

## **Consultation on HCPC registration fees**

Analysis of responses to the consultation on HCPC registration fees and our decisions as a result.

1. Introduction .....	2
2. Analysing your responses .....	4
3. Summary of responses .....	8
4. Responses to consultation questions.....	10
5. Our comments and decisions.....	28
6. List of respondents.....	35

# 1. Introduction

## About the consultation

- 1.1 We consulted between 27 March 2015 and 6 May 2015 on proposals to increase the fees we charge for registration.
- 1.2 We proposed a £10 increase (an increase of 12.5%) to the annual renewal fee. This would increase the renewal fee from £80 to £90 per year. We also proposed a similar level increase to most of the other fees we charge, with the exception of the restoration fee for which we proposed a higher level of increase.
- 1.3 We informed a range of stakeholders about the consultation including professional bodies and employers, included information about the consultation on our website, on social media and in our newsletter and also issued a press release.
- 1.4 We would like to thank all those who took the time to respond to the consultation document. You can download the consultation document and a copy of this responses document from our website: [www.hcpc-uk.org/aboutus/consultations/closed/](http://www.hcpc-uk.org/aboutus/consultations/closed/)

## About us

- 1.5 We are a regulator and were set up to protect the public. To do this, we keep a Register of health and care professionals who meet our standards for their professional skills and behaviour. Individuals on our register are called 'registrants'.
- 1.6 We currently regulate 16 health and care 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
  - Social workers in England
  - Speech and language therapists.

## **About this document**

- 1.7 This document summarises the responses we received to the consultation.
- 1.8 The document starts by explaining how we handled and analysed the responses we received, providing some overall statistics from the responses. Section three provides an executive summary of the responses we received. Section four is structured around the comments we received to specific questions. Our responses and decisions as a result of the comments we received are set-out in section five.
- 1.9 In this document, 'you' and 'your' is a reference to respondents to the consultation, 'we', 'us' and 'our' are references to the HCPC.

## **2. Analysing your responses**

- 2.1 Now that the consultation has ended, we have analysed all the responses we received.

### **Method of recording and analysis**

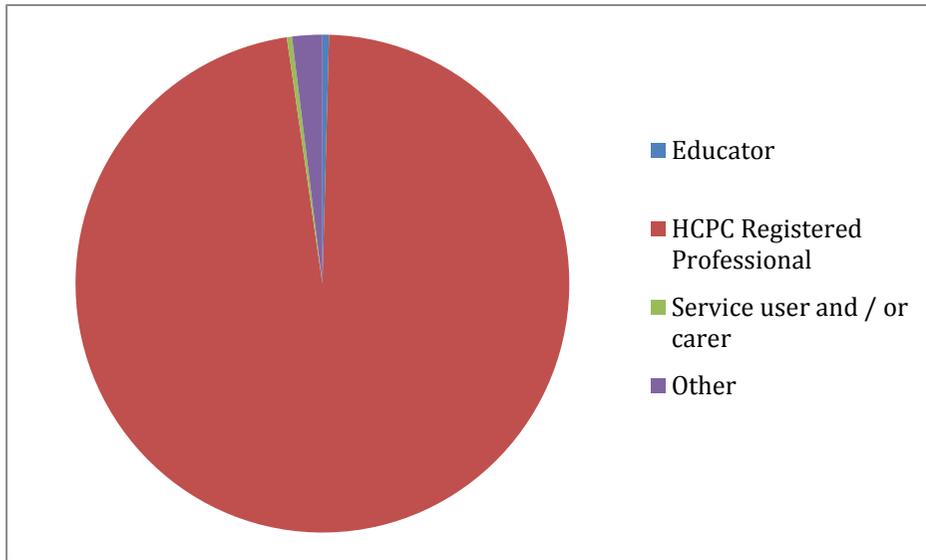
- 2.2 The majority of respondents used our online survey tool to respond to the consultation. They self-selected whether their response was an individual or an organisation response, and, where answered, selected their response to each question (e.g. yes; no; unsure).<sup>1</sup> They were also able to give us their comments on each question.
- 2.3 Where we received responses by email or by letter, we recorded each response in a similar format.
- 2.4 When deciding what information to include in this document, we assessed the frequency of the comments made and identified themes. This document summarises the common themes across all responses, and indicates the frequent comments made by respondents.

### **Statistical analysis**

- 2.5 We received 2,393 responses to the consultation document. 2,337 responses (98%) were made by individuals, of which 2,273 (97%) were HCPC registered professionals. 56 responses (2%) were made on behalf of organisations.
- 2.6 The breakdown of respondents and responses we received to each question are shown in the graphs and tables that follow.

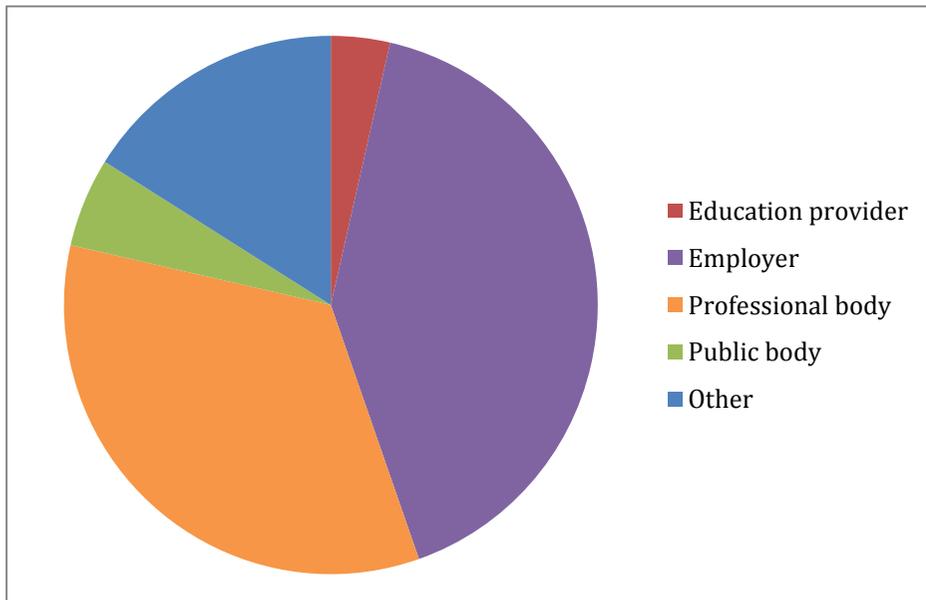
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<sup>1</sup> In a small number of cases, where appropriate, responses were reclassified from organisation to individual responses for accuracy.



