

**Agenda Item 14**

**Enclosure 17**

**Health and Care Professions Council  
20 March 2019**

**HCPC registration fees – equality impact  
assessment**

**To note**

**From Katherine Timms, Head of Policy and  
Standards**

Council, 20 March 2019

HCPC registration fees – equality impact assessment

Executive summary and recommendations

### **Introduction**

At its meeting on 14 February 2019, Council considered the Executive's analysis of the responses to the 2018 fees consultation. At that meeting Council requested sight of the equality impact assessment the Executive was due to complete in this regard.

The draft equality impact assessment was circulated to Council in early March for comment.

### **Decision**

The Council is invited to note the final equality impact assessment attached at appendix 1.

### **Background information**

A copy of the consultation document can be found [here](#).

### **Resource implications**

- Taking forward issues arising from the equality impact assessment has been taken account in the Policy and Standards workplan for 2019-20.

### **Financial implications**

- There are no expected financial implications associated with this paper.

### **Appendices**

- Appendix 1: Fees equality impact assessment.

### **Date of paper**

11 March 2019

## Equality, Diversity and Inclusion Impact Assessment (EIA)

For background information on how to complete this form, read **Appendix 2**. Delete **guidance text** as you complete the form. Guidance text is suggested (not required) content.

### Section 1: Project / Policy overview

<b>Project / policy title:</b> Fee rise	
<b>Name of impact assessor:</b> Katherine Timms	<b>Date EIA agreed:</b> TBC

<p><b>What are the intended outcomes of this work?</b></p> <ul style="list-style-type: none"> <li>• Ensure the organisation is financially viable<sup>1</sup> and able to meet its statutory duty to protect the public.</li> <li>• Take forward work to:             <ul style="list-style-type: none"> <li>○ increase our efforts towards preventing problems arising in professional practise rather than taking action afterwards;</li> <li>○ improve our registration service by updating technology to meet modern-day registrant expectations; and</li> <li>○ improve the quality and timeliness of our fitness to practise performance.</li> </ul> </li> <li>• Investigate charging models and fees for quality assurance of education programmes.</li> <li>• Increase the fees we charge for registration.</li> <li>• Remove discounts for graduate applicants.</li> <li>• Regularly review our fees to avoid infrequent but larger increase in future.</li> </ul>
<p><b>Who will be affected?</b></p> <p>Registrants are likely to feel the most significant impact of this work. They will:</p> <ul style="list-style-type: none"> <li>• Be able to interact with us through improved technology.</li> <li>• Where relevant, feel the impact of improved quality and timeliness of fitness to practice processes.</li> <li>• Pay higher fees.</li> <li>• Experience more frequent, but smaller rises in their fees.</li> </ul>

<sup>1</sup> <https://www.hcpc-uk.org/globalassets/meetings-attachments3/council-meeting/2018/september/enc-08---5-year-plan/>

Service users will also feel the impacts of this work; benefiting from our prevention work and improved quality and timeliness of fitness to practice performance. Both these outputs will increase our public protection reach and impact.

Employers will feel the impact of our prevention work; receiving increased engagement and support.

Education providers may be impacted should we progress charging models and fees for quality assurance of education programmes. A separate equality impact assessment would be undertaken should introduce charging models.

## Section 2: Evidence and Engagement

Lack of data should not prevent a thorough EIA. Be proactive in seeking the information you need.

### What evidence have you considered towards this impact assessment?

- Public consultation, resulting in 2,349 responses. We asked respondents:

*“Do you consider there are any aspects of our proposals that could result in equality and diversity implications for groups or individuals based on one or more of the following protected characteristics, as defined by the Equality Act 2010 and equivalent Northern Irish legislation? (Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, religion and belief, Sex, Sexual orientation)”*

- House of Commons briefing paper ‘Women and the economy’<sup>2</sup> (March 2018).
- House of Commons Women and Equalities Committee report entitled ‘Fathers and the workplace’ (March 2018)<sup>3</sup>

### Have you engaged stakeholders in gathering or analysing this evidence?

In addition to our public consultation, our Chair and Chief Executive met with our stakeholders to discuss, in particular professional bodies and unions representing our registrants.

## Section 3: Analysis by equality group

The Equality and Human Rights Commission offers information on the [protected characteristics](#). Describe any impact to groups or individuals with the protected characteristics listed below that might result from the proposed project or policy. Draw upon evidence where relevant.

