

Council

Meeting Date	24 September 2026
Title	Fitness to Practice and Tribunal Service Directorate Performance report
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Executive Sponsor	Laura Coffey, Executive Director of Fitness to Practise and Tribunal Services
Executive Summary This paper provides the Council with an update on the performance and activity of the Fitness to Practise (FTP) and Tribunal Services (TS) in June - August 2026. It also includes an overview of our key improvement activity planned for 2026-27. Whilst recognising the independence of the Health and Care Professions Tribunal Service (HCPTS) there are key performance and activities which align across the fitness to practise process. We have therefore provided a combined paper which covers the three areas in the directorate. The Council is asked to review the information provided and seek clarification on any areas.	
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 the Council on 3 December 2026.
Financial and resource implications	Financial and resource implications are provided for in the FTP and TS 2026-27 budget
Associated strategic priority/priorities	Technology-enabled regulatory excellence and organisational sustainability

Associated strategic risk(s)	SR01 - Delivery of Regulatory Requirements SR02 - Organisational Capacity SR06 - Fitness to Practise (FTP) Effectiveness - Timeliness SR07 - FTP Effectiveness - Case Communication
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 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 in June - August 2026. It also includes an overview of our planned key improvement activity for 2026-27.
- 1.2 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.

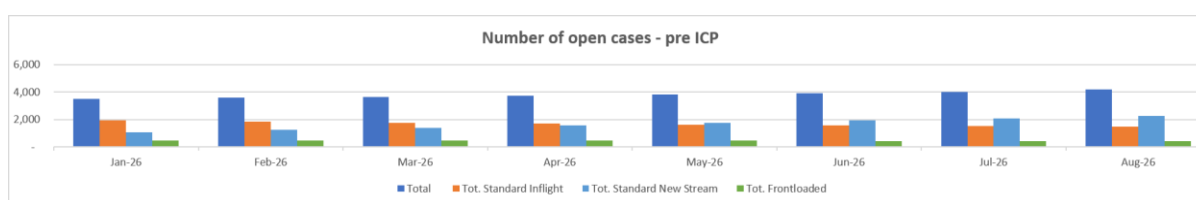
2. Case Progression and Quality

- 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 Q1 of 2026-27 we received an average of 278 cases a month. In July 2026 we received 326 cases, this was the highest month of cases received. The number reduced to 264 in August.
- 2.3 Whilst we continue to work with others in the sector to understand the reasons for this, and share how we are responding to these challenges, these levels of referrals have now become the expected level of demand.
- 2.4 We continue to focus on increasing headcount to assist with the increase in demand using an assessment centre approach. We have held two assessment centres in June and July resulting in six offers being accepted for Regulatory Investigator roles. After a further recruitment campaign, 12 assessment centres are planned between September and the start of January 2027.

Figure 1 – number of open cases pre-ICP



- 2.5 The increase in new referrals continues to impact the volume of cases at the pre-ICP stage of the process. At the end of August, the volume of standard investigation cases at the pre-IC stage (i.e. excluding frontloaded cases) was 3733. This continues to increase from 3360 in May.
- 2.6 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.
- 2.7 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. The number has reduced by 124 since May.

Age profile of open cases

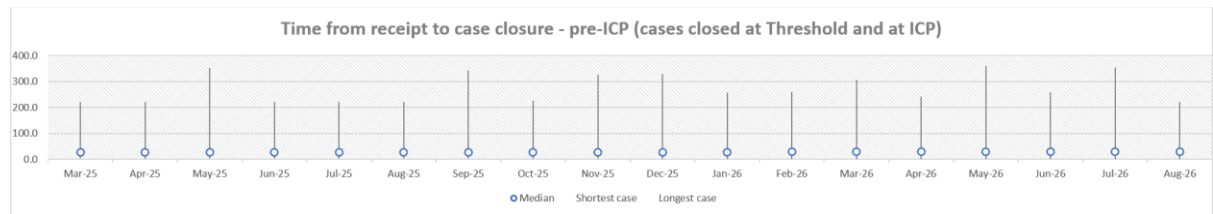
Figure 2 – median age of live cases pre-ICP



