

What is threshold decision-making?

Once the threshold investigation is complete, the case is passed to a senior decision maker to decide if the concerns meet our threshold criteria.

What is happening now?

A senior decision maker will review all the information on the case. They will then decide if the concerns raised and the information gathered meets the threshold test.

What is the threshold test?

The threshold test assesses whether the concern we have received and any information that we have gathered about it amounts to an allegation that the registrant's fitness to practise may be impaired. A full copy of the threshold policy that explains our test can be found on our [website](#).

Who are the senior decision makers?

The senior decision makers are employees of the HCPC. They do not form part of the Case Management team, and they will not have been involved in the investigation. The senior decision makers are responsible for reviewing information and making objective decisions against the threshold policy.

What will happen next?

The senior decision maker who looked at the case will write their decision. If they decide that the threshold is not met and the case should be closed, everyone will be given a 'closure decision form'. This is a document which explains our investigation and how we made our decision. A closure decision means that the case will be closed and no action will be taken against the registrant.

If the senior decision maker needs more information before they can make a decision, they will tell the case manager and ask them to gather more information. The case manager will tell the parties if this happens.

If the senior decision maker decides that the threshold is met, the case will be transferred to our Investigations team who will prepare the case and draft allegations to be considered by our Investigating Committee Panel. A new case manager will write to everyone to let them know the outcome of the decision and explain the next steps.

How long does it take for a decision to be made?

We aim to make decisions on cases within four weeks. If there is a large amount of information or the case is complex, this sometimes takes longer. The case manager will update everyone if the decision is taking longer than expected.

Jargon buster

Allegation

After a concern is investigated and we decide that it meets our threshold test, it becomes an allegation of impairment.

Case manager

Each case has a named case manager. Case managers are neutral and do not take anyone's side. They can answer questions about the process and provide updates. They cannot provide legal advice.

Impaired fitness to practise

A concern about the conduct, competence, health or character of a registrant. The concern must be serious enough to suggest that the registrant is unfit or unsafe to practise without restriction, or at all.

Investigations team

The team responsible for investigating cases and preparing them to be considered by the Investigating Committee Panel.

Investigating Committee Panel (ICP)

An independent panel of three people who are responsible for reviewing cases. Each panel is made up of three members: a Chair, someone from the relevant profession of the registrant who is under investigation, and a lay person who is not from any of the professions we regulate. This panel meets in private and does not make a decision about whether the allegation is proven, but only whether there is a realistic prospect that the HCPC will be able to establish the allegation at a final (substantive) hearing.

Senior decision maker (SDM)

An employee of the HCPC who is responsible for reviewing cases and deciding if they meet the threshold to be investigated further.

Threshold

A name for the stage of our investigations before a threshold decision is made.

Threshold criteria

A set of criteria that decision makers consider when assessing whether the information we have received meets the threshold test. It can be found on page 5 of the threshold policy.

Threshold policy

Our policy which explains our approach to investigating concerns about professionals on our Register, our decision-making process, and how we apply our threshold criteria.

Statutory grounds

We can only investigate concerns that are about one or more of the following five categories, or grounds, of impairment. The grounds are:

- Misconduct – this means that the registrant's behaviour has fallen short of what we expect of them.
- Lack of competence – this means that a registrant has a lack of knowledge or skills to practise safely or effectively.
- Conviction or caution – this means the registrant has been convicted or cautioned for a criminal offence.
- Physical or mental health – this means the registrant has a health condition which impacts their fitness to practise safely or effectively.
- A determination by another health or social care regulatory or licensing body – this means another regulator or body has made a decision against a person on our Register. The regulator or licensing body may be in the UK or another country.