

**Health Professions Council  
Conduct and Competence Committee – 15<sup>th</sup> February 2005**

**Issues Addressed by the Standards of Conduct Performance and Ethics**

**Executive Summary and Recommendations**

**Introduction**

At its meeting on 16<sup>th</sup> November 2004, the Conduct and Competence Committee asked the Executive to produce a report on the themes relating to Standards of Conduct Performance and Ethics that had been addressed by the Health Professions Council. Furthermore, rule 8(3)(a) of The Health Professions Council (Practice Committees) (Constitution) Rules Order of Council 2003 state that 'At least once in every year, a Practice Committee shall meet to review the allegations heard by the Committee during to the previous year. This information will be incorporated into the Fitness to Practice Annual report. To this end, the notices of decision and order which have been made by panels of the Conduct and Competence Committee are included as background information

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| <b>Profession</b>  | Occupational<br>Therapist | <b>Date of hearing</b> | 16 <sup>th</sup> October 2003 |
| <b>SCPE reference (if applicable)</b>  |                           |                        |                               |
| <b>Case summary</b><br>The registrant was cautioned as a result of her lack of competence, particularly in relation to manual handling |                           |                        |                               |
| <b>Notes</b><br>A competence case, the panel took into consideration the fact the registrant had taken steps to improve her skill base |                           |                        |                               |

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| <b>Profession</b>  | Occupational Therapist | <b>Date of hearing</b> | 31 <sup>st</sup> October 2003 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 13           |                        |                               |
| <b>Case summary</b>  |                        |                        |                               |
| The registrant worked whilst on sick leave from her trust. A caution was imposed by the panel              |                        |                        |                               |
| <b>Notes</b>   |                        |                        |                               |
| Registrant showed remorse for her actions and was not subject to any disciplinary proceedings by her trust |                        |                        |                               |

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| <b>Profession</b>  | Prosthetist and Orthotist | <b>Date of hearing</b> | 13 <sup>th</sup> November 2003 |
| <b>SCPE reference (if applicable)</b>  |                           |                        |                                |
| <b>Case summary</b>  |                           |                        |                                |
| The registrant had been convicted for indecent assault on a female patient. The registrant was struck off the register |                           |                        |                                |
| <b>Notes</b>   |                           |                        |                                |
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| <b>Profession</b>   | Clinical Scientist | <b>Date of hearing</b> | 17 <sup>th</sup> November 2003 |
| <b>SCPE reference (if applicable)</b>   |                    |                        |                                |
| <b>Case summary</b>   |                    |                        |                                |
| The registrant was convicted of 8 counts of dishonesty and was struck off the register. |                    |                        |                                |
| <b>Notes</b>  |                    |                        |                                |
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| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 28 <sup>th</sup> November 2003 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 10    |                        |                                |
| <p><b>Case summary</b></p> <p>The registrant had falsified an entry into a patient record and failed to record intervention in relation to a number of records. The panel imposed a conditions of practice order which involved the registrant having patient records signed off by a senior Physiotherapist</p> |                 |                        |                                |
| <p><b>Notes</b></p> <p>This case was reviewed in November and the panel further extended the period the conditions were applicable</p>   |                 |                        |                                |

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|---|-----------------|------------------------|-------------------------------|
| <b>Profession</b>   | Physiotherapist | <b>Date of hearing</b> | 4 <sup>th</sup> December 2003 |
| <b>SCPE reference (if applicable)</b>   |                 |                        |                               |
| <p><b>Case summary</b></p> <p>The registrant had conditions of practice imposed as a result of his general lack of competence. The conditions were that the registrant work as a junior physiotherapist for a year and undertake a return to work course.</p> |                 |                        |                               |
| <p><b>Notes</b></p> <p>The conditions were extended in November 2004 as the registrant had not had the opportunity to comply with the conditions</p>  |                 |                        |                               |

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| <b>Profession</b>   | Radiographer         | <b>Date of hearing</b> | 12 <sup>th</sup> December 2003 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 3, 13 & 14 |                        |                                |
| <p><b>Case summary</b></p> <p>The registrant was struck off as result of her misconduct in that she had forged references</p> |                      |                        |                                |
| <p><b>Notes</b></p>   |                      |                        |                                |

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|---|---------------------|------------------------|------------------------------|
| <b>Profession</b>   | Chiropodist         | <b>Date of hearing</b> | 7 <sup>th</sup> January 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 7, 10 ,11 |                        |                              |
| <b>Case summary</b><br>The registrant was suspended due to his lack of competence particularly relating to his communication skills. Record keeping and infection control |                     |                        |                              |
| <b>Notes</b><br>The suspension order was reviewed in December 2004 and further extended   |                     |                        |                              |

