

### Education and Training Committee meeting on 6 November 2024

#### Committee Chair's summary to Council

Regular performance reports were heard from the Registration and Education departments. Overall, both teams are performing well against their respective key performance indicators (KPIs). The Committee is continuing to closely monitor international applications and the impact on appeals and respective timescales. The second education annual (addendum) report was presented by the Head of Education reviewing 2023-24 data. This highlighted the continued challenges experienced by education providers in relation to achieving financial sustainability, filling programmes to capacity and recruiting academic staff.

The Committee was introduced to a new education project which aims to review and reduce the regulatory burden for education providers. It is extremely positive that the HCPC is demonstrating regulatory leadership in this arena, inviting other regulators to work collaboratively to improve efficiency. The vision for the future is for education providers to feel a reduction in regulatory overlap and for decision-making to be better informed. The Committee felt this work should be celebrated in the wider arena.

The Committee approved the new requirements for English language proficiency for international applicants along with the qualifying countries list and recognised English language tests. Given the sensitivity of this, the Committee has given close scrutiny to the equality impact assessment to ensure a balance of a robust system without having a negative impact on protected groups. To strengthen confidence, a breakdown of the planned impact review and monitoring with timescales has been requested. This will remain under the scrutiny of the Committee.

Phase 2 of the standards for education and training review is complete, with a wealth of stakeholder engagement having taken place. Expert panel membership is being sought for more specialised areas of the review including artificial intelligence and technology and simulation in learning. To complement the new standards and to better support education providers in considering equality, diversity and inclusion (EDI), the Education team plan to develop supportive materials to clarify our EDI expectations and define good practice.

We bade a fond farewell to Penny Joyce, our longstanding Independent Committee Member. Penny has been with the HCPC since 2008 in various roles and joined the Education and Training Committee in 2018. She was instrumental in helping to shape the new quality assurance model and her wisdom and higher education experience will be greatly missed. We aim to recruit to this role in the new year and have received confirmation that we will also have student representation on the Committee.

Helen Gough, Chair of the Education and Training Committee

## Education and Training Committee

### Minutes of the meeting of the Education and Training Committee held in public as follows:

**Date:** Wednesday 6 November 2024

**Time:** 10am

**Venue:** Videoconference (Microsoft Teams)

**Present:** Helen Gough (Chair)  
Rebekah Eglinton  
Penny Joyce  
Katie Thirlaway  
Steven Vaughan (until item 11)

**Apologies:** None

### In attendance:

Aroosa Ahmed, Registration Advisor  
John Archibald, Education Quality Officer (for item 10)  
Francesca Bramley, Governance Manager  
Monique Chang, Registration Advisor  
Madeleine Connor, Policy Manager (from item 9)  
Brendon Edmonds, Head of Regulatory Development and Performance  
David Fell, Operational Manager - UK Registration and Contact Centre  
Karen Flaherty, Head of Governance  
Richard Houghton, Head of Registration  
Michael Hughes, Registration Officer  
Jamie Hunt, Head of Education  
Kabir Kareem, Education Manager  
Tom Miller, Policy Manager  
Bernie O'Reilly, Chief Executive  
Tracey Samuel-Smith, Education Manager

## Public agenda

### **1 Welcome and introduction**

- 1.1 The Chair welcomed those present to the meeting, in particular a number of members of the Registration and Education teams who were observing the meeting.

### **2 Apologies for absence**

- 2.1 There were no apologies.
- 2.2 The Chief Executive was attending the meeting in the place of the Executive Director for Education, Registration and Regulatory Standards and Deputy Chief Executive, who would usually attend Committee meetings.

### **3 Approval of agenda**

- 3.1 The Committee approved the agenda.

### **4 Declaration of members' interests in relation to agenda items**

- 4.1 No interests were declared.

### **5 Minutes of the Education and Training Committee meetings held in public on 12 June 2024 and 11 September 2024 and correction to the minutes of the Education and Training Committee meeting held in public on 6 March 2024**

- 5.1 The Committee approved the minutes as an accurate record of its meetings held in public on 12 June 2024 and 11 September 2024.
- 5.2 The Committee approved the correction to the minutes of the meeting of the Committee held in public on 6 March 2024 to record the apologies for Rebekah Eglinton, who had been appointed as a member of the Committee on 5 March 2024 and had been unable to attend the meeting at such short notice.

### **6 Matters arising**

- 6.1 The Committee noted the matters arising from its previous meetings.
- 6.2 The Council of Deans of Health had confirmed its interest in offering students on its student leadership programme the opportunity to participate in Committee meetings. The Head of Governance would continue to progress this initiative to facilitate greater input from students to the work of the Committee.

## Performance reports

### 7 Registration performance report

7.1 The Head of Registration presented the performance report, which outlined performance for the period from August to September 2024 and service improvements under way.

