

## Fitness to Practise Improvement Plan - Progress update

### Executive Summary

This paper is to update Council on the progress of the Fitness to Practise (FtP) Improvement Plan. It includes a brief update of the 16 projects we started in January 2021.

As discussed with Council at its July meeting, in this paper we focus on the impact these projects have had against the targets we have set ourselves as well as our forward trajectory.

Finally, this paper gives an overview of the next suite of projects that will run from September 2021 to March 2022.

High level project status overview (see Appendix 1 for further detail):

|  |    |
|--|----|
| Projects completed/in benefits realisation stage       | 13 |
| Project due to complete in September 2021 (as planned) | 2  |
| Projects at risk (tracking as Amber)                   | 0  |
| Projects at risk (tracking as Red)                     | 0  |
| Projects on hold                                       | 1  |

**Previous consideration** New standing item at Council (as of February 2021) to update Council on the progress of the FtP Improvement Plan. Oversight of the progress of our FtP Improvement Plan is also provided by the FtP Improvement Board.

**Decision** Council is asked to discuss the update.

**Next steps** The next report on progress will be provided to Council on 25 November 2021.

**Strategic priority** Strategic priority 1: Improve our performance to achieve the Professional Standards Authority’s Standards of Good Regulation.

**Financial and resource implications** None as a result of this paper.

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## 1. Introduction

- 1.1 Improving our performance in Fitness to Practise (FtP) is the priority for the HCPC in 2021. This means improving the quality and pace of our management of FtP cases. The HCPC has an FtP Improvement Plan in place and we are taking action in 2021 to accelerate and augment our improvement work.
- 1.2 To do this we prioritised 16 key projects that we started in January 2021. This paper provides:
  - An update on these 16 projects
  - An update on our performance and the impact these projects have had to date
  - The targets we have set ourselves and our forward trajectory
  - An overview of the next suite of improvement projects to run from September 2021 to March 2022

## 2. Update on the 16 priority projects (Jan 2021 – July 2021)

- 2.1 Since we last reported to Council in July 2021, we have completed 13 of the 16 projects we began in January. With the exception of the new case management system (CMS) and dependent projects (which went live in June and not April as originally planned) all projects were completed on time.
- 2.2 The projects to provide targeted support to the Threshold caseload and to accelerate serious cases (including piloting frontloaded cases) are on track for cases to be returned by the legal providers by the end of September (as planned).
- 2.3 One project (the tone of voice review) was paused in April and is now part of the second suite of projects (see section 4).
- 2.4 Appendix 1 provides the high-level summary of these projects.
- 2.5 The focus is now on ensuring we embed the changes we have made and monitor the impact they are having (see section 3)

## 3. Our performance and the impact of the completed projects

- 3.1 In the Professional Standards Authority's (PSA's) recent report on our performance (published in July 2021) it is acknowledged that the projects we prioritised between January and July 2021 were focused on the right areas.
- 3.2 The PSA also acknowledged that it takes time for changes to embed and to be seen in the case load. We agree with this assessment and we are focusing resource on monitoring how these projects are embedded. While we believe the evidence suggests we are making progress, we know it will take time for the improvements to be fully realised.

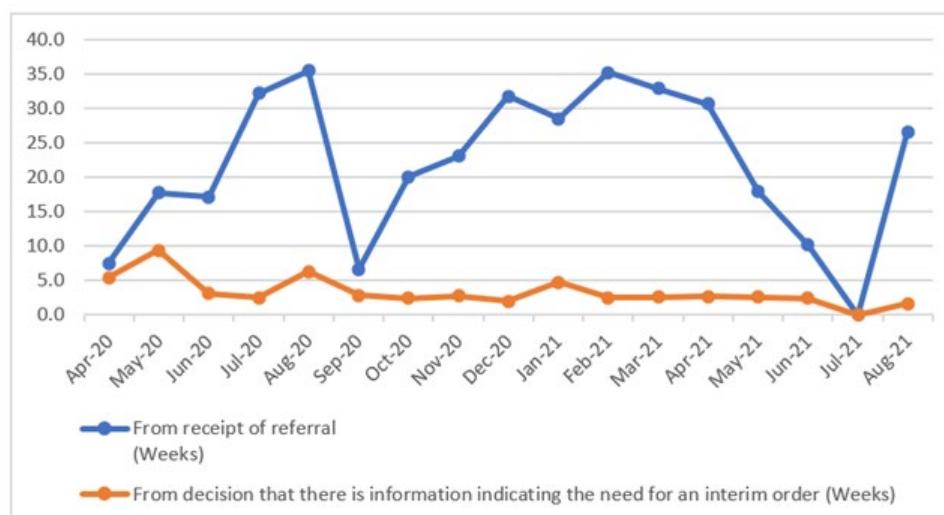
- 3.3 In this section we provide an overview of our performance and impact the projects we completed between January 2021 and July 2021 have had to date. We have broken this down by themes of the key benefits we are seeking to achieve through the FtP Improvement Programme. These are:
- Quality of case management – including risks assessment of cases and the early findings from the ‘frontloading’ pilot.
  - Quality of decision making
  - Improving the age profile of cases
- 3.4 We also provide an overview of the modelling we have completed on our case load and the forward trajectory to bringing our caseload back to within steady state.

### Quality of case management – risk management and case planning

#### Risk management

- 3.5 The new case management system that went live in June included a new risk assessment tool. Case Managers received training on how to use the tool and our approach to risk assessments and interim order management in May. Focused refresher sessions were delivered to the teams in early June.
- 3.6 We have a cohort of six Risk Champions across the case management teams, who are subject matter experts in this area.
- 3.7 One of the measures of how effectively we complete and keep up to date the risk assessment of our cases is the timeliness of the interim order we get. Since May, we have seen an improvement in our performance in this area.
- 3.8 Figure 1 shows the time taken to obtain an interim order from receipt of the concern (blue line) and from the time we receive information that gives rise to the need for an interim order (orange line).

