

Investigating Committee, 12 February 2009

Fitness to Practise Department Work plan 2009-2010

Executive summary and recommendations

**Introduction**

The attached document sets out the Fitness to Practise Department work plan for 2009-2010

**Decision**

The Committee is asked to approve the 2009-2010 Fitness to Practise Department work plan

**Background information**

None

**Resource implications**

Accounted for in 2009-2010 budget and workplan

**Financial implications**

Accounted for in 2009-2010

**Appendices**

Fitness to Practise activities 2009-2010  
Fitness to Practise progress report 2008-2009  
Fitness to Practise workload forecast 2009-2010

**Date of paper**

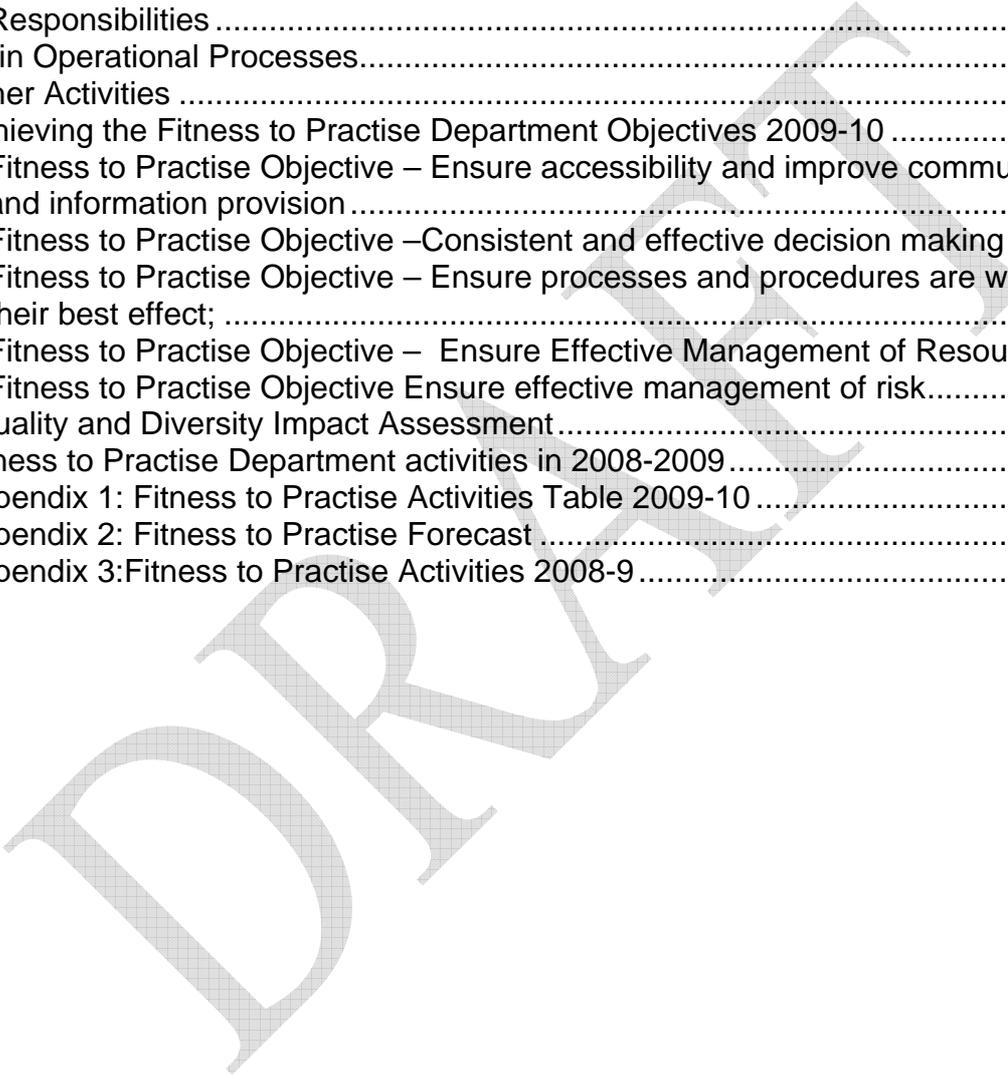
23 January 2009



# Fitness to Practise Workplan 2009 –2010

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# Introduction

This document sets out the resources, responsibilities and priorities for the financial year April-March 2009-2010. It addresses how the Fitness to Practise department will grow, develop, improve and progress and provides a basis against which the work of the Fitness to Practise department can be planned and measured.

As in previous years, the Fitness to Practise department due to the nature of its work, will also have to manage high profile cases which will attract media interest, respond to High Court appeals and manage allegations which require an interim order. It is important that departmental planning allows for timely responses to unpredictable situations when they arise.

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Salma Begum	Hearings Officer
James Bryant	Hearings Officer
Brendon Edmonds	Hearings Officer
Anaru Smiler	Hearings Officer
Rachel Bull	Scheduling Officer
Ola Odusanya	Scheduling Officer

### **Administrators**

Jameel Anwar	Team Administrator
Corrado Palmas	Team Administrator.

The Lead Case Managers and Administrators report to the Head of Case Management, each case team reports to a lead case manager. The Hearings Manager, Head of Case Management and PA to the Director of Fitness to Practise report to the Director of Fitness to Practise.

### **Financial Resources**

It is anticipated that there will be a fitness to practise budget of approximately £5.6million

This budget is based on an estimated 550 new allegations being received in 2009-2010 and a handover of approximately 45 practitioner psychologists' cases which are at the investigating panel stage. It is anticipated that case managers in case teams one and two will manage approximately 840 cases over the course of the financial year

It is anticipated that there will be approximately 635 days of hearing in 2009-2010 (comprising of full hearings, consent applications, interim orders, review hearings, investigating panels and registration appeal panels). The budget is based on hiring external venues in the home countries for approximately 50 days a year.

It is anticipated that there will be a slight increase in the number of health and character and registration appeal cases and that the number of protection of title cases will remain steady.

The case forecasting model is attached to this document as appendix 2.

