

Promoting Professionalism, Reforming Regulation

The Department of Health has launched a consultation seeking views on potential reforms to the regulation of healthcare professionals in the UK. The consultation period closes on **23rd January 2018**.

The stated rationale for the consultation is that:

“The regulation of healthcare professionals must change in order to protect patients, to support the transformation of our healthcare services and to meet future challenges. It needs to be faster, simpler, better and less costly”

The consultation builds on the review of the Law Commissions of England and Wales, Scotland and Northern Ireland in 2014 and the government’s response of 2015.

Key issues for consideration raised by the consultation include:

- A proposal that the Professional Standards Authority will advise Ministers on whether professional groups (both existing and emerging) should be regulated. It is proposed that a two stage approach would be adopted considering:
 - The risk of harm
(to include the complexity of the activities to be undertaken/where intervention would occur and the vulnerability/autonomy of the affected patients); and
 - Wider policy factors, such as impact on the cost and supply of the workforce.
- The feasibility of using Prohibition Orders for groups not subject to statutory regulation, by barring individuals from some roles/areas of service provision.
- Potentially reducing the number of regulatory bodies from the current 9, to 3 or 4.
- Giving all regulators more flexible powers to deal with fitness to practise cases, for example the option of using consensual disposal, such as undertakings.
- The potential use of mediation as part of a system of professional regulation.
- Considering how regulators can better support professionalism and help registrants meet and retain professional standards.
- Utilising opportunities for joint working across the regulators to include:
 - Having a shared online register of all healthcare professionals;
 - Adopting a single set of generic standards, underpinned by professional specific standards;
 - Having a single adjudicator responsible for all fitness to practise decisions; and
 - Shared backroom offices functions, such as HR, finance and IT.
- Giving regulators greater flexibility to set their own operating procedures without legislative change, to be counter-balanced by a requirement for increased accountability to the UK’s four legislative bodies.
- A proposal that the councils of the regulatory bodies should comprise of both non-executive and executive members and that the views of employers should be better reflected.

The overarching objectives of the proposed reforms, including streamlining regulatory processes and providing greater support for professionals to deliver high quality care, are ones that can be welcomed by healthcare professionals and the public alike. It will be important, however, to ensure that the translation of such admirable objectives into practice, results in processes that are practical, fair and transparent for all involved.

The outcome of the consultation will be awaited with interest.

If you would like more information, please contact a member of the [healthcare](#) team here.