
Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health Professions Order 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

2002 No. 254

The Health Professions Order 2001

PART V

FITNESS TO PRACTISE

PROSPECTIVE

Screeners: supplementary provisions

24.—(1) Any rules made under article 23 shall contain the provisions mentioned in paragraphs (2) and (3).

(2) The rules made under article 23(1) shall provide that—

- (a) any matter referred to the Screeners shall be considered by a panel of at least two Screeners;
- (b) the panel shall include at least one lay person and one registrant selected with due regard to the professional field of the person concerned and to the matter under consideration;
- (c) the number of registrants on any panel may not exceed the number of lay persons.

(3) Any such rules shall give Screeners the functions—

- (a) of considering the allegation and establishing whether, in their opinion, power is given by this Order to deal with it if it proves to be well founded;
- (b) if in their opinion such power is given, of referring the matter together with a report of the result of their consideration to such Practice Committee as they see fit;
- (c) if in their opinion such power is not given, of closing the case, provided that—
 - (i) if there are two Screeners, the lay person agrees, or
 - (ii) if there are more than two Screeners, it is the decision of the majority,and if head (i) or (ii), as the case may be, is not satisfied, of referring the matter in accordance with sub-paragraph (b).
- (d) where requested to do so by any Practice Committee, of mediating in any case with the aim of dealing with the allegation without it being necessary for the case to reach the stage at which the Health Committee or Conduct and Competence Committee, as the case may be, would arrange a hearing in accordance with article 32(2)(f);
- (e) in the event that mediation fails, of referring the matter back to the Practice Committee which referred it to the Screeners.

(4) The Council may make such provision in respect of Screeners as it may determine—

- (a) for the payment of fees and allowances, including the payment of allowances to employers of Screeners for the purpose of enabling Screeners to perform their functions under this Order; and

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(b) for the reimbursement of such expenses as the Screeners may reasonably have incurred in the course of carrying out their functions under this Order.

(5) If the Screeners decide that power is not given by this Order to deal with the allegation the Registrar shall inform the person making the allegation giving reasons.

Commencement Information

II Art. 24 not in force at made date, see [art. 1\(2\)](#)

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- Order title substituted by [2012 c. 7 s. 213\(6\)](#)
- Order title substituted by [2017 c. 16 Sch. 5 para. 45](#)
- art. 24 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- art. 24 coming into force by [S.I. 2002/254 art. 1\(3\)](#) (See transitional provisions in [S.I. 2003/1700](#))

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 1A(1)(b)(ia) inserted by [2012 c. 7 s. 213\(5\)](#)
- Sch. 1 para. 19(10A)-(10C) inserted by [2015 c. 28 Sch. para. 6\(4\)](#)
- Sch. 1 para. 1(2A) inserted by [S.I. 2009/1182 Sch. 2 para. 17\(1\)\(a\)\(iii\)](#)
- Sch. 1 para. 1(5) inserted by [S.I. 2009/1182 Sch. 2 para. 18\(b\)](#)
- Sch. 1 para. 9(1A)(1B) inserted by [S.I. 2009/1182 Sch. 2 para. 17\(1\)\(c\)\(ii\)](#)
- Sch. 1 para. 9(1C) inserted by [S.I. 2009/1182 Sch. 2 para. 18\(f\)\(ii\)](#)
- Sch. 1 para. 1A(1)(b)(ia) omitted by [2017 c. 16 Sch. 5 para. 26](#)
- Sch. 1 para. 1A(4) omitted by [S.I. 2013/235 Sch. 2 para. 52](#)
- Sch. 1 para. 16A revoked by [2006 c. 28 Sch. 8 para. 48](#) [Sch. 9](#)
- Sch. 1 para. 17(1)-(2B) substituted for Sch. 1 para. 17(1)(2) by [S.I. 2009/1182 Sch. 2 para. 15\(7\)](#)
- Sch. 1 para. 1A1B substituted for Sch. 1 paras. 1-12 by [S.I. 2009/1182 Sch. 2 para. 15\(2\)](#)
- Sch. 1 Pt. 1 para. 16A inserted by [2003 c. 43 Sch. 12 para. 8](#)
- Sch. 2 para. 25-27 added by [S.I. 2004/2033 art. 3\(3\)\(f\)](#)
- Sch. 2 para. 25 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- Sch. 2 para. 26 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- Sch. 2 para. 27 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- Sch. 2 para. 3(4A) inserted by [S.I. 2004/2033 art. 3\(3\)\(c\)](#)
- art. 3(4)(4A) substituted for art. 3(4) by [2015 c. 28 Sch. para. 6\(2\)](#)
- art. 3(5)-(5B) substituted for art. 3(5) by [S.I. 2009/1182 Sch. 2 para. 1\(a\)](#)
- art. 3(5)(b)(vi)(vii) inserted by [2012 c. 7 s. 215\(2\)\(c\)](#)
- art. 3(5)(b)(vi)(vii) omitted by [2017 c. 16 Sch. 5 para. 11\(2\)\(c\)](#)
- art. 3(5AA) inserted by [2012 c. 7 s. 215\(3\)](#)
- art. 3(5AA) omitted by [2017 c. 16 Sch. 5 para. 11\(3\)](#)
- art. 3(5ZA) inserted by [2012 c. 7 s. 218\(3\)](#)
- art. 3(7A) inserted by [S.I. 2009/1182 Sch. 2 para. 1\(c\)](#)
- art. 3(17A) inserted by [2012 c. 7 s. 215\(4\)](#)
- art. 6(3)(aa) inserted by [S.I. 2007/3101 reg. 267](#)
- art. 6(3)(aa) omitted by [S.I. 2019/593 Sch. 8 para. 3](#)
- art. 6(3)(aa) words inserted by [2012 c. 7 s. 215\(5\)](#)
- art. 6(3)(aa) words omitted by [2017 c. 16 Sch. 5 para. 12](#)

