

Council, 26 March 2014

Fitness to Practise Departmental Work plan 2014-15

Executive summary and recommendations

Introduction

Attached as appendices to this paper is the draft Fitness to Practise directorate work plan for 2014-15 and an update as to the activity undertaken as part of the Fitness to Practise work plan for 2013-14

Decision

The Council is asked to discuss and approve the draft Fitness to Practise department work plan.

Background information

None

Resource implications

Accounted for in draft 2014-15 budget

Financial implications

Accounted for in draft 2014-15 budget

Appendices

Appendix One – FTP Directorate Work plan 2014-15

Appendix Two – FTP Directorate Structure

Appendix Three –FTP Risk Register

Appendix Four– FTP Departmental Work plan update 2013-14

Date of paper

14 March 2014

Fitness to Practise Work plan 2014-15

Introduction

This document sets out the resources, responsibilities and priorities of the Fitness to Practise Directorate for the financial year April-March 2014-2015. It will be updated throughout the year to reflect new and changing priorities.

Main Operational Processes

There are six main operational processes which generate the majority of the department's work. These are listed below.

Fitness to Practise Allegations - This activity comprises of investigating allegations to the effect that a registrant's fitness to practise is impaired and the management of the case through to its conclusion. This includes witness/complainant liaison, instructing lawyers and preparing and presenting cases at investigating, interim order, final and review stage.

Tribunal Scheduling and Management – This activity comprises of the organisation, scheduling and clerking of all fitness to practise, registration appeal and suitability scheme hearings and all follow up work related to hearing outcomes. It also includes witness liaison and management.

Health and Character Declarations management – This activity comprises of the management of health and character declarations from registrants and applicants on admission, readmission and renewal to the Register.

Prosecutions of Offences – This activity comprises of the investigation and management of offences under Article 39 of the Health and Social Work Professions Order 2001 (the Order). This includes undertaking necessary field investigations and prosecuting offences in the magistrate's court.

Registration Appeals – This activity comprises of the management of cases where an applicant or registrant has appealed against a registration decision under Part IV of the Order.

Suitability Scheme – This activity comprises of the management of cases via the Student Social Work (England) Suitability Scheme.

Other Activities

There are a number of other areas and activities which support and affect the processes operated by the Fitness to Practise department. The following paragraphs summarise these activities

Assurance – The Assurance and Development Team oversee, undertake and monitor the FTP Quality Assurance Framework. This framework provides for on-going audit, quality compliance and decision review and for on-going reviews and audit of processes and procedure. The assurance team also ensure compliance with our statutory and legislation obligations in respect of information sharing and work with the Secretariat department in relation to requests for information made under the Freedom of Information and Data Protection Acts.

Development - The A&D team are also responsible for co-ordinating and managing on-going developments and refinements to the systems that support the work of the directorate and for co-ordinating and leading in training.

Challenges to Decisions We will continue to manage challenges to decisions – this includes both cases when registrants appeal the decision to find their fitness to practise impaired and/or impose a sanction and when the PSA refer a case in accordance with Section 29(4) of the National Health Service Reform and Health Care Professions Act 2002. We will ensure that we disseminate outcomes as appropriate and make any necessary changes or improvement to fitness to practise processes

Liaison with stakeholders – The directorate works with a range of stakeholder (employers, professional bodies, unions) to ensure understanding of the process. The directorate will continue to support the Communications department with representation at conferences and employer events and will continue to present to relevant stakeholders on the fitness to practise process. We will also work with the Communications department in relation to media activity associated with Fitness to Practise cases. We will continue to be involved in advisory groups (such as those run by PSA and the Department of Health) and six monthly meetings with Unions and Professional Body groups. We will also ensure the delivery of requirements under our MOU's and information sharing agreements with organisations such as the CQC, the DBS and the other Care Councils.

Major Projects -Members of the fitness to practise department will also contribute to relevant major projects being run across the organisation which include the review of the registration and finance systems and the move to Microsoft outlook.

Mediation - The mediation pilot began in September 2013. We will undertake an evaluation of the pilot in 2014-15

Panel recruitment, selection and training In 2014-15 the adjudication team will work with the Partners Team to appoint, reappoint, train and appraise panel members, panel chairs and legal assessors. The volume of recruitment is higher in 2014-15 than it has been in previous years given the number of panel members whose terms of officer are coming to an end.

Review days will take place for Legal Assessors and Panel chairs. These review days are used to update legal assessors and panel chairs on regulatory law updates, provide feedback on PSA learning points and look at ways to improve decision making.

The department will continue to design and deliver the training of all new panel members, including two day training sessions for all new panel members, and the on-going programme of refresher training for existing partners. We will continue to send quarterly updates to all partners in the form of a newsletter on the work of the department and other relevant updates.

Professional Standards Authority- We are not due to be audited by the PSA in 2014-15 but will ensure that we review the audits undertaken on the other regulatory bodies to assess whether there is any learning for us. We will also continue to respond to learning points about FTP cases and use that learning to improve and develop our processes. The assurance and development team will co-ordinate the FTP component of the annual PSA performance review.

Publications- A number of publications are produced by the fitness to practise team – ranging from the fitness to practise annual report and brochures explaining the processes, through to practice notes on various aspects of the fitness to practise process, and other documents such as those explaining the registration appeals process. These documents are updated and reviewed regularly.

Supplier Management - We will closely manage our relationship with all our key suppliers, including keeping under review our contracts and service level agreements with these suppliers. In 2014-15 we will complete the tender for the provision of transcription writer services, undertake the tender for the provision of public law advice and contribute to the tender on room hire and travel.

Website - The department is responsible for information provided on the HCPC website regarding fitness to practise hearings as well as the information online about the fitness to practise and protection of title processes.

Resources

Human Resources

It is anticipated that there will be 88 members of the fitness to practise directorate in 2014-15 with temporary staff used on a periodic basis as required. . It is anticipated that an additional 7 employees will be recruited for in 2014-15, with maternity leave cover recruited for as required. The new posts are Case Manager*3, Case Manager – Advancement*1, Case Support Officer*1, Scheduling Officer*1 and Trainer*1. The new posts in the Case Management Team are to ensure that the growth in post case to answer and presenting activity is resourced adequately and to ensure that we are resourced to manage the different complexities of cases. The Trainer post will report to the Head of Assurance and Development and will be responsible for co-ordination and delivery of training across the department.

