

Council, 26 March 2015

Consultation on HCPC registration fees

Executive summary and recommendations

### **Introduction**

The Council is invited to consider a proposal for increasing the HCPC's registration fees at this meeting. Any fee increase proposals are subject to public consultation.

The attached document is a draft consultation document setting out our proposals. If agreed by the Council, the consultation would run between 27 March 2015 and 6 May 2015. We would normally consult for 12 weeks but a shorter period is proposed because of the need to ensure that any changes to the fees are in place at the same time as the Regulations which will introduce the PSA fee come into effect.

The results of the consultation would be reported to the Education and Training Committee and the Council on 14 May 2015, with the intention (subject to the outcomes of the consultation and parliamentary approval of the Rules) for changes to become effective during July 2015.

In order to increase the fees, an amendment to the Registration and Fees (Order of Council) Rules 2003 is required (appended). These Rules have undergone initial scrutiny by Department of Health lawyers but this will be ongoing throughout and after the consultation process.

### **Decision**

The Council is invited to agree:

- the attached document (subject to any amendments as a result of its discussion on the fees proposal or on this paper and any minor editing amendments); and
- that a consultation should be held on proposals to increase the registration fees.

### **Background information**

Article 7(1) of the Health and Social Work Professions Order 2001 ('the Order') requires the Council to 'consult' the Education and Training Committee before making Rules about registration and the payment of fees.

Article 7(3) of the Order means that the Council is required to consult publicly before varying its fees. This includes 'consulting' the Education and Training Committee.

### **Resource implications**

- Amending the draft consultation document as necessary.

- Arranging for the launch of the consultation, including emailing the consultation list.
- Printing and sending hard copy consultation documents on request.
- Analysing the consultation responses and writing further Council papers for Committee and Council.

These resource implications are accounted for in Policy and Standards Department planning for 2015-2016.

### **Financial implications**

- None as a result of the consultation. There would be a small project cost of approximately £5,000 for configuration and testing of IT systems should changes to the fees be agreed.

### **Appendices**

The Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules Order of Council 2015 [DRAFT]

### **Date of paper**

17 March 2015

## Consultation on HCPC registration fees

A consultation seeking the views of stakeholders on proposals to increase the registration fees charged by the Health and Care Professions Council.

1. Introduction and summary .....	5
2. Summary of our proposals .....	9
3. Background to our proposals .....	10
4. Our proposals in detail – registration fees .....	17
5. Our proposals in detail - other changes to our Rules .....	22

DISCUSSION / APPROVAL - HCPC COUNCIL 26032015

# 1. Introduction and summary

- 1.1 We are the Health and Care Professions Council (HCPC). This consultation seeks the views of stakeholders on proposals to increase the fees we charge for registration.
- 1.2 We last increased our fees in April 2014. Since then the Government has consulted on how the Professional Standards Authority (PSA), which oversees the HCPC and the other eight independent UK statutory regulators of health and care professionals, will be funded in the future. They have decided that in future the PSA will be funded by the regulatory bodies based on the number of registrants each regulator has. The Government has now published the necessary legislation – The Professions Standards Authority for Health and Social Care (Fees) Regulations 2015 ('the Regulations') - and has said that it will start charging a fee to the regulators from 1 August 2015.
- 1.3 This announcement has prompted us to review our current fee levels earlier than we had anticipated. The fee payable to the PSA will increase our costs by approximately £1m per year. We also need to ensure that we can balance our budget over the medium term and that we continue to be able to function as an effective regulator.
- 1.4 We are proposing a £10 increase (an increase of 12.5 per cent) to the annual renewal fee. This increases the renewal fee from £80 to £90 per year. We are also proposing the same level of increase to most of the other fees we charge.
- 1.5 If the proposals outlined in this document were agreed, we plan that the fees would be increased by 1 August 2015 (subject to parliamentary approval of changes to our Rules). We would continue to have the lowest renewal fee of all the regulators of health and care professionals overseen by the PSA.
- 1.6 In addition to consulting on changes to our fees, we are also consulting on a small number of other changes to our statutory Rules which will enable us more flexibility in ensuring that we can operate as efficiently as possible.
- 1.7 Please note that social workers in Scotland, Wales and Northern Ireland are separately regulated in those countries and are unaffected by the proposals outlined in this document.
- 1.8 The consultation will run from **27 March 2015** to **6 May 2015**. We would normally consult for 12 weeks but are consulting for a shorter period as we need to ensure that any changes to our fees are in place at the same time as the Regulations referred to above come into force.

## About us

- 1.9 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'.
- 1.10 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

## About this document

- 1.11 This document is divided into five sections.
- Section one introduces the document.
  - Section two outlines our proposals.
  - Section three outlines background to our proposals.
  - Sections four and five describe our proposals in more detail.

## Consultation questions

1.12 We would welcome your response to our consultation and have listed some questions to help you. The questions are not designed to be exhaustive. We would welcome your comments on any aspect of our proposals.

