

DRAFT FOR PUBLIC CONSULTATION

Standards of conduct, performance and ethics

Registrants must:

- promote and safeguard the interests of service users and carers;
- communicate appropriately and effectively;
- work within the limits of their knowledge and skills;
- delegate appropriately;
- respect confidentiality;
- manage risk;
- report concerns about safety;
- be open when things go wrong;
- be honest and trustworthy; and
- keep records of their work.

Introduction

This document sets out the Standards of conduct, performance and ethics ('the Standards'). The Standards set out in broad terms how we expect our registrants (people on our Register) to behave.

About the HCPC

We are a regulator and were set up to protect the public. To do this, we keep a register of professionals who meet our standards for their professional skills and behaviour.

We currently regulate 16 professions.

- Arts therapists
- Biomedical scientists
- Chiropodists / podiatrists
- Clinical scientists
- Dietitians
- Hearing aid dispensers
- Occupational therapists
- Operating department practitioners
- Orthoptists
- Paramedics
- Physiotherapists
- Practitioner psychologists
- Prosthetists / orthotists
- Radiographers
- Social workers in England
- Speech and language therapists

What the Standards mean for...

Registrants and applicants for registration

If you are registered with us, you must make sure that you are familiar with the Standards and that you keep to them. If you are applying to be registered, you will be asked to sign a declaration to confirm that you have read and will keep to the Standards once you are registered.

Students

If you are a student or trainee studying on a HCPC approved programme, we have published 'Guidance on conduct and ethics for students' which sets out what these standards mean for you.

Service users, carers and the public

If you are receiving care, treatment or other services from one of our registrants, are caring for someone who is, or you or someone you care for might do so in the future, the Standards will help you understand how our registrants should behave towards you.

If you have concerns about the behaviour or practice of a registrant, you can raise these with us through our fitness to practise process. We use these standards to help us decide whether we need to take any action to protect the public. Please see the back of this document for more information.

Information for registrants: meeting the Standards

As a registrant, you are personally accountable for your behaviour and practice. You will need to use your judgement so that you make informed and reasonable decisions about your practice and meet the Standards. You must always be prepared to justify your decisions and actions.

Making informed and reasonable decisions might include getting advice and support from education providers, employers, professional bodies, colleagues and other people. In particular, we recognise the valuable role professional bodies play in representing and promoting the interests of their members. This often includes providing guidance and advice about good practice, which can help you meet the Standards.

Language

Our registrants work in a range of different settings, which include direct practice, management, education, research and roles in industry. We have tried to use terms which are as broad as possible and which everyone can understand. We have used the phrase 'care, treatment or other services' in the Standards to describe the different work that our registrants carry out.

Our registrants work with a variety of different people, including patients, clients, carers and other professionals. In the Standards we have used 'service users' as a broad term to refer to anyone who uses or is affected by the work of registrants. We have also used 'carers' as a broad term to refer to someone who looks after, or provides support to, a family member, partner or friend.

In the Standards, we use the terms 'You must' and 'You should' in the following ways.

- 'You must' is used where a standard needs to always be met.
- 'You should' is used where a standard will not apply in all situations or circumstances, or where there might be factors outside of your control that affect whether you meet the standard.

A glossary is available on page 15 to explain some of the terms used in the Standards.

The Standards

1. Promote and safeguard the interests of service users and carers

Treat service users and carers with respect

- 1.1 You must treat service users and carers as individuals, respecting their privacy and dignity.
- 1.2 You must work in partnership with service users and carers, where appropriate, involving them in decisions about the care, treatment or other services to be provided.
- 1.3 You must empower service users, where appropriate, to maintain their own health and wellbeing and support them to make informed decisions.

Make sure you have consent

- 1.4 You must make sure that you have the informed consent of service users or other appropriate authority before you provide care, treatment or other services.

Challenge discrimination

- 1.5 You must not discriminate against service users, carers and colleagues by allowing your personal views to affect your professional relationships or the care, treatment or other services that you provide.¹
- 1.6 You must challenge discriminatory attitudes or behaviours.

Maintain appropriate boundaries

- 1.7 You must maintain appropriate professional boundaries in your relationships with service users and carers.

¹ This includes your views about someone's lifestyle, culture or their social or economic status, as well as the characteristics protected by law: age, disability, gender reassignment, race, marriage and civil partnership, pregnancy and maternity, religion or belief, sex and sexual orientation.

2. Communicate appropriately and effectively

Communicate with service users and carers

- 2.1 You must be polite and considerate.
- 2.2 You must listen to service users and carers and take account of their needs and wishes.
- 2.3 You must give service users and carers the information they want, or need to know, in a way they can understand.
- 2.4 You must make sure that arrangements are made, where possible, to meet service users' and carers' language and communication needs.

Work with colleagues

- 2.5 You must collaborate with colleagues, sharing your skills, knowledge and experience for the benefit of service users and carers.
- 2.6 You should share relevant information with colleagues involved in your service user's care, treatment or other services.

Social media and networking websites

- 2.7 You must make sure that you use all forms of communication appropriately and responsibly, including any use of social media and networking websites.

3. Work within the limits of your knowledge and skills

Keep within your scope of practice

- 3.1 You must keep within your scope of practice by only practising in the areas in which you have appropriate knowledge, skills and experience to do so.
- 3.2 You must refer a service user to another practitioner if the care, treatment or other services they require are beyond your scope of practice.

