

# Professional Registration Policy

This policy describes the process and responsibilities for ensuring that professional staff hold current registration upon appointment and maintain their registration during the course of their employment with the relevant regulatory body and the consequences of failing to maintain registration or loss of registration.

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## 1.1 Version Control and Summary of Changes

Version number	Date	Comments
1.	April 2012	Harmonised document
2.	May 2012	Added NHSLA standards Updated Monitoring and compliance section following comments received from Policy group
3.	31/01/13	Added Appendix 5 Policy Monitoring Table
4.	13/12/13	<p>Focus throughout the policy is upon making it employees and managers responsibilities to ensure registration is maintained, with appropriate systems in place to assist.</p> <p>Section 4 - Responsibilities of a Managers/ leaders /employees updated</p> <p>Section 6 - Provides clarifications about Notification of payment and that when payment is received does not mean that the professional registration is renewed/updated.</p> <p>6.4 – updated wording regarding process for LPT Bank/E-Rostering staff 6.4.2 – reviewed wording for Agency staff - up to date wording in relation to checking professional registrations for Agency staff and its link with the Government Procurement Service framework. Also included information regarding TALENT in CHS division.</p> <p>Section 7- provided full details of the process that will be undertaken for all lapsed registrations. Provides clarity in the options for AfC staff groups and other staff groups such as Medics, Dental etc.</p> <p>Section 9 and 10 new – provides information about staff on sick leave, career break etc. to ensure registration is maintained throughout and Clarification is provided for staff who intend to retire still have a responsibility to ensure their registration is to be maintained up until their leaving date.</p> <p>Appendix 1 and 4– flowchart updated to reflect section 6 and 7</p> <p>Appendix 2 - (new) letter to manager</p> <p>Appendix 5 – New – provides renewals guidance for all regulatory body</p> <p>Appendix 8 – NMC guidance</p> <p>Appendix 9 – Due Regard</p> <p>Training paragraph added and NHS Constitution checklist included.</p>
5.	02/11/15	<p>Policy updated to reflect NMC change in practice re timescales to re-register.</p> <p>Appendix 8 updated</p> <p>Section 6.4 updated</p> <p>Policy amended to reflect that staff whose registration lapses will be able to undertake unqualified duties at a band 2 only.</p>
9	1/2/2018	<ul style="list-style-type: none"> <li>• Full policy review in line with policy review and expiry dates.</li> <li>• Lapsed registration for Agenda for Change staff amended to annual leave or unpaid leave until registration completed. Expectations in line with revalidation added.</li> </ul>

		<ul style="list-style-type: none"> <li>• Recognition of working at relevant banding in line with skills and roles that can be performed whilst waiting for registration to become live after completing a professional programme.</li> <li>• Appendix 4 – removed. Already covered in Section 8.</li> <li>• Amalgamation with the NMC Revalidation policy and procedure.</li> </ul>
10	1/10/2019	<ul style="list-style-type: none"> <li>• Paragraph 5.5.2 – If staff member experiencing any financial difficulties with payments of their registration fees can be sign posted as appropriate to support to help member of staff resolve issue.</li> <li>• Extra question added to Appendix 5 (no 8)</li> </ul>
11	26/10/2022	<ul style="list-style-type: none"> <li>• Full policy review in line with policy review and expiry dates.</li> </ul>
12	29/03/2023	<ul style="list-style-type: none"> <li>• Full policy review following advice from the Director of Nursing team.</li> <li>• Added Section 8.7.1 allowing temporary redeployment to a non-registered role following a lapsed registration.</li> <li>• Amended Section 8.4 to reduce the timeframe for employees to confirm re-registration to 24 hours.</li> </ul>

## 1.2 Key individuals involved in developing and consulting on the document

Name	Designation
James Leo	Senior HR Advisor
Jane Martin	Assistant Director for Nursing and Quality LPT
Consultation	All staff Bands 7 and above

## 1.3 Governance

Level 2 or 3 approving delivery group	Level 1 Committee to ratify policy
Strategic Workforce Committee	People and Culture Committee

## 1.4 Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all. This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity.

## 1.5 Due Regard

LPT will ensure that Due regard for equality is taken and as such will undertake an analysis of equality (assessment of impact) on existing and new policies in line with the Equality Act 2010. This process will help to ensure that:

- Strategies, policies and procedures and services are free from discrimination.
- LPT complies with current equality legislation.
- Due regard is given to equality in decision making and subsequent processes.
- Opportunities for promoting equality are identified.

Please refer to due regard assessment (Appendix 7) of this policy.

