

Registration Rules for Tissue Bank Technologists

AHCS Regulation Council

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Contents

Citation and commencement	3
Interpretation	3
The Registers	4
Applications for registration	5
Amendments to Registers	7
Applications for removal from Register(s)	7
Registration periods	7
Registration renewal	7
Continuing Professional Development	8
Service	8
Schedule 1 – Applications for admission to a Register	9
Schedule 2 – Registration periods and fees	10
Schedule 3 – Threshold and Approved Qualifications	10

Citation and commencement

1. These rules may be cited as the Academy for Healthcare Science (Regulation Council) Registration Rules 2016.
2. These rules come into force on 1 May 2016

Interpretation

In these rules:

'Academy' shall mean the Academy for Healthcare Science.

'Accredited Register' shall mean a voluntary register accredited by the Professional Standards of Authority for Health and Social Care using its powers under s229 of the Health and Social Care Act 2012.

'Appeal Panel' shall mean a panel established under rule 5 of the Academy for Healthcare Science (Regulation Council) Fitness to Practise Rules 2016.

'Applicant' shall mean an individual who has submitted an application for registration on a register or directory maintained by the Academy for Healthcare Science Regulation Council.

'Approved Qualification' shall mean a qualification approved by the Academy that (a) meets the threshold qualification for the relevant Register(s) (b) meets the standards of education and training published from time to time by the Academy and (c) meets the standards of proficiency for registration with the Academy published from time to time by the Academy.

'Chair' shall mean the chair of the Appeal Panel.

'Council' shall mean the Academy for Healthcare Science Regulation Council.

'Day(s)' means any day including weekends, bank holidays and any religious days.

'Fitness to Practise Panel' shall mean a panel established under rule 5 of the Academy for Healthcare Science (Regulation Council) Fitness to Practise Rules 2016.

'Fitness to Practise Rules' shall mean the Academy for Healthcare Science (Regulation

Council) Fitness to Practise Rules 2016.

'Formal Allegation' means an allegation that the registrant's fitness to practise is impaired by reason of one of the grounds set out in rule 43 of the Fitness to Practise Rules.

'Interim Order' means an order made by an Interim Order Panel to limit the practice or suspend the registrant's registration prior to a Fitness to Practise Panel having disposed of the matter.

'Interim Order Panel' shall mean a panel established under rule 5 of the Fitness to Practise Rules.

'Investigating Panel' shall mean shall mean a panel established under rule 5 of the Fitness to Practise Rules.

'Practitioner Certificate of Equivalence' shall mean a certificate awarded by the Academy following an assessment that the individual's skills, experience and education are equivalent to those required by the standards of proficiency for registration as a healthcare science practitioner.

'Practitioner Certificate of Competence' shall mean a certificate awarded by the Academy following an assessment of the individual's skills, experience and education meet the standards of proficiency and the requirements for registration as an anatomical pathology technologist, genetic technologist, ophthalmic science practitioner or tissue banker.

'Register(s)' shall mean any register or directory as established in the Council, whether or not it is an Accredited Register.

'Registrar' shall mean a person appointed by the Council to manage its Register(s).

'Registrant' shall mean a person whose name is entered onto a Register(s) maintained by the Council.

'Registration Rules' shall mean the Academy for Healthcare Science (Regulation Council) Registration Rules 2016.

'Restriction Order' means an order to restrict the scope of practice of a Registrant made by a Fitness to Practise Panel, made under rule 131(b)

and 132(b) of the Fitness to Practise Rules.

'Removal Order' means an order for the removal of a Registrant from the Register, made by a Fitness to Practise Panel, made under rules 131(d) and 132(d) of the Fitness to Practise Rules.

'Restoration Application' shall mean an application to restore the name to a Register of an individual whose name was removed for failure to comply with the requirements for continuing professional development, on the instruction of the Investigating Panel or the Fitness to Practise Panel, made under the Academy for Healthcare Science (Regulation Council) Restoration Rules 2016. [*These rules will be presented to the Regulation Council later in the year.*]

'Suspension Order' means an order for suspension of a Registrant's registration made by a Fitness to Practise Panel, made under rules 131(c) and 132(c) of the Fitness to Practise Rules.

