

# COVID-19 Special Measures – S12 and Approved Clinician licence 12 month extension

## **We have received the following update extract from the Mental Health Act Approvals Service South dated 14/4/2020 relating to renewals.**

Due to the Covid-19 pandemic the DHSC has issued temporary supplementary AC & S12(2) Instructions (2020), which came into effect from 14<sup>th</sup> April 2020.

These supplementary Instructions (2020) will enable approval extensions of 12 additional months for those applicants whose cycle of approval is due to expire by no later than 30th September 2020.

These temporary measures have been introduced as a response to the current suspension of AC and S12(2) approval training due to national Government restrictions in place to mitigate the transmission of Covid-19.

How it will work:

- where an applicant is unable to attend the required mandatory refresher training, their period of approval will be extended for a further 12 months - commencing from the expiration date of an applicant's current period of approval. In coming days all existing renewing applicants (due to expire by 30th September 2020) will receive an updated approval outcome letter indicating the extended period of their approval.
- For renewing applicants who have already attended an AC or S12(2) refresher course and can meet all the required standards of the current AC & S12(2) Instructions (2015) will have their applications processed in the standard manner and approval will be awarded for a five year period.

The supplementary Instructions will also facilitate a temporary 12 month reinstatement of AC or standalone S12(2) approval for those applicants whose period of approval lapsed within the previous 12 months (from 14 April 2020), e.g. where an applicant's cycle of approval ended on 25 May 2019, they would be eligible to apply for approval reinstatement up until 24 May 2020. Once such 'lapsed' applications have been processed re-approval will last for a 12 month period commencing from the date of reinstatement.

Recently lapsed applicants (whose approval lapsed no later than 15th April 2019) should directly contact their [regional Approvals Lead](#) to request an application pack with supporting guidance. To enable such approval reinstatement these applicants must hold a current professional licence to practice and must support their re-approval application with the following evidence:

- Two professional references which meet the requirements of the current Secretary of State's Instructions (2015) for either AC or standalone S12(2) approval.
- Evidence of CPD compliance. - Where current evidence is unavailable the Panel will accept retrospective evidence of CPD compliance which was valid up until the date of the expiration of the applicant's last approval cycle.

**Please note that these supplementary AC and S12(2) Instructions provide only limited additional powers and do not replace the current Instructions (DHSC 2015).**

Therefore, going forward those applicants who are awarded the temporary one year extension of approval under the Special Measures will require future attendance of relevant AC or standalone S12(2) mandatory training course to facilitate the standard 5-year period of approval. Once AC & S12(2) courses becomes available Winterhead Ltd recommends that applicants should attend training at their earliest opportunity.

**The introduced DHSC special measures relating AC and S12(2) standalone approval do not extend to initial applications.**

**For the current processing of initial approvals Approving Panels of England only have the legal authority bestowed upon them under the current Secretary of States AC & S12(2) Instructions (DHSC 2015). Under the current Instructions there is no legal scope to approve an applicant where relevant mandatory training has not been undertaken.**

**As such if an applicant has already attended an induction course their application will be processed in the standard manner. For those applicants who have been unable to attend approval training their outstanding applications will be placed on hold until such courses become available.**

More information and further links to specific information can be found on the Royal College of Psychiatrists [Legal Matters Covid-19 guidelines](#) web page (scroll down page to open S12/AC link).

Uploaded by SW Division  
Royal College of Psychiatrists