**Graph 1 – Breakdown of individual responses**

Respondents were asked to select the category that best described them. The majority of respondents who selected 'other' identified themselves as new graduates or students not yet registered with the HCPC.



**Graph 2 – Breakdown of organisation responses**

Respondents were asked to select the category that best described their organisation. The majority of organisations who selected 'other' identified themselves as trade unions.

**Table 1 – Breakdown of responses to each question**

<b>Questions</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Question 1: Do you agree that the renewal fee should increase from £80 to £90?	100 (4%)	2,199 (92%)	90 (4%)
Question 2: Do you agree that the scrutiny fee for applicants from approved programmes should increase from £56 to £63?	358 (15%)	1,643 (70%)	359 (15%)
Question 3: Do you agree that the readmission fee should increase from £200 to £225?	541 (23%)	1,545 (66%)	259 (11%)
Question 4: Do you agree that the restoration fee should increase from £200 to £585?	817 (35%)	1,103 (47%)	435 (18%)
Question 5: Do you agree that the scrutiny fee for international and EEA applications should increase from £440 to £495?	1,130 (48%)	844 (36%)	386 (16%)
Question 6: Do you agree that the scrutiny fee for grandparenting applications should increase from £440 to £495?	840 (36%)	894 (38%)	622 (26%)
Question 7: Do you agree that in future we should no longer be required to issue registration certificates?	1,420 (61%)	718 (31%)	208 (9%)
Question 8: Do you agree that in future registrants should be able to request to receive communication about their renewal electronically?	2,175 (92%)	106 (5%)	72 (3%)
Question 9: Do you agree that in future registrants should be able to pay their registration fee by direct debit more frequently?	2,152 (91%)	69 (3%)	132 (6%)

- Question 10 invited any further comments rather than a 'yes or no' answer, so is not included in the above tables. Responses to this question are included in Section four of this document.
- Percentages in the table above have been rounded to the nearest whole number and therefore may not add to 100 per cent.

### **3. Summary of responses**

#### **Summary of responses**

##### **Renewal fee**

- The majority of respondents disagreed with the proposed increase. It was considered unfair and unaffordable given it was significantly above the rate of inflation and because many registrants had experienced pay freezes.
- Respondents who agreed did so because they considered that it was necessary to pay the Professional Standards Authority (PSA) fee and because the proposed HCPC fee was lower than that of other regulators.

##### **UK application scrutiny fee**

- The majority of respondents disagreed with the proposed increase. It was considered unfair because of students' limited ability to pay. The need for scrutiny of these applications was also questioned.
- Respondents who agreed with the proposed increase argued that the level of proposed increase was reasonable and necessary to pay the PSA fee.

##### **Readmission fee**

- The majority of respondents disagreed with the proposed increase. It was considered unfair because it would act as a barrier, deterring individuals from returning to practice.
- Respondents who agreed with the proposed increase argued that it would cover the costs of the scrutiny involved in re-registering and that increasing this fee would be preferable to increasing fees for all registrants.

##### **Restoration fee**

- The majority of respondents disagreed with the proposed increase. It was considered excessive as it was higher than the other proposed increases. There was concern that the fee amounted to punishing a struck off registrant and that it would act as a deterrent to applying for re-registration.
- Respondents who agreed with the proposed increase said that it would fairly penalise or punish those struck off and reflect the high level of scrutiny necessary.

### **International and EEA application scrutiny fee**

- The majority of respondents agreed with the proposed increase. This was considered appropriate to reflect the scrutiny involved and it was argued that the fee should be increased further because it costs significantly more to register elsewhere in the world.
- Respondents who disagreed with the proposed increase said that it would be a barrier or deterrent to internationally trained health and care professionals working in the UK.

### **Grandparenting application scrutiny fee**

- The majority of respondents disagreed with the proposed increase. This was considered to be a barrier to grandparenting applicants and it was argued that there was insufficient information to explain the level of scrutiny required for this group of applicants.
- Respondents who agreed with the proposed increase said that it was appropriate to reflect the scrutiny involved or should be higher.

### **Registration certificates**

- The majority of respondents agreed that in future the HCPC should not be required to issue registration certificates. This would save paper, resources and money.
- Respondents who disagreed said that a certificate was important for public assurance and confidence.

### **Electronic communication about renewal**

- The majority of respondents agreed that in future registrants should be able to receive information about their renewal electronically. This would save paper, resources and money.
- Respondents who disagreed said that both electronic and paper reminders should be sent.

### **Payment by direct debit**

- The majority of respondents agreed that in future registrants should be able to pay their registration fee more frequently. This would allow registrants to spread their payments and bring the HCPC in line with other organisations.
- Respondents who disagreed said that this would add to administration costs and that the existing system of six-monthly payments was sufficient.