## 1.6 Definitions that apply to this Policy

<b>The Trust</b>	Leicestershire Partnership Trust
<b>NHS Employment Check Standards</b>	Outline the legal and mandatory checks employers must carry out for the appointment's and on-going employment of all individuals in the NHS across England.
<b>Professional Registration</b>	Registration with the regulatory body.
<b>GMC (General Medical Council)</b>	Doctor's registration with the GMC is renewable on an annual basis.
<b>NMC (Nursing and Midwifery Council)</b>	Nurses and Midwifery Council. Professional body for nurses, nursing associates, midwives, and specialist community public health. NMC renewal is on an annual basis. Registered nurses, specialist community public health nurses (SCPHN), midwives, nursing associates are expected to meet the revalidation requirements as set out by the NMC on a three yearly basis. SCPHN have a separate set of standards for renewing registration.
<b>HCPC (Health and Care Professionals Council)</b>	Practitioners covered by the HCPC are registered on a 2 yearly basis with set expiry dates for practitioner groups. Practitioners covered by HCPC are Psychologists, Podiatrists, Speech & Language Therapists, Physiotherapists, Occupational Therapists, Dieticians.
<b>GPhC (General Pharmaceutical Council)</b>	Registered body for Pharmacists, and Pharmacy Technicians. Pharmacists and Pharmacy Technicians registration must be renewed annually, which involves completing a declaration stating that they meet all of GPhC's professional, fitness to practise and ethical standards.
<b>Social Work England</b>	Registered body for Social Workers practicing in England. Professionals must apply to renew their registration annually.
<b>Professional Standards Learning Group (PSLG)</b>	An internal LPT meeting consisting of lead clinical professionals.
<b>Revalidation</b>	The process that allows nurses, midwives, SCPHN and nursing associates to maintain their registration with the NMC.
<b>Due Regard</b>	Having <b>due regard</b> for advancing equality involves: <ul style="list-style-type: none"> <li>• Removing or minimising disadvantages suffered by people due to their protected characteristics.</li> <li>• Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.</li> <li>• Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.</li> </ul>

## **2.0 Purpose**

- 2.1 The purpose of this policy is to provide clear guidance on the Trust's standards and procedures in place to ensure that all professional registrations are appropriately checked and maintained, both upon commencement of employment and on an on-going basis throughout employment.
- 2.2 This policy describes the process and responsibilities for ensuring that where relevant, all professional staff and workers working in the Trust hold and maintain their professional registration during the course of their employment.
- 2.3 It outlines the consequences of failing to maintain registration or loss of registration and action to be taken by managers and Human Resources (HR).

## **3.0 Introduction**

- 3.1 The Professional Registration Policy applies to all prospective employees and workers employed by or engaged to work with the Trust who are required to be registered with a professional body to carry out the role in which they are employed/engaged.
- 3.2 It applies to all permanent and temporary staff and includes bank staff, students, trainees, locums, honorary appointments, contractors, mobile staff, staff supplied by an agency and staff on secondment.
- 3.3 As part of the Trust's responsibility to protect the public and to meet the NHS Employment standards and regulation, it is essential that upon appointment professional staff hold current registration with the relevant regulatory body and maintain their registration during the course of their employment.
- 3.4 Staff undertaking work which requires professional registration are responsible for ensuring that they are registered and that they comply with any codes of conduct applicable to that profession. Failure to maintain registration or loss of registration may result in disciplinary action being taken in accordance with the Trust's Disciplinary Policy and Procedure.
- 3.5 This policy is subject to variation from time to time due to changes in employment law, NHS Employment standards and regulation, and professional regulations.
- 3.6 All staff should act in accordance with our Trust leadership behaviours for all and be able to evidence adherence in situations that involve professional registration. A fundamental approach to developing our Leadership behaviours for all is our ability to both give and receive feedback in a positive and insightful way. The feedback method is based on defining; Context, Understanding, Behaviour and Effect (CUBE).

## **4.0 Duties within the Organisation**

- 4.1 The Trust Board has a legal responsibility for Trust policies and for ensuring that they are carried out effectively.
- 4.2 Trust Strategic Workforce Committee has the responsibility for adopting this policy.
- 4.3 The Trust will ensure that it has systems in place to check the professional registration

status of staff prior to and during their employment and to identify any lapsed registrations and take appropriate action.

4.4 Directors and Heads of Service are responsible for:

- Ensuring that arrangements are in place regarding adherence to this policy and how this policy is applied within their own area of responsibility.
- Ensuring that team managers and other management staff are given clear instruction about the policy arrangements so that they in turn can instruct staff under their direction.

4.5 Managers and Team Leaders are responsible for:

- Ensuring that registered healthcare professionals renew their registration and complete revalidation as directed by their professional body.
- Communicating to their teams, the importance of always maintaining professional registrations.
- Ensuring that they have systems in place to ensure they maintain a record of relevant professional registrations, expiry and renewal dates. Appendix 2 provides line managers with tools to assist with this.
- Act upon all notifications from ESR and HR regarding expiring registrations in a timely manner.
- In the event of lapsed or non-renewal of registration for a professional, meet with the employee to establish and record the circumstances surrounding the issue. Advice should be sought from HR to agree the appropriate course of action as well as Appendix 4 should be completed and forwarded to the Professional Standards Learning Group (see Section 9.0 below) for the case to be reviewed by them and determine an appropriate plan of action for the employee concerned.
- Notifying the Professional Standards Learning Group of any professional conditions of practice identified at Recruitment stage for consideration.
- Any requests for information from the Professional Standards Learning Group should be responded to in a timely manner.

4.6 Registered professional employees (and applicants for employment including seconded staff) are responsible for:

- Always adhering to this policy.
- It is the responsibility and contractual obligation of **all employees** (and applicants seeking employment with the Trust) **requiring a professional registration**, to maintain their registration and revalidation throughout their employment with the Trust and to notify their manager in the first instance any issues affecting their registration/revalidation or any restrictions placed upon their practice.
- It is the responsibility of **all employees** (and applicants seeking employment with the Trust) **requiring a professional registration** to ensure you are registered in the same name that you practice in, and that the registration is relevant for the role in which you are seeking employment for/are employed in. This is to help patients, the public, and employers to find the right information about your registration.
- **All employees requiring professional registration must complete all** appropriate forms correctly and submit with payment to the professional body prior to the date of expiry. Staff making a payment to the professional body does not mean renewal of registration and does not provide evidence of such. It is the professionals own responsibility to receive confirmation of registration from the professional body.
- Any requests for information from your line manager should be responded to in a timely manner.

