

COMPANY AND BUSINESS NAMES

Introduction

Section 53 of the Companies Act 2006 prohibits the registration of a company by a name which, in the opinion of the Secretary of State, would constitute an offence. Consequently, Companies House will not permit a person to register a company (or limited liability partnership) name or use a business name which contains any reference to a title which is protected under the Health Professions Order 2001 (or a cognate expression) unless the applicant has first obtained a 'letter of non-objection' from the HCPC.

The titles which are protected under the Health Professions Order 2001 are:

Art psychotherapist	Occupational therapist
Art therapist	Operating department practitioner
Biomedical scientist	Orthoptist
Chiropodist	Orthotist
Clinical psychologist	Paramedic
Clinical scientist	Physical therapist
Counselling psychologist	Physiotherapist
Diagnostic radiographer	Podiatrist
Dietician	Practitioner psychologist
Dietitian	Prosthetist
Dramatherapist	Radiographer
Educational psychologist	Registered psychologist
Forensic psychologist	Speech and language therapist
Health psychologist	Speech therapist
Hearing aid dispenser	Sport and exercise psychologist
Music therapist	Therapeutic radiographer
Occupational psychologist	

Non-objection

In line with its statutory objective of protecting the public, the HCPC will only provide a letter of non-objection in respect of a company or business name if it is satisfied that the use of that name will not mislead anyone as to the nature of the company or business in question or any services it may offer.

Generally, the HCPC will not provide a letter of non-objection unless the services being provided by the entity in question are solely or predominantly provided by HCPC registrants from the relevant part of the register.

For example, a letter of non-objection would only be provided for the use of the name 'Anytown Physiotherapists' if that practice was to be operated and controlled by physiotherapists on the HCPC register. Similarly, the HCPC would object to the use of the word 'paramedic' in the name of a company or business which provides first aid services at public events unless those services are provided by paramedics.

In relation to representative or training organisations that wish to use a protected title in their name, the HCPC will need to be satisfied that membership of, or documents issued by, the organisation could not be used by unregistered persons to mislead the public. Normally this will require membership of the organisation or access to relevant training to be limited to registrants from the relevant part of the HCPC register.

Company and business names should also make clear the nature of the services being provided. For example, the HCPC would be unlikely to provide a letter of non-objection for a name such as 'Blankshire Chiropody Services' unless it was the name of a practice operated by a registered chiropodist/podiatrist. If, in fact, the business of the company is providing clinical supplies to chiropodists and podiatrists then the name should be one which makes its true nature much clearer, such as 'Blankshire Chiropody Supplies'.

Applications

Applications for a letter of non-objection must be made in writing and sent to:

secretariat@hcpc-uk.org
Secretariat
Health and Care Professions Council
Park House
184-186 Kennington Park Road
London SE11 4BU

The application must set out:

- the applicant's name, address and (if any) HCPC registration number;
- the proposed business or company name; and
- a description of the business activities which the company or business proposes to undertake.

Once an application has been received and assessed, the HCPC may require additional information or make further inquiries before deciding whether to issue a letter of non-objection.

The provision of a letter of non-objection by the HCPC is only a preliminary step and does not guarantee that a person will be permitted to use a particular company or business name. Ultimately, that is a decision for Companies House, acting on behalf of the Secretary of State.