

Education and Training Committee, 12 November 2020

Update to Guidance on Health and Character

Executive summary and recommendations

### **Introduction**

Applicants and registrants renewing their registration must make a health and character declaration to the HCPC. The Guidance on Health and Character provides applicants and registrants with information about making a health and character declaration. When someone joins the register or renews their registration, they must declare that they are of good health and character and that neither their health nor character will impair their ability to practice in their profession. The document provides guidance to applicants and registrants about the types of information the HCPC considers relevant and when they should or must disclose this information to us.

We first published the Guidance on Health and Character in 2005 and it was most recently updated in 2017. This is currently targeted at applicants, registrants, students and education providers.

We have undertaken work to update the Guidance to:

- Make it a more concise and targeted document: We have done this by changing the layout of the document and reducing the amount of repetition. We also propose removing the existing guidance aimed at education providers and creating a standalone document.
- Ensure that it reflects current operational practice within Registration and FTP.
- Ensure that it reflects the HCPC's other guidance and policies including those relating to self-referral and health and wellbeing.
- Provide applicants and registrants with clear guidance about when they need to declare health or character issues to us: this was partly done through new case studies in the guidance which focus on particularly nuanced issues like mental health conditions and degenerative illnesses.

In deciding to create a separate document for education providers, we undertook a small-scale survey of education providers. The survey response shows that the education providers are generally satisfied with the guidance and find it a useful document. We have therefore only made minor changes, including new case studies which deal with managed disabilities (an issue education providers stated they required more guidance on).

We propose taking the document to public consultation from January 11<sup>th</sup> 2020 to April 2<sup>nd</sup> 2020.

Attached are five documents including the updated guidance document aimed at applicants and registrants as well as the separate document aimed at education providers. Both these documents are revisions of the 2017 document following consultation with the Registration and Fitness to Practice Team. Also attached is the document which will be used to ask the public to give input on the updated guidance. The third appendix is an overview of the analysis of the survey results for education providers. This analysis informed the revisions made to the guidance aimed specifically at education providers.

Appendix D is the consultation document which asks general questions about the revisions to the document and also asks about the support from the public for separating the documents. Finally, the full EQIA is attached which details to the EDI concerns which were taken into account in the development of these documents. Our consultation survey will include specific questions to collect EDI information about respondents to further inform the impact assessment of the proposals.

## **Decision**

The Committee is asked to recommend the paper to Council.

## **Background information**

The current version of the Guidance on Health and Character can be found [here](#).

The current Health and Character Policy can be found [here](#).

The online information on self-referrals can be found at [here](#).

## **Resource implications**

Resource implications are factored into the Policy and Standards workplan for 2020-21.

## **Financial implications**

Financial implications are factored into the Policy and Standards workplan for 2020-21.

## **Appendices**

- Appendix A – Updated Guidance on Health and Character
- Appendix B – Updated Guidance on Health and Character for Education Providers
- Appendix C – Consultation document
- Appendix D – Equality and Diversity Impact Assessment

## **Author**

Matthew Clayton, Senior Policy Officer

# **Guidance on Health and Character**

## **Draft**

## Introduction

We are the Health and Care Professions Council (HCPC). We are a regulator, and we were set up to protect the public. To do this, we keep a Register of professionals who meet our standards for their training, professional skills, behaviour and health. Professionals on our Register are called 'registrants'. Anyone can search our Register on our website, so they can check that their professional is registered.

The relationship between a registrant and the service user is based on trust, confidence and professionalism and so it is important we check the health and character of everyone who applies to join our Register. This is to make sure that applicants will be able to practise safely and effectively within their profession. We can also take action to protect the public if a registrant's health or character raises concerns about their ability to practise safely and effectively.

We know that the processes in this guidance can be extremely stressful for applicants and registrants to go through and we hope that this information provides reassurance. Please see the support services referred in this document.

This document provides guidance to applicants and registrants setting out:

- why the HCPC needs information about health and character;
- when you would need to provide information about health and character;
- what kind of information about your health and character you would need to provide and,
- what process the HCPC follows to assess information about health and character and the procedures we follow.



## When would we ask for this information?

The HCPC believes that registrants, once regulated, are personally responsible for maintaining their own fitness to practise. This includes giving us any information about changes to their health or character which might affect their ability to practise safely and effectively. We expect applicants to follow the same principle.

There are three instances where you would provide this information to the HCPC:

- when you apply to join the Register;
- when you renew your registration every two years; and
- at any other point where there is a change in your health or character.

Any time that information is given to the HCPC outside of the application or renewal processes would be considered a self-referral.

### When you apply to join the Register

When you fill in your application form, we ask you to declare information about your health and character. If applying using a physical form, providing all additional information on a separate piece of paper can help reduce the risk of delays in processing your paperwork.

Being registered places extra responsibilities on you to act in a professional way. This includes declaring any information which will impact either your character or health. If you do not provide accurate information in your application, or if you fail to provide all the relevant information, you will be making a 'false declaration'. Making a false declaration can result in you being removed from our Register so it is important you are honest throughout the application process.

### When you renew your registration

As a registrant, you will renew your registration every two years. Each time you renew your registration, you must make a 'professional declaration'. In this declaration, you only need to declare changes to your health and character that affect your ability to practise.

### When there is a change in your health and character

As an HCPC registrant, you have a personal responsibility, once regulated, to maintain and manage your own fitness to practise. This includes giving us any information about changes to your health or character which might affect your ability to practise safely and effectively. When you provide information about a change to your health and character, we would consider this as a self-referral.

You can make a self-referral about changes in your health and character at any time, without having to wait for your usual renewal period.

Registrants must declare that they have been practising within the last two years in order to renew their registration. If in managing your health condition you are likely to be out of practice for longer than two years, you will need to get in touch with our Registration team and potentially temporarily come off the Register until you are able to return. You may be able to adapt or even change roles and remain 'in practise'. That is because we do not define practising by a set of activities, but rather as 'drawing on your professional skills and knowledge in the course of your work.' For detailed information about returning to practise, see our guidance [here](#).

If you decide to declare an ongoing health condition or disability to us, this does not mean that we need to be told about your full medical history. We only need information that is relevant to your ability to safely practise and which enables us to protect the public.

### **Case study: Mental health**

Like your physical health, your mental health can change. Just like your physical health, it is possible to live with a serious condition like bipolar and, through the necessary steps, manage your condition effectively and practise safely.

Last year a registrant was diagnosed with Bipolar, following a short period of poor mental health. She was not working at the time. Her condition is now managed with medication and she has returned to work. Her employers are aware. A trigger for her condition is extreme stress and her employers have allowed her to reduce her working hours and the type of service users she sees to ensure that she is able to manage the level of stress associated with her role. Those working closely with her are also informed about her condition and the triggers.

She is unsure if she should self-refer.

The short answer is no. When she was in poor health, she had stopped working and has only begun to work again as her health has improved and since managing her condition. She has been able to adapt her practice as needed in order to remain safe and effective.

