
Fitness to Practice Performance Report – May 2023

Executive Summary

This paper provides:

- an update on the progress of the Fitness to Practise (FTP) Improvement Plan against the targets we set ourselves on improving quality and timeliness of case management; and
- a brief update on the project we started in September 2021 as part of Phase 2 of our improvement programme.

Council is asked to note the progress made.

Previous consideration	Standing item (as of February 2021) to update Council on the progress of the FTP Improvement Plan. Oversight of the progress of our FTP Improvement Plan is also provided by the FTP Improvement Board.
Decision	The Council is asked to note the update.
Next steps	The next report on progress will be provided to Council on 6 July 2023
Strategic priority	Strategy priority 1: Improve our performance to achieve the Professional Standards Authority's Standards of Good Regulation.
Financial and resource implications	Financial and resource implications are provided for in the FTP 2023/24 budget.
EDI impact	Improving the quality and timeliness of our management of fitness to practise cases will support all involved in the cases. In particular, Phase 2 improvement projects include developments that will improve our communication and support for those involved in fitness to practise cases and who are particularly vulnerable or in need of additional support and reasonable adjustments.
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Fitness to Practise Performance Report – May 2023

1. Introduction

- 1.1. As Council is aware, improving our performance in Fitness to Practise (FTP) remains a priority for the HCPC. The focus remains on embedding the changes we have made to date and continuing with further improvements.
- 1.2. Our overarching aim is to improve the quality and pace of our management of FtP cases.
- 1.3. This paper provides:
 - An update on our performance in relation to the quality and timeliness of case investigations.
 - An update on the phase 2 improvement projects we began in September 2021 (Appendix 1).
 - A summary of key risks and mitigations.

2. Quality of case management

- 2.1. In this section we provide an overview of our performance in relation to the quality of our case investigations. As we have done previously, we have broken this down by themes of the key benefits we are seeking to achieve through our improvement work. These are:
 - Risk management and Interim Order performance.
 - Quality of our risk assessment of cases.
 - Quality of our case planning.

Risk management – Interim Order performance

- 2.2. A measure of how effectively we complete and keep up to date the risk assessments of our cases is the time it takes to apply for an Interim Order. Figure 1 shows our performance against the two measures of timeliness in relation to Interim Orders.
- 2.3. The orange line in Figure 1 shows how quickly we progress a matter to an Interim Order hearing once we have identified the need for an Interim Order. We continue to maintain, or do better, than our target of three weeks.
- 2.4. The blue line identifies how quickly we progress a matter to an Interim Order hearing from receipt of the concern. Our target for this measure is 12 weeks. In

February 2023 our performance was just under 10 weeks and in March 2023 it was 14 weeks.

- 2.5. The risk presented in a case can change as we progress the investigation. It may be that on receipt of the initial concern the risk is identified as low, but this increases on receipt of further information and a greater understanding of the scale or seriousness of the concern. Performance against this measure can also be impacted by ongoing third-party investigations which must either be concluded or reach an appropriate evidentiary stage before we can apply for an interim order. Most often these are criminal investigations. If third party investigations are excluded from the data in Figure 1, our performance against this measure in March was 11 weeks, which is within our KPI.

Figure 1 – Interim Order performance



Risk management – adherence with our Best Practice Standard

- 2.6. Monitoring the quality and timeliness of our risk assessments continues. In March 2022 we increased our target to 80% adherence from the end of Q1 2022/23, to support our aim to achieve 90% stretch target we have set ourselves. As figure 2 shows, we have dipped slightly below this target in February and March 2023 and reached 75%.
- 2.7. Additional coaching, support and oversight is being provided to newer and less experienced Case Managers to ensure that we again achieve and maintain our performance at or above our 80% target.