The budget estimate also includes CHRE and registrant appeals to the High Court, appeals against registration appeal decisions, protection of title field work and other tribunal related works. The costs of appeals that were made in previous financial years and but not concluded are also included in the 2009-2010 budget.

The budget is also predicated on fitness to practise case managers presenting interim orders, Article 30 review hearings, consent applications and some conviction FTP cases. Case Managers/Officers present all investigating panel and health and character cases to the investigating/registration panel.

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## Responsibilities

The Director of Fitness to Practise is responsible for the overall management of the team, the development and implementation of the strategy and work plan and the development and management of new projects. The Director of Fitness to Practise also has specific responsibilities as set out in the Scheme of Delegation.

## Case Management

The Head of Case Management is responsible for HPC's Case Management function across the directorate's range of responsibilities. This includes the management, presentation and investigation of fitness to practise case, the investigation and management of protection of title offences and the management of registration appeals and health and character declarations. She manages the lead case managers in the department and the team administrators.

## Case Teams

There are three case teams within the directorate each managed by a lead case manager. Each lead case manager has a case load and management and auditing responsibilities.

Case teams 1 and 2 comprise of case managers who are responsible for the management and investigation of allegations and the presentation of fitness to practise cases.

Case team 3 has responsibility for registration appeals, prosecution of offences, incorrect entry cases, conviction FTP cases and health and character cases.

## Adjudication – Hearings Team

The Hearings Manager manages the hearings team and she is responsible for the management of this team. She is also responsible for partners as they affect the work of the fitness to practise department.

Hearings Officers are responsible for arranging fitness to practise hearings including review of orders and interim orders. They also act as clerk to the tribunal. They undertake follow-up work after a hearing and some elements of HPC's witness support provisions.

There are 2 full time scheduling officers who ensure a steady progress in the fixing of cases. The other hearings officers will continue to clerk and then fix cases on the days where they are not clerking.

The Lead Hearings Officer will be responsible for the day –to- day work allocation of the hearings team. This will include allocating resources and ensuring availability of facilities. They will also aid the Hearings Manager in a future review of the hearings function

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## Administrators

The Team Administrators provides support to the department across all of its activities. This includes hearing preparation, some elements of the witness support provisions and maintenance of the fitness to practise alerts system. The Administration Co-ordinator will coordinate this activity.

The PA to the Director of Fitness to Practise undertakes all diary management and secretarial duties for the Director. She is also responsible for the logging and tracking of all invoices to ensure that costs billed were incurred.

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# Main Operational Processes

There are five main processes which generate the majority of the department's work. These are listed below. In each area of work, we will continue to review, refine and improve existing processes

## 1. Fitness to Practise Allegations

The investigation of allegations to the effect that a registrant's fitness to practise is impaired and the management of cases through to their conclusion. This includes witness liaison, instructing lawyers and preparing and presenting cases at investigating, interim order, final and review stage.

## 2. Hearings Management

The organisation and scheduling of all fitness to practise hearings and all follow up work related to hearing outcomes

## 3. Health and Character Declarations management

The process by which HPC manages declarations from registrants and applicants on admission, readmission and renewal to the register and via the self-referrals process.

## 4. Prosecutions of Offences

The investigation and management of offences under Article 39 of the Health Professions Order 2001. This includes field investigation and prosecuting offences in the magistrates court.

## 5. Registration Appeals

The management of cases where an applicant or registrant has appealed against a registration decision. This includes the organisation of hearings to hear such cases.

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## Other Activities

There are a number of other areas and activities which support and affect the processes operated by the Fitness to Practise department. The following paragraphs summarise these activities.

### 1. Publications

A number of publications are produced by the fitness to practise team – ranging from the fitness to practise annual report and brochures explaining the processes, through to practice notes on interim orders and allegations, and other documents such as those explaining the registration appeals process. These documents are updated and reviewed regularly.

### 2. Website

The department is responsible for information provided on the HPC website regarding fitness to practise hearings as well as the information online about the fitness to practise and protection of title processes. In 2009-2010 we will review the information that is available on the HPC website about the fitness to practise process.

### 3. Panel recruitment, selection and training

In 2009-2010 the department will work with the Partner Manager to appoint and train new panel members and legal assessors and train new panel chairs.

Review days will take place for Legal Assessors and Panel chairs. These review days are used to update legal assessors and panel chairs on regulatory law updates, provide feedback on CHRE learning points and look at ways to improve decision making. The department will lead in the training of all new panel members, including two day training sessions for all new panel members, and refresher training for 50% of our panel members. We will continue to send regular updates to all partners in the form of a newsletter on the work of the department and other relevant updates.

### 4. Committee Work

The fitness to practise department works with a number of committees – including the three fitness to practice committees on fitness to practise issues and the Education and Training Committee with regards to the health and character process.

### 5. Liaison with stakeholders

We will continue to work with all stakeholders (including employers of registrants) to improve understanding and accessibility and feedback trends that have arisen out of fitness to practise cases. The department will continue to support the Communications department with representation at conferences and employer events and will continue to present to relevant stakeholders on the fitness to practise

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process. We will continue to be involved in advisory groups (such as those run by CHRE and the Department of Health).

## **6. Transfer of new professions**

We will work to ensure the effective and efficient handover of fitness to practise cases from the British Psychological Society and ensure readiness for the planned transfer by the Department of Health and the Department of Business, Enterprise and Regulatory Reform (BERR) of the Hearing Aid Council to the remit of the HPC.

## **7. High Court cases**

We will continue to manage high court cases – this includes both cases when registrants appeal the decision to find their fitness to practise impaired and/or impose a sanction and when CHRE refer a case in accordance with Section 29(4) of the National Health Service Reform and Health Care Professions Act 2002. We will ensure that we disseminate outcomes as appropriate and make any necessary changes or improvement to fitness to practise processes.

## **8. Supplier Management**

We will complete the tender for transcription writer services in 2009-2010, review the facilities that we use for external hearings and review the catering facilities as they relate to fitness to practise. We will also closely manage our relationship with all our key suppliers, including keeping under review our contracts and service level agreements with these suppliers.