The directorate structure is provided at appendix 2 of this document. It is anticipated that the team will comprise of the following in 2014-15:

Job Title	Number of Post Holders	Maternity Leave
Adjudication Manager	1	
Administration Manager	1	
Apprentice	1	
Assurance and Development Officer	2	
Case Manager	29	
Case Manager - Advancement	4	
Case Support Manager	1	
Case Support Officer	5	
Case Team Manager	6	
Case Team Manager - Advancement	1	
Compliance Officer	2	
Director of Fitness to Practise	1	
Head Of Adjudication	1	
Head of Assurance and Development	1	
Head of Case Management	1	1
Head of FTP Service Improvement	1	
Head of Investigations	1	
Hearings Officer	8	1
Hearings Team Manager	2	
Investigations Manager	2	
Lead Scheduling Officer	1	
PA to Director	1	
Quality Compliance Manager	1	
Scheduling Manager	1	
Scheduling Officer	7	
Team Administrator	5	1
Trainer	1	

Responsibilities

The Directorate comprises of 4 core operational groups or areas and is led by the Director of Fitness to Practise who is responsible for the overall management and leadership of the Directorate. Those groupings are as follows:

Adjudication - The Adjudication function is headed by the Head of Adjudication and is separated into two teams – Scheduling and Hearings. The Scheduling team is managed by the Scheduling Manager and comprises of one Lead Scheduling Officer and 7 Scheduling Officers. The Scheduling Team are responsible for scheduling and listing all tribunal related activity operated by the department. The Hearings Team is managed by the Adjudication Manager and comprises of two Hearings Team Managers and 7 Hearings Officers. The Team are responsible for witness support, liaison and management, clerking and undertaking the follow up related to hearings and ensuring the smooth running and operational management of hearings. This

includes liaison with Panel Chairs and Legal Assessors and responding to and dealing with postponement and adjournment requests.

Assurance and Development – The Assurance and Development function is headed by the Head of Assurance and Development and comprises of a Quality Compliance Manager, 2 Quality Compliance Officers and 2 Assurance and Development Officers. The team are responsible for the maintenance and development of systems and processes to support the work of the department (including the maintenance and development of the Case management System. The Assurance and Development Officers are also responsible for the management of the deployment schedule and co-ordinate the responses to complaints about complaints within the department and assist in the development of reporting tools. The Quality Compliance Officers are responsible, amongst other things, for conducting audits of case files to check compliance with policy and process, for undertaking a monthly accuracy check of the fitness to practise statuses on the register, reviewing information for disclosure and providing freedom of information and data protection act information as it relates to the fitness to practise function. The team also oversee the FTP retention policy and make recommendations for referrals to the Disclosure and Barring Service (DBS) and the equivalent scheme in Scotland. The Head of Assurance and Development also co-ordinates the FTP response to the PSA performance review.

Case Management – The Case Management function is headed by the Head of Case Management and Head of Investigations and comprises of 2 Investigations Managers, 7 Case Team Managers, 1 Case Support Team Manager, 1 Administration Manager, 29 Case Managers, 4 Advancement Case Managers, 5 Case Support Officers, 5 Team Administrators. The team are responsible for the investigation, management and presentation of allegations to the effect that a registrant's fitness to practise is impaired, for the management of health and character declarations, the management and investigation of offences under Article 39 of the Order and the management of other enquiries that received by the department. The Administration team provide administrative support to the FTP department.

Service Improvement – The Head of FTP Service Improvement is responsible for leading in the development and maintenance of relationships with external stakeholders and suppliers, including the development and maintenance of information sharing agreements and memorandums of understanding, for leading on engagement work and feedback mechanisms for developing and improving the work of the department.

Financial Resources

This work plan is based on the assumption of a Directorate of 88 permanent employees (including post holders who are currently on maternity leave or who have flexible working arrangements). It is anticipated that there will be a fitness to practise budget of approximately £12.2million

Forecasting

The budget is based on the fitness to practise forecast model and the forecasted activity for the remainder of the 2013-14 financial year. The following key assumptions have been made when preparing the budget:

- Number of incoming new potential FTP cases based on 0.65% of the Register having a concern raised against them
- 11 % of all open enquiry cases closed every month
- 100 MIS cases received every month
- 27 % of pre ICP cases ob'sd every month and considered at Investigating Committee Panel (ICP) 7 weeks later
- 98% of cases considered by the ICP in a given month will be concluded in that month. This allows for requests for further information.
- Case to answer percentage of 50%.
- Cases concluded at hearing is based on those cases that were referred by the ICP []months previously
- GSSC transfer cases to be concluded by Autumn 2015
- 10 % of substantive cases listed for hearing every month will be part heard or adjourned
- 8 % of final hearings will be disposed of via consent
- The number of interim order and interim order panels is based 14% of cases
- An average final hearing case will be listed for 2.5 days (this takes into account discontinuance cases and those that will take longer to conclude
- 2 review hearing cases will be considered in one day
- 4 registration appeal cases will be heard per panel
- 12 cases (FTP and Health and Character) will be considered per Investigating Committee Panel
- 0.3% of the total number of registrants will make a declaration of admission, readmission or renewal to the register.
- 60 % of declarations are received in the July-November period

The budget is therefore based on the forecast that there will be:

- 2150 new cases
- 1350 cases closed without referral to an investigating panel
- an on-going pre ICP case load of 1000 cases
- 860 cases considered by the Investigating Committee
- 420 cases referred for final hearing
- 1400 days of hearings (comprising of full hearings, consent applications, interim orders, review hearings, preliminary hearings, investigating committee panels and registration appeal panels.

The budget estimate also includes Professional Standards Authority (PSA) and registrant appeals to the High Court, appeals against registration appeal decisions, applications for judicial review and other tribunal related activity The costs of appeals that were made in previous financial years and but not concluded are also included in the 2014-15 budget. The budget also takes into account telephone attendance at Investigating Committee Panels and not requesting a transcript to be written up for every hearing

The budget is also predicated on fitness to practise case managers presenting interim orders, Article 30 review hearings, consent and discontinuance applications and some conviction FTP cases. Case Managers present all investigating panel and health and character cases to the investigating/registration panel.

Fitness to Practise Department Objectives 2014-2015

The activity set out below fall into three broad categories and covers the activity and action that is undertaken to improve, refine and develop our processes and procedures. Each activity is has a head allocated who is responsible for the co-ordination and delivery of the activity.

We will also continue to take steps to ensure that the risks associated with the work of Fitness to Practise Department are effectively managed. The risk register for the risks associated with or the responsibility of the department is attached to this document as appendix 3.

Equality and Diversity

We will continue to scrutinise and monitor all activities in this work plan with a view to identifying and where possible, mitigating any adverse impact to some groups compared to others. We will continue to aim to improve accessibility to the fitness to practise process.