Figure 1 – Interim Order performance



- 3.9 In July, we had no interim order hearings which is why the graph depicts a zero for that month. Whilst we did identify cases that required an interim order in July, these cases occurred towards the end of the month and were therefore listed for a hearing in August.
- 3.10 Since February of this year there has been a decreasing trend for the time taken from receipt of the concern to the interim order hearing, with significant improvements across May and June.
- 3.11 In August, we saw an increase in the time from receipt of the concern to the interim order hearing for the first time since February. The median time in August was impacted by a case where we applied for an interim order following a substantive final hearing going part-heard. However, in August the length of time it took us to apply for an interim order from receipt of the information indicating the need for an order was 1.6 weeks. This is lower than our target of 3 weeks and the shortest period of time since before April 2020.
- 3.12 To monitor how our new approach to risk assessments is embedding, in July we started monthly checks on the quality and timeliness of our risk assessments. Our target is to achieve 70% adherence with our Best Practice Standard for Risk Assessments by the end of October, increasing to 90% adherence by the end of the year. Our Best Practice Standard was developed following a benchmarking exercise against the risk assessment approach and guidance of other regulators, and in collaboration with our Quality Assurance team.
- 3.13 At the end of July, adherence to our Best Practice Standards was at 67%. We identified two key learning areas for improvement.
- 3.14 The first related to the level of detail provided when analysing risk factors. Whilst risk factors and the overall risk category was correctly identified, further information about the Case Managers' analysis of the risks could have been provided.
- 3.15 The second related to the use of the new prioritisation workflow in the CMS when medium risk cases were identified. We have identified an improvement to the CMS, which will be delivered as part of the phase 2 development of CMS.
- 3.16 Further training and feedback on these two areas of learning was delivered by the Risk Champions to the teams in August.
- 3.17 We are also working with our Quality Assurance team to undertake a formal quality review of the risk assessment tool and process. This work will form part of the second suite projects in the FtP Improvement Programme and consists of two separate audits.
- 3.18 The first audit will provide assurance that the new monthly quality checks carried out within the FtP team are appropriate and targeted to identify learning and opportunities for improvement. This review is due to commence in September 2021.

3.19 The second audit is an audit of the quality and timeliness of a sample of our risk assessments. This will begin in October 2021.

### Case planning

3.20 In June we also launched our new case plans for all new cases received into the Threshold team from Triage, and for new cases that have met the Threshold and are transferred to the Investigations team. This is also supported by our four Case Planning Champions within the case management teams. The case plans support team members to take a more strategic view of the case investigation at the outset, with the aim of improving both the quality and timeliness of the investigation.

3.21 The benefits of the introduction of the case plans will take a few months to realise in full, as we need to monitor the case plans through the life of the investigation. Our target is for 70% of case plans to adhere to Best Practice Standard for Case Planning by the end of October 2021, increasing to 80% by the end of the year.

3.22 The outcome of the first month of quality assurance checks on case plans at the end of July found that 67% of case plans adhered to the Best Practice Standard.

3.23 The key learning points related to ensuring a sufficient level of detail was provided to explain the investigation steps identified, and to ensuring regular reviews of case plans took place.

3.24 This feedback has been provided to the team and a training session with team managers took place in August. Team managers will cascade that training to their respective teams.

3.25 We have also planned further follow-up training in September on case planning, to be supported by one of our legal providers.

3.26 We are also working with our Quality Assurance team to undertake a review of the monthly quality checks carried out within the department, to ensure these are appropriate and targeted to identify learning and opportunities for improvement. This piece of work is due to commence in October 2021.

### Quality of case management – frontloading pilot

3.27 95 cases were included as part of the frontloading pilot. Our target was for all cases to be returned to us by the legal providers ready for an ICP by the end of September. We are on track to meet that target.

3.28 In August, 12 frontloaded cases were considered by an ICP. The ICP decided there was no case to answer in four cases, and a case to answer in the remaining eight cases.

- 3.29 The purpose of this pilot is test whether frontloading improves the quality and timeliness of investigations. The findings to date are promising. In two cases where the panel found there was no case to answer, this decision was reached based on witness statements we had obtained.
- 3.30 Without these statements we are of the view that a different decision would most likely have been reached by the ICP and the case would have been referred on to an HCPTS hearing. Our current process is to obtain witness statements post-ICP, and it is therefore promising that frontloading the witness statements enabled the appropriate regulatory decision to be made earlier in the process in these two cases. We will continue to monitor this benefit as more cases move through to ICP stage.
- 3.31 In addition, we are now looking to list the case to answer cases coming out of the ICP in 25 weeks (six months). This is a reduction by 12 weeks compared to our current standard process.
- 3.32 Our evaluation of the frontloading pilot will commence in September. This will consist of an assessment of the learning arising from the pilot that could inform further improvements to our fitness to practise investigations, as well as tracking the outcome of frontloaded cases at final hearing.
- 3.33 We will look to build any learning from the evaluation into our operating model for the next financial year.

## Quality of decision making

### Senior decision makers

- 3.34 In October 2020, we introduced a Senior Decision Maker team who apply our threshold criteria. This early-stage decision making has been the subject of concerns raised by the PSA in previous performance reports and in the past our internal quality assurance reports had also raised concerns with this stage of our process.
- 3.35 Following the changes made as part of the FtP improvement Programme and the introduction of this new team, in March 2021 our internal QA team carried out an audit of threshold decisions made by the Senior Decision Maker team.
- 3.36 The audit found that the quality of decisions made at this stage of the process were improved, and that decisions were complete and clearly explained. The audit identified that 98% of the audited decisions met all three quality standards. Only one decision, to close a case, was found not to meet a quality standard in that the decision to close the case may not have been correct. This case has subsequently been reopened.
- 3.37 There was also a bottleneck at this stage of the FtP process in March and April of this year. In response, we adapted our processes to allow threshold-met cases to be advanced to the Investigation team. The Senior Decision Maker team is now up to date and reviewing cases as they become ready for review. This is a reduction of around 40 cases from the backlog earlier in the year.



