

Council, 26 March 2009

Policy and Standards Department workplan 2009/2010

Executive summary and recommendations

Introduction

A draft workplan for the Policy and Standards Department for April 2009 to March 2010 is attached for the consideration of the Council.

A revised copy of the Standards workplan which sits behind the Department workplan is included as an appendix.

Decision

The Council is asked to discuss and agree the attached Department workplan and appended Standards workplan (subject to any necessary changes arising from the Council's discussion)

Background information

None

Resource implications

The resource assumptions for the attached draft workplan are detailed in the introduction and form part of the assumptions that make up the HPC five year plan.

Financial implications

The financial assumptions of the attached draft workplan formed part of the assumptions for the Policy and Standards budget for 2009/2010.

Appendices

Standards workplan

Date of paper

16 March 2009

Policy and Standards Department

2009/2010 Workplan

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March 2009

Contents

1. Introduction	4
1.1 This document.....	4
1.2 The Policy and Standards Department.....	4
1.3 Policy and Standards planning.....	4
1.4 Resourcing	5
1.5 About this document.....	5
2. Policy and Standards and the strategic intent.....	6
2.1 Aims	6
3. Trust, assurance and safety: the regulation of health professionals in the 21 st century	7
3.1 Introduction.....	7
4. Standards and guidance	8
4.1 Standards	8
4.1.1 Standards of education and training.....	8
4.1.2 Amendments to the standards of proficiency for chiropodists and podiatrists.....	8
4.1.3 Generic standards of proficiency.....	9
4.1.4 Standards of proficiency and threshold level of qualification for practitioner psychologists.....	9
4.2 Guidance	11
4.2.1 Health and character	11
4.2.2 Guidance on conduct and ethics for students.....	11
5. Regulation of new professions	12
5.1 New professions.....	12
5.1.1 Practitioner psychologists.....	12
5.1.2 Hearing aid dispensers.....	13
5.1.3 Psychotherapists and Counsellors	14
5.1.4 Dance Movement therapists / psychotherapists	15
5.1.5 Healthcare scientists	15
5.1.6 Acupuncturists, medical herbalists and traditional Chinese medicine practitioners.....	16
5.1.7 The regulation of support workers / occupations	17
5.2 Review of the new professions process	17
5.3 Aspirant groups liaison work.....	18
6. Other projects	19
6.1 Revalidation.....	19
6.2 Post-registration qualifications.....	20
6.3 Health and disability	20
6.4 Professional indemnity insurance.....	21
6.5 Welsh language scheme	21
6.6. Consumer complaints.....	22
6.7. CHRE performance review.....	22
6.8. European Union	22
6.9 Stakeholder liaison	23
6.10 Continuing Professional Development (CPD) sample profiles.....	24
6.11 Safeguarding vulnerable groups.....	24
6.12 Consultation responses.....	25
6.13 Briefing papers	25

6.14 Practice Committee Constitution Rules	26
6.15 Consultation on an amendment to the Standards for Continuing Professional Development	26
6.16 Projected registrant numbers	26
7. Equality and Diversity	27
7.1 Yearly progress reports	27
8. 2010 – 2012	28
9. Risk management	29

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1. Introduction

1.1 This document

This document has been drafted to set out work priorities for the financial year 2009/2010 and to provide a basis against which the work of the Policy and Standards Department ('the Department') can be planned, resourced and measured. This document details how the Department will continue to develop, to build on its work in embedding itself within the Health Professions Council (HPC) and in the wider policy arena and assist the Council in preparing for the changes ahead in the regulation of healthcare professionals.

1.2 The Policy and Standards Department

The Department's main responsibilities are:

- assisting the Council in developing strategy and policy;
- assisting the Council in setting and reviewing standards;
- assisting the Council in drafting guidance;
- managing and supporting Professional Liaison Groups (PLG);
- running consultations;
- managing the new professions, or 'aspirant groups' process;
- liaising with the Council for Healthcare Regulatory Excellence on their annual performance review, and other cross-regulatory projects; and
- ensuring consistency of approach across all HPC departments.

The regular Department activities to meet these responsibilities include researching and writing papers for the Council, Committees and PLGs, responding to correspondence and emails on policy matters and meeting with and presenting to stakeholders.

1.3 Policy and Standards planning

The nature of the issues that the Department deals with are such that work undertaken will comprise of both planned projects and work which arises as a result of external factors, such as changes in legislation, changes to the professions, and other developments that are often unpredictable. Hence, in allocating resources, maintaining the ability to respond to the external environment is an important factor.

The priority projects outlined in this paper are projects with a statutory element such as work necessary to prepare for the regulation of new professions, which includes responding to government consultations and standards drafting work. The projects for 2009/2010 that as a result are of particular priority and have or have the potential to have significant resource implications include:

- The regulation of new professions, particularly work related to the regulation of psychotherapists and counsellors
- Revalidation
- Post-registration qualifications

This document explains in relation to each project area the nature of any external factors on the likely timetable, if applicable. Where a project is not a priority and may be ongoing into the following financial year, this is indicated.

1.4 Resourcing

The Department currently consists of four employees:

Rachel Tripp, Director of Policy and Standards (currently on maternity leave)
Michael Guthrie, Policy Manager (currently Acting Director of Policy and Standards)

Sam Mars, Policy Officer

Charlotte Urwin, Policy Officer (Policy Manager on a 12 month contract basis from 1 April 2009)

Unfilled position, Policy Officer (to be filled in April 2009)

The Director of Policy and Standards is responsible for devising and writing the Department workplan, and overseeing its resourcing and implementation, the day-to-day running of the department, managing and developing the Policy team, and the development of new projects.

The Policy Manager takes particular responsibility for the area of professional standards, writing and managing the Standards workplan which sits underneath the Department workplan, managing and overseeing pieces of work relating to standards, and developing relationships with stakeholders who are particularly interested in our standards function.

The Policy Officers each take on a variety of different projects to enable them to gain a breadth of experience, including education, standards, Europe, and other areas of the Department's work.

Rachel Tripp is expected to return from maternity leave in July 2009.

1.5 About this document

The projects outlined in this document are structured into three areas: standards and guidance; regulation of new professions; and other projects.

2. Policy and Standards and the strategic intent

The Department achieves the broad aims to improve, influence and promote outlined in the existing strategic intent document, and referred to in the draft strategic intent document recently considered by the Council.

The broad aims of the Department under these headings are outlined below. The nature of the work of the Department is such that projects cut across these areas and cannot easily be categorised under only one of these headings.

2.1 Aims

The HPC, through the work of its Policy & Standards department, aims:

Improve:

- To continue to respond to the recommendations of the White Paper 'Trust, Assurance and Safety: The Regulation of Health Professionals in the 21st Century', published in February 2007, including, where appropriate, sharing information about best practice and participating in working groups, and also engaging with the issues raised in order to implement improvements to regulation.
- To review its standards, guidance and policies, including engaging with and consulting stakeholders, to gain feedback, and to make improvements to ensure that these continue to reflect the Council's purpose and principles.
- To collect information gathered and to analyse this information, and act upon it appropriately. This could include, for example, making the information available publicly, including to other potentially interested stakeholders, feeding this information into the Communications strategy, and / or making changes to processes where appropriate.
- To engage with and consult with stakeholders, and take account of their input in its work, to ensure that the HPC's work is informed by the wider healthcare and regulatory landscape, and that our knowledge of multi-professional regulation can be shared.
- To continue to improve the way that healthcare professionals are regulated, by developing new guidance, new processes, or new requirements where appropriate.