1.13 The questions are included in section five of this document. However, they are also listed below.

Q1. Do you agree that the renewal fee should increase from £80 to £90?

Q2. Do you agree that the scrutiny fee for applicants from approved programmes should increase from £56 to £63?

Q3. Do you agree that the readmission fee should increase from £200 to £225?

Q4. Do you agree that the restoration fee should increase from £200 to £585?

Q5. Do you agree that the scrutiny fee for international and EEA applications should increase from £440 to £495?

Q6. Do you agree that the scrutiny fee for grandparenting applications should increase from £440 to £495?

Q7. Do you agree that in future we should no longer be required to issue registration certificates?

Q8. Do you agree that in future registrants should be able to request to receive communication about their renewal electronically?

Q9. Do you agree that in future registrants should be able to pay their registration fee via monthly direct debit?

Q10. Do you have any further comments on our proposals?

### How to respond to the consultation

1.14 You can respond to this consultation in the following ways.

- By completing our easy-to-use online survey:  
[\[link will appear here\]](#)
- By emailing us at: [consultation@hcpc-uk.org](mailto:consultation@hcpc-uk.org).
- By writing to us at the following address.

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

1.15 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.

1.16 Please complete the online survey or send us your response by **6 May 2015**.

- 1.17 **Please contact us to request a copy of this document in Welsh or in an alternative format.**
- 1.18 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.

DISCUSSION / APPROVAL - HCPC COUNCIL 26032015

## 2. Summary of our proposals

- 2.1 We propose to increase our registration fees as shown in the tables below. This includes the fees we charge for applications for registration which are known as ‘scrutiny fees’.
- 2.2 There are six different ‘routes to registration’ shown in each table. We charge different fees depending on how someone joins the Register. Please see section four for more information about the routes to registration and proposed increases to our fees.

**Table 1: Our existing fees<sup>1</sup>**

Route to registration	Scrutiny fee (£)	Registration fee (£)
Approved programme	56	40
Renewal	n/a	80
Readmission	n/a	200
Restoration	n/a	200
International / EEA	440	80
Grandparenting	440	80

**Table 2: Our proposed fees**

Route to registration	Scrutiny fee (£)	Increase (%)	Registration fee (£)	Increase (%)
Approved programme	63	12.5	45	12.5
Renewal	n/a	n/a	90	12.5
Readmission	n/a	n/a	225	12.5
Restoration	n/a	n/a	585	193
International / EEA	495	12.5	90	12.5
Grandparenting	495	12.5	90	12.5

### Notes to table

- ‘Approved programme’ means a UK programme of education and training that we approve so that someone successfully completing that programme is eligible to apply to us for registration. There is more information about this in paragraph 4.12.
- See paragraphs 4.21-4.23 for more information about proposed increase to the restoration fee. Percentage figure has been rounded.

<sup>1</sup> We have Rules which set out the detailed procedures and requirements for some of our functions, including registration and fees. In the Rules, the fees (apart from scrutiny fees) are set out for a two year registration cycle. However, we use annual figures in this document for clarity.



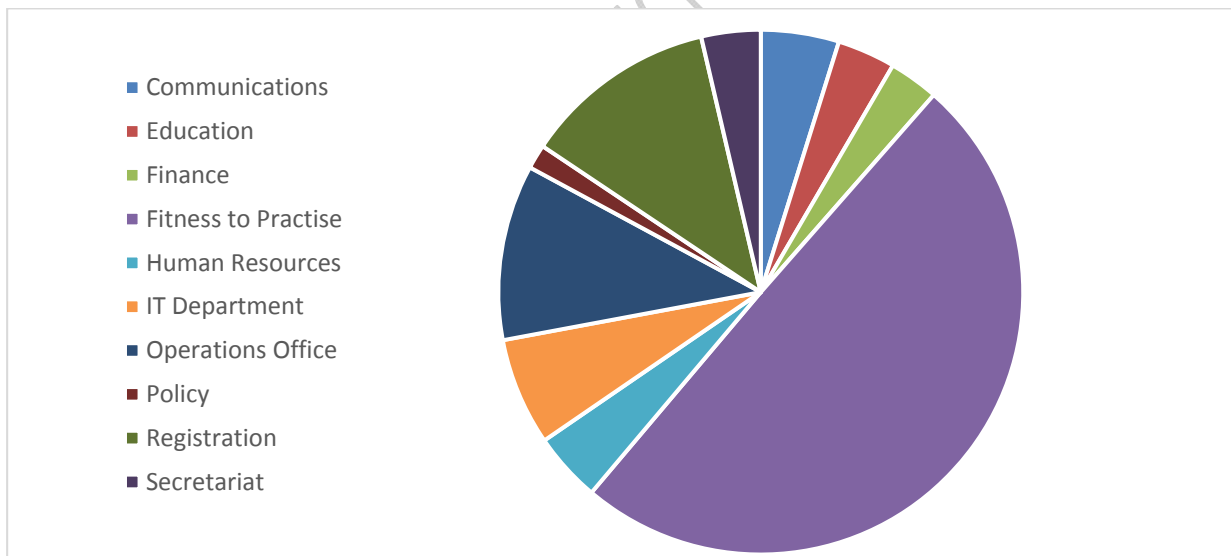
### 3. Background to our proposals

#### What registrants' fees are spent on

3.1 Figure 1 below shows how we are forecasted to spend our income by the end of the 2014-15 financial year, by directorate. The three areas accounting for the highest proportion of our budget are as follows.