- In the event that the member of staff is experiencing any financial difficulties with paying their registration payments, he/she should they bring this to the attention of their manager as a matter of urgency so that meaningful conversations can be had to help that member of staff resolve the issue.
- Failure to maintain registration or loss of registration for a registered post will be treated as a breach of professional contractual terms and conditions.

4.7 The Human Resources Department is responsible for:

- Ensuring that notification is provided to the relevant managers with regards to an expected expiry of registration 1 month in advance of expiry.
- Checking the registration details of new starters prior to issuing an offer of employment and provide evidence of this as a way of assurance.
- Providing expert advice with regards to the appropriate action to be taken because of lapsed / potential lapses in professional registration and any subsequent action that should be taken as a consequence.

## 5.0 Non-Regulatory Bodies

Certain posts may require either professional qualifications or registration with non-regulatory bodies, such as the Chartered Institute of Management Accountants (CIMA), Chartered Institute of Public Finance and Accountancy (CIPFA), Charter Institute of Personnel and Development (CIPD), British Association for Behavioural and Cognitive Psychotherapy (BABCP) to perform the duties required. Where this is the case this will be identified on the person specification and such qualifications and registrations requirements are therefore covered by this policy. Renewal criteria will be as per professional body requirements.

## 6.0 Procedure for Pre-employment and Post-employment Registration Checks

6.1 A flowchart outlining the procedure for monitoring of professional registration checks is included in Appendix 1.

### New Appointments

- 6.2 As part of the NHS Employment Check Standards and in line with the Trust's Recruitment Policy, professional registration details for all **prospective employees and workers joining the LPT Bank** will be checked at recruitment stage by the Resourcing Team who will take copies of evidence of any professional registrations necessary for the role.
- 6.3 Professional registration details provided at interview stage to the recruiting manager will be checked by HR for **preferred candidates** (substantive staff and Bank worker) with the relevant professional body. This will be done using the online verification service prior to any unconditional offer of employment being confirmed by HR (Recruitment Team or Medical Staffing). A copy of the online verification will be kept in the employee's/worker's personal file.
- 6.4 Candidates awaiting confirmation of their final examination results will only be employed as a registered practitioner once they have obtained the relevant professional registration and this has been checked by their manager/HR team. If appropriate, the candidate/employee will be recruited to undertake duties which do not require their new professional registration. They will be paid in accordance to the role that does not require the new professional registration until they have received confirmation of their new registration, and this registration status has been verified by their manager/HR team.



Staff are expected to inform their manager as soon as they receive confirmation that their PIN status has changed, so that their manager can assure themselves that the PIN is now in place - until the manager has undertaken this assurance check, the employee cannot work in the role that requires the new registration. Failure to secure confirmation of their registration and PIN number within 3 months of starting with the Trust will lead to the termination of contract unless there are exceptional circumstances.

- 6.5 The hiring manager should notify the Assistant Director for Nursing & Quality of any conditions of practice identified at the Recruitment Stage. These will be considered by the Professional Standards Learning Group prior to any offer of employment being made.

#### **Existing staff**

- 6.6 Employees need to ensure that documentation and/or fees are submitted before their due date, or their registration will automatically lapse, and they will be unable to practice. Refer to section 10.0.
- 6.7 Should an employee's registration lapse, the only way to re-register will be by applying for readmission to the register with their relevant professional body. This process is not within the control of the Trust as it is reliant upon the professional body to enact.
- 6.8 One month prior to the expiry of an individual's registration, and where the registration has not yet been renewed, the **Workforce Information Team** will provide a monthly professional registration report to the HR Operational Team. This report identifies all employees who are in date with their registration, registration due to expire or registration that has expired.
- 6.9 **HR** will notify the **employee** and the **line manager** of the employee whose registration has expired/is due to expire. The possible actions that a manager may need to take in relation to the employee are included in the notification email. N.B. Employees should **not** delay taking action in respect of their registration pending an email from HR or management.
- 6.10 If an employee fails to renew their registration or loses their registration their manager must seek immediate advice from HR and take action in accordance with Section 10 and Appendix 1.
- 6.11 The system does not allow booking of a bank worker onto shifts if the registration has expired or for shifts which fall after an expiry date.
- 6.12 Where an existing staff member has conditions of practice, any changes to these should be escalated to the HR advisor for their area and the Professional Standards Learning Group.

#### **7.0 LPT Temporary Workers – Agency, Locum**

- 7.1 Where Government Procurement Service Framework Agreements, or Framework Agreements provided for NHS use by other agencies are used for the supply of registered nurses and other professionals, the Centralised Staffing Solutions (CSS) team is responsible for confirming that the contract requires the provider of agency staff to check that individuals' registration with their regulatory body is up to date. This will be audited as part of the contract. Expectations regarding professional registration of registered nurses and other professional will be communicated to Agencies by the Trust.

It will be expected that their compliance regarding professional registrations of their supply of registered nurses and other professionals will be integral to maintaining their status with the National Procurement framework.