'Threshold Qualification' shall mean the minimum level of qualification required for an education, training or qualification programme to be considered as an Approved Qualification.

The Registers

3. The Council shall maintain voluntary Register(s) of the healthcare science workforce in order to protect the public or otherwise in the public interest. It shall maintain Register(s) for the following Registrants:
 - a. Healthcare Science Practitioners;
 - b. Anatomical Pathology Technologists;
 - c. Genetic Technologists;
 - d. Ophthalmic Science Practitioners;
 - e. Tissue Bankers;
 - f. as established under rule 4 below.
4. The Council may establish further Register(s) if it believes that doing so is in the public interest.
5. The Council shall publish its Register(s) in such a form as to enable members of the

public to:

- a. identify the name and registration status of each Registrant,
 - b. identify the city/town or county in which the Registrant resides;
 - c. identify, where reasonable and in the public interest to do so, any voluntary agreement entered into by the Registrant under rule 54 of the Fitness to Practise Rules following consideration of a complaint against the Registrant by the Investigating Panel; and
 - d. identify, where reasonable and in the public interest to do so, any sanction made against the Registrant by the Fitness to Practise Panel.
6. The home address or email address of a Registrant shall not be included in any published version of a Register(s) without his consent.
 7. The Council may publish information on individuals who are removed from its Register(s).
 8. The Registrar may enter on the unpublished form of the Register(s) any other information which is material to a Registrant's registration and which the Registrar deems necessary to protect the public.
 9. The Registrar shall:
 - a. keep the Register(s) in a form and manner which guards against falsification;
 - b. take all reasonable steps to ensure that only he (and such other persons as have been authorised by him in writing for the purpose) shall:
 - i. be able to amend the Register(s); or
 - ii. have access to the versions of the Register(s) that contains entries which are not included in the published versions of the Register(s).
 10. The Registrar shall enter in the Register(s) against the full name of each Registrant:

- a. his registration number;
 - b. his last known home address;
 - c. his last known email address; and
 - d. any qualification of the Registrant which has led to his registration.
11. The entries for Registrants in each Register(s) shall appear in the alphabetical order of their surnames.

Applications for registration

12. An application for admission to the Register(s) maintained by the Council shall:
- a. be made in writing in a form prescribed by the Council;
 - b. include:
 - i. a declaration as set out in Schedule 1 to these rules of the Applicant's good character;
 - ii. a declaration as set out in Schedule 1 to these rules that the Applicant's physical and mental health do not impair his fitness to practise;
 - iii. other declarations and information as set out in Schedule 1 to these rules;
 - iv. evidence that the Applicant holds an Approved Qualification as set out in Schedule 3 to these Rules,
 - c. be signed by the Applicant;
 - d. be accompanied by:
 - i. payment of the registration application fee as set out in Schedule 2 to these rules; and
 - ii. payment of the annual or first registration fee (as applicable) as set out in Schedule 2 to these rules.
13. The Council may request further documents, information or evidence from the Applicant for the purposes of verifying the information

in and determining the application.

14. For the purpose of satisfying itself as to the good character of the Applicant, the Council shall have regard to:
- a. the character declaration provided by the Applicant under rule 12(b)(i);
 - b. any unspent conviction or caution which the Applicant has received in the United Kingdom for a criminal offence or a conviction received elsewhere for an offence which, if committed in the United Kingdom, would constitute a criminal offence;
 - c. whether the Applicant has:
 - i. been bound over to keep the peace by a magistrates' court in England and Wales;
 - ii. been dismissed with an admonition under section 246(1) of the Criminal Procedure (Scotland) Act 1995;
 - iii. been discharged under section 246(2) or (3) of that Act;
 - iv. accepted a conditional offer under section 302 of that Act, or
 - v. accepted a compensation offer under section 302A of that Act; and
 - vi. agreed to pay a penalty under section 115A of the Social Security Administration Act 1992 (penalty as alternative to prosecution);
 - d. whether his name is on a barred list;
 - e. any determination by a statutory body or Accredited Register responsible for regulating or licensing a health or social care profession (whether in the UK or elsewhere) to the effect that the Applicant's fitness to practise is impaired; and
 - f. any other matters which, in the opinion of the Council, appear to be

relevant to the issue.