- **Fitness to practise** includes the costs of investigating and hearing allegations about registrants, health and character cases and appeals against registration decisions. This area of our work is forecasted to make up approximately 50% of our expenditure in 2014-15.
- **Registration** includes the costs involved in handling and processing applications for registration. This area of our work is forecasted to make up approximately 12% of our expenditure in 2014-15.
- **Operations** includes the costs of maintaining our facilities and running projects to develop and improve our work. This area of our work is forecasted to make up approximately 11% of our expenditure in 2014-15.

**Figure 1: Breakdown of expenditure by department, forecast for 2014-15**



#### Note to chart

- Excludes depreciation and exceptional items.
- Some costs have been grouped together for the clarity of this chart.

## Our financial performance

3.2 Table 3 below outlines our financial performance in the period since 1 April 2009. We aim to manage our finances on a sustainable basis, but we do not aim to make large surpluses or hold large reserves. We are forecasting a small operating deficit in 2014-15.

**Table 3: Our financial performance 2009-10 to 2014-15**

Income / expenditure (£000)	Year					
	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15 (forecast)
Total operating income	16,088	16,928	17,419	20,152	25,152	25,927
Operating expenditure	16,234	16,257	17,322	20,049	23,876	26,151
Operating (deficit) / surplus	(146)	671	97	103	1,276	(224)
Other gains and losses	54	(51)	(160)	(96)	(550)	134
(Deficit)/Surplus after taxation	(92)	620	(63)	7	726	(90)
Reserves at year end	1,126	1,742	1,919	2,164	3,016	2,924

### Notes to table

- 'Other gains and losses' includes items such as grants from Government to regulate new professions, bank interest and fixed asset revaluation gains / losses.

3.3 Our financial performance is scrutinised regularly by our Council. The papers considered by the Council and minutes from their meetings are available on our website here: <http://www.hcpc-uk.org/aboutus/committees/>

3.4 You can also find out more information about our financial performance by looking at our annual reports. These are available from the 'publications' section of our website: [www.hcpc-uk.org/publications](http://www.hcpc-uk.org/publications)

## Why the fee increases are needed

3.5 We are an independent regulator which means that we are self-financing - our operating costs are funded entirely from the fees our registrants pay. We do not receive any regular funding from the Government.

3.6 We have outlined the reasons why we are consulting on a fee increase below.

### PSA fees

3.7 The Professional Standards Authority for Health and Social Care (PSA) oversees the nine UK statutory regulators of health and care professionals. Its role includes reporting on our performance annually; scrutinising our process for appointment of members of the Council; auditing initial stage fitness to practise decisions; and referring final fitness to practise decisions to the High Court where they consider we have been too lenient.<sup>2</sup>

3.8 In 2011, the Government announced that the PSA would cease to be an arms-length body funded by the taxpayer and would, in future, be funded by the regulators it oversees. The Department of Health recently consulted on options for how this funding might work and has now announced that it will be calculated on registrant numbers.<sup>3</sup>

3.9 We are disappointed with this decision. We are the second largest regulator by registrant numbers, but have the lowest registration fee of all the UK regulators of health and care professionals overseen by the PSA. This means that the PSA fee has a disproportionate impact on our registrants and the fees they pay. In the future we will be paying a greater percentage of our income to the PSA compared to most of the other eight regulators whose total income is considerably higher than ours.

3.10 The necessary legislation – The Professional Standards Authority for Health and Social Care (fees) Regulations 2015 – has now been published. We anticipate that the PSA fee will initially amount to approximately £1m per annum based on current registration numbers. The first charging period will be from 1 August 2015 to 31 March 2016 for which a pro-rata fee will be payable. A new fee would then become payable from 1 April 2016, with fee levels set on an ongoing basis by the Privy Council.

3.11 We are therefore compelled to review our fee levels in order to be able to fund this substantial increase to our costs. We are also mindful that because we register each profession on a two year cycle, it will take two full financial years before any increase in the renewal fee has full effect.

3.12 In addition, as the PSA fee will be determined each year, there is uncertainty about the level of the fee in future years.

---

<sup>2</sup> For more information, please see:

<http://www.professionalstandardsauthority.org.uk/>

<sup>3</sup> For the Department of Health's consultation and our response, please see:

<http://www.hcpc-uk.org/aboutus/consultations/external/index.asp?id=179>

- 3.13 Our forecasts show that without the proposed increase to our fees, the PSA fee and other cost pressures described below would push us to deficits of nearly £2m in both 2015-16 and 2016-17, which would be unsustainable.