She is also unsure if she should then wait until her renewal to declare her condition or make a declaration immediately. If she is sure she can adapt, limit, or stop her practice as needed to remain safe and effective, then she does not need to inform the HCPC.

## **What needs to be declared?**

Depending on whether you are applying to be on the Register, renewing your registration or making a self-referral will impact on when you will need to declare information about your health and character, as well as what type of information we require.

This section provides more information about when to inform the HCPC that your health or character may impact on your fitness to practice, that is, your ability to practise safely and effectively.

Before making a declaration, we recommend that you carefully read the forms so that you understand what you need to submit. We would also advise anyone making a declaration to

Speak to their professional body, trade union or employer or otherwise to seek independent legal advice.

## Your Health

When we talk about 'health', we mean any health conditions which may affect either an applicant or a registrant's fitness to practise, that is, their ability to practise safely and effectively.

We expect registrants to maintain their health. Standard 6.3 of our Standards of conduct, performance, and ethics says:

'You must make changes to how you practise, or stop practising, if your physical or mental health may affect your performance or judgement, or put others at risk for any other reason.'

You should tell us about your health condition if it affects your ability to practise safely and effectively. You should also tell us if you are not sure whether your health condition affects (or could affect) your ability to practise, or what steps you need to take to stay safe and effective.

You do not need to tell us if your health condition does not affect your practice or you are sure you can adapt, limit, or stop your practice as needed to remain safe and effective. In other words, you do not need to tell us if you can meet standard 6.3.

This applies for conditions that affect your physical health and / or mental health.

### **Case study: Degenerative illness**

If you are living with a long-term illness, it can be difficult to know when you should declare it to the HCPC. This can be especially difficult when serious illnesses are diagnosed early on, often before the onset of serious symptoms.

Five years ago, a registrant was diagnosed with Parkinson's disease, which they declared when renewing their registration at that time. At that stage it did not affect their ability to practise safely. Their symptoms have increased over time and they now has trouble sleeping, problems with memory and experiences anxiety. They have told her manager, but they are not able to change their practice. They are still working but it is getting more difficult to keep on top of things. They are about to renew their registration and are unsure if they should disclose this.

The answer is yes. Even if you have previously declared a health condition, if it is beginning to affect your ability to practise and you are not sure how to, or are unable to, take steps you need to remain safe and effective.



### **Case Study: Injury**

A health concern does not have to be permanent to impact your ability to practise safely while not all permanent health concerns will negatively impact your ability to practise safely either.

A recent graduate is applying for registration as a physiotherapist with us. She has badly broken her leg in a car accident in the last few months and has limited use of her left leg and cannot stand for long periods of time. Her mobility will be further reduced in the recovery period from a scheduled surgery on her leg which will take place in the next few months. After the period of rehabilitation, she is expected to make a full recovery.

While the applicant has limited use of her leg there are a number of ways that she could manage this condition. For example, she could work in a way that enabled her to not use her broken leg. She could triage patients via video calls from her own home or give service users advice about exercises. If she is able to, another way to manage this condition is to not practise during this time. If she took time to rest and recover and was not interacting with service users, this is another type of management.

In either instance, so long as the health concern is being properly managed there is no reason for her to make a declaration.

## **Your Character**

When it comes to character declarations, the information you must provide as an applicant and a registrant is slightly different. We have separated this section into information for applicants and information for existing registrants.

### **As an applicant**

We ask you to make a declaration about your character as part of your application. In this declaration you need to tell us if you have ever:

- been convicted of a criminal offence or received a police caution or conditional discharge for a criminal offence other than a protected caution or protected conviction (these are cautions and convictions that you do not need to tell us about);
- received cautions or convictions in countries outside the United Kingdom, if the offence is one that could have resulted in a caution or conviction in England or Wales;
- been subject to disciplinary action by a higher education institution, including both HCPC and non-HCPC approved courses; or
- another organisation responsible for regulating a health or social-care profession has taken action or made a finding against you.

### **As a registrant**

Registrants have a personal responsibility, once regulated, to maintain and manage their own fitness to practise. This includes the professional responsibility to declare information to us about any change in your character.

As part of your renewal you will have to complete a declaration. In the declaration you will have to agree that:

- Since your last registration there has been no change relating to your good character or any change to your health that may affect your ability to practise safely and effectively.

You must also let the HCPC know as soon as possible (i.e., not wait for your renewal process and make a self-referral) if your conduct is listed in Standard 9.5 of our Standards of Conduct, Performance and Ethics, including if:

- you accept a caution from the police or you have been charged with, or found guilty of, a criminal offence;
- you received cautions or convictions in countries outside the United Kingdom, if the offence is one that could have resulted in a caution or conviction in England or Wales;
- another organisation responsible for regulating a health or social-care profession has taken action or made a finding against you; or
- you have had any restrictions placed on your practice, or been suspended or dismissed by an employer, because of concerns about your conduct or competence.
- You may choose to tell us about other concerns that do not meet these criteria. If you do, we will review this concern in the same way as any other self-referral or other fitness to practise matter.

## Do I need to self-refer to the HCPC?



We provide more guidance on making a self-referral on our website: <https://www.hcpc-uk.org/concerns/raising-concerns/self-referral/>.

## **Understanding convictions and cautions**

You must always tell us about a caution or conviction (even 'spent' ones) unless they are protected.

There are some circumstances where you do not need to tell us about a caution or conviction if it is protected. This varies depending on the country within the UK that you live in. You can find detailed information on this in the relevant legislation as set out below.

### **England and Wales**

- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975

### **Northern Ireland**

- Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979

### **Scotland**

- Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

When considering whether you need to declare a caution or conviction, it is important that you follow the relevant legislation for your country and any guidance linked with it.

If your offence is a 'listed offence' under the relevant legislation of the country you live in, it will never be protected, and you must inform the HCPC immediately.

Listed offences include serious violent and sexual offences and offences which may raise concerns about whether you should work with children or vulnerable adults. You can find more guidance on listed offences and providing information about cautions and convictions on the websites of the [disclosure services](#).

### *Convictions Before You Turned 18*

You must declare any cautions or convictions that you may have, even if you received them when you were under the age of 18. This includes any cautions or convictions that are considered 'spent' because they happened some time ago, unless they are a protected caution or protected conviction. Protected cautions or convictions are ones that you do not need to tell us about.

### **Case study: Conviction**

An individual has been registered with the HCPC as an Occupational Therapist for 5½ years. They are currently 6 months away from entering the profession's renewal period. The registrant has recently been convicted for a drink-driving offense and as a result, received an 18-month driving ban. No other sanction has been issued by the police or court service.

In this example the conviction has resulted in a significant change in the registrant's character and therefore they are required to make an immediate self-referral to the HCPC.

The registrant should not wait for the renewal period to make a character declaration despite its close proximity. This will ensure they comply with standard 9.5 of the Standards of conduct, performance and ethics. Any delay in referring the matter, could in itself be a failure of the registrant in complying with the standards.