- 7.2 For medical staff, the medical staffing team will verify professional registrations of all medical locums using the online verification service of the regulatory body before the individual starts working on a shift. Confirmation must always be provided by the agency to the medical staffing team as to the level and type of registration of the doctor.
- 7.3 If it becomes necessary to use a non-contracted agency for the supply of temporary registered nurses and other professionals, the Centralised Staffing Solutions Team is responsible for ensuring that prior confirmation is requested in writing from the agency verifying that they have undertaken all of the pre-employment checks, including registration checks. Expectations regarding professional registration of all professionals will be communicated to Agencies by the Trust.

## **8.0 Failure to Maintain / Non-renewal / Lapsed Professional Registration**

- 8.1 It is unlawful for staff in the groups listed in Appendix 3 to practice if they do not hold an up-to-date registration for the position in which they are employed. The Trust reserves the right to invoke its Disciplinary Policy and Procedure in respect of failure to maintain registration.
- 8.2 When it has been identified that an individual has been working whilst their registration has lapsed, managers are required to report this incident, please refer to the Trust Incident Reporting Policy <https://www.leicspart.nhs.uk/wp-content/uploads/2022/01/Incident-Reporting-and-Management-Policy.pdf>
- 8.3 Any member of staff who fails to renew/maintain their registration or loses their registration will not be allowed to practice as a registered practitioner and this will be treated as a breach of their terms and conditions of employment. This will not be dealt with as a disciplinary issue if the staff member is able to evidence attempts to renew but there has been an administrative failure by the professional body.
- 8.4 If the staff member is at work, they will be stopped from working and given time to renew their registration during their shift. If not at work, the individual should take steps to renew their registration without delay. In both instances, evidence of application for re-registration should be provided to management within 24 hours. If this is not possible the individual should inform their line manager who will notify the appropriate Lead Professional and HR advisor.
- 8.5 Where a lapsed registration exceeds the initial 24 hour period, the employee's line manager must arrange a meeting with a lead Professional i.e. Director of Nursing team and the HR advisor for the area to consider the following options:
- Working in a temporary non-registered role pending re-registration (please note this option does not apply to medical staffing).
  - Annual Leave
  - Unpaid Leave
  - Referral to Disciplinary Policy & Procedure.
- A summary of the actions should be clearly documented and circulated following the meeting.

- 8.6 The line manager must meet with the individual to complete Appendix 4 and submit to their assigned HR advisor and the Project Officer Professional Practice. If the manager is unable to meet with the individual to complete Appendix 4, they should complete in the employee's absence and submit to their assigned HR advisor and the Project Officer Professional Practice. The case will be reviewed by the next PSLG/Lapse Panel meeting.

### **Working in a temporary non-registered role**

- 8.7.1 In extenuating circumstances, a decision may be authorised by the appropriate Lead Professional to allow an individual to work in a non-professional (unregistered) position for an agreed length of time which may be at a lower band than their substantive role. In this case, pay will be adjusted accordingly and with immediate effect. This role may include areas other than their normal place of work. This option applies for Agenda for Change staff only.
- 8.7.2 After a maximum period of one month following the expiry of registration, if the individual is still not registered then a meeting will be reconvened with their line manager, Lead Professional and HR advisor for the area to review the progress and determine next steps. The outcome of this could be continuation in a non-registered role or referral to the Disciplinary Policy & Procedure. The outcome of this meeting will be fed back to the employee and escalated to the PSLG.

### **Annual Leave or Unpaid Leave**

- 8.8 Where there are no extenuating circumstances to account for the individual's loss of registration, registered professionals will be expected to take annual leave or unpaid leave until registration can be confirmed with the appropriate regulatory body. There will be no reimbursement. This applies to Agenda for Change Staff and Medical Staff.

### **Referral to Disciplinary Policy & Procedure**

- 8.9.1 Deliberate or unreasonable failure, by the employee, to re-register may lead to disciplinary action being taken.
- 8.9.2 Where the employee has a loss of registration required to fulfil their role (either permanently or long-term), they will be referred to the Disciplinary Policy & Procedure following review by the Professional Standards Learning Group.

### **Actions following re-registration**

- 8.10 Following re-registration, staff will commence their duties in line with their substantive post on the date evidence of successful registration is provided to the Trust from the regulatory body. The line manager should consider the support required to enable a return to the employee's registered role where appropriate.

## **9.0 Revalidation**

- 9.1 Each professional body outlines the requirements for their revalidation, please refer to their websites for further information and Appendix 3.

- 9.2 For staff that work in the Trust through an Agency, proof of revalidation will be requested through the contracted agency providing nursing staff. The Trust will have no obligation to act as confirmers for Agency workers.
- 9.3 It is the responsibility of the registrant to contact their professional body at the earliest opportunity if they do not expect to be able to meet revalidation requirements. They must ensure that they keep their line manager is informed of their circumstances.
- 9.4 Where a NMC registrant is not satisfied with the confirmer's assessment or the confirmer has doubt whether the registrant has met the requirements. A request for a review must be lodged within 14 calendar days of the date of confirmation. A review will be undertaken by a member of the Director of Nursing team within 21 calendar days. There will be no further right of review.

## **10.0 Lapse Panel**

- 10.1 All cases of lapsed registration (except for medical staff) will be referred to the Lapse Panel which will consist of:
- HR Representative
  - An appropriate professional lead i.e., Head of Nursing/Deputy Head of Nursing/Lead AHPs/Medical Director/Associate Medical Director/Head of Service (for non-clinical areas) (as appropriate).
- 10.2 The role of the panel will be to review the case and determine a plan of action for the employee, which may include a recommendation that action will be taken in accordance with the Trusts Disciplinary policy and procedure. The purpose of the review of lapsed registrations is to ensure consistency in dealing with cases.

