

**Reference Number:** UHB 169  
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## **PROFESSIONAL REGISTRATION PROCEDURE**

### **Introduction and Aim**

Cardiff and Vale University Health Board (UHB) aims to ensure that the services it delivers to its patients are of the highest calibre and delivered by staff who are fully equipped to provide this care. The UHB recognises that professional regulation is intended to protect the public, making sure that those who practice as a health professional are doing so appropriately and safely. The purpose of this Procedure is to ensure that the UHB is fully able to exercise its duty to protect the public and patients through the employment of registered, fully competent staff.

It is a condition of their employment that individuals who work within registered professional groups, and who are employed and/or undertake work on behalf of the Cardiff and Vale University Health Board (the UHB), are registered with their respective professional regulatory organisations.

If a member of staff's registration lapses they will not contractually, and in many cases legally, be able to continue to carry out their professional duties if that post requires them to be a registered practitioner.

In view of the professional and legal obligations, it is the policy of the UHB to ensure that all staff who are required to be registered with their statutory regulatory body are appropriately registered at all times.

Failure to obtain or maintain such registration may lead to disciplinary action up to, and including dismissal. During any investigation into a practitioner's failure to register, and while registration is being sought, they will be required to take any annual leave accrued up until the date their registration lapsed or, if this is not possible, to take unpaid leave for a reasonable period of time, until registration has taken place.

### **Objectives**

- To set out UHB's requirement for all professionally- registered staff to maintain their professional registration
- To provide guidance to managers regarding the processes for checking and recording professional registration at the recruitment stage
- To ensure that all staff employed on substantive, temporary or fixed-term contracts those engaged on honorary appointments, or those on any Temporary Staffing Department terms of engagement maintain their registration as appropriate.
- To provide a process to be followed by managers when a practitioner's registration has lapsed or been affected

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<b>Scope</b>	
<p>This Procedure applies to all staff within the UHB whose employment requires them to be registered with their respective professional regulatory organisation. The Procedure also applies to staff engaged by the Temporary Staffing Department, Honorary Contract holders, Locum/Agency staff and Contractors.</p>	
<b>Equality &amp; Health Impact Assessment</b>	A standalone Equality & Health Impact Assessment has not been completed for this procedure as this supports the Recruitment and Selection Policy. The EHIA for this Policy and accompanying Procedures found there to be a positive impact
<b>Documents to read alongside this Procedure</b>	Recruitment and Selection Policy Recruitment and Selection Procedure for non-medical staff Cardiff and Vale Disciplinary Policy and Procedure All Wales Managing Attendance at Work Policy Maternity, Adoption, Paternity and Shared Parental Leave Policy and accompanying Procedures
<b>Accountable Executive or Clinical Board Director</b>	Executive Director of People and Culture
<b>Author(s)</b>	Head of People Services, BAOT and RCN staff representatives
<p><b><u>Disclaimer</u></b></p> <p><b>If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the <a href="#">Governance Directorate.</a></b></p>	

<b>Summary of reviews/amendments</b>			
<b>Version Number</b>	<b>Date Review Approved</b>	<b>Date Published</b>	<b>Summary of Amendments</b>
Trust 1		January 2005	New Policy
Trust 2	January 2006	January 2006	Rolled forward to September 2009
Trust 3	October 2008	October 2008	No changes to version 2. Rolled over to September 2012

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UHB 1	29.01.2013	29.01.2016	Updated to UHB document – Title changed from Statutory to Professional Registration Policy
UHB 1A	11.09.2018	06.11.2018	Rolled forward with no changes except reallocated from Policy to Procedure
2	23.11.2022	19.12.2022	<p>1.1 Redeployment may be sought during this period if appropriate.</p> <p>1.1 To confirm practitioner should inform the UHB if arrested, charged with an offence, or receiving a police caution.</p> <p>3.1 Statement included to confirm all offers of employment are therefore conditional and subject to pre-employment checks, including evidence of professional registration (as applicable to the post):</p> <p>3.1.1 Amended from HCSW to at the pay scale for the relevant level of unqualified practitioner</p> <p>4.1 Statement included to confirm that the lapsed practitioner cannot work in either in their substantive role, or in any other professional role.</p> <p>4.1 Statement included: In all circumstances, their pay will be suspended until the relevant Professional registration has been reinstated. However, as an alternative, the individual may take a proportionate amount of their accrued annual leave to cover this period, if agreed with their manager. They must also ensure enough annual leave is left to cover the rest of the year. This annual leave will be paid at the rate at which it was previously accrued; i.e. their substantive band.</p> <p>4.1 Statement included: In circumstances where a member of staff was on sick leave prior to their registration lapsing, the provision of occupational sick pay will be reviewed on a case- by- case basis.</p> <p>4.1 Statement included: Where an employee has failed to maintain registration with the</p>

