

# Professional Registration Policy

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Name of reviewer and title:	Theresa Nelson, Chief People Officer, ICB
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#### VERSION HISTORY

Date	Version	Changes made to previous version	Consulting and Endorsing Stakeholders, Committees / Meetings / Forums etc.

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## **1 INTRODUCTION**

- 1.1 NHS Coventry and Warwickshire Integrated Care Board (ICB) has a responsibility to ensure that professional standards are met. Recognising the importance of conducting both pre and post-employment checks for all persons working in or for the NHS in order to meet its legal obligations, complement good employment practices, and to ensure as appropriate, existing employees are registered with a relevant regulatory/licensing body in order to continue to practice.
- 1.2 For the purposes of this policy, the term professional registration refers to all posts which require the employee to be qualified in their field as a requirement of their post and to periodically renew their registration with their respective professional bodies.
- 1.3 The policy aims to ensure that all staff required to be registered with a statutory regulatory organisation/body to practice their specialty/field, are fully aware of their contractual obligation to be registered. The document sets out the role and responsibilities, the monitoring arrangements and the procedure for and implications for lapsed registration.
- 1.4 In accordance with NHS Employment Check Standards the ICB will undertake document checks on every prospective employee and staff in ongoing NHS employment. This includes permanent staff, staff on fixed term contracts, volunteers, students, trainees, contractors and staff supplied by agencies.

## **2 PRINCIPLES**

- 2.1 In order to protect the public and ensure high standards of clinical practice it is a legal requirement that the organisation may only employ registered practitioners in qualified clinical positions. This includes the following posts that have been accepted onto the register of the statutory regulatory bodies outlined in the NHS Employment Check Standards.
  - Medical and Dental
  - Nurses and Midwives
  - Allied Health Professionals
  - Healthcare Scientists
  - Hearing Aid Dispensers
  - Practitioner Psychologists
  - Pharmacy Technicians
  - Pharmacists
- 2.2 In addition to the legislative requirements stated above, some Person Specifications may stipulate that professional registration is a requirement of the role i.e. Senior Finance Positions.
- 2.3 Employees are responsible for maintaining their registration with their relevant professional body.
- 2.4 Individuals who are not directly employed by the organisation (e.g. NHS Professionals, Agency and Locum workers) but who nevertheless are engaged in work that requires professional registration must also hold current registration. The organisation will ensure that there are processes in place to check the ongoing registration of such workers.
- 2.5 Training and support will be provided to all Line Managers in the implementation and application of this policy.

### **3 RESPONSIBILITIES**

#### **3.1 Line Manager Responsibilities**

- Ensure that they understand their obligations within this policy.
- Ensure that all staff are aware of this policy and understand their obligations within this policy.
- Process all paperwork in a timely manner, keeping a record in the employees personnel file.
- Seek help and advice from HR when matters are complex or further guidance is required.

#### **3.2 Employee Responsibilities**

- Ensure that they understand their obligations within this policy.
- Submit all paperwork in a timely manner.
- Seek help and advice from their line manager or HR when matters are complex or further guidance is required.

#### **3.3 Human Resources Responsibilities**

- Ensure that the ICB has robust HR policies and procedures in place which are legally compliant and adhere to the principles of fairness, equality and diversity.
- Advise the ICB of any non-compliance with this policy for consideration of further action.

### **4 PROCEDURE**

4.1 It is ultimately the responsibility of all employees who require professional registration to practice, to ensure that registration with their professional body remains current at all times and that they abide by their professional code of conduct.

4.2 Employees/contractors must disclose to the organisation any conditions attached to his/her registration at the earliest available opportunity.

4.3 During the course of their employment employees must, on request by management, provide evidence that their registration has been renewed in accordance with procedures laid down.

4.4 To provide proof of renewal to their Manager.

4.5 Failure to maintain professional registration and comply with the requirements of the registration may result in disciplinary action.

4.6 All personal data, particularly name changes must be communicated to both the line manager and professional body to ensure accuracy of data.

4.7 Lapsed registrations amount to a breach of terms and conditions of employment and may result in dismissal.

4.8 The registration lapse will be recorded in the employees personnel file.

4.9 Repeated lapses in registration may lead to disciplinary action under the Disciplinary Policy.

### **5 REGISTRATION OF TEMPORARY STAFF FROM EXTERNAL AGENCIES**

5.1 It is essential that all Contractors / Agencies the ICB engages with fully meet all legal and regulatory requirements. These include, but are not limited to, the Data Protection Act (1998), the NHS Confidentiality Code of Practice (Approved DoH Guidance 2003), all Criminal Records Bureau requirements, Registration with the appropriate Professional Bodies where appropriate, confirmation of

Fitness to Work, Home Office status if applicable and working within the EWTD regulations (Working Time Directive 1993 and Working Time Regulations 1998).