For all characteristics, consider **discrimination, victimisation, harassment and equality of opportunity** as well as issues highlighted in the guidance text.

<sup>2</sup> <http://researchbriefings.files.parliament.uk/documents/SN06838/SN06838.pdf>

<sup>3</sup> <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/358/358.pdf>

**Age** (includes children, young people and older people)

Many of the graduates applying to our Register for the first time are younger people, and so the increase in the scrutiny fee for applicants from approved programmes may impact this group.

Renewal fees are also proposed to increase in line with the increases to the scrutiny fee for applicants from approved programmes, and so we consider the overall impact of the proposed fee rises will be felt equally across different age groups. Scrutiny fees will inevitably be required to be set at a higher level than renewal fees given the work involved in processing an application for the first time.

**Disability** (includes physical and mental impairment. Remember 'invisible disabilities')

Online renewals may impact this group, where they have difficulties using computers or the web pages. To make the website easy to view, we have designed it in accordance with guidelines laid down by the Web Accessibility Initiative (WAI) and we strive, wherever possible, to conform to 'Double-A' standards. Should anyone require assistance in renewing online, reasonable adjustments will be made where appropriate, in line with the HCPC's reasonable adjustments policy.

Some consultation responses suggested that disabled registrants often work shorter hours, so fee rises may impact this group. We have not been able to evidence this, but have considered the impact nonetheless. However, the resources required to adjust fees according to salary would require significant investment.

**Gender reassignment** (consider that individuals at different stages of transition may have different needs)

No impacts are expected to arise from this work for this group.

**Marriage and civil partnerships** (includes same-sex unions)

No impacts are expected to arise from this work for this group.

**Pregnancy and maternity** (includes people who are pregnant, expecting a baby, up to 26 weeks post-natal or are breastfeeding)

An increase in the readmission fee may impact individuals who have come off the Register. This can include those taking a career break, those who have inadvertently come off the Register because they did not renew, and potentially those taking maternity or paternity leave.

The House of Commons Women and Equalities Committee report entitled 'Fathers and the workplace' (March 2018)<sup>4</sup> indicates that take-up for shared leave remains low, at under 10 percent. Therefore, if registrants come off the Register during periods of maternity or paternity leave, there may be an impact on women through raising the readmission fee. We are unable to assess the impact this may have on those taking maternity or paternity leave as we do not know the numbers of registrants who leave the Register during this time compared with those who remain Registered during maternity or paternity leave.

<sup>4</sup> <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/358/358.pdf>

We will commence a review of our returning to practice processes and guidance in 2019-20, and will consider how we might develop our understanding of this issue.

**Race** (includes race, colour, and nationality, citizenship, ethnic or national origins)

Given the diversity of international applicants, any rise in the international scrutiny fee may impact this group. It would not impact EU applicants.

International applicants who have not qualified through one of the HCPC's approved programmes and therefore require rigorous checks to ensure they have the appropriate skills, knowledge and experience to practise safely and effectively. Our statutory duty to protect the public requires us to undertake these checks, which will inevitably cost more than the checks undertaken for applicants who have qualified through an HCPC approved programme.

Applicants who have no UK nationality/citizenship, but have completed an approved UK programme would not be impacted by a rise in the international scrutiny fee.

**Religion or belief** (includes religious and philosophical beliefs, including lack of belief)

No impacts are expected to arise from this work for this group.

**Sex** (includes men and women)

A recent House of Commons briefing paper<sup>5</sup> (March 2018) highlighted that '42% of women in employment were working part-time compared to 13% of men'. As such, increased fees may impact women. The burden of fees is already higher for part-time workers due to their reduced earning ability and this remains the case with the proposed fee increases. The resources required to adjust fees according to mode of work would require significant investment.

The House of Commons briefing paper<sup>6</sup> indicates that at April 2017, 'the gender pay gap for median hourly pay excluding overtime was: 9.1% for full-time employees; -5.1% for part-time employees (meaning women earned more than men); and 18.4% for all employees. As such, increased fees may impact women in full time employment, and may impact men in part-time employment. The resources required to adjust fees according to salary level would require significant investment.

**Sexual orientation** (includes heterosexual, lesbian, gay, bi-sexual, queer and other orientations)

No impacts are expected to arise from this work for this group.

