

Health and character declarations

Fitness to practise fact sheet

What is a health and character declaration?

The HCPC asks applicants and registrants about their health and character to protect the public and ensure individuals on our Register are fit to practise. A health and character declaration is the term we use to describe the process of the HCPC being informed about matters relating to health or character. A health and character declaration could be made as an applicant or a registrant.

How do I know if I need to make a declaration?

Depending on whether you are applying to get on the Register, renewing your registration or making a self-referral will impact on when you will need to declare information about your health and character.

Health

When we talk about 'health', we mean any physical or mental health conditions which may affect either an applicant or a registrant's ability to practise safely and effectively.

The standards of conduct, performance, and ethics say:

- 'You must take responsibility for assessing whether changes to your physical and/or mental health will detrimentally impact your ability to practise safely and effectively. If you are unsure about your ability to do so, ask an appropriate health and care professional to make an assessment on your behalf.' (6.3)
- 'You must adjust your practice if your physical and/or mental health will detrimentally impact your ability to practise safely and effectively. These adjustments must promote safe and effective practice. Where it is not possible to make these adjustments within your scope of practice, you must stop practising.' (6.4)

You must tell us about your health condition if it affects your ability to practise safely and effectively.

We recognise that many of our registrants practise with health conditions or disabilities which do not affect their practice or have adjustments in place to support them to continue to practice. You do not need to tell us if your health condition does not affect your practice or you are sure you can adapt, limit or stop your practice as needed to remain safe and effective; your employer and healthcare professionals can help you with this. Therefore you do not need to tell us as long as you can meet standard 6.4. This is likely if:

- your condition does not affect your practice at all;
- your condition does affect your practice, but you can adapt, limit or change your practice so that you can practise safely and effectively (for example, through reasonable adjustments); or

- you have stopped practising because of your health (however, if you are likely to be out of practice for more than two years, see 'Career breaks due to health' below).

We recognise that registrants usually know their health better than anyone else, and each registrant is responsible for ensuring their own fitness to practise and managing risk. However the HCPC expects registrants, where required, to seek and follow advice from healthcare professionals, employers and occupational health.

If you are unsure about whether your health impacts your fitness to practise after you have sought appropriate advice, you should approach the HCPC. We will need to assess the information you have provided to determine how your health is being managed and whether it may affect your fitness to practise.

If you are applying to the Register, applications where a declaration is made may take longer to process whilst we review the information provided, ask you any questions and decide if we need to investigate further.

Career breaks due to health

Registrants must have practised within the last two years to remain on our Register. If a registrant is 'out of practice', this means they are not drawing on their professional skills and knowledge in the course of their work. However, registrants may be able to adapt or even change roles and remain 'in practice' and on our Register whilst managing their health condition (for example, by moving from a 'frontline' or clinical role to a role in education or research). For more information, see our page **What we mean by 'practising your profession'**.

If, in managing your health, you are likely to be out of practice for longer than two years, you need to contact our Registration team.

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Character

When we talk about 'character', we are considering whether your behaviour in the past may affect whether you can practise in a way which does not put the public at risk or affect public confidence in you or your profession.

There are different requirements for character declarations depending on whether you are an applicant or a registrant.

For applicants, you must make a declaration about your character as part of your application. In this declaration you need to tell us if you have ever:

- been convicted of a criminal offence or received a police caution or conditional discharge for a criminal offence - other than a protected caution or protected conviction - in any part of the United Kingdom (these are cautions and convictions that you do not need to tell us about);
- received cautions or convictions in countries outside the United Kingdom, if the offence is one that could have resulted in a caution or conviction in England or Wales;
- been disciplined by a professional or regulatory body or your employer;
- had civil proceedings brought or any other claim against you; or
- been barred from working with vulnerable adults or children.

As a registrant, you are asked at renewal whether there has been any change relating to your good character that may affect your ability to practise safely and effectively. You must also let the Fitness to Practise team know as soon as possible by **making a self-referral** if:

- you accept a caution from the police or you have been charged with, or found guilty of, a criminal offence;
- another organisation responsible for regulating a health or social care profession has taken action or made a finding against you; or
- you have had any restriction placed on your practice, or been suspended or dismissed by an employer, because of concerns about your conduct or competence.

How do I make a declaration?

The process for making a declaration is different depending on whether you are an applicant applying to join the Register, a registrant renewing your registration or a registrant telling us about a change in your health and character (self-referring).

• An applicant applying to join the Register

When you fill in your application form, we ask you to declare information about your health and character. If you do not provide accurate information in your application, or if you fail to provide all the relevant information, you will be making a 'false declaration'. Making a false declaration can result in being removed from our Register, so it is important to be honest throughout the application process.

• A registrant renewing your registration

As a registrant, you will renew your registration every two years. Each time you renew your registration, you must make a 'professional declaration'. In this declaration, you can declare changes to your health and character that may affect your fitness to practise.

• A registrant telling us about a change in your health and character (self-referrals)

As a HCPC registrant you have a personal responsibility to maintain and manage your own fitness to practise, with help from your employer or other professional guidance. This includes giving us any information about changes to your health or character that might affect your fitness to practise. We call this a self-referral. You can make a self-referral **on the HCPC website** or by emailing ftp@hcpc-uk.org.