Fitness to Practice Activities Table 2014-15

Process and Policy Development

Activity	Description	Timescale	Head responsible
Efficiencies and Independence in Adjudication	<ul style="list-style-type: none"> - Developing mechanisms to ensure and improve independence in adjudication - Use of Pre-Hearing Teleconferences - Reviewing the use of technology in tribunals <ul style="list-style-type: none"> - including the equipment required for panellists, Video Conferencing, Text message alerts for panels members, recording equipment 	Quarter 1-4	Head of Adjudication
Law Commission/DH Bill	<ul style="list-style-type: none"> - Contribute as required to the work developing or implementing the bill. 	Quarter 1-4	Director of Fitness to Practise
Review of the Standard of Acceptance of Allegations	<ul style="list-style-type: none"> - Review the Policy - Examination of where complaints could be resolved locally 	Quarter 1-3	Head of Investigations
Post Policy Decision Evaluation/Measures of Effectiveness	<ul style="list-style-type: none"> - Implement measures to assess the effectiveness of a policy or process change 	Quarter 1	Head of FTP Service Improvement
Whistleblowing	<ul style="list-style-type: none"> - Managing disclosures made under the Public Interest Disclosure Act 1998 	Quarter 2	Head of Investigations
Mediation Evaluation	<ul style="list-style-type: none"> - Evaluate the mediation pilot 	Quarter 2	Head of Service Improvement
Regulatory Reviews	<ul style="list-style-type: none"> - Respond to PSA and other relevant performance reviews and audits and develop action plans as required. 	Ongoing	Head of Assurance and Development, Head of Investigations

Activity	Description	Timescale	Head responsible
Quality Assurance Framework	- Monitor, review and implement the quality assurance framework and take action as required to improve and develop processes	Ongoing	Head of Assurance and Development
Practice Note Review and Development	- Ongoing review and development of practice notes	Ongoing	Head of Assurance and Development
FTP Operating Guidance Review	- Ongoing review and development of operating guidance	Ongoing	Head of Assurance and Development
Policy Review	- Ongoing review and development of policy documents	Ongoing	Head of Assurance and Development

Service Improvement, Communication and Information Provision

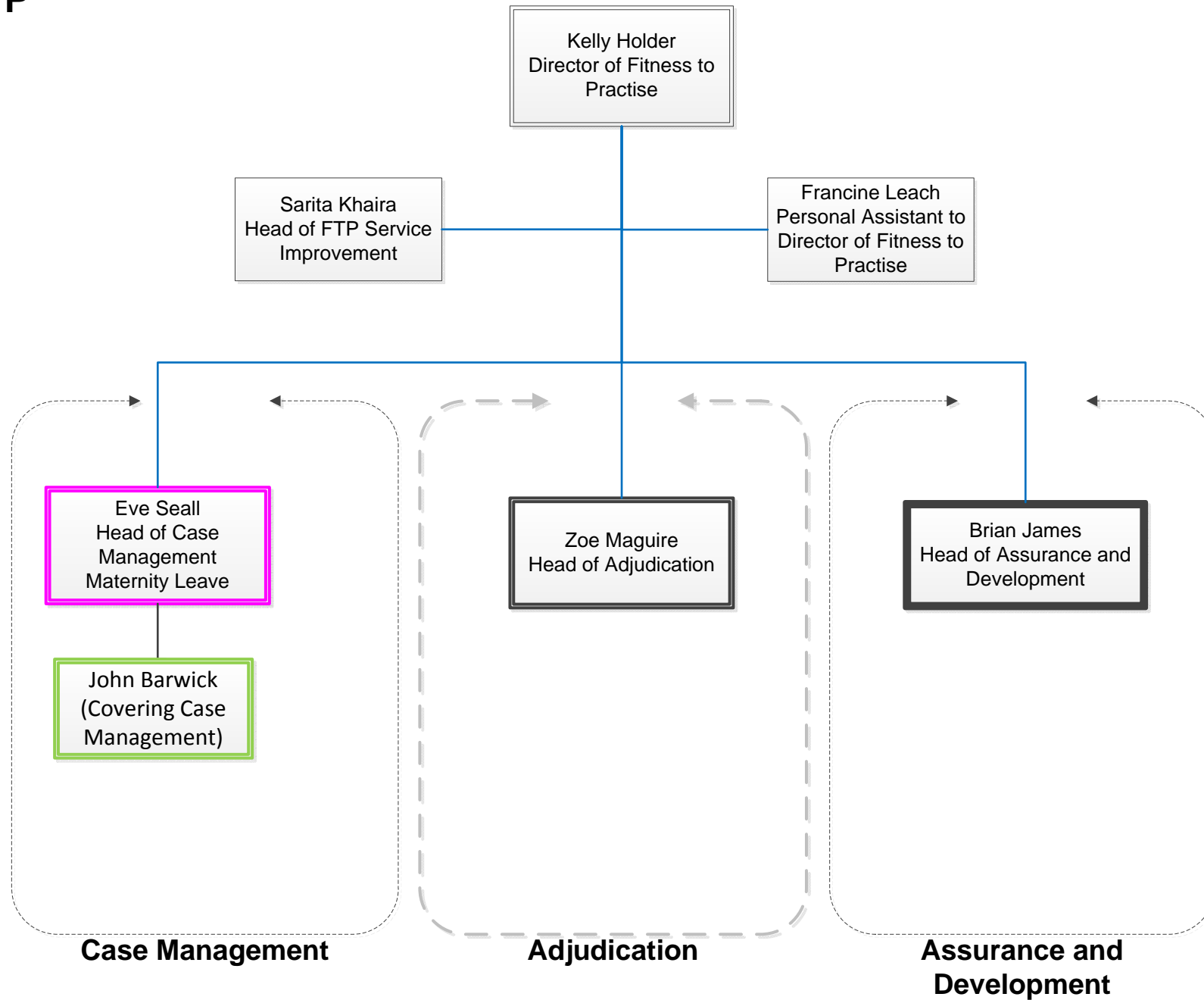
Activity	Description	Timescale	Head responsible
Guidance for Employers	<ul style="list-style-type: none"> - Mapping Location of Complaints - Development of Guidance for Employers 	Quarter 1-3	Head of FTP Service Improvement
Patients Association Peer Review	<ul style="list-style-type: none"> - Patients Association peer review of the fitness to practise process using the model designed for the Mid Staffordshire NHS Foundation Trust 	Quarter 1-2	Head of FTP Service Improvement
Support Mechanisms	<ul style="list-style-type: none"> - Development of further mechanisms or changes in the processes to support registrants and complainants through the fitness to practise process 	Quarter 1-4	Head of FTP Service Improvement
Disengagement Study	<ul style="list-style-type: none"> - Commission and undertake research into the causes of disengagement and competency drift in health and care professionals 	Quarter 1-3	Director of Fitness to Practise
Feedback Mechanisms	<ul style="list-style-type: none"> - Development of questionnaires and feedback mechanisms for complainants and registrants and further enhancements to witness feedback. - Review approach to meeting complainants in person - On-going thematic review of complaints about complaints 	<p>Quarter 1-4</p> <p>Quarter 2</p> <p>Ongoing</p>	<p>Head of FTP Service Improvement</p> <p>Head of FTP Service Improvement</p> <p>Head of Assurance and Development</p>

