

# Factsheet

## Standard of acceptance explained

Throughout this factsheet:

- ‘we’, ‘us’ and ‘our’ refers to the Health and Care Professions Council (HCPC); and
- ‘registrant’ refers to a professional on our Register.

### About fitness to practise

When we say a registrant is ‘fit to practise’ we mean they have the skills, knowledge and character to do their job safely and effectively. Our fitness to practise process is about protecting the public from registrants whose fitness to practise is ‘impaired’ (negatively affected). It is not about resolving general complaints or punishing registrants for past mistakes.

### Standard of acceptance

The standard of acceptance is the level a concern about a registrant must meet before we will investigate it as a fitness to practise allegation.

We consider each concern individually to decide whether it meets the standard of acceptance. We may make further enquiries to help us make this decision, for example, we may ask you or someone else for more information.

A concern meets the standard of acceptance if:

- it is made in the **appropriate form**; and
- it provides **credible evidence** which suggests that the registrant’s **fitness to practise is impaired**.

### Appropriate form

A concern is in the appropriate form if it:

- is received in writing;
- provides enough information to identify the registrant the concern is about; and
- sets out the nature of the concern and the circumstances in enough detail for the registrant to understand and respond.

Our member of the public referral form will help you to refer your concern in the appropriate way. If you are unable to raise your concern in writing, please contact us on 0800 328 4218.

### Credible evidence

This does not mean that you must prove your concern from the outset. However, your concern, and the information you provide about your concern, must be enough for a reasonable person to consider it believable.

Evidence is likely to be credible if it provides a consistent, logical and reasonable explanation of the concern, particularly if it is supported by other evidence or is consistent with facts that are already known.

To meet this requirement, we may need more evidence (from you or someone else) than just your version of events.

If we do not follow up a concern due to lack of credible evidence, it does not mean we do not believe you. It simply means that there is not enough evidence to take your concern further.

## **Fitness to practise is impaired**

The concern must also suggest that the registrant's fitness to practise is impaired. This is a serious matter. It is not simply a suggestion the registrant has done something wrong but that they have done something serious enough to raise doubts about whether they should be allowed to continue to practise freely.

This is a current test, which means that the concern must be about the registrant's current ability to practise safely and effectively. The process is not meant to punish registrants for past acts but will take past acts into account when considering their current and future ability to practise.

## **Other factors affecting whether the standard of acceptance is met**

### **Time limit**

We can investigate concerns relating to events which happened at any time. However, we will not normally continue with concerns that are made more than five years after the events giving rise to them.

### **Anonymous concerns**

We must operate our fitness to practise process fairly and transparently. This can be difficult if we or the registrant do not know the identity of the person making the complaint. We will not normally continue with anonymous concerns or if you ask to remain anonymous.

### **Matters resolved locally**

If concerns have been dealt with satisfactorily at a local level, for example by the registrant's employer, it is unlikely there will be evidence to suggest the registrant's fitness to practise is impaired. We will not normally continue with concerns which are satisfactorily dealt with locally.

### **Professional decisions**

Registrants often make decisions using their professional knowledge, skills and experience. Not everyone will agree with these decisions. We will not normally continue with concerns which challenge or second-guess registrants' decisions unless there is evidence they have acted unprofessionally – for example, they have knowingly made a false statement or acted beyond their scope of practice. Similarly, we will not normally continue with concerns which challenge a registrant acting as an expert witness, unless there is evidence they have acted unprofessionally.

## **Complaints about services**

We can only consider concerns about individual registrants and cannot consider concerns about services more generally. As a result, we will not normally continue with concerns which simply identify registrants you have encountered when dealing with a service or an organisation, unless there is specific evidence to suggest a registrant's fitness to practise is impaired.

## **Ongoing external investigations**

If we are told that another organisation (for example, the police or an employer) is currently investigating a registrant, there may not be enough information, at that stage, for the standard of acceptance to be met. So we may wait until the other organisation's investigation has ended before going ahead with our own investigation.

## **What happens next?**

If we find that a concern meets the standard of acceptance, we will go ahead with an investigation (which will take a period of time) and will draft a formal fitness to practise allegation. This will be in a different style to the concern we originally received from you and will only deal with the aspects of the concern which have met the standard of acceptance.

If we find that a concern does not meet the standard of acceptance, we will close the case and take no further action. We will explain the reasons for our decision to you. The case will not form part of our formal record for the registrant but we may take it into account if further concerns are raised about the registrant.

## **Further information**

You can find the full standard of acceptance policy on our website at [www.hcpc-uk.org/publications/policy](http://www.hcpc-uk.org/publications/policy)

For more information, contact our Fitness to Practise Department.

Phone: 020 7840 9814 or 0800 328 4218

Email: [ftp@hcpc-uk.org](mailto:ftp@hcpc-uk.org)

