

**Agenda Item 8 (ii)**

**Enclosure 8**

**Health and Care Professions Council  
07 December 2017**

**Competency Framework for panel members**

**For discussion and approval**

**From Teresa Haskins, Director of HR**

Council, 7 December 2017

Revised Competency Frameworks for HCPC Panel Members, Panel  
Chairs and Legal Assessors,

Executive summary and recommendations

### **Introduction**

1. Since the establishment of the Tribunal Advisory Committee (TAC) earlier this year, a review of the competency framework for HCPC panel members and panel chairs has been undertaken, and an entirely new competency framework for HCPC legal assessors has been developed.
2. The TAC has advised the Executive to ensure that the new competency frameworks are in line with current best practice and will provide a robust and practical foundation for panelist recruitment, feedback, learning and self-assessment for reappointment. The frameworks are informed by the *Judicial Skills and Abilities Framework 2014* produced by the Courts and Tribunals Judiciary.
3. The new competency frameworks for HCPC panel members, panel chairs and legal assessors were agreed for recommendation to Council by the TAC at its meeting on 16 November 2017.
4. The new competency framework for HCPC panel members and panel chairs is attached at Appendix 1, and the new competency framework for legal assessors is attached at Appendix 2.

### **Decision**

The Council is asked to approve the new competency framework for HCPC panel members and panel chairs attached at Appendix 1, and the new competency framework for legal assessors attached at Appendix 2.

### **Resource implications**

None

### **Financial implications**

None

### **Appendices**

Appendix One – Competency Framework for panel members and panel chairs 2017

Appendix Two – Competency Framework for legal assessors 2017

**Date of paper**

23 November 2017

# Health and Care Professions Council

## Competence Framework for Panel Members and Panel Chairs

### Introduction

This Competence Framework is based upon the *Judicial Skills and Abilities Framework 2014* for the Courts and Tribunals Judiciary, which groups skills under six headings:

Competency heading	Panel Members and Panel Chairs	Panel Chairs
<b>Assimilating and Clarifying Information</b>	<ul style="list-style-type: none"> <li>• Assimilates, recalls and analyses information to identify essential issues</li> <li>• Identifies and focuses on the real issues</li> <li>• Applies legal rules and principles to the relevant facts and clarifies uncertainty</li> <li>• Able to weigh evidence in order to make findings of facts and reach a reasoned decision</li> <li>• Asks appropriate questions of witnesses and representatives</li> </ul>	<ul style="list-style-type: none"> <li>• Identifies and communicates priorities.</li> </ul>
<b>Working with Others*</b>	<ul style="list-style-type: none"> <li>• Treats people with respect, sensitivity and in a fair manner without discrimination</li> <li>• Ensures that all parties are provided with a fair opportunity to present evidence and participate fully in the hearing</li> <li>• Values and promotes equality and diversity, ensures that the requirements of those with differing needs are properly met and challenges inappropriate comments and/or actions</li> <li>• Demonstrates the appropriate balance between formality and informality in hearings</li> <li>• Works constructively with others and encourages co-</li> </ul>	<ul style="list-style-type: none"> <li>• Manages hearings fairly, providing objective directions and interventions</li> <li>• Leads the Panel by personal example</li> <li>• Adopts an inclusive approach to develop and maintains the reputation of the Panel and tribunal</li> <li>• Facilitates constructive and productive Panel discussions and manages disagreements between Panellists</li> <li>• Seeks the advice of the Legal Assessor</li> </ul>

