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## Appendix 1 - policy statement on annotation of the Register

- 1.1 We are the Health and Care Professions Council (the HCPC). This policy statement sets out our broad approach to annotation of our Register. We have written this policy statement drawing on information we gathered following a public consultation.
- 1.2 In general, we will only annotate the Register where we are legally required to do so or in exceptional circumstances where we have evidence that annotation is necessary to protect the public and where we believe that annotating the Register is the only mechanism that could improve public protection.
- 1.3 This statement does not apply to situations where we are legally required to annotate the Register.
- 1.4 We have discretionary powers to annotate the Register. This statement does not limit our discretion to annotate the Register. Instead, we will have regard to the principles set out in this statement when making decisions about whether or not we annotate our Register.
- 1.5 Please contact the Policy and Standards Department ([policy@hcpc-uk.org](mailto:policy@hcpc-uk.org)) if you have any questions about this statement.

### About annotation of the Register

- 1.6 We have powers to annotate our Register.<sup>1</sup> We annotate our Register to indicate where a registrant (someone on our Register) has undertaken additional training around medicines and has obtained entitlements to supply, administer or prescribe these medicines. We are required to do this by legislation called 'The Prescriptions Only Medicines (Human Use) Order 1997'. We therefore only currently annotate the Register where there is a legal requirement to do so.
- 1.7 In each of these cases, individuals can only practice in a particular area if they have the annotation on our Register. For example, a physiotherapist can only act as a supplementary prescriber if they have completed the appropriate training and have their entry on our Register annotated.
- 1.8 We annotate qualifications on the Register. The term 'qualifications' does not only mean those formal qualifications delivered by higher education institutions, but instead means any type of learning which has an assessment process at the end. The assessment process means that the provider can check that the registrant has the necessary skills and we can be confident that the individual

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<sup>1</sup> These powers are set out in the Health and Social Work Professions Order 2001 ('the Order') and in the Health and Care Professions Council (Parts and Entries in the Register) Order of Council 2003 [www.hcpc-uk.org/publications/ruleslegislation/](http://www.hcpc-uk.org/publications/ruleslegislation/).

has successfully attained a package of skills and knowledge meaning that we can annotate their entry in the Register.

## **Broad principles on annotation of the Register**

- 2.1 We believe that in most cases, existing systems, including our standards and processes, manage the risks posed by our registrants' practice. We do not therefore need to take additional action to manage those risks.
- 2.2 In general, we will only annotate the Register where we are legally required to do so or in exceptional circumstances where there is evidence that we can improve public protection in a specific area by annotating a qualification.
- 2.3 Annotating the Register means that we can set standards for a particular area of practice and approve the education programmes delivering training linked to that area of practice. We would consider annotating the Register where:
  - there is a clear risk to the public if the Register is not annotated and the risk could not be mitigated through other systems;
  - annotation is a proportionate and cost-effective response to the risks posed;
  - the qualification annotated on the Register is necessary in order to carry out a particular role or function safely and effectively; and
  - preferably there is a link between the qualification and a particular title or function which is protected by law.
- 2.4 Protection of titles and functions is a matter for government and where we consider that it is appropriate, we may proceed with annotation and then seek government approval for the protection of the associated title or function.
- 2.5 Our rationale for setting out these broad principles is set out below.

## **Annotation only in exceptional circumstances**

- 2.6 We believe that the role of the regulator is to set standards for practice and identify discrete areas where additional standards may be necessary. It is not our role to provide a list of all post-registration qualifications or training which a registrant may have completed.
- 2.7 We will therefore only annotate the Register **in exceptional circumstances**.

## **Proportionality and cost-effectiveness**

- 2.8 Annotation, as a mark on our Register, only applies to professionals already registered and subject to our standards. Any decision to annotate the Register should be a proportionate and cost-effective action, to minimise the burden on registrants.

## **Annotation and risk**

- 2.9 We will only annotate a qualification on the Register where there is a clear risk to the public if we did not annotate and if we could mitigate the risk through annotation and not through other processes.

- 2.10 We recognise that decisions about risk can be subjective and that it can sometimes be difficult to make decisions about the levels of risk posed. There is no one formula for making decisions about regulation based on the risks posed by practice in a particular area. Decisions made about risk should be reasonable, appropriate and informed by best practice but there is no absolute way of defining these decisions.
- 2.11 However, assessments of risk can draw on a number of factors including:
- the nature of the intervention;
  - the environment within which the intervention is carried out; and
  - existing mechanisms for managing the risks posed by the intervention.

### **The link between annotation and an area of practice**

- 2.12 Annotations show where a registrant has completed specific qualification and where the registrant is therefore able to practise in a particular area. Therefore, there needs to be a clear link between the qualification and either a particular function or role. It should only be possible to undertake that function or role after completing the qualification that we annotate on the Register.
- 2.13 Some qualifications, whilst necessary for a particular role and required by an employer, are not necessarily relevant to public safety. In those cases, there is a distinction to be drawn between our requirements as a regulator setting national standards for practice in a profession and the requirements made by an employer for a particular role.
- 2.14 Normally, we would prefer to exercise our powers to annotate the Register only where there is a defined title or function that could be protected by law, so that only those who meet the necessary standards are able to practise in a particular area.
- 2.15 Protection of a title or function requires a change in the law and such decisions are a matter for government and not for us. We can make decisions about which qualifications to annotate but can only recommend to government that a particular title or function associated with that qualification is protected by law.