

JANUARY 2021 PROFESSIONAL REGISTRATION AND QUALIFICATIONS CHECKS

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INTRODUCTION

What is a professional registration and qualification check?

This standard outlines the type of checks employers must carry out to assure themselves that prospective employees are qualified and competent to perform a particular role.

This entails verifying that the individual:

- has the necessary skills and qualifications for the job they are applying for; and
- if applicable to the role, they are registered with the relevant professional body and they meet the required standards of training, competency and conduct to practice safely in their chosen profession.

In all cases, only the qualifications that form part of the requirements for the position being applied for will need to be verified.

Importance of professional registration and qualification checks

Professional regulation is intended to protect the public, ensuring that those who practice in a particular profession are committed to providing high standards of care.

There are currently eight main regulatory bodies in health, with more than one million health professionals on their registers. Their main functions include:

- establishing standards of competence, ethics and conduct
- establishing standards for training
- keeping a register of those who meet the standards
- dealing with registrants who fall short. For example, by placing conditions on their registration or erasing them from the register.

Qualification checks help employers verify the information about any educational or professional qualifications that the individual has outlined in their application form.

SECTION 1: PROFESSIONAL REGISTRATION CHECKS

Minimum requirements

Employers must check the registration of all healthcare professionals with the appropriate regulatory or licensing body before they allow that individual to start employment with them. This will verify that:

- the applicant is actually the person registered with that regulatory body
- there are no restrictions to their registration that would affect their ability to undertake the duties of the role being offered
- there are no pending investigations on their fitness to practise that would need to be considered.

Employers must have the consent of the health professional and their registration number to check their registration and fitness to practise.

Checking an applicant's professional registration in itself does not guarantee their suitability for a role, employers must always seek the necessary assurances by carrying out the full range of checks outlined in the <u>NHS Employment Check Standards</u>.

Where relevant to the role, it should be made a contractual condition for healthcare workers to maintain any registration that might be relevant to their profession for the full term of employment. It will also be essential for employers to have appropriate mechanisms in place to manage healthcare professionals in response to any actions that may be taken by a regulatory or licensing body which would affect their registration or fitness to practise.

Further information about how to check registration, license and fitness to practise with a professional regulatory body can be found in appendix one.

Recruiting from the European Union (EU)

Following the end of the transition period on 31 December 2020, the EU Directive on the Recognition of Professional Qualifications which enabled healthcare professional regulators to recognise certain EEA-awarded professional qualifications (leading to entry of the relevant professional register) with minimal barriers via a near-automatic system, no longer applies in the UK.

For a maximum period of two years from 01 January 2021, transitional arrangements now apply. UK healthcare professional regulators continue to recognise EEA qualifications listed in the Directive as evidence of skills, knowledge and experience regardless of the applicant's country of origin (under transitional arrangements it is the place of qualification that counts, not the nationality of the applicant).

Different arrangements are now in place for Swiss nationals, who benefit from a four-year grace period from 01 January 2021 during which they will be treated in the same way as pre-31/12/20 EEA applicants based on their nationality, not their place of qualification.

Professional regulatory bodies are working with the Department of Health and Social Care to review registration arrangements for applications from holders of EEA and Swiss qualifications from January 2023 onwards, or earlier if agreed. Until new arrangements are in place, professional qualifications will continue to be recognised under the transitional arrangements.

Professional regulatory bodies will continue to assess and approve any qualification that is not entitled to automatic recognition. Employers should be extra vigilant in checking applications from an applicant with EEA professional registration and qualifications, to ensure they are appropriately registered and qualified to undertake the type and range of duties required for a particular role.

EEA-qualified healthcare professionals who were registered to practise in the UK prior to the end of the transition period on 31 December 2020 continue to have their recognition decision acknowledged.

For the most up to date information see the section on the <u>UK's departure from the EU</u> on the NHS Employers website.

Accredited registers

The <u>accredited registers</u> are managed by the Professional Standards Authority (PSA) and are a means of enabling employers seek the necessary assurance that unregulated practitioners meet the same high standards of education, skills and expertise as those in statutory regulated professions.

While not compulsory for unregulated practitioners to be on an accredited register, employers may find it beneficial to encourage individuals to be on one because of the added level of assurances this can provide.

