

JCCP publication procedure for fitness to practise and registration outcomes

Introduction

1. The JCCP recognises that members of the public must be able to make informed decisions about who will perform their procedures. This procedure advises how the JCCP routinely publishes fitness to practise information about our practitioner registrants on our register and the publication of outcomes of registration appeal hearings or meetings.
2. The JCCP recognises our responsibility to publish details of orders and decisions made by our fitness to practice committees as soon as is reasonable. We will also publish the reasons that these orders are made, and details of any fitness of practice decision that we make.
3. Any sanctions to which a registrant is subject, either through the JCCP's fitness to practice process and/or through that of a Professional Statutory Register, will be clearly annotated on the registrant's entry in the JCCP's public facing register.
4. We do not usually publish any information relating solely to the health of a registrant or appellant in order to protect their confidentiality as a patient and their privacy rights. This information is treated as confidential and will only be published in exceptional circumstances.
5. We have balanced the public interest in publishing fitness to practise information and registration appeal hearing or meeting outcomes with the privacy rights of the people on our register.
6. We are committed to providing information in a form that is accessible and in line with our values of fairness and transparency.

Publication of Information

- 1 Fitness to practise information is published via the 'search the register' online search facility on the JCCP website.
- 2 Fitness to practise decisions are shared with other PSA Accredited Registers in accordance with the PSA Information Sharing Protocol.
- 3 Fitness to practise decisions are also shared with relevant Professional Statutory Registers in accordance with JCCP signed Memoranda of Understanding with the NMC, GMC, GDC and the GPhC. Information shared by professional regulators regarding fitness to practice decisions set down by them that relate to JCCP registrants will also be published on the registrant's JCCP public facing record.

Online search the register facility

The JCCP online published register provides a list of all registrants who have a current and effective registration with the JCCP. This means that their registration is up to date and that the registrant meets all of the JCCP's conditions of registration. Personal details we hold, such as the registrant's date of birth and address are not displayed online.

Our online published register also contains details of a registrant's fitness to practise information. If a registrant has restrictions placed on their practice, including interim restrictions, this will appear against their entry on our register. Details of action we have taken in the past may also appear on the register, including where someone has been removed from the register by a fitness to practise panel.

The JCCP maintains a record of all sanctions imposed by any of the practice committees, including interim orders, striking-off, suspension, or conditions of practice orders and all voluntary removal decisions. We also keep a record of warnings and undertakings issued by the Case Examiners. These may be disclosed to professional statutory regulators and other enquirers on request where it is in the public interest for us to do so. The only exceptions to this are where the information relates to a registrant's health, or where an interim order was imposed but the case is subsequently closed without a finding of impairment.

The online search results will not indicate whether a registrant is the subject of an ongoing fitness to practise investigation as this information remains confidential until the case is referred for adjudication or an interim order is scheduled.

Incorrect & Fraudulent Entry

We publish decisions made by a panel of the Investigating Committee where they have found that an entry was incorrectly made or fraudulently procured. In most cases the appropriate outcome will be that an order is made for the Registrar to remove the registrant's name from the register. The Investigating Committee may also make an order for the entry to be amended or take no further action.

If an order for removal is made, the registrant's entry will be removed from our online register after the appeal period has ended. If an interim order is made, then this will appear against the registrant's entry on the register until removal.

Restoration to the register

Where a registrant has been struck off our register following a fitness to practise sanction, this information will remain published against their entry on the register for 5 years. After 5 years a registrant may apply to be 'restored' to the register if they can show that they meet the necessary registration requirements and that they are now fit to practise despite having been struck off.

Where restoration is granted and the panel make a condition of practice order, the conditions of practice will be published against the registrant's entry on our online register for the duration of the order.

Appeals following a fitness to practise hearing

Details of any active interim order pending the outcome of an appeal will be published. This information will also be published.

If an appellant is successful in an appeal hearing the JCCP Registrar will remove the unfavourable decision from the register.

Information we do not publish

Information about the registrant's or appellant's health

We do not publish any information relating to the health of a registrant or an appellant, unless they explicitly consent to this information being published. This information is treated as confidential regardless of when the case was heard or whether the case was heard by the Investigating Committee, Fitness to Practise Committee or a Registration Appeal Panel. We will also not publish any undertakings or conditions of practice that relate to a registrant's health.

Requests not to publish fitness to practise or registration appeal hearing or meeting information

The JCCP considers that there is generally a strong public interest in publishing the reasons why a Fitness to Practise Committee has imposed a sanction or why an appellant has been refused registration for the periods already set out in this guidance. We consider the publication periods set out in this guidance strike the right balance between us fulfilling our functions as a transparent and accountable regulator and the rights of the individuals involved in our fitness to practise or registration appeal proceedings. For this reason registrants or appellants will not generally have the right to object to the publication of the findings of a Fitness to Practise Committee or a registration appeal panel. However there may be exceptional circumstances where the impact of publication on an individual would justify departing from our general approach. Any objection to publication would need to be supported by evidence of the exceptional circumstances resulting from publication; we would review this evidence and decide whether the circumstances justify not publishing the decision.