

UK Public Health Register

Fitness to Practise: guidance for registrants

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Introduction

1. UKPHR's primary purpose is to improve public health practice and protect the public. Dealing with concerns about the professionalism and behaviour of registrants is central to achieving this. We also have a duty to maintain public confidence in public health professionals and in the regulation of the profession, as well as ensuring the highest possible standards.
2. If a concern is raised about a UKPHR registrant, we will look carefully at it. We will act when a registrant's ability, behaviour or health means there are reasons why they are unable to meet professional standards. If we investigate an issue and there is clear evidence that standards have been breached, we may issue a warning, restrict practice, suspend, or erase the individual from the register.
3. This guidance is designed to help you **understand what fitness to practise means, what kinds of concerns we can consider, how concerns are raised with us, and what happens if a concern is raised about you.**
4. All registrants are required to maintain the professional code of practice as set out in Good Public Health Practice (2024). You can find further information on these standards via our UKPHR user guide to Good Public Health Practice 2024 on the UKPHR website.

Scope of policy

5. This policy applies to all categories of UKPHR registrants: Public Health Specialist, Public Health Practitioner, and Public Health Specialty Registrar.
6. UKPHR is only able to investigate concerns raised about active registrants via the Fitness to Practise process described in this guidance. Our public register includes all active registrants, and you can verify the registration status of any individual at search.ukphr.org.
7. UKPHR is unable to investigate concerns about professionals who are not registered with us. If you voluntarily withdraw from the register after an investigation has begun, the process will continue to its conclusion. If a concern is raised about someone who is not registered at the time and they later apply to restore their registration, the concern will be considered as part of that application.
8. UKPHR will maintain a record of concerns raised, including those about individuals who are not yet registrants but are undertaking the registration process as a Public Health Specialist, Public Health Specialty Registrar or Public Health Practitioner. This is to ensure that any concerns are considered from the point of application, and that only those who meet the requirements of Good Public Health Practice (2024) are admitted to the Register.

What is Fitness to Practise (FtP)?

9. You are considered *fit to practise* when you have the necessary skills, knowledge, health and character to carry out your professional duties safely and effectively. Fitness to practise also encompasses actions or behaviours that could affect:
- The protection of the public
 - Public trust in the profession and the regulatory process
10. UKPHR is responsible for upholding professional standards among its registrants, safeguarding the public, and maintaining confidence in both the profession and its regulation.
11. Your health or disability is relevant only in relation to your ability to practise safely and effectively. If a condition is stable and well managed, it should not normally affect your ability to practise competently. Effective management may include making reasonable adjustments, placing limits on practice, or ceasing practice when appropriate.

Raising a concern

12. Concerns about UKPHR registrants can be brought to our attention in a number of ways:
- Self-declaration by you at initial registration, annual renewal, revalidation/re-registration
 - A self-referral submitted by you at any point during your registration
 - A concern raised by a member of the public, a service user or your employer
 - Information received from any other source about a registrant or an applicant to the register, including an employer or the police.
 - UKPHR identifying information that raises a potential concern, even where no external complaint has been received. This might occur through professional networks, referrals from other registration bodies, or other sources.
13. Examples of concerns that will normally *not* be related to fitness to practise include:
- Poor timekeeping or attendance
 - Communication issues, interpersonal conflicts or disagreements (unless these involve bullying or threatening behaviour)
 - Sickness absence (unless it involves fraudulent claims or failure to manage a condition appropriately)
 - Disputes relating to employment or contractual arrangements
14. Where a concern falls into one of these categories and there is no suggestion of risk to the public, UKPHR will normally refer the matter back to the relevant employer to handle according to their policies.

What is impairment?

