

# **Agenda Item 7**

## **PROFESSIONAL REGISTRATION POLICY REPORT**



## **AGENDA ITEM 7**

### **CENTRAL SCOTLAND VALUATION JOINT BOARD**

**Subject: PROFESSIONAL REGISTRATION POLICY REPORT**  
**Meeting: CENTRAL SCOTLAND VALUATION JOINT BOARD**  
**Date: 3<sup>rd</sup> MARCH 2023**  
**Author: MARK DOCHERTY, DIVISIONAL ASSESSOR**

#### **1. INTRODUCTION**

- 1.1 This report is seeking approval of the Professional Registration Policy and Procedure.

#### **2. PROFESSIONAL REGISTRATION POLICY AND PROCEDURE**

- 2.1 As part of the routine rolling review of HR policies and procedures the Board's procedures around professional registration have been reviewed.
- 2.2 The policy and procedures are helpful in ensuring that all employees and managers are aware of their role and responsibilities regarding professional registration, where the employee has a legal obligation, or as a requirement of the job role outlined by CSVJB.
- 2.3 As part of the review the Board's Staff Consultation Forum was consulted and the policy was also reviewed by the Board's HR Advisors, Clackmannanshire Council.
- 2.4 Copies of the Professional Registration Policy and Procedure are attached as Appendix 1 and 2 respectively of this report.

### **3. RECOMMENDATION**

I ask that the Board approves the Professional Registration Policy and Procedure.

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**Mark Docherty**  
**Divisional Assessor**  
**Date: 3<sup>rd</sup> March 2023**

**Appendix 1: Professional Registration Policy**  
**Appendix 2: Professional Registration Procedure**



# Professional Registration Policy

# DOCUMENT CONTROL SHEET:

**Key Information:**

<b>Title:</b>	Professional Registration Policy
<b>Date Effective From:</b>	
<b>Version Number:</b>	Draft 0.7
<b>Document Type:</b>	Policy
<b>Document Status:</b>	Draft
<b>Author:</b>	Mark Docherty
<b>Approver:</b>	
<b>Approved by and Date:</b>	

**Revision History:**

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>	<b>Changes Marked:</b>

## **1. POLICY STATEMENT**

- 1.1 This policy outlines CSVJB's approach to ensuring that, where necessary, employees achieve and maintain the appropriate professional registration either in line with statutory requirements or outlined as a requirement of the job role.
- 1.2 There are a range of professional groups for whom professional registration is a statutory requirement for employment by CSVJB.
- 1.3 Registration checks ensure that an employee is recognised by the appropriate regulatory body, and that they have the required qualifications to do the job. This can take the form either of a statutory requirement, where the employee has a legal obligation to maintain their professional registration, or as a requirement of the job role outlined by CSVJB.
- 1.4 Professional registration establishes an individual's knowledge, understanding, and competence, and demonstrates a commitment to professional standards and to developing and enhancing standards.

## **2. SCOPE OF THE POLICY**

- 2.1 This policy applies to all professional staff employed with CSVJB for whom professional registration is either a statutory or role requirement and should be read in conjunction with CSVJB's Professional Registration Procedure.
- 2.2 To ensure that employees who require professional registration for employment are fully aware of their contractual obligation to achieve and maintain professional registration with the relevant regulatory body.
- 2.3 This policy must be used in conjunction with national guidance as well as CSVJB's policies on Recruitment, Performance Capability and Disciplinary.
- 2.4 This policy also applies to third party contractors.

## **3 REQUIREMENTS AND RESPONSIBILITIES**

- 3.1 As an employer, CSVJB has an obligation, sometimes statutory, to ensure employees maintain registration with the relevant professional bodies.
- 3.2 CSVJB reserves the right to check the professional registration status of an employee at any time.
- 3.3 Registration renewal is required by both the professional body and the contract of employment with CSVJB.
- 3.4 Responsibility for maintaining professional registration rests with the employee as the practitioner.

