Fitness to Practise: What does it mean?

About us

This document sets out the Health and Care Professions Council’s (HCPC) approach to delivering public protection through its fitness to practise processes.

The HCPC is responsible for regulating members of 16 different professions. We keep a register of professionals who meet our standards for their training, professional skills and behaviour. Through our fitness to practise processes we can take action if a registrant (a professional on our register) falls below our standards.

About fitness to practise

When we say that someone is ‘fit to practise’ we mean that they have the skills, knowledge and character to practise their profession safely and effectively. However, fitness to practise is not just about professional performance. It also includes acts by a registrant which may have an impact on public protection or confidence in the profession or the regulatory process. This may include matters not directly related to professional practice.

Fitness to practise proceedings are about protecting the public. They are not a general complaints resolution process. They are not designed to resolve disputes between registrants and service users.

Our fitness to practise processes are not designed to punish registrants for past mistakes. They are designed to protect the public from those who are not fit to practise. Finding that a registrant’s fitness to practise is “impaired” means that there are concerns about their ability to practise safely and effectively. This may mean that they should not practice at all. Or that they should be limited in what they are allowed to do. HCPC will take appropriate action to make this happen.

Sometimes registrants make mistakes that are unlikely to be repeated. This may mean that the registrant’s fitness to practise is unlikely to be impaired. People do make mistakes or have lapses in behaviour. Our processes do not mean that we will pursue every isolated or minor lapse.

When will a registrant’s fitness to practise be found to be impaired?

We consider every case individually. However, a registrant’s fitness to practise is likely to be impaired if there is evidence to show one of the following:

- serious or persistent failure to meet standards;
- reckless or deliberate acts;
- hiding mistakes or trying to block their investigation;
- sexual misconduct or indecency (including any involvement in child pornography);
- improper relationships with service users;
- failure to respect the autonomy of service users;
- violence or threatening behaviour;
- dishonesty, fraud or an abuse of trust;
- exploitation of a vulnerable person;
- substance abuse or misuse;
- health problems which the registrant has not addressed, and which may affect the safety of service users; and
- other, equally serious, activities which undermine public confidence in the relevant profession.

What other factors will we consider?

In deciding whether a registrant’s fitness to practise is impaired we take account of other factors. These relate to the registrant and the wider public. Those factors are whether the registrant:

- has ignored previous warnings;
- has taken action to correct his/her behaviour;
- has insight (understands the harm she/he has caused);
- knows what action to take to practise safely and effectively.
- the link between the conduct and the registrant’s profession;
- has behaved in a way that undermines public confidence in the registrant’s profession;
- has not met HCPC’s standards of conduct, performance and ethics; and
- has behaved in a way that is likely to be repeated.

More information

If you have any questions please refer to www.hcpc-uk.org/complaints/ where you will find more information about our fitness to practise processes. Alternatively, please contact us on telephone number 0800 328 4218 or email us at ftp@hcpc-uk.org