#### Other reasons for the proposed increase

- 3.14 The remainder of the increase we are proposing is necessary in order to ensure that we continue to be able to perform as an effective and efficient regulator over the medium to long term.
- 3.15 We have outlined some specific areas below which explain the activities which are driving our costs in specific areas.
- Investment in IT systems
- 3.16 We need to be able to continue to invest in IT systems to enhance the services we provide to registrants and the public and to drive efficiencies over the long term.
- 3.17 These include a new IT system which has been recently introduced to manage the work of our Education Department. The new system will make this area of our work more efficient by replacing a number of other systems and by driving time and resource savings.
- 3.18 We are also undertaking a significant project looking at redesigning our registration processes and replacing our existing registration IT system. We anticipate that once complete, this work will have improved the level of service we are able to provide to applicants and registrants, by allowing applicants and registrants to carry out many more tasks they would normally undertake with us on the phone or via written correspondence, online. For example, by allowing applicants to apply online or registrants to submit CPD submissions electronically. It will also ensure that we can manage increasing volumes of registration work efficiently without needing significant additional resources.
- 3.19 We are also undertaking similar work to improve our systems and processes in finance and human resources. We also anticipate upgrading our fitness to practise case management system in the future.
- Introducing dedicated quality control
- 3.20 We are adding to our teams in specific areas so that we have dedicated resource in place which will better ensure the quality of our work.
- 3.21 This already exists in Fitness to Practise. The Assurance and Development team are responsible for carrying out audits of our work in this area to make sure that we are following our processes; to identify errors and problems; and to identify and implement solutions. We are building similar capacity in other areas, including our Education Department and Registration Department.

- Fitness to practise
- 3.22 The number and length of hearings are key cost drivers of the fitness to practise process. We continue to do all we can to keep our costs as low as possible. For example, we proactively use our process to conclude cases with the consent of the registrant involved wherever appropriate. This avoids the need to have a contested hearing, with all the costs this involves.
- 3.23 However, since 2012, we have seen an increase in the complexity of the cases we handle. This has meant that the average length of a hearing has increased over time. The average number of witnesses required for each hearing has also increased to between three and four for each hearing.
- 3.24 In 2013-14 the number of new cases received increased by 25% compared to 2012-13. The number of professionals registered in the same period increased by just 4%.<sup>4</sup> The above explains why we need the increase to ensure that we continue to be able to manage our case load effectively.
- 3.25 We also plan to introduce dedicated facilities for fitness to practise hearings. Currently, the majority of our hearings are held at our offices in London. Approximately 15% of our hearings are held at external venues. We are currently able to hold between six and eight hearings per day with the current space available at our offices. Approximately 5% of all hearings that should be held in London have to be accommodated in external venues because of lack of space.
- 3.26 The current office space has not been purpose built for holding public fitness to practise hearings, which affects our ability to run a high quality and modern adjudication service. For example, the current hearings rooms are shared with other HCPC departments which limits the number of hearings that can be held on any one day. Furthermore, we do not have a dedicated witness waiting area or facilities available for representatives of registrants to take instruction. Introducing dedicated space will increase our capacity to hold hearings; provide a more flexible space in which to hold them; will improve the quality of our service for those who come into contact with our fitness to practise process; and will be consistent with the modern adjudication facilities provided by other regulators.

### **How the proposed renewal fee compares with other regulators**

- 3.27 Table 4 overleaf shows the registration renewal fees charged by the regulators overseen by the PSA.
- 3.28 The table shows that our proposed renewal fee would still be the lowest of all these regulators and around a third less than the next highest fee. We are able to charge relatively lower fees due to the efficiencies and cost-savings associated with having a larger number of registrants. This is illustrated in

---

<sup>4</sup> For more information, see our Fitness to Practise Annual Report 2014  
<http://www.hcpc-uk.org/publications/reports/index.asp?id=967>

Figure 2. It continues to be the Council's intention to be as efficient as possible in order to keep fee levels as low as possible.