- 5.2 In this respect the onus must be placed on the supplier (Contractor / Agency) to ensure all relevant workers fulfil all legal and regulatory requirements. The ICB will ensure it is protected contractually in the event of a supplier not fulfilling these obligations.
- 5.3 In order to facilitate this, all Managers must, use the services of Agency suppliers awarded 'Preferred Supplier' status by the Agency worker procurement framework in place at the time of engagement unless there are exceptional circumstances.
- 5.4 Where agency staff are being used that are not on the agreed procurement framework, the line manager will be responsible for ensuring written assurance is sought from the supplier that they are abiding by NHS Employers Employment Check Standards.
- 5.5 The ICB will conduct audits periodically to ensure compliance.

## **6 PROCEDURE FOR CHECKING REGISTRATION – PRE EMPLOYMENT**

- 6.1 All successful candidates who have a professional registration with a licensing or regulatory body in the UK or another country, relevant to their role are required to provide documentary evidence of up to date registration prior to appointment. A Human Resources representative will check with the relevant regulatory body (e.g. GMC, NMC, HCPC, GPhC) to determine that the registration is valid.
- 6.2 Where professional registration is a requirement of the post ongoing registration as outlined above will be monitored throughout employment in that role.

## **7 ALERT NOTICE SYSTEM**

- 7.1 Alert Database checks will be undertaken in line with local recruitment procedures.
- 7.2 Alert letters are sent to all NHS bodies to make them aware of a doctor or other registered health professional whose performance or conduct could place patients or staff at serious risk. Alert letters are communicated to NHS bodies for those health professionals who are regulated by one or more of the following regulatory bodies:
  - General Medical Council
  - Nursing and Midwifery Council
  - Health and Care Professions Council
  - General Dental Council
  - General Optical Council
  - The General Pharmaceutical Council (GPhC)
  - General Chiropractic Council
  - General Osteopathic Council
- 7.3 The ICB is responsible for managing Alert Letters according to Healthcare Professionals Alert Notice Directions 2006, transferring alert letter details to a secure database and retaining paper copies within a safe haven which is locked and accessible to a limited number of staff. As well as for cross-referencing job offers to registered health professionals with the relevant professional body.

## **8 PROCEDURE FOR MONITORING ONGOING REGISTRATION**

- 8.1 The ICB will monitor all professionally registered staff to highlight staff due to renew their professional registration and any staff whose registration has lapsed.

## **9 PROCEDURE FOR DEALING WITH LAPSED REGISTRATIONS**

### **Line Managers**

- 9.1 Managers who identify a lapsed registration must take immediate action in accordance with this procedure. Immediate actions will include:
- Contact the member of staff immediately
  - Ensure the person is withdrawn from undertaking the duties of a qualified clinician or professional with immediate effect
  - Discuss the options with the HR Team and employee
  - Check re-registration with the relevant regulatory body, receive proof of renewal and to evidence this in the personnel file
- 9.2 When considering action to be taken, managers will take account of the following factors;
- Length of time since registration has lapsed
  - Reason(s) put forward for non-renewal
  - Whether the individual has knowingly continued to practice without registration and has failed to notify management
  - Any previous occasions when the individual has allowed their registration to lapse
  - Whether the individual has attempted to conceal the fact that their registration has lapsed
- 9.3 The manager in consultation with a Human Resources representative should consider the following options:
- Allow the individual to take annual leave or time owing until their registration is renewed within an agreed time frame
  - Allow the individual to take unpaid leave where no annual leave is available
  - Suspend the individual from duty without pay, invoke disciplinary process
  - Where feasible, consider transferring the individual staff member to another area within the organisation that offers a non-patient contact role that is of equal value.
  - Temporary downgrade into a non-qualified post specific to service need.

### **Employees**

- 9.4 Staff who recognise that their registration has lapsed must take immediate action in accordance with this procedure. Immediate actions will include:
- Inform their line manager immediately
  - Re-register with the professional body (in most cases this will be achievable within 1 or 2 working days)
  - Withdraw from clinical/professional practice with immediate effect in discussion with their manager
  - Provide proof of renewal to the Manager
  - Provide proof and clarification of pin number if there is a discrepancy in data
- 9.5 Failure to comply with maintaining your professional registration may result in disciplinary action.

## **10 DATA PROTECTION**

- 10.1 In applying this policy, the Organisation will have due regard for the Data Protection Act 2018 and the requirement to process personal data fairly and lawfully and in accordance with the data protection principles. Data Subject Rights and freedoms will be respected and measures will be in place to enable employees to exercise those rights. Appropriate technical and organisational measures will be designed and implemented to ensure an appropriate level of security is applied to the processing of personal information. Employees will have access to a Data Protection Officer for advice in relation to the processing of their personal information and data protection issues.

## **11 EQUALITY STATEMENT**

- 11.1 In applying this policy, the ICB will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

## **12 MONITORING AND REVIEW**

- 12.1 The application of this policy and procedure will be monitored by the Human Resources team, and the policy and procedure formally reviewed every 3 years in conjunction with the ICB Board. Where review is necessary due to legislative change, this will happen immediately.