15. The term impairment refers to any situation that affects, or has the potential to affect, your ability to practise safely and effectively. Impairment may be temporary or permanent and is assessed by UKPHR on an individual basis.
16. Impairment is likely where conduct falls below the standards of Good Public Health Practice (2024). Examples include, but are not limited to, situations where a registrant:
 - Has been dishonest, misrepresented facts or evidence, or falsified records in a professional capacity
 - Has concealed errors or failed to be open and honest when things have gone wrong, including failure to cooperate with investigations
 - Has breached confidentiality, mishandled sensitive information, or failed to protect data in line with legal and professional standards
 - Has been involved in or failed to prevent sexual harassment, exploitation or other inappropriate conduct, including failure to respond adequately to concerns about such behaviour
 - Has a substance misuse problem that affects their ability to work safely and effectively
 - Has failed to treat individuals, communities or colleagues with fairness, respect and compassion, including through discrimination, bullying or harassment
 - Has exploited, neglected or failed to safeguard vulnerable persons or populations
 - Has failed to maintain professional boundaries, including involvement in inappropriate relationships with service users or misuse of authority
 - Has allowed personal health problems to adversely affect their professional practice without informing a suitably qualified person or seeking necessary support
 - Has failed to declare conflicts of interest, allowing financial or commercial interests to influence professional judgement or public health recommendations
 - Has been violent, threatening or exhibited unprofessional conduct toward service users, colleagues or the public
 - Has participated in research, audits or teaching without appropriate ethical oversight or consent, or has failed to report fraud or misconduct in research
 - Has failed to maintain competence, keep up to date with guidelines or undertake required continuing professional development
 - Has been subject to a caution or conviction, or is under investigation, for behaviour that may bring public health practice into disrepute or compromise public trust.
17. When considering whether your fitness to practise is impaired, UKPHR will consider the wider context in which the concern arose, including relevant aspects of your working environment and local systems. Where concerns suggest systemic or

employer-level issues, these will be identified and, where appropriate, referred to the relevant employer or other body for action.

18. If you are unsure whether your conduct falls below the appropriate standard, please refer to the Good Public Health Practice Framework (2024) and contact UKPHR at register@ukphr.org or on 0121 296 4370.

How UKPHR assures fitness to practise

Initial registration

19. At the point of initial registration with UKPHR, all categories of registrant are required to complete a Health and Character declaration and a Fitness to Practise declaration. This declaration confirms your ability to practise safely and effectively. Any information disclosed that raises potential concerns will be subject to further review and investigation by UKPHR.
20. Self-declaration of any concerns related to fitness to practise operates on mutual trust between UKPHR and the registrant. It should be regarded as a positive and responsible action, reflecting sound professional judgement and accountability as a public health professional. In many instances this process allows UKPHR to provide appropriate support to you and to gain further insight into public health practice. You are expected to complete the Fitness to Practise declaration truthfully. Failure to disclose relevant information may lead to investigation by UKPHR and could impact your registration status.
21. Knowingly providing false or misleading information in a declaration will lead to refusal of registration or removal from the register. If you are uncertain about whether an issue should be declared, please contact UKPHR as soon as possible for guidance. Each concern will be considered on an individual basis to ensure appropriate support for you, to protect the public from potential harm, and to maintain public confidence in the profession and the regulatory process.

Annual renewal

22. All UKPHR registrants are required to maintain their registration by engaging in the annual renewal process. All active registrants are invited to complete their annual renewal by submitting a Fitness to Practise declaration and paying the relevant fee. Any declaration made at the time of annual renewal should be viewed as a constructive step that reflects sound professional judgement.

Self-referral

23. You are responsible for monitoring and maintaining your own health and character as they relate to fitness to practise. You must contact UKPHR via submission of an online self-referral within 30 working days of the event occurring, rather than waiting for renewal or revalidation/re-registration, if any issues arise that may affect your ability to practise safely and effectively. Any self-referral made should be viewed as a constructive step that reflects sound professional judgement.

Revalidation and re-registration

24. UKPHR registered specialists are required to engage in a revalidation process every five years to demonstrate that they continue to meet professional standards and keep their registration active. UKPHR registered practitioners engage in a re-registration process every five years to maintain their registration and ensure they continue to meet professional standards. Both processes include completing a Fitness to Practise declaration as part of the application.
25. UKPHR registered specialists also engage in a professional appraisal as part of their revalidation requirements. You are encouraged to inform your appraiser of any significant events or incidents at your appraisal discussion.
26. Public Health Specialty Registrars who are registered with UKPHR will complete this process through their ARCP.

