

Council, 26 March 2009

Consultations on the registration cycle and grandparenting criteria for practitioner psychologists

Executive summary and recommendations

Introduction

On 5 March 2009, The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 was laid before the Scottish and UK parliaments. This is an Order made under Section 60 of the Health Act 1999 and, if passed, would bring practitioner psychologists into regulation by the HPC.

As the Section 60 Order has now been laid, the Council now needs to consult on amending the Health Professions Council (Registration and Fees) Rules Order of Council 2003 in order to set the registration cycle for practitioner psychologists.

The Council also needs to consult on the criteria to be used in determining applications made under the grandparenting route to registration.

Draft consultation documents are attached.

The Education and Training Committee is due to consider this paper at its meeting on 25 March 2009 and a verbal update will be provided to the Council at this meeting.

Decision

The Council is invited to discuss and agree:

- a) to consult on setting the registration cycle and grandparenting criteria for practitioner psychologists; and
- b) the text of the attached consultation documents and draft grandparenting criteria (subject to minor editing amendments).

If agreed, the consultation would take place from 27 March 2009 to 8 May 2009. The results would then be considered by the Council and Education and Training Committee on 20 May 2009.

Background information

None

Resource implications

- The approach to setting the registration cycle for practitioner psychologists takes into account resource implications.

Financial implications

None

Appendices

None

Date of paper

13 March 2009

Consultation on an amendment to the Health Professions Council (Registration and Fees) Rules Order of Council 2003

Practitioner psychologists

Introduction

We are consulting on a proposed amendment to the Health Professions Council (Registration and Fees) Rules Order of Council 2003 in order to set the registration cycle for practitioner psychologists.

About us

We are the Health Professions Council (HPC). We are a regulator of health professionals and our job is to protect the health and wellbeing of people who use the services of the health professionals registered with us.

To protect the public, we set standards that health professionals must meet. Our standards cover health professionals' education and training, behaviour, professional skills, and their health. We publish a register of health professionals who meet our standards.

Health professionals on our register are called 'registrants'. If registrants do not meet our standards, we can take action against them which may include removing them from the Register so that they can no longer practise.

Practitioner psychologists

In March 2009, The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 was laid before the Scottish and UK parliaments. This is an Order made under Section 60 of the Health Act 1999 (a 'Section 60 Order').¹

Subject to approval by both parliaments, this Section 60 Order will amend the Health Professions Order 2001 and bring practitioner psychologists into statutory regulation by the HPC. The domains of psychology practice to be regulated are:

- Clinical psychologists
- Counselling psychologists
- Educational psychologists
- Forensic psychologists
- Health psychologists
- Occupational psychologists
- Sport and Exercise psychologists

¹ The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009

About registration cycles

When the Register for practitioner psychologists opens, there will be a one-off transfer of Registers from the British Psychological Society (BPS) and the Association of Educational Psychologists (AEP).² We will then write to all those who have transferred to ask them to renew their registration and pay the relevant registration fee.

Each profession registered with us renews its registration in two yearly cycles. In order to ensure that we can process registration renewals efficiently, we stagger the renewal periods of the professions we regulate over the two year period.

When a profession is due to renew its registration, we send each registrant a renewal form and ask that they sign the form and return it to us with payment of the registration fee or a Direct Debit authorisation, by the profession's registration end date. If we fail to receive a completed form and payment by the registration end date, the registrant's registration will lapse.

Schedule five of the Health Professions Council (Registration and Fees) Rules Order of Council 2003 outlines the registration end dates for each of the parts of the HPC Register. For example, the registration end date for operating department practitioners is 30 November in even numbered years.

About our proposals

We are proposing, subject to parliamentary approval, to amend schedule five of the Health Professions Council (Registration and Fees) Rules Order of Council 2003 in order to set the registration cycle for practitioner psychologists.

We are proposing that the first registration cycle for practitioner psychologists should be 19 months long rather than 2 years, so that subsequent renewal of registration takes place in a relatively quieter period. This will mean that we will be able to provide a more efficient service to those renewing their registration.

We anticipate that the Register for practitioner psychologists will open on 1 July 2009. We propose that practitioner psychologists should be asked to renew their registration from 1 August 2009 until 31 October 2009.

