

Council

Meeting Date	21 May 2026
Title	Fitness to Practise and Tribunal Service Directorate Performance report
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Executive Summary	
<p>This paper provides Council with an update on the performance and activity of the Fitness to Practise (FTP) and Tribunal Services (TS). It also includes an overview of our key improvement activity planned for 2026/27.</p> <p>Whilst recognising the independence of the Health and Care Professions Tribunal Service (HCPTS) there are key performance and activities which align across the FTP process. We have therefore provided a combined paper which covers the three areas in the directorate.</p> <p>The Council is asked to review the information provided and seek clarification on any areas.</p>	
Action required	The Council is asked to review the information provided and seek clarification on any areas.
Previous consideration	Standing item to update the Council on the Performance of the FTP and TS directorate.
Next steps	The next report will be provided to Council on 16 July 2026.
Financial and resource implications	Financial and resource implications are provided for in the FTP and TS 2026/27 budget.
Associated strategic priority/priorities	Continuously improve and innovate

Associated strategic risk(s)	1. We are unable to deliver our regulatory requirements effectively in a changing landscape, affecting our ability to protect the public
Risk appetite	Regulation - measured
Communication and engagement	Not applicable
Equality, diversity and inclusion (EDI) impact and Welsh language standards	Improving the quality and timeliness of FTP cases will support all involved in the process. Our planned activities for 2026/27 include developments that will improve our communication and support for those involved in the process and who are particularly vulnerable or in need of additional support and reasonable adjustments.
Other impact assessments	Not applicable
Reason for consideration in the private session of the meeting (if applicable)	Not applicable

Fitness to Practise (FTP) and Tribunal Service Directorate Performance Report

1. Introduction

- 1.1 This paper provides Council with an overview of the performance and activity of the Fitness to Practise (FTP) and Tribunal Service directorate. It also includes an overview of our planned key improvement activity for 2026-27.
- 1.2 Whilst recognising the independence of the Health and Care Professions Tribunal Service (HCPTS) there are key areas of performance and planned activities which align across the FTP process. Therefore, this is a combined paper which looks at our performance in the three areas in the directorate:
- Case Progression and Quality - the pre-ICP standard investigation stages of the FTP process;
 - FTP Legal Services – the internal frontloading investigation team and post-ICP stages of the FTP process; and
 - HCPTS – the hearings and adjudication stage of the FTP process.

2. Case Progression and Quality

- 2.1 In this section we provide an overview of our performance in relation to the timeliness and quality of our standard case investigations.

Volume of cases

- 2.2 In March 2026 we received 239 cases and our rolling average of new referrals received over the last 12 months has been 250 per month. In the financial year 2025/6 we have received 3003 referrals. This is an increase of 29.5% from the previous financial year.

Figure 1 – year on year comparison of number of new FTP concerns received

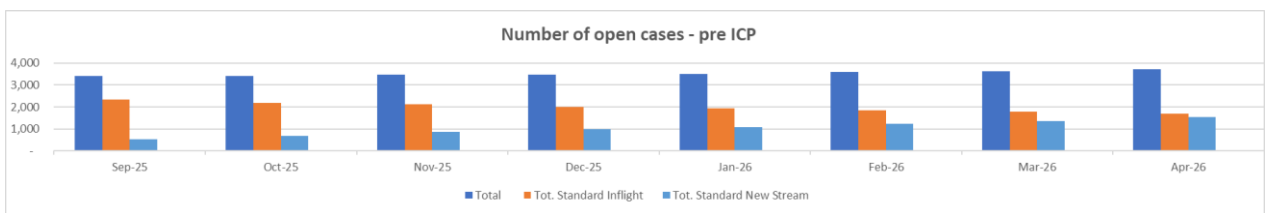
Year	Number of concerns raised
2022-23	1769 concerns
2023-24	2226 concerns
2024-25	2310 concerns
2025-26	3003 concerns

- 2.3 In April we continued to see this increase, receiving 270 new concerns.
- 2.4 This is a trend that has been seen across the sector and we are working with other regulators to understand the reasons for the increase. The GMC are hosting a meeting with regulators and the PSA on 21 May 2026 to start these

discussions and share learning across the sector about how regulators are responding to these challenges.

- 2.5 We have factored this demand into our resource and budgeting for this year and have increased the number of Case Managers from 50 to 64 (an increase of 28%) for the financial year 2026/7. We have worked closely with colleagues in HR on a new Assessment Centre approach to recruiting to this key role, which will go live in May. We have also reviewed and changed the job title for the case manager role to ensure it continues to reflect the core skills and responsibilities of the role and is clear to potential candidates. From May, case managers will be known as Regulatory Investigators.

