

Briefing for the House of Lords debate – 5 May 2009

## **The Health Professions Council (HPC) – Practitioner Psychologists**

### **What is the Health Professions Council?**

- The HPC is one of nine UK statutory regulators of health-care professionals.
- Currently regulates over 185,000 health professionals from 13 different professions.<sup>1</sup>
- The HPC was set up by the Health Professions Order 2001.
- Embodies a modern, risk-based and innovative regulatory approach with a strong track record in delivering appropriate and effective regulation.

### **What is the purpose of the HPC?**

The objective of the HPC is to protect the public. To do this, we maintain a register of health professionals who meet our standards for training, professional skills and conduct. The main functions of the HPC are as follows.

- Set and maintain standards for the professions it regulates.
- Maintain a register of health professionals who meet these standards.
- Approve and monitor educational programmes leading to registration.
- Intervene if a registrant's fitness to practise falls below the standards.

### **What evidence is there that the HPC is effective in delivering regulation?**

The Council for Regulatory Excellence (CHRE) conducts annual performance reviews of the healthcare regulators. The 2007/08 review of the HPC stated that 'the Health Professions Council is an effective, publicly accountable regulator which has good communications with registrants and the public. It regulates a larger number and a wider range of health professions than the other regulators. This brings particular challenges, especially in finding the right balance between generic and profession-specific regulation. In this context the HPC has well-founded and thought through policies and practice.'

The HPC is a well-organised regulator and is clearly committed to constantly improving the efficiency of its performance.'

### **What are 'practitioner psychologists' and the protected titles?**

There are seven main groups or 'domains' of practice – clinical, counselling, educational, forensic, health, occupational and sport and exercise psychologists – that are collectively referred to as 'practitioner psychologists'. These are the

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<sup>1</sup> These are arts therapists, biomedical scientists, chiropractors / podiatrists, clinical scientists, dietitians, occupational therapists, operating department practitioners, orthoptists, paramedics, physiotherapists, prosthetists / orthotists, radiographers and speech and language therapists.

seven main groups that work in the health and wellbeing arena, offering psychological services to the public, and will be regulated by the HPC. These seven main groups will be the protected titles. The titles 'practitioner psychologist' and 'registered psychologist' will also be protected for the whole part of the Register.

### **What are the benefits to both patients and practitioner psychologists of introducing statutory regulation?**

The public benefit because we are able to protect commonly recognised titles and ensure that only those who have the appropriate knowledge, skills and character can use those titles. Members of the public also have someone to go to if something goes wrong and we are able to take action which has effect UK-wide.

Practitioners also benefit by clear professional standards. Our ability to consider complaints also benefits the profession as a whole because it sends out a clear message to members of the public that the profession is committed to high standards. It also means that we can take action against those who might otherwise damage the reputation of the profession. Regulation can also be seen to improve the standing and recognition of professions more generally.

### **Does the British Psychological Society (BPS) support the process?**

The BPS is the main professional body representing psychologists in the UK. In 2003 the BPS made a formal application to the HPC to be statutorily regulated. The Council subsequently made a recommendation to the Secretary of State for Health in June 2003 that practitioner psychologists should be regulated. However, the BPS then sought to establish a new statutory regulator solely to regulate either all psychologists or all members of the 'talking professions'. The UK Government stated that it did not intend to create any additional regulators of health professionals. In addition, negotiations between the BPS and the Department of Health led to the alleviation of many of its concerns. In December 2008 the BPS announced that it is actively preparing for the changes that it will need to make once the HPC Register opens to practitioner psychologists in summer 2009. We are working closely with the BPS to ensure the transition is as smooth as possible.

### **What has to be completed for the Register to open?**

Following the recent completion of a public consultation, the HPC will shortly publish two sets of standards. They are the standards of education that define the threshold level of education required to gain entry to the HPC Register and the standards of proficiency for practitioner psychologists. These are the standards that all registrants must meet to ensure safe and effective practise.

### **How much will practitioners have to pay?**

The HPC is funded by the fees of health professionals it regulates and operates cost-effective regulatory processes. The current annual registration fee is £76. This compares favourably to the £1,250 levied by the General Chiropractic Council or £410 annual fee of the General Medical Council.