- art. 7(4) inserted by S.I. 2007/3101 reg. 268
- art. 7(4) omitted by S.I. 2019/593 Sch. 8 para. 4
- art. 7(4) words inserted by 2012 c. 7 s. 215(5)(b)
- art. 7(4) words omitted by 2017 c. 16 Sch. 5 para. 13
- art. 9(2)(ba) inserted by S.I. 2014/1887 Sch. 1 para. 12(d)
- art. 9(3A) inserted by S.I. 2014/1887 Sch. 1 para. 12(e)
- art. 9(3A) omitted by 2017 c. 16 Sch. 5 para. 14(2)
- art. 9(8) inserted by S.I. 2007/3101 reg. 270(d)
- art. 9(8) omitted by S.I. 2019/593 Sch. 8 para. 6(c)
- art. 9(8) words inserted by 2012 c. 7 s. 215(5)(b)
- art. 9(8) words omitted by 2017 c. 16 Sch. 5 para. 14(3)
- art. 9A inserted (temp.) by 2020 c. 7 Sch. 1 para. 2(2)
- art. 10(2)(aa) inserted by S.I. 2014/1887 Sch. 1 para. 13(d)
- art. 10(4)(aa) inserted by S.I. 2014/1887 Sch. 1 para. 13(e)
- art. 10(6) inserted by S.I. 2007/3101 reg. 271(b)
- art. 10(6) omitted by S.I. 2019/593 Sch. 8 para. 7(b)
- art. 10(6) words inserted by 2012 c. 7 s. 215(6)
- art. 10(6) words omitted by 2017 c. 16 Sch. 5 para. 15(2)
- art. 10(7) inserted by S.I. 2014/1887 Sch. 1 para. 13(f)
- art. 10(7) omitted by 2017 c. 16 Sch. 5 para. 15(3)
- art. 11A inserted by S.I. 2014/1887 Sch. 1 para. 14
- art. 11A(11) omitted by 2017 c. 16 Sch. 5 para. 16
- art. 11A(12) omitted by S.I. 2019/593 Sch. 8 para. 8
- art. 12(1)(c)(III) coming into force by S.I. 2002/254 art. 1(3)
- art. 12(1)(d) and word inserted by 2012 c. 7 s. 215(7)(b)
- art. 12(1)(d) and word omitted by 2017 c. 16 Sch. 5 para. 17(2)(b)
- art. 12(1)(ba) inserted by S.I. 2016/1030 reg. 147(2)
- art. 12(1)(ba) omitted by S.I. 2019/593 Sch. 8 para. 9(a)(ii)
- art. 12(1A) inserted by S.I. 2007/3101 reg. 272(b)
- art. 12(1A) omitted by S.I. 2019/593 Sch. 8 para. 9(b)
- art. 12(2)(c) and word inserted by 2012 c. 7 s. 215(8)(b)
- art. 12(2)(c) and word omitted by 2017 c. 16 Sch. 5 para. 17(3)(b)
- art. 13(1)(c) substituted by S.I. 2009/1182 Sch. 2 para. 3(a)
- art. 13(1)(d) words added by S.I. 2009/1182 Sch. 2 para. 3(b)
- art. 13(1B) inserted by S.I. 2012/1479 art. 2(b)
- art. 13(1B) omitted by 2017 c. 16 Sch. 5 para. 18(3)
- art. 13A inserted by S.I. 2007/3101 reg. 273
- art. 13A omitted by S.I. 2019/593 Sch. 8 para. 10
- art. 13A title substituted by 2012 c. 7 s. 215(5)(a)
- art. 13A heading words substituted by 2017 c. 16 Sch. 5 para. 19
- art. 13A(2) substituted by S.I. 2016/1030 reg. 148(2)
- art. 13A(5) word substituted by S.I. 2016/1030 reg. 148(3)(a)
- art. 13A(5) word substituted by S.I. 2016/1030 reg. 148(3)(b)
- art. 13B inserted by 2012 c. 7 s. 215(9)
- art. 13B omitted by 2017 c. 16 Sch. 5 para. 20
- art. 14(ba) inserted by 2012 c. 7 s. 218(4)
- art. 14(ba) omitted by S.I. 2022/1216 reg. 3(b)
- art. 15A15B inserted by 2012 c. 7 s. 218(5)
- art. 15A omitted by S.I. 2018/893 reg. 41(4) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 15B omitted by S.I. 2018/893 reg. 41(5) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 17(3A) inserted by 2012 c. 7 s. 218(7)
- art. 17(3A) omitted by S.I. 2018/893 reg. 41(7) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))