Influence and promote:

- To build on its growing reputation as a respected voice within the policy arena of the regulation of healthcare professionals and other healthcare workers, and to use this reputation to pro-actively influence the external agenda, in the interests of protecting the public.

3. Trust, assurance and safety: the regulation of health professionals in the 21st century

3.1 Introduction

The White Paper, 'Trust, Assurance and Safety – The Regulation of Health Professionals in the 21st Century' was published in February 2007.

The White Paper was published as a result of the Chief Medical Officer's review of medical regulation, the parallel review of non-medical regulation (sometimes also called the 'Foster review') and the resulting consultation. The paper sets out the Government's vision and priorities for how the regulation of health care professionals should work in the future, in order to respond to increasing expectations of the public and other stakeholders.

Although published more than two years ago, the White Paper still remains an important driver for the Department's work.

The main project areas relevant to the White Paper in this financial year are:

- Revalidation
- Post-registration qualifications
- Health and character
- Guidance on conduct and ethics for students
- Health and disability
- Regulation of support workers / occupations
- Professional indemnity insurance
- Regulation of new professions

4. Standards and guidance

The Department undertakes work to review existing standards where necessary and to write standards for new professions that are to be regulated by the HPC in the future.

The Department also produces guidance on its standards or on other standards related matters where this might help to explain the Council's processes and approach to its stakeholders.

The Council's standards workplan establishes the concept of ongoing and periodic review of the standards and sets out an indicative timetable for periodic standards review. It also sets out some broad principles for when the Council might consider publishing guidance on its standards. The Standards workplan has been updated and is appended to this workplan.

4.1 Standards

4.1.1 Standards of education and training

The standards of education and training and standards of education and training guidance were reviewed from September 2007 by a Professional Liaison Group.

A consultation was held between August and November 2008. The consultation responses document and revised standards and guidance are due to be considered by the Education and Training Committee and the Council for approval in March 2009.

Timetable

Subject to Council and Committee approval in March 2009, the standards will be republished and will become effective from the 2009/2010 academic year.

The Department will work with the Communications and Education Departments to roll out the revised standards and guidance ready for the start of the 2009/2010 academic year.

4.1.2 Amendments to the standards of proficiency for chiropodists and podiatrists

The Council consulted between December 2007 and March 2008 on making the standards of proficiency for chiropodists and podiatrists relating to local anaesthetics and prescription only medicines entitlements compulsory.

In 2008, the Education and Training Committee and Council considered the responses to the consultation and agreed to make the standards compulsory with effect from 1 September 2009.

Timetable

The Department will work with the Communications Department to publish the revised standards and communicate the change and its implications in the lead up to the 1 September 2009 effective date.

4.1.3 Generic standards of proficiency

Revised standards of proficiency for the first 12 professions regulated by the Council, including generic standards, became effective on 1 November 2007.

During the course of the work to draft standards of proficiency for practitioner psychologists, it was suggested that we might review the generic standards of proficiency in order to ensure that they were widely applicable, as far as possible, to all the professions, including those likely to become regulated by the HPC in the future.

At its meeting in December 2008, the Education and Training Committee agreed to a timetable to review the generic standards. However, this review has been delayed because of other work pressures on the Department.

Timetable

Early in the next financial year, a letter will be sent to stakeholders inviting comments on the existing standards of proficiency.

A meeting will be held with representatives from the Education and Training Committee and Policy and Standards Department to discuss the comments received about the generic standards and a revised draft of the standards.

The Education and Training Committee will be asked to agree draft generic standards for consultation in September 2009. The Council will be asked to ratify the Committee's decision in October 2009. A consultation will then be held between November and January 2009, with consultation responses and revised standards coming back to the Education and Training and the Council for approval in March 2010.

The revised generic standards could then subsequently become effective on a rolling basis.

4.1.4 Standards of proficiency and threshold level of qualification for practitioner psychologists

The Council consulted between November 2007 and February 2008 on draft standards of proficiency and the threshold level of qualification for practitioner psychologists (standard one of the standards of education and training).

The consideration of the outcome of these consultations has been delayed in light of delay in the publication of the Section 60 Order necessary to bring practitioner psychologists into statutory regulation.

In the coming financial year, the standards of proficiency for practitioner psychologists will be published. The standards of education and training will also be amended to reflect the threshold level of qualification for entry to the Register for this profession.

Timetable

It is anticipated that standards of proficiency and the threshold level of qualification for entry to the Register will be agreed by the Education and Training Committee and the Council in March 2009, following the publication of the Section 60 Order.

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4.2 Guidance

4.2.1 Health and character

At its meeting in December 2008, the Council agreed to consult on guidance on the health and character process. The guidance is aimed at applicants, registrants and education and training providers and provides accessible guidance about how the HPC deals with health and character declarations.

In 2009/2010, the results of the consultation will be analysed, the guidance revised and published in hard copy and on the HPC website.

Timetable

The consultation on the draft guidance will close on 30 April 2009. The Education and Training Committee will consider the consultation responses and revised guidance at its meeting on June 2009, with the Council asked to ratify any decisions made at its meeting in July 2009.

The Department will then work with the Communications Department to achieve a Plain English Campaign crystal mark for the guidance, publish the final guidance, by November 2009, and promote the guidance to stakeholders.

4.2.2 Guidance on conduct and ethics for students

This piece of work came out of the Department's previous work looking at student registration. At its meeting in December 2008, the Council agreed to consult on guidance on conduct and ethics for students. The guidance builds upon the standards of conduct, performance and ethics to provide some easy to understand information for students about expectations of their behaviour.

In 2009/2010, the results of the consultation will be analysed, the guidance revised and published in hard copy and on the HPC website.

Timetable

The consultation on the draft guidance will close on 30 April 2009. The Education and Training Committee will consider the consultation responses and revised guidance at its meeting on June 2009, with the Council asked to ratify any decisions made at its meeting in July 2009.

The Department will then work with the Communications Department to achieve a Plain English Campaign crystal mark for the guidance, publish the final guidance, by November 2009, and promote the guidance to stakeholders.

5. Regulation of new professions

The regulation of aspirant groups by the Council is an important area of work, particularly given the clear message given by the White Paper that there will be no additional regulators created, and that the HPC is likely to be the regulator for future groups coming into regulation.

The White Paper identifies psychologists, psychotherapists, counsellors and healthcare scientists as the next professions that are the highest priority for regulation.

The work that the Policy and Standards Department will do in this area will be divided into two areas:

- The provision of information to groups seeking to apply to the Council, and liaising with those who have already applied to the Council. This includes producing written information and formal speaking commitments.
- Preparing for the regulation of groups who are mentioned in the White Paper, including the process of preparing standards and being part of any cross-department operational projects to open a new part of the Register.

The timing of work around drafting standards is heavily dependent upon the priorities of the UK departments of Health, and the timetable for legislation, which is subject to change. Hence, the work below has been planned as flexibly as possible, in order to make pragmatic decisions about allocating resources.

5.1 New professions

5.1.1 Practitioner psychologists

The Register for practitioner psychologists is anticipated to open in July 2009.

The standards of proficiency and threshold level of qualification for entry to the Register will be considered by the Education and Training Committee and the Council in March 2009.