- 2.8 At the end of August, the median age of the live pre-ICP standard caseload was 52 weeks, a slight reduction on the median age in May. The youngest case in May was 0.7 weeks and the oldest was 368.9 weeks. The oldest case was subject to a lengthy third-party investigation which has impacted the time taken to progress the case.
- 2.9 The median age for cases received since we started streaming in July 2025 has increased to 22 weeks, still 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 3 – median age of cases closed pre-ICP



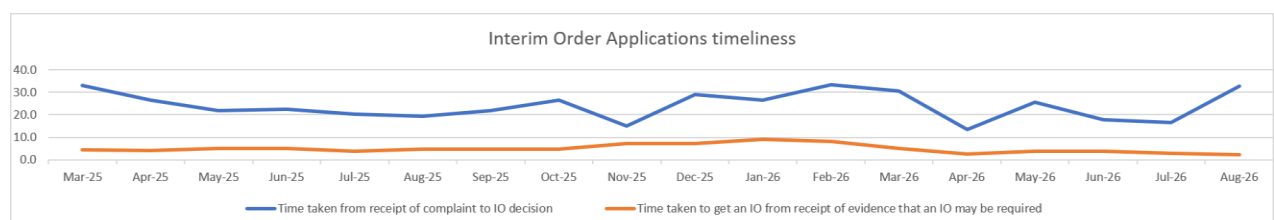
2.10 The median time taken from receipt to case closure remains at 28 weeks, which is within our 33-week KPI to conclude cases at this stage of the process. The shortest time to conclusion was one week and the longest 220 weeks. This continues to demonstrate that we are continuing to progress both the older cases and younger cases through the process.

2.11 The rolling year average proportion of cases closed by the Investigating Committee with a No Case to Answer decision has reduced slightly to 43%. This means 57% of cases considered by the Investigating Committee are referred on to a final hearing.

Interim Order timeliness

2.12 The blue line in figure 4 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 June – August was 22.4 weeks. In June and July our performance was 18 and 17 weeks respectively. In August our performance was 32 weeks, which is above our KPI of 12 weeks.

Figure 4 – interim order performance



2.13 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 5.5 below.

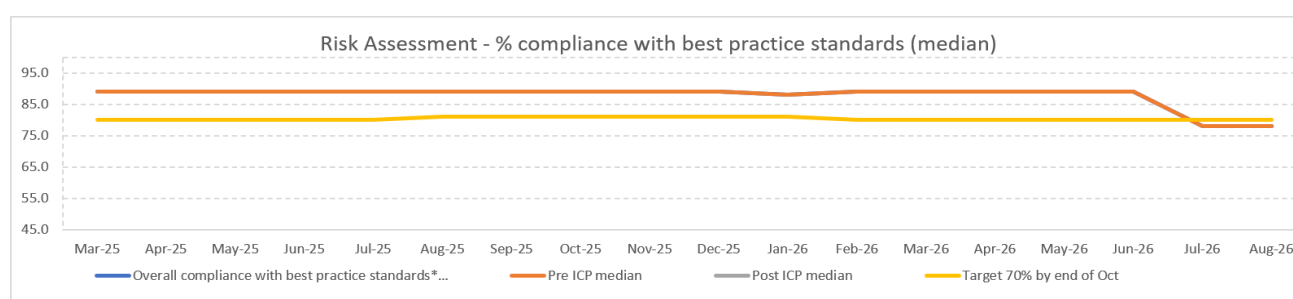
3. Quality Measures

- 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.