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| <b>Profession</b>  | Biomedical Scientist | <b>Date of hearing</b> | 3rd February 2004 |
| <b>SCPE reference (if applicable)</b>  |                      |                        |                   |
| <b>Case summary</b><br>The registrant was convicted of obtaining a pecuniary advantage by deception and was struck off the register. |                      |                        |                   |
| <b>Notes</b>   |                      |                        |                   |

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|---|-----------------|------------------------|-------------------------------|
| <b>Profession</b>   | Physiotherapist | <b>Date of hearing</b> | 4 <sup>th</sup> February 2004 |
| <b>SCPE reference (if applicable)</b>   |                 |                        |                               |
| <b>Case summary</b><br>The registrant was suspended due to his general lack of competence |                 |                        |                               |
| <b>Notes</b><br>The suspension order was further extended in January 2005                 |                 |                        |                               |

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| <b>Profession</b>   | Speech and Language Therapist | <b>Date of hearing</b> | 15 <sup>th</sup> -19 <sup>th</sup> March 2004 |
| <b>SCPE reference (if applicable)</b>   |                               |                        |   |
| <b>Case summary</b>   |                               |                        |   |
| The registrant's fitness to practise was found to be impaired due to lack of competence in his treatment of dysphagic patients. The panel imposed conditions which related to improving his competency in this area |                               |                        |   |
| <b>Notes</b>  |                               |                        |   |

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| <b>Profession</b>  | Chiropodist | <b>Date of hearing</b> | 25 <sup>th</sup> March 2004 |
| <b>SCPE reference (if applicable)</b>  |             |                        |                             |
| <b>Case summary</b>  |             |                        |                             |
| The registrant was struck off as a result of his conviction for harassment.  |             |                        |                             |
| <b>Notes</b>   |             |                        |                             |
| The panel felt that the conviction demonstrated a lack of judgement and behavioural norms expected of a professional person and registrant |             |                        |                             |

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| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 5 <sup>th</sup> April 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 4     |                        |                            |
| <b>Case summary</b>  |                 |                        |                            |
| The registrant was suspended as a result of a decision made by an overseas regulator. Furthermore, the registrant concerned did not declare this decision on his application for readmission to the register |                 |                        |                            |
| <b>Notes</b>   |                 |                        |                            |

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|--|-----------------|------------------------|----------------------------|
| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 5 <sup>th</sup> April 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 4     |                        |                            |
| <b>Case summary</b>  |                 |                        |                            |
| The panel found that the registrant's fitness to practise was impaired by reason of her misconduct in that she abused her professional position in Canada.. The registrant was struck off the register |                 |                        |                            |
| <b>Notes</b>   |                 |                        |                            |

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|---|----------------------|------------------------|-----------------------------|
| <b>Profession</b>   | Biomedical Scientist | <b>Date of hearing</b> | 16 <sup>th</sup> April 2004 |
| <b>SCPE reference (if applicable)</b>   |                      |                        |                             |
| <b>Case summary</b>   |                      |                        |                             |
| The registrant had been convicted of indecent assault on a female under the age of 14. The registrant was struck off the register |                      |                        |                             |
| <b>Notes</b>  |                      |                        |                             |
| An interim order had also been imposed in this matter   |                      |                        |                             |

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|---|----------------------|------------------------|---------------------------|
| <b>Profession</b>   | Radiographer         | <b>Date of hearing</b> | 8 <sup>th</sup> June 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 3, 13 & 14 |                        |                           |
| <b>Case summary</b>   |                      |                        |                           |
| The registrant made a false claim for payment. The panel felt that this was misconduct and that it impaired her fitness to practise. The registrant was suspended from the register |                      |                        |                           |
| <b>Notes</b>  |                      |                        |                           |
| The panel noted that the registrant showed remorse for her actions and that it was a first time offence   |                      |                        |                           |

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|--|-----------------|------------------------|----------------------------|
| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 16 <sup>th</sup> June 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 6     |                        |                            |
| <b>Case summary</b>  |                 |                        |                            |
| The registrant was suspended due to his misconduct in that he undertook cortisone injections without supervision |                 |                        |                            |
| <b>Notes</b>   |                 |                        |                            |

