



Nottingham and Nottinghamshire
Clinical Commissioning Group

Professional Registration Policy

2020-2023

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CONTROL RECORD			
Reference Number N&N HR-014	Version 1.0	Status Final	Author HR Manager Head of HR & OD
			Sponsor Executive Director of Transition Operations
			Team Human Resources
Title	Professional Registration Policy		
Amendments	Updated to reflect Nottingham and Nottinghamshire single CCG status		
Purpose	To provide full details on options for leave for all employees		
Superseded Documents	None		
Audience	All staff within Nottingham and Nottinghamshire CCG inclusive of Lay members and patient representatives		
Consulted with	Staff Engagement Group and Trade Unions		
Equality Impact Assessment	January 2020		
Approving Body	Remuneration and Terms of Service Committee	Date approved	10 th March 2020
Date of Issue	July 2020		
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1. Introduction

- 1.1 Nottingham and Nottinghamshire Clinical Commissioning Group (hereafter referred to as the 'CCG') has a responsibility to ensure that professional standards are met.
- 1.2 The CCG recognises the importance of conducting both pre and post-employment checks for all individuals working in or for the NHS in order to meet its legal obligations, complement good working practices, and to ensure as appropriate, existing employees are registered with a relevant regulatory/licensing body.
- 1.3 It is vital that all professional groups who are required to be appropriately registered ensure they do so by the relevant deadline.
- 1.4 Failure to be registered with the appropriate professional body means that the employee cannot practice and to do so will be unlawful and therefore expose the organisation and the individual employee to claims of negligence or other such legal action.
- 1.5 It is the responsibility of all professional practitioners to keep their registration up-to-date during their employment with the CCG as stipulated in their contract of employment and their respective professional code of conduct.

2. Purpose and Scope

- 2.1 The aim of this policy is to ensure that the CCG has in place the appropriate mechanisms to:
 - Check the statutory registration details for new employees.
 - Check the statutory registration details to ensure its validity for existing employees on a regular basis.
 - Manage instances where employees have failed to renew statutory registration.
- 2.2 This policy applies to all employees of the CCG who require professional registration to carry out their role.
- 2.3 This policy applies to all the CCG's directly employed employees and does not apply to the engagement of doctors and health care professionals as self-employed contractors.

2.4 This policy will be applied equally to all employees that are required to maintain statutory registration in order to perform their job, and outlines the approach to ensure statutory registration is maintained. Such staff groups currently include the following (note that this list may be expanded to encompass other groups of employees to which the maintenance of statutory registration becomes a requirement):

- Nurses/Midwives
- Physiotherapists
- Occupational Therapists
- Chiropodists/Podiatrists
- Pharmacists
- Dieticians
- Speech and Language Therapists
- Doctors (excluding self-employed contractors)
- Dentists (excluding self-employed contractors)
- Pharmacists (excluding self-employed contractors)
- Support staff as required by the Healthcare Professions Council
- Finance staff.

3. Roles and Responsibilities

3.1 Line Managers

It is the responsibility of line managers to:

- Ensure their team adhere to the procedure, applying it fairly and consistently.
- Ensure their team adhere to the time limits set by the professional registration.
- Provide appropriate support and information to the employee throughout the process.
- Request professional registration check as part of recruitment checks for those with the requirement.

4. Procedure for Checking Professional Registration

4.1 On Appointment

4.1.1 The appropriate professional body will be contacted by the HR Team to ensure that the proof of registration is bona fide prior to

any formal offer of appointment being made.

4.1.2 Where the prospective employee has been offered a post subject to professional registration being up-to-date, and it is found to have lapsed, the conditional offer may be withdrawn. In all cases where the prospective employee is identified to have made a false or deliberately misleading declaration regarding the status of their professional registration, the matter must also be immediately reported to the appointed Counter Fraud Specialist for the CCG - Taelor Martin on 0115 883 5323.

4.1.3 Unique registration numbers and their expiry dates will be retained on the ESR Database as a “mandatory field” for all employees.