The Education and Training Committee and the Council will be asked to approve consultation documents on grandparenting criteria for practitioner psychologists and amendments to the Registration and Fees Rules in order to set the registration cycle for practitioner psychologists.

In 2009/2010, the Department will continue to participate in the cross-department project team for this work, and continue to liaise and meet with stakeholders, including speaking to groups of psychologists and other stakeholders about regulation.

Timetables

The Education and Training Committee and the Council will be asked to approve consultation documents on grandparenting criteria and amendments to the Registration and Fees Rules at their meetings in March 2009. The results of the consultations will be brought back to the Committee and the Council in May 2009.

5.1.2 Hearing aid dispensers

Hearing aid dispensers (also known as hearing aid audiologists) are a profession currently regulated by the Hearing Aid Council (HAC). The Hearing Aid Council is due to be abolished and its professional regulatory functions transferred to the HPC.

In 2008/2009, the Council consulted jointly with the Hearing Aid Council on standards of proficiency and the threshold level of qualification for entry to the hearing aid dispensers part of the Register. The standards of proficiency and threshold level were agreed by the Council at its meeting in December 2008.

A consultation was held between August and November 2008 on the amendments to the Registration and Fees Rules in order to set the registration cycle for hearing aid dispensers. The consultation proposed that the registration cycle for hearing aid dispensers would be 30 June in odd numbered years. However, the anticipated date for the regulation of hearing aid dispensers by the HPC is now 31 March 2010. As such, the Register will now open in an 'even' numbered year and the registration cycle for this profession needs to be re-considered accordingly. In 2009/2010, a further consultation will be held to set the registration cycle for hearing aid dispensers.

The Department has continued to work with internal colleagues on the project team for this work and to meet with and present to hearing aid dispensers and other stakeholders with an interest in regulation of this profession. The Department has also attended Department of Health 'Quadrilateral meetings' at which the Hearing Aid Council and Department for Business Enterprise and Regulatory Reform (DBERR) are also represented, to discuss the Section 60 Order necessary to bring hearing aid dispensers into regulation by the HPC.

In 2009/2010, the Department will continue to participate in these fora, as well as meeting with and presenting to other stakeholders with an interest in the regulation of hearing aid dispensers. Once the consultation on the Section 60 Order is published, the Department will work with internal colleagues to put together the Council's response. This consultation is anticipated early in the 2009/2010 financial year.

Timetable

The Council will be asked to agree a consultation document at its meeting in July 2009. A consultation will then be held between July and October 2009, with the Council being asked to consider the outcomes of the consultation in December 2009.

The Council will be asked to consider its response to the Section 60 Order consultation on the regulation of hearing aid dispensers at its next meeting following the publication of the consultation.

5.1.3 Psychotherapists and Counsellors

A Professional Liaison Group was established in 2008 to discuss and make recommendations to the Council about the regulation of psychotherapists and counsellors.

The PLG has met three times since December 2008 and has been making good progress in discussing and making preliminary recommendations about the structure of the Register, protected titles, education and training and standards of proficiency. Two further meetings are planned in April and May 2009 (2 day meeting). The report of the group will be subsequently considered by the Council and a consultation held before recommendations are made to the Secretary of State for Health about the regulation of these professions.

In March 2009, a meeting is being held to update a wider group of stakeholders on the work of the PLG, and to seek further views. A further such meeting might be held in 2009/2010, perhaps during the consultation period, subject to the progress of the PLG and an assessment of the outcomes of the March 2009 meeting. The Executive is also talking to a patient advocacy organisation about ways of gaining the feedback of service users on this topic, and this might include a focus group being held in 2009/2010.

In 2009/2010, the Department will continue to meet with and present to stakeholders with an interest in this topic and undertake work internally to increase understanding of the regulation of these groups. This might include producing a series of briefing papers in order to increase internal and external understanding.

Timetable

The timetable for this work is subject to the progress of, and decisions made by, the PLG. In particular, it relies upon a report being made to the Council in July 2009 with no further meetings necessary to complete this work.

The following is the expected timetable:

- July 2009 – report to the HPC Council.
- July to October 2009 – consultation on the HPC's recommendations to the Secretary of State.
- December 2009 – finalisation of Council recommendations to the Secretary of State.

5.1.4 Dance Movement therapists / psychotherapists

In March 2004, the Association of Dance Movement Therapy, now the Association of Dance Movement Psychotherapy (ADMP), applied to the Council for the regulation of dance movement therapists as part of the Arts therapists part of the Register. The Council made a recommendation to the Secretary of State for the regulation of this profession.

In 2009/2010, the Department will work with the ADMP to produce profession-specific standards of proficiency for dance movement therapists. The Department will also bring a paper to the Council summarising the ADMP's application in 2003, and inviting the Council to formally agree recommendations about the structure of the Register, protected titles, standards of proficiency, education and training, voluntary register transfer and grandparenting. A consultation would then be held on the regulation of dance movement therapists, alongside the consultation on the regulation of psychotherapists and counsellors, and recommendations subsequently made to the Secretary of State.

Timetable

Liaison work with the ADMP would be undertaken in early 2009/2010, with a view that a paper should be considered by the Council in May and/or July 2009. The remainder of the timetable for this work would be as for psychotherapists and counsellors (5.1.3).

5.1.5 Healthcare scientists

In 2008/2009, the Department drafted the Council's response to the UK Health Departments consultation on Modernising Scientific Careers, a project looking at reforming the career structure for scientists working in healthcare.

Since 2003, the Council has recommended the following healthcare scientist professions for regulation to the Secretary of State:

- Clinical perfusionists (September 2003)
- Clinical physiologists (October 2003)
- Clinical technologists (May 2004)

- Medical illustrators (May 2004)
- Maxillofacial prosthetists and technicians (September 2005)

In its response to the consultation, the Council said that it believed that there are no reasons why the statutory regulation of these five groups cannot proceed in parallel with this project, on the basis of the existing risk to patient safety

In 2009/2010, the Executive will continue to meet with the project team and other stakeholders about this area. The further work that might be necessary in this area will be dependent upon the progress of the modernising scientific careers project. Depending on the outcomes, this might include beginning the process of putting together standards of proficiency.

Timetable

The timetable for the work in this area is subject to the outcomes of the Modernising Scientific Careers project.

5.1.6 Acupuncturists, medical herbalists and traditional Chinese medicine practitioners

In July 2008, the Steering Group for the statutory regulation of acupuncture, herbal medicines, traditional Chinese medicine and other traditional medicine systems practising in the UK reported to Ministers. The Group recommended that these professions should be regulated by the HPC. In September 2008, the Council considered the Group's report and recommended the regulation of these groups to the Secretary of State.

In the spring of 2009, a Department of Health consultation on the Steering Group's recommendation is expected. The Department will work with internal colleagues to put together the Council's response to this consultation.

In 2009/2010, the Department will also undertake work to better understand the nature of these professions and the issues previously identified as salient to regulation. The Department will also continue to meet with stakeholders as appropriate.

Dependent upon the outcome of the consultation and any subsequent decisions, the Department will begin planning work to produce standards of proficiency and agree the threshold level of qualification for entry to the Register.

Timetable

The Department will put together a response to the Department of Health consultation once it is published and bring this to the next Council meeting for consideration.

Any other work in this area is ongoing, or subject to the external environment and therefore subject to change.