## 4. Responses to consultation questions

4.1 This section contains comments made in response to the questions within the consultation document.

### Q1. Do you agree that the renewal fee should increase from £80 to £90?

#### Summary

4.2 92 per cent of respondents disagreed that the renewal fee should increase. 4 per cent of respondents agreed and 4 per cent were unsure.

4.3 There was some difference between the responses we received from organisations and those from individuals. 11 per cent of organisation responses agreed with the proposed increase, while only 4 per cent of individuals agreed.

#### Comments

4.4 The following comments were frequently made by respondents who said that they disagreed with the proposed increase.

- Words frequently used by respondents to describe the proposal included 'excessive', 'unfair', 'unjustifiable' and 'disproportionate'. This is illustrative of the strength of opposition to the proposal – many said that they were very angry about what was being proposed. We were urged to reconsider.
- The proposed increase is unfair and unaffordable for many registrants when salaries have been frozen, professionals have experienced a real terms fall in their incomes and the cost of living has risen. At the same time, pension payments have increased and funding for CPD, necessary to remain registered, has been cut.
- A number of registrants said that they had only recently been given a hard fought increase of 1 per cent in their salaries. Registrants in Northern Ireland reported that they had not received any increase in salaries for a number of years.
- The proposed increase of 12.5 per cent is significantly above the rate of inflation and therefore cannot be justified. Some respondents said that they would accept an inflationary increase but no more.
- The proposed increase is unfair on top of a recent increase in the renewal fee to £80. Some physiotherapists said that they would be experiencing an 18 per cent increase as they had yet to be charged the £80 rate. A small number said that when we had last increased the fee we had said that we would not increase the fee for another two years and that this brought the HCPC's integrity into question.

- The proposed increase is unacceptable because registration with the HCPC is compulsory and therefore registrants will have no choice but to pay the increased fee. Some said that they objected to an increase in fees by what they saw as a 'monopoly provider'.
- The Professional Standards Authority (PSA) should be funded by the Government / by the taxpayer. It is unfair to pass on this cost to the HCPC and then on to registrants. A small number of organisations that responded said that HCPC should have been more proactive in working with representative bodies to campaign against the PSA fee and should work with these organisations to campaign against its implementation by the next Government.
- The fee payable by HCPC to the PSA only accounts for around a third of the proposed increase. It was suggested that the HCPC had not spelt out clearly in the consultation document that only a minority of the proposed increase was as a direct result of the PSA fee. It was also suggested that the HCPC had used the PSA fee as an opportunistic moment to increase the fee excessively in a year when it would not otherwise have reviewed its fees.
- The HCPC needs to be subject to the same pressures to save costs and become more efficient and effective without increases in its budget in line with other organisations in health and care. Respondents suggested that the HCPC should demonstrate how it had and would improve (for example, in the area of fitness to practise) and that it should look at the salaries of senior managers and consider moving its offices outside of London.
- The HCPC should be funded by the taxpayer.
- There are a lack of clear benefits of registration.
- The HCPC's registration fees are expensive in addition to fees registrants pay for membership of professional bodies, for which they gain benefits such as professional indemnity insurance.
- The HCPC is inefficient including being slow in processing applications and CPD audits; not providing advice to registrants; and failing to take effective action to tackle misuse of protected titles.
- A small number organisations (reporting feedback from registrants) said that the increase risked undermining registrants' goodwill and confidence in the HCPC.
- Respondents frequently referred to the costs of fitness to practise cases. A small number of organisations said that we needed to focus our attention on this area by ensuring that cases are dealt with properly at the investigation stages and that cases do not reach final hearings unnecessarily.

- A minority, mainly organisations, questioned the proposed fee rise on the basis of the HCPC's stated financial position in its annual reports, particularly that in 2013-14 the HCPC had an operational surplus of £1.3m.

4.5 The following comments were frequently made by respondents who said that they agreed with the proposed increase.

- The proposed increase was reasonable:
  - for the reasons outlined in the consultation document, particularly the PSA fee over which the HCPC has no control;
  - only on the understanding that this level of increase should not happen again in the future; and/or
  - because the HCPC's fees were lower than those charged by other professional regulators.
- Some respondents indicated that although they considered the proposed increase to be reasonable, they were nonetheless unhappy about it.

4.6 In addition to many of the comments already summarised, respondents who said that they were unsure about the proposed increase frequently said that whilst they considered the increase understandable, they were nonetheless concerned should such increases become a regular occurrence. Across responses to this question and to the other consultation questions, a minority suggested that any increase should be phased over a number of years.

## **Q2. Do you agree that the scrutiny fee for applicants from approved programmes should increase from £56 to £63?**

### **Summary**

- 4.7 70 per cent of respondents disagreed with the proposed increase. 15 per cent agreed and 15 per cent were unsure.
- 4.8 There was a significant difference between the responses we received from organisations and those of individuals. 79 per cent of organisation responses disagreed with the proposed increase, while only 69 per cent of individuals disagreed.

### **Comments**

- 4.9 The following comments were frequently made by respondents who said that they disagreed with the proposed increase. Many of the comments echoed the arguments made against the proposed increase in the renewal fee.
- The proposed level of increase is too high and unreasonable. The existing level of the fee is also too high and unreasonable.
  - Students graduate with significant levels of debt from their training and often find it hard to get jobs in the current climate. If they do find jobs, this is in the context of below inflation pay increases and low starting salaries. In this context, the proposed increase is deeply unfair.
  - There is insufficient information about the costs that are involved in scrutinising applications, or why scrutiny is required at all. A number of respondents questioned that there was much resource or cost involved in looking at application forms.
  - A breakdown of the costs involved should be provided, including information about what has changed to the process to justify the level of increase which is being proposed.
  - The HCPC should not be involved in scrutinising university programmes and/or its process of approval does not add value – scrutiny should be left to the professional bodies and to the universities themselves.
  - Education providers should pay for the cost of approval of programmes.
  - An inflation-linked increase to the scrutiny fee is all that can be reasonably justified.
- 4.10 Respondents who indicated that they agreed with the proposed increases generally referred back to their response to question one. Some said that fees for newly qualified professionals should be kept as low as possible and that the 50 per cent discount on the renewal fee should be maintained.