Maintain and develop your knowledge and skills

- 3.3 You must keep your knowledge and skills up to date and relevant to your scope of practice, including by undertaking continuing professional development.
- 3.4 You must keep up to date with, and follow, any law, regulations or guidance which applies to your practice.
- 3.5 You should seek and listen to feedback from others and use it to improve your practice.

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4. Delegate appropriately

Delegation, oversight and support

- 4.1 You must make sure that anyone you delegate work to has the knowledge, skills and experience to carry it out safely and effectively.
- 4.2 You must continue to provide appropriate oversight and support to those you delegate work to.

Delegation and scope of practice

- 4.3 You must not ask other people to do work which is outside their scope of practice.

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5. Respect confidentiality

Use of information

5.1 You must treat information about service users as confidential and use it only for the purposes for which it is provided.

Disclosure of information

5.2 You must only release confidential information:

- where you have permission;
- where required to do so by law; or
- in exceptional circumstances, where there is an overriding public interest need to do so, such as where this is necessary to protect public safety or prevent harm to other people.

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6. Manage risk

Identify and minimise risk

- 6.1 You must take all reasonable steps to minimise the risk of harm to service users, carers and colleagues.
- 6.2 You must not do anything, or allow someone else to do anything, which could put the health or safety of a service user or carer at unacceptable risk.

Manage your health

- 6.3 You must make changes to your practice or stop practising if your physical or mental health could affect adversely your performance or judgement or otherwise put others at risk.

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7. Report concerns about safety

Report concerns

- 7.1 You must report any concerns about the safety and wellbeing of service users promptly and appropriately and support others to do the same.
- 7.2 You must take appropriate action if you have concerns about the safety and wellbeing of children and vulnerable adults.
- 7.3 You must make sure that the safety and wellbeing of service users always comes before any professional or other loyalties.

Follow-up concerns

- 7.4 You must follow-up concerns you have reported and escalate them wherever necessary.

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8. Be open when things go wrong

Openness with service users and carers

- 8.1 You must tell service users and carers when you become aware that something has gone wrong with the care, treatment or other services that you provide and take action to put matters right.
- 8.2 You should apologise to service users and carers when something has gone wrong.
- 8.3 You must make sure that those affected receive a full and prompt explanation about what has happened and any likely effects.

Deal with concerns and complaints

- 8.4 You must support service users and carers if they want to raise concerns about the care, treatment or other services they have received.
- 8.5 You must give a constructive and honest response to anyone who complains about the care, treatment or other services they have received.

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9. Be honest and trustworthy

Personal and professional behaviour

- 9.1 You must make sure that your conduct justifies public trust and confidence in you and your profession.
- 9.2 You must be honest about your experience, qualifications and skills.
- 9.3 You must make sure that any promotional activities you are involved in are accurate and are not liable to mislead.
- 9.4 You must declare issues that might create conflicts of interest and make sure that they do not influence your judgement or practice.

Important information about your conduct and competence

- 9.5 You must tell us as soon as possible if:
 - you accept a caution from the police or you have been charged with, or found guilty of, a criminal offence;
 - another organisation responsible for regulating a health or social care profession has taken action or made a finding against you;
 - you have had any restriction placed on your practice, or been suspended or dismissed, by an employer because of concerns about your conduct or competence.
- 9.6 You must co-operate with any investigation into your conduct or competence, the conduct or competence of others or the care, treatment or other services provided to service users.

10. Keep records of your work

Keep accurate records

- 10.1 You must keep full, clear, accurate and legible records for everyone you care for, treat, or provide other services to.
- 10.2 You must complete all records promptly and as soon as possible after providing care, treatment or other services.

Keep records secure

- 10.3 You must keep information in records secure by protecting them from loss, damage or inappropriate access.

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Glossary

Colleague

By colleague we mean other health and care professionals, students and trainees, support workers, paid carers and others involved in the care, treatment or other services provided to service users.

Delegation, delegate

When a registrant asks someone else to carry out a task on their behalf.

Discriminate

Someone discriminates when they unfairly treat a person or group of people differently from other people or groups of people.

Escalate

By escalate we mean passing on a concern about the safety or wellbeing of a service user to someone else who might be able to act on it, for example, a more senior manager or a regulator.

Informed consent

When a service user has all the necessary information in a way that they can understand so that they can make a decision about their care, treatment or other services.

Refer

When a registrant asks that someone else provides care, treatment or other services to a service user which are beyond their scope of practice or, where relevant, because the service user has asked for a second opinion.

Registrant

A person who is currently on our Register.

Scope of practice

The areas in which a registrant has the knowledge, skills and experience necessary to practise safely and effectively.

Service user and carer

Anyone who uses or is affected by the services of registrants, and those that care for them.

Fitness to practise

When we say someone is 'fit to practise', we mean that they have the skills, knowledge, character and health to practise their profession safely and effectively.

We are able to consider concerns raised about the fitness to practise of registrants by members of the public, employers, professionals, the police and other people. When we consider a concern about a registrant, we look at whether the Standards have been met to decide whether we need to take any action to protect the public.

You can find out more information about our fitness to practise process in our brochures including 'How to raise a concern' and 'What happens if a concern is raised about me'. You can download these from our website or you can contact us to ask for a copy.

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