5.1.7 The regulation of support workers / occupations

The White Paper discusses the regulation of healthcare support workers, and in particular the Scottish pilot project to implement employer-led regulation.

The White Paper also says that the government 'will consider whether there is sufficient demand for the introduction of statutory regulation for any assistant practitioner roles at levels 3 and 4 on the Skills for Health Career Framework.'

This is in accordance with the Council's view that some form of statutory regulation is necessary for these groups, in the interests of public safety.

At its strategy meeting in February 2009, the Council considered a draft discussion paper from the Executive on the regulation and licensing of support workers / occupations. This paper is due to be revised and brought back to the Council for approval.

The Department will keep abreast of developments in this area and continue to keep the Council informed.

Timetable

The discussion paper will be brought back to the Council at its meeting in May 2009. Any subsequent work on this would depend upon the Council's discussion and any developments in the external environment.

5.2 Review of the new professions process

The Council has to date considered 11 applications for the regulation of new professions, and has recommended ten of these groups for regulation to the Secretary of State for Health. The remaining application is ongoing. In the same period, only one new profession has come on to the HPC Register.

In October 2008, the Council agreed an amendment to the new professions process so that the Council would consult on regulation, including the relevant standards, prior to making recommendations to the Secretary of State.

In 2008/2009, the Department of Health Extending Professional Regulation Working Group has been considering the new process of regulating new professions, including developing criteria for deciding which professions should be regulated and which should not. This report is anticipated shortly.

In 2009/2010, the Department plans to review the new professions criteria and guidance notes in light of the Council's experience of handling applications from aspirant professions and the recent change to the process. This will include reviewing the applicability of the criteria, and rewriting the guidance notes, as appropriate. Additional guidance might also be considered, to cover the process of statutory regulation from the beginning, including the new professions process and continuing as a professional body after regulation.

Timetable

The timetable for this work is subject to other factors, including the publication of the Department of Health Extending Professional Regulation Working

Group report, and other new professions work. A preliminary timetable for the work at this stage would include a paper and discussion at the Council meeting in September 2009, or the Council away day in October 2009, a further paper in December 2009 or March 2010, and a subsequent consultation.

5.3 Aspirant groups liaison work

In 2008/2009, two applications were considered by the Council under the new professions process, one of which is outstanding. The Department also liaised with a number of aspirant professions about the new professions criteria and anticipates a forthcoming application from at least one group in the coming financial year.

Throughout 2009/2010, the Department will continue to liaise appropriately with aspirant groups. This includes responding to requests for meetings, identifying groups to meet with, drafting information for publication on the HPC website or on other groups' websites. This liaison work applies to groups who have applied to the Council, and also those groups that have not and are considering doing so.

In addition, the Department will liaise with any group wishing to make an application to the Council this year, and will score the application against the 10 existing new professions criteria to aid the Council's consideration.

Timetable

Ongoing 2009/2010

6. Other projects

6.1 Revalidation

In 2008, the Continuing Fitness to Practise Professional Liaison Group (PLG) published its report. The report was approved by the Council at its October 2008 meeting.

The report concluded that whilst an additional layer of inspection was not indicated at this time, further work was necessary, in particular to explore the link between pre-registration education and training and subsequent fitness to practise action.

In December 2008, the Department of Health Working Group for Non-Medical Revalidation published principles for revalidation and asked each regulator to respond, explaining their proposals and how they met the principles. The Department of Health's response to the HPC's submission is currently awaited.

In line with the recommendations of the Continuing Fitness to Practise Professional Liaison Group, in 2009/2010, the following research will be commissioned:

- A retrospective study looking at the links between fitness to practise and student conduct (2009-2011).
- A prospective study piloting a professionalism tool in pre-registration education and training and tracking progress over five years (2009-2014).

In addition, the Department will work with other Departments to analyse other data relevant to revalidation including:

- Analysis of fitness to practise data to explore correlations between age, gender, location of practice and fitness to practise.
- Analysis of the outcomes of the CPD audits.

The Department will also continue to attend meetings of the regulators' leads for revalidation, any further meetings of the Department of Health Non-Medical Revalidation Working Group (with the President) and any other meetings with stakeholders to explain the HPC's approach in this area.

Timetable

Research briefs will be written by the end of March 2009, with a view to commission research early in the 2009/2010 financial year.

The Council will be regularly updated with any further developments in this area.

6.2 Post-registration qualifications

In 2008/2009, the Education and Training Committee discussed this area, in light of a discussion meeting held in February 2008. At its meeting in December 2008, the Committee agreed that the Register should only be annotated where annotation would improve the protection of the public and where a qualification permitted an extension of scope of practice; and that the HPC should directly approve programmes leading to annotation of the Register.

The Committee agreed that a position statement should be produced and considered by the Committee following the publication of the report of the Department of Health Extending Professional Regulation Working Group. The Committee might then consider the qualifications it considers are priorities for annotation of the Register.

In February 2009, the Department provided a submission to the Council for Healthcare Regulatory Excellence (CHRE), who have been commissioned by the Department of Health to look at the regulators' approach to 'advanced practice'. Any developments in this area may therefore be relevant to this work.

Timetable

The report of the Department of Health Extending Professional Regulation Working Group has yet to be published. However, it is anticipated that it will be shortly.

The Education and Training Committee will consider a position paper and next steps following the publication of this report, potentially at its meeting in June 2009.

6.3 Health and disability

At its meeting in December 2008, the Education and Training Committee considered a paper on the recommendations made in the Report of the Disability Rights Commission (subsequently replaced by the Equality and Human Rights Commission) 'Maintaining Standards: Promoting Equality'.

The Committee agreed that the Executive should undertake further work to explore the current requirement for health references on admission and readmission to the Register and to bring back any recommendations about changes to these requirements and the associated Rules.

Timetable

The Department will work with the HPC solicitor and internal colleagues to bring back a paper on this topic to the Education and Training Committee's meeting in June 2009.

Further work on this topic may be necessary, dependent on the Committee's discussion in June 2009.

6.4 Professional indemnity insurance

The 2007 White Paper says that: 'In response to a government initiative, indemnity insurance is also becoming a requirement.' Professional indemnity insurance was also mentioned in the Council for Healthcare Regulatory Excellence's performance review report for the Nursing and Midwifery Council.

The Executive has been contacted by the Department of Health who have indicated that a statutory requirement for professional indemnity insurance might potentially be included in legislative amendments later in 2009.

At its meeting in March 2009, the Council is considering a discussion paper from the Executive on professional indemnity insurance.

Timetable

The timetable in this area is subject to the Council's discussion in March 2009, and any decisions made by the Department of Health in this area.

6.5 Welsh language scheme

In 2009/2010, the Department plans to consult on and publish a Welsh Language Scheme. This scheme will bring together existing practice across the organisation to explain how the HPC meets the requirements of the Welsh Language Act to treat the English and Welsh languages on an equal basis.

A draft scheme has already been produced and is being discussed with internal colleagues. A meeting has also been held with the Welsh Language Board who has to approve a draft of the scheme prior to consultation, and a finalised scheme for publication. The consultation document and final scheme must also be published in both English and in Welsh.

This work has been carried over from the 2008/2009 financial year following preliminary work undertaken in that year.

Timetable

The Council will be asked to approve a consultation on a Welsh Language Scheme in May 2009. Following a three month consultation and further liaison with the Welsh Language Board, the Council might be asked to approve a final copy of the scheme at its meeting in October or December 2009.