The Fitness to Practise process

27. We have provided a general overview of our Fitness to Practise process below.

Stage One: Triage process

28. Any concern raised with UKPHR will undergo an initial assessment via a triage process to identify whether it falls within our remit for further investigation. This will be considered by a UKPHR staff member and the UKPHR Registrar. The Registrar will consider four key questions as part of the threshold criteria:
 - a. **Is the concern made in writing?** Concerns must be recorded in writing, by letter, email or completion of UKPHR's online form, so that the issues are clearly understood by all parties. Where a concern cannot be submitted in writing due to access difficulties, UKPHR will work with the person raising it to ensure the details are set out clearly.
 - b. **Is the concern about a UKPHR registrant?** UKPHR can only consider concerns about individuals who are registered. Concerns about non-registrants will not be taken forward. Where a concern is raised about someone who is not registered at the time and they later register or restore their registration, the concern will be considered as part of that application.
 - c. **Is the concern relevant to the registrant's ability to meet Good Public Health Practice (2024)?** This includes concerns about:
 - Alleged misconduct or unethical behaviour
 - Deficient professional performance or competence
 - Health concerns affecting ability to practise safely
 - Criminal cautions or convictions
 - Improper inclusion on another professional register
 - d. **Does the evidence provided, if verified and substantiated, suggest that fitness to practise is impaired?** The concern must be related to the

registrant's fitness to practise and demonstrate that conduct falls below the standards of Good Public Health Practice (2024).

29. Only concerns that receive a yes answer to all four of these questions will proceed to the investigation stage. If they do not, the case will be closed with no further action taken by UKPHR. If the decision is to progress the case to the investigation stage, you will be notified at that point that a concern has been raised about you.
30. Further information on our triage process can be found in the Fitness to Practise Triage guidance.

Stage Two: Investigations and evidence gathering

31. Once a case has passed the triage stage, it will proceed to the investigation stage. The primary purpose of the investigation is to consider the facts and the likelihood of misconduct or impairment being found in relation to the concerns raised. Evidence and information will be gathered from relevant sources, including from you, the person who raised the concern, and relevant third parties such as your employer.
32. The Registrar, supported by a UKPHR staff member, will consider three questions as part of a case-to-answer test:
- a. Is there a real prospect that a Fitness to Practise Panel could find the alleged facts proved on the balance of probabilities?
 - b. If those facts were proved, is there a real prospect that they would amount to a statutory ground of impairment, for example misconduct, deficient performance or competence, a health concern, or a conviction or caution?
 - c. If grounds of impairment could be established, is there a real prospect that a Panel would find current impairment such that some restriction on registration might be needed in the public interest?
33. Any medical information about you will only be sought with your written consent. If consent is declined, this will be taken into account in the decision-making process.
34. The Registrar will be provided with a portfolio of documents and given 28 working days to review the evidence. As part of the decision-making process, the Registrar may refer the case to a Complex Case Panel for further advice and consideration. The decisions available to the Registrar are:
- **No further action** – the threshold for a Fitness to Practise Panel has not been met and the case is closed.
 - **Advice** – this means that your conduct warrants a response but does not meet the threshold for a Fitness to Practise Panel hearing. The Registrar may issue you with written advice about your conduct or practice. This does not appear on the public register but is recorded internally and can be taken into account if further concerns arise. The case is then closed.

- **Remedial action** – the Registrar may invite you to agree a programme of remedial action that UKPHR will monitor, as an alternative to referral to the Fitness to Practise Panel. This could include but is not limited to:
 - Completing specific continuing professional development or training
 - Working under supervision for a defined period
 - A reflective piece or written statement demonstrating insight into what went wrong and what has changed
 - A formal appraisal or performance review
 - Mentoring by a senior colleague or a period of assessed practice
 - Engagement with occupational health services or regular health assessments
 - Restrictions on certain types of practice pending recovery
- Progress the case to a **Fitness to Practise Panel hearing**

35. The outcome and the reasons for the decision will be communicated in writing to both you and the person who raised the concern within 5 working days of the decision being made.