Employers will need to carry out the same level of checks to verify the registration of healthcare professionals on the accredited registers as they would for any other healthcare professional on a statutory register.

The PSA continually update their registers to recognise bodies and professions that have been newly accredited. Employers will need to regularly review job adverts and personal specifications to ensure they make reference to all accredited registers that may be relevant to the role being appointed to, to ensure they do not restrict or prevent individuals from being considered. See our <u>accredited registers - top tips section</u> for guidelines on how to ensure fair practice when considering individuals on accredited registers.

Further information about accredited registers can be found on the NHS Employers website.

SECTION 2: QUALIFICATION CHECKS

The purpose of a qualification check is to verify information provided by candidates as part of their application form for educational or professional qualifications.

When writing job descriptions, employers will need to identify which qualifications are essential or desirable for any given role.

Employers have the discretion to accept other qualifications or experience which may be equivalent to any predefined requirements.

The criteria for each job role, and any flexibility around what might be essential or desirable, should be agreed between human resources and the recruiting manager prior to advertising, to ensure a fair and consistent approach to the recruitment process.

Minimum requirements

Employers must ensure that applicants hold any professional and/or educational qualifications that are essential for the role they are appointing to.

In the case of recruiting registered healthcare professionals, regulatory and licensing bodies will have undertaken checks to validate that they have the relevant qualifications in order for them to be on their register and can practise in their chosen profession. While additional checks on qualifications to practise are not normally necessary, employers must ensure they undertake the full range of checks to assure themselves of the individual's suitability, including validating any qualifications which are prescribed as essential to the role they are appointing to.

Employers must:

- request that applicants provide original documentation.
- check that all certificates appear genuine and relate to a real qualification. This may include checking basic security features and the presentation of the document. You should also consider if the certificate matches other documentation you have seen previously. More information is available from <u>UK NARIC</u>, the UK national agency for the recognition and comparison of international qualifications and skills.
- check that the details on certificates match the information provided by the candidate in their application form. For example, names, dates, course title(s) and grades. It is quite possible that the name given in a qualification certificate will not match that given by the applicant for a number of reasons, such as marriage/civil partnership, or divorce. In such cases, employers are required to obtain additional evidence to validate the change of name.
- retain a copy (scanned or photocopied) on file. When storing information such as this, employers should ensure they comply with existing data protection legislation (as amended by the General Data Protection Act 2018). Employers must have a lawful basis for processing and retaining data, and document this. More information on data protection is available on the <u>NHS Employers website</u>, and detail on the lawful bases for processing and retaining document is available on the <u>Information Commissioner's Office (ICO) website</u>.

It is important to ensure that sufficient time is factored into the recruitment process to allow for obtaining qualification information, to avoid any unnecessary delays in recruitment.

Applicants may not always have the original documentation. In such cases, employers will need to make an appropriate risk-based assessment to the priority given to that qualification in the person specification, and the assurances that may need to be gained as part of the check process.

Where there is any discrepancy or concern about the authenticity of documentation provided by an applicant, employers may wish to contact the awarding body directly. This could be used to confirm attendance on the course stipulated by the applicant and the grade awarded. Employers will be required to provide a copy of the applicant's consent in order to obtain any such information.

For qualifications awarded by a body outside of the UK, advice may be sought from the relevant country's UK embassy, consulate or high commission. Contact details for UK based embassies, consulates and high commissions can be found on the <u>Foreign and Commonwealth Office website</u>.

UK NARIC has produced <u>an overseas degree comparison table</u> to help organisations recruiting from overseas and individuals wishing to work or study in the UK. If there are doubts about whether an overseas qualification or its UK equivalent is genuine, further information can be obtained through the <u>UK NARIC website</u>.

For more serious concerns about suspected qualification fraud, employers can:

- call the NHS Fraud and Corruption Reporting Line on (freephone) 0800 028 40 60 (lines are open 8am-5pm Monday to Friday
- fill in the online reporting form on the <u>NHS Counter Fraud Authority website</u>
- speak to their local counter fraud specialist (LCFS). All NHS organisations are required by the NHS Counter Fraud Authority to have a LCFS.

Assessing language competency

All public facing roles require a proportionate level of English language proficiency for written and verbal communication.

