

2015 No. 000

HEALTHCARE AND ASSOCIATED PROFESSIONS

HEALTH PROFESSIONS

The Health and Care Professions Council (Registration and Fees)(Amendment) Rules Order of Council 2015

Made - - - - 2015

Coming into force - - [] 2015

At the Council Chamber, Whitehall the [] day of [] 2015

By the Lords of Her Majesty's Most Honourable Privy Council

The Health and Care Professions Council has made the Health and Care Professions Council (Registration and Fees) (Amendment) Rules 2015, which are set out in the Schedule to this Order, in exercise of the powers under articles 7(1) and (2), 9(2), 11A(4), (5) and (6) and 41(2) of the Health and Social Work Professions Order 2001(a).

In accordance with article 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

In accordance with article 41(1) and 42(1) of that Order, such Rules shall not come into force until approved by Order of the Privy Council.

Citation and commencement

1. This Order may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2015 and shall come into force on [] 2015.

Privy Council Approval

2. Their Lordships, having taken these Rules into consideration, are pleased to and do approve them.

Richard Tilbrook

(a) S.I. 2002/254. The title of this statutory instrument was amended by section 213(6) of the Health and Social Care Act 2012 (c. 7).

SCHEDULE

Article 2

The Health and Care Professions Council (Registration and Fees) (Amendment) Rules 2015

The Health and Care Professions Council makes the following Rules in exercise of its powers under articles 7(1) and (2), 9(2), 11A(4), (5) and (6) and 41(2) of the Health and Social Work Professions Order 2001(a).

In accordance with articles 7(1) and (2) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

Citation and commencement

1. These Rules may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) Rules 2015 and come into force on [date] 2015.

Amendment of the Health and Care Professions Council (Registration and Fees) Rules 2003

2.—(1) The Health and Care Professions Council (Registration and Fees) Rules 2003 are amended as follows.

(2) After rule 11A (continuing professional development) insert—

“Cessation of appropriate cover under an indemnity arrangement

11B.—(1) A registrant must notify the Registrar in writing immediately if for any reason the registrant ceases, or will cease, to have in force in relation to the registrant for the purpose of complying with article 11A of the Order, appropriate cover under an indemnity arrangement.

(2) If a registrant fails to comply with paragraph (1)—

- (a) the Education and Training Committee may remove that registrant from the register; or
- (b) the registrant’s fitness to practise may be treated for the purposes of article 22(1)(a)(i) as being impaired by reason of misconduct, and the Council may accordingly refer the matter to—
 - (i) persons appointed by it under article 22(5)(b)(i) (where rules under article 23 provide), or
 - (ii) to a Practice Committee under article 22(5)(b)(ii).

Information required on indemnity arrangements

11C.—(1) The Registrar may in accordance with paragraph (3) serve notice on a registrant to provide information to the Registrar for the purposes of determining whether, at any time, there is in force in relation to the registrant an indemnity arrangement which provides appropriate cover for the purpose of complying with article 11A of the Order.

(a) S.I. 2002/254.

- (2) That notice must specify—
- (a) the information or evidence required to determine that the registrant has in force in relation to that registrant, an indemnity arrangement which provides appropriate cover for the purpose of complying with article 11A of the Order;
 - (b) such other information as the Registrar may reasonably require for the purpose of determining whether the registrant’s indemnity arrangement provides appropriate cover; and
 - (c) the time period for complying with the notice, which shall be not be less than seven days beginning with the day on which the notice was sent.
- (3) The Registrar may remove the registrant from the register where—
- (a) having considered any evidence or information provided in response to a notice under paragraph (2), the Registrar is not satisfied that a registrant has an indemnity arrangement which provides appropriate cover; or
 - (b) a registrant fails to comply with a notice served under paragraph (2) within the period specified in the notice.
- (4) This rule does not apply to a registrant in respect of registration as a social worker in England.”.

Given under the official seal of the Health and Care Professions Council this [] day of the [] 2015

Anna van der Gaag
Chair

Marc Seale
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)