

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 15A (readmission fee), for “£120” substitute “£[***]”.

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

(8) In rule 17 (scrutiny fees)—

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

(9) 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.