

## **The Council for the Regulation of Healthcare Professionals: Section 29 Referrals**

One of the key roles of the Council for the Regulation of Healthcare Professionals (CRHP) is to refer to the courts a decision of HPC's Conduct and Competence Panel where they believe the HPC has been too lenient or an inappropriate ex-registrant is reinstated to the register. CRHP's power is called a Section 29 Order and the power has now come into force. A period of 28 days is allowed between the final HPC decision and the decision by CRHP to refer the case to the courts. Speed is therefore of the essence.

However, CRHP will be consulting on how the process should be refined. This exercise will not be concluded for at least four months. Therefore all the regulators of healthcare professionals and CRHP need to establish interim arrangements for identifying potential referrals.

Discussions have been held with CRHP and their legal advisers on how to proceed. Three issues have been identified of particular concern to the Executive of HPC. They are as follows:

Should all relevant HPC decisions be referred automatically to CRHP, or should CRHP establish criteria to identify appropriate cases thus matching the Statement in the House of Commons by the Minister that 2 - 3 cases in total from all regulators will be referred to the courts?

Should HPC notify all relevant Registrants that they will be automatically referred to CRHP resulting in the possibility of an accusation that HPC is being oppressive and disproportionate?

Should CRHP Section 29 panel meetings be held in public?

**The Council is requested to instruct the Chief Executive and Registrar to:**

- (i) Alert all potential S29 referrals to the President and Chairman of the Conduct and Competence Committee.**
- (ii) Inform CRHP of potential S29 referrals.**
- (iii) Report all referrals to the next meetings of the Council and Conduct and Competence Committee.**
- (iv) Report to the Council progress on and the conclusions of the CHRP consultation exercise.**