

Restoration to the Register



Guide for individuals following erasure.

Updated April 2016

1.Introduction

Any individual who has been subject to a striking off order, and therefore erased from the register held by BASRaT, cannot apply to be restored until a period of five years has lapsed since the date of the striking off order unless new evidence is presented. Any new evidence submitted during the five year period or reapplication to the register after the five year period will be considered by a Fitness to Practise panel *.

2.How to apply?

Individuals wishing to be restored back onto the register should apply in writing using the BASRaT Restoration Application Form (please see the end of this document). Individuals should also attach any documentation that they wish to be considered, such as steps the individual has taken to keep their clinical knowledge and skills up to date.

3.Who will consider restoration applications?

Individuals who have completed the BASRaT Restoration Application Form and given sufficient evidence following the five year period will be considered by a Fitness to Practise panel *. This panel will be constructed using the same criterion as the original Fitness to Practise panel. Members of the Investigating Committee and the original Fitness to Practise panel involved in the case will not be permitted to sit on the panel.

4.What factors will the Fitness to Practise Panel consider?

The Fitness to Practise panel will consider a number of factors, including the following:

- The circumstances that led to the striking off order.
- The reasons given by the previous panel (or Committee) for the decision of the original striking off order.
- Whether the individual evidences any insight into the matters that led to the striking off order.
- What the individual has done since the striking off order.
- The steps the individual has taken to keep their clinical knowledge and skills up to date.

New evidence is defined as any evidence that, for whatever reason, was not available to the original Fitness to Practise panel but which is “relevant to” the making of that striking off order. When considering any new evidence submitted during the five year period the fitness to practise panel will consider:

- Whether such evidence is relevant to the striking off order.
- After review, whether to maintain the striking off order or not.

*Please refer to BASRaT Fitness to Practise- Membership Guide.

5.What happens next?

Once an individual has completed the BASRaT Restoration Application Form and given sufficient evidence the application will be considered. The individual will be notified of the date, time and venue of the hearing no less than 28 days before the hearing. Individuals have a right to attend and be represented at the hearing but must notify the BASRaT Registrar whether they wish to attend the hearing no later than 14 days before the hearing. If the individual wishes not to attend the hearing written representation must be received by the BASRaT Registrar no later than 14 days before the hearing date. If the BASRaT Registrar does not hear from the individual at the latest of 14 days before the hearing the Fitness to Practise panel will still proceed with the submitted evidence. Where individuals have previously made an unsuccessful restoration application the Fitness to Practise panel

have the right to indefinitely suspend the right to make further applications for restoration. The individual will receive all new evidence which has not previously been given to them.

6. What happens at the Fitness to Practise Panel?

The procedure for considering restoration applications by the Fitness to Practise panel is outlined below:

- If the individual is present, they will be invited to confirm their name and previous BASRaT membership number. If the individual is not present, this will be done by the presenting officer (representative of BASRaT).
- The presenting officer will then outline the background and circumstances which led to the striking off order to the Fitness to Practise panel. The representing officer may refer to relevant evidence, transcripts of previous hearings, any new evidence and call witnesses in relation to the case.
- The individual, or their representative, will then have the opportunity to address the Fitness to Practise panel, produce new evidence and call witnesses in relation to the case and their suitability for restoration to the register.
- Before reaching a decision regarding restoration to the BASRaT register, the Fitness to Practise panel may adjourn and give directions as it seems fit. This may include an assessment of the individual's clinical knowledge and skills via the BASRaT Membership Exam (please see BASRaT Membership Exam Procedure – Applicant Guide).
- Following an adjournment and before reaching a decision regarding restoration to the BASRaT register, the Fitness to Practise panel may request any further information/evidence from the individual, or their representative.
- Restoration cases are heard by the panel in private with any decision and reasons behind the decision confirmed in writing within 10 working days from the decision being made. A full transcript of the hearing and decisions will be kept by BASRaT whilst an amended version will be made available to the public via the BASRaT website, <http://www.basrat.org/disciplinaryproceedings.asp>. The amended version will not disclose any personal information of any third parties involved with the case, such information will be anonymised. In addition, any information related to the health of the individual will not be disclosed in the document published on the website.
- If the Fitness to Practise panel's decision is to uphold the individual's erasure from the BASRaT register, the panel may then consider whether or not to make the decision to suspend indefinitely the individual's right to make further applications for restoration to the BASRaT Register.
- Any decision and reasons behind the decision made by the Fitness to Practise panel will be confirmed in writing within 10 working days from the decision being made. A full transcript of the hearing and decisions will be kept by BASRaT whilst an amended version will be made available to the public via the BASRaT website, <http://www.basrat.org/disciplinaryproceedings.asp>. The amended version will not disclose any personal information of any third parties involved with the case, such information will be anonymised. In addition, any information related to the health of the individual will not be disclosed in the document published on the website.

