

# **The National Registers of Communication Professionals working with Deaf and Deafblind People**

## **(NRCPD) Complaints Committee Hearing**

**20th, 21<sup>st</sup>, 22<sup>nd</sup> August 2019**

**and**

**1<sup>st</sup> and 3<sup>rd</sup> October 2019**

## **NRCPD v. Regulated Trainee Sign Language Interpreter**

### **Summary**

The NRCPD's Complaints Committee convened on 20, 21, & 22 August 2019 and 1 & 3 October 2019 to hear the case of the NRCPD v. Trainee Sign Language Interpreter

After considering the evidence, the Complaints Committee found on 25th November 2019 that 19 allegations had been proven and a further was admitted by the Regulated Trainee (20 in total). The following Standards of the NRCPD Code of Conduct for Communication Professionals had been breached by the Regulated Trainee:

- 1.1 You must treat service users with respect;
- 3.1 You must only carry out work for which you have the appropriate skills, training, and experience;
- 3.2 You should seek appropriate advice when you are unsure whether you have the appropriate training, skills or experience for an assignment;
- 3.3 You should refer a service user to another practitioner when necessary;
- 4.2 You should adopt a reflective practice approach to developing your practice and pursue relevant educational opportunities;
- 6.1 You must make sure your behaviour justifies public trust and confidence in you and your profession;
- 6.2 You must not abuse your professional position for your own benefit;
- 6.4 You must make sure any advertising you do is fair and accurate;
- 7.3 You must give constructive and honest response to anyone who complains about your services.

The Complaints Committee decided that the breaches found amounted to serious professional misconduct by the Regulated Trainee, that their fitness to practice is impaired, and that a sanction is appropriate.

## **Sanction**

The Complaints Committee considered each of the sanctions open to it under the NRCPD Complaints Process, and that the purpose of a sanction is not to punish any Registrant, but to protect the public against the acts and omissions of those who are not fit to practice, either by improving practice or, in the most serious cases, preventing practice. In coming to its decision, the Complaints Committee carefully considered its findings of fact, the conduct of the Regulated Trainee, and that the Regulated Trainee lacks the insight into their own practice and the impact it has upon others to the level that is required.

The Complaints Committee decided that the degree of misconduct and impairment of the Regulated Trainee's fitness to practice are so serious that only removal from the Register is justified. The Committee acknowledged that this is the most restrictive sanction available to it, and only came to the decision having also decided that none of the lesser sanctions would sufficiently protect the public and uphold the reputation of the profession.

With immediate effect the Regulated Trainee was permanently removed from the NRCPD Register. Publication of the decision was deferred pending any appeal.

## **Appeal**

The Regulated Trainee appealed the decision of the Complaints Committee. The NRCPD Appeal Committee convened on 20 and 23 December 2022 and delivered their decision on 4 February 2023. The Appeal Committee found there were no grounds for appeal.

They did, however, decide to set aside the original sanction imposed by the Complaints Committee on 25 November 2019 and substitute it with its own sanction, which allows the Regulated Trainee to practice as a NRCPD registrant, provided they comply with an Order of Conditions.

The Order of Conditions are:

- a. The registrant is restored to the NRCPD register upon completion of the relevant renewal form, payment of relevant fee, and both the registrant and their supervisor confirm that the supervisor has agreed to provide the registrant with the programme of supervision referred to in paragraph (c ) below.
- b. For a period of 18 months, starting with the date on which the registrant is restored to the register, the registrant is permitted to practice in certain areas of work only if a registered sign language interpreter is present. Those areas are where assignments:
  - i. Involve a person or persons who is deaf or deafblind and whose rights, wellbeing, liberty or entitlement to money or any form of finance may depend on the outcome of the assignment.
  - ii. Involve a deaf or deafblind person providing a professional service to any other person, whether deaf or deafblind or hearing.

- iii. In other areas of work, the registrant can work on their own provided their supervisor agrees it is a suitable assignment.
  
- c. For the 18 month period of the Order, the registrant undertakes a programme of supervision with a qualified supervisor who is a RSLI registered with NRCPD, where the programme will address the specific areas of concern identified by the Complaints Committee in its decision. At the conclusion of the supervision period, the supervisor would be expected to provide a report on the registrant's progress in relation to the areas covered by the supervision and that report will be considered as part of the review hearing referred to below.
  
- d. The registrant seeks the advice of the supervisor for any assignment which they undertake on their own. After the first six months of the Order, the supervisor should review whether this step continues to be necessary or can be discontinued. If the supervisor believes that it continues to be necessary, that should be reviewed on a monthly basis and discontinued if not required. The supervisor could reinstate the requirement for the registrant to seek such advice at any time in which situation it would be reviewed on a monthly basis.

The Appeal Committee decided there is to be a review hearing before the Order of Conditions expires and that the Order of Conditions is to be imposed upon the registrant's registration with NRCPD immediately.

The conditions aim to support the registrant to build up a practical base of knowledge and experience, with ongoing support in supervision. The Appeal Committee noted that the registrant has already taken steps towards improving their skills and securing supervision and they specified the conditions to provide the registrant with an opportunity and way to continue to improve.