We propose that registrants who renew their registration will do so for 19 months for the first cycle, rather than the normal two years - 1 November 2009 to 31 May 2011. A pro-rata fee would be paid for this period.

Practitioner registrants would then slot into the normal two year renewal cycle, renewing their registration for two years – 1 June 2011 to 31 May 2013. The end date for the renewal cycle for practitioner psychologists would then continue to be 31 May in odd numbered years on an ongoing basis.

² The Registers that will transfer are defined in the Section 60 Order.

Summary of proposals

In summary, we are proposing the following:

- 1 July 2009 – Register for practitioner psychologists opens.
- 1 August 2009 to 31 October 2009 – practitioner psychologists invited to renew their registration.
- 1 November 2009 to 31 May 2011 – first registration cycle for practitioner psychologists.
- 1 June 2011 to 31 May 2013 – second registration cycle for practitioner psychologists. The end of the registration cycle for practitioner psychologists would then be 31 May in odd numbered years on an ongoing basis (i.e. the following registration cycle would end on 31 May 2015).

Your comments

We would welcome your comments on the proposed amendments to the Health Professions Council (Registration and Fees) Rules Order of Council 2003 outlined in this document.

This consultation will put our proposals before a range of stakeholders with an interest in the regulation of practitioner psychologists.

We normally consult for three months in accordance with guidance set out in the HM Government Code of Practice on Consultation. However, in order to ensure that the Rules are amended in time for the anticipated opening date of the Register, we are consulting for a shorter period. This will mean that (subject to the results of the consultation) the Rules can come into force (subject to parliamentary approval) at or around the same time as The Health care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009.

The consultation will run until **8 May 2009**.

This document is available to download from our website and available in hard copy on request.

If you would like to respond to this consultation, please send your response to:

Amendment to Registration and Fees Rules consultation
Policy and Standards Department
Health Professions Council
Park House
184 Kennington Park Road
London
SE11 4BU

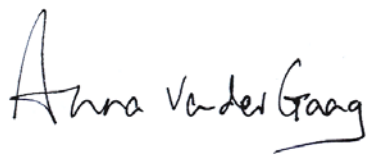
Email: consultation@hpc-uk.org
Website: www.hpc-uk.org/aboutus/consultations

We will publish on our website a summary of the responses we receive and the decisions we have taken as a result.

If you would prefer your response not be made public, please indicate this when you respond.

We look forward to receiving your comments.

Yours faithfully

A handwritten signature in black ink that reads "Anna van der Gaag". The signature is written in a cursive style with a horizontal line under the name.

Anna van der Gaag
President

DRAFT

Consultation on criteria for applications for admission to the Practitioner Psychologists part of the Register made under the Transitional (“Grandparenting”) Arrangements

Introduction

We are consulting on proposed criteria for applications for admission to the practitioner psychologists part of the Register under the ‘grandparenting’ arrangements (referred to this document as ‘grandparenting criteria’).

About us

We are the Health Professions Council (HPC). We are a regulator of health professionals and our job is to protect the health and wellbeing of people who use the services of the health professionals registered with us.

To protect the public, we set standards that health professionals must meet. Our standards cover health professionals’ education and training, behaviour, professional skills, and their health. We publish a register of health professionals who meet our standards.

Health professionals on our register are called ‘registrants’. If registrants do not meet our standards, we can take action against them which may include removing them from the Register so that they can no longer practise.

Practitioner psychologists

In March 2009, The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 was laid before the Scottish and UK parliaments. This is an Order made under Section 60 of the Health Act 1999 (a ‘Section 60 Order’).¹

Subject to approval by both parliaments, this Section 60 Order will amend the Health Professions Order 2001 and bring practitioner psychologists into statutory regulation by the HPC. The domains of psychology practice to be regulated are:

- Clinical psychologists
- Counselling psychologists
- Educational psychologists
- Forensic psychologists
- Health psychologists
- Occupational psychologists
- Sport and Exercise psychologists

¹ The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009

About grandparenting

When the Register for practitioner psychologists opens, there will be a one-off transfer of Registers from the British Psychological Society (BPS) and the Association of Educational Psychologists (AEP).² We will then write to all those who have transferred to ask them to renew their registration and pay the relevant registration fee.