## **11.0 Bogus certificates or use of bogus names**

- 11.1 If a member of staff is found to have submitted a bogus certificate or is found to have used another person's name and certificate, this will be reported to Counter Fraud for investigation in line with the Trust's Counter Fraud, Bribery and Corruption Policy and appropriate action will also be taken in line with the Trusts Disciplinary Policy and Procedure. Managers should report concerns to HR to seek advice.

## **12.0 Maintaining Registration during periods of other paid or unpaid from the Trust.**

- 12.1 It is the responsibility of the employee to ensure their registration is maintained throughout any periods of leave (paid or unpaid) from the Trust such as sickness, maternity, special leave etc. The employee remains contractually bound by their terms and conditions of service whilst on leave from their employment. If the employee encounters any difficulties in maintaining their registration during any period of leave, they should raise with their line manager at the earliest opportunity.
- 12.2 Employees who wish to take a career break may choose to allow their professional registration lapse whilst on career break, the employee should seek guidance from their professional body around this. However, in accordance with the requirement of the LPT Career Break scheme, it is the employee's responsibility to ensure that they take the necessary steps to being registered prior to their return to work. If, whilst on career break, the employee is required (where practicable) to undertake a minimum of 10 days paid work annually for updating purposes, it is the employee's responsibility to ensure that they take whatever action is necessary during their career break to maintain their

professional registration so that they can participate in the requirement of the LPT Career Break scheme.

- 12.3 Employees returning from career break must ensure their registration is in date on their return to work, in line with Section 6.8.

### 13.0 Monitoring, Compliance and Effectiveness

Duties outlined in this Policy will be evidenced through monitoring of the other minimum requirements. Where monitoring identifies any shortfall in compliance the group responsible for the Policy (as identified on the policy cover) shall be responsible for developing and monitoring any action plans to ensure future compliance.

Page/Section	Minimum Requirements to monitor	Process for Monitoring	Responsible Individual /Group	Frequency of monitoring
1.9b	How the organisation checks registration with the relevant professional regulatory body, in accordance with their recommendations, for all directly employed clinical staff and LPT bank workers, both on initial appointment and on an ongoing basis.	ESR has interface with appropriate professional regulatory body who can inform of expiration or other relevant information Or Workforce run monthly reports from ESR, which highlights all expiry date.	HR	As required  Monthly
1.9c	How the organisation makes sure that registration checks are being carried out by all external agencies used by the organisation in respect of all clinical staff.	Procurement limited to those approved by the Government Procurement Service	Procurement and LPT Centralised Staffing Solutions	As required
1.9d	How the organisation follows up those directly employed clinical staff (except medical staff) and LPT Bank worker who do not satisfy the validation of registration process.	Lapse in registration is a reportable incident – incident reporting process	HR, Manager and Professional Learning Standards Group	As required

## 14.0 Standards / Key Performance Indicators

TARGET/STANDARDS	KEY PERFORMANCE INDICATOR
Initial appointment of all <i>permanent</i> clinical staff have undertaken professional registration checks.	Recruitment Checklist.
On-going registration checks are in place for all <i>permanent</i> staff.	Monthly audit via ESR Alert Notice Circular.
Assurance for professional registration checks for all <i>temporary</i> staff	Verification from external recruitment agencies.
Codes of conduct: professional bodies.	Registered nurses, nursing associates, midwives, SCPHN, doctors, health visitors and allied health professionals are personally accountable for compliance with their Codes of Conduct.

