



## **HCPC consultation on registration fees increase UNISON response – May 2015**

---

**“I don’t believe that it’s fair or just that an organisation can charge us what they like, without any redress.”**

**SOCIAL WORKER**

### **Introduction**

1. UNISON is the largest public sector union in the United Kingdom with over 1.3 million members across a wide range of services including health, social care, education and police and justice.
2. UNISON is uniquely placed to respond to this survey. We represent members in all 16 of the professions that the HCPC regulates. For some of the largest groups of HCPC registrants – paramedics, social workers and occupational therapists – we are the primary union in the UK. As well as our partnership with the British Association of Occupational Therapists, we also have partnerships with the College of Operating Department Practitioners and the British Association of Prosthetists and Orthotists.
3. UNISON liaises regularly with HCPC on policy and strategic issues as well as on fitness to practice policies and procedures. We also represent registrants through fitness to practice proceedings, and as such make a major contribution to public protection and fair and just outcomes for professionals.
4. We were disappointed that HCPC proceeded with a 5% fee increase in 2014 despite the fact that 76% of respondents to last year’s consultation disagreed with it. We hope that HCPC will this time take account of the strength of feeling demonstrated in this response from UNISON – a major stakeholder and primary representative of HCPC-regulated professionals. We believe it is no exaggeration

to say that the amount of the proposed fee hike, and the way HCPC has gone about proposing it, risk severely undermining registrants' trust and confidence. Although regulation for HCPC professionals is a statutory obligation it can only operate effectively by consent, and HCPC is in danger of losing the goodwill of registrants.

5. In drawing up this consultation response, we have consulted with our lay member committees and also drawn on the results of a survey of 4,841 HCPC-registered UNISON members. In the next section we provide our response to the consultation questions drawing on the quantitative and qualitative evidence from the survey.

## Consultation questions

Q1. *Do you agree that the renewal fee should increase from £80 to £90?*

**No.**

**“Housing costs are rising, childcare costs are rising and frozen salaries over the several years in the NHS mean even small fee increases are significant to me.”**

**CLINICAL SCIENTIST**

This proposed fee increase comes hot on the heels of the 5% rise the HCPC implemented from April 2014. It comes as an unpleasant surprise to registrants who were told that fees would not be reviewed again for two years following the 2014 above-inflation increase.

UNISON believes that a 12.5% increase is completely unacceptable at a time when HCPC registrants have suffered five years of pay freezes/pay restraint, and attacks on terms and conditions. Many registrants are suffering high levels of debt and struggling to make ends meet. Having been told there would be no fee review until 2016, they should be able to budget for the year ahead without having to factor in an extra expense they have no choice over.

**I am already spending half my earnings on childcare and travel. Cannot afford more costs!”**

**PROSTHETIST/ORTHOTIST**

**“Stealth tax...I work 21 hours so it is a higher proportion of my measly £15,000 a year wage.”**

**PARAMEDIC**

In the meantime, registrants will note from HCPC's annual report that in the year ending March 2014, HCPC ran a surplus of £1.3m after operational costs. That was before the fee increases kicked in from 1 April 2014. The retained surplus for the year was £726,000. General reserves rose to £3m from £2.1m.

This does raise questions as to how HCPC can justify raiding the pockets of registrants again with such a hefty increase.

## **UNISON's registrants survey**

An overwhelming 97% of our 4,841 respondents say they do not support the £10 a year increase to the registration renewal fee. Only 1% support it while 2% are not sure.

Breaking down the proposed fee increase into its constituent parts:

- only 9% support the £3 increase accounted for by the PSA levy;
- only 5% support the roughly £5 increase proposed to pay for fitness to practice facilities;
- only 6% support the roughly £2 increase proposed to pay for improved IT and quality control systems.

