

**Health Professions Council
Council meeting 12th September 2006**

POLICY & STANDARDS DEPARTMENT WORK PLAN

Executive Summary and Recommendations

Introduction

In July 2005, a separate Policy & Standards department was created at the HPC, drawing together for the first time work that had previously been done across the organisation.

The first version of this work plan was agreed by the Council in April 2006, and it was agreed that it should be periodically brought back to the Council in revised form. This second draft reflects the work undertaken thus far by the team, and various changes to the external environment, including the publication of the Department of Health review of the regulation of non-medical healthcare professions.

Decision

The Council/Committee is asked to:

- discuss the work plan attached to this paper;
- agree the priorities, projects, and principles outlined; and
- agree to continue to keep the document under review, and request that the Executive amend the work plan accordingly.

Background information

This document is intended to supplement the Council's strategic intent document, and sits alongside other departmental level strategy documents such as the IT strategy, the Communications strategy, and others.

Resource implications

Not applicable.

Financial implications

Not applicable.

Background papers

None.

Appendices

None.

31st August 2006

Policy & Standards 2006 – 2007 workplan

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1. Introduction

(a) The Policy & Standards department

July 2005 saw the creation of a separate Policy & Standards department at the Health Professions Council (HPC), drawing together policy work that had previously been done across the organisation, into one team.

The Policy & Standards department's main responsibilities are:

- assisting the Council in developing strategy and policy;
- assisting the Council in setting and reviewing standards;
- assisting the Council in drafting guidance;
- supporting professional liaison groups;
- running consultations;
- liaising with the Council for Healthcare Regulatory Excellence on their annual performance review; and
- ensuring consistency of approach across all HPC departments.

(b) This document

This document was originally written to set out work priorities for the financial year April 2006 – March 2007, and to provide a basis against which the work of the Policy & Standards department can be planned and measured. This document is underpinned by the draft Council strategy, and details how the department will grow, embed itself in HPC and in the wider policy arena, and assist the Council in preparing for the potential fundamental changes ahead in the regulation of healthcare professionals.

This document has been kept under review, and is now being brought back to the Council in revised form, six months after it was first presented.

The nature of the issues that the Policy & Standards department deal with are such that work undertaken will always comprise both planned projects, and also that work which arises as a result of changes to the external environment, such as changes in legislation, changes to the professions, and other developments that are often unpredictable. In allocating resources, this ability to respond to the external environment is an important factor.

(c) Priorities 2006 - 2007

The priorities identified in the HPC strategy are to *Improve* and to *Influence and Promote*.

In addition, the operational priorities of the department are as follows:

(i) Resources

The budget and the workplan assume a team of four Policy & Standards employees, and a budget of around £300,000. The workplan also assumes that the HPC is able to manage a maximum of two professional liaison groups at any one time.

There are currently three employees in the Policy & Standards department: a Director, and two Policy Officers.

Recruiting additional employees, in order to work effectively and proactively, has been a priority for this financial year. A head of department was appointed in July 2006, and an additional Policy Officer (the third team member) joined the team on a temporary contract in August 2006, after successfully temping for a period.

The position of Education Policy Manager was advertised in June 06, with interviews held in July, although unfortunately no appointment was made. Since this is the second time that this position has been externally advertised, the position is now being reviewed against the workplan, to determine an appropriate way forward.

(ii) Engagement

Since April 2002 the HPC has rightly concentrated on establishing new processes. As the organisation moves into the next stage of its development, there is scope for us to expand our links with external organisations, and to build further upon collaborative and joint working.

Public Patient Involvement (PPI) is a crucial part of this work. Public patient involvement is not a separate project in its own right, but instead a way of working. PPI is therefore a context within which all the projects detailed below will be considered. The Policy & Standards department is working with Communications and particularly with the Stakeholder Manager on PPI, and the Council is being asked to discuss PPI at its awayday in October.

2.

3. HPC strategy: Improve

(a) Introduction

The HPC operates within a changing environment, as a result of many factors which include changes to legislation, to professions, and to best practice.

It is therefore appropriate that, after setting standards, guidance and policies for the first time, the Council and committees should keep these standards under regular review to ensure that they remain relevant and useful.

(b) Aim

The Council aims to review its standards, guidance and policies, to consult with stakeholders, to gain feedback, and to make improvements to ensure that these continue to reflect the Council's purpose and principles.

The following part of the document details the projects that will be resourced over the coming financial year towards meeting this aim.

