POLICY NOTE

THE HEALTH AND CARE PROFESSIONS COUNCIL (REGISTRATION AND FEES) (AMENDMENT) RULES ORDER OF COUNCIL 2021

2021 No. 170

The above instrument was made in exercise of the powers conferred by articles 7(1) and (2)(c) and 41(2) of the Health Professions Order 2001 (S.I. 2002/254). 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 Professions Order 2001.
2. While the provisions in the Health 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 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 rules scheduled to this Order amend the Health and Care Professions Council (Registration and Fees) Rules 2003 to increase the fees charged by the HCPC for scrutinising and processing applications for admission to its register, for renewal of registration and for readmission or restoration to its register. Further details of the proposed changes are set out in the attached UK Government Department of Health and Social Care Explanatory Memorandum, in paragraph 7, headed “policy background”.

Consultation

4. The HCPC consulted between 24 September 2018 and 21 December 2018. The consultation sought the views of stakeholders on proposals to increase the fees charged for registration and renewal. A total of 2,398 responses were received to the consultation. Approximately 95% of these responses were from HCPC registered professionals. 90% of respondents did not support HCPC’s initial proposal to increase its renewal fees from £90 to £106 per year. However, 63% of respondents agreed that

HCPC should review its fees regularly to avoid infrequent but larger increases in the future.

5. Following the consultation, the HCPC undertook extensive engagement with stakeholders including Unions, Professional Bodies and Parliamentarians to understand the impact of its proposed fee rise. Based on this work, HCPC is bringing forward a reduced fee-rise of £8.12, which would raise its renewal fees to £98.12 per year, subject to Parliamentary approvals.

6. Further details of the consultation outcome are set out in the attached Department of Health and Social Care Explanatory Memorandum, in paragraph 10, headed "Consultation outcome".

Guidance

7. Neither the Scottish Government nor the Department of Health and Social Care have issued guidance in relation to these Rules. However, information relating to fees on HCPC's website will be updated ahead of the fee-rise coming in to force.

Impact Assessment

8. HCPC has prepared an impact assessment, which is available on the HCPC website at the following link: enc-06---hcpc-registration-fees-proposals.pdf (hcpc-uk.org) The impact assessment establishes that there is no significant impact on business, charities or the public sector.

Monitoring and Review

9. The HCPC will keep the Rules being amended by this legislation, and the fees charged by the Rules, under on-going review.

Scottish Government Health and Social Care Directorates

February 2021