Figure 2 – number of open cases pre-ICP



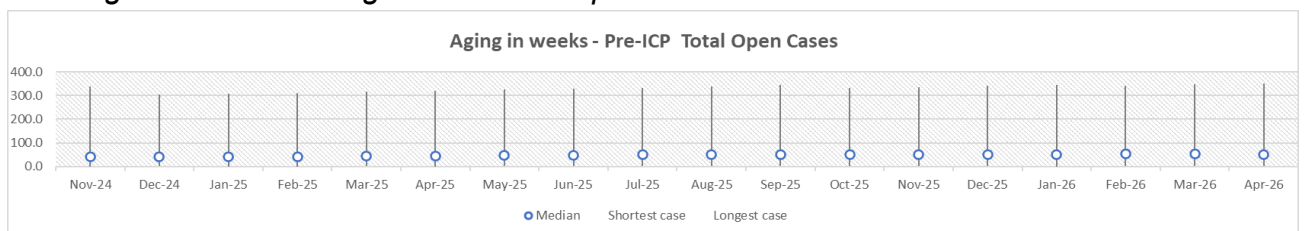
- 2.6 At the end of April, the volume of standard investigation cases at the pre-ICP stage (i.e. excluding frontloaded cases) was 3252. This is a slight increase from 3025 in January.

- 2.7 This includes cases where we are unable to actively progress matters because they are on hold pending a third-party investigation, as well as cases where the active investigation has concluded and cases are awaiting consideration by the Senior Decision Makers for a threshold decision or awaiting consideration by the Investigating Committee.

- 2.8 The number of cases that were open prior to our new streaming process (orange column) continues to decrease as those cases move through to a threshold or ICP decision stage. This pre-streaming caseload has reduced by nearly 1000 cases since we introduced streaming in July 2025.

Age profile of open cases

Figure 3 – median age of live cases pre-ICP



- 2.9 At the end of April the median age of the live pre-ICP standard caseload was 52 weeks, which is consistent with previous months. The youngest case in April was 0.9 weeks and the oldest was 351 weeks. The oldest case was subject to a lengthy third-party investigation which has impacted the time taken to progress the case.
- 2.10 The median age for cases received since we started streaming in July 2025 is currently 15 weeks, which is well within our 33 week KPI for this stage of the process. This is closely monitored to assess the effectiveness of the change in our operational process which took effect from July 2025.

Age of cases at the point of conclusion pre-ICP

Figure 4 – median age of cases closed pre-ICP



- 2.11 The median time taken from receipt to case closure is 28 weeks, which is within our 33 week KPI to conclude cases at this stage of the process. The shortest time to conclusion was 1 week and the longest 242 weeks. This demonstrates that we are continuing to progress both the older cases and younger cases through the process.
- 2.12 The rolling year average proportion of cases closed by the Investigating Committee with a No Case to Answer decision is 48%. This means 52% of cases considered by the Investigating Committee are referred on to a final hearing.

Interim Order timeliness

- 2.13 The blue line in Figure 5 below shows how quickly we progress a matter to an interim order hearing from receipt of the concern. This requires evidence of the risk to be obtained prior to making a formal application, which can be reliant on third parties. Cases that are on hold pending a third-party investigation can also impact our performance as those matters need to reach an evidential stage before we can proceed to an interim order hearing. The average time taken from receipt of concern to an Interim Order (IO) between January – April 2026 was 26 weeks. In April our performance was 14 weeks, which is slightly above our KPI of 12 weeks.

Figure 5 – interim order performance



2.14 Further information about our performance in listing cases for an interim order hearing once we have identified the need for an order is presented in 5.6 below.