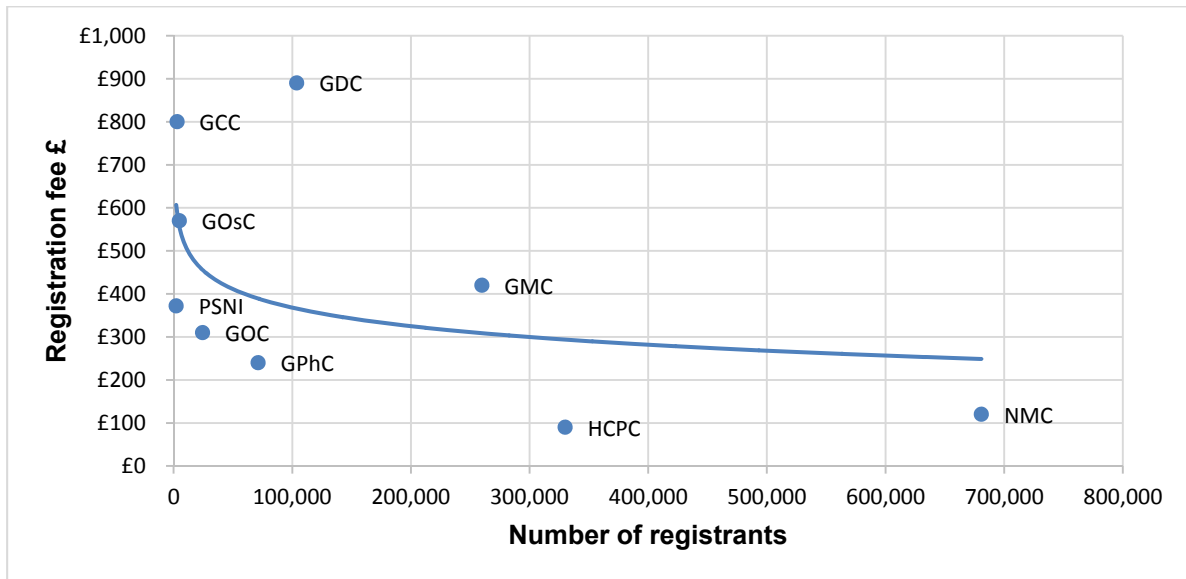
**Table 4: Comparison of renewal fees across independent UK health and care professional regulators**

Annual renewal fee	Regulator	Number of registrants
£890 (dentists)	General Dental Council (GDC)	103,765
£800	General Chiropractic Council (GCC)	2,959
£570	General Osteopathic Council (GOsC)	4,810
£420 (registration with a licence to practice)	General Medical Council (GMC)	259,826
£372	Pharmaceutical Society of Northern Ireland (PSNI)	2,155
£310	General Optical Council (GOC)	24,421
£240 (pharmacists)	General Pharmaceutical Council (GPhC)	71,221
£120	Nursing and Midwifery Council (NMC)	680,858
<b>£90</b>	<b>Health and Care Professions Council (HCPC)</b>	<b>329,960</b>

**Notes to table**

- By renewal fee, from highest to lowest. HCPC figure is the proposed new renewal fee. GOC and GMC figures are for the 2015-16 financial year. All other fees correct as of date of publication.
- This table does not include the following (where such fee types exist).
  - Discounts on fees in the first or early years of registration.
  - Discounts on fees on the basis of income.
  - Fees for 'non-practising' registrants.
  - Fees for student registers.
- Registrant numbers are from the PSA performance review report 2013-14, with the exception of the figure for HCPC which is correct as of 2 March 2015.

**Figure 2: Relationship between renewal fee levels and registrant numbers**



**Notes**

- Uses data from Table 5.

DISCUSSION / APPROVAL - HCPC COUNCIL

## 4. Our proposals in detail – registration fees

- 4.1 In this section we explain our fees proposals in more detail. We have asked a number of questions on our proposals. If the proposals described here were subsequently agreed, we plan that they would be effective by 1 August 2015.
- 4.2 Our proposals would require amendments to our Rules. The Rules set out the detailed procedures and requirements for some of our functions, including registration and fees. We propose to amend the Health and Care Professions Council (Registration and Fees) Rules 2003 to make the changes we have proposed.
- 4.3 Under the Health and Social Work Professions Order 2001, any amendment to the Rules must be made by the Council and then approved by an order of the Privy Council. We have published draft Rules alongside this consultation document.
- 4.4 You can find copies of our existing rules in the publications section of our website at: [www.hcpc-uk.org/publications/ruleslegislation](http://www.hcpc-uk.org/publications/ruleslegislation)

### Paying our fees

- 4.5 We charge fees when someone applies to become registered, when they come back on to the Register after a break, and when they renew their registration.
- 4.6 Registrants are able to pay for their registration either in one payment for the two years of their registration cycle, or they can pay the fee in instalments, by direct debit every six months. Scrutiny fees are non-refundable and payable in full when we receive an application.

### Tax relief

- 4.7 Registration fees are tax deductible for standard rate UK taxpayers. This means that the proposed £90 renewal fee would in effect be reduced by 20 per cent, reducing the proposed fee by £18 to £72.
- 4.8 There are three different ways in which registrants can claim back tax relief on their registration fees:
- by providing details of the payment on their tax return;
  - by writing to their tax office, including their national insurance number and details of the payment; or
  - by obtaining form P358 from their local tax enquiry office and sending the completed form to their tax office.
- 4.9 For more information about our fees and tax relief visit our website at: [www.hcpc-uk.org/registrants/fees](http://www.hcpc-uk.org/registrants/fees)



## Renewal fees

- 4.10 Registrants in each profession renew their registration in two year cycles. We send a letter to each registrant inviting them to renew their registration online, or by requesting a paper renewal form. They have to renew their registration by the renewal date we set by completing a declaration and paying the renewal fee or completing a direct debit authorisation.
- 4.11 The renewal fee is the same for all registrants, including those who may be working part time. We do not offer a discount for part time working because our costs in undertaking our role as a regulator are the same, regardless of whether someone is working full or part-time hours. We also consider that the increased costs associated with establishing such a system and introducing measures to check whether people who registered as 'part-time' were not working over a certain number of hours would be disproportionate and prohibitive.
- 4.12 We are proposing that the annual renewal fee should increase from £80 to £90.