Figure 2 – quality of risk assessments: performance against target

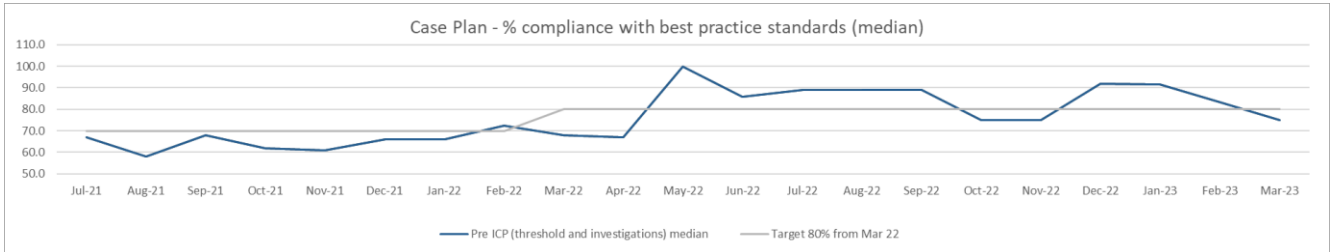


Case planning – adherence with our Best Practice Standard

- 2.8. Monitoring the quality and timeliness of our case plans also continues, and we increased this target to 80% adherence in March 2022 after meeting our initial target of 70% adherence to our best practice standard in January and February 2022. Between December 22 and February 2023 we have exceeded the 80% target, and this has dipped in March 2023 to 75%.

2.9. As above, additional coaching, support and oversight is being provided to newer and less experienced Case Managers to ensure that we again achieve and maintain our performance at or above our 80% target.

Figure 3 – quality of case planning: performance against target



3. Timeliness of case investigation

3.1. In this section we provide an overview of our performance in relation to the timeliness of our investigation and the age profile of our cases. We have broken this down by:

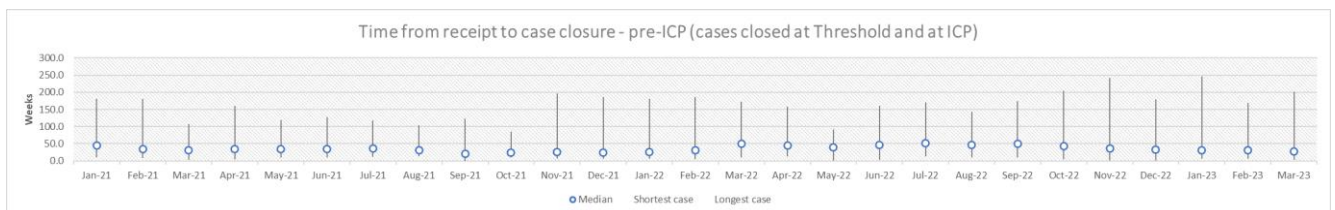
- Age profile of case at the point of case conclusion.
- Case volumes at each stage of the process.
- Age profile of the live caseload.

Age profile of cases at the point of case conclusion – median and age range

3.2. Figure 4 shows the median age of cases closed at the Threshold and Investigating Committee Panel (ICP) stage (i.e. all pre-ICP case closures) month on month.

3.3. We continue to progress our oldest cases, alongside those more recently received. In March 2023, the oldest case closed was at 201 weeks, and the youngest at 2 weeks. The median age of cases closed in February and March 2023 was 30 and 27 weeks, which falls within the KPI of 33 weeks.

Figure 4 – receipt to closure at Threshold or ICP decision median



3.4. Figure 5 shows the median age of cases that were closed at a final hearing (including cases resolved by consent). We expect the median age of this point of case conclusion to be above our KPI of 39 weeks as our older cases move through the process.

- 3.5. The median age of cases concluded at a final hearing in March 2023 was 129 weeks, with the longest case at 198 weeks and the shortest at 25 weeks. This increased median age is impacted by a higher number of older cases concluded this month as we progress these through the process. The shortest age to conclusion reflects the impact of the frontloading, and the benefits we are realising in progressing frontloaded cases to a final hearing more quickly.

Figure 5 – ICP to final hearing decision median



Case volumes at each stage

- 3.6. Figures 6 to 8 show the number of open cases in our Threshold, Investigations and Post-ICP teams respectively.
- 3.7. In 2022 we took steps to improve the flow of cases through our Threshold stage, which has achieved a reduction in the number of open cases at this stage. In April 2022, the number of open Threshold cases was at 775 and this has now reduced to 516 open cases in March 2023. Since January 2023, the number of open Threshold cases has steadied and we can expect it to remain settled at around 520-530 open cases.
- 3.8. The impact of moving larger volumes of cases from the Threshold stage into the Investigations stage of the process is that this case load has increased. In March 2023, there were 891 open cases at the Investigation stage of the process. This also includes 130 frontloaded cases that are with our external legal providers but which are categorised in the case stage. Frontloaded cases will take longer in this case stage and as we commence frontloaded investigations in-house we will review our KPIs for this type of case. 69 cases are currently listed for a future ICP.
- 3.9. Following developments to our case management system, we will now be able to better report on those cases where the investigation is on hold because of a third-party investigation. These are investigations that need to take priority over our investigation, for example a police investigation. We are currently updating the case file for all relevant cases and training the teams on our enhanced process for managing third party investigations. This will be complete by the end of May. We will be able to report on third party investigations to Council in the next report.
- 3.10. In February 2023, we began introducing new ways of working to enable us to effectively respond to this increase. This has included working closely with the management team responsible for our investigations to ensure they have the governance structure and oversight required to drive performance and

throughput of cases. We are already seeing the impact of this work and the total number of cases has reduced during April to 764.