Restoration Application Form



**Guide for individuals seeking restoration.
September 2015**

1.Introduction

Any individual who has been subject to a striking off order, and therefore erased from the register held by BASRaT, cannot apply to be restored until a period of five years has lapsed since the date of the striking off order unless new evidence is presented. Any new evidence submitted during the five year period or reapplication to the register after the five year period will be considered by a Fitness to Practise panel. Individuals should use this application form to document all relevant information regarding their application for restoration to the BASRaT register. Individuals should also attach any documentation that they wish to be considered, such as steps the individual has taken to keep their clinical knowledge and skills up to date.

2.Your details

Please give as much information as you can. Missing details may result in your application being delayed.

Please note that if you do not respond promptly to requests for additional information regarding this application, BASRaT may close your case and you would have to re-apply which would cause further delays.

Your name:			
Previous BASRaT membership number:		Previous Fitness to Practise ref:	
Your address:			
	Post Code:		
Telephone numbers:			
Email:			
Date:			

3. Employment details

Please give details of any paid, or unpaid, employment you have completed since your name was erased from the register. This information should include company name, nature of work, dates of employment.

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4. Representative details

If you wish to use a representative please provide details below.

Name:	
Address:	
	Post Code:
Phone number:	
Email address:	

Union, solicitor or counsel? (Please specify)	
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If you are not represented, do you intend to seek representation?
No

Yes

5. Referee's details

You must obtain references from three referees. To apply for restoration to the register you must agree to allow us to send your nominated referees a copy of the charges you were required to answer at your original hearing, and the transcript of the hearing. Please tick to indicate that you understand this requirement.

I understand the requirement above.

If you fail to complete the tick box, your application may be delayed.

Referee 1 name:		
Address:		
	Post Code:	
Phone number:		
Email address:		
How do you know this referee?		
Is this referee a BASRaT member? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please provide their membership number (if known)	

Referee 2 name:			
Address:			
	Post Code:		
Phone number:			
Email address:			
How do you know this referee?			
Is this referee a BASRaT member? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please provide their membership number (if known)		

Referee 3 name:			
Address:			
	Post Code:		
Phone number:			
Email address:			
How do you know this referee?			
Is this referee a BASRaT member? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please provide their membership number (if known)		



6.Reason for applying for restoration.

Please clearly outline why are you applying for restoration to the register?

Please answer the following questions

Have you been convicted of a criminal offence since your name was removed from the register? Yes No

If yes, please give details of the offence including offence code and dates.

Are you the subject of any criminal proceedings at the moment? Yes No

If yes, please give details of the offence including offence code and dates.

7. Declaration

The information I have provided is true to the best of my knowledge and belief. I understand that if any information submitted proves to be false, the BASRaT Fitness to Practise panel will take it into consideration when considering my application for restoration.

Signed: Date:

8. Next Steps:

Once this form has been completed please post to:

FAO: Registrar
BASRaT Administration Office
C/O Directorate of Sport, Exercise and Physiotherapy
School of Health Science
University of Salford
Frederick Rd
Salford, M6 6PU

Alternatively you can contact BASRaT via:

Administration Office Tel- 0161 295 0070
Administration Email- administration@basrat.org
Registrar Email- registrar@basrat.org

Please contact BASRaT if you require any support to put your application in writing. BASRaT will not ignore an application because it is not in writing and will support those who may be unable to put an application in writing (e.g. due to language or literacy difficulties).