4.11 In addition to the comments already summarised, respondents who said that they were unsure frequently said that the scrutiny fee was a one off fee and therefore increasing it was more acceptable than increasing the renewal fee paid by all registrants. Some of these respondents said that they did not have a view because the fee did not directly affect them.

### **Q3. Do you agree that the readmission fee should increase from £200 to £225?**

#### **Summary**

- 4.12 66 per cent of respondents disagreed with the proposed increase. 23 per cent agreed and 11 per cent were unsure.
- 4.13 There was no significant difference between individual or organisation responses to this question.

#### **Comments**

- 4.14 The following comments were frequently made by respondents who said that they disagreed with the proposed increase. Many of the comments echoed the arguments made against the proposed increase in the renewal fee.
- The proposed level of increase is excessive and unreasonable, particularly given below inflation pay increases of around 1 per cent for many staff. The existing level of the fee is also excessive and unreasonable. Words frequently used to describe the proposed increase included 'unfair', 'prohibitive' and 'disproportionate'.
  - The increased fee would act as a barrier, deterring and discouraging individuals seeking to return to practice from doing so. Respondents said that returners to practice should be encouraged, particularly given national shortages in some professions.
  - Registrants take career breaks for a number of reasons including because of illness and child care commitments and it is unfair to penalise them.
  - There is insufficient information about the costs that are involved in scrutinising applications for readmission, nor as to why scrutiny is required at all. Many respondents considered that the administration involved in processing an application for readmission was likely to be minimal.
  - A breakdown of the costs involved should be provided, including information about how costs have increased such that the proposed increase could be justified.
- 4.15 The following comments were frequently made by respondents who said that they agreed with the proposed increase.
- The level of proposed increase is reasonable and would cover the extra administration, scrutiny and costs involved in re-registering.
  - This is a one off fee which impacts a small minority of people who have voluntarily de-registered.

- Increasing this fee is more preferable to increasing the renewal fee paid by all registrants.

4.16 Respondents who said that they were unsure about the proposed increase made similar comments to those who said that they disagreed. In addition, some said that the level of increase should be lower or that other arrangements should be considered, such as incremental increases dependent on the length of time off the Register.

#### **Q4. Do you agree that the restoration fee should increase from £200 to £585?**

##### **Summary**

- 4.17 47 per cent of all respondents disagreed with the proposed increase. 35 per cent agreed and 18 per cent were unsure.
- 4.18 There was little difference in the way this question was answered by organisations and individuals.

##### **Comments**

- 4.19 The following comments were frequently made by respondents who said that they disagreed with the proposed increase.
- The proposed increase was much larger than that proposed for other fee types (193 per cent). The proposed increase is unfair, excessive and unjustifiable. Words frequently used to describe the proposed level of increase included 'outrageous', 'discriminatory' and 'ridiculous'.
  - The proposed level of increase would amount to punishing someone twice when they had already suffered financially as a result of being struck off and therefore had been unable to work. It would deter someone who had been rehabilitated from applying to be registered again.
  - Some respondents asked what had changed to the costs involved to justify the level of increase that was being proposed or queried that there were any significant costs involved at all.
  - A small number of respondents said that the level of fee that should be charged may vary dependent on the reasons for the person being struck-off or if they were a 'first time' or 'repeat offender'.
- 4.20 The following comments were frequently made by respondents who said that they agreed with the proposed increase.
- It is fair to penalise or punish those who have been previously struck off by requiring them to pay a higher fee.
  - An increased fee would have a deterrent effect – either by deterring poor practice or conduct leading to striking off, or in deterring the struck off person from seeking to be restored to the Register.
  - The proposed increase would affect very few people and an increase to this fee was more acceptable than to other fees paid by all registrants.
  - An increase to the fee would reflect the high level of scrutiny necessary when considering whether someone previously struck off was suitable to be registered again. Some suggested that the fee should be higher.

- Some respondents said that someone struck off should never be able to reapply for registration or said they had not realised that someone struck off could be registered again.

4.21 Respondents who said that they were unsure about the proposed increase made similar comments to those who said that they disagreed, frequently saying that they were concerned about the potential punitive effect. A small number of respondents noted the limited number of restoration applications in any event (and therefore that the income from any increase was likely to be very small).

## **Q5. Do you agree that the scrutiny fee for international and EEA applications should increase from £440 to £495?**

### **Summary**

- 4.22 48 per cent of all respondents agreed with the proposed increase. 36 per cent disagreed and 16 per cent were unsure.
- 4.23 There was little difference in the way this question was answered by organisations and individuals.

### **Comments**

- 4.24 The following comments were frequently made by respondents who said that they agreed with the proposed increase.
- The increase was appropriate as scrutiny of international and EEA applicants was important to ensure that professional standards were met. The process is more involved and lengthier than compared to other registration processes.
  - The fee should be increased further because it costs significantly more (figures of £1000 and £1500 were quoted) to become registered in other countries, including in Australia, Canada and the USA.
  - The increase was needed and/or should be higher, because there are already incompetent people registered by the HCPC from elsewhere in the world who are not fit to practise and/or who apply for jobs for which their English language ability or experience makes them unsuitable. Increasing the fee would allow scrutiny levels to be improved.
  - The scrutiny fee should be increased further so that renewal fees for registrants can be kept lower.
- 4.25 The following comments were frequently made by respondents who said that they disagreed with the proposed increase. Some respondents also echoed comments summarised elsewhere about the level of increase proposed to all fee types.
- The proposed level of increase would be a barrier or deterrent to internationally trained health and care professionals, who are particularly vital in some professions where there are workforce shortages.
  - The level of the fee now, and as proposed, is / would be discriminatory against overseas professionals compared to UK citizens.
  - The fee should be higher because it costs significantly more to become registered in other countries, including in Australia, Canada and the USA and/or because this would mean that renewal fees could be reduced or increased less.