We will also approve all those programmes which led to membership of one of the registers that transfer (known as 'approved programmes'). This means that any individual who could have been a member of the voluntary register on the date of the transfer, but was not (for example, their membership had lapsed) would be able to apply to us for registration via the UK-approved course route. This also means that someone who is part way through their training when the Register opens will be able to apply to us for registration when they successfully complete their programme.

Whenever a new profession becomes regulated, and titles are protected, there will be a 'grandparenting' period. The grandparenting period allows people who have previously been practising the profession, but who do not hold an approved qualification, to become registered if they can demonstrate they meet certain criteria.

Applications are assessed on an individual basis by registration assessors, who are appropriately qualified members of the profession. In the case of practitioner psychologists, the registration assessors considering each application would be from the same domain as the application being made.

Subject to parliamentary approval of the Section 60 Order, the grandparenting period for practitioner psychologists will be three years in length. Once the grandparenting period closes, the only route to registration for UK trained individuals is via completing an approved programme.

The grandparenting provisions are set out in Article 13(2) of the Health Professions Order 2001 and described in the attached draft document.

Grandparenting criteria

The attached draft criteria are those that we propose to have regard to in determining whether a grandparenting applicant satisfies the requirements of Article 13(2).

They describe how we will decide whether we can register an applicant, including the information an applicant will be required to submit.

² The Registers that will transfer are defined in the Section 60 Order.

Your comments

We would welcome your comments on the attached draft grandparenting criteria.

This consultation will put our draft criteria before a range of stakeholders with an interest in the regulation of practitioner psychologists.

We normally consult for three months in accordance with guidance set out in the HM Government Code of Practice on Consultation. However, in order to ensure that the grandparenting criteria are agreed (subject to parliamentary approval of the Section 60 Order) in time for the anticipated opening date of the Register, we are consulting for a shorter period.

The consultation will run until **8 May 2009**.

This document is available to download from our website and available in hard copy on request.

If you would like to respond to this consultation, please send this response to:

Grandparenting criteria consultation
Policy and Standards Department
Health Professions Council
Park House
184 Kennington Park Road
London
SE11 4BU

Email: consultation@hpc-uk.org

Website: www.hpc-uk.org/aboutus/consultations

We will publish on our website a summary of the responses we receive and the decisions we have taken as a result.

If you would prefer your response not be made public, please indicate this when you respond.

We look forward to receiving your comments.

Yours faithfully



Anna van der Gaag
President

Criteria for applications for admission to the Practitioner Psychologists Part of the Register made under the Transitional (“Grandparenting”) Arrangements

Introduction

1. Article 13 of the Health Professions Order 2001 provides that, during a transitional period of three years beginning with the date on which the Practitioner Psychologists Part of the HPC register opens, a person who does not hold an approved qualification and who was never registered in the BPS register¹ or AEP Register² may, in certain circumstances, be treated as if he or she satisfies the requirement to hold an approved qualification for registration.
2. Those circumstances are set out in Article 13(2) of the Order and require the applicant to satisfy the Council’s Education and Training Committee (the **Committee**) that either:
 - A. he or she has been wholly or mainly engaged in the lawful, safe and effective practice of one of the forms of psychology regulated by HPC (the **relevant profession**) for three out of the five years prior to the opening of the register (or its part time equivalent); or
 - B. where the applicant cannot meet that “three out of five years” test, that he or she has undergone additional training or experience to satisfy the requisite standard of proficiency for the relevant profession.
3. In either case the Committee may require the applicant to take a test of competence.
4. This document sets out the criteria that the Council have established and to which the Committee must have regard in determining whether an applicant meets the requirements of Article 13(2).

Form of application

5. An application for admission to the register under the transitional (commonly referred to as “grandparenting”) arrangements must be made during the three year transitional period using the form specified by the Council in accordance with the Health Professions Council (Registration and Fees) Rules 2003 (as amended) and

¹ The register in respect of clinical psychologists, counselling psychologists, educational psychologists, forensic psychologists; health psychologists, occupational psychologists, and sport and exercise psychologists, maintained by the British Psychological Society

² The register in respect of educational psychologists maintained by the Association of Educational Psychologists

be accompanied by both the scrutiny fee and registration fee prescribed in those Rules.