## **What happens when the HPC Register opens and what are the different routes to registration?**

### **1) Transfer of voluntary registers**

The day the Register opens there is a transfer from the professional bodies who hold a voluntary register to the HPC Register. This is automatic and free. Provided they pay the annual fee and meet the HPC's standards, including Continuing Professional Development (CPD) standards, they will remain on the Register.

The registers that transfer are specified in legislation. The following will transfer.

- **British Psychological Society (BPS)**

Holders of BPS practising certificates who are or have been full members of one or more of the BPS divisions relating to the seven domains.

- **Association of Educational Psychologists (AEP)**

Full members of the AEP and affiliate members who have been full members of the AEP at any time during the two year period immediately prior to the opening of the Register.

### **2) UK approved course route**

Prior to the opening of the Register, we intend to approve all education and training programmes, historic and current, which lead / would have led to BPS chartered status with a practising certificate and membership of a relevant division. This means that if an individual completed a qualification which led to chartered status, a practising certificate and membership of a division, but chose not to join the BPS or AEP, they can apply via this route. This route is called the UK approved course route. Newly qualified graduates will apply directly to the HPC on graduation.

### **3) Grandparenting, or transitional provisions**

For practitioner psychologists who do not transfer to the HPC from the BPS or AEP, and have not completed an approved qualification, there is a third route for existing practitioners called grandparenting. Those who can demonstrate that they have practised lawfully, safely and effectively will have a strictly limited transition period of three years in which they can apply to join the Register. After this period only those who hold a qualification approved by the regulator can be registered.

### **4) International route**

Once the Register is opened, we can accept applications via the international route. This is good news as there is currently nowhere for international applicants to go as the BPS have stopped accepting international applications.

## **How will the HPC understand the complexities of the profession?**

Partners work as agents of the HPC. They provide the expertise that we need for our decision-making, and ensure that we have good professional and lay public input into what we do. We are recruiting chartered psychologists as 'partners' in anticipation of becoming the statutory regulator of practitioner psychologists.

These 'partners' will give advice on matters of professional practice in various roles such as registration assessors, visitors (to education providers) and fitness to practise panel members.

### **Which broad range of professions, offering psychological therapies, will not be regulated in this Order?**

- **Psychotherapists and counsellors** will not be regulated with practitioner psychologists. The Government stated in the White Paper *Trust, Assurance and Safety – The Regulation of Health Professionals in the 21<sup>st</sup> Century* (2007) that it is planning to regulate psychotherapists and counsellors. To facilitate the process, the HPC has established a working group with stakeholders to look at their regulation and we anticipate that they might be regulated by 2011.
- **Psychologists and teachers** who work purely in academia, research and experimental psychology and do not offer psychological services to the public. People who teach wholly or mainly on undergraduate courses who call themselves 'psychologists'. It is proposed that these groups of psychologists will not legally need to become registered. However there is an expectation that those who are wholly or mainly engaged with teaching on postgraduate courses will need to register as they, and their students, will be working in applied settings with members of the public.
- **Neuropsychology** is a specialism of clinical psychology and will not be separately regulated. However, most neuropsychologists will already be chartered with the BPS as clinical psychologists.

### **What about other professions that are seeking statutory regulation, such as clinical physiologists?**

To date, the following groups of healthcare scientists have been recommended for statutory regulation by the HPC to the Secretary of State for Health: clinical perfusionists (2003), clinical physiologists (2003), clinical technologists (2004), medical illustrators (2004), maxillofacial prosthetists and technologists (2005). We are waiting for the Government's response to **the Future of the Healthcare Science Workforce - Modernising Scientific Careers: the Next Steps** consultation but believe that there are no reasons why the statutory regulation of these five groups cannot proceed in parallel with this project, on the basis of the existing risk to patient safety.

### **Are there any other tasks to be completed?**

The HPC is committed to ensuring that its processes and standards are up-to-date. The standards it establishes for practitioner psychologists will therefore be regularly reviewed over the coming years.

### **Moving forward**

Independent statutory regulation of practitioner psychologists is important to protect members of the public. Regulators should be independent of government and the professionals they regulate so that they can make, and be seen to make, appropriate decisions in the public interest. We will therefore have a newly restructured Council, appointed by the Appointments Commission, by July 2009.

The HPC is open and transparent and we are committed to continuing to work closely, wherever possible and appropriate, with all those with an interest in our role as regulator over the coming months.

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