- Some respondents asked about the level of scrutiny involved, asking exactly what work the HCPC carried out in this area.

4.26 Respondents who said that they were unsure were particularly concerned about the fee being a barrier to internationally trained health and care professionals working in the UK. Others said that this fee would not affect them or they did not understand enough about the international registration process and therefore did not have an opinion on this proposal.

## **Q6. Do you agree that the scrutiny fee for grandparenting applications should increase from £440 to £495?**

### **Summary**

- 4.27 38 per cent of respondents disagreed with the proposed increase. 36 per cent agreed and 26 per cent were unsure.
- 4.28 There was a significant difference between the responses we received from organisations and those of individuals. 48 per cent of organisation responses disagreed with the proposed increase, while only 38 per cent of individuals disagreed.

### **Comments**

- 4.29 Respondents who said that they disagreed with the proposal often did so by saying that they disagreed generally with the increases to the fees proposed in the consultation and therefore disagreed with the proposal to increase this fee as well. Specific comments made about the grandparenting fee included the following.
- The proposed increase would be discouraging of grandparenting applicants.
  - It is unclear what is involved in the scrutiny of grandparenting applicants to justify why the fee is higher than the scrutiny fees for applicants from approved programmes or applicants for readmission.
  - Grandparenting should not exist; completing an approved programme should always be required.
- 4.30 Amongst those who agreed with the proposed increase to this fee, relatively few made specific comments, with some referring back to their answer to question five. Many of the comments made were very similar to those who said that they were unsure. The following comments were made by these respondents.
- The level of proposed increase is reasonable and acceptable, particularly given the need for proper scrutiny.
  - The level of proposed increase is too high; should be no higher than the readmission fee; or should be higher to reflect the level of scrutiny involved.
  - The fee is one-off and it is more acceptable to increase fees of this type than to increase fees paid by all registrants.
  - Grandparenting should not exist; completing an approved programme should always be required.
  - Some respondents queried why this fee was going up or had even been mentioned in the consultation when no professions were currently undergoing grandparenting.

- A large number of respondents either said that the fee did not affect them, that they had not previously heard of grandparenting, and/or that they did not know enough about the process involved, and therefore did not have any comments to make.

## **Q7. Do you agree that in future we should no longer be required to issue registration certificates?**

### **Summary**

- 4.31 61 per cent of all respondents agreed with the proposal. 31 per cent of respondents disagreed and 9 per cent were unsure.
- 4.32 There was little difference in the way this question was answered by organisations and individuals.

### **Comments**

- 4.33 The following comments were frequently made by respondents who said that they agreed with the proposal.
- Not sending out registration certificates would save paper, resources and money (which might help the HCPC avoid increases in fees).
  - Paper certificates are obsolete – they are unnecessary, no longer requested by employers and often lost or not looked at by registrants.
  - Being able to download an electronic certificate and/or having an acknowledgement of registration by email would be sufficient.
- 4.34 The following comments were frequently made by respondents who said that they disagreed with the proposal.
- A paper certificate was important proof of registration which should be used in conjunction with the online register, but which should not be replaced by it.
  - The paper certificate was a marker of achievement and professionalism and should be retained.
  - Being able to display an official certificate was important for public reassurance and confidence.
  - The paper certificate was often requested as proof of registration by employers – during interviews or at the commencement of employment – or by other organisations such as insurers.
  - A paper certificate is the only benefit of registration and is the least to be expected for the cost of the registration fee.
  - If paper certificates were no longer to be sent, this should mean that the renewal fee should not go up or should be reduced.
  - Some alternatives were suggested – including retaining the registration ‘ID style’ card but adding a photograph and making it smaller; retaining the paper

certificate but removing the card; and issuing a paper certificate but only on first registration.

- 4.35 Respondents who said that were unsure made similar comments to those who disagreed. Respondents frequently said that it was important that registrants should be able to choose whether to receive a paper certificate.

## **Q8. Do you agree that in future registrants should be able to request to receive communication about their renewal electronically?**

### **Summary**

- 4.36 92 per cent of all respondents agreed with the proposal. 5 per cent of respondents disagreed and 3 per cent were unsure.
- 4.37 There was little difference in the way this question was answered by organisations and individuals.

### **Comments**

- 4.38 The following comments were frequently made by respondents who said that they agreed with the proposal.
- Sending electronic reminders would save paper, resources and money (which might help the HCPC avoid increases in fees).
  - Receiving information by paper should continue to be an option. (Most respondents did not appear to support making electronic-only communication mandatory.)
- 4.39 The following comments were frequently made by respondents who disagreed with the proposal.
- Paper reminders should be retained, in addition to electronic reminders being sent.
  - Electronic only reminders would increase the risk of registrants lapsing from the Register unnecessarily.
  - Sending reminders by post avoids problems when registrants do not update their email addresses – for example, if they change jobs.
  - Emails can sometimes be missed, for example, because they are delivered into spam folders.
  - Some registrants (for example, those in remote areas) have limited access to the internet.
- 4.40 Respondents who said that they were unsure, generally said that they thought paper reminders should also be sent, either routinely, or if a registrant did not respond to a first reminder by email. A small number were concerned about emails being delivered to spam folders or email addresses becoming obsolete. A small number of others suggested reminders should also be sent by text message.

