

Fitness to Practise Rules

July 2026

1. Application

- 1.1 These Rules apply whenever UKPHR receives information about the fitness to practise of a registrant, including information provided by a registrant about themselves.
- 1.2 These Rules apply to registered public health specialists, specialty registrars, and practitioners.

2. Definitions

- 2.1 In these Rules:

Administrator means the person or persons appointed by UKPHR to administer the fitness to practise process and to support the Fitness to Practise Panel.

Appeals Panel means the independent panel established under UKPHR's Articles of Association to hear appeals from decisions of the Registrar and the Fitness to Practise Panel.

Concern means any information received by UKPHR which raises a question about whether the fitness to practise of a registrant is impaired by reason of misconduct, deficient professional performance, adverse physical or mental health, a conviction or caution, or a determination by another regulatory body.

Fitness to Practise Panel means the panel established under UKPHR's Articles of Association to consider and determine concerns referred to it by the Registrar.

Person who raised the concern means the individual or organisation that brought a concern to UKPHR's attention.

Presenting Officer means a person appointed to represent UKPHR at a hearing.

Registrant means a registered public health specialist, specialty registrar, or practitioner about whom a concern has been received by UKPHR.

Registrar means the Registrar of UKPHR.

UKPHR means the UK Public Health Register.

3. Triage

- 3.1 On receipt of a concern, the Registrar will determine whether the concern meets the threshold for a formal investigation. The Registrar will consider:
 - whether the concern relates to a person who is registered with UKPHR;
 - whether the concern falls within UKPHR's remit;
 - whether the concern raises an issue or issues which could lead to a finding of impaired fitness to practise; and
 - whether there is sufficient information to proceed.
- 3.2 If the answer to any of these questions is no, the concern will be closed. The Person who raised the concern will be informed of the outcome and the reasons for it. If the registrant has been contacted, they will also be informed of the outcome and the reasons for it.
- 3.3 Where appropriate, UKPHR may refer concerns that fall outside its remit to another organisation better placed to deal with them.

- 3.4 The Registrar may dismiss a concern that is manifestly unfounded. Where a concern is dismissed, the Registrar may nonetheless issue advice to the registrant.

4. Investigation

- 4.1 Where the Registrar determines that a concern raises an issue of impaired fitness to practise concerning a Registrant and there is sufficient information to proceed, the Registrar will carry out a formal investigation. The Registrar will:
- acknowledge receipt of the concern and provide the person who raised the concern with a named contact at UKPHR;
 - notify the Registrant of the concern and invite their response;
 - gather such further information, documentation, or reports as are necessary to properly consider the matter; and
 - notify the Registrant's employer of the concern, unless the employer is the person who raised it.
- 4.2 Having investigated the concern, the Registrar will apply a case to answer test. The Registrar will consider whether there is a realistic prospect that a Fitness to Practise Panel would find the alleged facts proved and that the Registrant's fitness to practise is impaired by reason of one or more of the following grounds:
- misconduct
 - deficient professional performance
 - adverse physical or mental health
 - a conviction or caution, or a determination by another regulatory body

If the Registrar determines that this test is met, the concern will be referred to the Fitness to Practise Panel.

- 4.3 The Registrar may, where appropriate, invite the Registrant to agree a programme of remedial action as an alternative to referral to the Panel. If the Registrant declines, fails to comply with, or does not respond to such an invitation, the Registrar may refer the matter to the Panel.
- 4.4 Where the Registrar decides not to refer a concern to the Panel, the case will be closed. The Person who raised the concern and the Registrant will be informed of the outcome and the reasons for it.

5. Interim Orders

- 5.1 At any stage in the process, the Registrar may refer a matter to the Fitness to Practise Panel for consideration of whether an interim order is necessary to protect the public, is otherwise in the public interest, or is in the Registrant's own interests, pending the outcome of a full hearing.
- 5.2 The Panel may impose an interim conditions of practice order or an interim suspension order. Any interim order will be reviewed at intervals of no more than six months.
- 5.3 The Registrant will be notified before any interim order hearing and will have the opportunity to make representations.
- 5.4 The procedural rules below apply to interim order hearings.