## **9. Major Projects**

Members of the fitness to practise department will also contribute to and be on the project team for the following major projects:

- Fitness to Practise Case Management System
- Renewals Cycle review
- Transfer of the Hearing Aid Council
- Onboarding of Applied Psychologists
- Independent Safeguarding Authority

## **10. Other**

We will work with the Registrations department in their review of the application process to identify improvements so that we can reduce the risk of exposure of identity theft.

The Fitness to Practise Department are due to be audited as part of HPC's ISO accreditation in April 2009. We will ensure that we have the capacity to manage the requirements of this.

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We will also ensure that we have the resources to meet the demands of the CHRE audit of the initial stages of the fitness to practise process which is due to begin in 2009.

We will also work with policy and standards department in responses to consultations, the CHRE performance review and in providing statistical information for research and work that that department is undertaking.

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## **Achieving the Fitness to Practise Department Objectives 2009-2010**

The headline objectives for 2009-2010 are broadly the same as 2008-2009 but with different tasks to meet the objectives. 2009-2010 will be a year in which will look at further refinement, review and development of existing processes and procedures. A number of the items listed below are referenced earlier in this document but are listed here for completion

### **Fitness to Practise Objective – Ensure accessibility and improve communication and information provision**

We will continue to look at ways in which we can ensure that all stakeholders that come into contact with any element of the work of the Fitness to Practise Department receive a high quality of information, service and that we continue to ensure that the departmental processes are accessible. To this end we will;

1. continue to produce and further develop the Fitness to Practise annual report;
2. complete our equality and diversity actions points;
3. produce a witness support brochure;
4. research and develop a Fitness to Practise hearings DVD;
5. provide feedback and learning from fitness to practise cases;
6. continue to contribute to and attend employer events;
7. undertake a whole scale review of the documentation produced by the fitness to practise department;
8. produce a practice note manual;
9. further develop and review service level standards;
10. further develop the accessibility of the process for hard to reach complainants;
11. develop a signposting document to provide alternative sources of information for those involved in the fitness to practise process ; and
12. work with the Policy and Standards department in researching consumer complaints, the unfair consumer practices directive and the Office of Fair Trading approved code.

### **Fitness to Practise Objective – Effective Management and Development of Legislative and New Operational requirements**

There are a number of legislative and operational projects and developments which will require the input and involvement of the fitness to practise department in 2009-2010. We will ensure that we manage these projects and developments within agreed timescales. For completeness, those projects are listed below:

1. Development of an integrated case management system
2. Transfer of the Hearing Aid Council
3. Onboarding of the Practitioner Psychologists

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4. Independent Safeguarding Authority
5. Renewals Cycle review
6. Improve Identity checks
7. Initial Audit of Fitness to Practise decisions
8. Panel Member Appraisal

## **Fitness to Practise Objective –Consistent and effective decision making**

This objective is broadly the same as 2008-9 in that will continue to undertake and be involved in the following activities:

1. Feedback learning points from CHRE’s review of conduct and competence and health cases to those involved in the fitness to practise process
2. Closely monitor updates in regulatory law and update policies and practices where appropriate
3. Hold review days for legal assessors, panel chairs and panel members;
4. Appointment and training of new panel members, panel chairs and legal assessors
5. Production of a quarterly newsletter for fitness to practise partners.

However, to also meet this objective we will;

1. undertake a whole scale review of the Indicative Sanctions Policy;
2. produce a practice note on impairment;
3. look into mechanisms to quality assure the decisions made by fitness to practise panels;

## **Fitness to Practise Objective – Ensure processes and procedures are working to their best effect;**

As well as continually reviewing and refining all of our processes we will;

1. undertake research into the expectations of complainants;
2. review service level standards;
3. develop and implement “sifting tools”;
4. work with professional bodies and employers in developing information about what registrants can do when they are suspended from the register;
5. further produce, develop and refine Fitness to Practise Operating Guidance; and
6. keep under review the length of time it takes for cases to conclude and ensure and ensure the expeditious management of cases.

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## **Fitness to Practise Objective – Ensure Effective Management of Resources**

To ensure that resources are used to their best effect we will;

1. work with the partners team on the process to appoint, reappoint and train partners
2. continue to undertake risk assessment for cases;
3. ensure budgetary controls are in place to ensure the proper management of the fitness to practise budget;
4. further develop systems of operational forecasting;
5. complete the fitness to practise department skills audit; and
6. design and deliver a long term training plan.

## **Fitness to Practise Objective Ensure effective management of risk**

The Fitness to Practise department manages a number of risks in relation to its functions. The key areas of risk in the fitness to practise area are as follows:

1. legal cost over-runs;
2. legal challenge to HPC operations;
3. exceptional tribunal costs;
4. witness non-attendance;
5. physical assault by hearing attendees; and
6. registration appeals.

We will ensure appropriate measures are in place to mitigate against these risks.

## **Equality and Diversity Impact Assessment**

We will ensure that as we complete our work plan and review the policies and procedures that are in place, we will ensure we will take into account any issues that could have an adverse impact and mitigate against this.

We will continue to aim to improve accessibility to the fitness to practise process.

## **Fitness to Practise Department activities in 2008-2009**

Provided as appendix 3 to this document is a review of the work undertaken and completed in 2008-2009.

