



Department
of Health

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Dear Mark

Thank you for your letter of 19 October to the Rt Hon Jeremy Hunt MP, Secretary of State for Health, on behalf of your constituent Mr Mark Russell of 94 Woodlands Road, Lytham St Annes FY8 1DA about the Health and Care Professions Council (HCPC). I am replying as the issues raised fall within my ministerial portfolio.

As you are aware, the HCPC is an independent healthcare regulator and therefore it is not appropriate for the Department of Health to comment on the proceedings or outcomes of an individual case.

The HCPC has a statutory duty in law to protect the public, and one of its principal means of achieving this is by ensuring the integrity of its register. The HCPC's governing legislation protects a number of designated titles in law. This means that anyone practising in the UK using a designated title, including 'chiropodist', while not on the register may be committing an offence.

Mr Russell rightly points out that offences relating to the misuse of a designated title apply only where there is intent to deceive. You have interpreted this as meaning that a prosecution should only be taken forward where a practitioner has lied about being registered with the HCPC. However, it is for the courts to determine the threshold of the intent-to-deceive clause.

Regarding the wider concerns raised by Mr Russell about practitioners who have been struck off by the HCPC (or one of the other health and care regulators) continuing to work under related but unprotected titles, this is an issue that the Government takes seriously.

We are committed to supporting the development of a modern health and care workforce as part of our continuing drive to provide safe, accessible and high-quality care for patients and service users.

Currently, we are considering options for taking this work forward and we are inviting views on how to decide the right level of regulatory oversight for professional groups, as part of our *Promoting professionalism, reforming regulation* public consultation, which opened on 31 October and will close on 23 January. Details can be found at www.gov.uk by searching for 'promoting professionalism reforming regulation' under 'consultations'. I would encourage Mr Russell to share any views he may have through this consultation.

I hope this reply is helpful.

Yours ever



PHILIP DUNNE