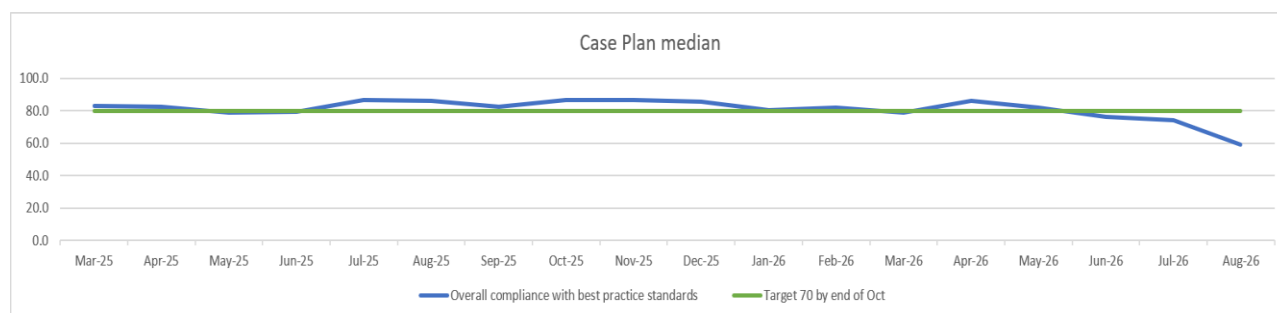
Figure 5 – quality of risk assessments against target



- 3.3 The KPI of 80% has consistently been met over the past 12 months, with an average of 88%.
- 3.4 In August, our performance dropped to 79% compliance with the Best Practise Standard. We expect that our performance may be lower as we onboard a number of new team members.
- 3.5 We will be rolling out new risk and interim order management training for the teams before the end of the year to ensure the training is kept current and the principles of risk management remain at the forefront.
- 3.6 Drawing on findings from quality assurance checks, this training will reinforce the importance of regular risk assessments and support case holders in identifying and responding to risk factors.
- 3.7 We will also review how training is delivered and strengthen our approach to assessing learning by introducing knowledge checks to ensure key messages and learning outcomes have been understood and retained.

Case Planning

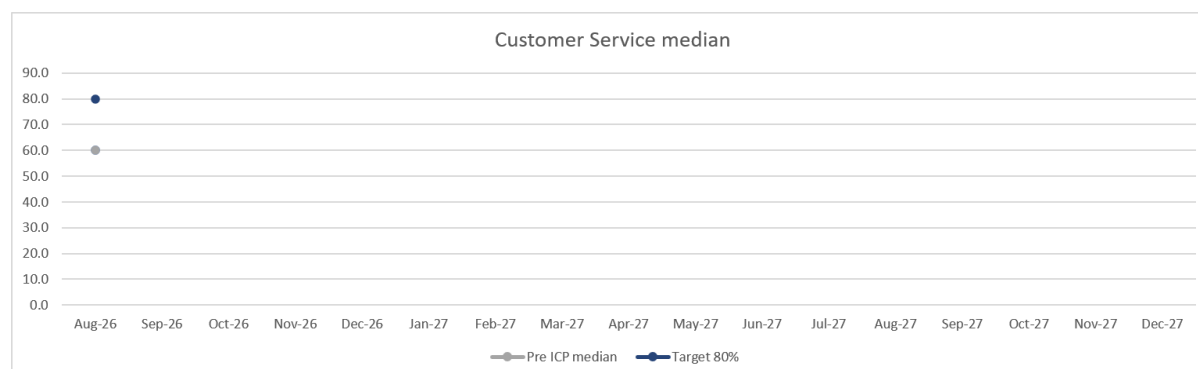
Figure 6 – quality of case planning against target