## **Q9. Do you agree that in future registrants should be able to pay their registration fee by direct debit more frequently?**

### **Summary**

- 4.41 91 per cent of all respondents agreed with the proposal. 3 per cent disagreed and 6 per cent were unsure.
- 4.42 There was little difference in the way this question was answered by organisations and individuals.

### **Comments**

- 4.43 The following comments were frequently made by respondents who said that they agreed with the proposal.
- Monthly direct debit would be preferable, allowing registrants to spread their payments and budget more effectively.
  - Moving to monthly payments was long overdue and would bring the HCPC in line with professional bodies and with other organisations.
  - It was important that there was no additional fee or charge if a registrant chose to pay monthly.
  - The ability to pay more frequently should only be introduced if this did not increase costs and therefore add to the fees paid by registrants (a point made by some registrants who said that they were 'unsure').
- 4.44 The following comments were made by respondents who said that they disagreed with the proposal.
- Monthly direct debits would add to administration costs and therefore add pressure to registration fees.
  - The existing system of six-monthly direct debits is already sufficient in allowing registrants to spread the cost of registration.
  - This proposal would not be necessary if fee levels were kept to a more reasonable level.
- 4.45 Most of those who said they were unsure about this proposal either did so because they had no real preference; they thought the benefit to registrants would be negligible; or because they wanted flexibility in the payment options available – including payment by direct debit monthly, six-monthly (as now), yearly, and every two years.

**Q10. Do you have any further comments on our proposals?**

- 4.46 Very few registrants responded to this question. The comments that were made in response to this question have been reflected elsewhere in this document.
- 4.47 Across the consultation questions, a minority of respondents commented that they had found out about the consultation via their professional body and that it should have been publicised more widely, for example, by sending an email or letter to every registrant.
- 4.48 A minority of organisational respondents were critical in their responses that we had consulted for six weeks, over two bank holidays and during a period in which Parliament had been dissolved for a general election.

## 5. Our comments and decisions

- 5.1 The following section sets out our response to the range of comments we have received to the consultation. We have not responded to every individual comment, but grouped the comments we received into themes and discussed our comments and decisions in response.
- 5.2 A summary of our decisions following the consultation are set out at the end of this section.

### Increasing the renewal fee

- 5.3 We have decided, reluctantly, to increase the renewal fee in line with the proposal set out in the consultation document.
- 5.4 A very large majority of respondents disagreed with our proposal to increase the renewal fee. We are sensitive to the concerns of respondents who said that the increase was unfair because the fees had only recently been increased and because this came at a time when many registrants had experienced negligible increases in their pay. However, as a self-financing regulator we do not receive any ongoing funding from other sources and we have to balance the opposition to our proposals against the need to ensure that we can be financially sustainable over the medium to long term and are able to meet the expectations that registrants and the public place on us to be an effective regulator. We have therefore, reluctantly, decided to increase the fee as proposed.
- 5.5 Following a previous consultation on the fees, we agreed that we would normally review our fees every two years. This was as a result of feedback which said that registrants would prefer smaller, more regular increases than larger, unplanned increases. The fees last increased from 1 April 2014, having remained at the same level since 2009. When this decision was made we did not make a formal commitment to keep the fees at that level for two years, but given our previous decision, we would have normally anticipated giving consideration to increasing the fees again, if necessary, from April 2016.
- 5.6 However, we also need to keep our fees under regular ongoing review so that we can respond to unexpected demands on our finances and resources, including any increases in the volume of our regulatory activities. The current proposals – including our decision to formally review and consult on an increase to the fees earlier than we would have anticipated – have been heavily influenced by the decision of the Government to pass on the cost of the Professional Standards Authority (PSA) to the regulators on the basis of the number of registrants.
- 5.7 We agree with respondents to the consultation who said that they considered it unfair that our registrants have to pay for the PSA. Whilst the Government's decision to change the funding arrangements for the PSA was made some time ago, there has been considerable ambiguity since then about the method by which this would be calculated. We had been hopeful that the method chosen would be based on the regulators' incomes or on a combination of income and

registrant numbers and therefore that the impact on our finances and on registrants' fees would be considerably less. We are very disappointed by the decision to apportion the PSA fee based on registrant numbers as this unfairly and perversely penalises us for keeping registration fees relatively low in comparison to the other regulators. As a result, we have little choice but to take prompt action to pass this extra cost on to our registrants by increasing the renewal fee.

- 5.8 Some respondents pointed out that less than a third of the proposed increase was as a result of the PSA fee. This is true in that the anticipated initial rate for the PSA fee amounts to approximately £3 per registrant. However, in calculating the proposed increase we have to bear a number of factors in mind. The first is that the level of the PSA fee that we will be charged has yet to be formally set and there is considerable uncertainty as to its level in future years. The second is that, as any increase to fees for existing registrants is paid at renewal and we register each profession in two yearly cycles, it will take a full two years before we are able to realise the full benefit of any increase to the fees. Any time there is a significant change in our cost drivers we have to consider its impact both in the short term and on our financial sustainability over the longer term. In determining our budget forecasts for future years and therefore the level of our fees, we have to make careful assumptions about our costs and our activity levels, for example, the volume of fitness to practise cases we handle. These forecasts have indicated that despite any surpluses in previous years (some respondents drew attention to an operational surplus in the 2013-14 financial year), without increasing our fees, we would make operating deficits in 2015-16 and 2016-17, which would be unsustainable.
- 5.9 The remainder of the increase is to pay for the developments outlined in the consultation document. We have been mindful of the feedback we have received in recent years about the way in which we run fitness to practise hearings. We also need to invest in essential IT systems. The additional income will allow us to make improvements in both of these areas, which will be important in helping us to maintain and improve efficiencies and contain any future increases in the fees over the longer term.
- 5.10 We agree with respondents who said that it was important that the HCPC was working to be as efficient as possible. Once the increase is implemented, we will continue to have the lowest fee of all the other regulators. However, we are not complacent and we are still committed to ensuring that we are as efficient and effective as possible in order to keep fee levels as low as possible.
- 5.11 In summary, we view this rise in the renewal fee as a consequence of both planned improvements and developments beyond our control. We have not changed our ongoing commitment, whenever possible, to the principle of small, regular increases in the fees (where necessary).

