



HCPC Fitness to Practise Investigations: A Guide for AEP Members

Introduction

This guide explains how the Health and Care Professions Council (HCPC) regulates Educational Psychologists and other health and care professions. It outlines the HCPC's role in investigating concerns about whether a registrant's fitness to practise may be impaired and provides information about the types of concerns that may be investigated.

The guide also explains the HCPC fitness to practise process and signposts members of the AEP to sources of support and advice.

The HCPC is the statutory regulator for Educational Psychologists in the UK. Its role is to protect the public by setting standards for registrants, maintaining a register of professionals who meet those standards and investigating concerns where a registrant's fitness to practise may be impaired.

What is Fitness to Practise?

Fitness to practise is about whether a professional has the skills, knowledge, character and health necessary to practise safely and effectively.

The HCPC may investigate concerns that call into question a registrant's ability to practise safely, effectively or professionally.

The HCPC can receive concerns from a range of sources, including:

- Employers
- Service users and families
- Members of the public
- Colleagues
- Local authorities
- The police
- Other regulators



What Types of Concerns Does the HCPC Investigate?

The HCPC may investigate concerns relating to:

- **Misconduct** - Examples may include:
 - Breaches of professional boundaries
 - Dishonesty
 - Inappropriate behaviour towards colleagues, children, young people or families
 - Breaches of confidentiality
 - Failure to maintain appropriate professional standards
- **Lack of Competence** - Where concerns suggest a registrant's professional performance falls below expected standards.
- **Criminal Convictions or Cautions** - The HCPC requires registrants to inform them as soon as possible if they:
 - Accept a police caution
 - Are convicted of a criminal offence
- **Health Concerns**: Where a physical or mental health condition may impair a registrant's ability to practise safely and effectively.

Determinations by Other Bodies

The HCPC may investigate where:

- Another professional regulator has taken action
- A professional body has made findings against a registrant
- An employer has imposed sanctions relating to conduct or competence

Further guidance can be found here: HCPC Health and Character Guidance:

<https://www.hcpc-uk.org/registration/health-and-character-declarations/>

Reporting Requirements (Standard 9.5)

You must inform the HCPC as soon as possible if:



- You accept a police caution, are charged with a criminal offence, or are found guilty of a criminal offence.
- Another organisation responsible for regulating a health or social care profession takes action against you or makes a finding regarding your conduct.
- Any restriction is placed on your practice, or you are suspended or dismissed by an employer due to concerns about your conduct or competence.

The HCPC's own guides to the fitness to practise process can be found here:

<https://www.hcpc-uk.org/concerns/>

<https://www.hcpc-uk.org/globalassets/concerns/factsheet/the-triage-process.pdf>

<https://www.hcpc-uk.org/globalassets/concerns/factsheet/investigating-committee-panel-decision-and-notice-of-allegation.pdf>

Although fitness to practise investigations can be stressful and upsetting, it is usually in a registrant's best interests to engage with the process promptly and professionally.

The HCPC will generally expect registrants to:

- Respond to correspondence
- Provide relevant information when requested
- Attend hearings where required
- Demonstrate insight and remediation where appropriate

HCPC Investigations and Your Employment

An HCPC investigation is separate from your employment.

However, in many cases there may be:

- An employer investigation
- A disciplinary process
- Safeguarding enquiries
- Local authority procedures

running alongside the HCPC process.



Members should seek advice from the AEP if employment proceedings are taking place alongside an HCPC investigation.

HCPC Hearings

Some cases progress to a formal hearing before an HCPC Fitness to Practise Panel.

The hearing will consider evidence and determine whether:

- Fitness to practise is impaired; and
- Any sanction is necessary to protect the public.

Possible outcomes range from no further action through to conditions of practice, suspension or, in the most serious cases, removal from the HCPC Register.

Information about hearings can be found here: <https://www.hcpc-uk.org/globalassets/concerns/factsheet/substantive-hearings.pdf>

Health Concerns and Fitness to Practise

The HCPC recognises that many professionals live and work successfully with health conditions.

You do not normally need to declare a health condition simply because it exists.

The key issue is whether your health affects your ability to practise safely and effectively.

The HCPC states that registrants must: *"take responsibility for assessing whether changes to your physical and/or mental health will detrimentally impact your ability to practise safely and effectively"* (Standard 6.3).

And: *"adjust your practice if your physical and/or mental health will detrimentally impact your ability to practise safely and effectively"* (Standard 6.4).

Further information is available here: <https://www.hcpc-uk.org/globalassets/concerns/factsheet/health-and-character-declarations.pdf>



Maintaining Your HCPC Registration During an Investigation

If you are subject to an HCPC investigation, you should continue to maintain your HCPC registration where possible.

This includes:

- Paying registration fees when due
- Completing professional requirements for renewal
- Keeping your registration details up to date

Allowing your registration to lapse does not necessarily stop an ongoing fitness to practise investigation.

If proceedings are already underway, the HCPC may continue to investigate the concerns and may record the status of the investigation on the Register.

Members should seek advice before deciding not to renew their registration while subject to regulatory proceedings.

Emotional Support and Wellbeing.

Being involved in a fitness to practise investigation can be stressful and may affect both your professional and personal wellbeing.

Members are encouraged to:

- Contact the AEP for advice and support
- Seek support from trusted colleagues and family members
- Access employee assistance programmes where available
- Speak with their GP or healthcare professional if the process is affecting their wellbeing

HCPC Wellbeing Support Service

The HCPC recognises the impact that regulatory investigations can have on registrants and has partnered with CiC, an independent wellbeing service provider, to offer confidential emotional support and practical advice throughout the process.

The service is:



- Free of charge
- Independent of the HCPC fitness to practise process
- Completely confidential
- Available 24 hours a day, 365 days a year

It provides access to emotional wellbeing support and practical guidance to help registrants manage the impact that fitness to practise proceedings may have on their work, home life and mental wellbeing.

The service is available to HCPC registrants who are involved in the Fitness to Practise (FTP) process.

How to Access the Service:

- **Freephone Careline:** 0800 587 7396
- **Email:** assist@cicwellbeing.com
- **Text Relay:** 18001 0800 085 1276
- **Ele Wellbeing online self-help platform and live chat:**
<https://hcpc.elewellbeing.co.uk>
 - **Login details:**
Username: hcpc@elewellbeing.co.uk
 - Password: **HCPCWellbeing**

Seeking support early can help you manage the process more effectively and ensure you are not dealing with concerns in isolation.

Support from the AEP

If you receive correspondence from the HCPC regarding a concern about your practice, it is important to seek advice as early as possible.

AEP members should contact their local AEP representative or the AEP Office upon receiving notification of a referral, investigation or fitness to practise concern on enquiries@aep.org.uk

Early engagement often enables members to:

- Understand the HCPC process
- Respond appropriately to HCPC requests
- Obtain professional and employment advice



- Access legal support where available under AEP arrangements.

Useful HCPC Resources

- HCPC Fitness to Practise: <https://www.hcpc-uk.org/concerns/fitness-to-practise/>
- [What should I do if a concern has been raised about me | The HCPC](#)
- HCPC Hearings: <https://www.hcpc-uk.org/concerns/fitness-to-practise/hearings/>
- HCPC Health and Character Declarations: <https://www.hcpc-uk.org/registration/health-and-character-declarations/>
- HCPC Standards of Conduct, Performance and Ethics: <https://www.hcpc-uk.org/standards/standards-of-conduct-performance-and-ethics>
- HCPC Standards of Proficiency: <https://www.hcpc-uk.org/standards/standards-of-proficiency/practitioner-psychologists/>