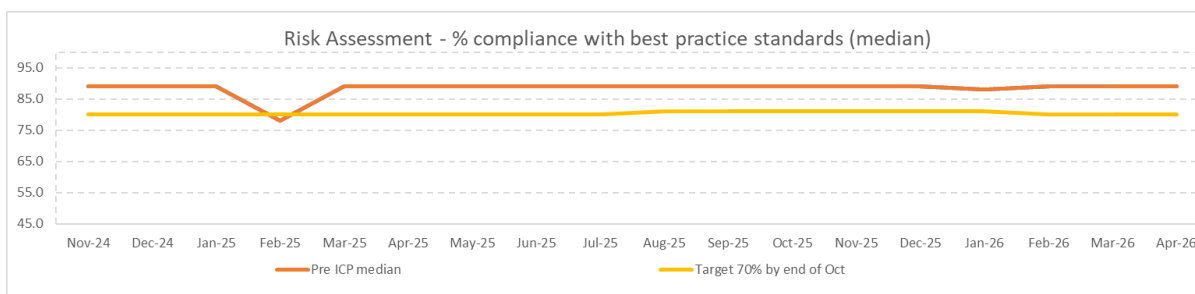
3. Quality Measures

3.1 In this section we provide an overview of our performance in relation to the quality of our case investigations, which are measured through our monthly front line checks assurance process.

Risk Assessments

3.2 Monitoring the quality and timeliness of our risk assessments continues. Our target is to achieve 80% compliance with the quality standards in our Best Practise Standard.

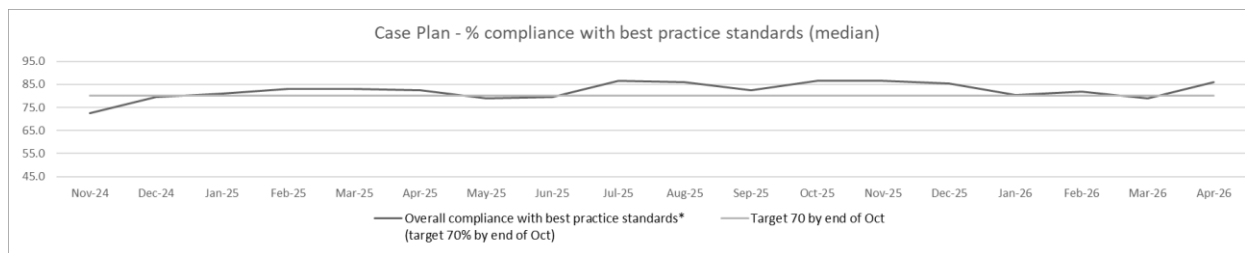
Figure 6 – quality of risk assessments against target



3.3 The KPI of 80% has consistently been met over the past 12 months. In April, our performance was 89% compliance with the Best Practise Standard. However, we are not complacent and will be rolling out new risk and interim order management training for the teams during quarter 2 to ensure the training is kept current and the principles of risk management remain at the forefront.

Case Planning

Figure 7 – quality of case planning against target



- 3.4 Monitoring the quality and timeliness of our case planning also continues. After a slight reduction in performance to 79% in March, the score in April was 86%, and is above the target of 80%.

Customer Service

- 3.5 In Q1 we have started a piece of work to develop new, robust front line checks focused on customer service. At present, whilst there are two questions in our case plan front line checks that address the quality of our customer service, we have identified this a key area which would benefit from closer monitoring and dedicated assurance activity. FTP and Quality Assurance colleagues will be working together to ensure we are delivering on customer service. Council will begin to see the outcome of these checks in Q2.

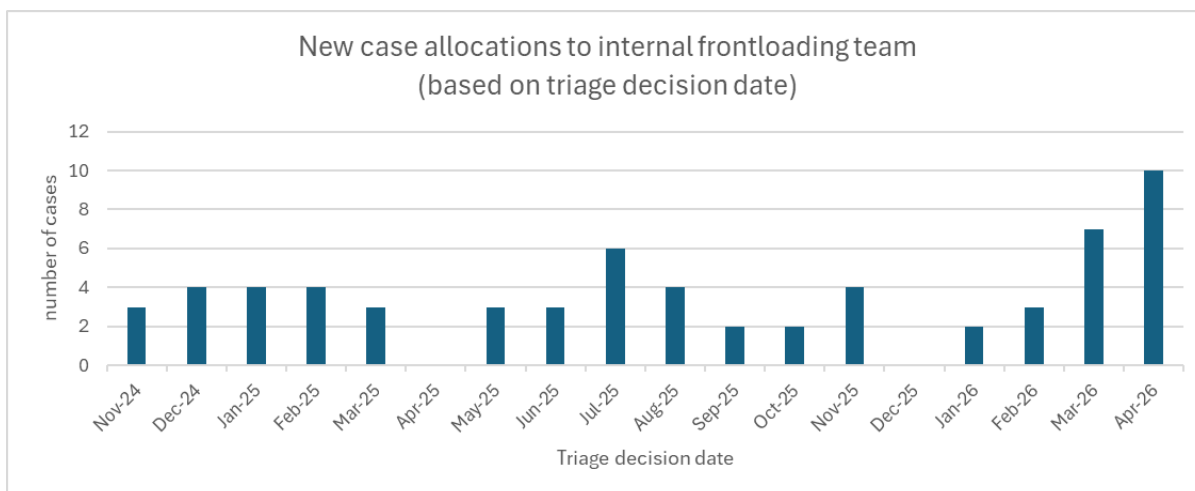
4. FTP Legal Services

- 4.1 In this section we provide an overview of our performance in relation to the timeliness and quality of our internally frontloaded case investigations and post-ICP case preparation.