## Increasing other fees

- 5.12 We have decided to increase the other fees we charge as proposed in the consultation document (with the exception of the restoration fee, see below), for the same reasons as for the renewal fee outlined above. We consider that it is proportionate to apply the same level of increase to all the other fee types. This is consistent with our principle of avoiding substantial cross-subsidisation between the different fees.
- 5.13 Some respondents asked about how the level of the different fees had been calculated. These fees were set in 2007 following a previous exercise undertaken on our behalf by our internal auditors to cost the different registration processes. Since then, these fees have increased in 2009 and 2014 by small amounts in line with inflation.
- 5.14 The scrutiny fee for applicants from approved programmes covers the administration costs involved, including a proportion of the salaries of employees involved in processing applications. This includes costs involved in handling applications where greater scrutiny is required, for example, when information is missing or where an applicant has declared a character matter which needs to be considered by a registration panel prior to a decision being made about registration. It also covers a proportion of the costs involved in visiting and approving education and training programmes to make sure that they meet our standards. In 2006, when we consulted on introducing this fee, the feedback we received was generally that it was fair that some of this cost should be passed on directly to applicants from approved programmes, with the remainder paid through the renewal fee.
- 5.15 The scrutiny fee for readmission covers the costs involved in processing these applications, which the previous costing exercise showed were higher than those associated with renewal. This is because we require more information including a character reference in order to readmit someone to the Register. We will continue not to charge the higher readmission fee to applicants who apply for readmission within a month of having lapsed from the Register. On rare occasions where we have made an error, we will not charge the higher readmission fee.
- 5.16 The scrutiny fee for international and EEA applicants is much higher because more work is involved. This group of applicants has not completed an approved programme. Each application is scrutinised on an individual basis by two registration assessors drawn from the relevant profession so the costs involved include paying these assessors for their work. The amount of information we need from these applicants is higher so the administration costs involved are higher. We undertake steps to check the identity and qualifications of applicants, including checking the authenticity of the documentation we receive.
- 5.17 Some respondents raised concerns about registrants registered via the international route to registration. We have not noticed any trends in our fitness to practise cases – registrants qualified from outside the UK are no more likely to appear before a panel. Some of the issues raised in the consultation appeared to be about registrants' suitability for particular roles rather than their suitability for

registration. However, if a registrant, employer or member of the public has a concern about the competence or conduct of any registrant we would encourage them to let us know by contacting our Fitness to Practise Department.

### **Restoration fee**

- 5.18 The consultation proposed increasing the restoration fee – paid by registrants who have previously been struck off and are re-registering - by 193 per cent from its current level of £200 to £585, inclusive of the first year of registration. This would have brought the fee in line with that proposed in the consultation for international and EEA applicants (i.e. £495 scrutiny fee plus £90 registration fee).
- 5.19 The restoration fee is currently set at the same level as the readmission fee. When we previously consulted on increases to this fee, some respondents argued that it should be higher than readmission, because the costs involved in considering applications to be registered again from individuals who were previously struck off would be much higher. These costs include those associated with convening a fitness to practise panel to consider the application and legal costs (and indeed are much higher than the level of fee we proposed in the consultation). We therefore proposed increasing this fee, to a level which was closer to the actual cost involved. The restoration fee can only be paid once a panel has decided that a person should be registered again. Just four registrants have been restored to the Register since 2011.
- 5.20 In the consultation our proposed increase to the fee was supported by a large number of respondents who argued that it was fair to punish or penalise someone who had been struck off. A majority, however, argued that it was wrong to do so. We have carefully considered the arguments made. We are very mindful of the principles by which we operate our fitness to practise process – those of rehabilitation and restoration. Punishment does not and should not play any part in that process and it is important that we do not imply that in any way in the fee we charge. We note also that although the current fee level does not reflect the costs involved, the number of applications involved is very small indeed, and it is not possible in any event for us to charge for applications for restoration which are turned down by a fitness to practise panel. As a result, we have decided to amend our original proposal. The restoration fee will be increased to £225, in line with the agreed increase to the readmission fee.

### **Grandparenting**

- 5.21 A number of respondents said that they did not know what grandparenting was. Others argued that grandparenting should not exist and an approved programme should always be required for registration.
- 5.22 A lack of understanding about grandparenting is very understandable as this route to registration is closed for all of the 16 professions we regulate and will not reopen for them.
- 5.23 Grandparenting is a time-limited and transitional route to registration. It is only open for a limited period after we begin to regulate a profession that has not

previously been subject to statutory regulation. Grandparenting recognises individuals who were lawfully practising their profession before it was regulated but who do not hold an approved programme. Applicants make individual applications to us which are scrutinised by registered professionals against clear criteria and standards, and decisions are made about whether we can register them. The level of scrutiny and cost involved is therefore similar to that of the international and EEA registration process.

- 5.24 Although grandparenting is closed for the existing professions, we need to set a grandparenting fee so that it can apply to any professions we regulate in the future that are new to statutory regulation.