15. For the purposes of its consideration under rule 14 above, the Council may seek information additional to that provided with the application for registration from any person or source it considers appropriate.
16. For the purpose of being satisfied as to the physical and mental health of the Applicant, the Council shall have regard to:
 - a. the declaration provided by the Applicant under rule 12(b)(ii);
 - b. such other matters as appear to it to be relevant.
17. For the purpose of satisfying itself under rule 16, the Council may seek information:
 - a. additional to that provided with the application for registration from the Applicant;
 - b. and from any other person or source as it considers appropriate;
 - c. and may require the Applicant to be examined or further examined by a doctor nominated by the Council.
18. Applications for registration shall be determined by the Council within 90 days of submission of a completed application.
19. The Council shall delegate authority for determining applications to the Registrar.
20. The Registrar may make the following decisions:
 - a. to register the Applicant;
 - b. to refuse to register the Applicant; or
 - c. to defer registering the Applicant pending completion of:
 - i. a period of supervised practice;
 - ii. continuing professional development;
 - iii. (with respect to an application for registration as a Healthcare Science Practitioner), a Practitioner Certificate of Equivalence; or
 - iv. (with respect to an application for registration as an Anatomical Pathology technologist, Genetic Technologist, Ophthalmic Science Practitioner or Tissue Bank Technologist), a Practitioner Certificate of Competence.
21. All decisions of the Registrar with respect to applications for registration, including reasons for decisions, shall be provided in writing to the Applicant.
22. The Registrar shall, upon entering the name of a person in one of the Register(s), issue to that Registrant a certificate, in a form determined by the Council, which includes the Register(s) in which he is registered and the date of registration.
23. Any certificate issued in accordance with the rule above shall remain the property of the Council and shall be surrendered to the Registrar by the person if:
 - a. a Suspension Order is made against him;
 - b. a Removal Order is made against him;
 - c. his name is otherwise removed from the relevant Register(s); or
 - d. for any other reason, the certificate no longer accurately reflects his entry in the relevant Register(s).
24. Where any certificate is surrendered by a Registrant in accordance with rule 23 the Registrar may issue a replacement certificate to that Registrant which accurately reflects his entry in the relevant Register(s).

Amendments to Registers

25. A Registrant shall notify the Registrar in writing within 28 days of any change in the Registrant's name, home address or email address as recorded in the relevant Register(s).
26. The Registrar shall amend the Register(s), so far as may be necessary:
 - a. in consequence of any notification under rule 25 above;

- b. to give effect to any order made by the Investigating Panel or the Fitness to Practise Panel;
 - c. to give effect to any decision made by the Appeals Panel; or
 - d. to reflect any other information which comes to the attention of the Registrar and which in the Registrar's opinion requires such an amendment to be made in order to maintain the Register's accuracy.
27. Before making any amendment under rule 26, the Registrar may make such further enquiries or require such further evidence from the Registrant concerned as appears to the Registrar to be appropriate.

Applications for removal from Register(s)

28. Without prejudice to any other power of the Registrar to remove a Registrant's name from a Register(s), the Registrar may remove the name of a Registrant from a Register(s) upon written application made by or on behalf of that Registrant.
29. An application for the removal of a name from the Register(s) shall be made in writing and shall be accompanied by a declaration by the Registrant that he is not aware of any matter which could give rise to a Formal Allegation against him under the Fitness to Practise Rules.
30. The Registrar shall not remove the name of a Registrant from a Register(s) under this part of these rules if the Registrant is subject to any complaint, investigation, Formal Allegation, proceedings, sanction or Interim Order made under the Fitness to Practise Rules without the instruction of the relevant panel.