Employers are encouraged to regularly review HR policies and practice to ensure they are in line with the Code of practice on the English language requirement for public sector workers section of the <u>gov.uk website</u>.

Regulatory bodies set their own professional standards including the requirement for each healthcare professional to communicate effectively with patients and colleagues. Further information and guidance can be found on their respective websites. Contact details for the UK healthcare regulatory bodies can be found in appendix one.

Registration with a regulatory body alone does not guarantee that the registrant has the clinical or language skills to perform a particular role. Employers remain responsible for assuring that the individual applying for the post has the necessary linguistic skills, as well as the necessary clinical skills and relevant qualifications, to undertake the type of role they are appointing to.

Further good practice guidance on how to assess language competency can be found on the <u>NHS</u> <u>Employers website</u>.

Withdrawal of a provisional offer of employment

Employers must make it clear to prospective employees that any offer of appointment is conditional and based on satisfactory registration and qualification checks, and that any information disclosed on the application form will be checked.

Prospective employees must also be informed that any offer of appointment may be withdrawn if they knowingly withhold information or they provide false or misleading information. It should also be made clear that their employment may be terminated should any subsequent information come to light once they have been appointed.

Healthcare professional alert notices

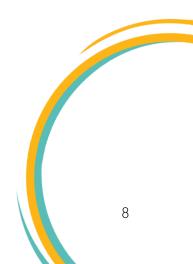
A healthcare professional alert notice (HPAN) is a system where notices are issued by NHS Resolution to inform NHS bodies, or other organisations providing services to the NHS, about registered health professionals whose conduct or practise would pose a significant risk of harm to patients, staff or the public.

It will also confirm whether that person may continue to work or seek additional or other work in the NHS as a healthcare professional or whether that person falsely holds himself out to be a healthcare professional.

When recruiting registered healthcare professionals, employers must check that there is no known information held about them on the alert notice system as well as checking their professional registration. If an individual is subject to an alert notice, then employers must check whether there are any restrictions which would prevent them from undertaking the duties of the role being applied for, prior to allowing them to take up the appointment.

To run a check of the alert notice system, employers should contact NHS Resolution's Performers List Regulations and HPAN Web Check Service by emailing <u>hpan@resolution.nhs.uk</u>

Further information on how to check whether an individual has been the subject of an HPAN and the process to raise a HPAN where concerns about a healthcare professional's performance, conduct or practise comes to light, can be found on the <u>NHS Resolution website</u>.



APPENDIX 1: CHECKING REGISTRATION WITH PROFESSIONAL REGULATORY BODIES

Each regulatory body has different procedures for disclosing fitness to practise information.

General Medical Council (GMC)

Read the GMC's fitness to practise guidance.

The General Medical Council has powers to suspend or place conditions on a doctor's registration, this includes any interim orders which may have been imposed to protect the public, pending a full investigation.

The GMC can confirm a doctor's:

 full name		sex
 GMC reference number	—	current registration status
 current registered address	—	primary medical qualification
 license to practise	—	specialist qualifications
 due date for annual retention fee	—	dates of registration (provisional, full, specialist or limited).

They are also able to provide a photograph of most doctors who registered after 2004 which will be helpful in assisting employers to confirm the doctor's identity.

All doctors are required by law to be both registered with the GMC and hold a license to practise before they can undertake any form of medical practice in the UK. This includes where prescribing prescription-only drugs and issuing medical certificates for statutory purposes, for example, death certificates. This requirement applies to any employed or self-employed doctor and is inclusive of any full-time, part-time, or locum contract. It also includes positions in private and independent healthcare and in the NHS, including GPs.

A time limit applies to doctors who are provisionally registered. Provisional registration is only valid for three years and 30 days (1,125 days), during which time doctors must complete the training required to progress to full registration.

Doctors who hold registration with a license to practise are subject to the requirements under revalidation, details of which are available on the GMC website. All doctors are required to revalidate if they wish to keep their license to practise. This is usually every five years, by having regular appraisals.

In addition, all European doctors and those applying for their first license to practise must demonstrate that they have sufficient knowledge of English in order to communicate effectively and practise safely in the UK.

Employers will need to ensure that any contracts that require doctors to possess registration with the GMC comply with these requirements.

