

Council, 18 September 2012

Authorisation and Nomination scheme

Executive summary and recommendations

Introduction

The Authorisation and Nomination Scheme sets out the employees within the organisation who are authorised and nominated by the Chief Executive to perform certain functions of the Chief Executive.

The Scheme is currently in effect, the Scheme is amended to reflect the change in name from the Health Professions Council to the Health and Care Professions Council.

Decision

The Council is requested to note the document. No decision is required.

Background information

None

Resource implications

None

Financial implications

None

Appendices

None

Date of paper

6 September 2012

AUTHORISATION AND NOMINATION SCHEME

Introduction

This Authorisation and Nomination Scheme (the **Scheme**) identifies those Health and Care Professions Council (**HCPC**) employees who have been:

- authorised to perform certain functions of the Chief Executive and Registrar (the **Chief Executive**) under the Health and Social Work Professions Order 2001 (the **Order**) and rules made under it; or
- nominated to perform certain functions of the Council or the Education and Training Committee under the Order which have been delegated to the Chief Executive and the Chief Executive's nominees.

Any function which a person is authorised or nominated to perform under this Scheme must be exercised:

- in good faith and for its proper purpose;
- in a manner which is consistent with the HCPC's obligations under the Order and the general law;
- subject to all relevant HCPC policies and procedures including, in particular and where appropriate:
 - following escalation procedures;
 - taking account of the recommendations of any assessors; and
 - having regard to any advice from the Council's legal advisers.

This Scheme has effect until it is amended or revoked by the Chief Executive, but the Chief Executive may at any time direct that the functions (or any of them) shall not be exercised by a particular person or in respect of a specified matter.

Access to and alteration of the Register

Rule 3(5) of the Health and Care Professions Council (Registration and Fees) Rules 2003 requires the Chief Executive to maintain the security of the HCPC Register. Only those authorised to do so in writing by the Chief Executive may amend the register or have access to information that is not included in its published version.

Consequently, separate and individual written authorisation from the Chief Executive is required before a person may amend the register or gain access to any version of it other than that which is available to the public. Nothing in this Scheme shall be taken, of itself, to authorise any person to make or amend any entry in the HCPC Register or gain access to the full version of the Register.

Interpretation

In this Scheme a reference to a “Registration Level” means:

- Registration Level 1 - Director of Operations;
- Registration Level 2 - Head of Registration;
- Registration Level 3 - Customer Services Manager;
- Registration Level 4 - Registration Team Leader;
- Registration Level 5 - Registration Adviser.

Authorisations and Nominations

| Relevant function | | Employee(s) authorised or nominated to exercise that function: |
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| <i>Authorisation in respect of Registrar’s functions under the Order:</i> | | |
| Art. 13A | Determining applications and making register entries in respect of European visiting professionals. | Registration Levels 1 to 5 |
| | Removing register entries in respect of persons who cease to be entitled to registration as visiting professionals. | Registration Levels 1 to 3 |
| <i>HCPC (Registration and Fees) Rules 2003: Authorisation in respect of Registrar’s functions:</i> | | |
| Rule 8 | Issuing or replacing registration certificates. | Registration Levels 1 to 5 |
| | Requiring the surrender of registration certificates. | Registration Levels 1 to 3 |
| Rule 11(2) | Issuing final notices where renewal fees are not paid and removing from the register persons who fail to make payment by the specified date. | Registration Levels 1 to 3 |
| Rule 12 | Removing from the register the name of a registrant who has requested to be deregistered. | Registration Levels 1 to 5 |
| Rule 13 | Issuing final notices to registrants at risk of lapsing and removing from the register persons whose registration has lapsed. | Registration Levels 1 to 3 |
| Rule 18 | Agreeing that a person may pay any registration fee, readmission fee, restoration fee or renewal fee in four six-monthly instalments by direct debit. | Registration Levels 1 to 5 |
| Rule 18 | Making a register entry once the first instalment of a fee has been paid by | Registration Levels 1 to 5 |

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| | agreed direct debit. | |
| Rule 18 | Issuing final notices to registrants for failing to make direct debit payments and removing from the register those who fail to make payment by the specified date. | Registration Levels 1 to 3 |
| <i>HCPC (Investigating Committee) (Procedure) Rules 2003: Authorisation in respect of Registrar's functions:</i> | | |
| Rule 6 | Acting on behalf of the Chief Executive in any register entry allegation case where the Registrar is made a party. | Registration Levels 1 to 3 |
| <i>HCPC (Registration Appeals) Rules 2003: Authorisation in respect of Registrar's functions:</i> | | |
| Rule 12(2) | Giving notice of the new date for a postponed appeal hearing | Head of Adjudication, Hearings or Scheduling Manager, Hearings or Scheduling Officers |
| <i>HCPC (Practice Committees and Miscellaneous Amendments) Rules 2009: Authorisation in respect of Registrar's functions:</i> | | |
| Rule 3(2) | Inviting panellists to participate in Practice Committee Panel proceedings | Head of Adjudication, Hearings or Scheduling Manager, Hearings or Scheduling Officers |
| <i>Council Scheme of Delegation: Nomination in respect of functions delegated to the Chief Executive and the Chief Executive's nominee:</i> | | |
| Para 4.1 | Determining registration applications (subject to any policies or procedures of the Council or the ETC). | Registration Levels 1 to 5 |
| Para 4.2 | Issuing certificates of competence under the Prescription Only Medicines (Human Use) Order 1997. | Registration Levels 1 to 5 |
| <i>ETC Scheme of Delegation: Nominations in respect of functions delegated to the Chief Executive and the Chief Executive's nominee:</i> | | |
| Para 5.1 | Determining registration admission applications, including whether the applicant meets approved qualification and health and character requirements. | Registration Levels 1 to 5 |
| | <i>BUT: in cases where any adverse finding has been made by Assessors.</i> | Registration Levels 1 to 3 |
| Para 5.2 | Determining registration renewal and readmission applications, including | Registration Levels 1 to 5 |

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| | whether the applicant meets any additional requirements required by Article 10 of the Order. | |
| | <i>BUT: in cases where any adverse finding has been made by Assessors.</i> | Registration Levels 1 to 3 |
| Para 5.3 | Determining registration applications made under Article 13 of the Order. | Registration Levels 1 to 5 |
| | <i>BUT: in cases where any adverse finding has been made by Assessors.</i> | Registration Levels 1 to 3 |
| Para 5.4 | Requiring a person to submit further evidence in respect of any application for admission or readmission to the register or renewal of registration. | Registration Levels 1 to 5 |
| Para 5.5 | Requiring a person to submit evidence of compliance with continuing professional development (CPD) standards made under Article 19(1) of the Order. | Registration Levels 1 to 3 |
| Para 5.6 | Removing a person from the register under Article 19(3) of the Order for failing to comply with CPD standards. | Registration Levels 1 to 3 |

Marc Seale
Chief Executive and Registrar
August 2012