Welsh Language Schemes are subject to the approval of the Welsh Language Board and therefore the dates outlined above may be subject to change.

6.6. Consumer complaints

The Hearing Aid Council currently regulates both hearing aid dispensers and hearing aid dispensing businesses and receives some complaints which are related to the consumer aspects of the service they have received (price, payment terms, quality of products and so on) rather than the fitness to practise of individual dispensers.

This is likely to have an impact upon the Fitness to Practise Department, as the normal first port of call for consumers who have a complaint about the service they have received. If a complaint is not about the fitness to practise of a registrant (and therefore does not meet the standard of acceptance for allegations), consumers will need to be signposted to the best source of help, including trading standards and other consumer codes currently being produced.

This is also likely to be an area of increasing importance to other professions regulated by us, as more registrants are self-employed or in private practice.

The Department will work with the Fitness to Practise Department to scope this area and produce a paper for the Fitness to Practise Forum (or its equivalent under the new Council from July 2009).

Timetable

A paper will be considered by the Fitness to Practise Forum in September 2009.

6.7. CHRE performance review

Every year, the Council for Healthcare Regulatory Excellence (CHRE) reviews the performance of all nine health regulators. Assembling the HPC's submission to the performance review is co-ordinated by the Department. This process involves submitting a report to CHRE, attending initial meetings, and follow-up meetings, providing additional information as required, and approving the final report(s).

Timetable

The performance review for the financial year 2009/2010, if similar to that of last year, will involve submitting the initial report to CHRE in January 2009, with the results of the review being published in April 2009.

6.8. European Union

In 2008/2009, the Department continued to attend meetings of the Alliance of UK Regulators in Europe (AURE) and Health Professions Crossing Borders (HPCB) to keep up to date with developments in Europe and share information between European Regulators. Updates on work in Europe have been made to the Education and Training Committee and the Council.

In 2008/2009, a productive trip was made to the European parliament and useful contacts made with stakeholders in European Directorates and other organisations.

In 2009/2010, the Department will continue its involvement in work in this area and will:

- continue membership of the Alliance of UK Health Regulators in Europe (AURE), as an effective way of making shared UK regulatory issues heard in Europe;
- continue to implement and review the recommendations from the European conference on Healthcare Professionals Crossing Borders, October 2005. This includes working with colleagues in European competent authorities around implementing the next steps of the consensus, particularly around sharing information in Europe;
- continue ongoing updating and development of www.healthregulation.org as a worldwide resource for all regulators to enable effective sharing of information, particularly around fitness to practise;
- put together a series of briefing notes, or a 'Europe manual' for internal use which would draw together relevant UK and European legislation, HPC's processes, and previous legal advice in an easy to understand resource that might be used as a reference source for internal colleagues. This would help ensure increased understanding within the Department and amongst internal colleagues more generally. (Dependent on other priorities, this piece of work may be ongoing into 2010/2011.)

6.9 Stakeholder liaison

The Department will continue to work with the Chief Executive, and the Communications Department (and particularly the Public Affairs and Stakeholder Manager) to ensure a consistent and strategic approach to stakeholder relationships.

In particular, a joint approach by the Department and the Communications Department in making dedicated trips to a home country over several days in the last two financial years has been very successful in building and developing new and existing relationships respectively. Further to these meetings, contacts have been followed up, areas of common interest have been identified, and working relationships improved.

In 2009/2010, the Department will work with the Communications Department to continue regular visits to stakeholders in the home countries. These contacts are complementary to the regular meetings with government representatives from all four home countries undertaken by the Chief Executive and President.

6.10 Continuing Professional Development (CPD) sample profiles

The Department will continue to work with the professional bodies to produce sample profiles for the professions that do not yet have a profile.

Profiles are drafted by professional bodies and then checked by a member of the Department and two members of the Education and Training Committee to ensure that they are of a good standard for publication. Feedback is provided to the authors and the profiles redrafted. Profiles often go through two or three drafts before they are approved for publication.

At present the following professions do not have a published profile:

- Art therapists
- Music therapists
- Radiographers

The Department is in receipt of further draft profiles for radiographers and draft profiles for practitioner psychologists and aims to publish these in 2009/2010.

The Department will also work with professional bodies in the field of hearing aid audiology to produce profiles for hearing aid dispensers ready for the opening of the Register in March 2010.

Timetable

The Department will work towards publishing at least one profile for each part of the Register by the end of 2009.

6.11 Safeguarding vulnerable groups

Legislation is being introduced to implement the recommendations of the Bichard report around the protection of children and of vulnerable adults. This is being implemented via the Safeguarding Vulnerable Groups legislation in England, Wales and Northern Ireland, and the Protection of Vulnerable Groups legislation in Scotland.

This legislation will create two barring systems, which are intended to prevent individuals from working with children and / or vulnerable adults if they are considered not safe to do so. It is important that HPC works with these new barring arrangements to fully understand the impact that these will have on our processes, particularly for registration, and the interaction with our fitness to practise process.

The Department has worked with the Fitness to Practise Department to respond to initial consultations on the setting up of barring arrangements and the Department will continue to be part of the cross-department project group for implementation, providing research and recommendations on ways forward.

Timetable

Ongoing 2009-2010.

6.12 Consultation responses

The Department will continue to respond to other organisations' consultations that are directly concerned with health professionals' regulation, and will aim to respond to those relevant consultations on issues related to health, consumer issues, and regulation more broadly.

Timetable

Ongoing 2009-2010.

Responses to consultations relating to the regulation of new professions and other consultations by the UK Departments of Health, and other government departments salient to regulation and the HPC's role, will be priorities for the Department.

6.13 Briefing papers

The Department aims to keep stakeholders, both internal and external, including Council and Committee members, well informed about policy developments in the external environment and the HPC's view about these.

The Department also needs to develop ways of working which will ensure that information is easily accessible and knowledge retained within the Department. Such briefing notes might also be helpful for the President, other Council members and the Chief Executive in undertaking external meetings and speaking commitments.

In 2009/2010, the Department aims to produce a small number of 'briefing papers' on discrete topics. For example, a briefing note on the regulation of acupuncturists, medical herbalists and traditional Chinese medicine practitioners might provide a clear summary of developments in this area, including a concise summary of the nature of the practice in each of these areas. Such briefing papers might be posted on to the Council member's extranet or included as papers to note at Council or Committee meetings.

Timetable

The timetable for this area of work will be ongoing and dependent upon the other projects outlined in this document.

The Department aims to produce briefing notes on the regulation of acupuncturists, medical herbalists and traditional Chinese medicine practitioners and the regulation of hearing aid dispensers in 2009/2010. However, this area of work may be subject to change because of the other priorities outlined in this document.

6.14 Practice Committee Constitution Rules

The Council launched a consultation in February 2009 on the Health Professions Council (Practice Committees (Constitution) and Miscellaneous Amendments) Rules 2009. These rules make proposed changes to the constitution of the fitness to practise committees, and some minor amendments to other Rules.

These Rules are in preparation for The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 which has been laid before the Scottish and UK parliaments.

This consultation will end on 13 April 2009.

Timetable

The results of the consultation and final Rules will be brought to the Council at its meeting in May 2009.

If approved by the Council, the Rules will become effective subject to parliamentary approval of The Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009.

6.15 Consultation on an amendment to the Standards for Continuing Professional Development

The Department launched a consultation in February 2009 on a minor amendment to the standards for continuing professional development. The proposed amendment to standard five would make it clear that profiles submitted by registrant's need to be their own work.

Timetable

The consultation will close on 11 May 2009. The results of the consultation will be brought to the Council at its meeting in May 2009, and the Council asked to agree any change to the CPD standards.

6.16 Projected registrant numbers

In the last two financial years, the Department has worked with the Finance Department and other Departments to put together projected registrant numbers which have formed the basis of the Five Year Plan.

In 2009/2010, further data may be available about cohorts on approved programmes to help in further developing the projection model currently used.

Timetable

A paper will be considered by the Finance and Resources Committee in November 2009.

7. Equality and Diversity

The Council has agreed its Equality and Diversity Scheme, which details, amongst other areas:

- action points for each department;
- the employee diversity group; and
- collecting demographic data.

The Department continues to provide the project lead for this important part of the Council's work. This now involves overseeing the completion of action points, in conjunction with the Head of Business Process Improvement.

The Department also participates in the Joint Regulators' Equality and Diversity Forum.

Although only an ongoing piece of work is identified as a project in this area for 2009/2010, the work of the Internal Equality and Diversity Working Group may influence the Department's activities in the coming year. In particular, this Group's work on impact assessment might meaningfully feed into further development of this area, either in this coming financial year, or in 2010/2011.

Impact assessment

In carrying out its activities, the Department needs to ensure that any equality and diversity implications are taken into account and brought to the Council or a Committee's attention as appropriate.

For example, the report to the Council of the Psychotherapists and Counsellors PLG will need to include an assessment of the potential equality and diversity impact of the recommendations contained within. In its standards work, the Department will continue to highlight to PLGs, the Education and Training Committee, and the Council, the need to consider any potential adverse impact in setting standards.

7.1 Yearly progress reports

The Department will continue to write the yearly progress report to update the Council as to the achievement of the action points in the equality and diversity scheme. The report for 2009 will be considered at a future meeting of the Council, but in subsequent years will be considered at the March Council meeting each year.

Timetable

A yearly progress report will be written and considered by the Council in March 2009.

8. 2010 – 2012

The Policy and Standards Department will continue to work flexibly, adapting plans for delivering work in response to changes in the external environment. It is anticipated that future important areas of work will include the following:

Revalidation

Overall, it is expected that the work of the Department to 2012 will continue to be heavily influenced by the recommendations made in the White Paper for revalidation. In particular, the Department will want to monitor developments in this area, publish the outcomes of its research in this area and commission further research in line with the Council's approach to this topic. The Department will need to respond flexibly to any developments in government policy in this area.

Evidence-based regulation

Building upon the research referred to in relation to revalidation, in 2010 to 2012 it is likely that resources will need to be allocated to commissioning further research in areas of interest to the Council and in considering ways in which the Council can promote the outcomes of this research widely to stakeholders. This area is identified in the draft strategic intent recently considered by the Council.

New professions

The area of new professions will continue to be a significant project area for the Department in 2010 to 2012

Preparation for the review of regulation

In addition, the White Paper 2007 said that in 2011 a further review of regulation would be undertaken, to look again at some of the questions that were originally considered by the Foster review. Although at this stage little is known about what form this review could take, it is therefore sensible to assume that in 2010/2011 some resources will be dedicated to providing information to, or participating in, this review.

Equality and Diversity

The Council published its equality and diversity scheme in January 2008 with a currency of three years. In 2010/2011, the Department will need to work with the Internal Equality and Diversity Working Group in order to review the existing scheme and develop a new scheme for the following three years.

The Department will also need to take into account any changes in legislation in this area or any policy developments from the Commission for Equality and Human Rights and Equality Commission for Northern Ireland.

9. Risk management

Managing risks is also a vital part of the Department's work over the coming year. The main risks that are owned by the Department are:

12.1 Incorrect process followed to establish standards/guidance/policy (i.e.: no relevant Council decision)

12.2 Inappropriate standards/guidance published e.g. standards are set at inappropriate level, are too confusing or are conflicting

12.3 Changing/evolving legal advice rendering previous work inappropriate

12.4 Inadequate preparation for a change in legislation (Health Professions Order, or other legislation affecting HPC)

In summary, however, it should be noted that although it's separately dealt with here, risk management is in fact embedded into much of the workplan for this coming year. For example:

Resourcing

Increasing the number of employees, particularly those with good previous experience, increases the capacity of the Department, and also helps to manage all the relevant risks in the Department, but particularly risks 12.3 and 12.4.

Networking and engagement

Making good contacts with external organisations feeds into the Council's overall aim to influence and promote, and also helps to manage risk 12.4.

Quality management

Working with the Head of Business Process Improvement, particularly around internal audits, not only links with the Council's aim to improve, by keeping ISO registration, but also helps to manage risk 12.1.

Policy and Standards Department Standards workplan

1. This document	2
1.1 The standards	2
1.2 Overall aims	2
1.3 Overarching aims	3
1.3.1 Improve	3
1.3.2 Influence and promote.....	3
2. Background to the standards	4
2.1 Standards of proficiency	4
Legal background	4
Summary	4
2.2 Standards of conduct, performance and ethics	5
Legal background	5
Summary	5
2.3 Standards of education and training.....	6
Legal background	6
Summary	6
2.4 Standards of continuing professional development	7
Legal background	7
Summary	7
2.5 Standards for returners to practice	8
Legal background	8
Summary	8
3. Workplan.....	9
3.1 Develop and review standards	9
3.1.1 Standards for new professions	9
3.1.2 Ongoing and periodic review	10
3.1.3 Standards of conduct, performance and ethics.....	11
3.2 Standards guidance and information.....	12
3.3 Standards and ethics queries	14
3.4 Involve	15
3.5 Communicate	17

1. This document

This document sets out broad areas for the future direction of the Council's work in the area of standards. It is designed to bring together information about the background to the Council's standards, establish some broad principles, particularly around standards development and review, and indicate past, present and possible future activities, linked to the overarching Policy and Standards Department workplan.

The document includes information about past activities in relation to the standards and planned or possible future activities. It should be read in conjunction with the workplan for the Policy and Standards Department.

This document was first approved by the Council December 2006, and has been revised for 2009/2010. It will be revised and brought back to the Council alongside the Policy and Standards Department workplan in future years.

1.1 The standards

The Council produces four key standards which are the subject of this document. They are:

- Standards of proficiency
- Standards of conduct, performance and ethics
- Standards of education and training
- Standards of continuing professional development

The Council also publishes requirements for returning to practice.

Setting standards is one of the Council's key processes and the standards are central to how individuals become and remain registered.

1.2 Overall aims

The Council's standards should:

- effectively protect the public;
- not hinder the development by education providers, registrants and others of innovative and pragmatic ways of working;
- be applicable to all or most registrants (except in the case of profession-specific standards of proficiency);
- be written in broad terms to allow for developments in best practice, technology and legislation;
- be set at a 'threshold' level – e.g. the level which is necessary for safe and effective practice, and public protection; and
- describe outcomes or broad principles and not be prescriptive about ways of meeting the standards

1.3 Overarching aims

The overarching aims identified in the Policy and Standards Department workplan and most relevant to the areas outlined in this document are:

1.3.1 Improve

- The council aims to review its standards, guidance and policies, to consult with stakeholders, to gain feedback and to make improvements to ensure that these continue to reflect the Council's purpose and principles.

