POLICY NOTE

THE HEALTH AND CARE PROFESSIONS COUNCIL (REGISTRATION AND FEES) (AMENDMENT) (No.2) RULES ORDER OF COUNCIL 2015

SI 2015 No. 1337

The above instrument was made in exercise of the powers conferred by articles 7(1) and (2), 10(1) and 41(2) of the Health and Social Work Professions Order 2001. The instrument is subject to negative procedure.

Background

1. The rules scheduled to and approved by this Order, amend Health and Care Professions Council (HCPC) legislation relating to registrant fees. These rules have been made by the HCPC in exercise of powers conferred by the Health and Social Work Professions Order 2001.

2. While the provisions in the Health and Social Work Professions Order 2001 relating to the regulation of arts therapists, biomedical scientists, chiropodists / podiatrists, clinical scientists, dieticians, hearing aid dispensers, occupational therapists, orthoptists, paramedics, physiotherapists, prosthetists / orthotists, radiographers, social workers in England and speech and language therapists by the HCPC are reserved to Westminster, those relating to the regulation in Scotland of operating department practitioners and practitioner psychologists are considered to fall within the legislative competence of the Scottish Parliament. This is because operating department practitioners and practitioner psychologists have been regulated since the coming into force of the Scotland Act 1998.

Policy Objective

3. The changes proposed by this Order increase the HCPC's registrant renewal fee in addition to the other fees it charges. Further details of the proposed changes are set out in the attached Department of Health Explanatory Memorandum, in paragraph 7, headed "policy background".

Consultation

4. The HCPC consulted between 27 March 2015 and 6 May 2015. The consultation sought views on proposed increases to each of the HCPC's registration fee types. A total of 2,393 responses were received to the consultation, 97% of which were from individuals, the majority of which were HCPC registered professionals.

5. Having considered the consultation outcomes, the HCPC agreed to increase the fees as proposed in the consultation, subject to parliamentary approval of the necessary Rules, with the exception of the proposed increase to the restoration fee. The HCPC agreed to amend its proposals about the restoration fee as a result of the consultation feedback, agreeing to increase this fee in line with the readmission fee. Further details

of the consultation outcome are set out in the attached Department of Health Explanatory Memorandum, in paragraph 9, headed "Consultation outcome".

Guidance

6. Neither the Scottish Government nor the Department of Health have issued guidance in relation to these Rules. However, the HCPC will publicise the changes to its registrants.

Impact Assessment and Financial Implications

7. The impact on the public sector is a contribution of £1 million towards estimated realisation of savings of over £3 million per annum.

8. An Impact Assessment has not been prepared for this instrument due to this being HCPC legislation.

Monitoring and Review

9. The fee-setting process will occur annually and the level of the fee imposed on each Regulatory Body will be determined by the Privy Council subject to consultation with them. It is the decision of each Regulatory Body as to how it handles the request for a fee. The intended outcome is for the PSA to have a secure stream of funding for the coming years.

Scottish Government Health and Social Care Directorates
May 2015