36. The Registrar may also issue an **interim order** if the concern is of a nature that involves a clear or potential risk to public protection or public confidence in the profession. An interim order will remain in place only for the period necessary for the concern to be considered by a Fitness to Practise Panel and must not exceed 18 months from the date it is made. All interim orders will be reviewed by the Registrar and potentially a Complex Case Panel within six months of being made and then every six months thereafter, or sooner if new relevant evidence becomes available. You may also ask for an early review. Further information on interim orders is available on the UKPHR website.

37. If the Registrar determines that there is a case to answer and that your fitness to practise may be impaired, the case will proceed to a Fitness to Practise Panel.

Stage Three: Fitness to Practise Panel

38. The Fitness to Practise Panel provides independent, balanced oversight in fitness to practise cases. Panel members will be separate from those who took part in the investigation stage, ensuring fairness and impartiality. The Panel brings together professional expertise and public perspective.

39. The Fitness to Practise Panel will comprise:

- A chair
- One UKPHR registrant who is not a member of any UKPHR committee or Board present to provide a professional perspective
- One lay member who is independent of UKPHR and is not a public health professional, present to represent the views of the public

40. The Panel requires a quorum of three, at least one of whom must be a lay member.

41. The following may also attend:

- You and your representative, if one has been appointed
- The individual who raised the concern
- Witnesses
- One or more UKPHR representatives, who may attend to advise on procedure but will not take part in decision making
- A member of UKPHR staff providing administrative support
- A legal representative, if UKPHR appoints one

42. A Panel may at any given time also request that:

- A registrant (or any other party) discloses copies of any documents or evidence they intend to rely on
- A registrant (or any other party) submits a written statement to the panel and to the other parties
- A witness statement stands as that witness's evidence in chief
- The allegations be amended

43. You are entitled to be represented at the hearing by a solicitor, counsel, a representative of a professional organisation of which you are a member, or, at the Panel's discretion, another person of your choosing.

44. UKPHR is committed to ensuring that all those involved in the process are treated fairly and with respect. Reasonable adjustments and support will be provided based on the circumstances of each case, for example accessibility adjustments or separate waiting areas. Please contact UKPHR if you require specific arrangements.

45. Fitness to practise cases will normally be heard in public (normally virtually). 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. For example, if there is a health issue or police investigation that means the hearing should be held in private to protect those involved. The decision and the reasons for it will be confirmed in writing within 10 working days of the date the decision is made and will then be published on the UKPHR website.

46. Further detail on the Fitness to Practise Panel hearing process is available in the Fitness to Practise Panel hearing guidance.

Sanctions

47. If the Fitness to Practise Panel decides that your fitness to practise is impaired, it will agree an appropriate sanction. The sanctions available to the Panel are:

- Take no further action
- Issue a reprimand
- Impose a conditions of practice order
- Impose a suspension order
- Erase you from the register
- Issue an interim order

48. The Panel must ensure that both the decision to impose a sanction and the reasoning behind it are clearly explained in accessible language.
49. If the Panel removes your name from the register, you may not apply to have your name restored to the register earlier than five years from the date of erasure.
50. All relevant parties will receive written notification of any decision and the reasons for it at each stage of the process.
51. Further information on sanctions is available in the Fitness to Practise Sanctions policy.