<p>*Others refers to all participants at hearings, e.g. The Panel Chair and Members, Legal Assessors, HCPTS staff, Registrants (and their advocate/representative) and HCPC Advocates and witnesses.</p>	<p>operation and collaboration</p> <ul style="list-style-type: none"> <li>• Recognises and deals appropriately with actual or potential conflicts of interest</li> <li>• Demonstrates familiarity with HCPC policies on expected behaviours including the HCPC Partner Code of Conduct.</li> </ul>	<p>when appropriate</p> <ul style="list-style-type: none"> <li>• Provides leadership on E&amp;D and challenges inappropriate comments and/or actions</li> <li>• Provides feedback on performance of Panel members and Legal Assessor.</li> </ul>
<p><b>Exercising Judgement</b></p>	<ul style="list-style-type: none"> <li>• Exercises sound judgement and common sense</li> <li>• Acts fairly and non-biased Demonstrates integrity and independence of mind</li> <li>• Contributes, in an appropriate and timely manner, to reaching fair and reasoned decisions based upon relevant law</li> <li>• Makes effective use of advice in applying the relevant law and procedure before making decisions.</li> </ul>	<ul style="list-style-type: none"> <li>• Enables all Panellists to contribute effectively to decision making</li> <li>• Provides support to maintain and improve the Panel's performance</li> </ul>
<p><b>Possessing and Building Knowledge</b></p>	<ul style="list-style-type: none"> <li>• Possesses an appropriate and up to date knowledge of the relevant law and its underlying principles and procedure</li> <li>• Shows an ability and willingness to learn and develop</li> <li>• Embraces new processes and procedures</li> <li>• Demonstrates openness to feedback</li> <li>• Possesses a sound understanding of the policy environment with a focus on regulation</li> <li>• Demonstrates a clear understanding of public interest and public protection.</li> </ul>	<ul style="list-style-type: none"> <li>• Contributes to the development of training programmes</li> <li>• Encourages learning, keeps knowledge up to date and communicates developments to other Panel members</li> <li>• Runs hearings efficiently and effectively and takes responsibility for the use of the Panel's time and resources.</li> </ul>
<p><b>Managing Work Efficiently</b></p>	<ul style="list-style-type: none"> <li>• Works collaboratively and contributes to the fair, efficient and effective management of cases and the conduct of hearings</li> <li>• Responds calmly and flexibly to changing circumstances</li> <li>• Shows ability to work at speed and under pressure</li> <li>• Undertakes necessary preparatory work, manages time</li> </ul>	<ul style="list-style-type: none"> <li>• Ensures collaboration within panel and with Legal Assessor</li> </ul>

	<p>and tasks to minimise delays and irrelevancies</p> <ul style="list-style-type: none"> <li>• Seeks guidance from and offers assistance to others as appropriate.</li> </ul>	
<b>Communicating Effectively</b>	<ul style="list-style-type: none"> <li>• Adopts a clear and succinct oral and written communication style and adjusts according to the audience</li> <li>• Listens attentively and seeks clarification where necessary</li> <li>• Demonstrates courtesy through effective communication</li> <li>• Asks clear, concise, relevant and understandable questions without unnecessary technical jargon</li> <li>• Establishes authority and inspires respect and confidence</li> <li>• Remains calm and authoritative at all times.</li> </ul>	<ul style="list-style-type: none"> <li>• Explains relevant legal or procedural issues clearly and succinctly</li> <li>• Supports and delivers change within the tribunal</li> <li>• Takes responsibility for the preparation and clarity of panel's reasoning ensuring full engagement of all Panel members</li> <li>• Provides clear, accessible and professional oral delivery</li> </ul>

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## Health and Care Professions Council

### Competence Framework for Legal Assessors

This Competence Framework is based upon the *Judicial Skills and Abilities Framework 2014* for the Courts and Tribunals Judiciary and adapted specifically to the role of HCPC Legal Assessor. There are six competency headings:

Competency heading	Description
Advising effectively	<ul style="list-style-type: none"><li>• Provides independent, proportionate and unbiased advice</li><li>• Tailors advice according to the circumstances of the case</li><li>• Applies relevant case law and concepts related to public interest and public protection.</li></ul>
Working with others*  *Others refers to all participants at hearings, e.g. The Panel Chair and Members, HCPTS staff, Registrants (and their advocate/representative) and HCPC Advocates and witnesses.	<ul style="list-style-type: none"><li>• Ensures proceedings are conducted fairly and according to relevant rules and procedures</li><li>• Recognises and shows understanding of the differing needs of participants and provides appropriate support for registrants who are not legally represented.</li><li>• Shows appropriate regard for the panels' autonomy in reaching decisions</li><li>• Values and promotes equality and diversity, and reminds the panel of its importance where appropriate</li></ul>
Exercising judgement	<ul style="list-style-type: none"><li>• Demonstrates integrity and applies independence of mind to ensure that proceedings are conducted fairly</li><li>• Ensures that the panel's decision is presented in a clear and well-reasoned manner in line with the Health and Social Work Professions Order 2001 and other relevant regulatory standards.</li></ul>

	<ul style="list-style-type: none"> <li>• Respects confidentiality in relation to both evidence and to the panel's deliberations</li> </ul>
Demonstrating and building knowledge	<ul style="list-style-type: none"> <li>• Demonstrates and applies detailed knowledge of current law, Human Rights Act and relevant Court decisions</li> <li>• Demonstrates an ability and willingness to learn and develop.</li> </ul>
Managing work efficiently	<ul style="list-style-type: none"> <li>• Undertakes preparation in advance of each tribunal</li> <li>• Assists the Chair (and hearings officer) to effectively use time available</li> <li>• Produces draft determinations in a timely manner (usually before the end of the hearing day) using HCPTS word processing packages.</li> </ul>
Communicating effectively	<ul style="list-style-type: none"> <li>• Provides clear and succinct oral and written communication, in particular during hearings and in the assistance given to Panels in the drafting of Decisions</li> </ul>