Contact the GMC

Verification of a doctor's GMC registration and license to practise status can be obtained in a number of ways:

- online via the GMC's <u>List of Medical Practitioners</u>
- by phone: 0161 923 6602
- by email: <u>registrationhelp@gmc-uk.org</u>
- in writing to the General Medical Council, 3 Hardman Street, Manchester, M3 3AW.

Details of a doctor's suspension, or any relevant current conditions or undertakings, are included on the online search facility or by emailing <u>regchecks@gmc-uk.org</u>. The GMC will need to consider whether the organisation requesting the information is entitled to have access to this information. Data that is five years old or more is not normally included but will be made available through a link to the individual's record.

Nursing and Midwifery Council (NMC)

Read the NMC's fitness to practise guidance.

The Nursing and Midwifery Council can provide registration information on registered nurses and midwives and will inform an employer if a practitioner has the following status:

—	removed	 suspended
	restored	 lapsed
—	conditions of practice	 effective.
—	cautioned	

It will not show if someone is under investigation. For further information on the status of a practitioner, an employer would need to write to the NMC's fitness to practise department. You can find the relevant contact details on the <u>NMC website</u>.

The NMC also issues monthly fitness-to-practise circulars, which include details of practitioners who have been struck off, suspended or cautioned during the previous month.

Nurses and midwives are subject to revalidation requirements, details of which can be found on the <u>NMC website</u>. As part of these requirements they must be able to demonstrate their ability to deliver safe, effective and professional care, are up to date in their professional practice, and meet the standards outlined by the <u>NMC's Code</u> in order to register/or remain registered with the NMC.

Employers will need to ensure that any contracts that require nurses and midwives to possess registration with the NMC, comply with these requirements.

Contact the NMC

The NMC offers a number of ways to confirm registration status:

- online at <u>www.nmc.org.uk</u>
- by phone on 0207 333 9333. Employers will need their caller code and pass number.
- by email for confirmation using bar-coded confirmation forms. For more information about this service, please email <u>UKenquiries@nmc.uk.org</u>
- in writing for confirmation to Nursing and Midwifery Council, 23 Portland Place, London, W1B 1PZ.

Other useful NMC contact emails include:

- Registration enquiries and general advice email UKenquiries@nmc-uk.org
- General overseas enquiries <u>overseasenquiries@nmc-uk.org</u>
- Fitness to practise enquiries <u>fitness.to.practise@nmc-uk.org</u>

Health and Care Professions Council (HCPC)

Read the HCPC's fitness to practise information.

The health and care professionals regulated by the Health and Care Professionals Council are available on the <u>HCPC website</u> as are details of a professional's registration status. Any changes to registration status will immediately be entered onto the register. Fitness to practise cases are listed on the website and after a hearing, the decision is posted online.

Contact the HCPC

Employers are strongly encouraged to use the HCPC's online register, but if this is not possible, registration can also be checked in the following ways:

- by phone 0845 300 4472
- by email <u>registration@hcpc-uk.org</u>
- inwriting to the Health Professions Council, Park House, 184 Kennington Park Road, London, SE11 4BU.

For further information on fitness to practise, call 0800 328 4218 (Monday to Friday 9am to 5pm) or email <u>ftp@hcpc-uk.org</u>.

General Pharmaceutical Council (GphC)

Read the GPhC's fitness to practise information.

The General Pharmaceutical Council provides details of pharmacists and pharmacy technicians who hold registration and details of current and recent fitness-to-practise inquiries.

In order to practise in Great Britain, pharmacists and pharmacy technicians must be registered with the GPhC. From April 2018, registrants have been required to complete revalidation. In the first year

this will be through records of continued professional development (CPD), and in each subsequent year it will be CPD plus reflective accounts and peer discussion records.

Contact the GPhC

Registration can be confirmed in the following ways:

- online at <u>www.pharmacyregulation.org</u>
- by phone 0203 713 8000.
- inwriting to the General Pharmaceutical Council (GPhC), 25 Canada Square, London, E14 5LQ.

Employers will need the member's registration number, full surname and forename, date of registration and postal town of their registered address.

Details of current and recent fitness-to-practise inquiries can also be obtained from the <u>GPhC</u> <u>website</u>.