Support for registrants

52. Being the subject of a fitness to practise concern can be a challenging experience. We recognise that the process may cause anxiety and uncertainty. Throughout an investigation, we aim to ensure that you are treated with fairness, dignity, and respect.
53. The fact that a concern has been raised, or that an investigation is under way, does not mean that any conclusions have been reached about your fitness to practise. Our role at this stage is to gather relevant information to understand the concern and decide whether there is evidence that regulatory action may be required.
54. You are encouraged to seek advice or support during this process. This may include:
- Contacting your professional body, trade union, or defence organisation for representation and advice
 - Accessing independent wellbeing or counselling services if you feel affected by the process
 - Speaking with UKPHR staff about procedural questions (we cannot provide legal advice but can explain the process and expected timelines)
55. We are committed to conducting investigations in a way that is transparent, proportionate, and focused on ensuring fairness to all parties involved.

When and how will UKPHR share information about FtP?

56. We will not share declarations you've made to us in confidence with your employer unless the issue is being addressed as part of a formal FtP process.

57. If a concern has been referred to UKPHR and is being investigated as part of our Stage Two FtP process, we will aim to contact your employer as soon as reasonably practicable. Details of the specific allegations will not automatically be shared at the outset, as we have a duty to manage information carefully and proportionately. However, we may ask them for additional information or evidence relevant to the concern, such as employment records, supervision notes, or details of any local investigation that has been conducted.
58. If the registrant is a Specialty Registrar, we will engage with the school of public health or the training programme's Trainee in Difficulties process or local equivalent. The Postgraduate Dean for the region will ultimately be responsible for the fitness to practise of all trainees within their locale and will monitor whether they meet the requirements to progress in their training through the ARCP process.
59. UKPHR will conduct its own independent assessment of any concern that is raised with us, whether or not the employer's disciplinary or HR processes are concluded. If at any point during the investigation an interim order is imposed on a registration, we will inform your employer promptly, as this may have implications for them and your role. Once a final decision has been reached, we will notify your employer.

What is reflected on the UKPHR public register?

60. UKPHR's public register is the primary means by which employers, colleagues, and members of the public can check the registration status of a public health professional and understand whether any regulatory action has been taken. The register will always show whether an individual is currently registered, and their registration type.
61. Where the Registrar has imposed an interim order at any stage of the process, this will be reflected on the register immediately, as it has a direct and practical effect on the registrant's ability to practise. The fact that a concern is under investigation will not normally be published on the register before a referral to the Fitness to Practise Panel has been made, as no finding has been established at that stage and premature publication could be disproportionate.
62. Once a case has been referred to the Fitness to Practise Panel, UKPHR will note on the register that fitness to practise proceedings are pending. This recognises that referral to a Panel represents a significant threshold **and** the Registrar has determined that there is a realistic prospect of impairment being found. The broad nature of the concern (for example, misconduct or deficient professional performance) will normally be noted, though the full detail of the allegation will not be published at this stage.
63. Where the Fitness to Practise Panel has made a decision, the outcome and the sanction imposed will be published on the register. A reprimand, conditions of practice order, or suspension order will be shown for the duration of the order and for a period after it ends. Where a registrant is erased from the register, this will be noted until restoration is granted. Advice issued by the Registrar and any programme of

remedial action agreed as an alternative to Panel referral will not normally be published on the register, unless the remedial programme includes a restriction on the registrant's practice.

Appeals

64. An appeal can only be made following a decision to impose a sanction at Stage Three (Fitness to Practise Panel). It must be submitted within 20 working days of receiving written confirmation of the decision.
65. Appeals will be considered by an Appeals Panel. No member of the original Fitness to Practise Panel or supported the Registrar via a Complex Case Panel may sit on the Appeals Panel. The Appeals Panel's decision and the reasoning behind it will be provided in writing within 10 working days of the decision.
66. UKPHR will retain a full transcript of hearings and decisions. A redacted version, protecting the anonymity of individuals raising concerns and any third parties, may be published. Information relating to your health or the health of others involved will not be disclosed.
67. Once the appeals process is complete, no further appeals will be permitted. Further information on our appeals process is available on the UKPHR website.

Feedback about our process

68. We are committed to maintaining the highest standards of service and we value and welcome feedback from you on the service we provide. If you wish to raise concerns about how we have managed this process, rather than about the concern itself, you can do so through our Comments, Complaints and Compliments policy, available on the UKPHR website.