Lawful practice and its duration

6. In determining whether an applicant has spent any part of his or her working time in the lawful, safe and effective practice of a relevant profession, the Committee shall have regard to, among other matters, the period during which the applicant:

- A. has been included in the register of any regulatory or professional body for the relevant profession;
- B. has maintained professional indemnity insurance in respect of the practise of that profession;
- C. is stated, in a “statement of professional status”, to have been practising that profession;
- D. has, in other circumstances, practised that profession.

and to the nature and extent of his or her practice during any such period.

7. For this purpose a “statement of professional status” is a statement as to the number of years a person has been practising the relevant profession³ which is given by a registered health professional, medical practitioner, bank manager, accountant, solicitor or other person of standing in the community who is not related to the applicant by birth or marriage (or any relationship akin to marriage).

8. If an applicant has practised the relevant profession in a place outside the United Kingdom, and the practice of that profession there was prohibited unless legal requirements relating to it were complied with, the applicant must satisfy the Committee that he or she has complied with those requirements in order to be treated as having spent that period in the lawful practice of that profession.

Safe practice

9. In determining whether an applicant has practised the relevant profession safely, the Committee shall, among other matters, have regard to any:

- A. complaint made to any regulatory or professional body for the relevant profession by whom the applicant is or has been registered;
- B. claim made under a contract of insurance providing professional indemnity to the applicant; and
- C. proceedings (whether criminal or civil) brought against the applicant in connection with the practise of that profession.

³ It is important to note that a statement of professional status is only evidence of how long a person has been practising a particular profession (for example, an accountant will be able to confirm that he or she has prepared accounts for X years for a client who has been practising as a psychologist) but, of itself, will not be evidence that practice has been safe or effective.

Effective practice

10. In order to assist the Committee to determine whether he or she has practised the relevant profession effectively, the applicant shall complete a statement of practice which sets out his or her practical experience in the relevant profession and the statement may be supported by not more than three case studies which are based upon the applicant's own professional experience. Both the statement of practice and any case studies must be and reflect the applicant's own work.

11. In determining whether an applicant has practised the relevant profession effectively the Committee shall, among other matters, have regard to:

- A. the completed statement of practice; and
- B. the required standard of proficiency for that profession.

Tests of competence

12. The Committee may require the applicant to pass such test of competence for the relevant profession (or any part of that test) as it considers appropriate.

13. A test of competence may cover any of the following heads for the purposes of determining whether the applicant is proficient in relation to:

- A. knowledge and understanding of the nature and ethical basis of the practice of the relevant profession;
- B. understanding of the key concepts of the bodies of knowledge relevant to the practice of that profession;
- C. assessment, before and during the provision of professional services* and the preparation of case histories or exemplars;
- D. the selection of appropriate professional services*
- E. the delivery of professional services*, the evaluation of the response to them and their effectiveness;
- F. the giving of advice concerning any professional services*;
- G. the obtaining of consent to professional services*;
- H. communication with service users, other professionals and other service providers, which may include assessment of the need for referrals or second opinions;
- I. record keeping.

* For this purpose, "professional services" means treatment, therapy, consultation, intervention or the provision of services as a psychologist.

14. A test of competence may be conducted as an oral or written test (or both) and may include a test requiring a practical demonstration by the applicant.

15. Tests of competence shall be conducted by assessors appointed by the Council, who will normally be persons who are registered practitioners of the relevant profession.

References

16. Applicants may provide whatever evidence they consider to be appropriate in support of their application. Consequently, applicants are not obliged to provide references and the Committee should not reject an application solely on the basis that it is not supported by references. However, where the applicant does provide references, the Committee should take them into account in determining the application.

Obtaining further information

17. Article 13 requires applicants to satisfy the Committee that they meet the tests of having been wholly or mainly engaged in the lawful, safe and effective practice of a relevant profession or having undergone additional training or experience to meet the required standards of proficiency for that profession.

Consequently, where on the basis of the information available to it, the Committee is not satisfied on any of those points the Committee may:

- A. require the applicant to provide information in addition to that provided with the application for registration;
- B. require the applicant to be interviewed by the Committee or by a person nominated by it or to be visited at any place where he or she practises the relevant profession by a person so nominated; and
- C. obtain information additional to that provided with the application for registration from any other person or source as it considers appropriate.