

**REGISTRATION ARRANGEMENTS FOR HEALTHCARE CHAPLAINS**

*This section covers the arrangements which the Council will need to make for the registrant of applicants and the renewal of registration<sup>1</sup>.*

### **Registrar**

1. The Council appoints a Registrar who shall hold office for such period and on such terms as the Council may determine.
2. The functions of the Registrar are to maintain the register of healthcare chaplains in accordance with directions of the Council and standards of best practice.

### **Establishment and maintenance of register**

3. The Council establishes and maintains a register of members of the healthcare chaplaincy profession.
4. The Council from time to time—
  - (i) establishes the standards of proficiency necessary to be admitted to the different parts of the register being the standards it considers necessary for safe and effective practice under that part of the register; and
  - (ii) prescribes the requirements to be met as to the evidence of good health and good character in order to satisfy the Council that an applicant is capable of safe and effective practice under that part of the register.
5. The Council shall publish those requirements.
6. The register shows, in relation to each registrant, such address and other details as the Council prescribes.
7. In any publication (except where the context otherwise provides), "registered" in relation to healthcare chaplaincy means registered in the register maintained under this section by virtue of qualifications in that profession.

### **Register**

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<sup>1</sup> In all these papers, use of the word 'he' should be taken also to include 'she'. Similarly, use of the word chaplain should be taken to include spiritual care-giver

8. The register is divided into such parts<sup>2</sup> as the Council may determine and, in this section, references to parts of the register are to the parts so determined.

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<sup>2</sup> Healthcare chaplain, chaplaincy volunteer, healthcare chaplaincy student

9. There are one or more designated titles for each part of the register indicative of different qualifications and different kinds of education or training and a registrant is entitled to use whichever of those titles, corresponding to the part of the register in which he is registered, as is appropriate in his case.
10. The Council's register provides for—
  - (i) the register to include entries indicating the possession of qualifications (whether or not they are approved qualifications) or competence in a particular field or at a particular level of practice, or for the use of a particular category of entry to be discontinued;
  - (ii) the register to include an annotation denoting that a registrant is a visiting health professional from a relevant European State;
  - (iii) a specified part of the register to be closed, as from a date specified in the order, so that on or after that date no further person may become registered in that part;
  - (iv) a specified part of the register to be sub-divided into two or more parts, or for two or more parts to be combined into one;
  - (v) persons to be registered in one or more parts of the register by virtue of having been registered in a part or parts of the register which have been closed, sub-divided or combined;
  - (vi) the recording in Welsh of titles, qualifications and other entries referred to in this paragraph in respect of those members of the professions regulated by this Order whose registered address is in Wales.
11. Having consulted the Professional Advisory Committee the Council makes rules in connection with registration and the register, and as to the payment of fees.
12. The rules make provision as to—
  - (i) the form and keeping of the register;
  - (ii) the procedure for the making, alteration and deletion of entries in the register;
  - (iii) the form and manner in which applications are to be made and the fee to be charged—
    - (i) for registration, renewal of registration and readmission to the register,
    - (ii) for the making of any additional entry in the register, and
    - (iii) for registration to lapse;

13. Before determining or varying any fees mentioned [in paragraph (2)(c)] the Council consults the Professional Advisory Committee and such of those persons mentioned in article 3(14) as it considers appropriate.

**Access to register etc.**

14. The Council makes the register available for inspection by members of the public at all reasonable times.
15. The Council publishes the register maintained by it in such manner, and at such times, as it considers appropriate.
16. Any copy of, or extract from, the published register shall be evidence (and in Scotland sufficient evidence) of the matters mentioned in it.
17. A certificate purporting to be signed by the Registrar, certifying that a person is registered in a specified category or is not registered; was registered in a specified category at a specified date or during a specified period; was not registered in a specified category, or in any category, at a specified date or during a specified period; or has never been registered, shall be evidence (and in Scotland sufficient evidence) of the matters certified.
18. On application by a registrant who wishes to practise in another relevant European State, the Council provides him with such documentary evidence as is required by the relevant provisions of Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications as those provisions are amended from time to time.

**Registration**

19. A person seeking admission to a part of the register must apply to the Council and if he satisfies the conditions he shall be entitled to be registered in that part.
20. The conditions are that the application is made in the prescribed form and manner and that the applicant—
  - (i) satisfies the Council that he holds an approved qualification awarded within such period, not exceeding five years ending with the date of the application, as may be prescribed, or before the prescribed period mentioned above, and he has met such requirements as to additional education, training and experience as the Council may specify;

- (ii) satisfies the Council in accordance with the Council's requirements mentioned above that he is capable of safe and effective practice under the part of the register concerned; and
  - (iii) has paid the prescribed fee.
21. Where a person who is not registered on the date of commencement of chaplaincy regulation but has been working as a healthcare chaplain in the five years immediately preceding commencement applies for admission to the register in the relevant period, the Council shall, if it is satisfied as to his good character, grant the application.
22. The Council gives its decision on an application for registration as soon as reasonably practicable and in any event within three months.
23. The Council notifies the applicant in writing of its decision, and, where that decision is unfavourable to the applicant, of its reasons for reaching that decision and, of the applicant's right of appeal.