Internal frontloaded investigations

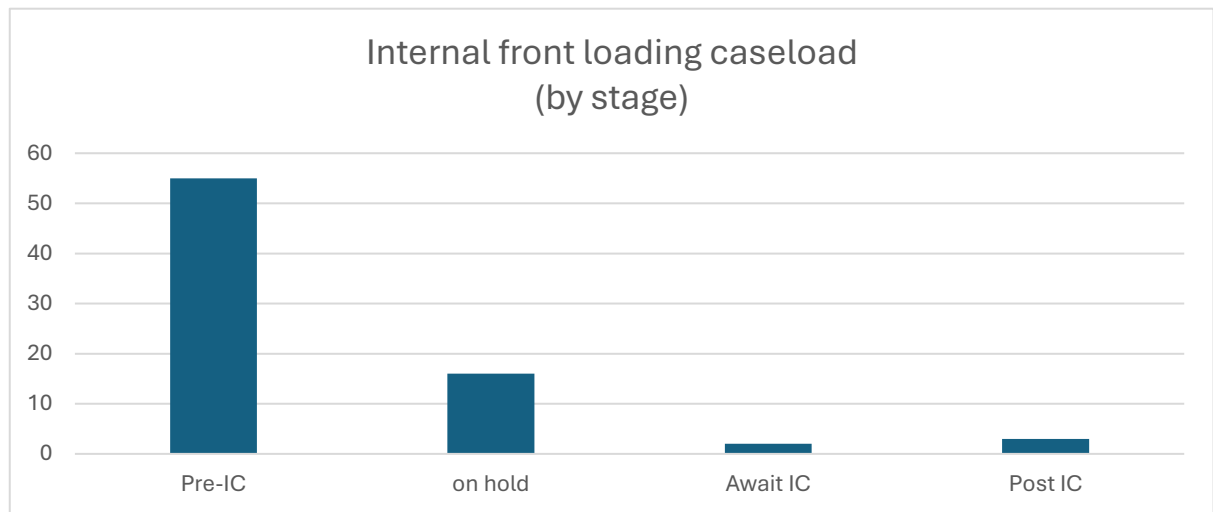
- 4.2 Over the course of 2026/27 our key priority in FTP Legal Services is to grow the volume of cases investigated by our internal frontloading team. At the end of March 2026, the caseload in the internal frontloading team was 64 cases.
- 4.3 Since January 2026, we've been recruiting, onboarding and inducting new colleagues who have joined the Legal Services team to manage the growing internally investigated frontloaded caseload. We have a robust plan of ongoing training and support for the newly expanded team over the next few months, drawing on the expertise of our external legal providers and our Senior Decision Makers.
- 4.4 In relation to new case work, our objective over April 2026 – March 2027 is to allocate an average of 11 cases per month into the team.

Figure 8 – new internal frontloaded case allocations



- 4.5 We allocated 11 new cases into the internal frontloading team in April 2026, which is the highest number of cases allocated in a month since we started internal frontloading casework. On the chart above, this appears as 10 new allocations because the first case allocated in April was triaged, ready for allocation on 30 March 2026. This was then allocated on 1 April as the new team were ready to take on additional cases from the start of the month. We therefore met the allocations objective for April 2026.
- 4.6 The cases allocated into this team in April 2026 included a mix of case types and, in line with our new team structure design, all cases were allocated to a suitable case holder based on case type and complexity between an FTP lawyer, paralegal or legal assistant.
- 4.7 We have filled all of the case holding and case supervision roles in the recently expanded internal frontloading team. The final case holding lawyer is due to join the team in early June. We are on track to meet our objective of allocating another 11 cases to the team in May, and a combined total of 33 cases by the end of June 2026.
- 4.8 We will continue to update the Council about our progress in growing our frontloaded investigations over 2026/27.