4.2 **Following Appointment**

4.2.1 At the beginning of each month a report will be generated by the HR Team identifying current employees in registered professions whose registration will be due to expire during the following month. This information will also be sent to their line managers.

4.2.2 The HR Team will check whether professional registration has been renewed. Where renewed, the relevant database will be updated.

4.2.3 Managers will also check that the registration levels are correct for the role that the employee is performing and will alert the HR Team if the levels of registration are incorrect. If the employee does not hold the correct level of registration for their post they will be deemed as unregistered and will be required to amend their registration.

4.2.4 Where registration has not been renewed or is incorrect, payment will be halted and an alert will be sent to the employee’s line manager to ensure that the registration is renewed.

4.2.5 The line manager will issue the employee with a reminder that their registration appears to be due for renewal and that they have a contractual duty to renew prior to expiry.

4.2.6 The line manager will ask the employee to provide the original documentation as proof of renewal of registration. Following verification the manager will notify the HR Team who will ensure the employee’s record is up-to-date and that payment can be made. This payment may not be backdated to the registration renewal.

4.2.7 Should there be any difficulty in providing written proof, the line

manager will directly contact the relevant professional body in order to obtain proof of on-going registration.

5. Failure to Renew Registration

- 5.1 Should an employee fail to renew their professional registration or produce registration documentation, they should not be allowed to continue to work in a role that requires professional registration until such time as their registration is renewed and original documentary evidence provided.
- 5.2 If an employee is unable to renew professional registration due to matters beyond their control and the responsibility lies with their council/society, they must inform their line manager immediately. The organisation will put the employee in an appropriate role that does not require registration. No change will be made to the employee's salary.
- 5.3 When an employee is responsible for failing to renew their registration, they will, wherever possible, be placed in an appropriate role not requiring registration. The arrangement to work in an unqualified role should be for as short a timescale as possible and the manager and employee should ensure regular contact is maintained on this matter. If it is not appropriate or possible to place the employee in a suitable unqualified role, the employee will be required to take annual/unpaid leave until their registration has been renewed. Payment of the substantive salary will be restored from the date that re-registration documentation is provided to the line manager.
- 5.4 If the manager is concerned that the employee does not appear to be making any effort to try and re-register with their professional body, they should contact the HR Team for further advice. Disciplinary action, up to and including dismissal may result depending on the facts, circumstances, and mitigation associated with each individual case.
- 5.5 In the case of doctors and dentists, the matter will be routinely reported to the Accountable Officer.

6. Statutory Registration Checking Following Long Term Absence

- 6.1 Line managers should ensure that an employee's registration is in place upon their return from long-term absence, e.g. maternity, sickness, career break, or secondment.

7. Newly Qualified Employees

- 7.1 Should a newly qualified employee not receive their registration confirmation by their date of commencement, they can commence employment with the organisation, but in an unqualified capacity until such time as their registration has been received and confirmed. Should it subsequently be identified that the employee made a false or deliberately misleading declaration regarding the status of their professional registration in order to obtain employment, the matter must immediately be reported to the appointed Counter Fraud Specialist for the CCG - Taelor Martin on 0115 883 5323. Such matters will be investigated in accordance with the Fraud, Bribery and Corruption Policy and Disciplinary Policy and may result in criminal and/or disciplinary sanctions being applied, including prosecution and/or dismissal.

8. Post Registration Qualifications

- 8.1 Employees awaiting revised professional registration following the completion of post registration qualifications will be employed and paid at the appropriate level at which their current registration allows.

9. Agency and Locum Staff

- 9.1 It is the responsibility of the line manager to ensure they have received written confirmation from the supplying agency to confirm an appropriate check on registration details has been undertaken prior to any commencement of duty.
- 9.2 All Agencies which are part of the Buying Solutions Organisation which holds the national contact for NHS Agency staff are prescribed by the NHS Code of Practice for the Supply of temporary staffing and are required to ensure that all their staff have appropriate professional registration.
- 9.3 The Authorising Officer/Requisitioner must request to see the original copy of an agency worker's professional registration documentation prior to work commencing. A copy will be taken and retained on file within the team where they complete the work.
- 9.4 Should it subsequently be identified that the agency or locum staff made a false or deliberately misleading declaration regarding the status of

their professional registration in order to obtain employment, the matter must immediately be reported to the appointed Counter Fraud Specialist for the CCG - Taelor Martin 0115 883 5323. Such matters will be investigated in accordance with the Fraud, Bribery and Corruption Policy and Disciplinary Policy and may result in criminal and/or disciplinary sanctions being applied, including prosecution and/or dismissal.