## 15.0 References and Associated Documentation

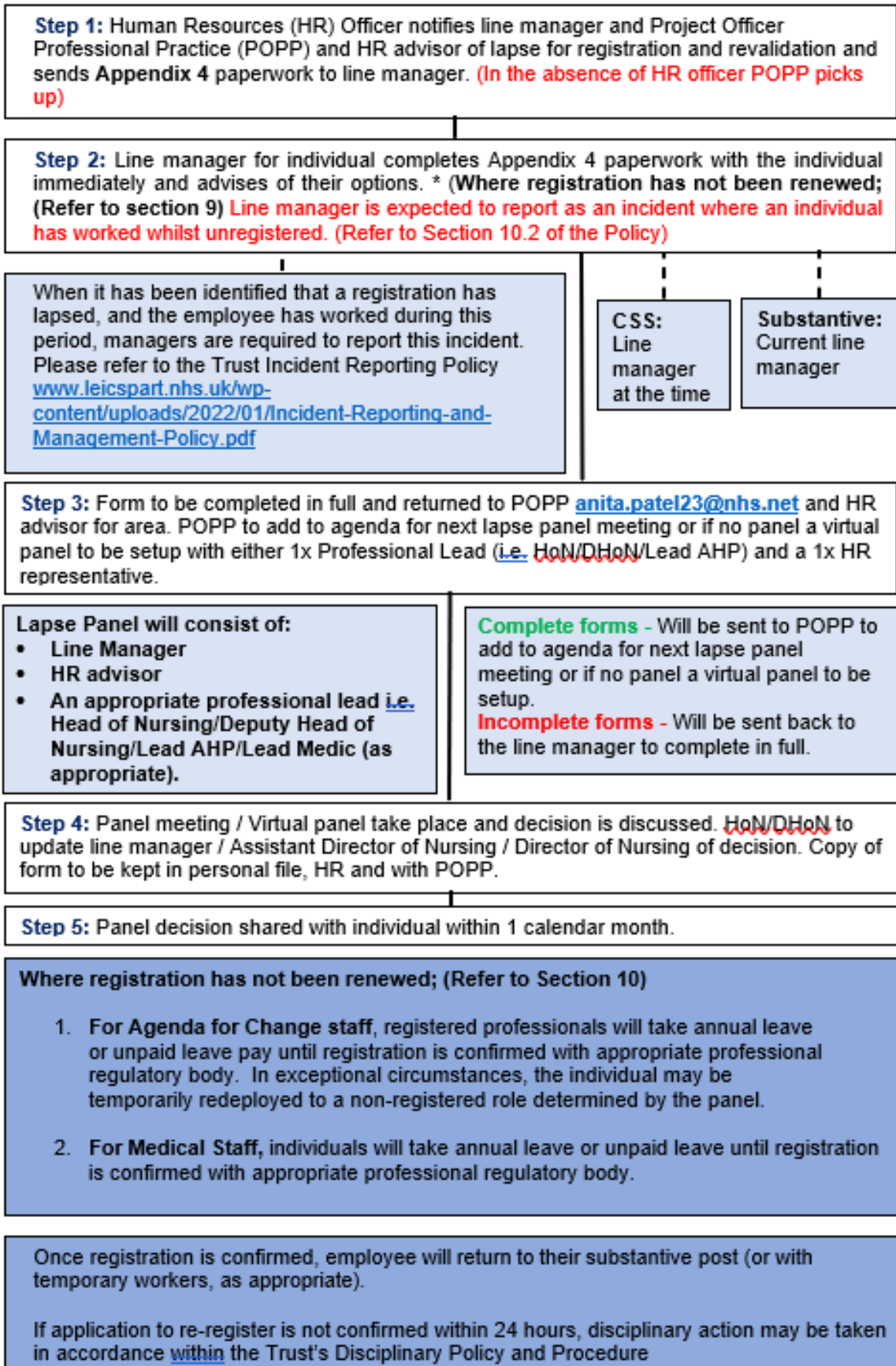
This policy was drafted with reference to the following:

- Leicestershire Partnership Trust Professional Registration Policy
- Leicestershire Partnership Trust NMC Revalidation Policy and Procedure
- Leicester City Community Health Services Professional Registration Policy
- Leicestershire County and Rutland Professional Registration Policy
- Leicestershire Partnership Trusts Principal Counter Fraud Specialist
- Leicestershire Partnership Trusts Recruitment and Selection Policy
- NHS Employers 2010: NHS Employment Check Standards
- NHSLA Risk Management Handbook 2011/2012
- Nursing and Midwifery Council
- Leeds Community Healthcare NHS Trust Professional Registration Policy

## 16.0 Training

There is no training requirement identified within this policy.

Appendix 1 Procedure for Administration of Lapsed Professional Regulatory Registration Checks



The following documentation (Appendices 2a) is to ensure that line managers have the appropriate mechanisms in place to monitor and assure the Trust that their practitioners are appropriately registered at all times.

### **Master Control Schedule Appendix 2a**

This is available as a working Spreadsheet on the intranet. This should be completed to **include ALL practitioners**. This document will act as assurance to the trust and should be kept up to date at all times so that it can be produced as and when requested to ensure compliance of this procedure.

- New starters should be added using the information received from Human Resources as detailed on the Notification of New Starter Form.
- The year of a practitioner's renewal should be inserted along with an X to indicate which month of the year their renewal is due.
- One month prior to the renewal month the Line Manager should remind the practitioners that they will be expecting their renewal documentation the next month.

### **Maintenance of Systems / Renewal Documentation**

As renewals are received the practitioners name should be removed from the yearly schedule and their new renewal year (and month if this has changed) entered onto the Master Schedule. Renewal documentation should be placed on the practitioner's personal file. Managers are also responsible for ensuring renewals are updated on the ESR.



Appendix 2a Master Control Schedule

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Service:	Department:		Ward/Area:					Manager:						
.....	.....		.....					.....						
			Month of renewal											
Name of Practitioner	Regulatory Body	Year of Renewal	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

### Appendix 3 Professional Regulatory Bodies – Renewals guidance

Staff Group	Professional Regulatory Body	Renewal Details	Notice Employee Receives for Renewal	How the check is carried out by the LPT
Medical Staff	General Medical Council <a href="http://www.gmc-uk.org">www.gmc-uk.org</a> 0161 923 6602	Yearly Renewal date varies by individual	One month prior to expiring	Employees that have a registration on ESR. There is an interface with the GMC and ESR, which provides an email alert of any changes to the employee's registration, such as suspensions/sub parts to employee's registration etc.
Nurses, Midwives, Nurse Associates and Health Visitors	Nursing & Midwifery Council <a href="http://www.nmc-uk.org">www.nmc-uk.org</a> 0207 333 9333	Yearly Renewal date varies by individual	Letter will be sent 60 days prior to expiring	Employees that have a registration on ESR. There is an interface with the NMC and ESR, which provides an email alert of any changes to the employee's registration, such as suspensions/sub parts to employee's registration etc.
Allied Health Professional's i.e. Art Therapist, Occupational Therapist, Physiotherapist, Speech & Language Therapist, Practitioner Psychologists, Dietetics	Health & Care Professions Council <a href="http://www.hcpc-uk.org">www.hcpc-uk.org</a> 0845 300 4472	Every 2 years	Minimum 6 weeks prior to expiring	Workforce Information run monthly reports from ESR, which lists all expiry dates and highlights those lapsed and due to lapse. Reports sent to HR Advisory Team to inform line manager to take appropriate action.
Dentists, Dental Care Professionals (Dental Hygienists, Dental Therapists)	General Dental Council <a href="http://www.gdc-uk.org">www.gdc-uk.org</a> 0845 222 4141 or 020 7887 3800	Yearly Renewal date varies by individual	Minimum 6 weeks prior to expiring	Employees that have a registration on ESR. There is an interface with the NMC and ESR, which provides an email alert of if any changes to the employee's registration, such as suspensions/sub parts to employee's registration etc.