- 3.8 Following the introduction of the dedicated customer service frontline checks, amendments were made to our case planning frontline checks criteria to move existing criteria related to customer service into the improved standalone customer service front line check audit. This has reduced the criteria we are now assessing in relation to the quality of our case planning. Going forward the case plan criterion relates solely to the quality and timeliness of our case planning.
- 3.9 The median for case planning in August with this adjusted criteria was 62%. This is noticeably lower than our previous performance under the old criteria. We expected that we may see a reduction in the scores as we removed some of the criteria from the checks, meaning there are fewer categories to score against.
- 3.10 However, our analysis of the results indicates that we are scoring lower on categories relating to the timely creation, updating and documented team manager review of case plans.
- 3.11 The continuing high demand of incoming FTP concerns has increased case volumes in the pre-ICP stages, resulting in a majority of investigators having caseloads above optimum levels. Timely case progression remains a challenge for the Case Quality and Progression case teams in this context.
- 3.12 Increased headcount in our case management teams and external support for case party updates will create additional capacity, help lower caseloads over time and allow case holders to focus on case progression.

Customer Service

Figure 7 – quality of customer service



- 3.13 In August 2026 we have introduced dedicated customer service front line checks. The criteria for these checks relate to appropriate, meaningful and timely communication with stakeholders.
- 3.14 These checks have been developed working with the investigations management team and colleagues from the Quality Assurance team.
- 3.15 The median scores for August were 60%, against our target of 80%. We know that consistently providing timely and meaningful updates is a challenge for us, and improving our customer service remains the priority focus of our improvement activity, as detailed in section 6 below.
- 3.16 Performance scores will be closely monitored as we embed these new front-line checks and identify themes and learning points over time. The front-line checks criteria and the early data arising from them have already informed the mandatory customer service training being delivered throughout September and October. This training has a particular focus on promoting meaningful and compassionate communication.

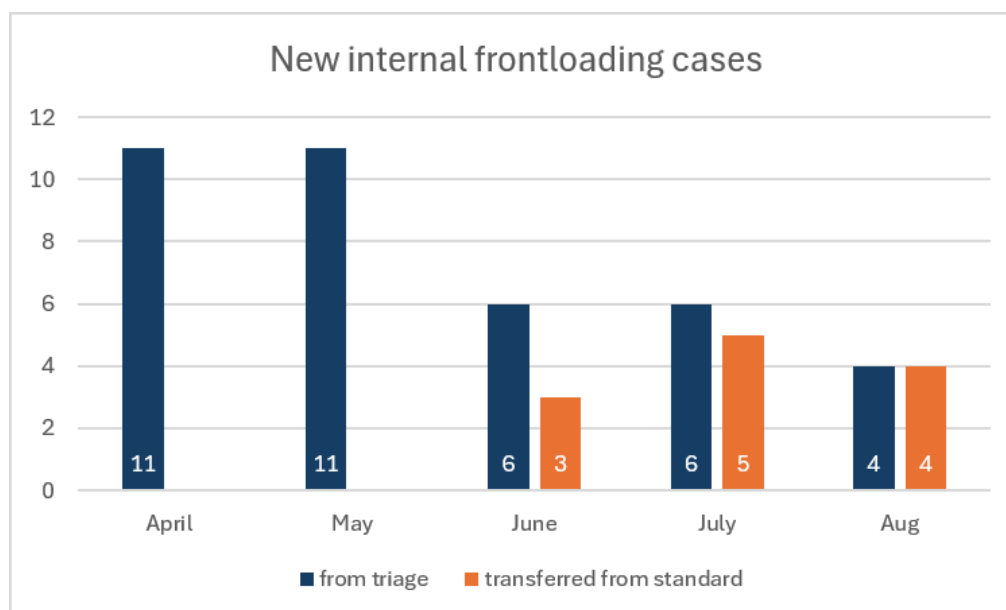
4. FTP Legal Services

- 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

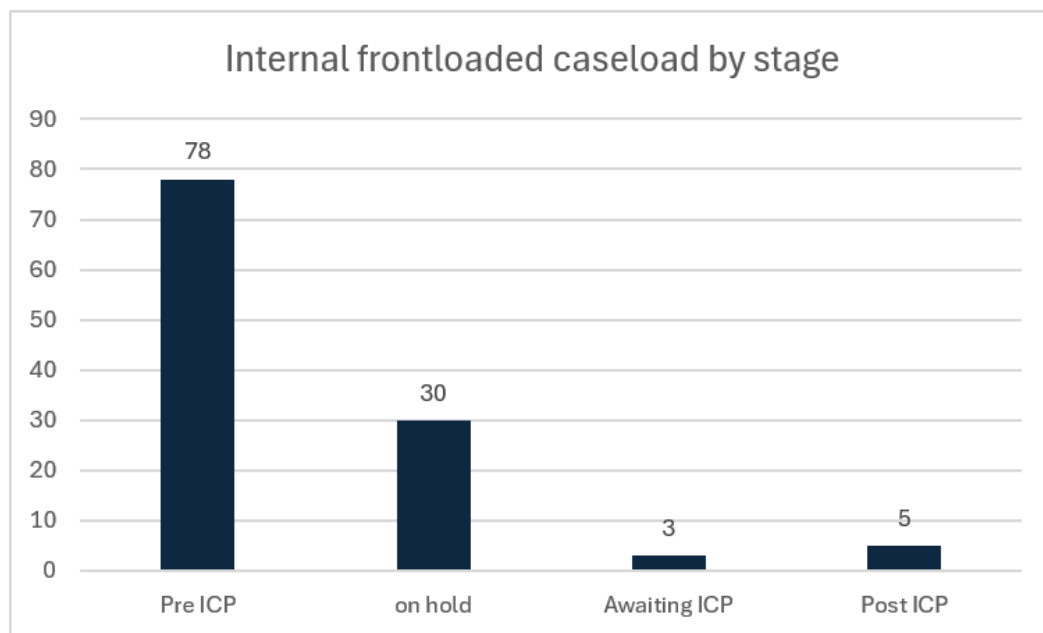
- 4.2 Over the course of 2026-27 a key priority in FTP Legal Services is to grow the volume of cases investigated by our internal frontloading team. The objective is to allocate an average of 11 cases per month into the team.

Figure 8 – new internal frontloaded case allocations



- 4.3 As figure 8 shows, we're broadly on track with new allocations. The average cases per month for this year to date is ten. This has been some fluctuation in case volumes. This has mainly been impacted by the number of suitable cases being identified at the triage stage that need a frontloading approach.
- 4.4 Whilst our intention is for most new case allocations into the internal frontloading team to come directly from triage, figure 8 shows that we have allocated some cases to the internal frontloading team from the standard work stream as well, where suitable. One reason is the operational need to keep linked cases together (where a new referral is suitable for front loading but there are other live linked cases already in the standard workstream). In addition we've identified some cases that may benefit from a frontloading approach from the standard investigations workstream.
- 4.5 In this financial year to date, all cases identified at the triage stage as meeting front loading criteria have been allocated for a frontloaded investigation. Subject to the nature of referrals we receive through triage, we are on track to allocate 66 cases by the end of quarter two, in line with our plan.

Figure 9 –internal frontloading caseload size



- 4.6 The internal frontloading caseload at the end of August 2026 was 116. The majority of cases are pre-ICP under investigation or they are on hold, which is what we expect to see.
- 4.7 Approximately 40% of the cases that have not yet had an ICP decision are on hold, as a result of third-party criminal investigations. We expected that a high proportion of new cases into the team would fall into this category and this formed part of our planning for how we structured the different roles in the team.
- 4.8 Figure 9 shows that the team have five cases currently in the post-ICP stage. All of those cases have progressed through the ICP this financial year. The team are developing confidence in managing cases at this stage of the process. Of those five cases, two final hearings are listed to take place by the end of December 2026, the dates for another final hearing are being finalised following a preliminary hearing in September (with a current expectation this will also conclude by the end of December), we await a final hearing date for one and we're actively considering the suitability of alternative disposal in the final case before requesting a listing from HCPTS. We're currently expecting those cases to be concluded within the post-ICP timeliness KPI of 39 weeks.
- 4.9 In addition to the five cases we expect to conclude with a final hearing by the end of December, we've also concluded investigations in four cases that closed at the pre-ICP stage since April 2026 (two threshold closures and two ICP closures).

