




Timetable

Stage 1: Pre consultation

Stage 2: Public Consultation
March - May 2012

Stage 3: Draft Bill and report
Publication early 2014

Legislation in last session of the current Parliament



Provisional proposals

- A single UK statute
- Broad powers for the regulators
- Removal of Privy Council role
- Government default and regulation powers
- Parliamentary accountability




Key issues at consultation

- Flexibility v consistency
- The role of Government in regulation
- The future role of the Professional Standards Authority
- A UK-wide approach to regulation
- Joint working and partnership




The Main Duty

- Protect, promote and maintain the health and safety of the public
- The collective need to maintain confidence in the profession
- Declare and uphold proper standards of conduct and behaviour




Fitness to practise investigation

- Support for the removal of statutory committees and broad powers
- Majority supported extended power to require information
- Support for consistent powers to dispose of cases
- Mixed views on consensual disposals
- Support for mediation




Fitness to practise adjudication

- Small majority supported the transfer of FTP into the Unified Tribunals Service
- Support for consistency on rules of evidence, standard of proof, public hearings and vulnerable witnesses
- Greater consistency in Panel procedures
- Support for consistency on sanctions - advice, warnings, conditions, suspension and erasure
- Mixed views on cost awards and fines



Mid Staffordshire Public Inquiry

- General Medical Council and Nursing and Midwifery Council criticised for different FTP regimes
- Need to sweep away outdated investigation procedures
- Poor oversight of professional education
- Need for a duty of candour
- Negative registration
- Extension of statutory regulation to NHS managers and health care support workers



Issues arising for the Law Commission

- Greater consistency for FTP investigations and adjudication
- Need to sweep away outdated regulatory procedures eg statutory committees
- Enhanced oversight of professional education
- Professional standards and the duty of candour and to report concerns
- Negative registration of unregistered professions



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