- 3.5 Employees will be responsible for ensuring that any required professional registration fees are paid.
- 3.6 Where an employee fails to pay any annual or renewal fees and/or fails to return any renewal documentation as required by the professional body, registration will be deemed to have lapsed. Consequently, the employee will have to re-apply for registration potentially impacting their ability to operate in any role requiring registration and disciplinary procedures may be invoked.
- 3.7 Failure of an employee to inform CSVJB of anything that would potentially affect registration, or their ability to carry out the requirements of the post, may result in disciplinary action, up to and including dismissal.
- 3.8 If registration has not been renewed or maintained CSVJB is required to take steps to prevent an employee from operating without valid registration.
- 3.9 An annual check will be carried out by the Executive Assistant and an employee must provide evidence of their registration if required to do so as part of this check.
- 3.10 Managers of registered professional employees will apply this policy and the related procedures fairly and equitably.
- 3.11 Managers will report, as required, to the relevant professional body if the employee is subject to Disciplinary or Criminal Proceedings.
- 3.12 CSVJB will hold appropriate and adequate records of professional registration information of employees. These records will be stored securely and be subject to **General Data Protection Regulations**.

#### **4. PROCESSING OF PERSONAL DATA**

- 4.1 CSVJB processes personal data collected as part of this procedure in accordance with its data protection policy. In particular, data collected as part of this process is held securely and accessed by, and disclosed to, individuals only for the purposes necessary to action and manage this policy.

#### **5. MONITORING AND REVIEW**

- 5.1 Both Senior Management and Staff Consultation Forum shall monitor the effectiveness of this policy on an ongoing basis. Amendments will be made as and when deemed necessary and, where appropriate, after consultation with recognised trade unions.

## Equality Impact Assessment

<b>Policy Name</b>	<b>Professional Registration Policy</b>
<b>Policy Lead</b>	Mark Docherty
Equality Impact Assessment	
<b>Full EQIA required</b>	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
<p>* If no please provide rationale</p> <p>Policy applies equally to all CSVJB employees in posts that have professional or statutory registration requirements and does not negatively impact on any group which falls within any of the 9 protected characteristics</p>	
Date Full EQIA complete	
Date Approved	
Review Date	





# **Professional Registration Procedure**

# DOCUMENT CONTROL SHEET:

**Key Information:**

<b>Title:</b>	Professional Registration Procedure
<b>Date Effective From:</b>	
<b>Version Number:</b>	0.8
<b>Document Type:</b>	Procedure
<b>Document Status:</b>	Draft
<b>Author:</b>	Mark Docherty
<b>Approver:</b>	
<b>Approved by and Date:</b>	

**Revision History:**

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes</b>	<b>Name:</b>	<b>Changes Marked:</b>

## **1. INTRODUCTION**

- 1.1 This procedure should be read in conjunction with CSVJB's Professional Registration Policy.

## **2. PURPOSE**

- 2.1 To provide guidance on the required actions and responsibilities of CSVJB, line managers and employees to ensure that professional registration of employees is maintained to comply with professional and statutory requirements.
- 2.2 To set out the procedural steps necessary for checking the professional registration status of employees at various stages of employment to ensure the safety of our citizens, colleagues and customers through professional registration of relevant employees within CSVJB.
- 2.3 This procedure applies to all professional staff employed with CSVJB for whom professional registration is either a statutory or role requirement.
- 2.4 To set out the implications for an employee if they allow their professional registration to 'lapse'.
- 2.5 This Procedure must be used in conjunction with national guidance as well as CSVJB's policies on Professional Registration, Recruitment, Performance Capability and Disciplinary.
- 2.6 This procedure also includes third party contractors.