(c) Projects for 2006 - 2007

(i) 1. Returners to practice

On 1st March 2006, the Council agreed the new returners to practice policy. The policy became effective in July 2006. In addition to the development, consultation, and revision of the standards and process, the Policy and Standards department have assisted with its implementation, including:

- providing input into the development of returners to practice forms;
- briefing registration officers;
- writing a brochure for registrants; and
- writing text for the website.

(ii) 2. Review of the Standards of Proficiency

The Council established a Professional Liaison Group (PLG) to review the Standards of Proficiency for the original 12 professions in 2005. This group met five times from October 2005 to June 2006 and considered feedback on the standards from a variety of different sources including:

- registrants in a variety of professions and practice settings, via independent research;
- registration assessors;
- panel chairmen;
- professional bodies;
- visitors; and
- education providers;

The PLG recommended a number of changes to the standards which were mainly to ensure that the standards continued to reflect safe and effective practice and to clarify the intention of the existing standards.

The Council considered the PLG's recommendations at its meeting on 6th July 2006 and approved the new draft standards of proficiency for consultation.

The consultation will take place from September to December 2006. The results of the consultation will then be brought back to the Council in early 2007 with the potential for publication of appropriately revised standards soon thereafter.

(iii) 3. Standards of Proficiency for new professions

If any changes are made to the HPC's rules which mean that new professions are brought onto the Register, then the HPC will need to establish Standards of Proficiency for these new groups, and consult on them.

(NB: In a separate paper to the Council on 12th September, it is proposed that in the future, aspirant groups will be asked to provide draft Standards of Proficiency when they apply to the Council to be regulated.)

(iv) 4. Standards of proficiency for operating department practitioners

The Standards of proficiency for operating department practitioners (ODPs) were published in July 2004. The standards have stayed the same during the two year grandparenting period which will end on 17th October 2006.

The views of ODP stakeholders, including the Association of Operating Department Practitioners (AODP) were taken into account during the recent review in considering whether changes were necessary to the generic standards.

The Education and Training Committee will be asked to consider a workplan in September for a review of the profession-specific standards for ODPs. The review would look at information considered as part of the work of the standards of proficiency PLG as well as information from the profession. A meeting between representatives of the education and training committee and the professional body is also planned.

It is planned that any new profession-specific standards could be written, approved and consulted on from July 2007.

(v) 5. Review of the standards of conduct, performance and ethics

The standards of conduct, performance and ethics were established by the Council in July 2003, at the same time as the Standards of Proficiency for the original 12 professions.

At its meeting on 6th July 2006 the Council agreed a workplan for the review to be led by the Conduct and Competence Committee with input from the Investigating and Health Committees.

The review will consider and take into account:

- the standards and codes of practice of other organisations;
- any changes in legislation since the original standards were produced;
- information from fitness to practise panellists and a review of the cases heard to date;
- information from the professional bodies; and
- a patient / public perspective.

Two discussion meetings with professional bodies and groups with a patient / public perspective are planned. The review will also be discussed at the Council's away day in October 2006.

It is planned that the Conduct and Competence Committee will finalise their recommendations to the Council in January 2007 with a three month consultation likely to run from March 2007.

(vi) 6. Post-registration qualifications

The Council agreed to establish a PLG to look at the issue of post-registration qualifications. The Council agreed that the PLG would first be asked to undertake a scoping exercise, researching the context to this project, and reporting back at the end of this initial phase. It was planned that this project should be run by the Education Policy Manager.

Because the position of Education Policy Manager has not been filled, and because there are important recommendations on post-registration qualifications in the Department of Health's review of non-medical regulation, this project is currently on hold. It is currently planned that this issue will be re-visited once the results of the consultation are published, and a further paper brought back to Council if necessary.

(vii) 7. Health, disability and registration

Two documents have been produced arising out of the PLG which considered health, disability and registration. They are "A disabled person's guide to becoming a health professional" and "Information about the health reference".

The Council agreed to publish both documents at its meeting on 6th July 2006. The documents are currently available on the website and are being laid-out by the communications department.

The Policy & Standards department will continue to be involved in other activities to implement the guidance in the documents, including briefing other departments about the guidance and working with the fitness to practise department to produce a practice note for panel members covering health, disability and registration issues.

A launch event for the guidance is planned for January 2007 and is currently in the early planning stages.

(viii) 8. Continuing Professional Development (CPD)

The work of the CPD PLG has been completed, and information about CPD has been published online, and sent out to all registrants.

