

2015 No. 93

HEALTHCARE AND ASSOCIATED PROFESSIONS

HEALTH PROFESSIONS

The Health and Care Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2015

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| <i>Made</i> - - - - | <i>21st January 2015</i> |
| <i>Laid before Parliament</i> | <i>2nd February 2015</i> |
| <i>Laid before the Scottish Parliament</i> | <i>2nd February 2015</i> |
| <i>Coming into force</i> - - | <i>1st April 2015</i> |

At the Council Chamber, Whitehall the 21st day of January 2015

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) Rules 2015, which are set out in the Schedule to this Order, in exercise of the powers under articles 7(1) and (2), 9(2), 11A(4), (5) and (6) and 41(2) of the Health and Social Work Professions Order 2001(a).

In accordance with article 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.

In accordance with article 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) Rules Order of Council 2015 and shall come into force on 1st April 2015.

Privy Council Approval

2. Their Lordships, having taken these Rules into consideration, are pleased to and do approve them.

(a) S.I. 2002/254. The title of this statutory instrument was amended by section 213(6) of the Health and Social Care Act 2012 (c. 7).

SCHEDULE

Article 2

The Health and Care Professions Council (Registration and Fees) (Amendment) Rules 2014

The Health and Care Professions Council makes the following Rules in exercise of its powers under articles 7(1) and (2), 9(2), 11A(4), (5) and (6) and 41(2) of the Health and Social Work Professions Order 2001(a).

In accordance with articles 7(1) and (2) 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

1. These Rules may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) Rules 2014 and come into force on 1st April 2015.

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

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

(2) After rule 11A (continuing professional development) insert—

“Cessation of appropriate cover under an indemnity arrangement

11B. A registrant must notify the Registrar in writing immediately if for any reason the registrant ceases, or will cease, to have in force in relation to the registrant for the purpose of complying with article 11A of the Order, appropriate cover under an indemnity arrangement.

Information required on indemnity arrangements

11C.—(1) The Registrar may in accordance with paragraph (2) serve notice on a registrant to provide information to the Registrar for the purposes of determining whether, at any time, there is in force in relation to the registrant an indemnity arrangement which provides appropriate cover for the purpose of complying with article 11A of the Order.

(2) That notice must specify—

- (a) the information or evidence required to determine that the registrant has in force in relation to that registrant, an indemnity arrangement which provides appropriate cover for the purpose of complying with article 11A of the Order;
- (b) such other information as the Registrar may reasonably require for the purpose of determining whether the registrant’s indemnity arrangement provides appropriate cover; and
- (c) the time period for complying with the notice, which shall not be less than seven days beginning with the day on which the notice was sent.

(3) The Registrar may remove the registrant from the register where—

(a) S.I. 2002/254.
(b) S.I. 2003/1572.

- (a) having considered any evidence or information provided in response to a notice under paragraph (2), the Registrar is not satisfied that a registrant has an indemnity arrangement which provides appropriate cover; or
 - (b) a registrant fails to comply with a notice served under paragraph (2) within the period specified in the notice.
- (4) This rule does not apply to a registrant in respect of registration as a social worker in England.”

Given under the official seal of the Health and Care Professions Council this 15th day of December 2014

Anna van der Gaag
Chair

Marc Seale
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

The Rules contained in the Schedule to this Order amend the Health and Care Professions Council (Registration and Fees) Rules as set out in the Schedule to the Health and Care Professions Order of Council 2003 (S.I. 2003/1572), by including additional provisions in relation to the information that the Health and Care Professions Council (“HCPC”) may require (by notice at any time) to determine whether there is appropriate cover under an indemnity arrangement in force in relation to a registrant who is practising as a member of one of the relevant professions, or person seeking registration to practise as such. The Rules also require a registrant to notify the HCPC immediately if such cover ceases to be in place.

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