## **3. MAINTAINING PROFESSIONAL REGISTRATION**

- 3.1 Registration renewal is required by both the professional body and the contract of employment with CSVJB.
- 3.2 Each employee is responsible for maintaining their registration with the appropriate professional/regulatory body.
- 3.3 Responsibility for maintaining their registration and payment of fees associated with new/renewal of registration rests with the employee as the practitioner.
- 3.4 Where an employee fails to pay any annual or renewal fees and/or fails to return any renewal documentation as required by the professional body, registration will be deemed to have lapsed.
- 3.5 Failure to inform CSVJB of anything that would potentially affect registration, or ability to carry out the requirements of post, may result in disciplinary action, up to and including dismissal.
- 3.6 CSVJB will confirm, as appropriate, proof of registration using the employer confirmation services of the relevant professional body.

#### **4. EMPLOYER RESPONSIBILITIES**

- 4.1 As an employer, CSVJB has an obligation, sometimes statutory, to ensure employees maintain registration with the relevant professional bodies.
- 4.2 CSVJB has a duty to ensure that new and existing employees are registered with a relevant regulatory/professional body in order to comply where this is legally required.
- 4.3 If registration has not been renewed CSVJB is required to take steps to prevent an employee from operating without valid registration.

#### **5. EMPLOYEE RESPONSIBILITIES**

All employees, for whom professional registration is a statutory/essential requirement for employment within CSVJB, have a duty to comply with the following procedures.

- 5.1 To provide appropriate evidence of registration at interview/appointment including for internal posts.
- 5.2 To ensure they maintain such professional registration, as is necessary for them to practice their profession in line with the requirements of the post/job profile, during the course of their employment.
- 5.2 Ensure that documentary evidence relating to registration/re-registration is kept in a safe place.
- 5.3 On receipt of or renewal of registration, ensure that their line manager and/or professional lead is shown original documentation so that the registration can be verified and copies taken for their personal file.
- 5.4 On request by their line manager, an employee must provide evidence that their professional registration has been renewed in accordance with relevant regulations.
- 5.5 On request, an employee must provide evidence of additional qualifications necessary to undertake specialist/expanded roles and provide evidence that the professional register has been annotated accordingly.
- 5.6 Employees must keep the relevant statutory/professional body informed of changes of address, status, etc., in order that internal records are accurate and up to date and routine renewal advice is received.
- 5.7 Employees must report any information to their employer which could be relevant to their continued registration i.e. being subject to an investigation or criminal proceedings.
- 5.8 Any failure to re-register with their professional body must be reported to their line manager immediately.
- 5.9 Evidence of re-registration must be provided to the employee's manager in accordance with local procedures.

## **6. LINE MANAGER'S RESPONSIBILITY**

It is a key responsibility of line managers to ensure relevant employees are professionally registered during employment and to comply with the following procedures.

- 6.1 That the Professional Registration Policy and Procedures are fairly and equitably applied.
- 6.2 Undertake visual scrutiny of registration documentation and confirmation of registration status with the relevant professional body.
- 6.3 Ensure employees undertaking training towards a professional qualification have access to appropriate time and resources to fulfil development requirements – excluding continuing professional development requirements.

## **7. EXECUTIVE ASSISTANT'S RESPONSIBILITY**

- 7.1 To ensure that local arrangements are in place for systematic, regular review and checking of registration and renewal documents for the relevant employees.
- 7.2 Record appropriate and adequate details of the registration number and date of expiry on HR systems. These records will be regularly reviewed and such action as the Manager feels appropriate taken to seek/obtain evidence of renewal of registration. These records will be stored securely and be subject to General Data Protection Regulations.
- 7.3 Report any incidence where a member of staff has failed to re-register or maintain professional registration to the Divisional Assessor or Assessor.
- 7.4 To seek guidance from Clackmannanshire Council HR and report, as required, to the relevant professional body if the employee is subject to any formal internal or external investigations that could impact on their professional registration e.g. grievance, disciplinary or criminal proceedings.

