

# Restoration to the Register after lapse policy

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## 1. Purpose of this document

This document sets out the policy and procedure UKPHR intends to operate in respect of registrants who ask to be restored to the register after their registration has lapsed. Lapse usually occurs due to, but is not limited to, failure to complete on time renewal of registration or re-registration.

## 2. Scope and Organisational Context

2.1 UKPHR was established in 2003. Its objective is to promote public confidence in public health professionals' practice in all four UK countries through independent regulation.

2.2 UKPHR is an independent body with its own Board. It registers specialists and practitioners in public health.

## 3. Minor delay in renewing registration – “slip rule”

Registration has to be renewed annually.

Occasionally registrants fail to:

- Renew registration on time
- Complete their re-registration on time

despite receiving alerts from UKPHR prior to the renewal date or re-registration date respectively (for convenience the term “due date” in this policy refers to the date when renewal or re-registration was due to have been achieved).

In cases where registration has lapsed because registrants have not renewed their registration or completed re-registration on time, UKPHR will allow restoration to the register without loss of continuity of registration where the following conditions are met:

- 3.1 The registrant asks to be restored to the register within 15 working days of the due date
- 3.2 The correct registration fee has been received by UKPHR
- 3.3 The registrant has delivered to UKPHR a signed, satisfactory declaration in the form prescribed by UKPHR for completion by all registrants
- 3.4 The registrant has stated why renewal or completion of re-registration is late.

No additional fee will be charged by UKPHR for administering restoration to the register in accordance with this rule on a first occasion. A record of the lapse will be kept and may be referred to in connection with any future question of fitness for registration. An administrative fee as set and published by UKPHR from time to time, will be charged for a second (in a 5-year registration period) and any subsequent application for restoration to the register.

#### 4. No response by end of 15 working days

If a registrant has not responded to the opportunity to be restored to the register within 15 working days of the due date UKPHR will:

- 4.1 Notify any current employer of the registrant known to UKPHR of the lapse in registration;
- 4.2 Notify the registrant of any such notification given by UKPHR.

#### 5. Delay in renewing registration: more than 15 working days but less than 12 months

Registration has to be renewed annually.

Occasionally registrants fail to:

- Renew registration on time
- Complete their re-registration on time

despite receiving alerts from UKPHR prior to the due date.

In cases where registration has lapsed because registrants have not renewed their registration or completed re-registration on time, and more than 15 working days have elapsed before registrants ask to be restored to the register, the following rules will apply.

- 5.1 A request for restoration to the register must be made using the form prescribed by UKPHR for this purpose.
- 5.2 The form will include questions relating to the requester's career during the lapse period. UKPHR will contact third parties for confirmation of details given by the requester. The reason for this is so that the rights of third parties, for example employers, are respected and taken into account in this process.
- 5.3 The request will be considered by the Registrar. The Registrar may make any of the following decisions when considering a request to be restored to the register under this section:
  - Ask the requester for more details before giving a final decision
  - Refuse the request
  - Grant the request and permit restoration to the register with no loss of continuity of registration
  - Grant the request and permit restoration to the register with loss of continuity of registration.

- 5.4 Before making any decision the Registrar must be satisfied that the registrant has delivered to UKPHR in addition to the request:
- An administration fee of £40 for a practitioner registrant and £75 for a specialist registrant, or such other sum or sums as UKPHR may from time to time set; and
  - A signed, satisfactory declaration in the form prescribed by UKPHR for completion by all registrants.
- 5.5 The Registrar may only refuse the request on one or more of the following grounds:
- 5.5.1 The requester has not provided the Registrar with all the information required under these rules
- 5.5.2 The requester has not provided the Registrar with sufficient details to enable the Registrar to make an informed decision
- 5.5.3 The Registrar is satisfied, as a result of information disclosed in the requester's completed declaration form (or in more details provided to the Registrar in response to the Registrar asking the requester for more details), that the requester is not fit to practice
- 5.5.4 The Registrar is satisfied, as a result of other information that comes to the Registrar's attention during this process (including information from third parties and the requester's own conduct during the process), that the requester is not fit to practice
- 5.5.5 Some other substantial reason arising out of this process relating to the requester's conduct and fitness to practise.
- 5.6 In the event of granting the request and permitting restoration to the register, the Registrar's decision as to full, partial or no loss of continuity of registration will be based on the evidence provided by the requester of engagement in the practice of public health.
- 5.7 A requester may appeal against the Registrar's refusal under 5.4 to:
- The Appeals Panel if the refusal is only in respect of ground 5.5.1 and/or ground 5.5.2
  - The Fitness to Practice Panel in any other case (and for the avoidance of doubt the Fitness to Practice Panel may determine any question relating to grounds 5.5.1 and 5.5.2 when determining such an appeal).
- 5.8 A requester may appeal against the Registrar's decision to grant the request with loss of continuity of registration to the Appeals Panel.
- 5.9 The Registrar's grant of requests will be conditional on payment by requesters of the amount of registration fees, including arrears, stated in the Registrar's notice of the decision made.