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**Appendix 1: Fitness to Practise Activities Table 2009-10**

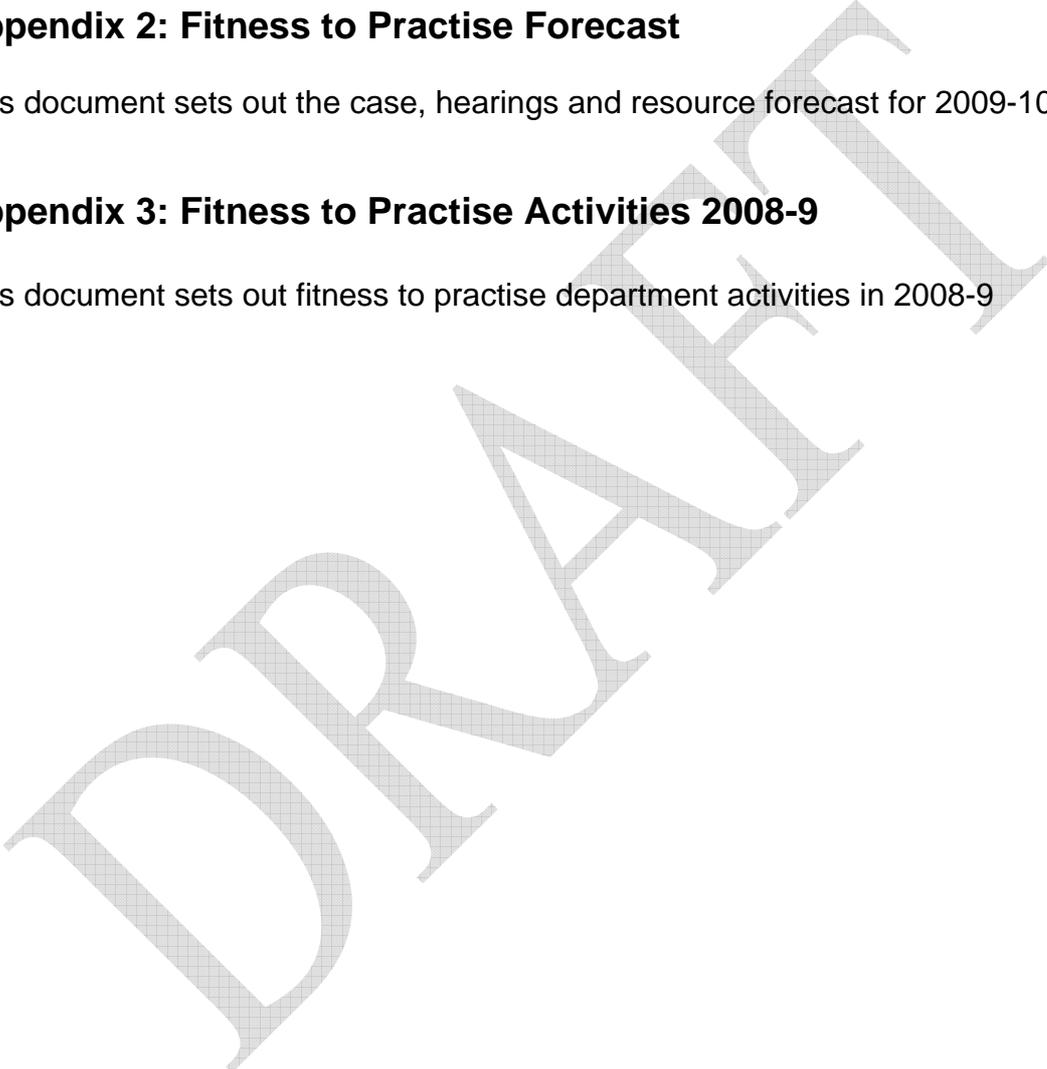
The table below sets out the fitness to practise department’s timetable in achieving the tasks set out in the work plan above and the employee who will take the lead on the specific area of work

**Appendix 2: Fitness to Practise Forecast**

This document sets out the case, hearings and resource forecast for 2009-10

**Appendix 3: Fitness to Practise Activities 2008-9**

This document sets out fitness to practise department activities in 2008-9



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## Appendix 1: Fitness to Practice Activities Table 2009-2010

### Fitness to Practise Objective: Ensure accessibility and improve communication and information provision

Activity	Description	Rationale	Timescale	Person(s) responsible
Fitness to Practise Annual Report	Production of 2009-2010 Fitness to Practise Annual Report	Legislative Requirement	January 2010-September 2010	Eve Seall
Equality and Diversity Action Points	Complete the Fitness to Practise Department Equality and Diversity Action Points	Good Practice	Ongoing	Kelly Johnson
Witness Support Brochure	Develop witness support material and review witness expense policy	To ensure those that are attending fitness to practise hearings are supported appropriately	April-September 2009	Alison Abodarham
Fitness to Practise Hearings DVD	Research and develop a DVD which sets out and explains the hearings process	As above	September 2009 – April 2010	Alison Abodarham
Provide feedback from fitness to practise cases	Provide feedback to key stakeholders on fitness to practise and health and character cases	Ensure consistency in decision making and promote awareness amongst stakeholders of the kinds of cases that are considered by the HPC	Ongoing	Alison Abodarham
Attendance at Employer Events	Attend and participate in the continuing series of employer events	Stakeholder engagement	Ongoing	All
Document Review	Ongoing review of standard letters and documents	Good practice	Ongoing	Lead Case Managers

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	produced by the fitness to practise department			
Practice Note Manual	Produce a practice note manual to aid those that are involved in the fitness to practise process	Aid to those who are involved in the fitness to practise process	September 2009	Russell Brown
Development of Service Level Standards	Further develop and review the Fitness to Practise department service level standards	Ensure the expeditious management of cases and that those involved in the process receive a good service	Ongoing	Eve Seall
Accessibility of process	Further develop processes to ensure that they remain accessible to all users	Ensure accessibility	Ongoing	All
Signposting document	Develop a signposting document to provide alternative sources of information who may wish to make a complaint or are seeking further information about registrants	Ensure that complainants are being signposted to appropriated organisation and that the department is fully aware of changes to legislation which effects how other deal with complaints	April - October 2009	Paul Robson
Consumer Complaints	Work with the policy and standards team in researching consumer complaints, the unfair consumer practices directive and the Office of Fair Trading Approved code	As above	April-October 2009	Zoe Maguire

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## Fitness to Practise Objective – Effective Management and Development of Legislative and New Operational requirements