We also asked if registrants if they would support any smaller fee increases, and the results are shown below:

|   | <b>% of respondents</b> |
|---|-------------------------|
| I would support an increase of between £7 and £9 a year | <b>1%</b>               |
| I would support an increase of between £4 and £6 a year | <b>5%</b>               |
| I would support an increase of between £1 and £3 a year | <b>19%</b>              |
| No, I do not support any increase                       | <b>75%</b>              |

The strength of feeling against any fee increase at all is very high as these typical comments from our survey illustrate:

**“I resent any further increase and suspect the fee will rise annually as a means of generating income for itself [HCPC]. It seems to be another cash cow that offers little benefit for workers.”**

**SOCIAL WORKER**

**“Why are we funding their new IT systems and facilities? Don't they have to try and make internal efficiencies, like the rest of us do in councils where government money has been cut?”**

**OCCUPATIONAL THERAPIST**

**“In a time that my pay is decreasing year on year I really worry that even a small increase pushes me closer to leaving the NHS and joining an agency.”**

**OPERATING DEPARTMENT PRACTITIONER**

**“A large proportion of my wages is already spent on work-related costs which are difficult to get reimbursed e.g. toys/resources, petrol, car maintenance. It continually gets more difficult to make ends meet and reinforces the idea of working privately or as a SALT in another country where I would be paid more.”**

**SPEECH AND LANGUAGE THERAPIST (SALT)**

In relation to the PSA, 78% of our respondents believe that if the PSA is necessary then the government should fund it, while 15% believe employers should. Only 3% believe there should be a levy on regulators which is passed on to registrants.

Q2. *Do you agree that the scrutiny fee for applicants from approved programmes should increase from £56 to £63?*

**No** – see above.

Q3. *Do you agree that the readmission fee should increase from £200 to £225?*

**No** – see above.

Q4. *Do you agree that the restoration fee should increase from £200 to £585?*

**No.**

This is a staggering increase of 193%. It is hard to see how such an increase can be justified. It has the appearance of delivering an additional punishment for a registrant who has already been struck off.

Q5. *Do you agree that the scrutiny fee for international and EEA applications should increase from £440 to £495?*

**No** – the NHS and social services are once again relying on overseas recruitment to keep services running. This fee increase hits overseas applicants and risks deterring them from choosing to come to the UK.

Q6. *Do you agree that the scrutiny fee for grandparenting applications should increase from £440 to £495?*

**No.**

Q7. *Do you agree that in future we should no longer be required to issue registration certificates?*

UNISON sees no problem with HCPC amending its rules to allow the flexibility not to issue a certificate routinely. However, we believe that some registrants may wish to continue receiving a paper registration certificate at renewal as they have a need to show it to service users, or for other purposes. So we would like people to be able to opt in/opt out of receiving it.

Q8. *Do you agree that in future registrants should be able to request to receive communication about their renewal electronically?*

**Yes** as long as this is according to individual choice.

Q9. *Do you agree that in future registrants should be able to pay their registration fee by direct debit more frequently?*

**Yes** – UNISON called for HCPC to offer a monthly instalment option in our response to the 2014 fee increase. However, we would stress that this in no way makes up for increasing fees by 12.5%. And there should be no attempt to impose a mark-up or additional fee for people who pay in instalments.

## **Comments on the how the consultation has been conducted**

There are three major factors in how HCPC has conducted this consultation that have engendered suspicion and ill-feeling among registrants about HCPC's methods:

1. **Breach of trust:** Large numbers of registrants responding to our survey expressed their disappointment that HCPC had led registrants to believe there would be no fee increase this year. This has caused them to question HCPC's integrity.
2. **Consultation haste and stealth:** It is striking that HCPC has chosen to consult on such a disproportionate fee increase for less than six weeks including the

Easter and early May bank holidays. This is likely to limit the numbers who are able to participate. The consultation period also coincides with the dissolution of Parliament and the general election campaign. This has prevented any democratic scrutiny of these proposals. A [recent debate in Parliament](#) on Nursing and Midwifery Council fee increases suggests that parliamentarians take a close interest in fee decisions that may impact negatively on health and social care professionals providing public services vital to their constituents.

3. **Misleading attribution of the proposals to the PSA levy:** The consultation document says that HCPC has been forced to review fees early because of the PSA levy. But only £3 of the proposed £10 increase is for the levy, while 70% of it is for other purposes. This is not spelt out clearly in the consultation document although HCPC confirmed it when UNISON enquired as to how MUCH the levy accounted for. Registrants are entitled to ask why HCPC is making such a big fee hike in a year when it would otherwise not have reviewed fees.