Activity	Description	Timescale	Head responsible
Tone of Voice Review	- Undertake a tone of voice review on all FTP correspondence and communication	Quarter 2-4	Head of FTP Service Improvement
Fitness to Practise Annual Report	- Production of the Fitness to Practise Annual report 2014	Quarter 1-2	Head of Assurance and Development
Electronic Bundles	- Scope and review the possibility of electronic bundles in tribunals	Quarter 1-4	Head of FTP Service Improvement
Stakeholder Portal	- Scope and review the possibility of a stakeholder portal	Quarter 1-4	Head of FTP Service Improvement
Website Content refresh, update and maintenance	- Review and implement cycle of review the content provided in the FTP sections of the HCPC website	Ongoing	Head of FTP Service Improvement
Information Sharing and Memorandums of Understanding	<ul style="list-style-type: none"> - Complete revisions to MOU with the CQC, write and implement information sharing agreements and operating protocol - Create and implement MOU with Disclosure and Barring Service - Create and implement information sharing agreement with NHS Counter Fraud Service - Ongoing provision of data to the Care Councils - Development of other MOU's and information sharing agreements as required 	Ongoing	Head of Assurance and Development and Head of FTP Service Improvement

Resource Management

Activity	Description	Timescale	Head responsible
Cost Efficiencies Study	- Analyse the cost drivers of the fitness to practise process	Quarter 1-3	Director of Fitness to Practise
FAST the FTP Forecast	- Implement FAST methodology and approach to the FTP forecast	Quarter 1	Director of Fitness to Practise
Transcription Tender	- Complete the tender for the provision of transcription services to HCPC tribunals	Quarter 1	Head of Assurance and Development
Travel and Room Hire Tender	- Project team member for the tender for room hire and travel tender	Quarter 1-3	Head of Adjudication
Tender for the provision of Public Law Advice	- Undertake the tender for the provision of public law advice to the HCPC	Quarter 1-3	Director of Fitness to Practise
Case Progression	- Ongoing activity to ensure the expeditious management of cases.	Ongoing	All
Case Management Models	- Review the approach taken to case allocation and the mix of case allocated to a case manager - Review the responsibilities of the case management and administration team	Quarter 1	Head of Investigations
	- Examine the use and value of case examiners	Quarter 1	Head of FTP Service Improvement
Support Arrangements for Employees	- Review the arrangements in place to support employees in dealing with cases.	Quarter 1	Head of Investigations
	- Develop guidance for employees on handling difficult calls	Quarter 1	Head of FTP Service Improvement
Employee recruitment and resilience planning	- Improve and develop planning for unplanned absences	Quarter 1	Head of Investigations
Case Management System	- Development and maintenance of the case management system and reporting system	Ongoing	Head of Assurance and Development

FTP



FTP – Case Management

Eve Seall
Head of Case Management
Maternity Leave

John Barwick
Head of Investigations

Ciara O’Dwyer
Investigations Manager

Alan Shillabeer
Investigations Manager

Paul Robson
Case Team Manager
2

Alejandro Alonso-
Martinez
Case Team Manager
4

Sabrina Allen
Case Team Manager –
Advancement
5

Imran Inamdar
Case Support Manager
(Covering
Administration)

Jodie Godden
Case Team Manager
1

Amita Malhotra
Case Team Manager
3

Catherine Beevis
Case Team Manager
6

Victoria Gardner
Case Team Manager
7

Jameel Anwar
Administration Manager
Long Term Leave
Imran Inamdar Covering
Administration

Sonia Alexander-
Victor
Case Manager

Vacancy
Case Manager

David Allen
Case Manager -
Advancement

Sneha Shah
Case Support Officer

Hayley Fulcher
Case Manager

Rodney Dennis
Case Manager

Tbc
Case Manager

Patience Akintobi
Case Manager
(FTC 12 Months)