Figure 9 – total internal frontloading caseload



4.9 The current volume of cases held by the internal frontloading team at the end of April 2026 is 76. 54 of these cases are live pre-ICP investigations, 16 are on hold due to third party investigations, 2 await an ICP decision and 3 cases are post-IC.

4.10 As the internal frontloading caseload grows, we will continue to develop the data we use to update the Council about the performance of the internal frontloaded casework team. This will include data relating to the timeliness and quality of the team's work.

Post ICP case preparation

4.11 In this section we provide an overview of our performance in relation to the timeliness of our post-ICP casework and the age profile of our cases at this stage of the process.

Open cases Post ICP

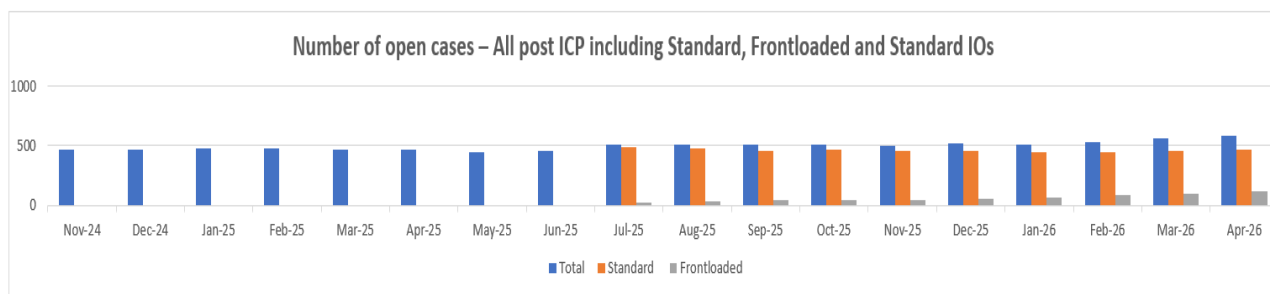
4.12 Over the course of 2025, the overall number of cases open at the post-ICP stage was broadly consistent. We have seen an increase in the number of cases at the post-ICP stage between January and April 2026. As shown in Figure 10 below, at the end of April 2026, the caseload was 585 cases. This correlates with an increased number of Investigating Committee case to answer (CTA) decisions over the same period. Between January and April 2026, the ICP made 150 CTA decisions compared with 104 in the same period last year. The increase in the case volume is driven by a greater proportion of frontloaded investigations passing through the ICP stage. We would expect that these cases will have a case to answer decision as they are likely to be more high-risk or complex matters.

4.13 The majority of cases open at this stage remain cases that have come through our standard investigation route and are being prepared for a final hearing by our external legal suppliers. In April 2026, 469 cases were

standard cases (orange column) and 116 were frontloading (grey column). This is what we would expect to see as frontloaded cases are expected to be hearing ready at the Investigating Committee stage and therefore proceed to a final hearing more quickly once they have been referred on by the ICP. Of the 585 cases at the Post ICP stage, 89 of these are listed for a final hearing.

- 4.14 We will continue to monitor the volume of cases that are referred by the ICP, the volume of cases that progress to our 'ready to schedule' stage and the volume of cases that are listed for a final hearing each month. With the growth in the FTP Legal Services team we are implementing a new business structure and risk and compliance approach for the team. This includes improving the way we monitor trends and case progression operationally between the HCPC, our external providers and HCPTS. We've developed our plans to facilitate more effective forums for forecasting, problem solving and trend analysis, which are being rolled out over May and June.