<sup>5</sup> <http://researchbriefings.files.parliament.uk/documents/SN06838/SN06838.pdf>

<sup>6</sup> <http://researchbriefings.files.parliament.uk/documents/SN06838/SN06838.pdf>

**Other identified groups**

Poverty is associated with a number of protected characteristics, and so an increase in fees would affect these group. Measuring and mitigating the impact on those experiencing poverty is challenging as we do not have access to data in this regard. However, by mitigating the impacts felt across each of the protected groups as far as possible, the impact on those experiencing poverty should be reduced.

**Four countries diversity**

No impacts are expected to arise from this work for this group.

## Section 4: Welsh Language Scheme

### How might this project / policy engage our commitments under the Welsh Language Scheme?

As any information published in this regard would be targeted at registrants, for the purpose of the Welsh Language Scheme (WLS)<sup>7</sup> this would be technical or specialised material aimed at professionals (see para 4.2 of the Scheme). We therefore do not need to translate any materials, but could provide a translation on request.

## Section 5: Summary of Analysis

### What is the overall impact of this work?

The groups who may be impacted by any fee rise include:

- Age (Younger registrants may be impacted by the increase in scrutiny fees for applicants from approved programmes, but this is mitigated by increases across other fees impacting other age groups in the same way.)
- Disability (Online renewals may impact this group but would be mitigated by reasonable adjustments. They may also be impacted if they are part-time workers, but this is a burden they face under the current model)
- Pregnancy and maternity (If individuals come off the Register for a period of maternity or paternity leave, and reapply afterwards, they may be impacted by the readmission fees. However, we have an obligation to ensure that those returning to practice are fit to practise in order to fulfil our statutory role to protect the public)
- Race (Given the diversity of international applicants, any rise in the international scrutiny fee may impact this group. However, rigorous checks of international applications are a requirement in order to fulfil our statutory function to protect the public.)
- Sex (Increased fees may impact women as a greater proportion are part-time workers, however, there may also be an impact on men who work part-time as compared with women who work part-time (see above for detail).)

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<sup>7</sup> <https://www.hcpc-uk.org/globalassets/about-us/governance/welsh-language-scheme.pdf>

## Section 6: Action plan

Summarise the key actions required to improve the project or policy plan based on any gaps, challenges and opportunities you have identified through this assessment. Include information about how you will monitor any impact on equality, diversity and inclusion.

### Summary of action plan

A detailed table is not considered to be required to set out the action plan. However, we propose undertaking the following actions in light of the findings of the impact assessment.

- We will take account of the issues highlighted in this impact assessment in developing our data and intelligence strategy.
- We will consider issues relating to maternity and paternity leave as part of the review of our returning to practice process and guidance.
- Once we have built up sufficient reserves to maintain cash flow, we will explore offering monthly direct debits to registrants to spread the cost of fees.

Below, explain how the action plan you have formed meets our public sector equality duty.

#### How will the project / policy eliminate discrimination, harassment and victimisation?

The project will not actively eliminate discrimination, harassment and victimisation.

#### How will the project / policy advance equality of opportunity?

The project will not actively advance equality of opportunity.

#### How will the project / policy promote good relations between groups?

The project will not actively promote good relations between groups.

## Appendix 2: About this form

### The Public Sector Equality Duty

The public sector equality duty (PSED) set out in the Equality Act 2010 requires that the HCPC must, in the exercise of its public functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

The Act does not specify how public authorities should analyse the effect of their new and existing policies and practices on equality, but doing so is an important aspect of complying with the PSED. This form is designed to help HCPC staff meet our equality duties under the Act.

To review the HCPC's 12 Equality, Diversity and Inclusion (EDI) objectives and how we are working to achieve them, please refer to our EDI Policy and current EDI Action Plan. You can find these in the [Publications](#) section of our website.

Should you have any queries or suggestions about this form, please contact the Policy and Standards team on 0207 840 9815 or [policy@hcpc-uk.org](mailto:policy@hcpc-uk.org). Your EDI Manager is Katherine Timms.

### How to complete this form

This form is intended for use in **new or major** projects or policies. It is structured to consider the 9 protected characteristics set out in the Equality Act 2010. It is therefore important that you complete every section of the form.

You should consider and document **positive and negative** impacts which might result from the proposed project or policy. Impacts might be **indirect**. If you consider that there will be **no impact** to groups or individuals with a particular protected characteristic, this **should still be documented**. The EDI impact assessment is not intended as a 'tick box' exercise. Instead, it offers a tool to help you embed equality, diversity and inclusion throughout your work planning and delivery. We encourage you to consult with colleagues, stakeholders and where possible, people with protected characteristics throughout this process.