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|--|------------------------|------------------------|----------------------------|
| <b>Profession</b>  | Occupational Therapist | <b>Date of hearing</b> | 17 <sup>th</sup> June 2004 |
| <b>SCPE reference (if applicable)</b>  |                        |                        |                            |
| <b>Case summary</b>  |                        |                        |                            |
| The registrant was suspended as a result of her general lack of competence particularly in relation to the following:  |                        |                        |                            |
| <ul style="list-style-type: none"> <li>• Unacceptable standards of note taking</li> <li>• Failure to provided pre and post operative assessments</li> <li>• Unacceptable patient interventions</li> <li>• Deficiencies in workload planning</li> </ul> |                        |                        |                            |
| <b>Notes</b>   |                        |                        |                            |
| The panel felt that the registrants actions and omissions fell below the standards expected of a Registered Health Professional/   |                        |                        |                            |

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|---|----------------------|------------------------|----------------------------|
| <b>Profession</b>   | Biomedical Scientist | <b>Date of hearing</b> | 28 <sup>th</sup> June 2004 |
| <b>SCPE reference (if applicable)</b>   |                      |                        |                            |
| <b>Case summary</b>   |                      |                        |                            |
| The registrant was struck off as result of his convictions for 7 counts of false accounting   |                      |                        |                            |
| <b>Notes</b>  |                      |                        |                            |
| The panel felt that the conduct of the registrant was contrary to the HPC's standards of conduct performance and ethics, specifically in relation to the standards relating to personal conduct, honesty and integrity/ |                      |                        |                            |

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|---|--------------|------------------------|----------------------------|
| <b>Profession</b>   | Radiographer | <b>Date of hearing</b> | 28 <sup>th</sup> July 2004 |
| <b>SCPE reference (if applicable)</b>   |              |                        |                            |
| <b>Case summary</b>   |              |                        |                            |
| The registrant had been convicted of theft from he employer. The panel felt that this impaired her fitness to practise and imposed a caution order. |              |                        |                            |
| <b>Notes</b>  |              |                        |                            |
| The panel felt that the potential for repetition of these offences was remote/  |              |                        |                            |

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| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 3 <sup>rd</sup> August 2004 |
| <b>SCPE reference (if applicable)</b>  |                 |                        |                             |
| <b>Case summary</b>  |                 |                        |                             |
| The registrant was suspended as a result of his general lack of competence The panel felt that the Registrant failed to meet the standards expected of a basis grade physiotherapist over a prolonged period of time |                 |                        |                             |
| <b>Notes</b>   |                 |                        |                             |
| The panel felt that the registrants actions and omissions fell below the standards expected of a Registered Health Professional/   |                 |                        |                             |

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| <b>Profession</b>   | Dietitian   | <b>Date of hearing</b> | 2 <sup>nd</sup> and 3 <sup>rd</sup> September 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 6 |                        |  |
| <b>Case summary</b>   |             |                        |  |
| The registrant knowingly undertook two invasive procedures, for which he had received no training and for which he had no authorisation, without there being any valid reason for his doing so.. The panel found that this amounted to an impairment of fitness to practise and imposed conditions preventing him from working in clinical practise |             |                        |  |
| <b>Notes</b>  |             |                        |  |
| These conditions are being reviewed in February   |             |                        |  |



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| <b>Profession</b>  | Occupational Therapist | <b>Date of hearing</b> | 6 <sup>th</sup> September 2004 |
| <b>SCPE reference (if applicable)</b>  |                        |                        |                                |
| <b>Case summary</b><br>The registrant was convicted for perverting the course of justice and imposed a caution order |                        |                        |                                |
| <b>Notes</b>   |                        |                        |                                |

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|---|------------------------|------------------------|--------------------------------|
| <b>Profession</b>   | Occupational Therapist | <b>Date of hearing</b> | 7 <sup>th</sup> September 2004 |
| <b>SCPE reference (if applicable)</b>   |                        |                        |                                |
| <b>Case summary</b><br>The registrant fitness to practise was found to be impaired as a result of her lack of competence. The panel imposed conditions of practise which required her not to work in a Neurological Rehabilitation Unit |                        |                        |                                |
| <b>Notes</b>  |                        |                        |                                |

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|--|-----------------------|------------------------|---------------------------------|
| <b>Profession</b>  | Chiropodist           | <b>Date of hearing</b> | 30 <sup>th</sup> September 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 3,13, 14&16 |                        |                                 |
| <b>Case summary</b><br>The registrants fitness to practise was found to be impaired in that he falsely represented invoices. The registrant was struck off |                       |                        |                                 |
| <b>Notes</b><br>The panel specifically referred to the honesty and integrity expected of a health professional   |                       |                        |                                 |