Figure 10 – number of open cases post-ICP

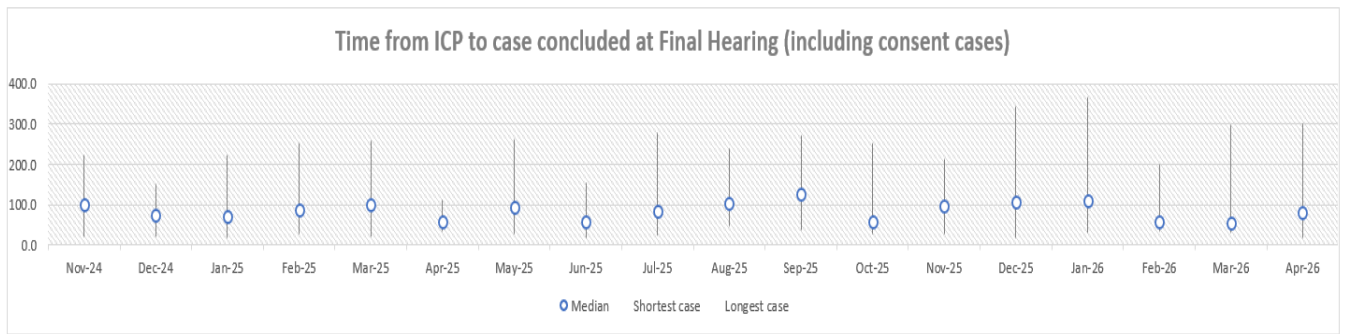


- 4.15 The median age of the open post-ICP caseload was 17.1 weeks, which is within our KPI of 39 weeks from the ICP decision. The oldest case at this stage was 295 weeks. Our Tribunal Service colleagues are actively listing this case with the hearing expected to take place by October 2026.

Age of cases concluded at final hearing

- 4.16 To reduce the overall number of cases over our KPI we recognise that it is important to make sure we do not progress older cases at the expense of case progression with younger cases. The median age of cases at the point they conclude at a final hearing provides a useful indicator of how we are balancing the progression of cases across the caseload.
- 4.17 We expect the median age of these cases to be above our 39 week KPI as our older cases move through the process. The median age of case concluded at a final hearing in April 2026 was 81 weeks, with the oldest case at 300 weeks and the youngest case at 18.4 weeks, which is below the 39 weeks KPI for this stage of the process. The shortest age to conclusion continues to reflect the positive impact of frontloading and the benefits we're realising in progressing frontloaded cases to a final hearing more quickly.

Figure 11 – age profile of post-ICP cases at the point of case conclusion



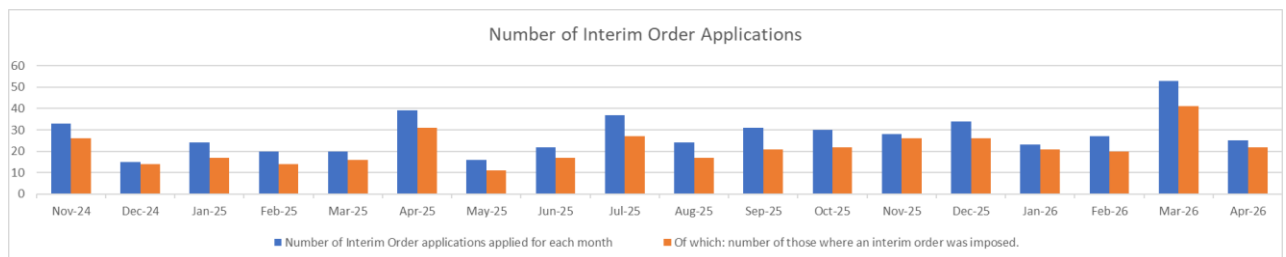
5. Health and Care Profession Tribunal Service (HCPTS)

- 5.1 The HCPTS is responsible for the listing and running of all fitness to practise hearings, held by one of our three practice committees (Investigating Committee, Conduct and Competence Committee and Health Committee).
- 5.2 Our core purpose is to ensure that hearings are conducted efficiently, and that our panels reach high-quality regulatory decisions that are fair, consistent, proportionate and compliant with our procedures and legislation. We also have a key role to play in supporting registrants, witnesses and other participants through the hearing process.
- 5.3 In this section we provide an overview of our performance in relation to key hearings-related activity.

Volume and timeliness of interim orders applications

- 5.4 The higher number of interim order applications we have seen over the last eighteen months continues. In March 2026 53 interim order hearings took place, which is significantly over our monthly average and the highest number we have ever listed in a month. In April we returned to usual levels with 25 interim order hearings taking place.

Figure 12 – number of interim order applications



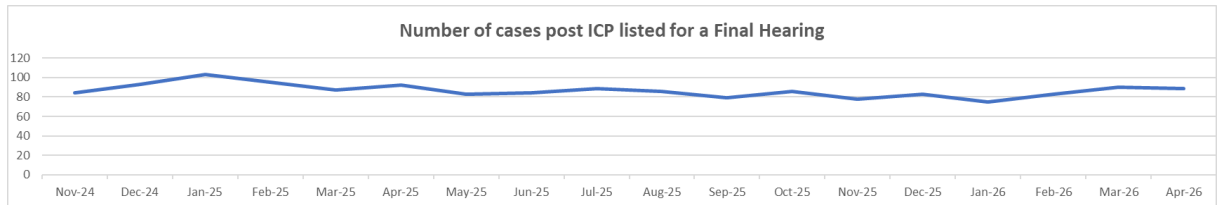
- 5.5 As shown in Figure 5 above, in April the time taken to hold an interim order hearing from deciding that an interim order was required was 2.6 weeks. This is within our KPI of 3 weeks. This was a noticeable improvement on our

performance at the start of the year when legal assessor availability and a number of adjourned hearings impacted on our performance.

