

Fitness to Practise Committee 13 October 2011

2011-12 Fitness to Practise Department work plan update

Executive summary and recommendations

Introduction

The attached appendix is intended to provide the Committee with an update on the progress that has been made in relation to the 2010-11 Fitness to Practise work plan.

Decision

The Committee is asked to note the paper, no decision is required.

Background information

The Fitness to Practise Committee approved the Fitness to Practise department work plan at its meeting in February 2011

Resource implications

None

Financial implications

None

Appendices

Appendix One Fitness to Practise Department work plan update

Date of paper

3 October 2011

Fitness to Practise Department work plan update 2011-2012

Ensure accessibility and improve communication and information provision

Activity	Timescale	Progress Report
Easy Read brochure	October 2011 – April 2012	The 'Easy Read' publication was launched in July 2011. This publication which provides key information about who we register, what types of cases we can and cannot consider and how to make a complaint. It is intended for service users who have communication or learning difficulties and those who work with them. The publication can be found at http://www.hpc-uk.org/publications/index.asp?id=482
Fitness to Practise Annual Report	April-September 2011	The FTP Annual report was approved by the Council at its meeting in July 2011 and published in September 2011
Practice Notes	Ongoing	<p>In the YTD (October 2011) new or updated practice notes on the following topics have been approved by Council:</p> <ul style="list-style-type: none"> - Article 30(2) - Standard of Acceptance for Allegations <p>Further revisions have also been made to the Case to Answer PN and the Standard of Acceptance for allegations</p>
Attendance at Employer events	July – November	The cycle of employer events for 2011-12 began in July 2011 with events taking place in Birmingham and Liverpool. Attendance at both events was in excess of 80.

Activity	Timescale	Progress Report
	2011	The Stakeholder Communication Manager and Director of Fitness to Practise presented at both events with an opportunity for delegates to ask questions and consider seven fitness to practise case studies about when to refer a matter to the HPC.

Effective Management and Development of Legislative and New Operational requirements

Activity	Timescale	Progress Report
Implementation of an integrated case management system	June 2009 – February 2011 (revised)	Please see separate paper on the FTP Committee agenda for October 2012
Transfer of the General Social Care Council	September 2010 – July 2012 (revised)	<p>Work continues with the GSCC Conduct team as to the handover requirements of cases. Further analysis has been undertaken as to expected number of cases to be handed over and resource requirements given the transfer is now expected to be in July 2012. The Executive are currently preparing papers for consideration by the Council on:</p> <ul style="list-style-type: none"> - the revisions required to the prosecutions policy; - the revisions required to the health and character policy; and - the approach to take to open GSCC student conduct cases.

Implementation of the requirements of the Protection of Vulnerable Groups and Safeguarding Vulnerable Groups act	Ongoing	The work in this area continues.
Review the approach the FTP team take towards Freedom of Information Act and Data Protection Act requests including evidence management	April – July 2011	This work has been put on hold pending the delivery of the FTP case management system. In the meantime the compliance officer is preparing further training for the FTP team on this topic

Consistent and effective decision making

Activity	Timescale	Progress Report
Panel Chair, Legal Assessor and Panel Member review and training days	Ongoing	Training for new panel members has taken place, with refresher training for existing panel members also taking place in the period. Panel Chair and Legal Assessor review days took place in June and July 2011 respectively.
Monitor updates in regulatory law	Ongoing	Any changes to regulatory case law are reflected in practice notes, the indicative sanctions policy and other policy documents
Quarterly newsletter for fitness to practise partners	Ongoing	Newsletters were issued to all fitness to practise partners in April and July 2011 with the next newsletter scheduled to be distributed in October 2011
CHRE learning points	Ongoing	Please see a separate paper on the FTP Committee agenda for October 2011
Qualitative review of decisions	Ongoing	A paper reviewing Investigating Committee decisions was considered by the FTP Committee in May 2011 with recommendations from that work being taken forward by the Executive. A paper on final hearing decisions is due to be considered by the FTP Committee in October 2011
Review not well	Ongoing	Please see a separate paper on the FTP Committee agenda for October 2011

Activity	Timescale	Progress Report
founded decisions		
Adjourned/Postponed hearings	Ongoing	Please see a separate paper on the FTP Committee agenda for October 2011