Interim orders

- 4.10 As it is usually our most serious cases that we decide to frontload, a key area of work for the team is managing the interim order risk management process alongside case progression.
- 4.11 Currently, there are 46 cases in the internal frontloading team with an active interim order. This represents approximately 40% of the cases. We're continue to monitor how best to ensure we balance the case progression work alongside managing the interim order risk applications and interim order review process case work.

Post ICP case preparation

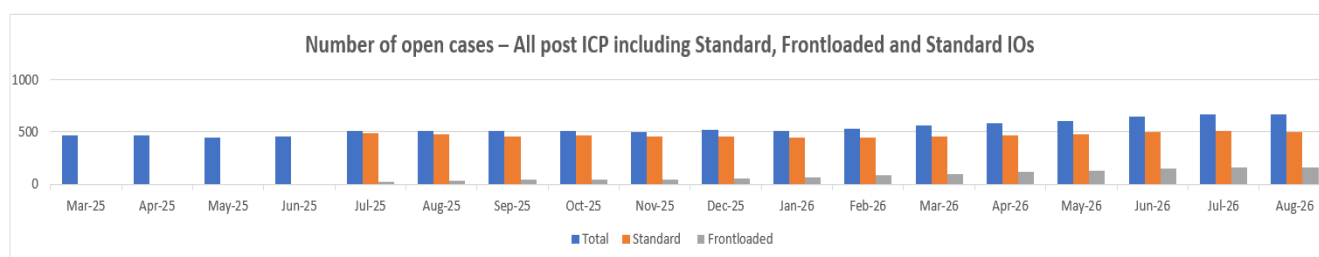
- 4.12 In this section we provide an overview of our performance in relation to the timeliness of our post-ICP casework and the age profile of our cases at this stage of the process.

Open cases Post ICP

- 4.13 As shown in figure 10 below, the caseload was 665 cases at the end of August 2026, which is consistent with the previous two months. We've been monitoring the impacts of the gradual increase in the number of cases open at the post-ICP stage. The increase in open cases continues to correlate with an increased number of Investigating Committee case to answer (CTA) decisions. 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.
- 4.14 The majority of cases open at this post-ICP stage of our process remain cases that have come through our standard investigation route and are being prepared for a final hearing by our external legal suppliers. In August 2026, 503 cases were standard cases (orange column) and 162 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 665 cases at the post-ICP stage, 102 of these are listed for a final hearing, which is the highest number of cases that have a confirmed future final hearing in the last 18 months.
- 4.15 In August 2026, we conducted a local audit of the Investigating Committee's case to answer decisions from June 2026 (a month with over 60% case to answer rate) to help understand learning from the increased number of decisions. Whilst we identified some learning points, we did not identify issues with the case to answer decision making. We are planning to repeat this exercise on a similar size sample of July 2026 decisions before finalising agreed actions.

- 4.16 In earlier updates, we informed the Council that we have been developing a new business structure to support the oversight of risk and compliance across FTP legal services. We've recently refined our governance of interim order risk on internally frontloaded cases, and defined the performance data we require from our external legal providers. We have also been working on improving the management information tools available to the internal team to better identify those cases we expect to be returned to us ready for a final hearing, to support focused case progression conversations with our external legal providers. The Senior Lawyer who is on secondment from the General Medical Council (GMC) is continuing to help us develop the work in this area.

