

Sport, Health & Outdoor Education

Assessment Feedback Sheet

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Module: Professional Development and Practice

Module Code: SHSS4062

Personal Evaluation – to support your academic progress please complete the section below BEFORE submitting your work.									
What do you consider to be the best aspects of this work?	I believe that the best aspects of this work are the information that has been found showing how statutory regulation can be of benefit and the referral of direct communication from the Society of Sports Therapists								
Which aspects do you consider could have been improved in this piece of work?	It would have been interesting to find information relating to how effective statutory regulation has been with other designated titles and the perception of the general public.								
What have you found most satisfying whilst undertaking this submission?	Understanding how to write an academic style essay rather than the technical style reports that I wrote in previous employment								
ASSESSMENT CRITERIA	Learning	GRADE							
		Poor 0-25%	Unsatisfactory 26-39%	Satisfactory 40 – 49%	Good 50 – 59%	Very Good 60 – 69%	Excellent 70 – 85%	Exceptional 86– 100%	%
Essay content and quality of resources used	1								30%
Referencing within the essay	1								20%
Correctly constructed reference list	1								20%
Structure of essay and clarity of writing	1								30%
It is expected that students will present work that is proof read, correctly referenced and adheres to the Assessment Checklist . Therefore a range of 0 – 10 marks will be deducted for non-completion of any of the points on the checklist below .									

Professional Development and Practice Assignment 1

Module code SHSS4062

Introduction

This essay will discuss why the Society of Sports Therapists should be statutory regulated by the Health Care and Professions Council.

As part of this the essay will look at what statutory regulation is; what a designated title is; how protection for a therapist is achieved through law; how the public are protected by statutory regulation; and then draw conclusions relating to the statutory regulation of sports therapists.

Findings

Statutory regulation is defined by NHSemployers.org as referring to “professions that must be registered with a professional regulatory body by law” (nhsemployers.org, 2019). These professions include Chiropractors, Doctors, Osteopaths, Dentists etc, all of whom are regulated by their own relevant professional bodies. From this statement, it is important to try and understand why a specific profession may need regulation by law.

Within the care professions, there is a term called “designated title”. The designated titles specifically regulated by the Health and Care Professions Council (HCPC) are listed on their website. These cover profession such as Arts Therapists, Occupational Therapists, Radiographers, physiotherapists etc (hcpc-uk.org, 2019)

The HCPC website further states that “Anyone not on our register who uses a designated title may be breaking the law and could be prosecuted” (hcpc-uk.org, 2019). The site further states that.

Article 39(1) of the Health and Social Work Professions Act 2001 makes it a criminal offence for a person , with intent to deceive (whether clearly or by implication) to say that they are on the HCPC register; use a designated title to which they are not entitled; or say falsely that they have qualifications in a profession that we regulate.

(hcpc-uk.org, 2019).

From this it can be understood that by having accreditation via the HCPC, or a different regulatory body for other professions, imparts a level of protection for both the therapist and a service user of a

particular therapy, or service. It can be understood that this is achieved by preventing a non-qualified or untrained person from claiming a particular skill set or allowing recourse through law if these types of claims are made.

This level of protection is further reinforced by looking at the requirements for registration with the HCPC. The website lists “standards of proficiency” for each of the professions that are covered and regulated by the HCPC (hcpc-uk.org, 2019).

Although there are no direct standards of proficiency relating to Sports Therapists on this webpage, by looking at closely related professions such as physiotherapists, it is possible to understand that the requirements for registration are very thorough. The webpage specific to physiotherapists (hcpc-uk.org 2019) lists 15 main categories for proficiency covering areas such as being able to practise safely, legally, maintaining fitness to practice, and being able to assure the quality of practice.

The next stage of this discussion will look at the role of the HCPC and who regulates the regulator.

The HCPC state that their aims are to “protect the public by regulating 16 health and care professions” (hcpc-uk.org, 2019). As has been seen previously, an act of parliament laid down the Health and Social Work Professions act (2001) provides a regulator with the authority to protect specific job titles. This act of parliament is legislated by the Privy Council and as such there is a defined chain of command providing assurance to the public.

The original question posed for this essay was to ‘discuss why the Society of Sports Therapists should be statutory regulated by the Health Care and Professions Council’

The Society of Sports Therapists states on its website that “The Society has chosen not to be regulated under the **Professional Standards Authority, Voluntary Register Scheme** as it firmly believes that in order to protect the public, Sports Therapists must be statutorily regulated – anything less is unacceptable.” (Society-of-sports-therapists.org, 2019). It can be seen from this that the Society of Sports Therapists is committed to being statutory regulated.