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		<p>GMC (General Medical Council) or the GDC (General Dental Council), then this may be dealt with under the All Wales Policy for Upholding Professional Standards.</p> <p>4.1 New Section Included: Lapsed Professional Registration – Failure to Re-validate</p> <p>4.2 Section Removed</p> <p>7.0 Welsh Government Alert Letters removed as no longer applicable.</p>
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<b>1</b>	<b>ROLES AND RESPONSIBILITIES</b>
<b>1.1</b>	<b>RESPONSIBILITIES OF THE EMPLOYEE</b>
	<p>The UHB regards it as the responsibility of each individual employee to register with their professional regulatory body and ensure that they maintain such registration as is necessary to enable them to practise their profession.</p> <p>As such, it is the responsibility of the individual employee to:</p> <ul style="list-style-type: none"> <li>• provide evidence of both current Statutory registration and qualifications prior to commencement of employment with the UHB.</li> <li>• be aware of when their registration is due for renewal.</li> <li>• ensure they maintain their registration and meet the requirements of CPD for their profession throughout their employment with the UHB, including: <ul style="list-style-type: none"> <li>○ when on maternity, adoption or paternity/parental leave (see Maternity Guidance and Keeping in Touch days);</li> <li>○ absent from work due to sickness;</li> <li>○ on secondment;</li> <li>○ on an employment break;</li> <li>○ any other period away from the workplace</li> </ul> </li> <li>• take account of the need to pay the required fee and submit the correct documents to enable registration or renewal to occur.</li> <li>• Inform their manager of any issues relating to their re-registration, current registration, or revalidation.</li> <li>• ensure that their manager is provided with both evidence of their registration and the expiry date, on renewal of their registration.</li> <li>• inform the relevant Statutory regulatory body and the UHB of any change in personal circumstances, e.g. change of address, name, status</li> <li>• Medical staff practising medicine are required to maintain a licence to practice and a requirement to comply with the GMC requirements for revalidation of their professional registration.</li> <li>• understand that failure to obtain or maintain registration may lead to disciplinary action up to, and including, dismissal.</li> <li>• utilise any annual leave accrued up to the date of the registration lapse or taking unpaid leave during any investigation into failure to be registered and while registration is sought. An alternative role may be sought during this period if appropriate if agreed by management and pay will be at the rate of the alternative role they are undertaking.</li> <li>• notify their manager immediately of any material facts inside or outside of work which may potentially impact on the practitioner's registration, such as being arrested, charged with an offence, or receiving a police caution.</li> <li>• Understand that a failure to register could constitute a breach of their contract of employment</li> <li>• understand that if they are removed from the register by their own Professional regulatory body they will no longer be able to be legally employed by the UHB in a professional capacity.</li> </ul>

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1.2	<b>UHB RESPONSIBILITIES</b>
	<p>Within the UHB managers must ensure that:</p> <ul style="list-style-type: none"> <li>• they understand the requirements of all relevant legislation governing employment of registered professional staff.</li> <li>• they verify the qualifications and professional registration of any new employees at the recruitment stage.</li> <li>• each Directorate must designate an appropriate manager(s) with responsibility for ensuring that the follow-up process for checking statutory registration is undertaken and a centralised record of statutory registrations, including registration numbers and renewal dates, is maintained.</li> <li>• They establish procedures within their area to ensure the registration of Honorary contract- holders and agency and locum workers is verified.</li> <li>• prompt action is taken to protect the interests of the public and patients where a member of staff is found to be unregistered (see Section 7 below).</li> </ul>
2	<b>DEFINITIONS</b>
	<p><b>Professional Registration</b></p> <p>The process of compiling and maintaining a list of names of people who have met specified professional standards.</p> <p><b>Regulatory Body</b></p> <p>An association responsible for setting and maintaining standards of professional training, performance and conduct of the healthcare professions that it regulates.</p>
3	<b>PROCEDURE FOR VALIDATION OF STATUTORY REGISTRATION</b>
3.1	<b>NEW EMPLOYEES</b>
	<p>All prospective employees of the UHB are required to submit proof of their professional qualifications and professional registration details as part of the recruitment process. All offers of employment are therefore subject to pre-employment checks, including evidence of professional registration (as applicable to the post).</p> <p>The original documentation will also be viewed during the enrolment process and a copy of the registration certificate will be kept on the practitioner's personal file. For all staff, the appropriate manager or nominee will confirm registration status, including relevant part(s) of the register, using the appropriate registration confirmation service. (Appendix A)</p>