Pharmacists, Pharmacy Technicians	General Pharmaceutical Council <a href="http://www.pharmacyregulation.org">www.pharmacyregulation.org</a> 0203 713 8000	Yearly	Letters will be sent out 2 months in advance prior to expiring. 2-3 emails will be sent out within that time	Workforce Information run monthly reports from ESR, which lists all expiry dates and highlights those lapsed and due to lapse. Reports sent to HR Advisory Team to inform line manager to take appropriate action.
Social Workers	Social Work England <a href="http://www.socialworkengland.org.uk">www.socialworkengland.org.uk</a> 0808 196 2274	Yearly Renewal date varies by individual		Workforce Information run monthly reports from ESR, which lists all expiry dates and highlights those lapsed and due to lapse. Reports sent to HR Advisory Team to inform line manager to take appropriate action.
Other Bodies designated by the NHS Staff Council	<a href="http://www.nhsemployers.org">www.nhsemployers.org</a> 0113 306 3000 or 020 7799 6666			

**Lapse Panel - Case Review**

<b>Employee Name</b>		<b>Band</b>	
<b>Service (CHS/FYPCLDA/DMH/ Enabling/Bank)</b>		<b>Service/Area/ Ward/Department</b>	
<b>Line Managers Name</b>		<b>Individuals undertaking the case review (if different from the above)</b>	
<b>eIRF (if applicable)</b>		<b>Professional Regulatory Body (NMC, HCPC, GMC etc...)</b>	
<b>Date of Lapsed registration</b>		<b>Date of case review with employee</b>	
<b>Date HR informed manager</b>		<b>Date employee informed by the manager</b>	
<b>Actions/Update taken by management in relation to lapsed registration (Annual leave/unpaid leave/temporary move to non-registered role)</b>			
<b>Was application to re-register confirmed within 24 hours (of expiry)</b>	<b>Yes</b>	<b>Date of registration.....</b>	
	<b>No</b>		

**Completed forms to be sent to the HR Representative for the area and Project  
Officer Professional Practice – [Anita.Patel23@nhs.net](mailto:Anita.Patel23@nhs.net)**

**Introduction**

All employees have a professional responsibility and contractual obligation to maintain their registration throughout their employment.

The purpose of this meeting is to establish the reasons of why you failed to maintain your registration with your professional regulatory body.

## **Questions and answers:**

- 1. Please explain what your job role and responsibilities are.**
- 2. When did you qualify as a registered practitioner?**
- 3. Do you have line management responsibility for staff?**
- 4. Did you receive any notifications that your registration was due for renewal?**
- 5. When and how did you become aware that your professional registration had lapsed?**
- 6. How did you feel when you realised it had lapsed?**
- 7. What action did you take/are taking as a result?**
- 8. Please explain why you were unable to renew your registration.**
- 9. Part of your responsibility is to provide evidence of your registration confirmation to your line manager - have you done this in previous years? What was different this year?**
- 10. How do you pay your professional registration fees? (direct debit/cheque etc.)**
- 11. Are you aware of the Professional Registration Policy?**
- 12. What did you think the implications are for your lapsed registration?**

13. Are you aware that it is a criminal offence to practice as a registered health practitioner if you are not registered with the appropriate professional regulatory body? Yes / No
14. If No, how does it make you feel knowing that it is a criminal offence?
15. Can you give us an account of your activity on each day you were practising as registered professional during the period of your lapsed registration?
16. Can you provide details of all patient/client/service user contact in that period?
17. Were you alone during that contact?
18. Were you responsible for staff during that period?
19. Did you undertake any supervision of other staff during that period?
20. What are the implications for patients/clients/service users when you are practicing with a lapsed registration? What are the implications for the Trust?
21. Is there anything you would do differently in the future?
22. Is there anything else you would like to tell us about in this meeting that is relevant to your lapsed registration?

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**To be completed by the Lapse Panel**

Panel members	Name	Signature
HR Representative		
Lead Professional i.e. Head of Nursing/Deputy Head of Nursing/Lead AHP/Medical		

<b>Date of panel</b>		
<b>Mitigation considered (please state details)</b>		
<b>Disciplinary action recommended?</b>	<b>Yes</b>	<b>No</b>
<b>Rationale for decision (whether sanction applied or not)</b>		

### **Guidance for Temporary Redeployment during a lapsed registration**

For an employee whose professional registration has lapsed, temporary redeployment to a non-registered post should only be considered in exceptional circumstances on a case-by-case basis following advice from the Lead Professional and HR advisor for the area.