Registration renewal

31. Not less than 60 days before a Registrant's registration period ends the Registrar shall

send to the Registrant:

- a. an application form for the renewal of his registration which shall include the declaration and information listed in Schedule 1 to these rules;
 - b. notice of the renewal fee specified in Schedule 2 to these rules; and
 - c. a notice warning the Registrant that unless a completed application form accompanied by the renewal fee is received by the Council on or before the date specified in the notice, the Registrant is liable to be removed from the Register(s).
32. If a completed application accompanied by the renewal fee is not received by the Registrar by the date specified in the notice sent under rule 31(c), the Registrar shall send a final notice to the Registrant warning that unless his application and fee are received within 14 days (beginning with the day on which the Registrar sent the final notice), the Registrant's name will be removed from the Register(s).

Continuing Professional Development

33. A Registrant must:
- a. undertake continuing professional development in accordance with the standards specified from time to time by the Council; and
 - b. maintain an up-to-date record (including any supporting documents or other evidence) of the continuing professional development he has undertaken.
34. The Registrar may at any time send a notice to a Registrant requiring him, within 21 days of the notice, to:
- a. submit his continuing professional development record to the Council for inspection; and
 - b. provide the Registrar with such other evidence as he may reasonably require,

for the purpose of determining whether the Registrant has met the requirements of rule 33.

35. Where, from the information supplied by the Registrar in accordance with rule 34, the Registrar is not satisfied that the Registrant has complied with a requirement imposed by rules 33 and 34, the Registrar shall send the Registrant a notice:

- a. providing a statement of the reasons why the Registrar is not satisfied that the Registrant has complied with the requirement(s); and
- b. inviting the Registrant to submit his observations on the matter by the date specified in the notice, which shall be at least 14 days after the date on which the notice was sent.

36. If, after considering any observations, the Registrar is of the view that the Registrant has not complied without reasonable excuse with a requirement imposed by rules 33, 34 and 35, the Registrar may remove the name of the Registrant from the Register.

37. If a Registrant does not respond by the date specified in the notice under rule 34 or the further notice under rule 35, then the Registrar may remove the name of the registrant from the Register(s).

38. A decision to remove a Registrant's name from the Register(s) under rule 36 or 37 above shall be deemed to be a decision by the Registrar under rule 20 of these Rules (and thereby is subject to appeal under rule 3 of the Appeals Rules).

Service

39. Any form, warning, notice, decision or request for information given by the Council, Academy or Registrar to an Applicant or Registrant under these Rules may be:

- a. sent by post to the home address of the Applicant or Registrant as it appears in the Register(s) and shall be treated as having been sent at the time of its

posting; or

- b. sent to the Applicant or Registrant's last known address and shall be treated as having been sent at the time of its posting; or
- c. served on the Applicant or Registrant by hand at either of the addresses at (a) and (b) above or otherwise delivered personally and shall be treated as having been sent at the time of personal service having been effected; or
- d. sent by email to the email address provided to the Council by the Applicant or Registrant and shall be treated as having been sent at the time of its sending.

Schedule 1 – Applications for admission to a Register

1. The following information shall be provided to the Council with respect to any application for admission to a Register maintained by the Council:

- a. the Applicant's:
 - i. full name;
 - ii. former name (if any);
 - iii. date of birth;
 - iv. nationality;
 - v. home address;
 - vi. work address;
 - vii. telephone number;
 - viii. email address;
- b. the Register to which his application relates;
- c. details of his education, training, experience and qualifications in reliance upon which the application is made;
- d. whether he has previously been registered by the Council or another health or social care regulatory body or health and social care voluntary registration body, and if he has, details of such registration;
- e. Confirmation that he:
 - i. does not have an unspent conviction or caution in the UK for a criminal offence, or a conviction elsewhere for an offence, which if committed in England and Wales, would constitute a criminal offence;
 - ii. is not bound over to keep the peace by a magistrates' court in England and Wales;
 - iii. is not on a barred list;Has not:
 - iv. been dismissed with an admonition under section 246(1) of the Criminal