## **Declarations unlikely to impact your application or renewal**

All convictions, cautions and other potential character issues or health issues must be declared to the HCPC. If you are in doubt about whether or not to declare information, then you should declare it and allow us to consider it.

As each matter is assessed on its unique circumstances, there is no list of declarations which will prevent registration or renewal. However, except where the Head of Fitness to Practise considers otherwise, no further action needs to be taken in relation to the following:

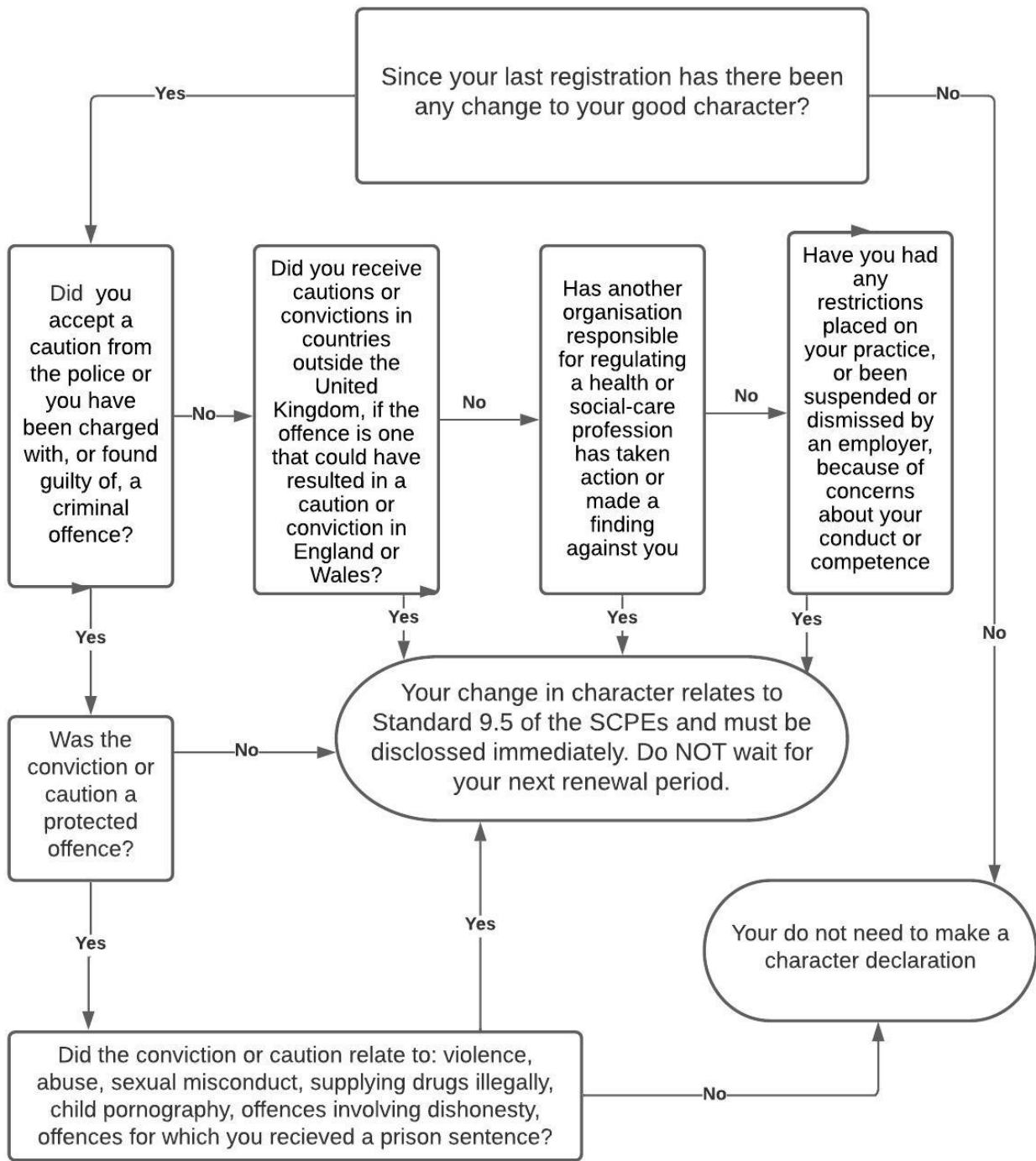
- managed health conditions;
- private family or personal disputes or civil matters;
- minor motoring offences such as parking fines; other fixed penalty offences; or public transport penalty fares;
- misuse of title concerns depending on the duration of misuse, frequency and seriousness of the misuse;
- matters already considered by the HCPC unless new information has been provided;
- a caution or conviction received by a person before or while undertaking a programme of study approved by the HCPC, or any other character matter, which
  - was considered by the education provider as part of its admission procedures and the person was admitted to the programme; or
  - was considered by the education provider under its student fitness to practise process and the person was not excluded from the programme;
- disciplinary action taken by an employer which is unconnected to the practice of a relevant profession and does not relate to conduct involving:

- violence;
- dishonesty;
- inappropriate sexual behaviour;
- substance abuse or the possession or supply of drugs; or
- conduct of a racially motivated, homophobic or similar nature.

### **What to do if you are unsure**

If after reading this guidance you are still unsure about whether you should tell us about a health condition or provide information about your character, and you believe these impact on your ability to practise safely, you should tell us anyway and give us as much information as you can. We can then assess whether your condition could affect your ability to practise.

Before you contact us, you can still reach out to your employer, your trade union or your professional body for information and advice. You can find more information about independent support services in our section below.



## What happens once I provide the information?

After you provide information through your application, your renewal or by making a self-referral, a process of investigation will begin. This process differs depending on if you are an applicant or a registrant.

If you have a disability under the terms of the Equality Act 2010 and need us to make reasonable adjustments to this process, please contact us on Freephone: 0800 328 4218. You can read more about the HCPC's [Equality, Diversity and Inclusion Policy here](#).

For applicants and registrants based in Wales, our [Welsh Language Scheme](#) makes provision for proceedings in Welsh upon request.

If you are an applicant, the process of investigating and making a finding on your health and character declaration falls to our case officer team.

If you are a registrant, whether you make a declaration during your renewal or you self-refer, your process will be handled by our Fitness to Practise team.

It is important to note that while the process is being handled by our Fitness to Practise team, this is not a reflection on the disclosure you have made or an assumption that you are unfit to practice. With all the matters which relate to registrants, we have to determine if the matter is within the scope of the HCPC's fitness to practise team and the only way we do this is through our investigation process.

We investigate all cases objectively and independently and we will treat you fairly and explain what will happen at each stage of the process.

We assign a case manager to each case. Their role is to manage the case throughout the process and to gather relevant information. The case manager acts as a contact for everyone involved in the case and will keep you up to date with the progress of the investigation. They cannot give you legal advice but they can explain how the process works, what information we require and what panels might consider when making decisions.

Visit our web page, ['What happens if a concern has been raised against me?'](#) for more information about the process a case will go through and the possible outcomes.