General Dental Council (GDC)

The GDC holds two registers that provide registration information on all dental care professionals:

- the dentists register
- the dental care professionals register, which includes dental hygienists, dental therapists, orthodontic therapists, clinical dental technicians, dental nurses and dental technicians.

Some information relating to fitness to practise proceedings is not publicly available in the dentists register and employers will need to provide evidence of the dental care professional's consent to access it. The consent form must be signed and dated by the dental care professional and include their full name and their GDC registration number.

Read the <u>GDC's fitness to practise</u> information.

Employers will also need to check applicants who may be registered on the temporary register. Overseas qualified dentists can apply for temporary registration in specific approved posts, if they hold a dental qualification that is recognised by the GDC for the purposes of temporary registration and the International Qualifying Exam. This allows them to work, with supervision, in dental schools or hospitals and (in a limited number of cases) in primary care dental settings for training, teaching or research purposes for a limited period. Apart from these approved settings, temporary registration* will not allow dentists to work in general or private practice, or in the community dental services.

*Temporary registrants are not added to the online register, employers should contact the GDC customer advice and information team on 0845 222 4141.

Contact the GDC

Employers can check an individual's registration status and obtain information about any fitness to practise proceedings in one of the following ways:

- online at <u>www.gdc-uk.org</u>
- by phone 020 7167 6000
- in writing to the General Dental Council, 37 Wimpole Street, London, W1G 8DQ.

General Optical Council (GOC)

The GOC provides registration information on optical professionals and publishes details of recent and future fitness to practise hearings.

Read the GOC's fitness to practise guidance.

Contact the GOC

Employers must check a registrant's status in one of the following ways:

- online at <u>www.optical.org</u>
- by phoning 0207 580 3898
- in writing to the General Optical Council, 41 Harley Street, London, W1G 8DJ.

General Osteopathic Council (GOsC)

The GOsC provides details of osteopaths who hold registration and details of current and recent fitness-to-practise inquiries.

Keep up to date with the GOsC's fitness to practise reports.

In order to practise in the UK, osteopaths must be registered with the GOsC and renew their registration on an annual basis, declaring that they hold professional indemnity insurance, have had no cautions/convictions in the previous 12 months not already disclosed to the regulator, that they are in good health and have complied with continuing professional development requirements.

Contact the GOsC

Registration can be confirmed in the following ways:

- online at <u>www.osteopathy.org.uk</u>
- by phone 020 7357 6655.
- by email info@osteopathy.org.uk
- in writing to the General Osteopathic Council, Osteopathy House, 176 Tower Bridge Road, London, SE1 3LU.

Queries about current and recent fitness to practise cases can be sent to <u>regulation@osteopathy.org.uk</u>.

General Chiropractic Council (GCC)

Read the GCC's fitness to practise information.

The GDC can confirm a chiropractor's:

	full name	—	current registered address
	GCC reference number	—	current registration status.
	dates of registration		

The GCC has the power to remove, suspend or place conditions on a chiropractor's registration. Recent decision information can be found on the GCC website.

It is illegal for an individual to call themselves a chiropractor or practice chiropractic unless they are on the GCC register. If disciplinary action has been taken against a chiropractor, it will appear on their record.

To be included on the register, an individual must be of good character, be in good physical and mental health and be suitably qualified. To continue on the register, a chiropractor must carry out continuous professional development activity, maintain their good character and good physical and mental health levels.

Contact the GCC

A chiropractor's registration can be verified:

- online at <u>www.gcc-uk.org</u>
- by phone 0207 713 5155
- by email <u>enquiries@gcc-uk.org</u>
- in writing to the General Chiropractic Council, 44 Wicklow Street, London WC1X 9HL.

NHS Employers

NHS Employers is the employers' organisation for the NHS in England. We help employers to develop a sustainable workforce, improve staff experience and be the best employers they can be.

Our practical resources and expert insights help make sense of current and emerging healthcare issues, to keep employers up to date with the latest thinking and ensure they are informed and equipped to support the NHS workforce.

We generate opportunities to network and share knowledge and we actively seek the views of workforce leaders to make sure their voice is front and centre of health policy and practice.

We also lead the national collective relationships with trade unions on behalf of the NHS and the Secretary of State for Health and Social Care.



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