The HCPC website also states that

The Society of Sports Therapists Standards of Conduct, Performance and Ethics (2012) incorporate and include the generic Standards of Conduct Performance & Ethics of the Health & Care Professions Council (HCPC). They have been modified to reflect the specific needs of The Society of Sports Therapists and its Members, at this time.

(society-of-sports-therapist.org (2019).

The Society website further states that:

The application for the Statutory Regulation of Sports Therapists, made by The Society of Sports Therapists for the protection of the public, has been approved by the **Health and Care Professions Council, (HCPC)** on three separate occasions.

(Society-of-sports-therapists.org, 2019).

It further states that “While the legislative process is still to be completed” (Society-of-sports-therapists.org, 2019).

From this it can be seen that at present, the Society of Sports Therapists does not currently have statutory regulation, and as such would not have a designated title. However, it can also be seen that by including the HCPC standards within their own operating standards, the Society of Sports Therapists are attempting to provide as much protection to the public as is possible, until they are regulated directly by the HCPC. This has been directly queried with the Society of Sports Therapists who have confirmed that “ the HCPC has recommended on 3 separate occasions that Sports Therapists should be regulated” (Society of sports Therapists Admin Team 2019); that “to reach its rightful conclusion, it needs to go through the Parliamentary legislative process.” (Society of Sports Therapists Admin Team, 2019); and that “Consequently, the Society would not therefore be listed as a regulated profession on the HCPC website as it has not passed through the final legislative process.” (Society of Sports Therapists AdminTeam 2019). The Admin team at the Society of Sports Therapists have not made clear what this final legislative process is. The Society of Sports Therapists admin team have also not been able to provide any clarification regarding how long this final legislative process may take and have stated

Your question regarding timescales is a difficult one to answer. Unless there are a significant number of high-profile “disasters” which would urgently drive this process forward, it is continually dependent on the politicians who currently have little else on their minds apart from BREXIT.

(Society of Sports Therapists AdminTeam, 2019).

The HCPC website shows that the regulation and use of designated titles is covered under article 39(1) of the Health and Social Work Professions Order 2001 (hcpc-uk.org, 2019).

Section 6(1) of the Health and Social Work Professions order 2001 which relates to registers held by the HCPC states.

The register shall be divided into such parts as the Privy Council may by order determine, on a proposal by the Council or otherwise, and in this Order, references to parts of the register are to the parts so determined.

(Legislation.gov.uk, 2019).

In simple terms this means that to amend the register of professions held by the HCPC to include the title of Sports Therapist, the Health Professions Order 2001 would need to be amended by the Privy Council. The website for the UK Privy Council states “only Ministers of the current Government participate in its day-to-day business and they are accountable to Parliament for all matters conducted through the Privy Council.” (privycouncil.independent.gov.uk, 2019). As such, it could be concluded that at the present time, there may be little desire to expedite the inclusion of Sports Therapist as a designated title and that it is not possible to estimate the timescale for Sports Therapist being registered with the HCPC as a designated title.

The alternative to statutory regulation via the HCPC, would be to use an accredited register via the Professional Standards Authority. The professional Standards Authority Website states “

An Accredited Register differs from statutory registers held by bodies like the General Medical Council because professionals are not obliged to be on an Accredited Register in order to practise.

(Professionalstandards.org.uk, 2019).

Earlier in the essay we have seen that the professional standards authority has a remit from UK parliament and as such provides a level of protection for the public. However, it can be seen from the above quote that the accredited register scheme does not necessarily provide the public with as much protection as statutory regulation as entry of an individual therapist or organisation on to an accredited register is entirely voluntary and not required in order to practice a specific therapy. As such, the voluntary nature of this scheme is not able to provide the same level of protection to the public.

Further to this, the Professional Standards Authority website, when comparing the level of protection afforded to the public by statutory regulation and accredited registers states that an accredited register “does not have the power to bar people from working in the same way that statutory regulation can.” (Professionalstandards.org.uk, (2019). From this it can be seen that if a therapist were found to be in contravention of any specific regulations, with an accredited register

scheme, the therapist could still be able to practice. As such this does not provide much in terms of protection to the public.

Conclusions

The following conclusions could be drawn from the information found and presented as part of this essay.

Firstly, it was found that the society of Sports Therapists is not currently statutorily regulated and as such does not have designated title status via the Health and Care Professions Council.

In addition to this it can be concluded that to assure the public of the quality of the practitioner members of the Society of Sports Therapists, statutory regulation provides a good route with a traceable chain of command that is backed up by parliamentary legislation.

It can also be concluded that by having statutory regulation, and thus a designated title for Sports Therapist, the individual therapist is afforded a level of protection from any individual who may make claims about their specific therapy or qualifications.

Word Count: 1636

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