3.11. The number of cases at the Post-ICP stage has reduced to 495 in March 2023, with 63 of these cases listed for a future final hearing.

Figure 6 – number of open Threshold cases

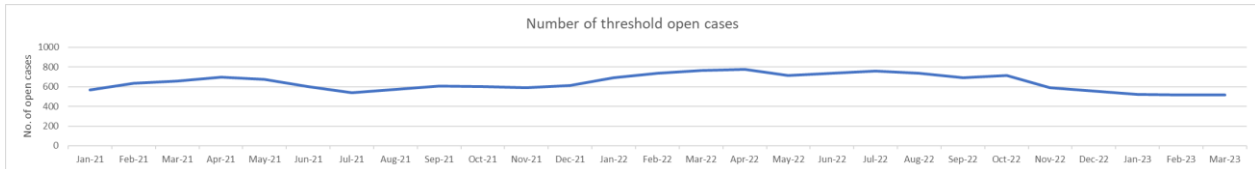


Figure 7 – number of open Investigations cases (including SCT)



Figure 8 – number of open Post-ICP cases



Age profile of the live caseload – medians

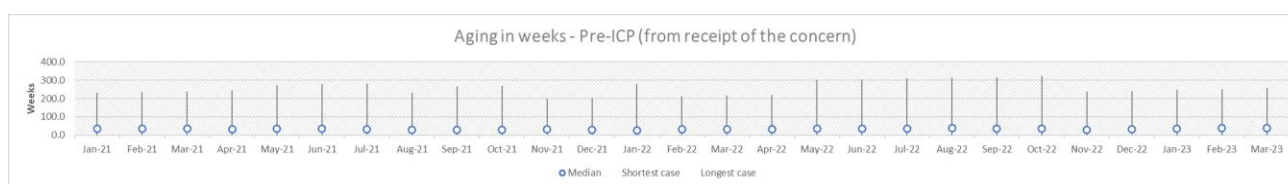
3.12. We know that improving the age profile of cases takes time, particularly when measuring to the point a case is concluded at the ICP or final hearing stages.

3.13. The median age of cases closed provides a retrospective measure that will be affected by the volume of cases considered at the different stages each month. Progressing our oldest cases through the process will affect that median age.

3.14. Alongside case volume and age at point of conclusion, we also need to look at the median age of our live caseload to obtain a rounded view of performance.

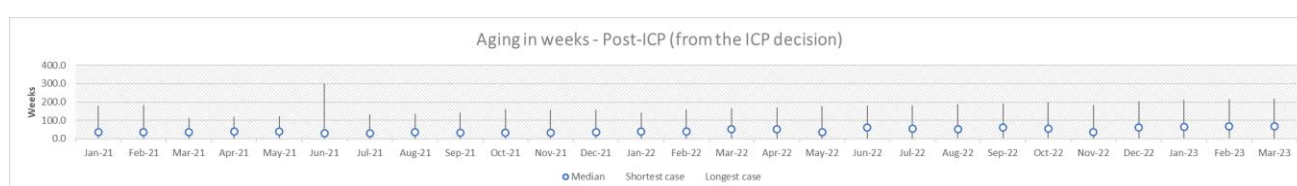
3.15. Figure 9 shows the median age of our live pre-ICP caseload. At the end of March 2023, the median age of our open pre-ICP caseload was 38 weeks, with the youngest case at 1 week and the oldest at 255 weeks. This currently sits above our KPI of 33 weeks. We continue to ensure that we progress both our oldest and youngest cases.

Figure 9 – median age of live pre-ICP caseload



3.16. As our older cases progress through to the Post-ICP stage, we have also seen a slight increase in the median age of cases at this stage of the process. At the end of March 2023, the median age of cases at this stage was 67 weeks, which continues to sit above our KPI of 39 weeks from the ICP decision.