<b>Q1. Do you agree that the renewal fee should increase from £80 to £90?</b>
---

- 4.13 If this change was agreed, we plan that existing registrants would pay the new renewal fee the next time their profession enters renewal after 1 August 2015. Renewal dates are provided in Table 5 below.

**Table 5: Dates when the proposed new renewal fee would apply for existing registrants in each profession**

Profession	Renewal period starts
Occupational therapists	August 2015
Biomedical scientists	September 2015
Radiographers	December 2015
Physiotherapists	February 2016
Arts therapists	March 2016
Dietitians	April 2016
Chiropodists / Podiatrists	May 2016
Hearing aid dispensers	May 2016
Operating department practitioners	September 2016
Social Workers in England	September 2016
Practitioner psychologists	March 2017
Orthoptists	June 2017
Paramedics	June 2017
Clinical scientists	July 2017
Prosthetists / orthotists	July 2017
Speech and language therapists	July 2017

4.14 The last increase to our fees became effective from 1 April 2014. We know that as a result some professions will not have renewed at the £80 fee level before the increase proposed in this consultation, if agreed, comes into effect. However, as outlined in section three, reluctantly we have been compelled to review our existing fee levels now to ensure that we continue to be able to operate as an effective regulator.

### **Registration fees – UK approved programme route**

4.15 The majority of people we register for the first time have successfully completed an ‘approved programme’. An ‘approved programme’ is a UK programme of education and training that we approve so that someone successfully completing that programme is eligible to apply to us for registration. We sometimes refer to this as the ‘UK approved course’ route.

4.16 The non-refundable scrutiny fee is currently £56. This covers the costs we incur in processing applications. Applicants for registration who are newly qualified who apply via this route receive a 50 per cent discount on their registration fees for the first two professional years of registration, as long as they apply within two years of completing their approved programme.

4.17 We are proposing that the scrutiny fee charged to applicants who have successfully completed an approved programme should increase from £56 to £63. We propose that this group of applicants would continue to receive a 50 per cent discount on the cost of registration for the two years of professional registration, as long as they apply within two years of gaining their approved qualification. This would increase from £40 to £45 per year for each of those years.

**Q2. Do you agree that the scrutiny fee for applicants from approved programmes should increase from £56 to £63?**

### **Readmission fee**

4.18 Registrants come off the Register and subsequently seek to re-register for a number of reasons. These might include career breaks or because they fail to renew in time. When someone comes off the Register and wants to be registered again, we refer to this as ‘readmission’.

4.19 We charge a higher readmission fee to cover our costs in processing applications for readmission. We recognise that sometimes registrants might come off the Register unintentionally, perhaps because they forgot to renew their registration by the due date, or because they forgot to tell us about a change of address. The higher readmission fee is therefore not charged if we receive an application to come back on to the Register within one month of a registrant coming off the Register.

4.20 We are proposing that the fee charged to applicants applying for readmission should increase from £200 to £225. This includes the registration fee for the

first year of registration. Registrants who apply to come back on to the Register within one month of coming off would not have to pay the higher readmission fee but would have to pay the proposed registration fee of £90.

**Q3. Do you agree that the readmission fee should increase from £200 to £225?**

### **Restoration fee**

- 4.21 Our fitness to practise process is the way in which we consider allegations about the fitness to practise of registrants. If a case is proven at a final hearing, one of the options open to a panel is to direct that the registrant's name be 'struck off' the Register.
- 4.22 When a registrant is struck-off the Register, they can apply to us to be registered again after five years. Restoration is not automatic, but if a panel decides that they can be registered again, they need to fill in a registration form and pay the appropriate fee. We call this process 'restoration' to the Register. We receive only a small handful of restoration applications each year.
- 4.23 We currently charge the same fee for restoration as for readmission. However, this is inconsistent with avoiding cross-subsidisation between different fee types, as the costs involved in processing an application for restoration, for example, the costs involved in convening a panel, are much higher than for readmission. As a result we are proposing to increase the restoration fee from £200 to £585. This includes the first year of registration.

