

EXPLANATORY MEMORANDUM TO
THE HEALTH PROFESSIONS COUNCIL (REGISTRATION AND FEES)
(AMENDMENT) RULES 2013 ORDER OF COUNCIL 2014

2014 No. 532

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

The Rules scheduled to the Health Professions Council (Registration and Fees) (Amendment) Rules 2013 Order of Council 2014 (“the 2014 Order”) make provision for revised fees to be charged in relation of registrants and applicants for registration to the Health and Care Professions Council under the Health and Social Work Professions Order 2001.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative Context

The Health Professions Council (Registration and Fees) Rules Order of Council 2003 and the Rules scheduled to it, were made under articles 5, 7, 9, 10, 11, 12, 33 and 41 of the Health Professions Order 2001 (now the Health and Social Work Professions Order 2001).

The 2014 Order, and the Rules scheduled to it, are made under articles 7 and 41 of the Health and Social Work Professions Order 2001 and amend the Health Professions Council (Registration and Fees) Rules 2003.

5. Territorial Extent and Application

The 2014 Order extends and applies to the whole of the United Kingdom.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- What is being done and why

7.1 The purpose of the Health Professions Council (Registration and Fees) (Amendment) Rules 2013 is to increase the registration fees charged by the

Health and Care Professions Council in respect of registration (initial, renewal, restoration and readmission to the register) and scrutiny fees.

7.2

The HCPC last increased its fees in April 2009. The level of fees increase is significantly below the rate of inflation since the fees were last increased. The increase ranges between a 4.7 and 5.3% increase in each of the different fee types. This amounts to a £4 increase in the registration renewal fee.

7.3

Even following the fee increases scheduled to the 2014 Order, the HCPC would continue to have the lowest registration renewal fee of all the health and care professional regulators overseen by the Professional Standards Authority for Health and Social Care (PSA).

7.4

The registration fee can be paid up front for two years or by six monthly direct debit. Applicants from UK approved programmes applying within two years of their qualification will continue to receive a 50% discount on the cost of registration for the first two years of professional registration. Scrutiny fees are paid on receipt of an application.

7.5

Registration fees are tax deductible for standard rate UK taxpayers. This means that the £80 registration renewal fee would in effect be reduced by 20%, reducing the fee by £16 to £64.

8. Consultation outcome

8.1

The HCPC consulted between 10 July 2013 and 1 October 2013. The consultation sought views on proposed increases to each of the HCPC's registration fee types. A total of 521 responses were received to the consultation, 95% of which were from individuals, the majority of which were HCPC registered professionals. The technical changes to the title of the Rules schedule to the 2003 Order were not part of that consultation, but the Health and Care Professions Council have been consulted about them and it has signified that it is content.

8.2

Agreement with the proposed fee increases varied between different fee types. For example, 15% of respondents agreed with the proposed increase to the registration renewal fee, whereas 48% agreed with the proposed increase to the application scrutiny fee paid by international and European Economic Area (EEA applicants).

8.3

Key points raised across the responses received included the ability of HCPC registrants and applicants to pay the new fees; the steps the HCPC had taken to manage its finances; and that the level of the proposed increase was below the rate of inflation.

8.4

Having considered the consultation outcomes, the HCPC agreed to increase the fees (subject to parliamentary approval of the necessary Rules) for the following reasons.

- The registration fees have remained unchanged since April 2009, despite rising costs.
- The level of the increase is significantly below the rate of inflation since the fees were last increased.
- The HCPC has taken steps to manage its finances. This has avoided a previous need to increase its fees. An increase is now necessary to ensure it has sufficient income to continue to operate as a regulator which is able to efficiently and effectively protect the public.
- Further information on the consultation can be found on the HCPC website at: <http://www.hpc-uk.org/aboutus/consultations/closed/index.asp?id=160>

9. Guidance

The Department of Health has not issued any guidance in relation to this order.

10. Impact

11.1 There is no or minimal impact on business, charities or voluntary bodies.

11.2 An Impact Assessment has not been prepared for this instrument because its HCPC legislation..

11. Regulating small business

The legislation does not apply to small business.

12. Monitoring & review

This legislation will be subject to internal review within the Department of Health after 3 years.

13. Contact

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