### After a health declaration

If you tell us about a health condition when you renew your registration and it is clear that your ability to practise safely or effectively is not affected (such as taking time off work with flu or a broken leg) then our Registration team will let you know.

However, in most cases we will refer information that you declare about a change in your health to our Fitness to Practise department. If you make a self-referral, this will be received directly by our Fitness to Practise department.

Our Fitness to Practise team are best placed to consider whether you are able to practise safely and effectively. The information that you declare will be handled sensitively,

confidentially and in line with our published approach to investigating health matters. Read more about how we investigate health concerns [here](#).

When considering health information, the Registration or Fitness to Practise team will look at the circumstances and examine each case individually. They will be looking to see if your health condition means you are able to practise safely and effectively and therefore should be allowed to register or to renew your registration. As a result, we do not have a list of health conditions which would prevent you from practising as a registered professional.

The registration or investigation panel look at various issues when making a decision about whether your health would affect your ability to practise safely and effectively.

The panel may look at:

- how you currently manage your condition;
- whether you have shown insight and understanding into your condition;
- whether you have medical or other support;
- whether you have made reasonable adjustments to your placement conditions or employment conditions; or
- whether you have agreed reasonable adjustments with your placement providers or employers.

In every case referred for a hearing, whether you are a registrant or an applicant, we will ask whether you will give your doctor to provide information to the HCPC directly so that the we can make an informed decision.

Where a decision is made to refuse registration, you will have a right to appeal. More information is set out below.

## After a character declaration

All concerns go through the same fitness to practise process, regardless of who we receive them from.

When making decisions about character, we are considering whether your behaviour in the past means you can practise in a way which does not put the public at risk or affect public confidence in you or your profession.

When someone declares a conviction or caution, we may re-examine the nature of the evidence but we will not retry the case or impose punishment for a second time.

We will consider only the factors relevant to your case and consider all the information we receive on a case-by-case basis, looking at the particular circumstances around the event. This means that we can only provide guidance on how we will consider the information and we cannot provide answers about what the outcome of the case will be.

When looking at issues around your character, we may consider:

- the number and nature of offences or events;
- the seriousness of the offences or events;
- when and where the offences or events took place; any information you have given to help explain the circumstances;
- your character and conduct since the offence or event;



- the likelihood of repetition;
- the relevance of the matter to the practise of the relevant profession; and
- the wider public interest, including confidence in the profession concerned and the regulatory process.

This is not a full list of factors which can help to decide the seriousness or significance of the issues we consider.

The types of convictions which might result in an applicant not being allowed to Register or to a registrant being struck off the Register usually relate to offences of a sexual nature, violence or dishonesty.

We will consider rejecting an application for registration, or removing you from the Register if you are already registered, if you are convicted of a criminal offence or accept a police caution that involves one of the following types of behaviour:

- Violence
- Abuse
- Sexual misconduct
- Supplying drugs illegally
- Child pornography
- Offences involving dishonesty
- Offences for which you received a prison sentence

More information and guidance about how we consider fitness to practise concerns is available on the fitness to practise section of our website.

If we do not think that the issues raised will affect your fitness to practise, we will write to you and let you know. We will not take any further action.

We always advise applicants and registrants who are providing information on their health and character to prepare all of their information in advance. Having as much relevant documentation to hand as early as possible will help avoid delays in your registration or renewal.

## Finding support

We know that the process of making a declaration and the subsequent investigation can be stressful.

We will work to ensure that the process moves as quickly as possible and that you are kept informed at all times. At any point you can contact the Fitness to Practise team on freephone 0800 328 4218 for more information.

Before making your declaration, we would also recommend speaking to your trade union or your [professional body](#). They will be well placed to give you advice on best practice for your profession and to be able to reflect on previous experience in similar matters.

We also recommend speaking to your employer as they will be able to provide advice and also let you know which resources you can access for further support.

If you are struggling, don't be afraid to tell somebody. We encourage you to talk to a friend, family member or trusted colleague.

Samaritans are a non-religious support service there to listen to you and help you talk through your concerns, worries and troubles, whatever they may be. Call Samaritans for free and in confidence, 24 hours a day, on **116 123**.

## Appealing a decision

Applicants and registrants have a right to appeal decisions made by a panel. The HCPC will let you know the outcome of the panel which dealt with your application or renewal and will provide more information should you wish to appeal.

When making an appeal you can decide to appear in person and provide more information than the original panel dealt with (for a health matter this could be more evidence from a medical doctor, while in a character matter it could be more evidence of your good character).

Once the Appeal Panel makes a finding you can go further and approach a court. If you are an applicant, you can approach the County Court (in England, Wales and Northern Ireland) or the Sheriff Court if you are based in Scotland. If you are a registrant, you have the option to appeal to a higher court and can approach the High Court (in England, Wales and Northern Ireland) or the Court of Session in Scotland.

# Glossary

## **Criminal conviction check**

A check to see if someone has been convicted of a criminal offence or has received a police caution.

## **Disabled person**

The Equality Act 2010 defines a disabled person as 'someone with a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'. 'Long-term' is defined as lasting at least twelve months while substantial is defined as more than minor or trivial and long term is defined as 12 months or more.

## **Fit to practice**

When someone has the skills, knowledge, character and health to do their job safely and effectively.

## **Register**

A published list of professionals who meet our standards. The Register is available online ([www.hcpc-uk.org](http://www.hcpc-uk.org)).

## **Registrant**

A professional who appears on our Register.

## **Regulator**

An organisation that protects the public by making sure people keep to certain laws or requirements.

## **Self-declaration**

The declarations of health and character that applicants or registrants must sign to confirm that their health and character does not affect their ability to practise safely and effectively.

## **Self-referral**

When a registrant gives us information about their health, character or conduct at any time outside of the registration application or renewal process.

## **Service user**

Anyone who uses or is affected by the services of registrants. This includes patients or clients.

## **Standards of conduct, performance and ethics**

Standards that we expect from health and care professionals who are registered with us.

## **Standards of education and training**

Standards which education providers must meet to make sure that all those students who complete an approved programme meet the standards of proficiency.

## **Guidance on Health and Character: information for education providers**

Draft

## Introduction

We are the Health and Care Professions Council (HCPC). We are a regulator, and we were set up to protect the public. To do this, we keep a Register of professionals who meet our standards for their training, professional skills, behaviour and health. Professionals on our Register are called 'registrants'. Anyone can search our Register on our website, so they can check that their professional is registered.

The relationship between a registrant and the service user is based on trust, confidence and professionalism and so it is important we check the health and character of everyone who applies to join our Register. This is to make sure that applicants will be able to practise safely and effectively within their profession. We can also take action to protect the public if a registrant's health or character raises concerns about their ability to practise safely and effectively.

As education providers, you need to know how to advise students and make decisions about how issues of student misconduct or changes in their health will be dealt with while they are studying.