6. Fitness to Practise Panel

6.1 Composition

- 6.1.1 The Fitness to Practise Panel will be selected by the Registrar and Chief Executive and will comprise:
- a chair;
 - one UKPHR registrant who is not a member of any UKPHR committee or working group, present to provide a professional perspective; and
 - one lay member who is independent of UKPHR and is not a public health professional, present to represent the views of the public.
- 6.1.2 The Panel requires a quorum of three, at least one of whom must be a lay member. Panel members must not have had any prior involvement in the case.

6.2 Powers

- 6.2.1 The Fitness to Practise Panel will consider and determine any concern referred to it by the Registrar. The Panel may, taking account of the overriding requirement of fairness:
- postpone or adjourn proceedings at its discretion or at the request of any party;
 - ask a Registrant (or any other party) to disclose any document or evidence they intend to use;
 - ask a Registrant (or any other party) to submit a written statement;
 - admit any evidence it considers fair and relevant, whether or not it would be admissible in a court of law;
 - proceed in the absence of the Registrant if satisfied that all reasonable steps have been taken to notify them of the hearing; and
 - exclude any person whose conduct disrupts or is likely to disrupt the proceedings.
- 6.2.2 In determining any fact or matter, the Panel will apply the civil standard of proof, meaning the balance of probabilities.
- 6.2.3 The Panel may not order the payment of costs or expenses to either party.

6.3 Hearings

- 6.3.1 Hearings will normally be held in public. The Panel may direct that a hearing, or part of a hearing, be held in private where it is satisfied that the particular circumstances of the case outweigh the public interest in an open hearing.
- 6.3.2 The Registrant and the Person who raised the concern will each receive at least 20 working days' notice of the hearing date. Both parties have the right to attend and to be represented.
- 6.3.3 The Registrant may be represented by a solicitor, counsel, a representative of a professional organisation of which they are a member, or, at the Panel's discretion, another person of their choosing.
- 6.3.4 UKPHR will meet reasonable travel expenses for panel members attending an in-person hearing.
- 6.3.5 All hearings will be recorded. UKPHR may publish a record of any hearing held in public.

6.4 Procedure

- 6.4.1 The Panel will determine its own procedure in accordance with these Rules and the overriding requirement of fairness. At the conclusion of a hearing, the Panel will:

- Hear submissions from the parties on whether the facts found proved amount to impaired fitness to practise
- Consider and announce its findings on the facts;
- If it finds fitness to practise is impaired;
- Decide whether sanctions are appropriate and if so, which one
- Announce whether any sanction is to take effect immediately or following the expiry of the appeal period.
- State the reasons for its decisions

6.4.2 Decisions of the Panel shall be taken by a simple majority. The chair will have no casting vote and no Panel member may abstain.

6.4.3 The Panel will provide written reasons for its decision as soon as reasonably practicable.

7. Decision on Sanction

7.1 If the Fitness to Practise Panel finds that a Registrant's fitness to practise is impaired, it may:

- take no further action;
- issue a reprimand;
- impose conditions on the Registrant's practice;
- suspend the Registrant's registration for a specified period not exceeding 12 months;
- or
- erase the Registrant from the Register.
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7.2 A Registrant whose name is erased from the Register may not apply for restoration earlier than five years from the date of erasure.

7.3 Any sanction imposed will take effect 20 working days after the date of the Panel's decision, unless the Panel directs otherwise.

8. Publication

8.1 The Registrar will arrange for the outcome of any fitness to practise proceedings to be published on the UKPHR public register.

8.2 The Registrar will notify the Registrant, the person who raised the concern, and any other relevant interested parties of the Panel's decision as soon as reasonably practicable.

8.3 The Registrar will consider whether any information arising from proceedings should be shared with other regulators in accordance with UKPHR's information-sharing policies.

9. Appeals

9.1 Any party may appeal against a decision of the Fitness to Practise Panel, in accordance with the Appeals Rules.

9.2 Where an appeal is lodged within the appeal period, any sanction will not take effect until the appeal has been determined, unless the Panel has directed that the sanction take effect immediately.

10. Service

10.1 Any notice or document required under these Rules may be served:

- personally on the Registrant;

- by post to the Registrant's last known address;
- by email to an address the Registrant has notified to the Registrar; or
- where the Registrant is represented, on their representative.
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10.2 Service may be proved by confirmation of posting, confirmation of receipt by email, or a signed statement from the person serving the document. Service of any notice or document under this rule will be deemed to have occurred on the second working day after the date of sending or delivering the notice or document.