Draft profiles for certain professions have been published online, and work on other professions' draft profiles (in partnership with the professional bodies) is ongoing.

When these are published, the next phase of work for Policy & Standards will be liaising with the CPD Manager regarding the implementation of the operational project, with input as required in drafting any supporting information.

(ix) 9. Guidance on the standards of conduct, performance and ethics

Increasingly, registrants are approaching HPC to ask for further information to supplement the standards of conduct, performance and ethics (SCPE).

At its meeting on 20th April 2006, The Conduct and Competence committee were asked for their views on whether guidance should be produced and, if so, the topic which should be covered. A further 'scoping' paper will be considered by the Committee in September 2006, exploring in more detail the merits of producing guidance on four topics:

- informed consent;
- confidentiality;
- medicines and prescribing; and
- record keeping.

The Committee will also consider draft guidance produced by the Executive on the issue of confidentiality.

The Committee will be asked to agree to produce two pieces of guidance. The Executive has assumed that one of these guidance documents can be drafted, approved and consulted on with the revised standards of conduct, performance and ethics in March 2007.

Timetable

It is assumed that first guidance document could be agreed by the Council in March 2007, and then go out for consultation.

(x) 10. Registration fees

The Council will need to consider the level that is set for the scrutiny fee charged to international and grandparenting applicants to the Register, and determine whether the current level adequately covers the costs of the registration assessors' recruitment, training, the administrative processing of the applications, and the running of the International and Grandparenting department. The Council will also need to consider the registration fees that are paid by all registrants.

Timetable

The Finance and Resources committee are considering information on costings as part of the five year plan. A consultation paper will be produced in late 2006, with the intention to implement any necessary fee changes in July 2007.

(xi) 11. Grandparenting review

The grandparenting process for the original 12 regulated professions ran from July 9th 2003 until July 8th 2005. During this period, thousands of applications for registration were received, information for applicants published, and queries received about the process. A review of the grandparenting process is being undertaken by the Executive, with the intention of bringing this to the Council for approval in December.

(xii) 12. The Council's requirement for external examiners

Following feedback from education providers, the Education and Training Committee agreed to consult on a change to standard 6.7.5 about external examiners. The new standard will require assessment regulations to 'clearly specify requirements for the appointment of at least

one external examiner from the relevant part of the Register, unless other arrangements are agreed.’

Timetable

The consultation will take place from September 2006 and, depending on the results of the consultation, any necessary changes are likely to be discussed by the Education and Training Committee in the new year.

(xiii) 13. Operational growth

Running in parallel to the HPC’s strategic intention to Improve, Influence and Promote, the scale of the organisation is rapidly growing. The regulation of aspirant groups, the implementation of the CPD audit process, and the increasing number of fitness to practise cases are all examples of the factors that require the organisation to grow. It is therefore vital that the various strategic initiatives are dovetailed to HPC’s expansion.

(xiv) 14. Education and Training Committee Strategy

In addition to the above, the Policy & Standards team are also researching other issues that have been identified by the Education and Training committee strategy, or which have arisen out of other projects. These issues include:

- the registration of students;
- revalidation;
- complementary and alternative medicine;
- the structure of the Education and Training committee; and
- reviewing relationships with Partners (particularly lay partners).

These issues are being pursued by research undertaken by the Executive, leading to discussion papers and, where needed, position papers for the Education and Training committee. These will feed into the Council’s work where appropriate – for example, the Council is considering revalidation as part of its response to the review of non-medical regulation.

(d) 2007 – 2009

The Council will establish and publish a programme for ongoing standards review, which sets out a timeframe for the regular review and updating of standards and guidance.

4.

5. HPC strategy: Influence and promote

(a) Introduction

The Council began operating under its new legislation in July 2003, having previously been operating in shadow form. In addition to the individual expertise and experience of Council members, the organisation has built up experience through running its processes for over three years. The Council wishes to continue to use this experience of regulation in order to positively influence the policy agenda around the regulation of assistant practitioners or other groups, in line with its objective of protecting the public, and its guiding principles.

(b) Aim

The Council aims to build on its growing reputation as a respected voice within the policy arena on the regulation of healthcare workers.

This part of the document details the specific work that will be done over the coming financial year towards meeting this aim, and shows how this work will be built upon thereafter.

(c) Projects for 2006 - 2007

(i) 1. Reviews of regulation

The Department of Health review of the regulation of non-medical healthcare professions, and the Chief Medical Officer's report, 'Good doctors, safer patients', were published in July 2006 (these were previously known as the 'Foster' and 'Donaldson' reviews).