Gary Rope
Administration Co-
ordinator

Siobhan Carson
Case Manager

Lawrence Lui
Case Manager

Vacancy
Case Manager -
Advancement

Corrado Palmas
Case Support Officer

Simon Thompson
Case Manager

Richard Westlake
Case Manager

Nike Gustave
Case Manager

Enda Heslin
Case Manager

Cirene Chagas
Team Administrator

Shirley Hamilton
Case Manager

Yinka Alalade
Case Manager

Akua Dwomoh-
Bonsu
Case Manager -
Advancement

Ewan Shears
Case Support Officer

Dominic Williams
Case Manager

Michael Demissie
Case Manager

Dawn Ebanks
Case Manager

Alisa Cojeen
Case Manager

Vacancy
Team Administrator

Rory Byrne
Case Manager

Katia
Vandenbroucke
Case Manager

New Post
Case Manager
Advancement

Andrew John
Case Support Officer

Emily Healy
Case Manager

Adwoa Owusu-
Akyem
Case Manager

TBC
Case Manager

Kabir Siddiqui
Case Manager
Sabbatical

Petrina Baker
Team Administrator

Nafeesah
Aumeerally
Case Manager

Emma Watson
Case Manager

New Post
Case Manager

Farhana Hussein
Apprentice Support
Administrator

New Post
Case Manager

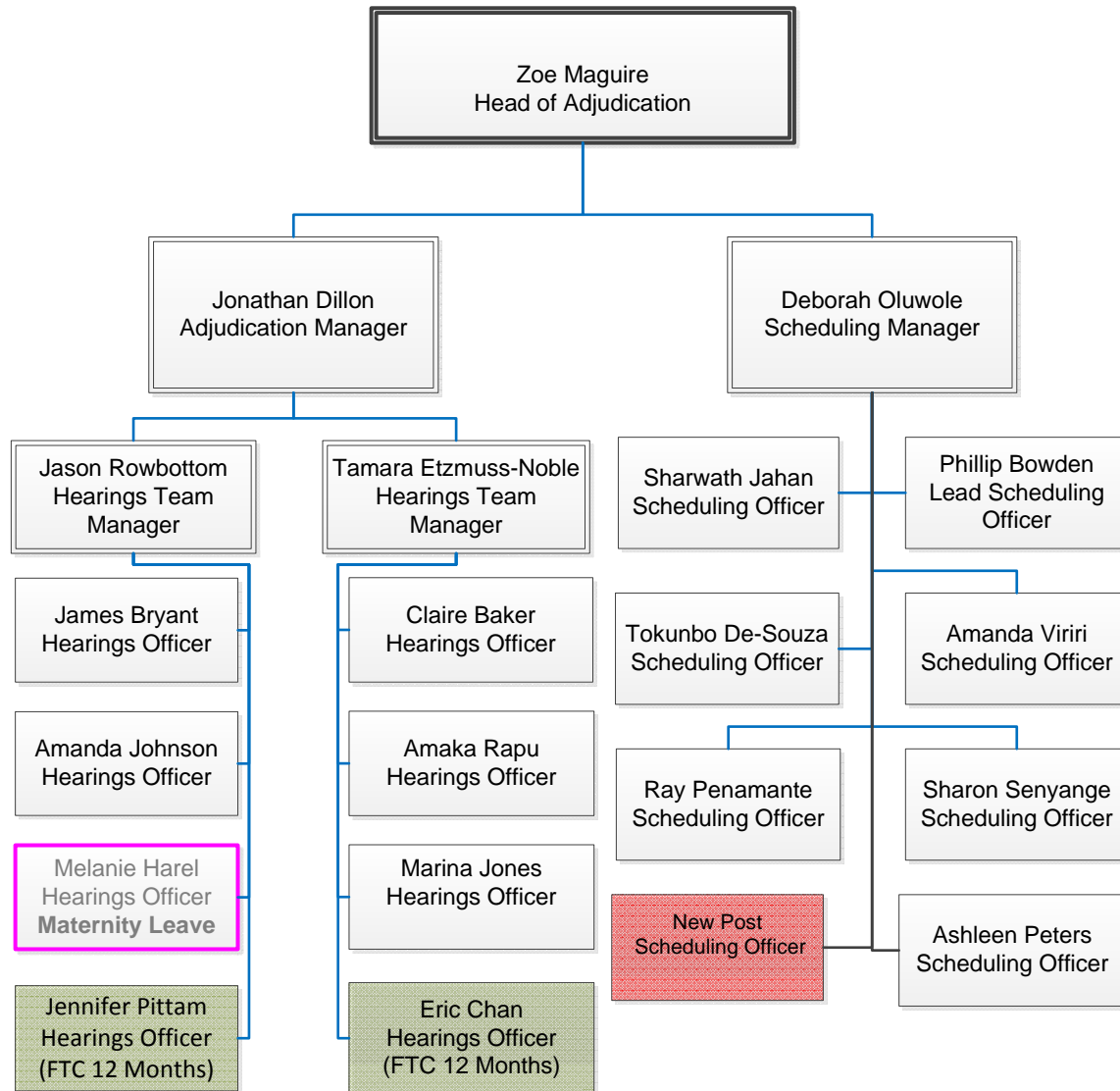
New Post
Case Manager

New Post
Case Manager

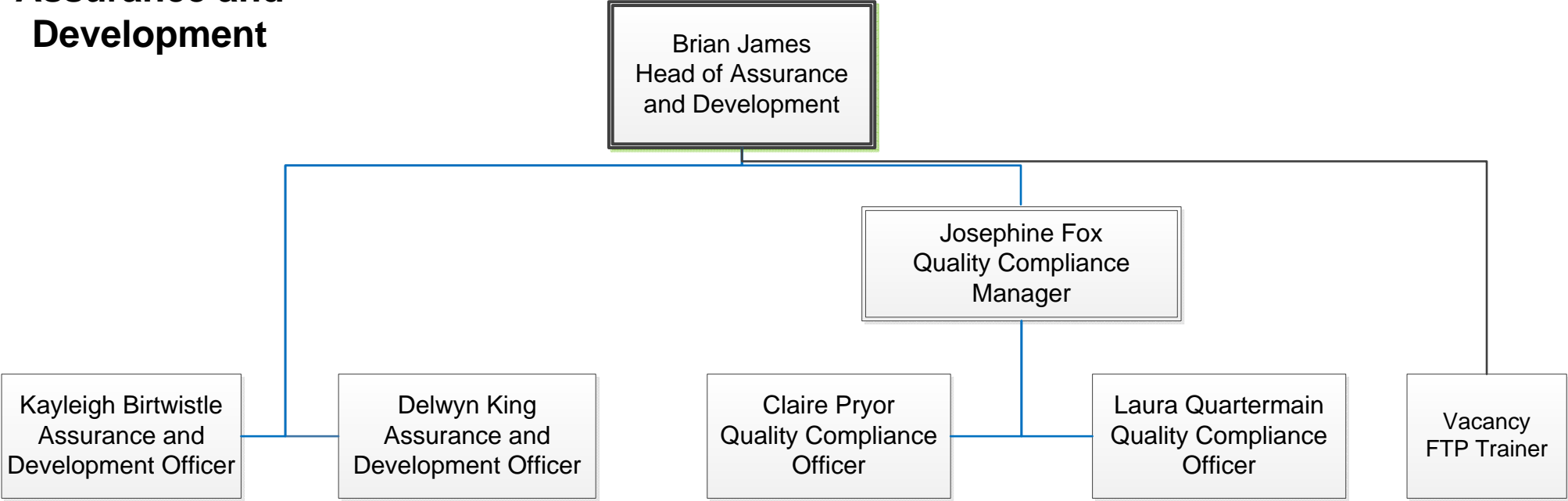
Sabrina Reekhaye
Team Administrator

Sabrina Reekhaye
Team Administrator

FTP - Adjudication



FTP – Assurance and Development



Appendix 3 – Risk Register

Ref	Category	Ref #	Description	Risk owner (primary person responsible for assessing and managing the ongoing risk)	Impact before mitigations Jan 2014	Likelihood before mitigations Jan 2014	Risk Score = Impact x Likelihood	Mitigation I	Mitigation II	Mitigation III	RISK score after Mitigation Jan 2014	RISK score after Mitigation Jul 2013
13	Fitness to Practise	13.1	Legal cost over-runs	FTP Director	4	4	16	Contractual and SLA arrangements with legal services providers(s)	Legal Insurance covering exceptional High Court Costs	Quality of operational procedures	Low	Low
			Links to 13.4, 15.2									
	Fitness to Practise	13.3	Tribunal exceptional costs	FTP Director	5	5	25	Quality of operational processes	Accurate and realistic forecasting	Quality of legal advice	Medium	Medium
	Fitness to Practise	13.4	Rapid increase in the number of allegations and resultant legal costs	FTP Director	4	4	16	Accurate and realistic budgeting	Resource planning	-	Medium	Medium
			Links to 13.1									
	Fitness to Practise	13.5	Witness non-attendance	FTP Director	4	2	8	Vulnerable witness provisions in the legislation	Witness support programme	Witness summons	Low	Low
	Fitness to Practise	13.6	Employee/Partner physical assault by Hearing attendees	FTP Director	5	5	25	Advice sought from the Police	Adequate facilities security	Periodic use of security contractors and other steps	Low	Low
	Fitness to Practise	13.7	High Number of Registration Appeals	FTP Director & Director of Operations, Head of Registrations	3	5	15	Training and selection of Registration Assessors, so reasoned decisions are generated	Quality of operational processes	-	Low	Low
	Fitness to Practise	13.8	Backlog of FTP cases	FTP Director	3	4	12	Annual reforecasting budget processes	Monthly management reporting	Quality of operational processes	Low	Low
	Fitness to Practise	13.9	Excessive cases per Case Manager workload	FTP Director	3	4	12	Annual reforecasting budget processes	Monthly management reporting	-	Low	Low
			13.2 moved to 12.2									
	Fitness to Practise	13.10	Protracted service outage following a Case Management System failure	Director of IT	5	3	15	Effective backup and recovery procedures	Maintenance and support contracts for core system elements	Annual IT continuity tests	Low	Low

	Partners	6.2	Incorrect interpretation of law and/or SI's resulting in PSAHSE review	Director of FTP, Director of Education, Head of Registration, Partner Manager	2	4	8	Training	Legal Advice	Regular appraisal system	Low	Low
	Partners	6.4	Partners poor performance	Director of FTP, Director of Education, Head of Registration, Partner Manager	4	3	12	Regular training	Regular appraisal system	Partner Complaints Process & Partner Code of Conduct	Low	Low
	Partners	6.5	Incorrect interpretation of HSWPO in use of Partners	Director of FTP, Director of Education, Head of Registration, Partner Manager	3	2	6	Correct selection process and use of qualified partners	Daily Email notification of partner registrant lapse	-	Low	Low
	Partners	6.6	Adequate number and type of partner roles	Partner Manager, Director of FTP, Director of Education, Head of Registration	3	2	6	Regular review of availability of existing pool of partners to ensure requirements are met.	Annual forecasting of future partner requirements to ensure that they are budgetted for.	Staggered partner agreements across professions for Panel Member and Panel Chair to ensure adequate supply in line with the eight year rule.	Low	Low
	Partners	6.7	User departments using non-active partners	Partner Manager, Director of FTP, Director of Education, Head of Registration	3	3	9	Notification of partner resignations to user departments.	Current partner lists available to user departments on shared drive.	-	Low	Low