## 6. Delays of 12 months or longer: no restoration to the register except in exceptional circumstances

Registration has to be renewed annually.

Occasionally registrants fail to:

- Renew registration on time
- Complete their re-registration on time

despite receiving alerts from UKPHR prior to the due date.

In cases where registration has lapsed because registrants have not renewed their registration or completed re-registration on time, and 12 months or more has elapsed before registrants ask to be restored to the register, the following rules will apply.

- 6.1 A request for restoration to the register must be made using the form prescribed by UKPHR for this purpose.
- 6.2 The form will include questions relating to the requester's career during the lapse period. UKPHR will contact third parties for confirmation of details given by the requester. The reason for this is so that the rights of third parties, for example employers, are respected and taken into account in this process.
- 6.3 The Registrar will refuse the request for restoration to the register unless the requester can show exceptional circumstances which justify UKPHR in restoring the requester to the register despite the delay.

Exceptional circumstances might include (but this is not intended to be exhaustive):

- Illness, injury or other serious condition has kept the requester from being able to renew registration earlier
  - Work, paid or volunteer and in or outside the UK, has kept the requester from being able to renew registration earlier
  - Some other serious circumstance has kept the requester from being able to renew registration earlier.
- 6.4 The request for restoration to the register under this section, made using the prescribed form, must include a statement of the exceptional circumstance(s) relied upon.

- 6.5 The request will be considered by the Registrar. Before making any decision the Registrar must be satisfied that the requester has delivered to UKPHR in addition to the request:
- An administration fee of £40 for a practitioner registrant or £75 for a specialist registrant, or such other sum or sums as UKPHR may from time to time set;
  - A signed, satisfactory declaration in the form prescribed by UKPHR for completion by all registrants; and
  - Evidence of relevant CPD activity during the period of lapse.
- 6.6 The Registrar may make any of the following decisions when considering a request to be restored to the register under this section:
- Ask the requester for more details before giving a final decision
  - Refuse the request
  - Grant the request and permit restoration to the register with no loss of continuity of registration
  - Grant the request and permit restoration to the register with loss of continuity of registration
  - Grant the request, with or without continuity of registration, on condition that any shortfall in CPD during the period of lapse is made good within such a time as the Registrar shall direct.
- 6.7 The Registrar will refuse the request unless satisfied that there are exceptional circumstances which justify the grant of the request.
- 6.8 In the event of granting the request and permitting restoration to the register, the Registrar's decision as to full, partial or no loss of continuity of registration will be based on the evidence provided by the requester of engagement in the practice of public health.
- 6.9 A requester may appeal to the Appeals Panel:
- the Registrar's refusal of the request;
  - the Registrar's grant of the request with loss of continuity of registration; and/or
  - the Registrar's decision to impose a condition relating to CPD and/or the terms of that condition.
- 6.10 The Registrar's grant of requests will be conditional on payment by requesters of the amount of registration fees, including arrears, stated in the Registrar's notice of the decision made.

## 7. Reporting lapse, restoration to the register and refusals of requests

The Registrar will report to the Registration Panel the numbers of registrants whose registration lapses in each year and will additionally report to the Registration Panel the numbers of applications for restoration to the register received and their outcomes.

This revised policy will have effect from 01 July 2017.

*DK/Lapsed Policy 2<sup>nd</sup> edition April 2017*

For further information about registration and UKPHR's regulatory approach: Please refer to UKPHR's website: [www.ukphr.org](http://www.ukphr.org)

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