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| <b>Profession</b>  | Chiropodist         | <b>Date of hearing</b> | 4 <sup>th</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 3,14 & 16 |                        |                              |
| <b>Case summary</b><br>The registrant was cautioned as a result of his conviction for failing to provide a specimen of breath and for his breach of a community rehabilitation order |                     |                        |                              |
| <b>Notes</b><br>The panel felt that he had clearly breached the duties of a registrant set out in paragraphs 3, 14 and 16 of the Standards of Conduct, Performance and Ethic         |                     |                        |                              |

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|---|-------------|------------------------|------------------------------|
| <b>Profession</b>   | Chiropodist | <b>Date of hearing</b> | 8 <sup>th</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 7 |                        |                              |
| <b>Case summary</b><br>The registrant concerned was found to have failed to communicate effectively with a patient. The panel imposed a conditions of practice order requiring him to attend a course to improve his communication skills |             |                        |                              |
| <b>Notes</b>  |             |                        |                              |

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| <b>Profession</b>   | Biomedical Scientist | <b>Date of hearing</b> | 11 <sup>th</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 1,3 and 13 |                        |                               |
| <b>Case summary</b><br>The registrant was found to have consumed alcohol whilst at work. The panel felt that the registrant's fitness to practise was impaired by reason of his misconduct. The registrant was struck off the register. |                      |                        |                               |
| <b>Notes</b>  |                      |                        |                               |

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| <b>Profession</b>   | Occupational Therapist | <b>Date of hearing</b> | 18 <sup>th</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 3,14 &16     |                        |                               |
| <p><b>Case summary</b><br/>The registrant exchanged a trust digital camera for an inferior one and then sought to cover his tracks. The registrant was struck off the register.</p> |                        |                        |                               |
| <p><b>Notes</b><br/>The panel felt that the registrant had breached a variety of Standards</p>  |                        |                        |                               |

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| <b>Profession</b>  | Radiographer | <b>Date of hearing</b> | 21 <sup>st</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 14 |                        |                               |
| <p><b>Case summary</b><br/>The registrant provided false information on his application form. The registrant was suspended from the register</p> |              |                        |                               |
| <p><b>Notes</b><br/>The panel felt that the registrant had breached item 14 of HPC's Standards of Conduct, Performance and Ethics.</p>           |              |                        |                               |

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|--|------------------------|------------------------|-------------------------------|
| <b>Profession</b>  | Occupational Therapist | <b>Date of hearing</b> | 27 <sup>th</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 3, 13 & 16   |                        |                               |
| <p><b>Case summary</b><br/>The registrant fitness to practise was found to be impaired as a result of her misconduct in that she was intoxicated whilst on duty. The panel directed the Registrar to strike her name from the register</p> |                        |                        |                               |
| <p><b>Notes</b></p>  |                        |                        |                               |

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| <b>Profession</b>  | Occupational Therapist | <b>Date of hearing</b> | 28 <sup>th</sup> October 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 7 & 10       |                        |                               |
| <b>Case summary</b><br>The registrant was struck off due to her failure to return patient files                              |                        |                        |                               |
| <b>Notes</b><br>The panel felt that this failure created the substantial risk that patient confidentiality would be breached |                        |                        |                               |

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|--|-----------------|------------------------|-------------------------------|
| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 1 <sup>st</sup> November 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 2     |                        |                               |
| <b>Case summary</b><br>The registrant used patient details from her former employer when she changed her employment. The patient felt that this conduct demonstrated a lack of understanding of the need for patient confidentiality and she was suspended from the register |                 |                        |                               |
| <b>Notes</b>   |                 |                        |                               |

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|---|-----------------|------------------------|-------------------------------|
| <b>Profession</b>   | Physiotherapist | <b>Date of hearing</b> | 3 <sup>rd</sup> November 2004 |
| <b>SCPE reference (if applicable)</b>   |                 |                        |                               |
| <b>Case summary</b><br>The registrant was suspended as a result of his general lack of competence |                 |                        |                               |
| <b>Notes</b>  |                 |                        |                               |

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|---|-----------------|------------------------|-------------------------------|
| <b>Profession</b>   | Physiotherapist | <b>Date of hearing</b> | 9 <sup>th</sup> November 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 10    |                        |                               |
| <b>Case summary</b><br>The registrant was deficient in his record keeping and this was found to impair his fitness to practise by reason of his lack of competence. The panel imposed conditions of practice requiring him to undertake a return to work course |                 |                        |                               |
| <b>Notes</b>  |                 |                        |                               |