**Q4. Do you agree that the restoration fee should increase from £200 to £585?**

### **International and EEA scrutiny fee**

- 4.24 We receive applications from applicants who have qualified outside the UK via our international route to registration. This group includes applicants exercising European Economic Area (EEA) mutual recognition rights. We look at each application individually so that we can decide whether the combination of an applicant's education, training and experience means that they meet our standards for safe and effective practice.
- 4.25 We charge a scrutiny fee to cover our costs in processing applications for registration from this group of applicants. This includes the costs involved in paying registration assessors to assess each application and the resources involved in processing applications.

- 4.26 We are proposing that the International and EEA scrutiny fee should increase from £440 to £495. This does not include the cost of registration. The cost of registration would be £90 per year.

**Q5. Do you agree that the scrutiny fee for international and EEA applications should increase from £440 to £495?**

### **Grandparenting scrutiny fee**

- 4.27 'Grandparenting' is a transitional route of entry to our Register. It allows individuals to register who do not hold a qualification approved by us, but who meet the criteria for registration. We look at each application individually to decide whether the applicant has met our requirements and is able to be registered. This route to registration is only open for a limited time period when a profession first becomes statutorily regulated. The grandparenting route to registration has closed for all the currently regulated professions.
- 4.28 We charge a scrutiny fee to cover our costs in processing applications for registration from this group of applicants. This includes the costs involved in paying registration assessors to assess each application and the resources involved in processing applications.
- 4.29 We propose to increase the scrutiny fee from £440 to £495. This does not include the cost of registration. The cost of registration would be £90 per year. The proposed fee would apply should we regulate further professions in the future for which grandparenting is required.

**Q6. Do you agree that the scrutiny fee for grandparenting applications should increase from £440 to £495?**

## **5. Our proposals in detail - other changes to our Rules**

5.1 We are proposing a small number of other changes to our Rules which will give us the flexibility we need to drive operational efficiencies and provide better customer service to registrants. We have explained more in the paragraphs that follow.

### **Registration certificates**

5.2 At present, once we register someone, and when they renew their registration, we issue them with a paper registration certificate and this is required under our Rules. However, certificates are only accurate the day on which they are issued. This is because a registrant may come off the Register at any time because they choose to; because of fitness to practise action or the outcome of a CPD audit; or because of failing to pay their direct debit.

5.3 The online register is more reliable and accurate because it is updated in real time and most people use our online register to check whether someone is registered. We find that most members of the public and employers will check the online register rather than asking to see a certificate. We have developed resources to make this even easier – including an online facility which allows employers to check the registration of up to 100 registrants at one time and our ‘Check the Register’ mobile apps.

5.4 We are proposing that the Rules (Rule 8) should be amended from ‘shall’ to ‘may’ so that we have the flexibility not to issue certificates routinely.

5.5 However, when we register someone for the first time, readmit them to the register, or a registrant renews, we will always confirm in writing or by email their registration information.

**Q7. Do you agree that in future we should no longer be required to issue registration certificates?**

### **Online renewal of registration**

5.6 We introduced the ability for registrants to renew online in 2010 and the majority of registrants now choose to renew in this way. Online renewal has benefits for registrants in being able to renew quickly and easily with instant confirmation of their continued registration. It also allows us to manage our resources efficiently so that less time is spent processing paper renewal forms and more time is spent processing applications for registration and answering telephone calls from registrants.

- 5.7 We are proposing that the Rules (Rule 11) should be amended so that in the future registrants would be able to decide to receive communications about their registration renewal, including reminders to renew, electronically. At the moment the Rules mean that we have to send reminders by post even if a registrant would prefer that we communicated with them via email.

**Q8. Do you agree that in future registrants should be able to request to receive communication about their renewal electronically?**

### **Payment by direct debit**

- 5.8 At the moment registrants are able to pay their registration fee via a direct debit every six months. Approximately 80 per cent of registrants choose to pay in this way.
- 5.9 We are proposing that the Rules (Rule 18) should be amended so that in future we can introduce the ability for registrants to pay by monthly direct debit. This would benefit registrants by allowing them to spread the cost over a longer period. For example, if agreed, the new renewal fee would be £7.50 per month. We will not be able to introduce this immediately whilst we invest in and upgrade our IT systems but making this change to our Rules now means that we can develop our systems with this in mind.
- 5.10 We will also need to carefully consider the impact that any move to payment by monthly direct debit will have on our level of financial reserves.

**Q9. Do you agree that in future registrants should be able to pay their registration fee via monthly direct debit?**

### **Further comments**

- 5.11 We would be happy to receive any further comments you might have about our proposals.

**Q10. Do you have any further comments on our proposals?**

**2015 No. 0000**

**HEALTH CARE AND ASSOCIATED PROFESSIONS**

**The Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules Order of Council 2015**

*Made* - - - - - \*\*\*  
*Laid before Parliament* \*\*\*  
*Laid before the Scottish Parliament* \*\*\*  
*Coming into force* - - - - - \*\*\*

At the Council Chamber, Whitehall, the \*\*\* day of \*\*\*

By the Lords of Her Majesty's Most Honourable Privy Council

The Health and Care Professions Council has made the Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2015 which are set out in the Schedule to this Order, in exercise of the powers conferred by articles 7(1) and (2), 10(1) and 41(2) of the Health and Social Work Professions Order 2001(a).