Figure 10 – number of open cases post-ICP

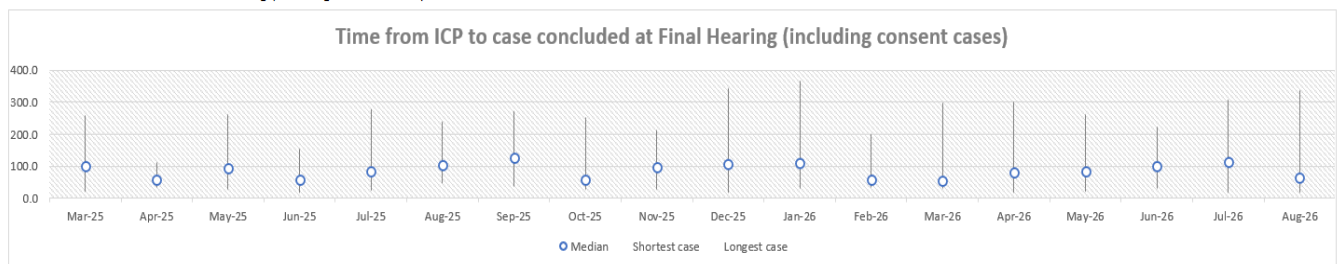


- 4.17 The median age of the open post-ICP caseload at the end of August 2026 from ICP decision was 17.1 weeks, which is within our KPI of 39 weeks. The oldest case at this stage was 305 weeks and the HCPTS is trying to list this case for hearing between January and May 2027.

Age of cases concluded at final hearing

- 4.18 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.
- 4.19 We expect the median age of these cases to be above our 39 weeks KPI as our older cases move through the process. Figure 11 shows that the median age of cases concluded at a final hearing in August 2026 was 62 weeks from ICP, with the oldest case at 305.6 weeks and the youngest case at 17 weeks. The shortest age to conclusion continues to reflect the positive impact of frontloaded cases progressing to a final hearing more quickly. However, as demonstrated by the oldest case to conclude, we are continuing to conclude challenging, older cases each month at final hearing.

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 In June we saw a decrease in the number of interim order applications heard by a panel at 12 applications. We saw an increase in July to 20 applications and decrease in August at 11 applications.

Figure 12 – interim order performance



- 5.5 As shown in Figure 12 above, in July we met the three week KPI for the time taken to hold an interim order hearing from the point we identified an application was required. In August we exceeded the KPI at 2.1 weeks.

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. At the end of August we have listed the highest number of final hearings for a future hearing at 102.

Figure 13 – number of cases listing for a final hearing

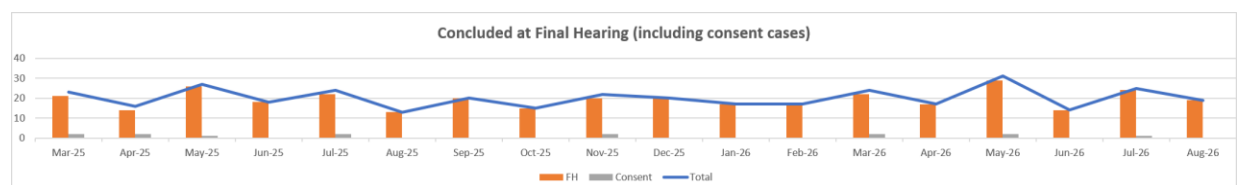


- 5.7 In August we introduced additional resource for six months dedicated to listing the less complex and shorter final hearings, with the aim of trialling a more streamlined approach to listing hearings and reducing our overall numbers of cases awaiting a final hearing. We have been more directive with our approach in listing these hearings. Whilst it is early days, we have seen a positive impact, being able to list 17 hearings within three weeks of them being allocated. Any learning from this we will look to take forward with the more complex and longer final hearings listings.
- 5.8 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 four 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.