1.3.2 Influence and promote

- The Council aims to build on its growing reputation as a respected voice within the policy arena on the regulation of healthcare workers.
- The Council aims to promote its standards and guidance to its stakeholders.
- The Council aims to influence the development of other standards and guidance relevant to its aims. It also aims to learn from the experience of other organisations and engage its stakeholders when producing standards and guidance.

2. Background to the standards

2.1 Standards of proficiency

Legal background

Article 5 (2) (a) of the Health Professions Order 2001 says that the council shall:

‘establish the standards of proficiency necessary to be admitted to the different parts of the register, being the standards it considers necessary for safe and effective practice under that part of the register.’

Summary

The standards are set at a threshold or ‘necessary’ level and play a central role in entry to the register.

The standards are used in the following ways:

- in making decisions against the standards about international and grandparenting (route b) applications;
- in assessing education programmes to decide whether the learning outcomes meet the standards of proficiency; and
- in making decisions about lack of competence fitness to practise cases.

The standards include a ‘generic core’ which is common to all professions on the register and profession-specific standards.

Although the standards are threshold standards for entry to the register, the interaction between the standards and the standards of education and training means that a small number of standards relate to additional or post-registration entitlements and are therefore ‘optional’. For example, the standards for radiographers, physiotherapists and chiropodists and podiatrists include a standard which relates to supplementary prescribing entitlements. It is only necessary for registrants to meet this standard if they wish to practise as a supplementary prescriber.

2.2 Standards of conduct, performance and ethics

Legal background

Article 21 (a) says that the Council shall –

‘establish and keep under review the standards of conduct, performance and ethics expected of registrants and prospective registrants and give them such guidance on these matters as it sees fit.’

Article 27 (a) (i) further provides the Conduct and Competence with the role of advising the Council on the *‘performance of the Council’s functions in relation to standards of conduct, performance and ethics expected of registrants and prospective registrants’*.

Rule 8 of The Health Professions Council (Practice Committees) (Constitution) Rules Order of Council 2003 says that the Conduct and Competence Committee must review the standards each year.

Summary

The standards describe our expectations of registrants in terms of their professional attitudes and behaviour. They:

- may be taken into account by fitness to practise panels in deciding whether the fitness to practise of a registrant is impaired; and
- are used in making health and character decisions on admission to the register.

The standards are generic across all registered professionals and specifically apply to prospective registrants. Applicants for registration are asked to confirm that have read and understood the standards and will keep to them once registered.

2.3 Standards of education and training

Legal background

Article 15 (1) (a) says that:

The Council shall from time to time establish—

‘the standards of education and training necessary to achieve the standards of proficiency it has established under article 5 (2).’

Article (6) (a) further provides that –

‘In respect of additional qualifications which may be recorded on the register the Council may establish standards of education and training’.

Summary

The standards ensure that education programmes allow graduates to successfully meet the learning outcomes described in the standards of proficiency. The standards cover such areas as admissions, assessments and practice placements.

The standards are generic and are monitored via the Council's approvals monitoring processes.

2.4 Standards of continuing professional development

Legal background

Article 19 (1) says that:

'The Council may make rules requiring registrants to undertake such continuing professional development as it shall specify in standards.'

Summary

The standards of continuing professional development (CPD) link the learning and development of registrants to continued registration, meaning that health professionals must continue to learn while they are registered, to help ensure that they remain safe and effective practitioners.

The standards are generic and focus on the outcomes of registrants' learning,

All registrants are required to confirm when renewing their registration that they understand and meet the Council's standards. From 2008 a sample of registrants will be audited to ensure that the standards have been met.

2.5 Requirements for returners to practice

Legal background

Article 19 (3) says that:

'The Council may by rules require persons who have not practised or who have not practised for or during a prescribed period, to undertake such education or training or to gain such experience as it shall specify in standards.'

Summary

The Council has defined the practise of a profession as someone drawing on their professional skills in some way in the course of their work. The returners to practice requirements make additional requirements of registrants who have been out of practise for more than two years in order to remain registered or readmit to the register. The requirements also apply to someone who has never been registered, who has been out of practise for more than two years and who holds an approved qualification which is over five years old.

Health Professionals are required to undertake a period of updating which may include supervised practise, formal study or private study and provide evidence of this in order to become re-registered.

3. Workplan

This workplan is divided into five areas relevant to the Department's standards work.

An aim / objective for each area of the Department's standards work is identified, background provided for that area and general principles established that will influence the Department's approach in this area.

3.1 Develop and review standards

Aims / Objectives

- All standards reviewed on an ongoing and periodic basis in accordance with review policy and timetable

3.1.1 Standards for new professions

Whenever a new part of the HPC Register is opened, the Council needs to publish standards for proficiency and amend standard one of the standards of education and training ("SET 1") to establish the threshold level of qualification for entry to the Register.

A Professional Liaison Group (PLG) was established to put together draft standards of proficiency for practitioner psychologists and the psychotherapists and counsellors PLG is also tasked with putting together draft standards. However, this approach has not been followed in relation to other professions. For example, the standards of proficiency for operating department practitioners were put together by a professional body, with input from the Executive. The standards of proficiency for hearing aid audiologists were put together by a group convened by the Hearing Aid Council, on which the Executive was represented.

The Council will normally establish a Professional Liaison Group (PLG) to draft the standards of proficiency for a new part of the Register. However, where substantial work has already been undertaken to draft standards of proficiency (for example, by a professional body or bodies), a PLG may not be necessary. The HPC's new professions process includes a requirement for a profession seeking regulation to include standards of proficiency with their application.

The Council is required to consult before publishing or amending any standards.

When a new profession is regulated, there will normally be a time-limited grandparenting period. The HPC has in the past committed to keeping the standards the same during the grandparenting period to ensure consistency and fairness. The standards of proficiency for the first 12 professions regulated, and the standards for operating department practitioners, were reviewed following the end of their respective grandparenting periods.

The Education and Training Committee should consider at the end of the grandparenting period whether it is necessary to review the standards of proficiency for new professions.

- A consultation was held between November 2007 and February 2008 on the threshold level of qualification for entry for the Register for practitioner psychologists.
- A Professional Liaison Group (PLG) was established in the autumn of 2008 to discuss the statutory regulation of psychotherapists and counsellors, including putting together draft standards of proficiency.
- A joint consultation with the Hearing Aid Council on standards of proficiency for hearing aid audiologists was held in 2008, in advance of the anticipated opening of the Register, delayed to March 2010.

3.1.2 Ongoing and periodic review

Ongoing and periodic will ensure that the standards continue to be fit for purpose and that their content is well understood by the Council's stakeholders. Some general principles are established below:

Ongoing review should focus on ensuring that the standards continue to be fit for purpose. 'Ongoing review' is the 'day-to-day' reviewing of the standards by the Council, its Committees and the Executive. This will ensure that the standards do not limit effective ways of working for health professionals and education providers.

A **periodic** review should be more thorough and comprehensive. The purpose of periodic review is to:

- ensure that the standards remain fit for purpose – in making decisions about education programmes and in making fitness to practise decisions, for example;
- ensure that they are well understood by our stakeholders including registrants, patients, education providers and the public; and
- ensure that they take account of change including changes in practice, legislation, technology, guidelines and wider society.