Procedure (Scotland) Act 1995;

- v. been discharged under section 246(2) or (3) of that Act;
 - vi. accepted a conditional offer under section 302 of that Act, or
 - vii. accepted a compensation offer under section 302A of that Act;
 - viii. agreed to pay a penalty under section 115A of the Social Security Administration Act 1992 (penalty as alternative to prosecution);
 - f. confirmation that he has not been the subject of any determination by a statutory body or Accredited Register responsible for regulating or licensing a health or social care profession (whether in the UK or elsewhere) to the effect that his fitness to practise is impaired;
 - g. a declaration by the Applicant as to his good character;
 - h. a declaration by the Applicant that his physical and mental health do not impair the Applicant's fitness to practise in the profession to which the application relates.
2. In addition, with respect to any application for renewal of registration, a declaration by the Registrant that he has met the standards of continuing professional development required by the Council.

Schedule 2 – Registration periods and fees

The following registration periods shall apply to the Register(s):

1. The registration period for the Register(s) is one year, as follows:
 - a. Healthcare Science Practitioners, from 1st April each year;
 - b. Anatomical Pathology Technologists, from 1st October each year;
 - c. Genetic Technologists, from 1st October each year;
 - d. Ophthalmic Science Practitioners, from 1st October each year;
 - e. Tissue Bankers, from 1st October each year.
2. A person's first registration period is to be determined in accordance with this rule:
 - a. The first registration period of an anatomical pathology technologist who, on the 1st September 2014, is admitted to the Register(s) by virtue of the transfer of registers maintained by the Voluntary Registration Council for Healthcare Science, shall end on 30th September 2014.
 - b. The first registration period of a genetic technologist who, on the 1st September 2014, is admitted to the Register(s) by virtue of the transfer of registers maintained by the Voluntary Registration Council for Healthcare Science, shall end on 30th September 2014.
 - c. The first registration period of an ophthalmic science practitioner who, on

the 1st September 2014, is admitted to the Register(s) by virtue of the transfer of registers maintained by the Voluntary Registration Council for Healthcare Science, shall end on 30th September 2014.

- d. The first registration period of a tissue banker who, on the 1st September 2014, is admitted to the Register(s) by virtue of the transfer of registers maintained by the Voluntary Registration Council for Healthcare Science, shall end on 30th September 2014.
- e. Except as provided for in rule 2(a), (b), (c), and (d) above, the first registration period shall be from the 1st day of the month in which a complete application for registration is submitted until the next registration period, as set out in rule 1 above.

The following fees shall apply to applications for registration and applications for renewal of registration:

3. For application for admission to a Register maintained by the Council:
 - a. A non-refundable fee of £10 with respect to determination of the application (application fee).
 - b. A fee with respect to the first registration period (registration fee). This fee shall be calculated by dividing the annual registration fee in rule 4(a) below by 12 and multiplying this by the number of months in the first registration period.
4. Application for renewal of registration:

- a. An annual registration fee of £50
5. Application for restoration to a Register maintained by the Council:
 - a. A non-refundable fee of £20 with respect to determination of the application (application fee).
 - b. A fee with respect to the first registration period (registration fee). This fee shall be calculated by dividing the annual registration fee in rule 4(a) by 12 and multiplying this by the number of months in the first registration period.
6. No fee is payable for the first registration periods set out in rule 2(a), (b), (c) and (d) above.
7. No fee is payable for the first registration period of an applicant whose qualification for registration is a practitioner training programme approved by the Council.

Schedule 3 – Threshold and Approved Qualifications

The following Threshold Qualifications apply to the Register(s):

1. For Healthcare Science Practitioners, either:
 - a. a BSc in Healthcare Science; or
 - b. a Practitioner Certificate of Equivalence.
2. For Anatomical Pathology Technologists, Genetic Technologists, Ophthalmic Science Practitioners and Tissue Bankers:
 - a. a Certificate of Competence.

The Council shall publish information on education and training programmes that are deemed Approved Qualifications.