder notifications received from their registering body.</li> <li><input type="checkbox"/> To advise DBTH immediately of anything that may potentially compromise their registration e.g. Police cautions, etc. To provide acceptable evidence of re-registration.</li> <li><input type="checkbox"/></li> <li><input type="checkbox"/> To inform the registering body and DBTH of changes to private addresses.</li> </ul>
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