The HPC will formulate a detailed response to the publication of the parallel reviews of medical and non-medical regulation, and an initial discussion paper on this is on the agenda for the Council on 12th September 2006.

(ii) 2. Government, including four UK departments of health

The Policy & Standards department, in conjunction with the Communications department, are reviewing the HPC's relationships with stakeholders. In particular, meetings have been held with Scottish stakeholders to explore HPC's current relationships with Scottish organisations, and its input into current health projects and initiatives in Scotland. A paper will be brought to the Council in December 2006, exploring public affairs, and home country liaison in more detail.

In the meantime, the HPC will build on its good relationship with Department of Health, continue regular meetings and liaison, particularly around regulation of new professions, and continue to build on relationships with government in other home countries, using Council members' contacts where appropriate.

(iii) 3. EU Agenda

The HPC will:

- continue membership of the Alliance of UK Health Regulators in Europe (AURE), as an effective way of making shared UK regulatory lobbying issues heard in Europe;
- liaise with relevant government departments regarding the translation of the Professional Qualifications Directive into UK law;
- liaise with relevant European authorities regarding the initial plans for a directive on the provision of healthcare services, which could have some effect on regulation, depending on the areas covered;
- implement the recommendations from the European conference on Healthcare Professionals Crossing Borders, October 2005; and
- continue ongoing updating and development of www.healthregulation.org as a worldwide resource for all regulators to enable effective sharing of information, particularly around fitness to practise.

(iv) 4. Education

The HPC aims to influence the education of healthcare professionals, making contacts with appropriate organisations and individuals, and sharing its experience of programme approval and its views for the future education of registrants.

This will be carried out by a variety of means, particularly the following:

- review of the Quality Assurance Partnership, and continued participation in the development of the next stage of the project;
- participation in the review of Paramedic education (this work stems from 'Taking Healthcare to the Patient', published in 2005); and
- input into the 'Modernising Healthcare Science Careers' project.

(v) 5. Public patient involvement

As detailed in the introduction to this document, Public Patient Involvement will be a vital thread of the work undertaken by Policy & Standards for the financial year 2006 – 2007. The HPC will continue participation in the joint regulators Patient Public Involvement Forum, as a means of sharing best practice across the regulators, and participating in joint projects.

The Council will discuss patient public involvement at its Away Day in October 2006, to enable members to have some discussion of issues including the Council's definition of PPI, its aims, and the benefits of PPI. This discussion will be a vital first step in establishing a way forward.

(vi) 5. Consultation responses

This financial year, the HPC has responded more regularly to other organisations' consultations.

In the past, the Council has responded to other organisations' consultation, particularly those that had or would have a direct bearing on how HPC works. This year, HPC has taken the

opportunity to influence others' work, and to increase its profile among policy-makers. All consultation responses are published on the HPC website.

Since April 2006, the Policy & Standards department has responded to the following consultations:

- Scottish Executive, National standards relating to health care support workers in Scotland;
- DfES and Home Office consultation, Protecting vulnerable children and adults: vetting and barring scheme;
- Royal Pharmaceutical Society, consultation on a revised structure of the code of ethics for pharmacists and pharmacy technicians;
- Prince's Foundation for Integrated Health, Exploring an federal approach towards voluntary self-regulation of complementary health care; and
- Department of Health, Curriculum framework for emergency care practitioners.

(d) 2007 - 2009

2006 - 2007 will primarily be a year of ground-work: making contacts - particularly within the wider policy arena, building knowledge, continuing to gain input and ideas from stakeholders and feeding these into the appropriate parts of the organisation.

In addition, this coming financial year will be one during which the Council can begin to establish a 'policy position' on various key issues, some of which have already been suggested by Council members, for example:

- devolution and UK-wide regulation;
- the future development of pre-registration education;
- revalidation;
- post-registration qualifications;
- regulation of aspirant groups, potentially including complementary and alternative medicine, counsellors and psychotherapists, and further healthcare scientists; and
- the regulation of healthcare support workers.

Many of the above will be informed by the Council's response to the Department of Health's review of non-medical regulation.

Building on this consolidation, 2007 – 2008 will be a year of building an increasingly proactive influence on the regulatory agenda, communicating the Council's position and views, via the contacts identified above. 2008 – 2009 will be the year during which the Council could undertake a review, in order to measure itself against this objective.