Where temporary redeployment is being considered the following process will apply:

1. The manager will meet with the Lead Professional and the HR advisor for the area to discuss the case and confirm that temporary redeployment is suitable. This meeting will identify which roles are deemed suitable.
2. An informal discussion will take place between the manager and employee to confirm the options for temporary redeployment and any impact this may temporarily have on their terms and conditions of employment such as pay, location, hours, working pattern etc.
3. If the employee agrees to temporary redeployment, the manager will complete a H2 Change of Circumstance form to temporarily redeploy the employee to the non-registered role with immediate effect. The individual will be moved to the top of the banding for the temporary role (where this is a lower-banded role).
4. The temporary redeployment will be confirmed in writing within 5 working days, this letter will outline the role and highlight the requirement that the employee must not carry out any duties that require registration.
5. This temporary redeployment should be reviewed every 2 weeks by the manager and HR advisor for the area. This review should consider any progress made with re-registering.
6. Temporary redeployment to a non-registered role should not normally exceed 4 weeks. Where it does, a meeting should be reconvened with the employee, the Lead Professional and HR advisor for the area to agree next steps.
7. Once the employee's re-registration is confirmed, the manager should submit a H2 Change of Circumstance form to revert them back to their previous role effective from the date which management were provided proof of renewed registration.
8. If the employee decides that they no longer wish to be re-registered and return to their substantive role, they should raise with their manager at the earliest opportunity to discuss options. There is no guarantee that the individual will be able to remain in their redeployed role and may need to undergo a fair recruitment and selection process.

N.B. Employees should consider any potential impact that temporary redeployment may have on future entitlements to pay and pension contributions.




## Appendix 6 The NHS Constitution

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- The NHS will provide a universal service for all based on clinical need, not ability to pay.
- The NHS will provide a comprehensive range of services.

Shape its services around the needs and preferences of individual patients, their families and their carers	<input type="checkbox"/>
Respond to different needs of different sectors of the population	<input type="checkbox"/>
Work continuously to improve quality services and to minimise errors	<input checked="" type="checkbox"/>
Support and value its staff	<input checked="" type="checkbox"/>
Work together with others to ensure a seamless service for patients	<input checked="" type="checkbox"/>
Help keep people healthy and work to reduce health inequalities	<input checked="" type="checkbox"/>
Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance	<input type="checkbox"/>

## Appendix 7 Due Regard Screening Template

Section 1			
Name of activity/proposal		Professional Registrations Policy	
Date Screening commenced		15 November 2022	
Directorate / Service carrying out the assessment		Human Resources	
Name and role of person undertaking this Due Regard (Equality Analysis)		James Leo, Senior HR Advisor	
Give an overview of the aims, objectives and purpose of the proposal:			
AIMS: The Professional Registration Policy applies to all staff including workers, volunteers, students, trainees, contractors, highly mobile staff and agency staff. It also applies to individuals with honorary contracts and licenses to operate.			
OBJECTIVES: Provide advice and guidance for employees and managers in ensuring that professional registration is maintained throughout employment.			
Section 2			
Protected Characteristic	Could the proposal have a positive impact – Yes, clear guidance for all staff irrespective of their protected characteristic. Could the proposal have a negative impact - No, there is no impact on protected groups as the policy applies to all in any circumstance.		
Age	As above		
Disability	As above		
Gender reassignment	As above		
Marriage & Civil Partnership	As above		
Pregnancy & Maternity	As above		
Race	As above		
Religion and Belief	As above		
Sex	As above		
Sexual Orientation	As above		
Other equality groups?	As above		
Section 3			
Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please <u>tick</u> appropriate box below.			
Yes		No	
High risk: Complete a full EIA starting click <a href="#">here</a> to proceed to Part B		X - Low risk: Go to Section 4.	
Section 4			
If this proposal is low risk please give evidence or justification for how you reached this decision:			
This policy has been updated in light of recent cases and guidance has been strengthened to ensure managers and staff take personal responsibility for maintaining professional registrations.			
Signed by reviewer/assessor	James Leo	Date	5 September 2023
<i>Sign off that this proposal is low risk and does not require a full Equality Analysis</i>			
Head of Service Signed		Date	5 September 2023

## Appendix 8 Data Privacy Impact Assessment Screening

<p>Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.</p> <p>The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</p>		
<b>Name of Document:</b>	<b>Professional Registrations Policy</b>	
<b>Completed by:</b>	<b>James Leo</b>	
<b>Job title</b>	<b>Senior HR Advisor</b>	<b>Date: 15 November 2022</b>
<b>Screening Questions</b>	<b>Yes / No</b>	<b>Explanatory Note</b>
<b>1.</b> Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.	<b>No</b>	
<b>2.</b> Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.	<b>No</b>	
<b>3.</b> Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?	<b>No</b>	
<b>4.</b> Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	<b>No</b>	
<b>5.</b> Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.	<b>No</b>	
<b>6.</b> Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?	<b>No</b>	
<b>7.</b> As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.	<b>No</b>	
<b>8.</b> Will the process require you to contact individuals in ways which they may find intrusive?	<b>No</b>	
<p><b>If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via <a href="mailto:Lpt-dataprivacy@leicspart.secure.nhs.uk">Lpt-dataprivacy@leicspart.secure.nhs.uk</a></b>  <b>In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</b></p>		
<b>Data Privacy approval name:</b>	<b>Hannah Plowright</b>	
<b>Date of approval</b>	<b>16/11/2022</b>	

Acknowledgement: This is based on the work of Princess Alexandra Hospital NHS Trust