Figure 10 – median age of the live post-ICP caseload



4. Overview of phase 2 improvement projects

4.1. In September 2021, we started work on some of the projects in Phase 2 of the FTP Improvement Programme. A decision was taken to stagger the start of the six Phase 2 projects to enable us to embed the improvements delivered in Phase 1. A progress update is provided in Annex A, and the following are highlighted:

- **Registrant support line** – on 24 April 2023, we launched the [Registrant Support Service](#). This provides access to emotional wellbeing support and practice advice to help Registrants manage any impacts the fitness to practise might have on them. The service is available 24 hours a day, 365 days a year, and it is free, confidential and run independently of the HCPC. The service is provided independently of the HCPC and we will not know who is using the service, as this information will remain confidential. We will receive anonymous data from the service providers to allow us to understand the volume of use.
- **Tone of voice review** – the contract with the secondee appointed to progress this work has now ended, and work has been handed back to FTP colleagues to complete. A plan is in place to continue to review the templates.
- **Phase 2 of the Case Management System** – all changes to workflow processes have been delivered. Final changes to improve functionality of the system are underway and expect to be completed over the summer.

- **Protection of title cases** – we have commenced the initial scoping and review of our existing policies, processes and KPIs for the management of our protection of title cases.

5. Key risks and mitigation

5.1. As we have shared with Council, 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 a sustained and noticeable impact on performance measures. We need time to support the teams to embed change as business-as-usual ways of working.
- Transition to frontloading – we have been planning and will shortly begin implementing the changes needed to enable us to undertake frontloaded investigations in-house. This requires changes to our processes and recruitment in all areas. We are carefully phasing in the changes needed to ensure minimal impact on the timeliness and quality of our case management work.
- Resource – whilst turnover has improved, we continue to work on ensuring stability across the FTP teams and reducing our dependence on temporary and fixed term contracts. Recruitment remains a challenge and we have recently delivered recruitment workshops to managers in the FTP team and refreshed our strategy for recruitment with colleagues in HR. We have recently commenced Case Manager recruitment and will begin recruitment of new roles that will be required for frontloaded investigations in Q1 of 2023/24
- Need for regulatory reform – the changes we are making are helping progress older cases and improve the 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 DHSC on the plans for regulatory reform and proactively working with the DHSC on the GMC's draft legislation which will be the blueprint for the other regulators.

6. Next steps

6.1. We will continue to update Council on our progress against our improvement plan at each meeting, or until Council has sufficient assurance of our progress to reduce the frequency of reporting.

Annex A

Project	RAG	Progress update	R&I	Plan
Risk assessment quality and adherence to best practice standard internal review		In progress. Monthly quality assurance checks in the department continue as part of our business-as-usual processes. Ongoing QA team support of the process is in place.		
Improving communications, engagement and support we provide:				
Workstream 1: Tone of voice review		In progress. The contract with the secondee appointed to progress this work has now ended, and work has been handed back to the FTP colleagues. A project plan is in place to continue the review of templates supported by colleagues in the project management team.		
Workstream 2: QA review of case plans and stakeholder engagement		In progress. Monthly quality assurance checks in the department continue as part of our business-as-usual processes. Ongoing QA team support of the process is in place.		
Workstream 3: Developing additional guidance and support for unrepresented registrants and encouraging all registrants to engage earlier in the process		Not yet started. We are phasing the start of this project to ensure we focus on embedding the changes from the projects in Phase 1 and to manage our capacity.		
Workstream 4: Lay advocacy service		Completed. Lay Advocacy service went live in September 2022.		
Workstream 5: Registrant support line		Completed. Registrant support line went live in April 2023.		
Consensual resolution of cases – ensuring our policy is applied consistently and at the point of referral from the ICP		Completed. Regular review of cases for consent is now embedded in the post-ICP case management process.		
Case management and investigation – embedding the learning from the frontloading pilot.		In progress. Frontloading of case investigations with our providers commenced in July 2022. Work to develop our operating model to support in-house frontloaded investigations is underway.		
CMS – phase 2 – this will be managed by the HCPC's Major Projects team		In progress. All changes to workflow processes have been delivered. Final changes to improve functionality of the system are underway and expect to be completed over the summer.		
Review of KPIs and process for Protection of Title cases		In progress – initial project scoping and review of existing policies and processes is underway.		