Number of cases listed for a final hearing

5.6 Figure 13 below sets out the number of cases listed for a future final hearing.

Figure 13 – number of cases listing for a final hearing



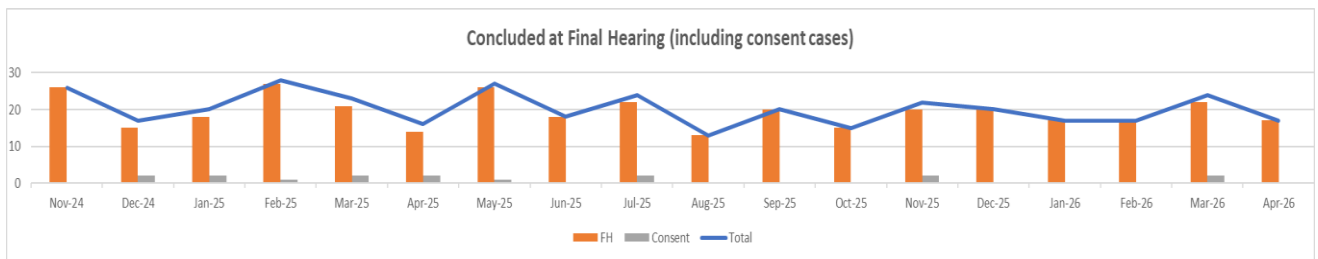
5.7 The median time taken to list a final hearing in this time period was 8 weeks upon point of allocation. Whilst this remains outside of our 4 week KPI it is reflective of the work we have done within the team to progress some of the more challenging cases to the stage where we have confirmed hearing dates, using scheduling case clinics to resolve barriers to listing.

5.8 A key priority for us this year is to optimise the scheduling and pre-hearing case management process within our current operating model to reduce the time taken to list a matter for a final hearing. We'll update the Council on our progress against this piece of work once it commences.

Final hearing outcomes

5.9 Figure 14 below shows the number of final hearings that conclude each month. In April 2026, we concluded 17 final hearings. This number is a little lower than in previous months and in part will be caused by the bank holidays around Easter. There were a further three final hearings listed to take place in April that did not conclude and were adjourned part-heard.

Figure 14 – number of cases concluded at a final hearing



5.10 Hearings may adjourn for a number of reasons which may not be in our control. For example, where applications are made by parties at the start of or during the hearing, or where witness evidence and cross-examination take longer than expected. In some instances, we will deliberately list hearings in

multiple parts to accommodate panel member availability for lengthier hearings. These hearings will still be classed as adjourning part-heard. In some cases a hearing may adjourn with no evidence heard, which means the hearing did not start when scheduled. We closely monitor adjourned and part-heard hearings to identify any themes or learning that can assist us to minimise the number of adjourned cases.

Quality assurance of panel decisions

- 5.11 Our quarterly Decision Review Group (DRG) is a cross-organisational group of senior colleagues who review panel decision and PSA learning points to identify opportunities for improvement. This includes learning and development opportunities for our panel members as well as FtP case management teams and external legal providers.
- 5.12 In January and April 2025 the DRG reviewed 14 panel decisions following internal referrals to the group. 6 of these related to Interim Order applications decisions, 4 final hearing decision and 4 ICP decisions.
- 5.13 Over this period the DRG has taken the following action:
- 4 of the case outcomes discussed in this period will be fed into future refresher training for panel members.
 - We provided direct feedback to panels and legal assessors in relation to 7 cases as well as feedback and the themes identified being provided in our February quarterly FTP partner newsletter.
 - We are in the process of updating the interim order practice note and conditions bank following discussions around the interim order decisions and strengthening the guidance for panels.

