Below is the standards approach taken at a final hearing. However, it is open to the panel to adjust this if they decide it is necessary. **Practice Notes:** At the start of the hearing the panel may need to consider **Preliminary matters** preliminary matters. For example: Case Management, **Directions and Prelims** Service and Proceeding in absence (if you are not in attendance) Conducting Hearings in Applications: Postponements and for adjournment; Adjournments - to amend the allegation; - for the hearing (or a part of it) to be in private; and Proceeding in absence - for special measures (for example witness to attend via video link / give evidence behind a screen) The allegation is read out by the Hearings Officer. The Chair Reading the will ask whether you admit any part or all of the allegation. allegation The HCPC Presenting Officer will set out the factual Guidance on questioning **Facts** background and call witnesses to give evidence in support of witnesses the facts alleged. You can question any witness or challenge any evidence presented however it is important you follow the below approach for questioning witnesses: 1. examination in chief – by the HCPC 2. cross examination - by you 3. re-examination - by the HCPC 4. panel questions If you wish you can also give evidence on oath or affirmation about your recollections of events or issues in question. You are also welcome to call your own witnesses. The HCPC will allege the facts amount to misconduct or lack of Grounds competence, health or conviction. The HCPC Presenting Officer will refer to which Standards of conduct performance and ethics and standards of proficiency relating to your profession you are alleged to be in breach of. Copies of these will be provided at the hearing This is where the panel can consider what has happened since Practice Note - Finding **Impairment** the event. It is important to provide in advance of the hearing impairment any evidence you have such as testimonials, up-to-date professional references and of any courses you have attended or professional development. The panel will be looking at the degree of insight shown by you, any remedial steps you have taken, the risk of repetition and your current level of competence. This is the personal component of impairment. They will also be looking at the public component. This is the need to protect service users, declare and uphold proper standards of behaviour and maintain public confidence in the profession. HCPC Presenting Officer will make closing submissions on facts, grounds and impairment. You will then have the opportunity to make any closing submissions of your own. Panel will then retire in private to consider each step (facts, grounds and impairment) after receiving legal advice from the legal assessor. The decision-making process can take some time as the panel have to write full reasons for the decisions they take. The panel will then announce their decision on the record. If the panel decides at any of the steps that the matter is not well founded no further action will be taken and the hearing will conclude at this point. If the panel consider your fitness to practise is impaired they Guidance: Indicative Sanction will then go on to hear submissions on sanction; and the HCPC **Sanctions Policy** Presenting Officer will be invited to provide submissions at this stage. You will then be offered an opportunity to make any submissions After receiving legal advice, the panel will then retire in private to consider what (if any) sanction to impose and write up their reasons. The panel will then announce its decision on sanction. Right of Appeal If a panel imposes a sanction you may appeal to the appropriate court against the HCPC's decision within 28 days after the decision is served on you. Please click here for further information. If the panel impose a sanction which removes, suspends or Practice Note: Interim **Interim Order** restricts your right to practise, it may also impose an interim Orders order on you. An interim order suspends or restricts a registrant's right to practise with immediate effect. The HCPC Presenting Officer will provide submissions if they think an interim order is necessary. You will then be provided an opportunity to provide any submissions.

You have the right to give oral evidence on oath or affirmation at facts, grounds, impairment and sanction. Subsequent questions

before they retire in private to make their decision.

may be put to you by the HCPC Presenting Officer and members of the Panel.

The legal assessor will then provide the panel with legal advice

- The panel usually consider facts, grounds and impairment together rather than retire at each step. However it is the discretion of the panel whether or not to break facts, grounds, impairment into separate steps depending on the complexities of the case.
- The legal assessor is independent from the panel. They may be invited to accompany the panel to its private room to help write the decision, but the decision will be for the panel alone. Any legal advice sought and given in during panel deliberations will be repeated