Activity	Description	Rationale	Timescale	Person(s) responsible
Development of an integrated case management system	Map all fitness to practise department processes, research and develop an integrated case management system	Ensure that the fitness to practise department is able to meet the demands of new professions and increased numbers of allegations, cases and hearings	April 2009-April 2011	Kelly Johnson
Transfer of the Hearing Aid Council	Effective transfer of cases from the remit of the Hearing Aid Council to the HPC.	Legislative Requirement	April 2010	Zoe Maguire/Kelly Johnson
Transfer of the Practitioner Psychologists	Effective transfer of practitioner psychologist cases from the remit of the British Psychological Society to the HPC. This will include ensuring systems are adapted and the production of new operating guidance.	Legislative Requirement	July 2009	Kelly Johnson/Eve Seall
Implementation of the requirements the Protection of Vulnerable Groups and Safeguarding Vulnerable Groups Act	Ensure that HPC registration systems can capture and record barring numbers, production of practice notes to provide guidance to panels on when case should be referred to the IBB and training of the team and partners	Legislative Requirement	September 2009-Ongoing	Kelly Johnson

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Renewals Cycle Review	Work with the registrations department in their review of the renewals cycle to ensure the operational demands of both departments are managed	Effective management of resources	April – October 2010	Eve Seall/Paul Robson
Improve Identity Checks	Work with the registrations department in their project to improve identity check on applicants and registrants	Good Practice	June 2009 and ongoing	Eve Seall
Initial Audit of Fitness to Practise decisions	The Health and Social Care Act 2008 has been amended to allow CHRE to audit cases that have not been referred to a final fitness to practise panel. We will need to ensure that we have the resources to manage this new requirement	Legislative Requirement	November 2009 – February 2010	Eve Seall/Kelly Johnson
Panel Member Appraisal	Follow up any issues that arise out of panel member appraisal and work with the partners team of the further development of the panel member appraisal system	Effective management of resources and good practice	Ongoing	Alison Abodarham

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## Fitness to Practise Objective –Consistent and effective decision making

Activity	Description	Rationale	Timescale	Person(s) responsible
CHRE learning points feedback	Feedback learning points from CHRE to those involved in the fitness to practise	Ensure consistency in decision making	Ongoing	Kelly Johnson
Monitor updates in regulatory law	Monitor updates in regulatory law to ensure that HPC policies and procedures properly reflect any relevant regulatory case law	Ensure processes accurately reflect changes in the law	Ongoing	Zoe Maguire
Panel Chair, Legal Assessor and Panel Member Review Days	Prepare and present review days for FTP partners	Ensure consistency in decision making and that information is properly disseminated	Ongoing	Kelly Johnson/Eve Seal/ Alison Abodarham
Appointment and training of new panel members, panel chairs and legal assessors	Sit on appointment panels for new FTP partners and subsequently prepare and present at training sessions	Ensure that there are enough partners to meet the operational requirements of the fitness to practise department	Ongoing	Kelly Johnson/ Eve Seall/ Alison Abodarham
Quarterly newsletter for fitness to practise partners	Send out a quarterly newsletter to fitness to practise partners providing them with information on new practice notes, regulatory case law and CHRE learning points	Ensure consistency in decision making	Ongoing	Alison Abodarham
Review Indicative Sanctions Policy	Undertake a wholesale review of the Indicative Sanctions Policy	Ensure consistency in decision making and to ensure it reflects any legislative changes	December 2009	Kelly Johnson
Impairment Practice Note	Produce a practice note on finding impairment to provide	Ensure consistency in decision making	July 2009	Kelly Johnson

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	guidance to those involved in the fitness to practise process			
Quality Assurance of Decisions	Develop mechanisms to quality assure decisions made by fitness to practise panels, registration panels and registration appeals panels	Ensure consistency in decision making	Ongoing	Alison Abodarham/Eve Seall/Paul Robson

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**Fitness to Practise Objective – Ensure processes and procedures are working to their best effect;**

<b>Activity</b>	<b>Description</b>	<b>Rationale</b>	<b>Timescale</b>	<b>Person(s) responsible</b>
Complainant Expectations research	Undertake research into the expectations of complainants when they make a complaint and increase understanding of the experience of complainants	Increase understanding of the expectations of complainants to aid future work planning	April 2009-March 2010	Kelly Johnson/Zoe Maguire
Review Service Level Standards	Review service level standards to ensure they are working appropriately	Ensure a good provision of service	Ongoing	Eve Seall
Develop and Implement Sifting tools	Develop sifting tools to identify cases where there is a low incidence of case to answer or impairment being found and establish robust and transparent processes for dealing with such cases	Ensure cases are being managed appropriately	April-December 2010	Kelly Johnson/Eve Seall
Suspended registrants	Work with employers and professional bodies to provide further information on what registrant's can do whilst they are subject to a suspension		December 2010	Russell Brown

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Produce, develop and refine Fitness to Practise Operating Guidance	Develop further operational guidance to aid the team in the development of their work	Ensure consistency in the management of cases as the team increases in size	Ongoing	All
Keep under review the length of time it takes cases to conclude	Ensure that cases are being managed in an expeditious time frame and take action when cases are taking longer than expected	Ensure that cases are being managed in an expeditious time frame	Ongoing	Eve Seall/Alison Abodarham

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## Fitness to Practise Objective – Ensure Effective Management of Resources

Activity	Description	Rationale	Timescale	Person(s) responsible
Risk assessment	Further develop the processes that are in place to risk assess fitness to practise cases and hearings	Management of risk	Ongoing	Kelly Johnson
Budgetary controls	Ensure effective controls are in place to manage the fitness to practise budget	Ensure that resources are being used to their best effect	Ongoing	Kelly Johnson
Operational forecasting	Ongoing forecasting of number of cases and hearings that are expected	As above	Ongoing	Eve Seall/Alison Abodarham
Skills Audit	Undertake a skills audit of the fitness to practise department	As above	April 2009	Paul Robson
Long term training plan	Develop a long term training plan to ensure human resources are being developed appropriately	As above	April 2009	Kelly Johnson/Eve Seall/Alison Abodarham

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## Appendix Three – Fitness to Practise work plan update 2008-2009

### Work plan items

Activity	Start Date	End Date	Progress Report
Fitness to Practise Annual Report	January 2009	September 2009(for publication)	<p>Work will begin on the FTP annual report in January 2009.</p> <p>The 2008 report will be published imminently</p>
<p>Collection of Equality and Diversity Data</p> <p>Equality and Diversity Action Points</p>	April 2007 (Ongoing)	Ongoing	<p>The forms are now sent at a earlier stage in the process. We are currently reviewing the effectiveness of this. We are also considering legal advice provided to Council regarding the collection of equality and diversity data as it links to FTP</p> <p>A policy on the handling and purchasing of religious books was considered by the three Fitness to Practise committees at their September 2008 meeting</p>

Review of arrangements put in place to support witnesses/complainants	Ongoing	Ongoing	We are currently collating the data from the witness questionnaire, have produced FAQ's and have reviewed the frequency of contact with witnesses and complainants in line with the development of service level standards. We are also reviewing the expense policy for witnesses and have produced a hostile witnesses FOG and are in the process of reviewing the arrangements for expert witnesses
Communication with employers	Ongoing	Ongoing	Ongoing (including writing to all employers and the employer events)
CHRE learning points	Ongoing	Ongoing	Learning points continue to be disseminated to panels as and when appropriate and at all training sessions
Implementing the requirements of the Safeguarding and Protecting Vulnerable Groups Act	Ongoing	Ongoing	It is anticipated that the implementation of PVG and SVG will begin in Autumn 2009. Meetings with the implementation team will continue throughout the

			remainder of the financial year
Trends Analysis of health and character process			The Education and Training committee considered the review of the health and character process in March 2008 and recommended that guidance for registration panels was produced to aid panels in their decision making.
Implement the recommendations of the Health and Character review and provide guidance for education providers			The Education and Training Committee considered guidance for education providers at its December meeting. The committee also approved the revised Health and Character policy
Review Indicative Sanction Policy and provide regular updates in regulatory case law	May 2008	September 2008	The Council considered and approved the revised Indicative Sanctions Policy at its meeting in December New Case Law is disseminated through training sessions with Partners and filed for reference use at Hearings.
Review days for legal assessors and panel chairs	Ongoing	Ongoing	Panel chair training took place on 27 June 2008. The next session is scheduled for 24 February 2008. A legal

			assessor review day took place on 5 September 2008
Partner newsletter	Ongoing	Ongoing	A newsletter for fitness to practise partners is issued every three months. This document includes items on CHRE learning points, information on decision making, the case to answer tests, scheduling information and updates on the work of the department
Continual review of prosecutions of offences policy	Ongoing	Ongoing	Case Team 3 is now at full capacity, led by Paul Robson, lead case manager. All correspondence has been reviewed and FOG on implementing the policy and protection of title field visits have been issued

<p>Review of fitness to practise processes</p>	<p>Ongoing</p>	<p>Ongoing</p>	<p><b>Practice Notes</b>  New and updated practice notes have been issued and/or produced in the following areas:</p> <ul style="list-style-type: none"> <li>• Case to Answer</li> <li>• Equal Treatment</li> <li>• Preliminary Meetings</li> <li>• Cross Examination in Cases of a Sexual Nature</li> <li>• Finding impairment</li> </ul> <p><b>Policy development</b></p> <p>The following policies have been approved by Committees(s)</p> <ul style="list-style-type: none"> <li>• Frivolous, Abusive and Vexatious Complaints</li> <li>• Article 30 advice</li> <li>• Handling and purchasing of religious books</li> <li>• Indicative Sanctions Policy</li> </ul>
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			<ul style="list-style-type: none"> <li>• Health and Character</li> </ul> <p>The following policies are currently under development and will be complete by the end of the financial year 2008-09</p> <ul style="list-style-type: none"> <li>• Disclosure</li> <li>• Data Retention and Destruction</li> </ul> <p><b>Fitness to Practise Operating Guidance</b></p> <p>Fitness to Practise Operating Guidance (FOG) have been produced and issued on the following subjects:</p> <ul style="list-style-type: none"> <li>• Controlled Substances</li> <li>• Watch list</li> <li>• Health and Character Process</li> <li>• Investigations and Allegations (including</li> <li>• Investigative Report Writing</li> <li>• Obscene Image Storing</li> <li>• Physical Evidence</li> </ul>
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			<ul style="list-style-type: none"> <li>Management</li> <li>• Police Station Paramedics</li> <li>• Protection of Title Offences</li> <li>• Registration Appeals</li> <li>• Requiring Disclosure of Information</li> <li>• Risk Profiling</li> <li>• Three Year Rule</li> <li>• Witness Interviews</li> <li>• Witness Management, Assessing Vulnerable witnesses</li> <li>• Witness Statements</li> <li>• Presenting Officers, Instructing and Seeking Advice</li> <li>• Handling obscene/sexually explicit material</li> <li>• Fixing Hearings</li> <li>• Handling Complaints about an Education or Training Programme</li> <li>• Hearings Risk Management</li> <li>• Protection of Title Field Visits</li> </ul>
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			<ul style="list-style-type: none"> <li>• Adjournment Requests</li> <li>• Binding Over and Discharge by Criminal Courts</li> </ul> <p>We are currently reviewing the following processes (this includes the production of FOG:</p> <ul style="list-style-type: none"> <li>• Taking complaints over the telephone</li> <li>• Consent</li> <li>• Case Directions</li> <li>• Signposting</li> </ul> <p><b>Speciman directions</b></p> <ul style="list-style-type: none"> <li>• Specimen directions for legal assessors on dealing with delay, the civil standard of proof and the Donkin judgement have been issued</li> </ul> <p><b>Process and IT reviews</b></p> <p>We are currently reviewing the effectiveness of the fitness to practise processes. This</p>
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			<p>includes reviewing the effectiveness of the IT systems in place to support the work of the department. Reviews of the following processes have taken place:</p> <ul style="list-style-type: none"> <li>• Investigating Panel Fixing</li> <li>• Organising Interim Order Reviews</li> <li>• Initial Enquiry and Pre ICP.</li> <li>• ICP bundles</li> <li>• Logging cases</li> <li>• Travel process</li> <li>• Miscellaneous cases</li> <li>• Review of external venue hire costs</li> <li>• Hearing bundles</li> <li>• Distribution of hearings papers</li> <li>• Hearing prep</li> <li>• Shorthand writers</li> <li>• Stationary ordering</li> <li>• Alerts lists</li> <li>• Presenting Officer preparation</li> <li>• Article 30 reviews</li> </ul>
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			<ul style="list-style-type: none"> <li>• File Audit</li> <li>• Case review meetings</li> <li>• Service Standards</li> <li>• Ordering catering</li> <li>•</li> </ul> <p>Reviews will take place of the following areas over the coming months:</p> <ul style="list-style-type: none"> <li>• Filing structure</li> <li>• Updating the website</li> <li>• Archiving</li> <li>• Pre ICP case management</li> <li>• Post ICP case management</li> <li>• Watchlist</li> <li>• Health and character database</li> <li>• ISO processes</li> <li>• Consent</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>• We anticipate tendering for the supply of transcription services at FTP hearings before the</li> </ul>
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			<p>end of the financial year</p> <ul style="list-style-type: none"> <li>• We are currently in the process of applying to instruct barristers directly</li> <li>• We are currently collating panel feedback on hearings</li> <li>• File audits take place on a monthly basis</li> <li>• A review of length of time takes place on a monthly basis</li> <li>• The production of more information for appellants</li> <li>• Reorganisation of G drive</li> <li>• Further development of service level standards</li> <li>• We are in the middle of writing to the Notifiable Occupations Scheme regarding the role of the HPC</li> <li>• Follow up to the review of external complaints literature</li> <li>• Standard documents and templates are continually reviewed (including</li> </ul>
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			<p>decision templates, Article 22(6), changing the register)</p> <ul style="list-style-type: none"> <li>• We now receive bundles from Kingsley Napley electronically, cutting down on photocopying costs</li> <li>• We have produced a plain English version of the case to answer practice note for complainants.</li> <li>• Also kept under review are standard letters that are sent to those involved in the fitness to practise process. There are proformas for most correspondence</li> </ul>
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<p>Training of Fitness to practise team</p>	<p>Ongoing</p>	<p>Ongoing</p>	<p>The following training courses have been completed by members of the fitness to practise department</p> <ul style="list-style-type: none"> <li>• BTEC in Investigative Practice</li> <li>• Advocacy Training – Part 1</li> <li>• Essentials of Leadership</li> <li>• Excel (Basic and Advanced)</li> <li>• Getting Organised</li> <li>• Dealing with individuals with high levels of stress and mental illness</li> <li>• Performance management;</li> <li>• Interview training</li> <li>• Equality and diversity</li> <li>• The Health Professions Order</li> <li>• Understanding the Data Protection and Freedom of Information Acts</li> <li>• Visits to the High Court, and the other regulatory bodies</li> <li>• Dealing with Vexatious</li> </ul>
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			<ul style="list-style-type: none"> <li>Complaints</li> <li>• Excel</li> <li>• Increasing understanding of the professions regulated by the HPC</li> <li>• Leadership Skills</li> </ul>
Risk Assessment	Ongoing	Ongoing	FOG on the risk assessment of cases, hearings risk assessment and protection of title field visits have now been produced
Information Technology improvements	Ongoing	Ongoing	See above re the review of fitness to practise processes.
Net Regulate Statuses Project	July 2008	April 2009	The Net Regulate statuses project will make operational and technology changes to optimise the use of the registration system within FTP. This includes updating the statuses captured within Net Regulate and providing a link on the online register when conditions of practice are imposed on a registrant. This project is due for completion at the end of February 2009

<p>Net Regulate Testing</p> <p>Finance System Upgrade</p>	<p>Ongoing</p>	<p>Ongoing</p>	<p>Various members of the department are involved in testing the Net Regulate system as required</p> <p>The Director of FTP and Team Administrators are on the project team to move from a manual to an electronic purchase order system</p>
<p>Partner Training, reappointment and appointment</p>	<p>Ongoing</p>	<p>Ongoing</p>	<p>Training for new partners took place at the end of July</p> <p>Refresher training for approximately 50% of our existing partners took place between October and December 2008.</p> <p>Psychologists partner appointments took place in June 2008 with training due to take place in March 2009.</p> <p>We are currently advertising for new panel chairs and the Director and Hearings Manager will be on the panel for this</p>

			vacancy
Operational Forecasting	Ongoing	Ongoing	This is an ongoing area of work but includes ensuring enough resources to schedule hearings.
Transfer of New Professions	Ongoing	Ongoing	The following areas of work are part of the transfer for the fitness to practise department: <ul style="list-style-type: none"> <li>• Case transfer and the issues associated with the transfer (including how to deal with those registrants who are subject to undertakings and conditions, statistical forecasting and data protection policies)</li> <li>• FOG on the case transfer</li> </ul>
Risk Management and adequate budgetary controls	Ongoing	Ongoing	Ongoing

## Appendix 2 - Fitness to Practise Forecasting Model

		2008-2009	2009-2010	Psychologists 2009-2010	Total 2009-2010
<b>Pre ICP information</b>					
	Allegations Received	455	486	62	548
	Outstanding pre-ICP case load (end of March 2008 carry over)	247	224	45	269
	Closed Cases prior to ICP	95	87	13	100
	<b>Total Allegations Managed</b>	<b>702</b>	<b>710</b>	<b>107</b>	<b>817</b>
<b>ICP information</b>					
	Total cases considered	384	399	50	449
	Referral rate %	0.57	0.57	0.40	0.55
	<b>Total cases referred</b>	<b>217</b>	<b>228</b>	<b>20</b>	<b>248</b>
<b>Final/review hearing information</b>					
	Outstanding cases to be heard	176	188	12	200
	Total cases instructed	393	415	32	447
	Open Review Cases	89	99	7	106
<b>Cases heard</b>	Concluded final hearing cases	206	228	10	238
	Adjourned/Part heard final hearings	36	36	2	38
	Review cases heard	92	100	15	115
	Interim order panels	80	88	11	99
<b>Days of hearings</b>	Total Days of Public Hearing	474	428	20	448
	Days of IO		42	5	47
	Days of Review		50	8	58
	Days of ICP	49	72	0	72
	Days of registration appeals	9	12	0	12
	<b>Total days of hearings</b>	<b>532</b>	<b>604</b>	<b>33</b>	<b>637</b>
<b>Hearings Team work load/people required</b>					
	Working Days per Hearings Officer	210	210	210	
	Lieu per year per Hearings Officer	17	20	20	
	Days to Clerk per Hearings Officer	100	138	138	
	Days to fix per Scheduler	N/A	302	16	319
	Hearings Officers required to clerk	5	4	0	4
	Days to fix cases	93			
	Hearings Officers to fix case / Total Schedulers	6	2	0	2
	<b>Total hearing team(exlcuding Hearings Manager)</b>	<b>6.5</b>	<b>5.8</b>	<b>0.3</b>	<b>6.1</b>
	<b>HearingsTeam (including HM)</b>	<b>7</b>	<b>7</b>		<b>7</b>
<b>Case Manager work load/people required</b>					
	Allegations Managed per year	699	710	107	817
	Post case to answer cases	528	515	47	562
	Review & ConsentHearings presented In house	64	65	0	65
	Interim orders presented in house	68	88	11	99
	Conviction cases presented in house	13	14	0	14
	Witness assessments	16	16	1	17
	Witness statements	2	0	0	0
<b>Case Manager- time required</b>	Review & Consent Hearings presentation and preparation (calculated at 1.25 day)	64	81	0	81