In accordance with articles 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in articles 7(3) and 41(3) of that Order.

In accordance with articles 41(1) and 42(1) of that Order, such Rules shall not come into force until approved by Order of the Privy Council.

**Citation and commencement**

1. This Order may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules Order of Council 2015 and comes into force on \*\*\*.

**Privy Council approval**

2. Their Lordships, having taken the Rules contained in the Schedule to this Order into consideration, are pleased to and do approve them.

---

(a) S.I. 2002/254. By virtue of section 214 of the Health and Social Care Act 2012 (c. 7), the body corporate known as the Health Professions Council was re-named the "Health and Care Professions Council" and the Health Professions Order 2001 was renamed the "Health and Care Professions Order 2001".

## The Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2015

The Health and Care Professions Council makes the following Rules in exercise of the powers conferred by articles 7(1) and (2), 10(1) and 41(2) of the Health and Social Work Professions Order 2001.

In accordance with articles 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

### Citation and commencement

3. These Rules may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2015 and come into force on \*\*\*.

### Amendment of the Health and Care Professions Council (Registration and Fees) Rules 2003

4.—(1) The Health and Care Professions Council (Registration and Fees) Rules 2003(a) are amended as follows.

- (2) In rule 8 (certificates), in paragraph (1), for “shall” substitute “may”.
- (3) For rule 11 (renewal of registration), substitute—

#### “Renewal of registration

11.—(1) Not less than 42 days before his registration ends, the Committee shall send to a registrant a renewal invitation—

- (a) inviting the registrant to submit a registration renewal application;
- (b) setting out the renewal fee prescribed in rule 15, and
- (c) warning the registrant that he is liable to be removed from the register unless a completed registration renewal application and the renewal fee is received by the Committee on, or before, the date specified in the notice.

(2) A registration renewal application may be submitted either—

- (a) in writing, in the form determined by the Council and containing the declaration and information listed in Schedule 2; or
- (b) by electronic means, in the manner and form required by the Registrar but which must include the information and declarations which would be required if the application were a written one.

(3) If both the registration renewal application and the fee are not received by the Committee by the date specified in a renewal invitation, the Committee shall send the registrant a warning notice warning the registrant that he must provide the Committee with both his application and fee, within a period of 14 days beginning with the day on which that notice is sent (“the warning period”), or his name may be removed from the register.

---

(a) S.I. 2003/1572 as amended by S.I. 2014/532 and S.I. 2015/93. The title to the Rules was amended to read the “Health and Care Professions (Registration and Fees) Rules 2003” by rule 2 of S.I. 2014/532 to reflect the change in the Council’s name (see footnote (a) on page 1).



(4) Where a registrant fails to comply with a warning notice, the Committee may direct the Registrar to remove the registrant from the register with effect from the day on which the warning period expired or, if later, the day on which the registrant’s registration would otherwise expire.

(5) Any form, notice or invitation given or sent by the Committee to a registrant under this rule may—

- (a) be sent by post to the home address of the registrant as it appears in the register and shall be treated as sent at the time of its posting; or
- (b) where the registrant has given a written statement to the Registrar consenting to receive any such form, warning or notice in an electronic form, it may be sent to the electronic address specified in that statement.”.

(4) In rule 14 (registration fee)—

- (a) in paragraph (1)(a), for “£80” substitute “£[\*\*\*]”; and
- (b) in paragraph (1)(b), for “£160” substitute “£[\*\*\*]”.

(5) In rule 15 (renewal fee), in paragraph (b), for “£160” substitute “£[\*\*\*]”.

(6) In rule 16 (restoration fee), for “£120” substitute “£[\*\*\*]”.

(7) In rule 17 (scrutiny fees)—

- (a) in paragraph (1), for “£56” substitute “£[\*\*\*]”; and
- (b) in paragraph (2), for “£440” substitute “£[\*\*\*]”.

(8) In rule 18 (payment of fees), in paragraph (2)—

- (a) omit “, readmission fee, restoration fee”; and
- (b) omit “four six-monthly”.

Given under the official seal of the Health and Care Professions Council this \*\*\*

*Anna van der Gaag*  
Chair

*Marc Seale*  
Registrar

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order approves rules made by the Health and Care Professions Council (HCPC) that amend the fees it charges for scrutinising and processing applications for admission to its register, for renewal of registration and for readmission or restoration to its register.

The scrutiny fees charged by the HCPC have also been increased. These are separate fees paid by all applicants for registration in the HCPC register whose qualifications (and in some cases experience) need to be assessed.

As the HCPC register is available for inspection by the public online, the rules provide for the issue of registration certificates by the HCPC to be discretionary rather than mandatory. The rules also allow fees which are paid by direct debit to be paid more frequently than by four six-monthly instalments and to enable registrants to opt to renew their registration online.