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	<p>Once registration has been confirmed, the registration details will be entered onto the New Appointment Form and then entered on the ESR) system.</p> <p>Employees whose evidence of statutory registration cannot be verified will not be allowed to commence their duties, and their offer of employment will be withdrawn.</p>
3.1.1	<p><b>NEW ENTRANTS TO REGISTER</b></p> <p>There may be occasions where newly-qualified professional staff are permitted to commence employment prior to receipt of confirmation of their registration. In such circumstances the individual will initially be employed at the pay scale for the relevant level of unqualified practitioner and may work supervised in that area until their registration is confirmed. Once registration has been confirmed the individual's manager will change their status via ESR to the appropriate registered grade. However, pay will not be retrospectively adjusted, as such practitioners will not have worked in the capacity of a registered member of staff during this period.</p>
3.2	<p><b>EXISTING STAFF</b> Each Directorate/Division must have an active follow-up process which ensures regular checks of statutory registration. For all registered staff the appropriate manager or nominee will confirm registration status, (including the relevant part of the register where appropriate), using the appropriate registration confirmation service, either online, by telephone or in writing (Appendix A).</p> <p>Additionally, the UHB will monitor the ongoing registration of Medical and Nursing staff via the Electronic Staff Record (ESR) interfaces with the General Medical Council (GMC) and Nursing and Midwifery Council (NMC).</p>
3.3	<p><b>TEMPORARY STAFFING</b></p> <p>Staff engaged on the terms of engagement of the Temporary Staffing Department will be subject to the arrangement for new employees and existing staff, as detailed above.</p>
3.4	<p><b>AGENCY / LOCUM STAFF</b></p> <p>The relevant agency/locum provider will be required to provide the UHB with the registration details (registration number, renewal date and date of birth) of the individual identified for the placement.</p> <p>The department concerned will check the registration with the appropriate regulatory body using the appropriate registration confirmation service; either online, by telephone, or in writing</p> <p>Outside of office hours, the information will be provided to the Site Manager who will forward it to the Department for checking at the earliest working day opportunity.</p>
3.5	<p><b>CONTRACTORS</b></p> <p>Any professional staff contracted to provide a service on behalf of the UHB, will be required to be registered with their appropriate registration body.</p>

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	<p>The Contractors will be required to verify the statutory registration of each individual providing a service on behalf of the UHB, prior to the engagement of the individual.</p> <p>The Contractors will be required to provide the UHB with the registration details of the professional; including the registration number and renewal dates.</p>
3.6	<p><b>WORK PLACEMENTS AND TRAINEES</b></p> <p>Any registered professional staff attending the UHB to participate in specific work placements. or participate in training, will be required to be registered with their appropriate professional regulatory body.</p> <p>The host employer of the practitioner will be required to verify the statutory registration of that individual prior to their commencement of their work placement or training.</p>
3.7	<p><b>HONORARY CONTRACT HOLDERS</b></p> <p>Any professional staff holding an Honorary Contract with the UHB will be required to be registered with the appropriate professional regulatory body.</p> <p>The host employer of the practitioner will be required to verify the professional registration of the individual prior to their commencement of their duties. In addition, the employer will be asked to provide the UHB with the registration details of the professional, including the registration number and renewal dates.</p> <p>In respect of medical staff, the Medical Workforce Department will verify that their GMC professional registration is current and appropriate.</p>
4	<p><b>PROCEDURE FOR DEALING WITH INSTANCES OF LAPSED PROFESSIONAL REGISTRATION</b></p> <p>Within the UHB there should be clear and robust audit mechanisms in place to ensure that there is adherence by all staff to registration and re-registration procedures and requirements, as outlined above.</p>
4.1	<p><b>INVESTIGATION &amp; ACTION</b></p> <p><b>Lapsed Professional Registration – Failure to pay registration fees</b></p> <p>From time to time situations arise whereby individual members of these professions inadvertently allow their registration with the appropriate professional regulatory body to lapse.</p> <p>Failure to attain or to renew registration will result in the practitioner being managed and supported as follows:</p> <ul style="list-style-type: none"> <li>The practitioner concerned will be advised that until they are restored to the appropriate register they cannot continue to undertake their professional duties,</li> </ul>

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either in their substantive role, or in any other professional role. As such, they will be required to remain away from the workplace until their re-registration has taken place and been confirmed.