#### **Renewal of registration and readmission**

24. Where a person is registered and wishes to renew his registration at the end of a prescribed period, he shall make an application for renewal to the Council in accordance with rules made by the Council.
25. The Council grants the application for renewal if the applicant—
- (i) meets the conditions set out in paragraph 38;
  - (ii) satisfies the Council that he has met any prescribed requirements for continuing professional development within the prescribed time; and
  - (iii) where he has not practised, or has practised for less than the prescribed period, since his first registration or, as the case may be, his latest renewal, has met such requirements as to additional education, training or experience as the Council may specify and which apply to him.
26. Where an applicant does not satisfy the Council that he has met the requirements mentioned above, the Committee may renew the applicant's registration on condition that he satisfy those requirements within a specified time and if the person fails to comply with the condition, his registration shall lapse and, in accordance with prescribed procedure, his name shall be removed from the register.

27. Where a person's registration has lapsed, he may apply to the Council to be readmitted and the Council shall grant the application if the applicant meets the necessary conditions and satisfies the Council that he has met such requirements as to additional education, training or experience as the Council may specify and which apply to him.

### **Lapse of registration**

28. The Council may make rules providing for the procedure by which and the circumstances in which a registrant's name may be removed from the register on his own application or after the expiry of a specified period.
29. A person's name shall not be removed from the Register:
- (i) where the person concerned is the subject of an allegation, on the grounds only that he has not paid the prescribed fee or has failed to apply for renewal in the prescribed form or within the prescribed time; or
  - (ii) if the person concerned is the subject of a suspension order, a conditions of practice order, an interim suspension order or an interim conditions of practice order.

### **Approved qualifications**

30. For the purposes of this section, a person is to be regarded as having an approved qualification if—
- (i) he has a qualification awarded in the United Kingdom which has been approved by the Council as attesting to the standard of proficiency it requires for admission to the part of the register in respect of which he is applying;
  - (ii) he has, elsewhere than in the United Kingdom, undergone training and either—
    - (i) holds a qualification which the Council is satisfied attests to a standard of proficiency comparable to that attested to by a qualification referred to above, or
    - (ii) the Council is not so satisfied, but the applicant has undergone in the United Kingdom or elsewhere such additional training or experience as satisfies the Council, following any test of competence as it may require him to take, that he has the requisite standard of proficiency for admission to the part of the register in respect of which he is applying; and, in either case,

- (iii) (except where he is an exempt person) he satisfies prescribed requirements as to knowledge of English.

31. In considering whether an exempt person to whom paragraph 49 applies is to be regarded as having an approved qualification, the Council shall take into account—

- (i) if the person holds a qualification in a relevant profession which—
  - (i) was granted otherwise than in relevant European State, but
  - (ii) has been accepted by a relevant European State, other than the United Kingdom, as qualifying him to practise that profession in that State,
- (ii) the acceptance of that qualification; and
- (iii) all other qualifications, knowledge or experience, wherever acquired, which are relevant to the determination of the application.

32. The Council determines procedures to—
- (i) assess whether a qualification awarded outside the United Kingdom is of a comparable standard to a qualification mentioned above and it shall, where it sees fit, keep a list of qualifications which are of a comparable standard which it shall publish and keep under review; and
  - (ii) assess other training or professional experience acquired outside the United Kingdom and to compare it, together with qualifications mentioned in sub-paragraph (a) where appropriate, with

### **Restoration to the register of persons who have been struck off**

33. Where a person who has been struck off the register by virtue of an order made by a Fitness to Practice Committee or the court wishes to be restored to the register, he shall make an application for restoration to the Registrar.

34. No such application may be made—
- (i) before the end of the period of five years beginning with the date on which the order under article 29, 30 or 38 took effect; or
  - (ii) in any period of twelve months in which an application for restoration to the register has already been made by the person who has been struck off.

35. Any application for restoration shall be referred by the Registrar for determination to—
- (i) the Committee which made the striking-off order; or
  - (ii) where any previous applications have been made in connection with the same striking-off order, the Committee which last gave a decision on such an application.

36. Before making any decision on the application the Committee shall give the applicant an opportunity to appear before it and to argue his case in accordance with rules made by the Council.

37. The Committee shall not grant an application for restoration unless it is satisfied, on such evidence as it may require, that the applicant not only satisfies the requirements but, having regard in particular to the circumstances which led to the making of the order, is also a fit and proper person to practise the relevant profession.

38. The Committee may make the granting of an application subject to the applicant satisfying such requirements as to additional education or training and experience as the Council has specified and which apply to him.

39. On granting an application for restoration, the Committee—
- (i) shall direct the Registrar to register the applicant in the relevant part of the register on his satisfying any requirements imposed under paragraph (6) and on payment of the prescribed fee; and
  - (ii) may make a conditions of practice order with respect to him.
40. If, while a striking-off order is in force, a second or subsequent application for restoration to the register, made by the person who has been struck off, is unsuccessful, the Committee which determined that application may direct that that person's right to make any further such applications shall be suspended indefinitely.
41. A person in respect of whom a direction is made, after the expiration of three years from the date on which the direction was made, apply to the Registrar for that direction to be reviewed and, thereafter, may make further applications for review but no such application may be made before the expiration of three years from the date of the most recent review decision.
42. A person whose application for restoration is refused or made subject to his satisfying particular requirements may appeal to the Council.
43. The appeal must be brought before the end of the period of 28 days beginning with the date on which notice of the decision rejecting the application, or granting it but imposing conditions, is served on the applicant.