	Finance	15.2	Unexpected rise in operating expenses	EMT	3	1	3	Budget holder accountability for setting budgets and managing them. Timely monthly reporting and regular budget holder reviews held. Finance & Resources Committee review of the monthly variances year to date.	Six month reforecasts with spending plan revisions as feasible and appropriate.	Legal cost insurance for FTP cases. Capped FTP legal case costs.	Low	Low
	Finance	15.3	Major Project Cost Over-runs	Project Lead / EMT	4	2	8	Effective project specification including creating decision points. Effective project management and timely project progress reporting (financial and non financial).	Creation of a project capex contingency budget. Project exception reports including revised funding proposal is presented to EMT for approval.	Finance & Resources Committee review of the project spending variances to date	Low	Low

	Information Security	17.2	Document & Paper record Data Security	EMT; Head of Business Improvement	5	3	15	Use of locked document destruction bins in each dept. Use of shredder machines for confidential record destruction in some depts e.g. Finance.	Data Protection agreements signed by the relevant suppliers. Dept files stored onsite in locked cabinets. Training where appropriate (Employees & Partners)	Regarding Reg Appln forms processing, employment contract includes Data Protection Agreement	Low	Low
	Information Security	17.3	Loss of electronic data	EMT, Director of IT and Director of Operations	5	3	15	Access is restricted to only the data that is necessary for the performance of the services.	Effective system processes including secure data transfer and remote access granted only on application and through secure methods. Training where appropriate Employees & (Partners)	Data Processor agreements signed by the relevant suppliers.	Low	Low

Appendix 4 - Fitness to Practice Activities Table 2013-2014

Process and Policy Development, Review and Improvement

Activity	Description	Timescale	Update
Case Management Maintenance and Phase 2	<ul style="list-style-type: none"> - On-going deployments to CMS of new letter templates, new users, changing user profiles - Phase 2 of the developments to the Case Management System 	<p>On-going</p> <p>September 2012-September 2013</p>	<p>We have continued to undertake on-going maintenance to the system. This has included adding new users, making amendments to access levels, adding new documents and adding and amending approval levels as identified by business users.</p> <p>The known issue affecting storage of documents in the document library is still affecting on-going project work. The planned project of enhancements has been delayed by this outstanding matter. A fix for this issue is expected in April 2014, and the initiation of the enhancements work is a workplan item for 2014-15.</p>
Decision Review	<p>Review and learn from review of:</p> <ul style="list-style-type: none"> - Final Hearing Decisions - Not Well Found Decisions - Investigating Committee Panel Decisions - Adjourned/Part Head 	<p>On-going</p>	<p>We have undertaken a review of the approach to ensure the quality and consistency of panel decisions. We have established a Decision Review Group which meets monthly. The group also receives detailed analysis of PSA learning points, and reasons for adjournments, cancellations, postponements or when a case is not well founded.</p> <p>The output of these discussions assists in shaping the review of existing guidance (Practice Notes and operational guidance), as well as revisions to core systems or reports, in</p>

			addition to existing training for FTP team members or Panel Members.
Activity	Description	Timescale	Update
PSA learning points	Review and feedback learning points from PSA in their section 29 role to improve HCPC's processes and procedures and to improve decision making	On-going	<p>PSA learning points continue to be logged by hearing, by type and by individual panel member. HCPC respond to PSA on all learning points, with our observations, clarifications and commitments to changing systems where relevant.</p> <p>PSA feedback is sent, along with HCPC's response, to the Panel Members who sat on that hearing for their personal development. If themes emerge relating to Partner performance, these are discussed with Partner's Team. A summary of the issues is included in the quarterly newsletter, and examples (suitably anonymised) are used as case studies in the induction and refresher panel training days.</p>
Health and Character Report	Review cases managed since the previous review and report findings to the Education and Training Committee	May 2013	<p>A report on the Health and Character process and a review of cases received during the period 1 April 2011 and 31 March 2013 was presented to the Education and Training Committee in November 2013.</p> <p>Going forward, the FTP Department will produce a Health and Character Review on a biennial basis, covering a two year period from 1 June-31 May, to coincide with the registration renewal cycle of the professions regulated by the HCPC.</p>