7.2 The following areas were highlighted:

- the implementation of the new Registration operating model nearing finalisation, with all three new operational managers in post and interviews for the remaining vacancies planned over the coming weeks;
- the maintenance of consistently high performance standards during this period of change;
- performance against the service standards for median application assessment time for UK applications had been maintained during the peak period for UK applications during the summer months and was well within the service standard of ten working days;
- there had been a sharp increase in international applications in August 2024 and the number of international applications received during August and September 2024 was around 75% higher than budgeted, with most of the additional fixed-term posts created to manage increased demand now filled;
- the renewal period for operating department practitioners had begun during the reporting period and the renewal rate was broadly in line with the previous renewal period in 2022 and ahead of the earlier renewal period in 2020;
- the performance targets for responding to enquiries by telephone, email and post had been maintained;
- the median monthly performance target to hear a registration appeal had not been met since June 2024, with only two scheduled appeal hearing days in October 2024 due to staff leave and plans to increase the number of hearing days each month to improve performance; and
- an overall compliance level of 99% achieved for the 264 quality assurance frontline checks undertaken between 1 June and 31 August 2024.

7.3 The Committee discussed the ongoing challenges with meeting the performance target for hearing registration appeals and considered possible options to increase capacity. It was a requirement of the HCPC's legislation that registration appeal panels were chaired by a Council member. Education and Training Committee members were not permitted to chair appeal panels since decisions subject to appeal were made pursuant to powers delegated by

the Committee, which limited the number of possible panel chairs. The Committee noted that this issue had been considered by the Remuneration Committee and would be considered by the Council at its meeting in December 2024.

- 7.4 The current registration appeal panel chairs had reported that more communication with applicants at an earlier stage in the process could reduce the number of appeals. One registration appeal panel chair had undertaken an informal audit of the cases they had considered at panel hearings and the Chair would share the findings with the Head of Registration.

## **8 Education performance report**

- 8.1 The Head of Education outlined the performance measures across the operational processes in the Education team and current performance against these.
- 8.2 The percentage of active assessments over service levels had decreased from 34% to 6%, resulting in a green rating for this performance measure.
- 8.3 The time taken to complete the performance review process had increased during the reporting period and was in excess of six months. This was due to the previously reported peak in the number of performance reviews, with 33 cases concluded over the last three months. All cases from 2023-24 had now concluded with the exception of two particularly complex assessments, which would be submitted to the Education and Training Panel for consideration imminently.
- 8.4 Programme capacity had increased across most professions including operating department practitioner programmes, where capacity had previously been decreasing.
- 8.5 In September 2024 the HCPC had jointly facilitated a webinar with NHS England (NHSE) on the NHSE Long Term Workforce Plan. Around 150 stakeholders had attended the session, most of which were education providers. A number of scenarios had been presented to clarify the HCPC's regulatory model.
- 8.6 There had been a significant increase in the number of focused review cases during the reporting period. This increase was attributable to the Education department's proactive review of the most recent provider performance data for all approved education providers, which had resulted in a number of focused reviews to investigate further where certain thresholds were met based on benchmarks or previous data. This may result in ongoing monitoring or be followed up as part of a scheduled performance review.

**Action:** A summary of the review of education provider performance data changes would be included in the Education performance report for the next Committee meeting.

## Consultations and reviews

### 9 Education annual report 2023-24

- 9.1 The Policy Manager joined the meeting for this item. The Committee had previously endorsed the production of an addendum report to the 2021-23 education annual report as the findings for 2023-24 were not substantially different to those set out in the 2021-23 report.
- 9.2 The addendum report identified additional key findings from the analysis of 2023-24 data, including:
- the continued challenges experienced by education providers in relation to achieving financial sustainability;
  - inability to fill programmes to intended capacity;
  - recruiting academic staff;
  - performance review monitoring assessments had been undertaken for most Welsh education providers for the first time in 2023-24 and programmes had continued to align with the expectations of Health Education and Improvement Wales (HEIW);
  - the Teaching Excellence Framework (TEF) awards from the Office for Students had provided an additional external framework through which the HCPC could seek quality assurance;
  - more education providers were considering the use of artificial intelligence; and
  - revisions to programmes triggered by the COVID-19 pandemic had now been embedded into standard practice.
- 9.3 The addendum report set out the next steps and future challenges. The anticipated continued learner number expansion for many professions had been factored into the Education department's resource planning and monitoring activity was expected to remain stable over the next three to four years.
- 9.4 The Committee suggested the following amendments to the addendum report:
- the executive summary could better articulate the future plans and actions and more clearly emphasise that the changes to programmes arising from the COVID-19 pandemic had been embedded into programmes and this should no longer be seen as a barrier to service user and carer involvement; and
  - some statements in the addendum report should be more nuanced to reflect the differences across education providers, noting in particular that the impact of the TEF awards and challenges with recruitment and

financial sustainability were not universal across all education providers.