## Legally qualified ICP Chairs

- 3.38 Legally qualified Chairs at ICP were introduced in April 2021. We have seen a noticeable improvement in the quality of decisions made at this stage of the process, particularly in relation to the level of detail in the rationale for the decision.
- 3.39 The number of cases being considered on each ICP day is lower than we'd expected and as a result we have seen an increase in the number of cases adjourned for lack of time. To address this, we held a workshop with ICP Chairs in early September to help us understand the barriers to working more efficiently and explore practical measures we can put in place to reduce them.
- 3.40 One of the benefits we will track following the introduction of the legally qualified Chairs is a reduction in cases not well found on facts and grounds at final hearing. It's too early to measure this yet, but we expect to be able to see this from January 2022 onwards as cases referred on from the ICP reach the final hearing stage.

## HCPTS decision making

- 3.41 We delivered training to panel Chairs and Legal Assessors during April 2020. The training focused on our Sanctions Policy and drafting good quality decisions, with a particular focus on impairment and decisions involving state of mind allegations.
- 3.42 The benefits of this project will be tracked over time. We will be tracking the number of learning points and observations we receive from the PSA and the number of PSA appeals to the High Court. This will include a trends analysis of feedback we receive from the PSA through these mechanisms, as well as a trends analysis of decisions referred internally to our Decision Review Group (DRG).
- 3.43 The purpose of the DRG is to improve the standard of adjudication undertaken by HCPTS panels and support proactive organisational learning with particular emphasis on issues affecting key elements of the case management processes. The group reviews decisions made by panels in order to assure that they are in line with current operational guidance, legislation and HCPC Policy; and to make recommendations where necessary.
- 3.44 In July 2021 we held our first meeting of our new Decision Appeal Group (DAG). The DAG is a senior management group whose remit is to review any internal referrals where there are serious concerns regarding public protection following decision making by panels of HCPTS Tribunals. Where the group have serious concerns about public protection or where it considers there were serious procedural irregularities in the panel's decision, the group may decide to refer the decision to the PSA for consideration under their Section 29 powers. The DAG may also refer matters back to the ICP if they have concerns about a decision made at that stage.

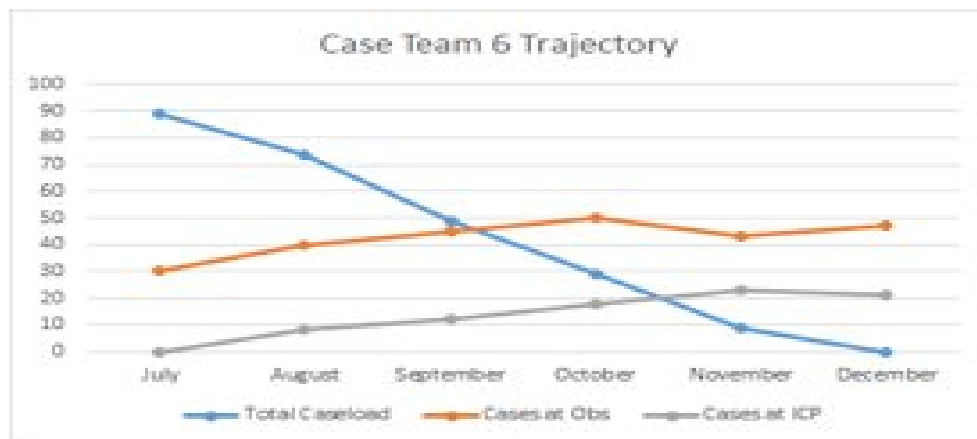
3.45 The DAG has considered one decision to date which resulted in feedback to the panel and the case management teams.

### Improving the age profile of our case load

3.46 In September 2020 we set up a case team to manage our oldest 250 cases pre-ICP. We set ourselves the target of getting these cases ready for the ICP by September 2021.

3.47 As at the beginning of September we have 80 cases remaining in the team. 30 of these are either listed for an ICP or at the allegations approval and listing stage. Figure 2 sets out the trajectory for concluding the remaining 50 cases.

Figure 2 – trajectory to complete the oldest cases



3.48 We expect that the remaining active investigations will be concluded by December 2021, with all outstanding cases listed for ICP or at listing stage before the end of the year.

3.49 We also set ourselves the target to increase the number of hearings in this financial year, to support the reduction in the age profile of cases as they move through to the final stages of the FtP process. Our aim was to hold approximately 40 final hearings each month to achieve our target of increasing the number of final hearings to 480-500 for the 15-18 months from April 2021. We achieved this in June, when we held 42 final hearings.

3.50 We have experienced some resource capacity challenges to our ability to hold the planned number of hearings over the summer months. These have been due in part to members of the scheduling team being successfully appointed to other positions with the FtP department, and panel member availability due to increased leave over the summer following the lifting of COVID restrictions. We have recruited new Scheduling Officers who joined the team over the summer and a further recruitment round is currently underway.

3.51 In light of these challenges, we have reviewed what can be achieved. We are planning to hold 30-35 final hearings per month in November and December, increasing to 40 final hearings per month between January and March 2022.