### **Other changes**

- 5.25 There was majority support in the consultation for the other changes we proposed. These changes will allow us to operate more efficiently, save some costs (on an ongoing basis) and provide better customer service, but are not collectively sufficient to negate the need for the fee rises we have outlined
- 5.26 There was a small majority in support for our proposal about registration certificates. We have carefully considered the arguments and on balance have decided that in future we should have more flexibility not to issue hard copy certificates routinely. We will always confirm in writing or by email a registrant's registration information. We will not stop sending registrants paper certificates until we have introduced the facility for registrants to download their registration certificate from our online registration portal. The certificate can then be emailed or printed out and given to any employer or other organisation who requests it.
- 5.27 A large majority supported our proposal that in future registrants should be able to decide to receive communications about their registration renewal, including reminders to renew, electronically. Some respondents were keen to ensure that this was not compulsory but an option for a registrant. We anticipate in line with the findings of the consultation that many registrants would prefer to receive this information electronically, but those who do not will be able to continue to receive communication by post if they prefer.
- 5.28 A large majority supported our proposal that in future registrants should be able to pay by direct debit more frequently. Some were keen that this did not add to administration costs and that a range of options for payment should be available. We will aim to ensure that any administration costs as a result of the change, once introduced, are well managed (which we anticipate may in some areas be lower) and will consider the feedback we received about frequencies of payment as we develop our systems prior to implementation.

## Summary of our decisions

5.29 The following are the decisions we have made following the consultation.

- The renewal fee will increase to £90.
- The scrutiny fee for applications from applicants from approved programmes will increase to £63. Applicants from UK approved programmes applying within two years of their qualification will continue to receive a 50% discount on the cost of registration for the first two years of professional registration.
- The readmission fee will increase to £225. This fee includes the first year of registration. Applicants for readmission applying within one month of their removal from the Register will continue to only pay the registration fee.
- The restoration fee will increase to £225 (not £585 as originally proposed). This fee includes the first year of registration.
- The scrutiny fee for international and EEA applications will increase to £495. Where an application is successful, the registration fee is also payable.
- The scrutiny fee for grandparenting applications will increase to £495. Where an application is successful, the registration fee is also payable.<sup>2</sup>
- In future, we will not routinely issue printed registration certificates.
- In future, registrants will be able to decide to receive communications about their registration renewal, including reminders to renew, electronically.
- In future, registrants will be able to pay by direct debit more frequently than six-monthly.

5.30 We plan that the above will be effective from 1 August 2015. This is subject to parliamentary approval of the necessary amendments to the Health and Care Professions Council (Registration and Fees) Rules 2003.

5.31 Existing registrants would pay the renewal fee from their next renewal after 1 August 2015. This means that the new fee will be charged to registrants whose professions enter their renewal period after this date.

5.32 Dates when the new renewal fee would apply to existing registrants in each profession are given overleaf.

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<sup>2</sup> Please note, grandparenting is closed for the existing professions.

**Table 1: Dates when the proposed new renewal fee would apply to existing registrants in each profession\***

<b>Profession</b>	<b>Renewal period starts</b>
Occupational therapists	August 2015
Biomedical scientists	September 2015
Radiographers	December 2015
Physiotherapists	February 2016
Arts therapists	March 2016
Dietitians	April 2016
Chiropodists / Podiatrists	May 2016
Hearing aid dispensers	May 2016
Operating department practitioners	September 2016
Social Workers in England	September 2016
Practitioner psychologists	March 2017
Orthoptists	June 2017
Paramedics	June 2017
Clinical scientists	July 2017
Prosthetists / orthotists	July 2017
Speech and language therapists	July 2017

\*Subject to parliamentary approval of amendments to the Health and Care Professions Council (Registration and Fees) Rules 2003.

## 6. List of respondents

Below is a list of all the organisations that responded to the consultation.

Alliance of Private Sector Practitioners  
Allied Health Professions Federation  
Association for Perioperative Practice  
Association of Ambulance Chief Executives  
Aneurin Bevan University Health Board  
Betsi Cadwaladr University Health Board  
Blackpool Teaching Hospitals NHS Trust  
British Association of Art Therapists  
British Association of Prosthetists and Orthotists  
British Association of Social Workers (England)  
British Chiropody and Podiatry Association  
British Dietetic Association  
British and Irish Orthoptic Society  
British Society of Hearing Aid Audiologists  
British Society for Histocompatibility and Immunogenetics  
Calderdale and Huddersfield NHS Foundation Trust  
College of Paramedics  
Crosshouse Hospital, Kilmarnock  
Cwm Taf Community Health Council  
Dartford and Gravesham NHS Trust  
East Kent Hospitals University NHS Foundation Trust  
Federation of Clinical Scientists  
Guy's and St. Thomas' Hospital  
National Community Hearing Association  
NHS Greater Glasgow and Clyde  
North Devon Healthcare Trust  
North West Ambulance Service NHS Trust  
Poole Hospital Radiotherapy department  
Professional Association for Children's Guardians, Family Court Advisers and Independent Social Workers (Nagalro)  
Royal College of Surgeons of Edinburgh Faculty of Pre-Hospital Care – Paramedic Advisory Group  
Royal Marsden NHS Foundation Trust  
Salford Royal Foundation Trust  
Scottish Ambulance Service  
Society and College of Radiographers  
Society of Chiropodists and Podiatrists  
South Western Ambulance Service NHS Foundation Trust  
Southend University Hospital NHS Foundation Trust  
Staffordshire University  
State of Jersey – Occupational therapy department  
Unison  
Unite the Union  
University College Hospital  
University Hospitals Bristol NHS Foundation Trust  
University Hospitals of Morecambe Bay NHS Foundation Trust  
University of the West of England

Wakefield Council  
Whipps Cross University Hospital  
Winchester Podiatry  
Yorkshire Ambulance Service NHS Trust