- In all circumstances, their pay will be suspended until the relevant Professional registration has been reinstated. However, as an alternative, the individual may take a proportionate amount of their accrued annual leave to cover this period, if agreed with their manager. They must also ensure enough annual leave is left to cover the rest of the year. This annual leave will be paid at the rate at which it was previously accrued; i.e. their substantive band.
- In circumstances where a member of staff was on sick leave prior to their registration lapsing, the provision of occupational sick pay will be reviewed on a case- by- case basis.

If registration is not renewed within the given timescales, this may be investigated under the UHB Disciplinary Policy, and, as such could lead to disciplinary action in relation to the practitioner. It should be noted that the UHB Disciplinary Policy rules state that failure to maintain registration with the relevant mandatory professional body is categorised as Serious Misconduct.

Any issues around lapsed Registration, including the individual's culpability, will be fully investigated by the appropriate manager concerned to ensure that robust systems are in place. Risk assessments will also be carried out into clinical practice.

In circumstances where lapsed registration has occurred due to the failure of the statutory regulatory body the manager will clarify the position with the professional body concerned.

The subsequent return to work of the member of staff and/or the resumption of pay will be subject to the availability of confirmation of re-registration. As soon as re-registration can be confirmed, whether or not the person is immediately returned to duty, their pay should be reinstated.

The relevant manager or nominee will confirm re-registration via the appropriate registration service either online, by telephone or in writing.

Where an employee has failed to maintain registration with the GMC (General Medical Council) or the GDC (General Dental Council), then this may be dealt with under the All Wales Policy for Upholding Professional Standards.

### **Lapsed Professional Registration (eg a registered Nurse who failed to re-validate or the equivalent for other professions)**

- The practitioner concerned will be advised that **until they are restored to the appropriate register they cannot continue to undertake their professional**

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	<p><b>duties.</b> As such, they will be required to remain away from the workplace until their re-registration has been confirmed.</p> <ul style="list-style-type: none"> <li>• In all circumstances, pay will be suspended until the relevant Professional registration has been reinstated. A suitable alternative role may be sought during this period if appropriate and agreed by management and pay will be at the rate of the alternative role they are undertaking.</li> <li>• For staff who were on sick leave prior to the registration lapsing, the provision of sick pay will be reviewed on a case by case basis.</li> <li>• In extenuating circumstances, the individual may take a proportionate amount of annual leave as agreed with their manager (ensuring enough annual leave is left to cover the rest of the year). This annual leave will be paid at the band at which it was previously accrued.</li> </ul>
5	<b>REPORTING</b>
	In all cases of lapsed registration, a full report of the circumstances and action taken should be submitted to the Head of People Services and the appropriate Clinical Board representative.
6	<b>NOTIFICATION TO REGISTERING BODIES OF BREACHES OF PROFESSIONAL CODES OF CONDUCT</b>
	In circumstances where an individual, registered with a professional registering body, is deemed to have potentially breached their relevant professional Code of Conduct, the UHB will follow the relevant professional registering body's mechanism for notification.
7	<b>CHANGES TO THE REGISTER</b> including removals and suspensions
	<p>In cases where a registrant's registration has been suspended or withdrawn or their name has been removed from the register, they will be removed from duty immediately and pay will be suspended. An initial assessment should be undertaken to determine what course of action should be followed.</p> <p>During this period access to C&amp;V UHB resources including e-mails, Nadex accounts, electronic and paper records will normally be suspended.</p> <p>Cases where a registrant's registration has been suspended or withdrawn, or their name removed from the register, will be dealt with under the Cardiff and Vale UHB Disciplinary Policy or the All Wales Policy for Upholding Professional Standards.</p> <p>An alternative role could be considered if appropriate and agreed by management. Pay will be the appropriate salary for the role they are undertaking.</p>

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