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| <b>Profession</b>   | Paramedic | <b>Date of hearing</b> | 19 <sup>th</sup> November 2004 |
| <b>SCPE reference (if applicable)</b>   |           |                        |                                |
| <b>Case summary</b><br>The registrant failed to provide appropriate resuscitation. The panel felt that this impaired his fitness to practise through his lack of competence and suspended him from the register |           |                        |                                |
| <b>Notes</b>  |           |                        |                                |

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| <b>Profession</b>  | Paramedic | <b>Date of hearing</b> | 29 <sup>th</sup> November 2004 |
| <b>SCPE reference (if applicable)</b>  |           |                        |                                |
| <b>Case summary</b><br>The registrant was given a police caution for indecent exposure. The panel felt that this impaired his fitness to practise and imposed a caution order. |           |                        |                                |
| <b>Notes</b><br>The panel considered that there was a low risk of recurrence   |           |                        |                                |

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| <b>Profession</b>  | Biomedical Scientist | <b>Date of hearing</b> | 9 <sup>th</sup> December 2004 |
| <b>SCPE reference (if applicable)</b>  | Paragraph 3 & 16     |                        |                               |
| <b>Case summary</b><br>The registrant was convicted of common assault and criminal damage. The panel felt that this conviction impaired the registrant's fitness to practise and suspended the registrant for 6 months |                      |                        |                               |
| <b>Notes</b><br>The panel felt that this violence and assault demonstrated that the registrant had fallen below both standards 3 and 16  |                      |                        |                               |

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| <b>Profession</b>   | Biomedical Scientist | <b>Date of hearing</b> | 15 <sup>th</sup> December 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 1,3 & 9    |                        |                                |
| <p><b>Case summary</b><br/>The registrant was struck off the register as a result of his misconduct in that he removed urine samples without permission/</p>  |                      |                        |                                |
| <p><b>Notes</b><br/>The panel felt that the registrant had breached the Standard of Conduct, Performance and Ethics in as much as he did not have the approval of his managers, did not have the approval of the trust's ethics committee and did not have the consent of the patients for the use of the samples</p> |                      |                        |                                |

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| <b>Profession</b>  | Physiotherapist | <b>Date of hearing</b> | 7 <sup>th</sup> January 2004 |
| <b>SCPE reference (if applicable)</b>  |                 |                        |                              |
| <p><b>Case summary</b><br/>The registrant was convicted for endangering the safety of an aircraft. The panel felt that this impaired his fitness to practise and suspended him from the register</p> |                 |                        |                              |
| <p><b>Notes</b></p>  |                 |                        |                              |

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| <b>Profession</b>   | Physiotherapist | <b>Date of hearing</b> | 11 <sup>th</sup> January 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 6     |                        |                               |
| <p><b>Case summary</b><br/>The registrant mislead his employer about his ability to perform a certain role. The panel felt that this constituted an impairment to his practise and imposed a caution order.</p> |                 |                        |                               |
| <p><b>Notes</b></p>   |                 |                        |                               |

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| <b>Profession</b>   | Prosthetist and<br>Orthotist | <b>Date of hearing</b> | 17 <sup>th</sup> January 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 7                  |                        |                               |
| <b>Case summary</b><br>The registrant failed to communicate effectively with a patient. The panel imposed a caution order   |                              |                        |                               |
| <b>Notes</b>  |                              |                        |                               |
| <b>Profession</b>   | Biomedical Scientist         | <b>Date of hearing</b> | 20 <sup>th</sup> January 2004 |
| <b>SCPE reference (if applicable)</b>   |                              |                        |                               |
| <b>Case summary</b><br>The registrant's fitness to practise was found to be impaired as a result of his lack of competence. The conditions imposed required him to work within a defined area of practice.                        |                              |                        |                               |
| <b>Notes</b>  |                              |                        |                               |
| <b>Profession</b>   | Paramedic                    | <b>Date of hearing</b> | 27 <sup>th</sup> January 2004 |
| <b>SCPE reference (if applicable)</b>   | Paragraph 1, 3 & 16          |                        |                               |
| <b>Case summary</b><br>The registrant's fitness to practise was found to be impaired due to his attempted theft from a patient and that he searched a patient's property without justification. The panel imposed a caution order |                              |                        |                               |
| <b>Notes</b>  |                              |                        |                               |

### **Decision**

This paper is for information only. No decision is required.

### **Background information**

Standards of Conduct, Performance and Ethics

### **Resource implications**

None

**Financial implications**

None

**Background papers**

Notices of Decision and Order

**Appendices**





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