The HCPC expects education providers to have their own policies in place for dealing with health and character issues of their students and to follow the law in their own country. This document provides guidance to education providers and sets out

- The Standards of Education and Training (SET) which education providers must meet.
- The process education providers should follow when dealing with a student with a health concern.
- The process education providers should follow when dealing with a student with a previous conviction or other character issue which may prevent them from joining the register.
- A selection of case studies

We would still recommend that education providers familiarise themselves with all other relevant guidance from the HCPC including our guidance on [Health, Disability and Becoming a Health and Care Professional](#), [Guidance on Conduct and Ethics for Students](#), and our full [Guidance on Health and Character](#) aimed at applicants and registrants.

## The Standards of education and training

We set the Standards of education and training (SETs) which programmes are approved and monitored against. Our SETs must be read in the round but SET 2 – relating to programme admission – and SET 3 – relating to the management of a programme – are particularly relevant.

SET 2.4 says the admissions process must assess the suitability of applicants, including criminal conviction checks.

SET 2.5 says that the admissions process must ensure that applicants are aware of and comply with any health requirements.

SET 3.16 says that there must be thorough and effective processes in place for ensuring the ongoing suitability of learners' conduct, character and health. We believe that this will help you to identify students who may not be fit to practise and help them to manage any concerns about their conduct in relation to their profession

## Deciding whether to accept an applicant with a conviction

You may worry about accepting an application with a conviction or caution or what to do when a current student is convicted or receives a caution. In particular, you may be concerned about them not being able to join the HCPC Register HCPC after they have completed their programme.

We consider the information we receive about applicants on a case-by-case basis. As a result, we cannot provide a list of convictions and cautions that would definitely lead us to reject an application for registration. We also cannot provide a list of convictions or cautions that should definitely lead to you rejecting an application.

However, there are certain types of offences which we believe usually mean a person should not be registered within one of the professions we regulate. The types of convictions which might result in us removing a registrant from the Register usually relate to offences of a sexual nature or dishonesty. These types of convictions might prevent an applicant registering with us.

When an applicant applies with the HCPC, we ask them to declare if they have:

- been convicted of a criminal offence or received a police caution or conditional discharge for a criminal offence other than a protected caution or protected conviction (these are cautions and convictions that you do not need to tell us about);
- received cautions or convictions in countries outside the United Kingdom, if the offence is one that could have resulted in a caution or conviction in England or Wales;
- been subject to disciplinary action by a higher education institution, including both HCPC and non-HCPC approved courses; or
- another organisation responsible for regulating a health or social-care profession has taken action or made a finding against you.

When you make admissions decisions, you may want to consider the Standards of conduct, performance and ethics. You may also want to consider whether the individual's conviction or caution might affect their suitability for registration or affect the public's confidence in their profession.

When making a decision, you may want to consider:

- the number and nature of offences or misconduct;
- the seriousness of the offences or misconduct;
- when the offences or misconduct took place;
- any information provided by the applicant to help explain the circumstances of the offences; and the applicant's character and behaviour since the offences.

However, this is not a full list to help you decide the seriousness or significance of the issues you will need to consider. An understanding of the offence or misconduct is extremely important. Someone may have a greater understanding of the importance of 'good character' as a result of a previous minor offence.

We know that deciding whether to accept an applicant with a criminal conviction or caution can be difficult. It is important to remember that even if you make your own decision about an applicant and allow them to join your programme, they will still have to go through our character process when they apply to join the Register. Whether you have considered an applicant's conviction or caution (received before admission to your programme or during the programme) is one of the factors we will consider when they apply for registration. However, it is rare for us to refuse an applicant from an approved programme. You can find out more about this on page 5 of the Guidance on health and character in Information for applicants.

## Deciding whether to accept an applicant with a health condition

You may receive an application from someone with a health condition or you may become aware of a health condition once the student is on your programme. You may be concerned about this health condition's impact on that student's ability to practice.

When we talk about 'health' we do not mean people who are 'healthy' or in 'good health'. Instead, we consider the effect that a health condition may have on someone's ability to practise safely and effectively.

We look at each case and make our decision based on the particular circumstances of the case. As a result, we do not have a list of conditions which would prevent someone from practising in any of the professions we regulate.

This also means that we cannot provide a list of the health conditions which would prevent someone from completing an approved programme.

You have certain responsibilities in dealing with admissions to a programme we have approved. You may have specific legal duties under equality and non-discrimination laws and, because we have approved your programme, you have the responsibility to make sure that the people who complete your programme meet our standards of proficiency.

How you meet these duties is up to you. However, we suggest that when assessing applications you should first consider the reasonable adjustments that you could make for the applicant.

Having considered this, you might then want to consider separately whether having made these adjustments the applicant would, at the end of the programme, meet our standards of proficiency.

We have produced a guide for prospective registrants and admissions staff, called [Health, disability and becoming a health and care professional](#).

When making a decision about an applicant or a student with a health condition, there are a number of other factors that you may want to look at. These are:

- how they currently manage their condition;
- whether they have shown insight into and understanding of their condition; and
- whether they have medical or other support.

When you make admissions decisions about applicants, you may want to set up an advisory panel to help you make the decision. You may also want to refer to the section How we consider health information on page 16.

We advise education providers as well as applicants to our register to familiarise themselves with our Guidance on Health and Character. While this document does not provide guidance to education providers about how they should take decisions, it can provide insight into how the HCPC views health and character declarations.

While not an exhaustive list, education providers should be able to answer 'yes' to the following questions:

- Is the student's health condition managed?
- Where the condition is managed is the student able to meet the learning outcomes of their programme? Can reasonable adjustments be made which enable the student to meet these outcomes?
- In light of the above, will the student be able to meet the Standards of Proficiency if admitted to the register?

Our guidance should be read in the round and so we would advise education providers to familiarise themselves with all relevant guidance in this area. For health conditions, our [Health, Disability and Becoming a Health and Care Professional](#) provides detailed information about managing health conditions, including reasonable adjustments.

## Misconduct during the programme

You will have your own procedures for handling misconduct which happens while a student is on a programme. These procedures are often separate from those which may look at concerns about academic performance.

When looking at misconduct, you may want to refer to the standards of conduct, performance and ethics. You may also want to look at the guidance we have produced called Guidance on conduct and ethics for students. Any decision you make about a student's misconduct will not necessarily affect whether that person could join the Register. The student would still need to go through our health and character process and provide any relevant information.



If you remove a student from your programme because of misconduct, you should tell us. If we believe the misconduct is serious enough, we can keep the information and look at it if the person ever applies to us for registration in the future.

