

Fitness to Practise



The HCPC is responsible for ensuring that registered podiatrists are fit to practise

The HCPC is responsible for ensuring that registered podiatrists are fit to practise. The HCPC is also responsible for declaring and upholding proper standards of behaviour for podiatrists and for maintaining public confidence in the profession.

Complaints to the HCPC

When the HCPC receives a complaint about a registered podiatrist's fitness to practise they will investigate it before referring the complaint and evidence to the Investigating Committee, together with any evidence and representations filed on behalf of the podiatrist. The Investigating Committee must refer a case to a full fitness to practise committee hearing unless the case is suitable to be closed with no further action. The IC do not have powers to issue warnings or agree undertakings with the podiatrist.

However, when a case is referred to the FTPC there is scope in some cases for the matter to be disposed of through agreement between the Council and the registrant as to the appropriate outcome. Any such agreement must then be approved by the Health and Care Professions Tribunal [HCPT]. The Tribunal has powers to erase the podiatrist from the Register, suspend their registration for a defined period or impose conditions on the registrant's practice. As well as making findings of fact the Tribunal must consider whether the podiatrist's fitness to practise is currently impaired. Such a finding cannot be made unless one of the "grounds of impairment" are established.

- Misconduct
- Deficient professional performance
- Convictions/cautions
- Adverse health

Proof of one of those grounds does not lead automatically to the imposition of restrictions on registration. The Tribunal will consider any steps taken by the Registrant which demonstrated that they have addressed the areas of concern to provide reassurance that they are currently fit to practise. Evidence of insight and remediation can be decisive.

Conclusion

If you are notified by the HCPC that they are investigating a complaint in relation to your practise you should contact the College without delay. Whilst the natural response to receiving such a complaint may be to imagine the worst, there are a range of things which you will be able to do to reduce your vulnerability to criticism and the risk of a sanction on your registration.

Contact

Stewart Duffy
Partner, Healthcare Professionals
E. stewart.duffy@rlb-law.com
T. 020 7222 7040

Disclaimer

This briefing is for guidance purposes only. RadcliffesLeBrasseur LLP accepts no responsibility or liability whatsoever for any action taken or not taken in relation to this and recommend that appropriate legal advice be taken having regard to a client's own particular circumstances.