In addition:

- Ideally, no more than one periodic review of the Council's standards should take place in any one financial year. This ensures that any confusion is avoided, allows the Council to more effectively engage with its stakeholders, and allows for the effective use of resources.

- Any periodic review should have a clear workplan. A periodic might involve establishing a Professional Liaison Group (PLG) if the Council and/or a sponsoring Committee considered this to be helpful approach.
- Periodic reviews should take place no more than once every five years. This five year period will normally be from the date of the republication of the standards following the last review.

Whilst the principle is established that a periodic review should normally not take place more than once every five years (subject to the provisions of ongoing review), the exact timing of a review may be subject to change. The timing of any review would be influenced by the Council's priorities in any given year and therefore the budget and resource considerations of the Policy and Standards Department.

- Profession-specific standards of proficiency for operating department practitioners were reviewed in 2007, consulted on between November 2007 and March 2008, and republished in July 2008.
- A Professional Liaison Group (PLG) was established to review the standards of education and training in September 2007 and a consultation held on revised standards and guidance between August and November 2008.
- A consultation was held between November 2007 and March 2008 on making the standards of proficiency for chiropodists and podiatrists which relate to supplementary prescribing and prescription only medicines compulsory. The changes were subsequently agreed and will become effective 1 September 2009.
- A consultation is currently ongoing on a proposed minor change to standard five of the CPD standards. This change was suggested as part of ongoing review.

3.2 Standards guidance and information

Aims / Objectives

- To improve understanding of, and compliance with, the standards amongst registrants.
- To improve understanding of the standards amongst other stakeholders.

The Hampton review concluded that regulators place insufficient focus on providing advice to ensure compliance and recommended that regulators should provide more advice as 'better advice leads to better regulatory outcomes'.¹

The Council presently publishes guidance on topics in a small number of areas directly related to the standards or on topics building upon the principles expressed in the standards, for example:

- Standards of education and training guidance for education providers
- Managing fitness to practise
- A disabled person's guide to becoming a health professional

A distinction is drawn between publications providing information about the Council's processes and publications which provide specific guidance on standards or standards related issues.

In particular, the Executive has identified the potential need for guidance to the standards of conduct, performance and ethics in a small number of discrete areas.

Formal guidance should be produced if:

- there is good evidence to suggest that guidance would be helpful;
- the topic is not substantially covered in another HPC publication or another authoritative sources;
- the topic is relevant to most professionals who are registered; and
- the topic builds upon the existing standards.

Whilst links to the Council's key fitness to practise functions should be clear, any guidance should be positive in nature by focusing on ways of meeting the standards rather than situations would not meet the standards or the possible consequences of a failure to meet them. Guidance should focus on the importance of health professionals making individual decisions which are informed and reasonable.

¹ Hampton, Philip (HM Treasury), Reducing administrative burdens: effective inspection and enforcement, March 2005, p.10 and p.15.
<http://www.hm-treasury.gov.uk/media/A63/EF/bud05hamptonv1.pdf>.

Where a need for guidance might be identified, but such guidance would not be sufficiently substantial to justify separate published guidance, the Executive might consider published information on the HPC website with links to other sources of guidance.

The Council recognises the important role of professional bodies and other organisations in publishing guidance and information to assist registrants in meeting the standards. Any guidance should not seek to replace this role and should provide signposts to other information available where possible.

- Confidentiality guidance was published following consultation in July 2008.
- Consultations are currently ongoing on guidance on the health and character process, and guidance on conduct and ethics for students (building upon the standards of conduct, performance and ethics).

3.3 Standards and ethics queries

Aims / Objectives

- Responses to standards and ethics queries are appropriate and consistent.

We regularly receive letters and e-mails from registrants and employers asking questions about our standards, particularly the standards of conduct, performance and ethics. Most commonly we receive enquiries asking about how to interpret the standards, particularly registrants and employers seeking assurances that their working practices meet our standards. (Queries received from individual registrants on matters related to fitness to practise are answered by the Fitness to Practise Department.)

We are also regularly asked for information on topics with some relevance to the standards such as the drug administration entitlements of those we register.

The Policy and Standards Department will work with the Fitness to Practise Department to ensure consistency and best practice in answering standards and ethics queries. The last workplan suggested that one way in which this could be achieved would be a database to track standards queries. However, the Executive has concluded that, at this stage, the numbers of enquiries are too small to make such a system necessary.

3.4 Involve

Aims / Objectives

- To involve stakeholders in developing standards and guidance.
- To be involved in the development of standards and guidance by other organisations where this is relevant to the Council's aims.
- To be recognised as a source of expertise in producing clear, accessible and appropriate standards and guidance.

The Council will involve its stakeholders in the production of its standards and guidance. For example, the Council invited input from charities and disability groups when it established a PLG to consider issues around health, disability and registration. It also invited input from a member of a patient public involvement forum when reviewing the standards of proficiency.

The involvement of external stakeholders benefits the Council in developing its standards and guidance in a number of ways. The Council benefits from the knowledge and expertise of its stakeholders, often profession-specific and drawn from a wide range of practice areas. Involving our stakeholders in the development of standards and guidance (rather than simply at the consultation stage) also ensures 'buy-in' from stakeholders and improved dissemination of the completed work. It also raises the profile of the organisation.

The Council also involves its stakeholders by consulting whenever it produces guidance or standards. It also provides input into other standards development by others by responding to external consultations where appropriate.

The Council is often involved in the development of standards and guidance by other organisations.

Becoming involved in the development of standards and guidance by other organisations will:

- allow sharing of knowledge, expertise and best practice for mutual benefit;
- provide opportunities for networking; and
- raise our profile.

- Regular participation in cross-regulatory fora which often consider standards related matters.
- The Psychotherapists and counsellors PLG has a representative from an organisation representing the interests of service users. Consideration is currently being given to ways in which the input of service users might be achieved.
- Public consultation and responding to other organisations consultations on standards related matters.
- 'A disabled person's guide' was cited as an example of good practice within current regulatory requirements in the Disability Rights Commission's report 'Maintaining Standards: Promoting Fequality'

3.5 Communicate

Aims and Objectives

- To effectively communicate the role and purpose of the Council's guidance to its stakeholders.

The Council should aim to effectively communicate the role and purpose of its standards to a variety of different stakeholders including employers, registrants and education providers.

The Policy and Standards Department will work with the Communications Department to develop effective ways of communicating the purpose and function of the Council's standards and guidance.

This could include:

- using opportunities to promote the Council's standards work at events;
- producing content for the newsletter which explores standards and ethics type issues;
- developing the HPC website; and
- exploring possibilities of standards focused consultation events in the future.

- Press releases for reviews and consultations
- Regular 'HPC In Focus' articles on standards consultations and other related matters.
- Numerous presentations given to stakeholders on topics including the standards of conduct, performance and ethics, CPD standards and returns to practice requirements.

4. Indicative periodic review timetable

Standard	Date of first publication	Date of first review (financial year)	Date of re-publication	Date of subsequent review (financial year)
Standards of proficiency	2003	2005/06	2007	2012/13
Standards of conduct, performance and ethics	2003	2007/08	2008	2013/14
Standards of education and training	2004	2007/08	2009	2014/15
Standards for continuing professional development**	Effective 2006	TBC	n/a	TBC
Returners to practice requirements	2005	2010/11*	n/a	

*This forms part of the Department's equality and diversity action points

NB: The above timescales are subject to the information in section 3.1 of this document