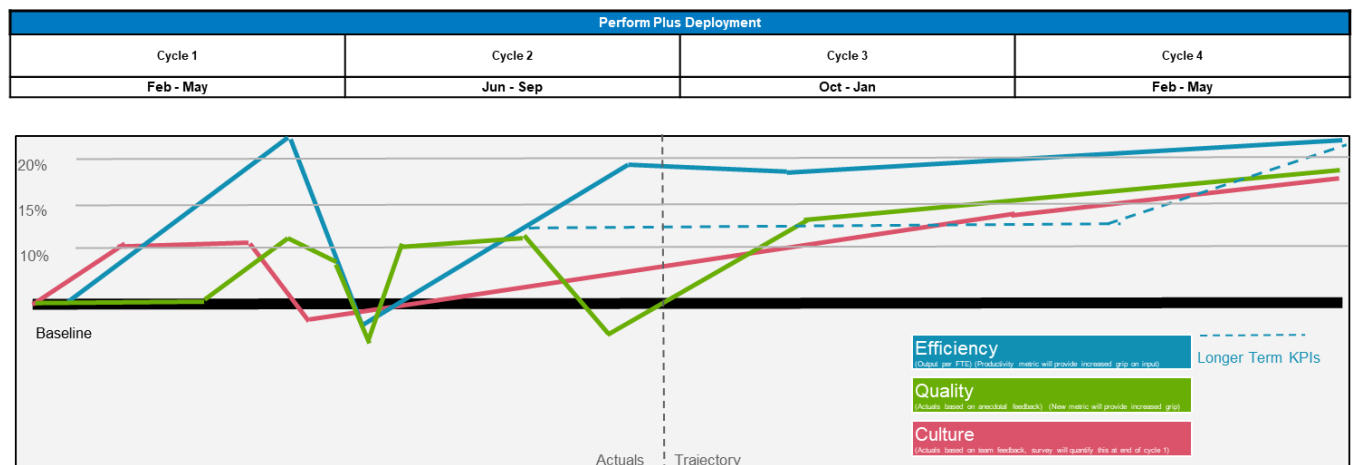


Whilst we are not achieving the ambitious target we set ourselves, we are maintaining a steady state number of hearings. We will review how we can make up for the shortfall in actual hearings numbers against the target as part of the budget planning process for next financial year.

### Projected case load – the forward view of our trajectory

- 3.52 The first cycle of the PerformPlus work has concluded and we are nearing the end of the second cycle which focused on developing our sustainability.
- 3.53 As we included in the last paper to Council, we saw a 54% increase in weekly output per FTE and turnover has reduced from 34% in January 2021 to 21% at the end of June.
- 3.54 As previously outlined to Council we anticipated a dip in productivity in the run up to the launch of our new CMS in June and in the month following launch as people got used to the new system. This dip in productivity was less pronounced than expected but lasted a bit longer than forecast.
- 3.55 Figure 3 shows the actual and trajectory for efficiency, quality and culture metrics. Cycle 1 saw higher levels of benefits than originally anticipated, temporarily impacted by the launch of the new CMS around May-June. Following the launch of CMS, Efficiency has continued to raise to similar levels during cycle 2 and through our 100 day plans we expect this to continue.
- 3.56 Quality also improved during cycle 2 but has taken a drop during August due to the introduction and onboarding of new team members. With additional training in August and September as outlined above, and increased focus on Best Practice Standards and Process Confirmation we expect this to pick up and be sustained. We will monitor this closely.
- 3.57 The cultural factors have continued to rise steadily through further embedding of continuous improvement and engaged staff, which we expect to continue. The dip in mood was aligned to the final stages of testing and go-live of the new CMS.

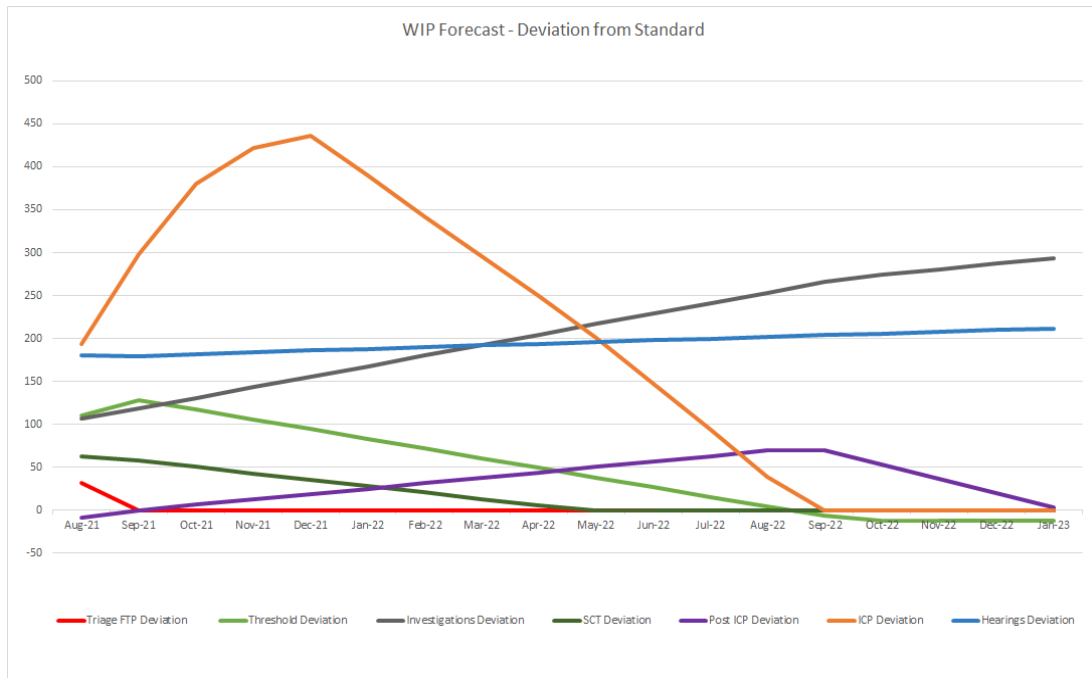
Figure 3 - FtP team productivity overview



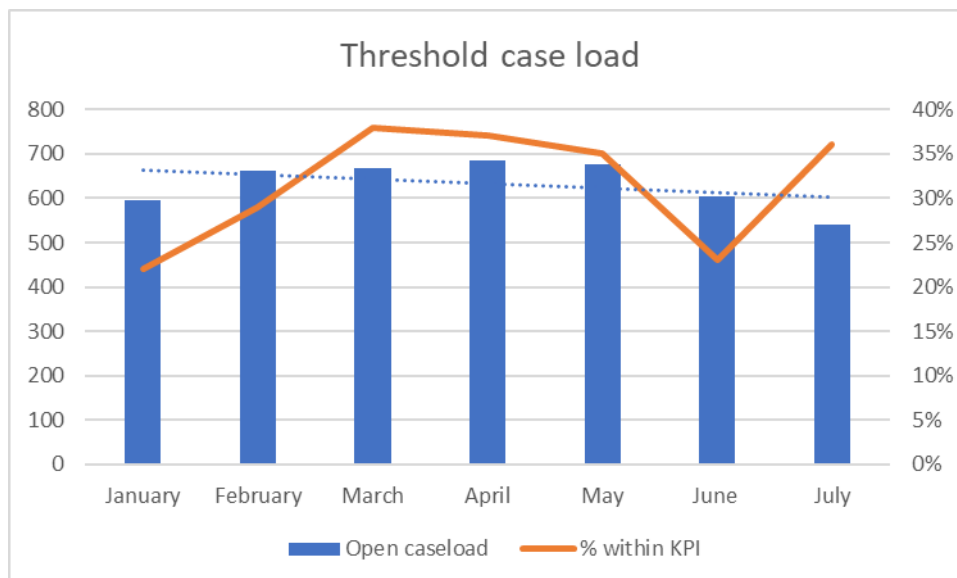
- 3.58 In September we will be reviewing and updating the baseline on which productivity is measured, to ensure it reflects our new ways of working and continues to drive further improvements.
- 3.59 We have built a capacity and demand model to help us forecast our case load progression and to show our trajectory. This model is based on the following assumptions:
- Available daily hours per FTE to undertake business as usual activity/case work activities of 5 hours
  - That all teams are fully resourced to their budgeted headcount.
  - Complaints received remains at current steady state
  - Closure rates though the FtP process remain at current levels.
- 3.60 We will continue to refine the capacity and demand model during the next two months as we have more data available to us regarding the actual throughput of cases through the process.
- 3.61 Figure 4 below shows the high-level trajectory model for the FtP caseload. The trajectory is a dynamic model that will be updated monthly with the actual incoming and outgoing activity in each area of the FtP process. The trajectory path will therefore change over time as cases move through the system, and the model will support our forecasting and allow us to plan resourcing.
- 3.62 The trajectory reflects that at present the backlog of cases is greatest in the Threshold team (green line). The volume of cases in that team is reducing and is forecast to return to steady state (represented by 0 on the axis) in August / September 2022. As the cases reduce in this area, there will be an inevitable increase in cases in other teams as the cases move through the process (investigations team – black line and Hearings team – blue line). However, we are able to more accurately predict when other teams may be impacted by case increases and take preventative action to support the teams and reallocate resource if needed.
- 3.63 The peak in the ICP capacity (orange line) over the Autumn of 2021 reflects cases being returned to us from our external legal providers that require an ICP. The requirement for additional capacity during these months has already been planned for.
- 3.64 The trajectory model is by nature a forward-looking view. Our trends data for the period January to July 2021 (Figures 5, 6 and 7) for the Threshold, Investigation and Post-ICP teams, shows that broadly the work in progress is slowly reducing and the proportion of cases within KPI is increasing since the start of the calendar year.
- 3.65 The productivity gains and improvements we have seen over the past 6-7 months as set out in Figure 3 is one of the key reasons the trajectory is moving in the right direction. In the Pre-ICP case load, performance against KPIs is slowly improving (the dip is around the period of go-live with the new CMS as explained above). We have increased the number of cases flowing through into Investigations to re-balance the caseloads, which has increased the case load in that area, but performance against KPIs is still slowly improving.

3.66 However, it is important to note that the improvement both to date and projected over the next few months is relatively slow. The incremental improvements forecast in the trajectory are vulnerable to a number of risks that are discussed in more detail in section 5 below.

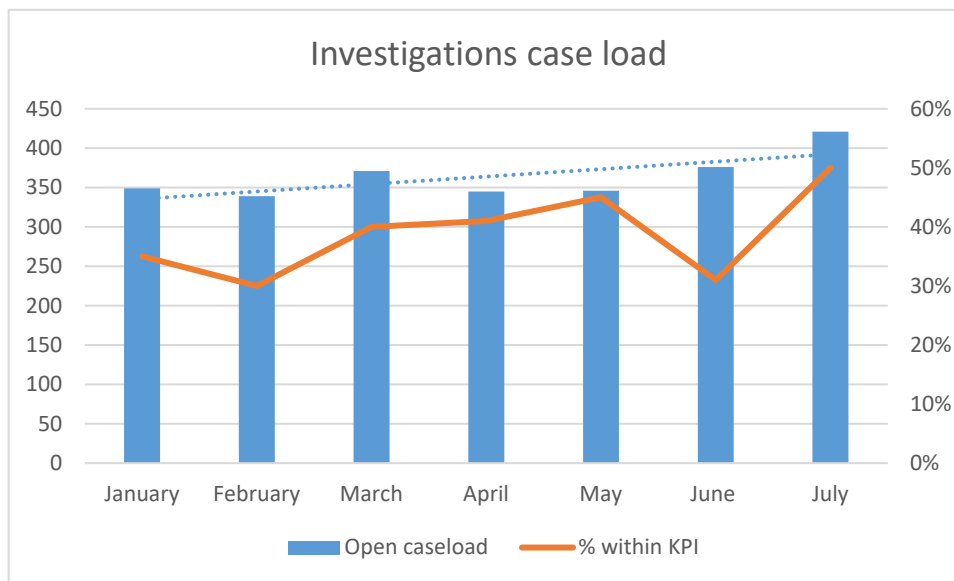
**Figure 4 – high level trajectory for FtP caseload**



