

NHS Cheshire CCG Professional Registration Policy

Professional Registration Policy

Effective from 03 July 2020

This version supersedes previous versions of policies published by NHS Cheshire CCG or the following former CCGs: NHS Eastern CCG, NHS South Cheshire CCG, NHS Vale Royal CCG and NHS West Cheshire CCG.

Applies to all employees of NHS Cheshire CCG.

This document should be read in conjunction with:

- Equality and Diversity policy

Policy Revisions and Amendments			
Date	Section	Reason for Change	Approved By
November 2018	3	Inclusion of <i>and able to evidence Continuing Professional Development (CPD) to support their registration.</i>	
November 2018	4.3	Inclusion of <i>Managers are responsible for providing non-clinical work for staff whose registration has lapsed until it is renewed.</i>	
November 2018	4.4	Inclusion of <i>Those staff who allow their registration to lapse are not allowed to work at a clinical level until the registration has been renewed.</i>	
November 2018	4.5	Inclusion of Responsibilities of the Agency <i>Agencies are responsible for providing workers whose registration is up to date and have evidenced CPD.</i>	
November 2018	5	Inclusion of <i>and evidence is provided in accordance with procedural requirements.</i> Inclusion of <i>and the appropriate professional body and/or agency will be notified in writing.</i>	
November 2018	5.2	Inclusion of <i>The CSU Recruitment Team is responsible</i>	
November 2018	5.3	Inclusion of <i>Once a member of staff has been notified if is their responsibility to ensure their registration is renewed prior to the renewal date.</i>	
November 2018	5.4.1	Inclusion of <i>Notify the appropriate professional body of the lapse in registration</i> Inclusion of <i>based on the guidance of the professional body in these circumstances</i> Inclusion of <i>depending on the needs of the business and service delivery</i>	
November 2018	5.4.2	Inclusion of <i>immediately</i> as renewal can take up to 8 weeks Removal of <i>(in most cases this will be available within 1 or 2 working days)</i> Inclusion of <i>In addition, the relevant professional body may decide to take separate independent action against the employee.</i>	

Policy Obsolete		
Date	Reason	Approved By

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1. Introduction

The Cheshire Clinical Commissioning Group (CCG) has a responsibility to ensure that professional standards are met and in doing so recognises the importance of conducting both pre and post-employment checks for all persons working in or for the NHS in order to meet its legal obligations, complement good employment practices, and to ensure as appropriate, existing employees are registered with a relevant regulatory/licensing body in order to continue to practice.

For the purposes of this policy, the term professional registration refers to all posts which require the employee to be qualified in their field as a requirement of their post and to periodically renew their registration with their respective professional bodies.

The policy aims to ensure that all staff required to be registered with a statutory regulatory organisation/body to practice their speciality / field, are fully aware of their contractual obligation to be registered. The document sets out the role and responsibilities, the monitoring arrangements and the procedure for and implications for lapsed registration.

2. Scope

In accordance with NHS Employment Check Standards the CCG will undertake document checks on every prospective employee and staff in ongoing NHS employment. This includes permanent staff, staff on fixed term contracts, volunteers, students, trainees, contractors and staff supplied by agencies.

3. Policy Statement

In order to protect the public and ensure high standards of clinical practice it is a legal requirement that the CCG may only employ registered practitioners in qualified clinical positions. This includes the following posts that have been accepted onto the register of the statutory regulatory bodies outlined in the NHS Employment Check Standards.

- Medical and Dental
- Nurses and Midwives
- Allied Health Professionals
- Healthcare Scientists
- Hearing Aid Dispensers
- Practitioner Psychologists
- Pharmacy Technicians

Employees are responsible for maintaining their registration with their relevant professional body.

Individuals who are not directly employed by the organisation (e.g. NHS Professionals, Agency and Locum workers) but who nevertheless are engaged in work that requires professional registration must also hold current registration and be able to evidence Continuing Professional Development (CPD) to support their registration. The CCG will ensure that there are processes in place to check the ongoing registration of such workers such as audits via external agencies.

4. Responsibilities

4.1. Responsibilities of the CCG

The responsibility for the monitoring and provision of this policy initially rests with the Governing Body of the CCG.

4.2. Responsibilities of Human Resources

Human Resources are responsible for providing advice, guidance and support to line managers when dealing with issues relating to professional registration.

4.3. Responsibilities of Managers

Managers are responsible for ensuring all requests are dealt with in a fair, equitable and consistent manner and in line with the policy.

Managers are also responsible for making fair and informed decisions in line with policy, legislative and regulative requirements.

Managers are responsible for providing non-clinical work for staff whose registration has lapsed until it is renewed.

4.4. Responsibilities of Staff

Staff are responsible for ensuring that their professional registration is maintained at all times throughout their employment with the CCG. Those staff who allow their registration to lapse are not allowed to work at a clinical level until the registration has been renewed.

4.5. Responsibilities of the Agencies

Agencies are responsible for providing workers whose registration is up to date and have evidenced CPD.

5. Professional Registration Procedure

It is ultimately the responsibility of all employees who require professional registration to practice to ensure that registration with their professional body remains current at all times and that they abide by their professional code of conduct.

Employees/contractors must disclose to the organisation any conditions attached to his/her registration at the earliest available opportunity.

During the course of their employment employees must, on request by management, provide evidence that their registration has been renewed and evidence of CPD is provided in accordance with procedural requirements.

Failure to maintain professional registration and comply with the requirements of the registration may result in disciplinary action.

All personal data, particularly name changes must be communicated to both the line manager and professional body to ensure accuracy of data.