6. **FTP and Tribunal Service Directorate improvement plan for 2026/27**

- 6.1 Our priorities this year are aligned across the FTP and Tribunal Service directorate and are focused on ensuring we embed best practice across all teams in the directorate and continuing to improve the way we work. This includes making sure case parties are kept informed and supported at each stage of the FTP process, that cases are progressed proportionately and as efficiently as possible, and that we have the capacity and capability across the department to consistently deliver the fundamentals of our work well.
- 6.2 Our key improvement areas are:
- **Customer service and witness support**

In Quarter 1 we are undertaking a focused suite of activities to improve the support we provide to participants in the fitness to practise process, primarily in terms of the quality and frequency of our communications. This

work includes supporting the team to feel confident in communicating with parties, introducing changes to our case management system and reporting to improve oversight of cases requiring updates and introducing new customer service front line checks to provide assurance of this key area of our work.

This year we will also commence phase 2 of our work to support witnesses through the FTP process. This work will be informed by the Witness to Harm research project undertaken by the Open University and the outcomes of that project.

- **Increase our capacity to undertake frontloaded investigations and strengthen case management practices**

We will increase our capacity to undertake frontloaded investigations at all stages of the process, embedding a new business structure and approach to risk and compliance as a fully embedded legal services function.

We will also strengthen case management resources and support for the teams to support timely, proportionate and quality investigations. This will include supporting the teams with the tools and guidance to embed good management practices, including with special case handling in particular.

- **Review of our Threshold Policy**

We will commence a review of our Threshold Policy, which sets out the types of concerns that require investigation, to ensure that the cases we progress are appropriate, proportionate and reach the right regulatory outcome at the earliest opportunity. The scoping exercise for this piece of work will commence in Quarter 1.

- **Improve how we list cases for hearings**

The Tribunal Service will continue work to re-design how we schedule final hearings, to improve efficiencies at this stage of the process. This will include looking at how we can use technology to assist us in the listing of hearings and any tools which will give the team the ability to be able to schedule a hearing more efficiently.

7. Key risks and mitigation

7.1 The current trend of gradual incremental improvements are vulnerable to a number of risk factors, both internal and external.

- Time – it takes time for improvement work once delivered to be seen as sustained and noticeable impact on performance measures. The monitoring of the improvement work we have delivered to date is embedded into our business as usual activity to ensure this work is

sustained, and our next suite of improvement activity builds on the changes and positive outcomes made to date.

- Increase in FTP concerns – in the last two years we have continued to see a significant increase in the number of new FTP concerns we receive, which makes it even more challenging to progress cases at pace. There are no discernible themes behind the increase in referrals and the trend in increased volumes of new referrals is also being experienced by other regulators. We have taken action to plan our resource and adapt our ways of working to respond to it and continue to monitor the referrals on a monthly basis.
- Resource – we continue to work on ensuring stability across the FTP and Tribunal Services teams and reducing our dependence on temporary and fixed term contracts. We have increased headcount in our case management teams and with HR have designed a new Assessment Centre approach to recruitment to ensure we are identifying candidates who have the right capabilities to succeed in the role. Over April and May we have run mandatory Resilience training for everyone in the directorate in recognition of the challenging environment in which we work. The training was delivered by a psychotherapist and former barrister and a senior lecturer in education specialising in pedagogy and wellbeing. It provided useful strategies and tools for team members to support when dealing with complex, sensitive material, managing fast paced workloads and engaging and supporting vulnerable stakeholders.
- Increase in Interim Order Review hearings – we are managing a significant increase in interim order review hearings (related to the increase in interim order applications over the last 18 months). This creates significant operational challenges to schedule and hold review hearings within the three-monthly review cycle, and can impact on the team resource and panel member availability to list and hold other hearing types.
- FTP partner availability – we have experienced challenges with FTP partner availability which has impacted our ability to list hearings efficiently. This has been due to an increase in hearing demand, and has impacted our ability to balance partner resource across all hearing types and list and conclude lengthier final hearings. Our recruitment process for partners can take some months and it is important to ensure we appoint high quality candidates for these roles as well as ensuring they undertake the necessary training before beginning to sit on hearings. The improvement work to the way we list hearings as well as the tools that we have in place should support us with the challenges we face.
- Need for regulatory reform – the changes we are making are helping progress older cases and improve quality of our decision-making and investigations. However, to be able to accelerate the improvement of

the timeliness of our FTP process, we need legislative change to enable us to conclude cases earlier on in the process. At the moment, all cases where there is a case to answer (which is a low bar) must go to a final hearing. We continue to work closely with the Department of health and Social Care on the plans for regulatory reform.

8. Next steps

- 8.1 We will continue to update the Council on the directorate's performance and continuous improvement activity at each Council meeting.