

Policy statement on HCPC's approach to developing memorandums of understanding

- 1.1 We are the Health and Care Professions Council (HCPC). This policy statement sets out our broad approach to developing memorandums of understanding (MoUs) with other organisations.
- 1.2 Please contact the Governance Department (secretariat@hcpc-uk.org) if you have any questions about this statement.

Memorandums of understanding

- 2.1 A memorandum of understanding (MoU) is a formal agreement by two or more organisations, committing them to work with each other to support common goals.
- 2.2 The HCPC has established a number of MoUs with a range of organisations. We use these agreements to support our regulatory functions, through establishing commitments in areas such as information sharing and the cross-referral of concerns.

How we will consider

- 3.1 To ensure a consistent and appropriate approach to the management of MoUs, we propose only developing MoUs where one of the following conditions are met. In addition, we will review our existing MoUs in light of these conditions, to establish whether these remain appropriate:

The development of a MoU would enhance public protection

- 3.2 In pursuit of our overarching statutory objective to protect the public, MoUs may be developed in response to an identified risk or gap in the information we hold which could, in the absence of a more formalised agreement, put the public at risk.
- 3.3 This might, for example, be in response to an incident where something has gone wrong and information was not shared properly. Alternatively, we may have identified an organisation which receives concerns that could relate to our registrants' that, without a more formalised agreement, we would not be made aware of.

- 3.4 A MoU in this instance therefore serves to assure both parties that there is a clear process in place in the event that high risk information is shared, to prevent it being overlooked by either party.
- 3.5 Establishing MoUs for this purpose also supports the HCPC in its prevention agenda, allowing us to be more intelligence led and encourage a culture whereby we will share information and concerns at as early a point as possible, prevent harm comes to pass.

The development of a MoU would boost public confidence in the parties and our registered professions

- 3.6 MoUs may also be established in order to boost public awareness, and therefore confidence, of the relationship between the parties and their respective roles. Whilst we routinely cooperate with external bodies, a MoU allows us to set out clearly what we will do and expect of one another in a publicly available document.
- 3.7 MoUs also allow us to better demonstrate information sharing for external bodies, such as Government or the PSA. The PSA in particular cite 'exchange of information through memoranda of understanding' as an example of evidence that can demonstrate we meet standard 2 of the PSA's Standards of Good Regulation relating to fitness to practise.

The development of a MoU would allow HCPC to otherwise access information we would otherwise not be aware of

- 3.8 Finally, we may establish a MoU with an external body which we would otherwise not have regular contact with, or to agree a particular matter regarding co-working that benefits from a more formalised approach. MoUs can serve to boost collaboration, and therefore are particularly useful if we are seeking more information from a party or are looking to strengthen our relationship.
- 3.9 This is particularly the case where we have sought MoUs with non-UK Governments whose laws require professions to be on the HCPC register. These MoUs therefore serve to ensure a closer working relationship with an organisation which we would otherwise not engage with frequently, and ensures that we are made aware of concerns relating to overseas registrants that we would otherwise not have the statutory authority to pursue.
- 3.10 Where we determine not to pursue a MoU, we will nonetheless continue to share concerns and / or relevant information as requested and when appropriate.