10. Discipline

- 10.1 Breaches of this policy will be investigated and may result in the matter being treated as a disciplinary offence under the CCG's Disciplinary Policy. Failure to follow an Organisational policy could result in disciplinary action being taken, up to and including dismissal.
- 10.2 Breaches involving suspected fraud or corruption will also be investigated by the Local Counter Fraud Specialist, which may also result in criminal sanctions (including prosecution) being applied.

11. Equality and Diversity Statement

- 11.1 The Nottingham and Nottinghamshire CCG pays due regard to the requirements of the Public Sector Equality Duty (PSED) of the Equality Act 2010 in policy development and implementation, both as a commissioner and as an employer.
- 11.2 As a commissioning organisation, we are committed to ensuring our activities do not unlawfully discriminate on the grounds of any of the protected characteristics defined by the Equality Act, which are age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.3 We are committed to ensuring that our commissioning activities also consider the disadvantages that some people in our diverse population experience when accessing health services. Such disadvantaged groups include people experiencing economic and social deprivation, carers, refugees and asylum seekers, people who are homeless, workers in stigmatised occupations, people who are geographically isolated, gypsies, roma and travellers.
- 11.4 As an employer, we are committed to promoting equality in opportunity in recruitment, training and career progression and to valuing and increasing diversity within our workforce.
- 11.5 To help ensure that these commitments are embedded in our day-to-day

working practices, an Equality Impact Assessment has been completed for, and is attached to, this policy.

12. Interaction with other Policies

12.1 This policy interacts with the following CCG policies:

- Disciplinary Policy.
- Fraud, Bribery and Corruption Policy.

13. Communication, Monitoring and Review

13.1 The HR Team will share this policy via the normal staff communication channels and will ensure that it is highlighted to those individuals in posts who require registration.

13.2 This procedure will be monitored internally by the HR Team on a six monthly basis to ensure that the registration checks have been undertaken by the HR Team and managers and that any anomalies have been correctly followed up.

13.3 Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the HR department via email ncccg.hr.greaternottingham@nhs.net

Appendix A: Equality Impact Assessment

Date of assessment:	January 2020			
For the policy, and its implementation, please answer the questions against each of the protected characteristic and inclusion health groups:	Has the risk of any potential adverse impact on people in this protected characteristic group been identified, such as barriers to access or inequality of opportunity?	If yes, are there any mechanisms already in place to mitigate the adverse impacts identified?	Are there any remaining adverse impacts that need to be addressed? If so, please state any mitigating actions planned.	Are there any positive impacts identified for people within this protected characteristic group? If yes, please briefly describe.
Age ¹	No	N/A	N/A	N/A
Disability ²	Yes	Mechanisms are in place via the Communications and Engagement Team to enable the policy to be available in a range other accessible formats.	N/A	N/A
Gender reassignment ³	No	N/A	N/A	N/A
Marriage and civil partnership ⁴	No	N/A	N/A	N/A

¹ A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

² A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

³ The process of transitioning from one gender to another.

⁴ Marriage is a union between a man and a woman or between a same-sex couple.

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'.

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Pregnancy and maternity⁵	No	N/A	N/A	N/A
Race⁶	No	N/A	N/A	N/A
Religion or belief⁷	No	N/A	N/A	N/A
Sex⁸	No	N/A	N/A	N/A
Sexual orientation⁹	No	N/A	N/A	N/A
Carers¹⁰	No	N/A	N/A	N/A

⁵ Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

⁶ Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

⁷ Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

⁸ A man or a woman.

⁹ Whether a person's sexual attraction is towards their own sex, the opposite sex, to both sexes or none. <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

¹⁰ Individuals within the CCG which may have carer responsibilities.