# Consultation on the revised Guidance on Health and Character

## Contents

- 1. Introduction ..... 2
- 2. Background ..... 6
- 3. Reviewing the policy ..... 6
- 4. Proposed changes to the guidance ..... 7
- 5. Next steps ..... 9

## 1. Introduction

### About this consultation

- 1.1 This consultation seeks the views of stakeholders on a revised version of our Guidance on Health and Character.
- 1.2 Applicants and registrants renewing their registration must make a health and character declaration to the HCPC. The Guidance on Health and Character provides applicants and registrants with information about making a health and character declaration. When someone joins the register or renews their registration, they must declare that they are of good health and character and that neither their health nor character will impair their ability to practice in their profession. The document provides guidance to applicants and registrants about the types of information the HCPC considers relevant and when they should or must disclose this information to us.
- 1.3 The document, entitled 'Guidance on Health and Character'<sup>1</sup>, was first developed in 2005. The Guidance on Health and Character has been updated since its first publication, with the most recent version published in 2017.
- 1.4 We have now taken the opportunity to undertake a thorough review of the existing Guidance and are seeking the views of our stakeholders on a revised version. The review is taken place in order to align all of our documents which provide information on health and character declarations. This updated guidance will reflect the Health and Character Policy as well as the procedures of the FTP Department.
- 1.5 This document explains the background to the Guidance as well as the approach we took in reviewing it and the changes we are proposing.
- 1.6 The consultation will be of particular interest to HCPC registrants, professionals applying to be on the register, professional bodies, legal representatives, and service users and carers.
- 1.7 The consultation will run from 11 January 2021 to 2 April 2021.

### About this document

- 1.8 This document is divided into five sections.
  - **Section 1** introduces the document.
  - **Section 2** provides background to the Guidance on Health and Character.
  - **Section 3** explains our approach in reviewing the Guidance.

<sup>1</sup> To read the existing Guidance on Health and Character, please see: <https://www.hcpc-uk.org/globalassets/resources/guidance/guidance-on-health-and-character.pdf?v=637106443070000000>

- **Section 4** summarises the changes we are proposing.
- **Section 5** sets out the next steps following the consultation.

## About us

- 1.9 We are a regulator and were set up to protect the public. To do this, we keep a Register of professionals who meet our standards for their professional skills and behaviour. Individuals on our Register are called ‘registrants’, while those applying to be on the register are called ‘applicants’.
- 1.10 We currently regulate 15 professions.
- Arts therapists
  - Biomedical scientists
  - Chiropodists / podiatrists
  - Clinical scientists
  - Dietitians
  - Hearing aid dispensers
  - Occupational therapists
  - Operating department practitioners
  - Orthoptists
  - Paramedics
  - Physiotherapists
  - Practitioner psychologists
  - Prosthetists / orthotists
  - Radiographers
  - Speech and language therapists

## Consultation questions

- 1.11 We would welcome your response to this consultation. We have listed some consultation questions below to help you. These questions are not exhaustive and we would also welcome your comments on any related issue. Please provide reasons alongside your answers where possible.
- Q1. Do you think it is appropriate to align the criteria for character declarations to be the same as the criteria set out in Standard 9.5 of the SCPEs?
- Q2. Do you think it is appropriate to align the criteria for character declarations for applicants and registrants?
- Q3. Do you think that the Guidance clearly explains how and when an applicant should make a health declaration?

- Q4. Do you think that the Guidance clearly explains how and when an existing registrant should make a health declaration?
- Q5. Do you think that the Guidance clearly explains how and when an applicant should make a character declaration?
- Q6. Do you think that the Guidance clearly explains how and when an existing registrant should make a character declaration?
- Q7. Do you think that the Guidance provides registrants and applicants with the information they need to understand when they should make a health or character declaration?
- Q8. Do you think it is appropriate to merge the Health and Character Policy and Guidance on Health and Character to maintain a single public document on this topic for applicants and registrants?
- Q9. Do you think it is appropriate to separate the Guidance on Health and Character document to provide a document specifically aimed at education providers?
- Q10. We want to make use of visuals and flow charts in the guidance to explain the process. Do you think this would be helpful? And if so, what parts of the guidance would benefit from this?
- Q11. Do the cases studies in the Guidance provide sufficient detail to help you understand complicated health and character issues?
- Q12. Do you consider there are any aspects of our proposals that could result in equality and diversity implications for groups or individuals based on one or more of the following protected characteristics, as defined by the Equality Act 2010 and equivalent Northern Irish legislation<sup>2</sup>? If yes, please explain what could be done to change this.
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation
- Q13. Do you consider think the guidance may have unintended consequences for groups who are more likely to have had a conviction or caution because of their race, ethnic background, mental health or national origin? If so, please explain what could be done to change this.
- Q14. Do you have any other comments about the revised policy?

**Additional question for the Guidance on Health and Character for Education Providers**

- Q15. Do you think the Guidance clearly explains how an education provider should manage the application of a student with a health condition?

<sup>2</sup> <http://www.equalityni.org/Footer-Links/Legislation>

- Q16. Do you think the Guidance clearly explains how reasonable accommodations for students with health conditions and disabilities impact an applicant's later admission to the Register?
- Q17. Do you think the Guidance clearly explains how an education provider should manage the application of a student who would have to make a character declaration on applying to join the Register?
- Q18. Do you think the Guidance clearly explains how an education provider can manage student misconduct during their programme?

## How to respond to the consultation

- 1.12 The consultation closes on 2 April 2021. We look forward to receiving your comments.
- 1.13 You can respond to this consultation in one of the following ways:
- By completing our easy-to-use online survey:  
LINK for our full guidance document  
LINK for our guidance aimed only at education providers
  - By emailing us at: [consultation@hcpc-uk.org](mailto:consultation@hcpc-uk.org)
  - By writing to us at:  
Consultation on Guidance on Health and Character  
Policy and Standards Department  
The Health and Care Professions Council  
Park House  
184 Kennington Park Road  
London  
SE11 4BU
- 1.14 Please note, due to COVID-19, the organisation is partly working from home and so post is not checked frequently. If you are able to respond by email or online survey, we would encourage you to do so.
- 1.15 Please note that we do not normally accept responses by telephone or in person. We ask that consultation responses are made in writing to ensure that we can accurately record what the respondent would like to say. However, if you are unable to respond in writing please contact us on +44 (0)20 7840 9815 to discuss any reasonable adjustments which would help you to respond.
- 1.16 Please note that, due to COVID-19, this telephone line is not staffed. However, you will be able to leave a message for the team to review and get back to you as soon as possible.
- 1.17 **Please contact us to request a copy of this document in an alternative format, or in Welsh.**

- 1.18 If you would prefer we do not make your response public, please indicate this when you respond.

## **2. Background**

- 2.1 We first published the document “Guidance on Health and Character” in 2005 and it was most recently updated in 2017.
- 2.2 Those seeking to apply to join the register or those renewing registration must satisfy HCPC as to their good health, good character, and their ability to practise safely and effectively under the part of the Register concerned.
- 2.3 While registered, registrants also have a continuing duty to ensure they review their practice and make changes to how they practise, or stop practising if their ‘physical or mental health’ may affect their ‘performance or judgement, or put others at risk for any reason’.
- 2.4 Applicants and registrants must declare information relevant to their character, this would include:
- cautions, charges or convictions of criminal offences;
  - action or adverse findings by other health or social care regulators; and
  - restrictions placed on their practice, suspensions or dismissals by their employer about concerns about their conduct or competence.
- 2.5 The HCPC’s Guidance on Health and Character informs registrants and applicants about how we consider declarations relating to their health and character when they:
- apply to join or re-join the HCPC’s register;
  - renew their registration with the HCPC; or
  - report changes to their health or character while they are registered (these are known as self-referrals).
- 2.6 The Guidance on Health and Character is accompanied by the Policy on Health and Character. The Policy sets out the operational processes the HCPC follows when considering declarations pertaining to the health and character of its applicants and registrants.