Final hearing outcomes

- 5.9 Figure 14 below shows the number of final hearings that conclude each month. In this period we concluded a total of 58 final hearings. Whilst in June and July we saw a number of hearings adjourn part-heard, in August no final hearings 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 decisions and Professional Standards of Authority (PSA) learning points to identify opportunities for improvements. This includes learning and development opportunities for our panel members as well as FTP case management teams and external legal providers.
- 5.12 In July the DRG reviewed ten panel decisions following internal referrals to the group. Three related to ICP decisions, three interim order applications decisions, two interim order review decisions, one registration appeal decision and one final hearing decision.
- 5.13 In July the DRG took the following action:
- We provided direct feedback to panels and legal assessors in relation to eight of the cases as well as the feedback and themes identified being provided in our August quarterly FTP partner newsletter.
 - We identified a potential update to strengthen guidance in the interim order practice note.
 - We agreed in three of the decisions for there to be further case management action.

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 updates on our ongoing improvement areas are:

- **Customer service and witness support**

Improving the support to case parties and participants in the fitness to practise process continues to be our priority improvement activity this year.

We have an enhanced action plan to address the issues the PSA identified in their Performance Review for 2025-26 relating to standard 18.

We are working with an external partner to support us in providing routine updates to case parties in our pre-ICP standard cases. We are currently in the mobilisation stage of this work and will update the Council as it progresses.

We have continued to progress the development of a tool on our Case Management System (CMS) which will provide automatic reminders to send case updates. This will allow us to report against tasks due in the future, completed tasks and compliance with our service level. This will help support the teams to manage this important aspect of case handling and give better management oversight to help direct the team's work in this area. We are currently planning for the implementation of the tool across the caseload, and finalising reporting requirements related to the tool.

As explained above, we have now implemented new front-line checks focusing on customer service. These were rolled out in August following a small pilot. We will continue to monitor the implementation of these checks and the areas for improvement and themes arising from them.

We have expanded the pool of Customer Service Champions to nine, covering case quality and progression, legal services, and tribunal services. They will continue to lead on reviewing documentation and training regarding meaningful and supportive updates

In September we will roll out mandatory one day training for all team members in the directorate on the foundations of excellent customer service. The training will cover key principles, communication excellence, empathy and rapport, supporting vulnerable stakeholders and our service level agreements and best practise standards. Our revised Best Practise Standard on Customer Service, updated to align with the training, will also go live before the end of September.

- **Review of our Threshold Policy**

We have continued with the scoping work for the review of our Threshold Policy. Since our last update to the Council we've:

- identified some potential areas for opportunity based on our experience and from reviewing material from other regulators;
- started some initial planning work with our external legal provider advising on this piece of work;
- held an early scoping engagement workshop with our representative partnership forum members in September 2026;
- held an early scoping engagement workshop with the external legal providers who do fitness to practice investigations for us and our Senior Decision Makers who make apply our threshold criteria.

Once our scoping activities are complete we will be able to work with Policy colleagues to finalise a timetable for the consultation process.

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 year we have seen 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. In the main these additional referrals are streamed into our investigations teams that manage cases up to the ICP stage, which indicates that the increase is not being driven by referrals that do not raise regulatory concerns. We have significantly increased our headcount in our investigation teams in response to that demand and continue to undertake resource planning to monitor caseloads and capacity in the teams.
- Resource – we have increased headcount in our case management teams to ensure we have capacity to respond to growing caseloads and to build resilience within the team. With HR, we 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. The Assessment Centres have been successful in attracting and assessing suitable candidates with the relevant capabilities and skills to develop in the Regulatory Investigator role. However, we still have a way to go to reach the new headcount we require. We're also testing a version of this approach with other campaigns, including for Team Manager posts and for paralegals.
- FTP partner availability – we have experienced challenges with FTP partner availability which has impacted our ability to list hearings efficiently. This presents a particular challenge for longer hearings (those over five days) where registrant panel members may not be able to be released by their employers to sit on consecutive hearing days. This may necessitate listing hearings in multiple parts over a few months to accommodate availability. 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.