Supporting information

When making a declaration, sending supporting information can help the HCPC assess your declaration. You may wish to speak with a professional body, trade union or legal representative as they will be able to advise you on what to provide.

If you are a registrant, you must not delay making a declaration in order to prepare supporting information, as it can be provided later: you do not have to provide all supporting information at the point of making your declaration. If we need more information, we will contact you.

Supporting information may be used as part of the HCPC's case if your declaration goes to a hearing. Should you choose to provide supporting information, the following can be helpful:

Health declarations:

- A recent letter from a GP or other healthcare professional which has details about your health, how it is managed and how it affects your practice
- A reference from a current or former employer, university or college, about how your health is managed, including if your health has affected your work and any adjustments in place (please also include contact details of this referee in case we need to contact them)
- Copies of occupational health reports that include details of how your work is affected by your health workplace adjustments required (if any)
- A summary, in your own words, about how your health affects your practice
- Any other information which you believe would help the HCPC to understand more about how your health is currently managed, its impact on your practice or your ability to meet the standards of proficiency

Character declarations:

- Details of the criminal offence, charge, caution or conviction or a recent DBS certificate
- Contact details of the investigating police force or, for convictions, the court where you were convicted
- Details of any changes in your good character: by this, we mean details of any incidents where your behaviour in the past may affect whether you can practise in a way which does not put the public at risk or affect public confidence in you or your profession

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What happens after making a declaration?

Under the Health Professions Order 2001, the HCPC is required to ensure that its registrants have good health and good character. In most cases, declarations need to be passed onto our Fitness to Practise team to find out more information about the matter you have told us about.

Declarations made during the application and renewal process are received by our Registration team. In some cases, the Registration team may be able to process a health declaration without passing it on to the Fitness to Practise team (for example, where the supporting information clearly shows that your ability to practise safely or effectively is not affected). However for most health declarations, and all character declarations, the Registration team will pass your declaration and any associated documentation to the Fitness to Practise team.

All self-referrals made by registrants outside of the application and renewal process are made directly to the Fitness to Practise team.

The role of the Fitness to Practise team is to investigate by gathering more information about the declaration you have made. It is important to note that, while the process is being handled by the Fitness to Practise team, this is not a reflection on the declaration you have made or an assumption that you are unfit to practise. The purpose of the investigation is to establish whether your declaration impacts your fitness to practise.

The Fitness to Practise team investigates all cases objectively and independently and will explain what happens at each stage of the process. The team can provide you with support throughout the process, including reasonable adjustments. They can also communicate with you in Welsh throughout the process if you prefer.

The Fitness to Practise team recommends that you speak to your professional body, trade union or legal representative after making a declaration, as they know the processes well and will be able to support you.

The process for declarations depends on whether you are an applicant or a current registrant:

Fitness to practise process for registrants

Declarations made by registrants are investigated by a Case Manager in the Fitness to Practise team. The process for registrants in a fitness to practise investigation is explained in our [Investigating Concerns fact sheet](#).

Fitness to practise process for applicants

Declarations made during an application to the Register are investigated by a Case Officer in our Declarations team. The Case Officer's role is to gather relevant information and be a point of contact for everyone involved in the case. They will keep you up to date with the progress of their enquiries. Case Officers can also explain how the process works and provide you support.

Once they have gathered the information required, a decision will be made against our **health and character declarations policy**. The policy sets out which declarations can be approved by the Fitness to Practise team internally, and which should be considered by an independent panel.

The outcome of this decision is either that:

- the information we have gathered meets the requirements to approve your application in line with the health and character declarations policy, which means that your application to the Register will be granted without being considered by a panel; or
- the information we have gathered needs to be looked at by a Registration Panel, who will decide whether to approve your application.

If your declaration needs to be looked at by a Registration Panel, the information you submit to the Registration and Fitness to Practise teams will be seen by the Panel.

Registration Panels are made up of three members – a panel chair, a registrant panel member and a lay panel member. The registrant panel member will be from the same profession that you are applying for.

The purpose of the Registration Panel is to provide a recommendation to the HCPC on whether your application to the Register should be granted.

When considering **health declarations**, Panels will consider whether the applicant has:

- sought medical or other support as appropriate;
- made reasonable adjustments to their working arrangements or agreed them with their employer; and
- restricted their scope of practice to those areas where they are confident that they meet the standards of proficiency.

When considering **character declarations**, Panels will consider:

- the nature and seriousness of the offence or misconduct;
- when the incident occurred; and
- the applicant's or registrant's character and conduct since the incident.

The Panel may grant or refuse your application to the Register.

If the Panel grants your application, the Case Officer will inform the Registration team of the decision. The Registration team will then process your application and contact you once you are on the Register. You cannot practise or use a professional title until the Registration team have confirmed your registration and issued your registration number.

If your application is refused, the reasons for the decision will be set out by the Panel in a written determination and sent to you. If your application is refused, you have the right to appeal. For more information, see our [Appeals page](#).