## **3. Reviewing the policy**

- 3.1 We periodically review our guidance to ensure it is up to date and relevant, and that this review has been informed by research we have undertaken and the need to align with up to date information on our website.
- 3.2 Findings from the HCPC commissioned research ‘People Like Us?’, conducted by the University of Surrey, revealed a disproportionately high number of self-

referrals by certain professions regulated by HCPC. This led to the Policy and Standards team developing [online information on self-referrals](#) in 2018.

3.3 During the development of online information on self-referrals, the team identified that the current Guidance on Health and Character needed to be updated. In particular, the Guidance refers to the previous version of the Standards of Education and Training (SETs) and no longer reflects the organisation's current operational approach to health and character declarations.

3.4 Our amendments to the Guidance aim to:

- make it consistent with the organisation's approach when dealing with health and character declarations from registrants and applicants;
- ensure it is consistent with and reflects other policies and Guidance the HCPC issue to its registrants, such as our online self-referrals information;
- better signpost to support for registrants during the process, to achieve our strategic priorities regarding registrant health and wellbeing;
- ensure we adequately take account of equality impacts; and
- takes account of public and stakeholder opinion.

In amending the Guidance on Health and Character, we have worked closely with colleagues in Registration, Fitness to Practice and Education departments to ensure that the Guidance reflected the experiences of registrants and applicants who make health and character declarations.

3.5 The changes we are proposing to make are summarised in the next section.

## 4. Proposed changes to the guidance.

4.1 The Guidance is significantly shorter than the 2017 version and is targeted at specific questions which registrants and applicants are likely to have. The changes we are proposing are primarily aimed at providing a succinct and understandable document which addresses the needs of applicants and registrants and which is consistent with other Guidance and policies of the HCPC. A summary of these is set out below:

### Criteria for character self-referral

4.2 In general, the Guidance has been amended so to align with the criteria set out in Standard 9.5 of our Standards of Conduct, Performance and Ethics<sup>3</sup>.

4.3 This means that a registrant would have to let the HCPC know when there had been a change in their character 'as soon as possible' (as opposed to waiting for their usual renewal period) when:

- they accept a caution from the police or you have been charged with, or found guilty of, a criminal offence;

<sup>3</sup> The Standards of Conduct, Performance and Ethics (SCPE) can be found at: <https://www.hcpc-uk.org/standards/standards-of-conduct-performance-and-ethics/>



- another organisation responsible for regulating a health or social-care profession has taken action or made a finding against them; or
- they have had any restriction placed on your practice, or been suspended or dismissed by an employer, because of concerns about their conduct or competence.

While the focus is on Registrants being able to meet Standard 9.5 we also continue to mention that registrants can tell us about other concerns that do not meet these criteria. If they do, we will review this concern in the same way as any other self-referral or other fitness to practise matter.

### **Aligning criteria for character declarations for applicants and registrants**

- 4.4 The current Guidance provides criteria for an applicant's character declaration which are broader than those set out in standard 9.5 of the Standards of Conduct, Performance and Ethics. As registrants are only asked to make self-referrals based on the criteria of 9.5, this creates a situation where applicants' and registrants' characters are assessed against different criteria.
- 4.5 The current approach also differs to that set out in the Health and Character Policy which states that no action needs to be taken when a civil matter is declared.
- 4.6 We propose aligning the criteria for applicants and registrants with standard 9.5 in the interests of consistency and proportionality.

### **Changes to self-referral information**

- 4.7 We have made several updates to the self-referral sections in the guidance. By making these updates we are trying to emphasise that self-referrals should only be made in the circumstances set out in standard 9.5. This is in order to reduce the number of unnecessary self-referrals being made by registrants
- 4.8 In line with this, we have removed wording in the Guidance which praises self-referrals or suggests that making one shows insight. Self-referrals about relevant matters are a requirement of registration, but do not in themselves demonstrate insight.
- 4.9 The self-referral sections have also been updated to align with the new FTP Threshold policy as well as the online information for self-referrals.

### **Merger with Health and Character Policy**

- 4.10 We believe that it is in the interests of registrants and applicants to be able to refer to a single public document from the HCPC which discusses Health and Character declarations. To achieve this, we propose removing the Health and Character Policy and maintaining all information in an updated Guidance on Health and Character document.

- 4.11 These documents already had significant overlaps and, where the Policy on Health and Character had information in addition to the Guidance, we have added that information to the Guidance.

### **Separation of advice for education providers**

- 4.12 We have removed the section aimed at education providers.
- 4.13 We believe that it is more useful to have guidance aimed at applicants and registrants and guidance aimed at education providers as separate pieces. This decision will help with clarity but also responds to the HCPC's digital first strategy which would see targeted information hosted on the relevant sections of the website, rather than a single home for all information on a given theme.

### **Inclusion of new case studies**

- 4.14 We have replaced the case studies in the current Guidance and have specifically chosen areas where we think applicants and registrants will have more questions.
- 4.15 These new case studies involve situations where deciding to make a health or character declaration are complicated. They include a case study on a serious and managed mental health condition; how registrants should assess their management of a degenerative illness; and finally, when a conviction or caution meets the criteria for immediate disclosure according to Standard 9.5.

### **Other changes**

- 4.16 In addition to the substantive changes above, we have made a number of minor editing amendments for clarity.

## **5. Next steps**

- 5.1 Once the consultation period has finished, we will analyse the responses we have received. We will then publish a document detailing the comments received and explaining the decisions we have taken as a result, including any further amendments needed. This will be available on our website.
- 5.2 The updated Guidance will be published and communicated to our stakeholders.

## Equality Reflection (Level 1)

For background information on how to complete this form, read **Appendix 1**. Delete [guidance text](#) as you complete the form. Guidance text is suggested (not required) content.