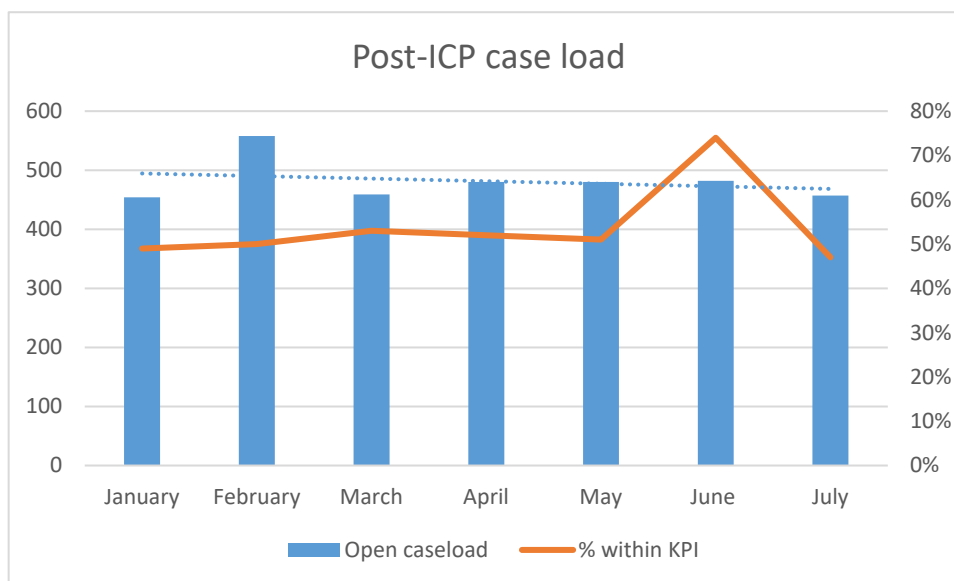
**Figure 5 – work in progress and KPI - Threshold team**



**Figure 6 – work in progress and KPI - Investigations Team**



**Figure 7 – work in progress and KPI - Post-ICP**



3.67 As we start planning for FY2022/23 we need to decide if we want to increase the trajectory of improvement in case throughput, and how this is best achieved. Any increase in the pace of the trajectory must be balanced with ensuring we have the capacity and capability to absorb and deliver this additional work at a sustainable pace.

3.68 This will be factored into our budget planning for next year. Any acceleration of the trajectory will have budget impacts and will need to be considered alongside other organisational priorities. We will update Council at upcoming meetings as we consider how we introduce any changes to our operating model following the frontloading pilot evaluation, and other measures and the affordability of these changes.

## 4. Overview of next suite of improvement projects

- 4.1 Recognising that there is work to do to fully embed the first suite of 16 improvement projects, the plans for September – March includes fewer projects but continues to focus on improving the quality and timeliness of case management.
- 4.2 The projects for September 2021– March 2022 are:
- Risk assessment quality and adherence to best practice standard internal review
  - Improving communications, engagement and support we provide:
    - Workstream 1: Tone of voice review
    - Workstream 2: QA review of case plans and stakeholder engagement
    - Workstream 3: Developing additional guidance and support for unrepresented registrants and encouraging all registrants to engage earlier in the process
    - Workstream 4: Lay advocacy service
    - Workstream 5: Registrant support line
  - Consensual resolution of cases – ensuring our policy is applied consistently and at the point of referral from the ICP
  - Case management and investigation – embedding the learning from frontloading pilot.
  - CMS – phase 2 – this will be managed by the HCPC’s Major Projects team.
  - Review of KPIs and process for Protection of Title cases
- 4.3 Other major project work relating to FtP is the relocating HCPTS from 405 to 184/184 Kennington Park Road that is already underway.

## 5. Key risks and mitigation

- 5.1 The improvements we have made since January 2021 will take time to embed and be fully realised as sustained changes across the caseload at all stages of the FtP process. This has been acknowledged by the PSA in the recent Performance Report.
- 5.2 As indicated at paragraph 3.59 above, the current trend of gradual, incremental improvements to our case load volume, age profile and quality are vulnerable to a number of risk factors, both internal and external, as outlined below:
- **Staff turnover and team stabilisation** – we continue to carry vacancies in all teams albeit our turnover has reduced (from 34% to 21%) to below the public sector average. The recruitment, onboarding and training process takes experienced team members away from business as usual work and there is an impact on productivity as new members of the team develop their skills and knowledge. *To mitigate the risks presented by turnover we are looking to overrecruit case manager roles by 20% (now that turnover has stabilised at around 20%). This will help ensure we retain the number of case managers*

*required and limit the impact of gaps between people leaving the team and new starters joining.*

- **Increases in FtP concerns** – the trajectory model is based on the department continuing to receive an average of circa 113 new FtP concerns a month. Should we receive a significant increase in new FtP concerns, month on month, this would impact on the forecast. *Mitigation: We will factor in a sensitivity analysis into our budget planning for next financial year.*
- **Cost of improvement** – the capacity and demand model underpinning the trajectory forecast is based on the FtP budget for the current financial year. *Mitigation: Any changes to our operating model to deliver a return to steady state at a quicker pace will need to be fully costed as part of next year's budget.*
- **Further dips in productivity** – we may experience further challenges to our ability to maintain and improve productivity, in addition to those that arise through ongoing recruitment. For example, COVID continues to have an operational impact in terms of direct sickness absence as well as indirect absences, such as team members being in unplanned quarantine abroad. COVID continues to provide a background of uncertainty for our hearings planning, as explained above.
- **Project Manager resource** – the dedicated FtP Project Manager left the organisation in August. We are currently without resource to manage the FtP Improvement project though recruitment to backfill this position is ongoing. *Mitigation: In the interim we are being provided with significant support by the Head of IT and Major Projects, but this is not a sustainable solution.*
- **Relocation of HCPTS hearings into Park House** – the work to move our Hearings service into the main HCPC offices at 184-186 Kennington Park Road is a major project. This planning and delivery of this project has meant an increase in workload and a diversion of resource within the Tribunal Service. *Mitigation: a dedicated project team is now in place*

## 6. FtP performance dashboard

- 6.1 See Appendix 2 for the FtP Performance dashboard which includes trend data.

## 7. Next steps

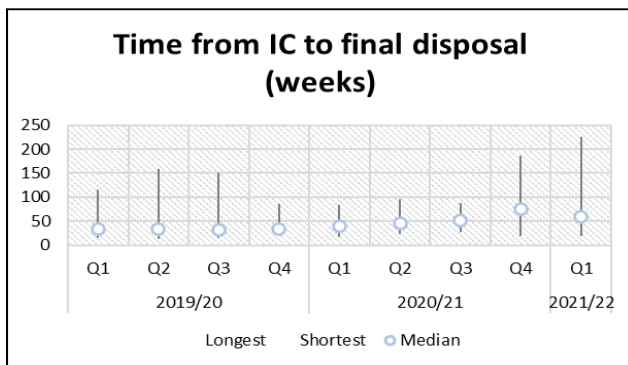
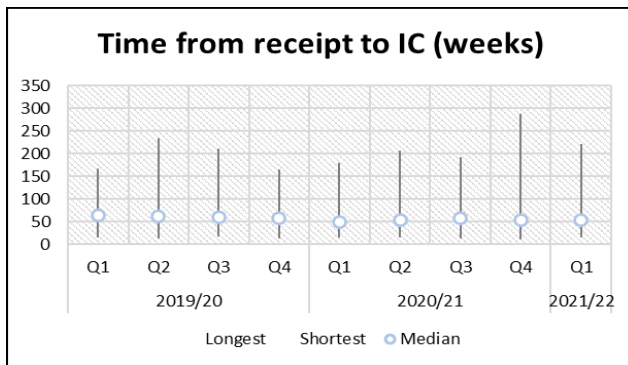
- 7.1 Council will be updated on the progress against our plan at each meeting in 2021.



## Appendix 1: Project status report

|    | Project  | RAG | Leadership Attention  | R&I | Plan |
|----|--|-----|---|-----|------|
| 1  | New CMS  |     | This project is completed. Scoping of Phase 2 development of the new CMS starts in September.   |     |      |
| 2  | New risk tool (embedded with CMS)  |     | This project is completed. Further work by the QA team to assure the risk assessment process will be undertaken as part of the second suite of improvement projects.  |     |      |
| 3  | New tailored case plans (embedded within the new CMS)  |     | This project is completed. Further work by the QA team to assure the case plans will be undertaken as part of the second suite of improvement projects.   |     |      |
| 4  | Update SOPs and guidance for new CMS and related process changes (including staff training)  |     | This project is completed. The ongoing review and development of Best Practice Standards for all teams is now a business as usual activity.   |     |      |
| 5  | Targeted support to improve the age profile of cases at threshold stage  |     | On track for all outsourced threshold cases to be returned by end of September. Current forecasts are that 50% of cases will be closed against the threshold criteria.  |     |      |
| 6  | Targeted support to accelerate old cases from SCT and Investigations team - including pilot of 'frontloading' for appropriate cases. |     | On track for all frontloaded serious cases to be returned by end of September. The first frontloaded cases were considered by an ICP in August.   |     |      |
| 7  | FtP recruitment and retention strategy   |     | This project is completed and learning now forms part of BAU activity   |     |      |
| 8  | Introduce legally qualified ICP chairs   |     | This project is completed.  |     |      |
| 9  | New listings/scheduling process for HCPTS  |     | This project is completed. The new direct listing process for frontloaded cases went live in August for cases referred to a final hearing by the ICP. Final hearings expected to take place in February and March 2022 (3 months quicker than the normal process).  |     |      |
| 10 | Corrective case plans for all cases past KPI   |     | This project is completed   |     |      |
| 12 | Internal quality audit of new threshold process  |     | This project is completed   |     |      |
| 13 | HCPTS panel member training  |     | This project is completed.  |     |      |
| 14 | Tone of voice review   |     | On hold. This project will commence in September 2021 as part of the phase two suite of projects  |     |      |
| 16 | Increase hearings to 500 hearings over 18 months starting April 2021 (subject to COVID-19 restrictions)                              |     | This project remains amber due to external factors, namely the ongoing impact of the pandemic, and the uncertainty around whether our emergency Rules that provide powers to hold remote hearings will continue beyond October 2021. We have re-commenced fully in-person hearings though the majority of hearings continue to be held remotely at present. |     |      |

