

**FUNCTIONS : Fitness to practise*****Recommendations***

*The report credits the current Council on its work to date and suggests that the new Council should have additional powers in dealing with misconduct, poor performance and health issues. It also suggests that the Code of Conduct and other guidance should be revised and consolidated, allowing decisions of conduct committees to be linked to this.*

**Response**

This is in line with the Governments' commitment to work with the professions to strengthen and modernise professional self regulation.

The new register will include marks against registrant's entries to indicate enrolled nurse status, specialisms (within nursing) and higher level qualifications. A further level of public protection can be afforded by making it possible for these marks to be removed (for example, on the grounds of unfitness to practise or failure to meet periodic re-registration conditions) without the practitioner being removed from the register.

The intention will be to place an explicit duty on the Council for dealing with cases of poor performance, conduct and health. We propose to give the Council :

- a sanction of conditional registration.
- the scope to deal with cases through mediation and conciliation before moving to formal proceedings.

**We would welcome views on introducing a sanction of 'reprimand' based on a lower level of proof.**

**Views are also invited on introducing arrangements for interested individuals (such as victims of abuse or their advocates) to appeal against decisions not to strike off a practitioner, or to restore him, and to be present at restoration hearings.**