Lapsed registrations amount to a breach of terms and conditions of employment and may result in dismissal.

The registration lapse will be recorded in the employees personnel file.

Repeated lapses in registration may lead to disciplinary action under the Disciplinary Policy and Procedure and the appropriate professional body and/or agency will be notified in writing.

5.1. Registration of Temporary Staff from External Agencies

It is essential that all contractors, agencies, the CSU and the CCG engages to fully meet all legal and regulatory requirements. These include, but are not limited to, the Data Protection Act (1998), the General Data Protection Regulations (2018), the NHS Confidentiality Code of Practice (Approved DoH Guidance 2003), all Criminal Records Bureau requirements, Registration with the appropriate Professional Bodies where appropriate, confirmation of Fitness to Work, Home Office status if applicable and working within the EWTD regulations (Working Time Directive 1993 and Working Time Regulations 1998) if working for more than one employer.

In this respect the onus must be placed on the contractor or agency to ensure all relevant workers fulfil all legal and regulatory requirements. The CCG will ensure it is protected contractually in the event of a supplier not fulfilling these obligations.

In order to facilitate this, all Managers must use the services of Agency suppliers awarded a contract under Public Sector Resourcing (PSR) framework unless there are exceptional circumstances. All suppliers on this framework meet legal and regulatory requirements, through the national sourcing process.

Where agency staff are being used that are not on the PSR framework, the line manager will be responsible for ensuring written assurance is sought from the supplier that they are abiding by NHS Employers Employment Check Standards.

This CCG will conduct audits periodically to ensure compliance.

5.2. Procedure for Checking Registration – Pre Employment

All successful candidates who have a professional registration with a licensing or regulatory body in the UK or another country, relevant to their role are required to provide documentary evidence of up to date registration prior to appointment. A Human Resources representative will check with the relevant regulatory body (e.g. GMC, NMC, HCPC, GPhC) to determine that the registration is valid.

Where professional registration is a requirement of the post, ongoing registration as outlined above will be monitored through the CCG Policy.

Alert Database checks will be undertaken in line with CCG recruitment procedures.

Alert letters are sent to all NHS bodies to make them aware of a doctor or other registered health professional whose performance or conduct could place patients or staff at serious risk. Alert letters are communicated to NHS bodies for those health professionals who are

regulated by one or more of the following regulatory bodies:

- General Medical Council (GMC)
- Nursing and Midwifery Council (NMC)
- Health and Care Professionals Council
- General Dental Council (GDC)
- General Optical Council
- The General Pharmaceutical Council (GPhC)
- General Chiropractic Council
- General Osteopathic Council

The CCG is responsible for managing Alert Letters according to Healthcare Professionals Alert Notice Directions 2006, transferring alert letter details to a secure database and retaining paper copies within a safe haven which is locked and accessible to a limited number of staff.

The CSU Recruitment Team is responsible for cross-referencing job offers to registered health professionals with the relevant professional body.

5.3. Procedure for Monitoring Ongoing Registration

The CCG will monitor all professionally registered staff to highlight those due to renew their professional registration and any staff whose registration has lapsed. Once a member of staff has been notified it is their responsibility to ensure their registration is renewed prior to the renewal date.

Monitoring will be conducted via a suite of reports from the Electronic Staff Record (ESR).

5.4. Procedure for Dealing with Lapsed Registrations.

Line Managers

Managers who identify a lapsed registration must take immediate action in accordance with CCG procedure. Immediate actions will include:

- Contact the member of staff immediately
- Ensure the person is withdrawn from undertaking the duties of a qualified clinician or professional with immediate effect
- Discuss the options with the HR Business Partner and employee
- Check re-registration with the relevant regulatory body, receive proof of renewal and to evidence this in the personnel file
- Notify the appropriate professional body of the lapse in registration

When considering action to be taken, managers will take account of the following factors:

- Length of time since registration has lapsed
- Reason(s) put forward for non-renewal
- Whether the individual has knowingly continued to practice without registration and has failed to notify management
- Any previous occasions when the individual has allowed their registration to lapse
- Whether the individual has attempted to conceal the fact that their registration has lapsed

The manager in consultation with a Human Resources representative should consider the following options:

- Allow the individual to take annual leave or time owing until their registration is renewed within an agreed time frame based on the guidance of the professional body in these circumstances
- Allow the individual to take unpaid leave where no annual leave is available depending on the needs of the business and service delivery
- Suspend the individual from duty without pay and invoke the disciplinary process
- Where feasible, consider transferring the individual staff member to another area within the organisation that offers a non-patient contact role that is of equal value.
- Temporary downgrade into a non-qualified post specific to service needs

Employee

Staff who recognise that their registration has lapsed must take immediate action in accordance with CCG procedure above. Immediate actions will include:

- Inform their line manager immediately
- Re-register with the professional body immediately
- Withdraw from clinical/professional practice with immediate effect in discussion with their manager
- Provide proof of renewal to the Manager
- Provide proof and clarification of pin number if there is a discrepancy in data

Failure to comply with maintaining your professional registration may result in disciplinary action. In addition, the relevant professional body may decide to take separate independent action against the employee.

6. Equal Opportunities and Diversity

The Professional Registration Policy should be read in conjunction with the CCG's Equality and Diversity policy.

In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

Promoting diversity embodies the principles of fair treatment for all and will, as a result, improve the retention of staff. The CCG values the diversity of its workforce and aims to ensure that all staff understand this commitment and adhere to the required standards.

7. Monitoring

This policy and procedure will be reviewed periodically by Human Resources in conjunction with the CCG and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

Governance backpage:

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