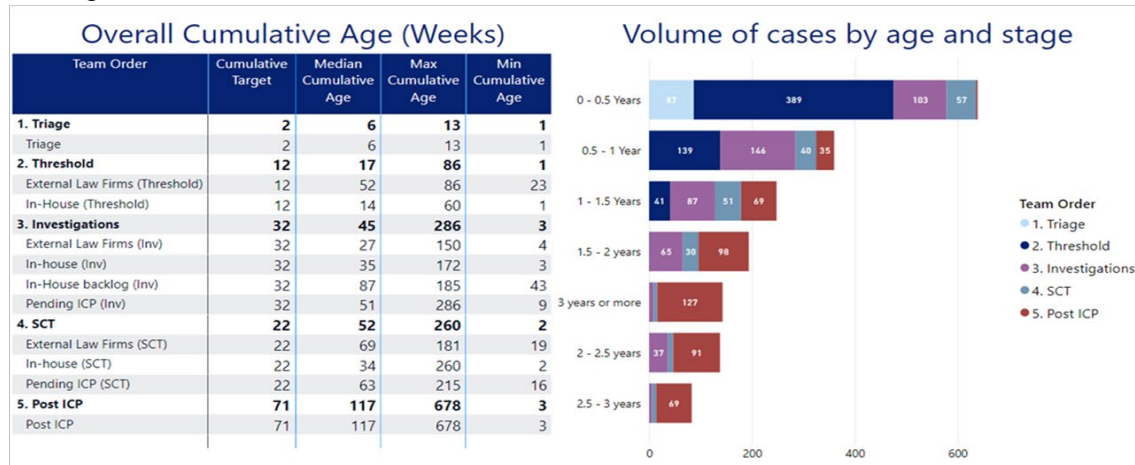
## Appendix 2: FtP Performance Report



### Analysis:

- Each quarter, we provide a data set of key performance metrics to the PSA.
- Our most recent data set (Q1 2021-22) for our key median length of time measures provide a useful context for the other performance data in this report.
- The graphs represent the time from receipt of referral to IC, and then from the IC decision to disposal at a final hearing. Each quarter provides a line indicating the age range quarter from shortest to longest case. The blue dot represents the median length of time for that period.
- In relation to the time taken to get to ICP. The longest time it has taken a case to reach an ICP decision was reduced in Q1 2021/22 (222) from Q4 2020/21 (288). We expect to see the age of cases concluded at ICP continue to be high for the next two quarters. This is because the aged pre-ICP cases being progressed by the external legal firms are planned to be returned ready for an ICP by the end of Q2.
- The fact that the median has remained consistent over the last three quarters demonstrates that newer cases continue to be progressed to ICP in addition to the older cases.
- In relation to the time taken to get from ICP to a final hearing, the very small number of cases reaching a final hearing in Q1–Q3 due to COVID-19, has had a significant impact on the median age of cases that reached a hearing in Q4 2020/21 (185) and Q1 2021/21 (225). In June 2021 we concluded 42 final hearings, which is the highest number of final hearings held in a month since October 2019.
- In Q1 we saw a significant increase in longest case length, from 185 weeks in Q4 2020/21 to 251 weeks in Q1 2021/22. This was due to cases that we had needed to postpone or been unable to list for a hearing due to COVID earlier in the year being considered by a panel in Q1.

### Cumulative age of cases

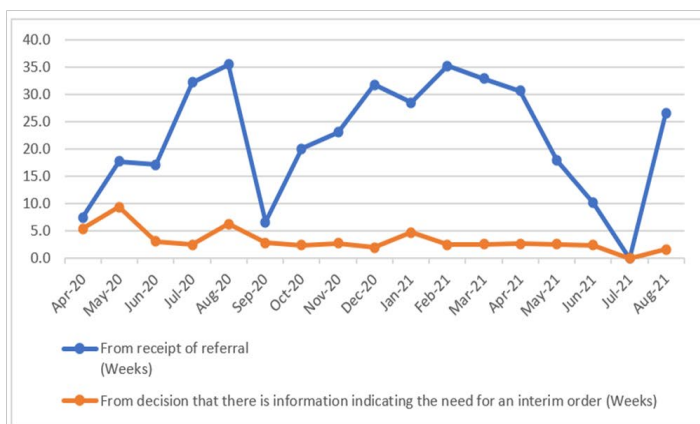


### Analysis

- As we would expect, the majority of our caseload is at the earliest stages in the process, and most of our oldest cases are in the post-ICP stage. However, there is still a significant number of aged cases in the pre-ICP stage in the process that we need to reduce. For the first time, the median age of cases in Triage is above the target. This is as a result of the impact of the new ways of working at the front end of the process since go live of the new system, and the way in which we now class potential FTP cases on the system – potential cases are logged before we have all the details and therefore a triage decision cannot be made.
- The median cumulative age of cases in the in-house investigations team is three weeks over target. This is because the team have absorbed some older cases from the in-house backlog team due to staff turnover. The majority of aged cases with the in-house SCT team are subject to third party investigations. Of those which can be progressed, the age of the oldest case which is not listed for an ICP is 22 weeks.
- Post-ICP the median age of cases is noticeably above KPI. This reflects the ongoing impact of the pandemic on our ability to conclude final hearings last year. We would expect the median age of cases post ICP to remain above KPI as the aged cases from earlier in the process move through to the final hearing stage.

**Note:** Data presented excludes Rule 12 cases which are cases we are unable to progress due to ongoing criminal investigations. Except for IO cases relating to criminal investigations where these are included due to ensure enhanced monitoring and oversight.

## Interim order performance



### Analysis

- This data shows the length of time (in weeks) it has taken us to seek an interim order from a panel. It reflects how quickly we take action when we identify that a registrant may present a serious or immediate risk to public safety, the public interest or their own interest.
- In July we held no interim order hearings. Whilst the need for an interim order was identified on cases this month, the timings were such that the hearings took place in August.
- The length of time it has take from receipt of a concern to consideration by the panel has increased in August since May and June. The median measure has been impacted by a case where we applied for an interim order following a substantive final hearing going part heard.
- The length of time it has taken for a interim order to be considered by a panel once we have received information that gives rise to the need for an order has improved August to 1.6 weeks. This is below our target of 3 weeks and the lowest time since before April 2020.

## Protection of Title cases

|  | August   | July     | June    | May       | April     |
|--|----------|----------|---------|-----------|-----------|
| <b>Open cases</b>                                | 132      | 121      | 101     | 78        | 74        |
| <b>Open over KPI (60 days)</b>                   | 77       | 78       | 65      | 54        | 36        |
| <b>Closed in month</b>                           | 27       | 3        | 1       | 20        | 28        |
| <b>Average Length of time receipt to closure</b> | 13 Weeks | 10 Weeks | 2 Weeks | 16 Weeks  | 27 Weeks  |
| <b>Shortest time to closure</b>                  | 1 Week   | 4 Weeks  | 2 Weeks | 5 Days    | 7 Days    |
| <b>Longest time to closure</b>                   | 35 Weeks | 21 Weeks | 2 Weeks | 150 Weeks | 195 Weeks |

### Analysis:

- The number of open POT cases at the end of August has increased, which continues the trend since the start of the financial year., as has the number of open cases over KPI. This is as a result of the team's resource being focused on FtP cases following Nexus go live. The team have also been prioritising the management of Health & Character Declaration cases, to support the Registrations team during this period of peak admissions and renewal activity.
- In August, we closed more POT cases than in previous months since April. The average time to closure from receipt of the case remained on a par with the previous month.
- A workstream in the second suite of FtP Improvement projects is to undertake an evidence-based review of our POT KPI, a review of our processes and in particular our approach to managing cases involving third party websites.