### Section 1: Project overview

<b>Project title: Updates to Guidance on Health and Character</b>	
<b>Version: V11</b>	<b>Previous approved versions:</b>

<p><b>What are the intended outcomes of this work?</b></p> <p>Findings from the HCPC commissioned research 'People Like Us?', conducted by the University of Surrey, revealed a disproportionately high number of self-referrals by certain professions regulated by HCPC. This led to the Policy and Standards team developing online information on self-referrals in 2018.</p> <p>During the development of online information on self-referrals, the team identified that the current Guidance on Health and Character was out of date. In particular, the Guidance refers to the previous version of the Standards of Education and Training (SETs) and no longer reflects the organisation's current operational approach to health and character declarations.</p> <p>Our amendments to the Guidance aims to:</p> <ul style="list-style-type: none"><li>• make it consistent with the organisation's approach when dealing with health and character declarations from registrants and applicants;</li><li>• ensure it is consistent with and reflects other policies and Guidance the HCPC issue to its registrants, such as our online self-referrals information;</li><li>• better signpost to support for registrants during the process, to achieve our strategic priorities regarding registrant health and wellbeing;</li><li>• ensure we adequately take account of equality impacts; and</li><li>• take account of public and stakeholder opinion.</li></ul> <p>In amending the Guidance on Health and Character, we have worked closely with colleagues in Registration, Fitness to Practice and Education departments to ensure that the Guidance reflected the experiences of registrants and applicants who make health and character declarations.</p>
<p><b>Who will be affected?</b></p> <ul style="list-style-type: none"><li>• Registrants and new applicants, including students and new trainees</li></ul>

- Education and training providers
- Employers
- The public, including service user and colleagues in health and care.

## Section 2: Key EDI information

The following are protected characteristics under the Equality Act 2010.

- **Age:** children, younger and older people
- **Disability:** physical and mental health conditions. Think: 'invisible disabilities'
- **Gender reassignment:** includes individuals at all stages of transition
- **Race:** includes nationality, citizenship, ethnic or national origins.
- **Religion or belief:** religious and philosophical beliefs, including lack of belief
- **Sex:** gender; men, women and non-binary identities
- **Sexual orientation:** heterosexual, lesbian, gay, bi-sexual and other orientations
- **Pregnancy and maternity:** people who are pregnant, expecting a baby, up to 26 weeks post-natal or breastfeeding
- **Marriage and civil partnerships:** all unions, including same-sex

## Section 3: Reflective Summary

Describe any possible impacts to groups or individuals with the characteristics listed at section 2 that may arise from this work. You may also consider connected issues or characteristics such as socio-economic group, area inequality, income, resident status and other barriers to access.

## **What do you consider to be the possible EDI implications of this work?**

### **Explain how you have come to these conclusions.**

#### **Age**

We foresee limited impact on the basis on age from the updates to the guidance. While not strictly linked to age, we believe that the improved guidance on issues like degenerative illnesses (which often, but not exclusively are linked with age) will have a positive impact in providing certainty to registrants unsure about their continued fitness to practice.

#### **Disability**

We believe that changes to the guidance may have a medium impact on people living with physical and mental health conditions. As a group which experiences significant discrimination in workplace and education settings, we are aware that the updates to Guidance on Health and Character is likely to have an impact.

The underlying principles of the guidance have not changed (i.e., that a physical or mental health condition is only relevant to your fitness to practise if it impacts your ability to practise safely). However, we believe that new cases studies in the guidance documents will provide more clarity about when a disability would impact a registrant's ability to practise safely. We have also included new information focussing on mental health in addition to mental illness.

Disability may negatively impact upon ability to access and respond to the consultation, where they have difficulties using computers or the web pages. To make the website easy to view, we have designed it in accordance with guidelines laid down by the Web Accessibility Initiative (WAI) and we strive, wherever possible, to conform to 'Double-A' standards. Should anyone require assistance in renewing online, reasonable adjustments will be made where appropriate, in line with the HCPC's reasonable adjustments policy.

#### **Gender reassignment**

We foresee limited impacts on the grounds of gender re-assignment. To extent that any stage of a person's transition has an impact on their mental or physical health, we believe that this should not impact more negatively because it stems from the transition process.

#### **Race**

We foresee limited impacts on the grounds of race. We believe that the changes to the guidance are likely to help applicants and registrants to better understand when they do not need to report a health or character issue. This may have a limited positive impact on the basis of race as people from BAME backgrounds are disproportionately likely to have been convicted of a crime and/or had a custodial sentence.<sup>1</sup>

<sup>1</sup> Statistics on Race and the Criminal Justice System 2018, Ministry of Justice:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/849200/statistics-on-race-and-the-cjs-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/849200/statistics-on-race-and-the-cjs-2018.pdf)

**Religion or belief**

We do not foresee any differential impact on this characteristic.

**Sex (gender)**

We do not foresee any differential impact on this characteristic.

**Sexual orientation**

We do not foresee any differential impact on this characteristic.

**Pregnancy or maternity**

We foresee limited impacts on the basis of this characteristic. To the extent that pregnancy or maternity may have an impact on their mental or physical health, we believe that this should not impact more negatively because it stems from pregnancy or maternity.

**Marriage and civil partnership**

We do not foresee any differential impact on this characteristic.

**Section 2: Welsh Language Scheme****How might this project engage our commitments under the Welsh Language Scheme?**

We do not foresee this project impacting on our commitments under the Welsh language scheme. The consultation documents are available in Welsh upon request and we would welcome consultation responses in the Welsh language.

**Section 4: Action plan**

Summarise the key actions required to improve the project plan based on any gaps, challenges and opportunities you have identified through this reflection.

In developing your action plan, consider:

- **How will the project eliminate discrimination, harassment and victimisation?**
- **How will the project advance equality of opportunity?**
- **How will the project promote good relations between groups?**
- **How will you monitor equality impacts arising from this work going forwards?**

### Summary of action plan

- Promote ability to request alternative formats of consultation and HCPC make reasonable adjustments
- EDI and proportionality questions in the consultation
- Review the EIA following consultation feedback
- EDI section on consultation analysis

Engagement with wide range of stakeholders (including service user groups) and on a range of formats (not just social media and the website). While it is uncertain what level of COVID-19 restrictions will be in place across the UK during the consultation period, we will be engaging stakeholders using tools such as Zoom as well as more traditional methods where possible.

**You may choose to use the action plan template in the EDI Impact Assessment document (for new or major projects or policies) to develop specific action points.**



EDI should be an ongoing consideration throughout any project.

Where EDI issues are raised after this reflection and action plan have been agreed, you should make a note and update this document if necessary.

**Any project identified as unlawfully discriminatory must not be progressed.**

Reflection completed by:	Date:
Reflection approved by:	Date:

## Appendix 1: How to complete this form

This form is intended for use in **minor or updating** projects. It is designed to consider the 9 protected characteristics set out in the Equality Act 2010. It is therefore important that you complete every section of the form.

You should consider and document **positive and negative** impacts which might result from the proposed project. Impacts might be **indirect**. If you consider that there will be **no impact** to groups or individuals with a particular protected characteristic, this **should still be documented**.

The EDI reflection is not intended as a 'tick box' exercise. Instead, it offers a tool to help you embed equality, diversity and inclusion throughout your work planning and delivery. We encourage you to consult with colleagues, stakeholders and where possible, people with protected characteristics as part of this process.

For more guidance and information, please refer to the **Equality impact assessment guidance** document.

Should you have any queries or suggestions, please contact the Policy and Standards team on 0207 840 9815 or [policy@hcpc-uk.org](mailto:policy@hcpc-uk.org). Your EDI Manager is Katherine Timms.