Ensure processes and procedures are working to their best effect;

Activity	Timescale	Progress report
Alternative methods to resolve complaints/ disputes	February 2011 – October 2011	FTP Committee considered a paper at its meeting in May 2011 setting ways in which HPC use alternative mechanisms to resolve disputes in its processes. A stakeholder event took place in May 2011. The Executive engaged Ipsos MORI to undertake further research on the topic. The research report is on the FTP Committee agenda for October 2011
Review Investigating Committee decision making approach	April 2011	A process is now in place by which some registrant panel members contribute to the decision making of Investigating Committee panels via the telephone. Between April and August 2011 approximately 30 per cent of Investigating Committee panels held using this mechanisms
Review and update approach taken to confidentiality and data security	April – May 2011	Operating guidance has been produced and training provided to the team
Implement new decision making template for final hearing	July 2011	The decision making template for final hearings has been reviewed and updated and is now in use at Final hearings

Activity	Timescale	Progress report
Operating Guidance and decision making templates	Ongoing	<p>The following operating guidance has been produced:</p> <ul style="list-style-type: none"> Confidentiality and information security Discontinuance of proceedings Restoration to the Register <p>The following templates have been reviewed or updated:</p> <p>Over 400 documents have been reviewed for migration into the case Management system</p> <p>The following list of operating guidance is due for review by the end of the financial year:</p> <p>All operating guidance as set out below will be reviewed by December 2011 in preparation for the roll out of the case management system:</p> <p>Initial enquiries and case management</p> <ul style="list-style-type: none"> Miscellaneous cases File Structure Education complaints Watchlist Vexatious complaints Risk profiling <p>FTP case investigation</p> <ul style="list-style-type: none"> Case handling and investigations Investigative Report Writing Requiring disclosure of information Taking complaints over the phone Taking complaints in person Instructing and Seeking Advice

Activity	Timescale	Progress report
		<p>Instructing Registrant Assessors for ICP</p> <p>Obs and ICP stage Three year Rule Formulating allegations Case Investigation Reports Attending ICPs</p> <p>Post case to answer Disposal of cases by consent Joinder Appointing medical assessors at final hearing Review of Striking Off Orders: New Evidence and Article 30(7)</p> <p>Evidence Physical Evidence Management Obscene Image Storing</p> <p>General reference information Controlled substance Binding Over and Discharge by Criminal Courts Police Station Paramedics</p> <p>Witnesses Witness interviews Witness management Witness statements</p> <p>Hearings Handling the purchase of religious books Risk Management for hearings Sending late documents to panels and legal assessors</p>

Activity	Timescale	Progress report
		<p>Presenting Officer Guidance Public or Private Hearings Adjournment Requests</p> <p>Prosecution Protection of Title Offences POT field visits Protection of Function Misuse of HPC logo</p> <p>Health and character Health and Character</p> <p>Registration Appeals Registration Appeals</p> <p>Contact with other bodies Signposting Consumer complaints Vetting and Barring referrals</p>
Review of health and character cases	September 2011	This has been delayed pending the completion of the case management system.

Ensure Effective Management of Resources

Activity	Timescale	Role(s)
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Ongoing recruitment of partners	Ongoing	<p>Recruitment for new partners has taken place.</p> <p>Recruitment for those partners required for the transfer of the regulatory functions of the GSCC is scheduled to begin in September 2011. The Executive are in the process of reviewing and updating the role briefs for the various partner roles</p>
Review "human resources" within the FTP department	April 2011	This is an ongoing piece of work
Ongoing Skills audit of the FTP team	Ongoing	This is an ongoing piece of work
Operational Forecasting	Ongoing	This is an ongoing piece of work. Further detail on anticipated resource needs and number of cases can be found in the Director's report for October 2011
Budgetary Controls	Ongoing	<p>This is an ongoing piece of work. The Executive are currently finalising the arrangements for the next two years with regards to the provision of transcription services. It is anticipated that there will be an increased use of 'loggers' and a reduction in the number of requests for a formal transcript to be taken.</p> <p>Work continues with regards to the best use of space and catering. The Executive is also reviewing the requirements with respect to legal services for 2012-13</p>

