

Consultation on revised standards of conduct, performance and ethics

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1. Introduction

- 1.1 We are the Health and Care Professions Council (HCPC). This consultation seeks the views of our stakeholders on draft revised Standards of conduct, performance and ethics ('the Standards').
- 1.2 In this document, you can find out information about the Standards, the changes we are proposing to the existing standards and how to respond to this consultation.
- 1.3 The draft standards for consultation are published alongside this document on our website. Communication accessible versions of this consultation document and the draft standards are also available. Please see: www.hcpc-uk.org/aboutus/consultations/
- 1.4 The consultation runs from **1 April 2015 to 26 June 2015**.

2. About the HCPC

- 2.1 We are a regulator and were set up to protect the public. To do this, we keep a register of professionals who meet our standards for their professional skills and behaviour. Individuals on our Register are called 'registrants'.
- 2.2 We currently regulate 16 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

3. About the Standards of conduct, performance and ethics

- 3.1 The Standards are the high level ethical standards we set for all the professionals we register. They set out in broad terms the behaviour we expect of our registrants. They need to reflect both public expectations of professionals and the high standards that professionals expect of each other.¹
- 3.2 The Standards are intended to provide a useful framework which can assist registrants in making ethical decisions.
- 3.3 We use the Standards in a number of ways.
- Our standards of education and training require education providers to ensure that the Standards are included in their curricula so that students and trainees understand what they mean for practice.
 - When someone applies for registration with us they are required to complete a declaration about their character and to declare any relevant information, including any criminal convictions or cautions. They are also required to declare that they have read and will meet the Standards when they are registered. If someone does declare any relevant information, we will decide, having regard to the Standards, whether we are able to register them.
 - The Standards are used in our fitness to practise process. Panels use the standards when deciding whether we need to take any action about a complaint to protect members of the public.

4. About the review

- 4.1 The Standards were last reviewed from 2006 and re-published in 2008. We started reviewing the Standards from late 2012. We wanted to make sure that the Standards continued to be fit for purpose, up-to-date and well understood by registrants and the public.
- 4.2 We undertook a range of activities to gather feedback about the existing standards and how we might improve them. They included the following.
- **Employers.** We held workshops at our events for employers.
 - **Panel chairs.** We carried out a survey of chairs of our fitness to practise panels, and employees in our Fitness to Practise Department, to find out about their experiences of using the Standards in their work.

¹ You can find the existing standards here:

www.hcpc-uk.org/aboutregistration/standards/standardsofconductperformanceandethics/

- **Registrants.** We worked with a market research agency, The Focus Group, who undertook interviews and focus groups for us with registrants. We also held a workshop with registrants at one of our ‘Meet the HCPC’ events.
- **Service users and carers.** We worked with Macmillan Cancer Support and Hearing Link to hold workshops with service users and carers. Connect, a charity which works with people with communication disabilities, carried out focus groups for us with service users and their carers about their expectations of health and care professionals and how accessible the Standards were. We also worked with Shaping our Lives, a service user led organisation. They carried out interviews and focus groups with service users in social care and their carers. They also worked with another organisation who looked at how accessible the Standards were to people with learning disabilities.²

4.3 In June 2014, we convened a working group, known as a Professional Liaison Group (PLG). The group helped us in putting together a revised set of the Standards for consultation.

4.4 The members of the group and their organisations are listed in appendix one.

4.5 We would like to thank all of those who helped us by giving us their time and input during the review.

5. About the draft revised standards

5.1 We have used the feedback we received to put together draft revised standards for consultation.

5.2 We have made a range of different changes to improve the content and accessibility of the Standards. We have outlined the main improvements we have made below.

Reporting concerns

5.3 We have created a dedicated standard about registrants reporting and escalating concerns that they might have about the safety and wellbeing of service users (standard 7).

5.4 We received a lot of feedback during the review about the importance that registrants should report concerns that they have about the safety and wellbeing of service users and take action to follow-up on their concerns wherever necessary.

5.5 There is already an expectation about raising concerns set out in the existing standards, but we wanted to strengthen this requirement and make our expectations as clear as possible. We have also proposed that as well as

² You can read the reports of the research we commissioned on our website here: www.hcpc-uk.org/publications/research/

raising concerns themselves, registrants should support others to raise concerns.

Being open when things go wrong ('candour')

- 5.6 The report of the Francis Inquiry proposed that health and care professionals should have a 'duty of candour'. This means that they should be open and honest with service users and their carers when something has gone wrong with the care, treatment or other services they have provided to them. The existing standards are consistent with the spirit of the 'duty of candour' but do not include a specific requirement about informing service users and their carers where mistakes or errors are made.
- 5.7 We have proposed a dedicated standard in this area (standard 8). Registrants would be expected to tell service users and carers when they become aware that something has gone wrong with the care, treatment or other services that they provide and to take action to put matters right wherever possible. They would also be required to consider making an apology and to make sure that the service user receives an explanation of what happened.
- 5.8 We have not used the term 'candour' because we heard during the review that the meaning of this term was not always well understood by our stakeholders, including registrants and service users and carers. Instead we have referred to registrants being 'open when things go wrong'. We have asked a consultation question about this proposed standard.

Structure and language of the standards

- 5.9 We have made substantial changes to the structure of the Standards to improve their accessibility.
- 5.10 The existing standards have 14 overarching standards with paragraphs underneath which set out additional standards in each area. The draft revised standards have ten overarching standards. We have then broken down the paragraphs into numbered statements and used sub-headings to group like standards together.
- 5.11 We have reordered the Standards so that they should now be more logically ordered. We have also tried to improve the language used in the Standards so that, as far as possible, they are easy to understand for both registrants and members of the public. We have reworded or removed some content where it is now out of date or covered in other publications.

Other changes

- 5.12 The following provides a brief summary (not exhaustive) of some of the other changes we have made.
- We have strengthened the expectations of registrants to treat service users and carers with respect by working in partnership with them to support informed decisions (1.1-1.3).

- The dedicated standard on consent in the existing standards has been removed and replaced with a standard under standard one (1.4). The new wording is intended to be applicable to all professions and inclusive of situations where consent may not apply in the same way, such as in emergency situations or where registrants are carrying out statutory work.
- We have been clearer about our expectations that registrants communicate appropriately and effectively, including by being polite and considerate with others (2.1-2.6) and in any use of social media and networking websites (2.7).
- The dedicated standards in the existing standards about dealing with the risks of infection and managing health conditions have been removed. We received feedback in the review that the existing standard about infection control was out of date and may not be relevant to all registrants. We have made sure that the principle – that registrants should manage risks to service users and others appropriately and make sure that their health does not adversely affect their practice – is adequately covered in the draft standards (standard 6).

5.13 If you are interested in finding out more about the changes we have made to the existing standards, we have published a more detailed commentary. You can find this alongside this consultation document on our website: www.hcpc-uk.org/aboutus/consultations/

6. Changes to other publications

- 6.1 Once the consultation has closed we will consider the feedback we received in finalising the standards. We expect that new standards will be in place in early 2016.
- 6.2 We will also make corresponding changes to other HCPC publications where they quote the Standards. For example, we will update the HCPC's 'Guidance on health and character'.
- 6.3 We also plan to revise the 'Guidance on conduct and ethics for students', which takes the Standards and explains what they mean for students and trainees on HCPC approved programmes. We will consult on these changes once the revised Standards have been agreed.

7. How to respond to the consultation

7.1 We welcome your comments on the draft revised standards. We have listed some questions to help you below. The questions are not designed to be exhaustive and we would welcome your comments on any aspect of the draft.

Q1. Do you think that the introduction clearly explains the role and purpose of the Standards for different groups who might be interested in them? How might we improve it?

Q2. Do you agree that the new structure is more accessible? If not, how could we improve it?

Q3. Do you agree with the proposed standard on being open when something goes wrong (standard 8)? If not, why not, or how could we improve it?

Q4. Do you have any comments on any of the other standards?

Q5. Do you think that any additional standards are necessary?

7.2 You can respond to this consultation in the following ways:

- By completing our easy-to-use online survey:

www.research.net/s/consultationonstandardsperformanceandethics

- By emailing us at: consultation@hcpc-uk.org.

- By writing to us at the following address:

Consultation on standards of conduct, performance and ethics
Policy and Standards Department
Health and Care Professions Council
Park House
184 Kennington Park Road
London
SE11 4BU
Fax: +44(0)20 7820 9684

7.3 Please note that we do not normally accept responses by telephone or in person. We normally ask that consultation responses are made in writing. However, if you are unable to respond in writing, please contact us on +44(0)20 7840 9815 to discuss any reasonable adjustments that would help you to respond.

7.4 Please complete the online survey or send us your response by **26 June 2015**.

7.5 **Please contact us to request a copy of this document in Welsh or in an alternative format.**

7.6 Once the consultation period is completed, we will analyse the responses we receive. We will then publish a document which summarises the comments we received and explains the decisions we have taken as a result. This will be published on our website.

Appendix 1

Members of the Professional Liaison Group (PLG) for the review of the Standards of conduct, performance and ethics

Name	Organisation / representing
Elaine Buckley	HCPC Council member (Chair of the PLG)
Mary Clark-Glass*	HCPC Council member
Sheila Drayton*	HCPC Council Member
Anna Gupta	Joint University Council Social Work Education Committee (JUCSWEC)
Dreengah Lyle	Carer
Steve McNeice	Service user
Henny Pearmain	Allied Health Professions Federation
Helga Pile	Unison
Nanik Pursani	Service user
Joy Tweed	HCPC Council member
Caroline Waterfield	NHS Employers
Steve Wordsworth**	College of Operating Department Practitioners

Please note

*Terms of office as Council members ended on 31 December 2014

**Appointed as a Council member from 1 January 2015

The content of this consultation, including any errors or omissions, remain our responsibility.