**Action:** The addendum report 2023-24 would be updated to reflect the Committee's feedback prior to publication.

- 9.5 The Education department planned to produce a series of supplementary briefing documents for education providers that would be published alongside the addendum report to cover a range of topics including service user engagement, equality, diversity and inclusion (EDI) and the impact of the COVID-19 pandemic. In subsequent years, the intention was to update these resource materials alongside key statistics in place of an overarching education annual report.
- 9.6 The Education department planned to engage with education providers and other key stakeholders to seek feedback on the addendum report and resource materials. The ongoing challenges education providers raised in relation to service user involvement would be addressed through this engagement to clarify the HCPC's requirements and to provide further support.
- 9.7 Subject to the agreed amendments being made, the Committee approved the publication of the addendum report for 2023-24 and the creation of materials for sector stakeholders.

**Action:** The Head of Education would notify Committee members when the annual report 2023-24 had been published.

## 10 Review of regulatory burden for education providers

- 10.1 The Education Quality Officer joined the meeting for this item. A presentation was given by members of the Education department to provide the Committee with an overview of the work to reduce regulatory overlap in education. This work had been driven by the HCPC's commitment to being a 'right touch' regulator and the Council of Deans of Health manifesto paper for a sustainable NHS workforce, the recommendation in Lord Darzi's recent report on the state of the National Health Service in England relating to the impact of regulation on the NHS's ability to focus on those it serves and a number of recently publicised cases at other regulatory bodies that highlighted the adverse impact of regulatory overlap. The HCPC sought to demonstrate regulatory leadership in this area whilst ensuring its statutory obligations continued to be met.
- 10.2 Since the introduction of the current education quality assessment model, only 42% of the standards for education and training required full evidencing for most approval assessments and there had been a significant reduction in the average annual number of monitoring submissions for each education provider. There was greater reliance on evidence at an institutional or provider level rather than requiring this for each programme. Data and intelligence had been used to assess education providers, with a more proactive approach to reviewing data informed by the risk profile of each education provider. For education providers that were not included in national data collection, such as the Higher Education Statistics Agency (HESA) data, to enable them provide

their own data of the appropriate quality. The bespoke assessment process that had been developed to incorporate the HEIW commissioning exercise in 2023-24 had demonstrated the HCPC's flexible approach.

- 10.3 The vision for the future was for education providers to feel a reduction in regulatory overlap and for decision-making to be better informed. There were plans to work with other regulators and professional bodies to consider where requirements could be aligned and where assurances could be taken from other regulators' assessments. The Committee reflected on the importance of the HCPC providing leadership in this area and clarifying its regulatory remit to other regulators to avoid duplication. The term 'regulatory overlap' was considered more helpful than 'regulatory burden'.
- 10.4 Future initiatives sought to work upstream to reduce regulatory burden through the HCPC's assessments. The potential impact of these initiatives would be assessed before finalising the work plan. The Committee asked that the ongoing evaluation of the education quality assessment model be expanded to include quality measures to gain assurance that the reduction in regulatory overlap had not had an adverse impact on the quality of education provision.

## **11 English language proficiency**

- 11.1 In May 2024 the Council had approved revised English language proficiency requirements for international applicants seeking to join the HCPC Register, which were scheduled for public launch on 29 January 2025.
- 11.2 The Committee considered the proposed list of qualifying countries for English language proficiency. The qualifying countries list had been informed by research on global English language prevalence by country using Ethnologue data. As only a minority of countries had data available on the percentage of people speaking English specifically as a first language, the list had primarily been compiled on the basis of more than 75% of residents speaking English overall. Where this threshold had been met but a predominant national language was more commonly used and/or English was demonstrably not the dominant language of the country, the country had been excluded from the list. The HCPC's proposed qualifying countries list was broadly aligned with those used by other healthcare regulators.
- 11.3 The proposed process and criteria for the approval of English language test providers was also considered by the Committee. International applicants would be able to demonstrate English language proficiency by completion of recognised English language tests that met the criteria. An initial English language test provider would be considered by the Committee in the private session of the meeting; the test criteria would be used to assess whether other English language tests should be added to the list of approved tests in the future. In response to previous feedback received from the Committee, the test criteria had been expanded to ensure the assessment was not limited to reading and writing.



- 11.4 The Committee acknowledged the significant work that had enabled the proposals to be finalised and approved the qualifying countries list and the process and criteria for English language tests.
- 11.5 Clarification was sought as to how the implementation of the new policy would be monitored, noting a full progress update would be provided to the Committee one year on from initial implementation.

**Action:** The monitoring plan would be shared with Committee members by email following the meeting.

## Governance

### 12 Committee forward plan

- 12.1 The Committee's forward plan for 2025 was noted. This would continue to evolve in response to the work of the Committee, including the option for deep dive reviews on significant areas of interest such as appeals and reducing regulatory overlap.

### 13 Resolution to move the meeting to private session

- 13.1 The Committee resolved that the remainder of the meeting would be held in private, because the matters being discussed related to matters which, in the opinion of the Chair, were confidential or the public disclosure of which would prejudice the effective discharge of the Committee's or Council's functions.
- 13.2 The meeting was briefly adjourned.