- art. 18(1A) inserted by 2012 c. 7 s. 218(8)
- art. 18(1A) omitted by S.I. 2018/893 reg. 41(8)(a) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 19(2A)-(2D) inserted by S.I. 2007/3101 reg. 274
- art. 19(2A)-(2D) omitted by S.I. 2019/593 Sch. 8 para. 11
- art. 19(2A)(b) words inserted by 2012 c. 7 s. 215(10)
- art. 19(2A)(b) words omitted by 2017 c. 16 Sch. 5 para. 21
- art. 22(1)(a)(vi)(vii) inserted by S.I. 2009/1182 Sch. 2 para. 5 (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- art. 26(6A) inserted by 2015 c. 28 Sch. para. 6(3)
- art. 37(1)(aa) inserted by S.I. 2007/3101 reg. 275
- art. 37(1)(aa) omitted by S.I. 2019/593 Sch. 8 para. 12
- art. 37(1)(aa) words inserted by 2012 c. 7 s. 215(5)(b)
- art. 37(1)(aa) words omitted by 2017 c. 16 Sch. 5 para. 23(2)
- art. 37(1)(ab) inserted by S.I. 2014/1887 Sch. 1 para. 16(a)
- art. 37(1A)(1B) inserted by S.I. 2014/1887 Sch. 1 para. 16(b)
- art. 37(1B) omitted by 2017 c. 16 Sch. 5 para. 23(3)
- art. 37(2A) inserted by S.I. 2014/1887 Sch. 1 para. 16(c)
- art. 37(5A) inserted by S.I. 2009/1182 Sch. 2 para. 9(b)
- art. 37(5A)(a) words inserted by 2012 c. 7 s. 216(2)
- art. 37(5A)(a) words omitted by 2017 c. 16 Sch. 5 para. 23(4)
- art. 37(8A) inserted by 2012 c. 7 s. 216(4)
- art. 37(8A) omitted by 2017 c. 16 Sch. 5 para. 23(6)
- art. 38(1A) inserted by S.I. 2007/3101 reg. 276(b)
- art. 38(1A) omitted by S.I. 2019/593 Sch. 8 para. 13(b)
- art. 38(1A)(c)-(e) inserted by S.I. 2016/1030 reg. 149(2)
- art. 38(1B) inserted (temp.) by 2020 c. 7 Sch. 1 para. 2(4)
- art. 38(1ZA) inserted by 2012 c. 7 s. 216(5)
- art. 38(1ZA) omitted by 2017 c. 16 Sch. 5 para. 24(2)
- art. 38(5) inserted by 2012 c. 7 s. 216(7)
- art. 38(5) omitted by 2017 c. 16 Sch. 5 para. 24(4)
- art. 39(1A) inserted by 2012 c. 7 s. 215(12)
- art. 39(1A) omitted by 2017 c. 16 Sch. 5 para. 25
- art. 40(3) coming into force by S.I. 2002/254 art. 1(3) (See transitional provisions in S.I. 2003/1700)
- art. 40(3) coming into force by S.I. 2002/254 art. 1(3)
- art. 42(2A) inserted by S.I. 2009/1182 Sch. 2 para. 12(a)
- art. 42(3)(3A) substituted for art. 42(3) by S.I. 2009/1182 Sch. 2 para. 12(b)
- art. 44A inserted by 2012 c. 7 s. 219(1)
- art. 45(3A) inserted by 2012 c. 7 s. 218(11)
- art. 49 inserted by S.I. 2016/1030 reg. 150
- art. 49 omitted by S.I. 2019/593 Sch. 8 para. 14