Activity	Description	Timescale	Update
Mediation Pilot	Implementation, on-going management and evaluation of the mediation pilot	April 2013-September 2013	<p>The pilot went live in September 2013 following the completion of the training of Panel Chairs and FTP employees. Investigations Managers also trained Investigating Committee Panel members. To date only a small number of cases have been identified as being potentially suitable for mediation. Of these cases, there has been one case where both parties have been willing to engage in mediation. The mediation session is scheduled to take place in April 2014.</p> <p>The pilot was planned to last six months or involve six cases, whichever comes first. To this end, the pilot will continue until sufficient cases have been referred for mediation to enable a full evaluation to be completed.</p>
The FTP Experience	<ul style="list-style-type: none"> - Looking at mechanisms to ensure a positive experience even if the outcome wasn't the one that was expected or sought - Patients Association Review - Develop questionnaires to send to registrants and complainants and look at whether we can improve communication to those 	<p>April 2013-March 2014</p> <p>April 2013</p> <p>July – October 2013</p>	<p>A Head of FTP Service Improvement was appointed in September 2013. A primary function of this role is responsibility for a dedicated work plan around improving the FTP experience.</p> <p>The Patients Association have been contracted to conduct a Peer Review of the fitness to practise process using the model they designed for the Mid Staffordshire NHS Foundation Trust and which has since been used at other NHS Trusts. The Peer Review is due to take place in May 2014 and will involve 16 members of FTP staff. We are the first health and social care regulator to work with the Patients Association in this way. We are looking forward to learning from the Patients Association</p>

	<p>involved in the process</p> <ul style="list-style-type: none"> - Learning from Complaints about Complaints – 6 Monthly review - Continue to review feedback from witnesses 	<p>March and October 2013</p> <p>On –going</p>	<p>expertise and how we may improve our fitness to practise process to ensure its accessibility, responsiveness and effectiveness for members of the public and service users.</p> <p>Some initial work has been conducted around developing our support mechanisms for both complainants and registrants, including meeting with other regulators and research into the development of questionnaires for complainants and registrants.</p> <p>A review of how we deal with complaints about FTP has been undertaken. One result of this review is that a recorded audit process is now in place to assess complaints for potential learning. Summary reports are discussed at FTP Management meetings on a monthly basis. More detailed reports including resulting actions are discussed at FTP Management meetings on a six monthly basis.</p> <p>Our witness feedback process has been enhanced to encourage a higher response rate. Rather than feedback questionnaires only being available in the witness waiting area together with a private box for their return, it is now handed to witnesses together with a pre-paid envelope. A copy of the feedback questionnaire is also emailed to witnesses alongside the panel’s final decision. These developments have resulted in a slightly higher response rate.</p>
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Activity	Description	Timescale	Update
Public Protection	<ul style="list-style-type: none"> - Review and implement recommendations from research (where appropriate) - Update statement on the meaning of fitness to practise 	<p>April 2013- March 2014</p> <p>May 2013</p>	<p>The Public Protection research was published in February 2014. We have commissioned research on the causes of competency drift and disengagement.</p>
File Audits	<p>Continue to audit case files and look at whether any improvements or adjustments could be made</p>	<p>On-going</p>	<p>Monthly file audits of closed cases (all types) across all FTP teams have continued. A monthly meeting led by the Assurance and Development team takes place to review any themes, trends or issues that should be included in process, guidance or training.</p> <p>All ICP decisions are reviewed each month, with a review of the allegations, any issues associated with the panel decision making or guidance.</p>
ICP Co-ordinator	<p>Review the use of the ICP Co-ordinator</p>	<p>April 2013</p>	<p>The ICP co-ordinators manage the preparation for the ICPs, and ensure that the panel days are maximised. They also ensure that the panel follow HCPC guidance when making their decision, and provide a prompt if anything is missed, or if the decision is not comprehensive.</p>

Activity	Description	Timescale	Update
Scheduling Process	Look at mechanisms to improve the efficiency of scheduling activity including enhancements to the Scheduling Questionnaire	April-July 2013	<p>A number of operational changes have been implemented:</p> <ul style="list-style-type: none"> •Scheduling team members have their own case load to manage - tasks such as witness chasing were previously shared between members of the team. This provides greater efficiencies, easier monitoring, greater consistency in communicating with parties and greater job satisfaction for schedulers. •Improvements to monitoring and management of panel member usage and allocations to ensure fairness of offers of sitting, and even distribution across the UK •Sending NOHs via email and post to registrants to ensure better and more immediate communication. •Review and updates to pre hearing form to ensure pre hearing checks and risk assessment. •Teleconferences with KN to discuss difficult/complex cases •Appointment of LSO to manage case load distribution, QA of hearings, and supervision of team. •Team and management reporting enhancements (source reporting, panel member exclusion report, etc)
Indicative Sanctions Policy	Review and Update the Indicative Sanctions Policy	May 2013	This was reviewed and considered by Council in July 2013

Activity	Description	Timescale	Update
Hearings Process	<p>Review of Hearings Process to ensure the hearing is being effectively managed and provide appropriate support material to the panel chair. This review will include:</p> <ul style="list-style-type: none"> - Delivering the decision - The role of the legal assessor - Reading out allegations - Chairing by the Panel Chair - 		<p>A number of activities have been concluded:</p> <ul style="list-style-type: none"> •Introduction of new efficiency measures - Panellists handing down decisions. Allegations not being read out. Deliberation days. Not chiefing witnesses unless required. •Interactive role plays during training sessions on decision drafting, reasoning and working with legal assessors. •Consultation during Chair and Legal assessor training days on changing the role of the legal assessor (present in panel rooms or not). Following consultation we decided not to change. •Created a new decision drafting pro forma •Revision of feedback mechanisms for hearing officers (creation of an 'issues log') •Revision of feedback forms for Panel chairs
Suitability Scheme	Review the workings of the suitability scheme	June 2013	<p>The Scheme has been established on a transitional basis to assist education providers in assuring that students admitted to their courses are of suitable character. A report on the progress of the scheme was presented to Council in July 2013.</p> <p>The first case to be considered by an Adjudicator was heard in February 2014. A review of the student suitability scheme will be completed in 2014/15.</p>