	Interim Orders presentation and preparation (calculated at 1 day)	68	88	11	99
	Conviction Cases presentation and preparation (calculated at 1.5 days)	20	20	0	20
	Witness Assessments (calculated at 1 day 2CM's)	27	32	1	33
	Witness Statements (calculated at 1 day)	4	0	0	0
	<b>Total working days</b>	<b>183</b>	<b>221</b>	<b>13</b>	<b>234</b>
<b>Case Managers - people required</b>	Working days per Case Manager	210	210	210	210
	Case Managers required for presentation and preparation work	0.9	1.1	0.1	1.1
	Carry Over of pre ICP cases 2007-2008	248	224	45	269
	Cases to ICP	392	399	50	449
	Increase in allocation of work per month(total)	26	26	5	31
	Live Cases per month	273	250	50	300
	Managed Cases per month		283	54	337
	Case Managers required for allegations management (calculated at 38 cases assigned per CM)	7	7	1	9
	<b>Total Case Managers required</b>	<b>8.1</b>	<b>8.5</b>	<b>1.5</b>	<b>10.0</b>
	Lead Case Managers	2.0	2.0	0.0	2.0
	Head of Case Management	1	1	0	1
	<b>Total</b>	<b>11</b>	<b>12</b>	<b>0</b>	<b>13</b>
<b>Protection of Title</b>					
	Cases received	436	436	0	436
	Outstanding POT case load	132	70	0	70
	Cases closed	498	445	0	445
	Increase in cases per month			0	0
	Average open per month		70	0	70
	<b>Total cases managed</b>	<b>568</b>	<b>506</b>	<b>0</b>	<b>506</b>
<b>Health and Character</b>					
	Cases received	470	511	60	571
	Outstanding H&C case load	75	50		50
	Cases closed	495	505	60	565
	Average open per month				
	<b>Total cases managed</b>	<b>545</b>	<b>561</b>	<b>60</b>	<b>621</b>
<b>Registration Appeals</b>					
	Cases received	46	65		65
	Outstanding Reg Appeal case load	27	23		23
	Cases to appeal panel	50	60		60
	Cases closed	50	60		60
	<b>Total cases managed</b>	<b>73</b>	<b>88</b>		<b>88</b>
<b>Case Team Three requirements</b>					
	Total Case Team 3case load	1186	1155	60	1215
	Cases per person per year (H&C, RA, POT)	339	339	339	339
	FTP cases managed	0	78	10	88
	COs required for case management	4	3	0	4
	Attendance at reg appeals	9	12		12
	Lieu days	3	3		3
	Field work	3	30		30

	Working days per Case Officer	210	210		210
	Case Officers required for other work	0	0		0
	<b>Total Case Managers required</b>	<b>4</b>	<b>4</b>		<b>4</b>
	<b>Lead Case Manager</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>
	<b>Total Case Team 3</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>5</b>
<b>Administration Work</b>					
	ICP bundles - (number of ICP days)	49	72	0	
	Final hearing bundles	242	264	12	
	Review hearing bundles	92	100	15	
	IO bundles	80	88	11	
	Alerts lists - every 2 months	6	6	0	
	Website updated - every 2 weeks	26	26	0	
	Catering orders - once a week	52	52	0	
	Transcripts handled	463	524	38	
	Hearing prep	472	536	38	
	Travel bookings (how many on average per hearing) - 10 per month	120	130		
	FTP cases to log	455	486	62	
	H&C cases to log	470	511	0	
	POT cases to log	436	436	0	
	RA cases to log	46	65	0	
	Archiving - every 2 months	6	6	0	
	Other general admin - calls, emails, assisting CMs				
<b>Admin time/people required</b>					
		in days			
	Bundle days	80	95	5	101
	Alerts lists days - every 2 months, 1/2 day per list	3	3	0	3
	Website updated days- every 2 weeks, 1 hour per week	2	2	0	2
	Catering orders - 2 hour per week	15	15	0	15
	Transcripts handled - 1 hour per week	7	7	0	7
	Hearing prep - 30 mins per hearing	34	38	3	41
	Travel bookings (how many on average per hearing) - 2 hours per booking	34	37	0	37
	FTP cases to log - 1 hour	65	69	9	78
	H&C cases to log - 30 mins	34	36	0	36
	POT cases to log - 30 mins	31	31	0	31
	RA cases to log - 30 mins	3	5	0	5
	Archiving - every 2 months, 1 day	6	6	0	6
	Other general admin - calls, emails, assisting CMs - 2.5 hours a day per person	186	186	0	186
	<b>Total days</b>	<b>500</b>	<b>531</b>	<b>17</b>	<b>548</b>
	<b>Total working days per administrator</b>	<b>210</b>	<b>210</b>	<b>210</b>	<b>210</b>
	<b>Total people required</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>3</b>