**“I am very concerned that the HCPC has not acted with integrity and kept to its word regarding fee increases within the next two years.”**

**OCCUPATIONAL THERAPIST**

## **Consequences of ignoring opposition**

UNISON firmly believes that statutory professional regulation can only operate effectively by consent. This proposal for a 12.5% fee hike, in a year when registrants were led to believe there would be none, has left our members angry and frustrated with HCPC. They believe that HCPC has sought to push an increase through by stealth and that it is exploiting the stranglehold it has over registrants' livelihoods. This is seen as effectively a tax on practising, unilaterally raised with little public scrutiny or debate.

This selection of quotes from our survey is typical of the views expressed:

**“I don't feel that the HCPC understands the role and the pressures of front line work. Until they engage with and understand paramedic practice, they should not dare to increase fees. The fact that there is still a real terms public sector pay freeze ... just confirms that the HCPC are not in touch with their registrants' needs.”**

**PARAMEDIC**

**“I don't think the HCPC do much at all for us as therapists – it's simply a tick-box type of regulation.”**

**PHYSIOTHERAPIST**

**“This is like paying for a stick but there’s no carrot.”**

**SOCIAL WORKER**

Only 6% of UNISON’s survey respondents say they believe HCPC provides good value for money.

This ought to be a worrying finding for HCPC. Registrants question why they should suffer ever-rising fee increases to fund a system which deals with complaints against only 0.64% of registrants and sanctions only 0.06%.

**“I have no idea what my fees that I give to HCPC pay for. I have only ever received a letter from them and a certificate of registration. When I rang them up with concerns over a registrant they were not helpful!”**

**DIETICIAN**

Many comment that they receive no benefit or professional services at all from their registration, and that if society believes professional regulation is necessary for public protection then society should pay for it.

UNISON fears that HCPC is on the cusp of seriously breaching registrants’ confidence and we believe this could have far-reaching consequences:

- Damage to registrants’ willingness to co-operate with HCPC’s systems and processes
- Growing unrest and resentment
- Tipping the balance for some registrants to decide not to continue to practise on reduced hours – thus depriving health and social care services of desperately needed staffing capacity\*
- Pushing some registrants to move to non-regulated posts/job titles and causing some registrants who work in posts where registration is not a requirement to decide not to renew. This could reduce registrant numbers and HCPC’s fee income just as it spends large sums on extra facilities. It could also worsen the current recruitment and retention crisis in areas like the ambulance service.\*

*\*While 80% of our survey respondents say they have no choice but to maintain their registration, 11% say that the fee increase would make them consider not renewing their registration.*

**“It will influence my decision regarding gradual reduction in hours until retirement... It will certainly influence my decision whether or not to remain available to practise for a while after retirement if needed to help out where staffing difficulties arise.”**

**OCCUPATIONAL THERAPIST**

## UNISON calls on the HCPC to

1. **Halt this consultation** and recognise the anger this has caused among registrants.
2. **Give a commitment to put fee reviews on hold** until a future government implements the draft Bill, *Regulation of health and social care professionals*, drawn up by the Law Commission with cross-party support. This Bill has the potential to help regulators streamline their operations, reform fitness to practice processes, and share and reduce costs. HCPC should not jump the gun on fee increases until these opportunities have been explored.
3. **Investigate and address the sharp rise in allegations and the fall in ‘case to answer’ rates.** UNISON believes that these partly reflect inappropriate referrals, which require better filtering and deterrence measures. We note the case to answer rate has fallen to 53% from 58% the previous year; that 22% of cases going to final hearing were not well-founded; and that a third of this was because the facts were not established to the required standard.<sup>1</sup> This corroborates UNISON’s experience that too many cases are going to hearings unnecessarily. Before pursuing further fee increases in order to expand its fitness to practice accommodation, UNISON believes HCPC should do everything in its power, working with trade unions and employers, to eliminate costs arising from unwarranted investigations and hearings.
4. **Introduce a reduced fee for part-time workers** who are disproportionately affected by registration fees, and consider a sliding scale of fees to reflect income levels and ability to pay.

---

<sup>1</sup> <http://www.hcpc-uk.org/assets/documents/100049B8Fitnessstopractiseannualreport2014.pdf>