## **8. MANAGEMENT OF LAPSED PROFESSIONAL REGISTRATION**

- 8.1 In circumstances where employees allow their registration with their professional body to lapse, it is essential that line managers required to deal with such situations adopt a consistent approach.
- 8.2 Where professional registration is a condition of employment, and an employee allows their registration to lapse, they are consequently then unable to work in the capacity for which they are employed for the period of time that their registration is invalid.
- 8.3 Managers will support individuals whose registration has lapsed, to help them to redress this, whilst at the same time, secure the safety and legal compliance of the service by ensuring staff do not work in a professional capacity without appropriate valid registration.
- 8.4 When it comes to the attention of a manager that an individual member of professional staff may not be appropriately registered, this must be fully investigated immediately. If it is established that the employee's registration

has indeed lapsed, it must be explained to the member of staff that until they are restored to the appropriate register, they cannot continue with their current duties.

- 8.5 During the course of investigating the circumstances, the line manager will fully explore the reason for the registration having lapsed. Where appropriate this may be progressed via CSVJB's Disciplinary or Capability Procedures.
- 8.6 The subsequent return to normal duties will be subject to the individual producing evidence of satisfactory registration.
- 8.7 In all cases of lapsed registration, a full report of the circumstances and action taken will be submitted by the Line Manager to their Line Manager.

## **9. WHERE AN EMPLOYEE FAILS TO RE-REGISTER**

- 9.1 This procedure states that it is the responsibility of each individual employee to ensure their own registration remains current at all times and that employees who allow their registration to lapse are ineligible to practice in their relevant speciality, and may be in breach of their contract of employment.
- 9.2 Where a member of staff fails to maintain their registration, or to re-register on the required date, they will be interviewed by their line manager or another appropriate manager as soon as the issue has been identified.
- 9.3 If the employee is unable to produce evidence of current valid registration they will be informed by their line manager that they cannot be allowed to continue working in their current role as it is required by the relevant professional body.
- 9.4 The employee may be given alternative duties which do not require professional registration. It is then the responsibility of the employee to contact the relevant professional body and rectify the issue with their professional registration as soon as possible. The employee should provide their line manager with evidence of registration as soon as this is available.
- 9.5 An investigation may be initiated under CSVJB's Disciplinary Procedure, one outcome of which may be that the employees' pay will be altered to reflect the salary grade of the alternative/redeployed duties they carry out during the period of non-registration. In extreme cases dismissal may also be an option.

## **10. FAILURE TO MAINTAIN CONDITIONS FOR PROFESSIONAL REGISTRATION**

- 10.1 In circumstances where an employee's professional registration is revoked due to a breach of the relevant professional code of conduct, for example, as a result of conduct or practice in the employee's professional or personal life, an investigation will take place in line with CSVJB's Disciplinary Procedure. Dependent upon the level of risk involved, this may involve the employee being suspended from duty during the investigation or being given alternative duties during the period of the investigation.
- 10.2 In a situation where an employee fails to maintain the requirements for professional registration an investigation will take place under CSVJB's Disciplinary Procedure.

- 10.3 CSVJB reserves the right to check the professional registration status of an employee at any time.

## **11. PROCESSING OF PERSONAL DATA**

- 11.1 CSVJB processes personal data collected as part of this procedure in accordance with its data protection procedure. In particular, data collected as part of this process is held securely and accessed by, and disclosed to, individuals only for the purposes necessary to action and manage this procedure.

## **12. MONITORING AND REVIEW**

- 12.1 Both Senior Management and Staff Consultation Forum shall monitor the effectiveness of this procedure on an ongoing basis. Amendments will be made as and when deemed necessary and, where appropriate, after consultation with recognised trade unions.

## Equality Impact Assessment

<b>Procedure Name</b>	<b>Professional Registration Procedure</b>
<b>Procedure Lead</b>	Mark Docherty
Equality Impact Assessment	
<b>Full EQIA required</b>	Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/>
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