Communication, Information Provision and Responding to Change

Activity	Description	Timescale	Update
Guidance for Employers	Work with the policy and standards team to develop guidance for employers on when to refer a registrant to the HCPC. This will include a consultation	April 2013-March 2014	A feedback email address has been set up on our website inviting employers to tell us how we can improve the information we currently have available. Feedback on the information leaflet for employers and managers was also gathered at an employer event in Bristol in February 2014. Initial best practice research and research into the approach of other healthcare regulators has also been undertaken.
Fitness to Practise Annual Report	Production of 2013-2014 Fitness to Practise Annual Report	September 2014	<p>The Annual Report was produced and published following approval by FTP committee and Council. The report is available in both paper and electronic version, and has an accompanying Key Information version.</p> <p>The timetable for the next Annual Report will lead to publication of 2013-14 data following discussion by Council in July 2014.</p>

Activity	Description	Timescale	Update
Attendance at Employer Events	Attend and participate in the continuing series of employer events	March 2013	This has continued
Practice note review and development	Ensure all practice notes are kept up to date, remain fit for purpose and take account of relevant High Court or Court of Appeal Decisions	On-going	We have a workstream to review all practice notes and other guidance on a rolling cycle. The co-ordination of this is overseen by the Assurance and Development team.
Stakeholder management	To engage and attend meetings with all relevant stakeholder groups	On-going	We have met with, and are continuing to meet with, the CQC to develop our information sharing relationship. We are also

meetings			<p>involved in the CQC's Ambulance Advisory Group, a working group to assist the CQC in setting up their Ambulance organisation inspection model.</p> <p>We have also met with, and are continuing to meet with, NHS Protect to develop our information sharing relationship.</p> <p>In December 2013 we had a constructive meeting with representatives of the representative bodies to discuss the development of a positive working relationship. This has resulted in: twice yearly meetings with the representative bodies as a collective to discuss fitness to practise specific issues; twice yearly newsletters specifically for the representative bodies updating them on fitness to practise matters and other organisation wide issues which will be of interest to them (for example, consultations); and the implementation of designated feedback loops for case specific issues.</p>
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Activity	Description	Timescale	Update
Inter Department Liaison	Continued liaison with other departments, in particular Communications, Registrations and Partners	On-going	<p>We have delivered a programme of partner recruitment and training</p> <p>We run as part of our quality assurance function, a monthly check with Registrations of the changes to the register for registrants who are either under investigation, or awaiting a public hearing.</p> <p>In summer 2013, we contributed to a review of Partner expenses policy, which was approved by Committee, and communicated to all partners.</p>
Continue to review and respond to reports issued by CHRE and other relevant organisations	To continue to review and respond to reports issued by CHRE and other relevant organisations and to present findings to committee / council as appropriate	On-going	We have reviewed the NMC, GDC and GMC initial audit stage reports, with papers discussed at FTP Committee and Council.
On-going engagement with CQC	<ul style="list-style-type: none"> - How to identify suitable cases - Referral criteria - Referral form - Training for the team 	On-going	We are in the process of finalising the MOU, Operating Protocol and Information Sharing Agreement with the CQC

Activity	Description	Timescale	Update
Newsletter	Quarterly Production of the FTP Newsletter	On-going	<p>Four newsletters were produced in 2013-14. The items are taken from hearing decision reviews, complaints, or operational changes that affect panel members.</p> <p>The timetable for 2014-15 has newsletters in June, September, December and March 2015.</p>

Resource Management

Activity	Description	Timescale	Update
Room Hire	Look at alternative venues for hearings outside of Park House in advance of renovation of 186 KPR	Before March 2014	<p>A review of existing suppliers of external venues allowed us to negotiate better room rates and additional services such as secure storage on site or confidential waste disposal.</p> <p>A number of rooms have been refurbished in 186 KPR. This has led to a saving of around £1000 per hearing per day, and has freed up space in Park House for other HCPC users.</p>
Partner Usage and Expenditure	Review partner expenditure		This review has concluded, and a number of changes made to processes for identifying and contacting partners.
Legal Services Tender	Undertake the tender for the provision of legal services	February 2013-December	The tender process was completed in January 2014

Activity	Description	Timescale	Update
Transcription Writer Tender	Undertake the tender for the provision of transcription writer services	To complete by September 2013	This tender was due to conclude in 2013. The award of the contract was contested, and the decision taken to re-tender. Four suppliers have been invited to tender, and the award will be made in May 2014.
Departmental training	<ul style="list-style-type: none"> - To continue to provide refresher training to the case management and hearings team in the form of FTP workshops - Provide training to the fitness to practise team in preparation for the on-boarding of social workers - To continue to provide profession specific training 	On-going	<ul style="list-style-type: none"> • All new team members have an induction process, which includes an introduction to the department, their role, and their responsibilities. • All new team members meet the Director and relevant Head shortly after starting, to discuss their role, and the planned activity in FTP • All team members receive training in the Case Management System, delivered by the Assurance and Development team. Any team members who are identified as requiring additional support have objective driven training with sign off of competencies. • Each team has identified team training, in addition to their individual personal development objectives. This includes problem solving or process based review work relating to hearing processes, or drafting allegations. • For instance, training has been delivered for Hearings team members on handling difficult and vulnerable parties, delivered by MIND.

Activity	Description	Timescale	Update
Panel Chair, Legal Assessor and Panel member review and training days	Refresh and develop material for partner training	On-going	All materials have been reviewed, and new approaches to delivery of the training have been introduced. Panel Members now experience a mix of theory, case studies drawn from past cases, and interactive video case studies relating to case law, changes in operational process, or existing guidance.
HR/Partners project	Contribute to and be part of the project team reviewing partner systems and processes	April 2013-March 2014	FTP contributed to the business analysis stages of current and desired processes as part of the project scoping.
Operating guidance and standard letters	Ensure all Fitness to Practise Operational guidance and standard letters are kept up to date, remain fit for purpose and new guidance/ letters are produced as and when necessary.	On-going	Fitness to Practise operational guidance continues to be reviewed on a regular cycle. Guidance reviewed and updated in 2013/14 includes: disposal of cases by consent, discontinuance, signposting, Health and Character cases, case progression, review of striking off orders and requiring disclosure of information.