

Agenda Item 16

Enclosure 14

Paper ETC 95 / 03

Education and Training Committee

**CRITERIA FOR ASSESSMENT FROM THE STANDARDS OF
PROFICIENCY (TESTS OF COMPETENCE)**

from Secretary to the Committee

for information

Criteria for Assessment from the Standards of Proficiency : Progress Report

The Registration Committee on 15 July 2003 discussed this. The outcome is that guidance is being prepared for Registration Assessors which will be presented and piloted at training days on 12 and 14 August 2003.

The assessments are for international and grandparenting applicants only. The tests can only be decided on the basis of the applications made, and are therefore unique to each applicant. The assessment process is to identify which parts, if any, of the Standards of Proficiency (SOP) do not appear to be met by the applicant from the information provided. The guidance will then indicate what type of evidence may be sought and what type of test may be set to allow the applicant to demonstrate meeting the SOPs (or not).

Work is now progressing to create both generic and the twelve sets of profession-specific guidances based on the SOPs themselves and the work done in the two workshops held in April.

The criteria and the SOPs themselves will be guidance not instructions. Both will be used in the round and not as tick box exercises.

Some parts of the exercise is attached as indicative work in progress.

The full scheme will come back to the Committee when complete.

Assessing applications for registration: a practical guide

As a registration assessor, you have a key role in helping the Health Professions Council protect the public by ensuring that the people it enters on to its register are safe and effective practitioners. The decisions you make are very important, both to the applicant, whose ability to practise a profession is at stake, and to the public, who must be confident that they can trust their health professionals. This guide aims to point out some of the most important considerations that you need to have in mind.

Your task

Each time you are sent an application, you will be asked to make a decision about whether the applicant should:

- be entered on the register; or
- be asked to take a test of competence; or
- be refused entry to the register.

To protect everyone—the HPC, yourself, the applicant and most importantly the public—from the risks of faulty decision-making, there are some important safeguards. These govern:

- what you can consider in making your decision; and
- how you must consider it; and
- what you must do to record your decision; and
- how your decisions are open to review.

The safeguards are a consequence of both the Health Professions Order 2001 and the Human Rights Act 1998.

What you can consider

You can—and must—consider all the evidence provided in the application. You cannot consider any other evidence, and you must not allow your decision-making to be affected by:

- the fact that an applicant has been practising without being registered with the HPC, the CPSM or a professional body or association, unless it was a legal requirement for them to do so; or
- the fact that an applicant has been educated at an ‘unapproved’ institution. You may take into account, from the evidence you are provided with, the nature and quality of an applicant’s education, but you must not dismiss their education merely on the grounds that the institution was not approved; or
- extraneous factors that do not have a bearing on the applicant's fitness to practise, such as their race or sex.

You must consider the full range of evidence provided, bearing in mind that individual circumstances differ widely. There is a wide range of possible types of evidence that applicants might provide, which will generally relate either to their education and training or to their experience. The following list shows some of the possible types of evidence that could be provided, but you must look at every piece of evidence that an applicant provides, whether it is on this list or not:

- course transcripts and curricula;
- CPD portfolios, CPD courses and conferences attended;
- experience as a practitioner: clinical records, case studies, policies and procedures drafted by the applicant, patient testimonies, clinical references, insurance information;
- experience as an educator: speaker notes, papers, student testimonies;
- experience as an expert: expert witness work (courts and elsewhere), public and other services (e.g. sitting on expert panels, advisory committees etc);
- personal statement

Although you cannot ignore any piece of evidence, you are entitled—indeed you must—decide how much weight to give it.

How you must consider it

When looking at applications, you are looking for two types of evidence:

- information that raises a concern for you about the ability of the applicant to practise safely and effectively; and
- information that helps to satisfy you about the ability of the applicant to practise safely and effectively.

It is vital to bear in mind that an absence of evidence is not evidence of absence: you are not entitled to assume that an applicant is incapable of meeting a particular standard just because they have not provided information about that standard. At most, you can raise a concern about whether the applicant is capable of meeting the standard.

You are also not entitled to discount any concerns that you have, because of the applicant's excellence in other areas. When assessing candidates for jobs, by contrast, you might well judge that an individual's abilities in one area outweigh their weaknesses in another. But the HPC's job is to assure that everyone on its register is capable of safe and effective practice—and that means meeting the standards of proficiency—no more is needed and no less will do.

When looking at the evidence, you need to have the relevant standards of proficiency in mind. These vary from profession to profession, although there is a shared set of generic standards that apply to all the professions that the HPC regulates. Each concern that you have needs to relate both to the evidence in the application and to one or more of the relevant standards of proficiency.

Although you need to have the relevant standards of proficiency in mind when you consider applications, you must not treat them as a simple checklist, and look to put a tick

or a cross against each. The standards are an important starting point for you in exercising your judgement as a professional about the ability of an individual to practise safely and effectively. Having determined what concerns, if any, you have about that individual, you must make a decision 'in-the-round', based on all the available evidence as to whether they should be entered, referred for a test of competence, or refused entry.

You should also be familiar with the HPC's standards of conduct, performance and ethics, and bear these in mind when making your decisions.

What you must do to record your decisions

You must make a written record of each concern that you have, the evidence (or lack of evidence) giving rise to the concern, the standard of proficiency to which the concern relates, and your professional judgement of gravity of the concern, in terms of how it weakens your confidence that the applicant is able to practise safely and effectively. Separately, you must make a written record of the decision that you make and the reasoning that has led to that decision, in terms of your overall professional judgement of the applicant's ability to practise safely and effectively based on the evidence you have assessed. A form has been developed to help you record your decisions.

How your decisions are open to review

Each application must be considered on its own merits and at the same time, the HPC must ensure that decision-making is consistent. For both these reasons, there are some audit steps taken in relation to your assessments.

The first and most fundamental of these is that each application will be examined by two reviewers. The assessors must work together to reach a common judgement on the application, and you must both sign the record of your decision.

The second step that will take place is the sending of duplicate assessments. A fraction of the applications that you receive will also have been sent to another assessor team, and the results of the decisions will be compared. This will help to uncover any systematic inconsistencies in decision-making.

The third step that will take place is the sending of papers to the HPC's legal team for review. The HPC's lawyers will audit the assessment process by examining a fraction of the assessments. In doing so, they will have access to the paperwork, including application forms and the records of assessment.

These audit steps are not the only form of review of your work. If an applicant disagrees with your decision, they are able to appeal against it. They can appeal, in the first instance, to the Health Professions Council, and if they are still unsatisfied, they can go on to appeal to the High Court. You might well be needed to give evidence to either the Council or the Court if an appeal takes place against a decision that you have made.



Application for registration--record of assessment

Standard of proficiency	Level of concern			Nature of concern
<i>Please use ref. #</i>	<i>Please circle</i>			<i>Please include supporting evidence</i>
	Mild	Moderate	Grave	
	Mild	Moderate	Grave	
	Mild	Moderate	Grave	
	Mild	Moderate	Grave	
	Mild	Moderate	Grave	

Assessor's recommendation for this application:

First assessor:	Signed:	Date:
Second assessor:	Signed:	Date: