

Fitness to Practise Committee 22 October 2009

Fitness to Practise Department Work plan 2009-2010

Executive summary and recommendations

### **Introduction**

The 2009-10 work plan for the Fitness to Practise department was approved by the fitness to practise committees in February 2009. The purpose of this paper is to provide the committee with an update on the progress that has been made. Attached to this document is an appendix setting out the areas of work and the action that has been taken.

The work plan itself is based around six core objectives which are as follows:

- Ensure accessibility and improve communication and information provision
- Effective management and development of legislative and new operational requirements
- Consistent and effective decision making
- Ensure processes and procedures are working to their best effect
- Ensure effective management of resources
- Ensure effective management of risk

Each objective has a number of actions to enable us to track how we are meeting that objective.

### **Decision**

This paper is for information only, no decision is required.

### **Background information**

Due the nature of the work of the Fitness to Practise department, departmental planning allows for timely responses to unpredictable situations (such as High Court cases and allegations which require interim orders) when they arise. Further, the department also has a forecast model to aid in budgetary and resource planning.

### **Resource implications**

The resource implications from the work plan for 2009-10 have been accounted for in the 2009-10 budget.

**Financial implications**

The financial implications from the work plan for 2009-10 have been accounted for in the 2009-10 budget.

**Appendices**

Fitness to Practise Work plan update

**Date of paper**

8 October 2009

## Appendix 1: Fitness to Practise work plan update

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

Activity	Start date	End date	Progress report
Fitness to Practise Annual Report 2009-10	January 2010	September 2010	Work on the annual report will begin in early 2010 and conclude when the report is published in September 2010. The report will be presented to the FTP Committee for discussion and approval on 3 June 2010 and Council on 7 July 2010.
Witness Support Brochure	July 2009	December 2009	The brochure is waiting final amendments to be approved by the Plain English Campaign. We anticipate that the brochure will be published in December 009
Fitness to Practise Hearings DVD	July 2009	March 2010	We have reviewed other similar productions and have produced our detailed requirements.
Practice Note Manual	June 2009	June 2009	A manual of Practice Notes is now available at every hearing in Park House or available electronically at hearings held externally. All practice notes were reviewed over the course of the summer and approved by the Council at its October meeting.

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2009-01-08	a	F2P	STRAT	Fitness to Practise Workplan 2009-10	Draft DD: None	Internal RD: None

<b>Activity</b>	<b>Start date</b>	<b>End date</b>	<b>Progress report</b>
Signposting document	April 2009	August 2009 (revised on an ongoing basis)	Internal guidance was produced for the FTP team and made available in August 2009. The document will be kept under review and updated on a regular basis to ensure it remains current.
Consumer Complaints	April 2009	On-going	Meetings have taken place with the Policy team and around signposting and further meetings are planned particularly in relation to hearing aid dispensers. A paper on consumer complaints is on the agenda for the October 2009 Fitness to Practise Committee
Attendance at Employer Events	November 2009	December 2010	Department members will be attending the employer events on 24 and 26 November and 1 and 2 December 2009. A number of other events have been attended by various members of the department over the course of the year including Independent Living Scotland, British Dietetic Association Conference, Biomedical Science Congress and NHS Employers.
Document Review	April 2009	Ongoing	Standard documents are kept under review. Many letters were updated in June/July 2009 to take account of the regulation of practitioner psychologists. A more extensive review of standard letters will take place in early 2010.
Development of Service Level Standards	Ongoing	Ongoing	The FTP department service standards were presented to the FTP Forum in September 2008. Service standards have been monitored by the department on a monthly basis since April 2008 with consideration given to whether the standards need amending in light of the performance of the department.

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

Activity	Start date	End date	Progress report
Development of an integrated case management system	April 2009	April 2011	The project is proceeding in line with the project plan. All departmental processes have been documented and reviewed and a full review of the current systems has been undertaken. High level system requirements have been captured and a request for proposal document has been drafted and issued to a number of potential vendors. Vendor presentations will take place in November 2009. A more detailed paper on the work of the project team is on the agenda for the October 2009 Fitness to Practise committee
Transfer of the Hearing Aid Council	Ongoing	April 2010	Preparations are being made for the transfer of fitness to practice cases and meetings between the Hearing Aid Council and FTP representatives will continue to take place between now and 1 April 2010.
Transfer of the Practitioner Psychologists	Ongoing	July 2009	Internal guidance was produced for the FTP team on the management of cases transferred to the BPS. Standard letters and IT systems were updated to incorporate the new profession. Panel members were recruited and the majority have now been trained. Practitioner psychologist FTP cases were successfully transferred to the HPC on 1 July 2009. In total 44 cases were transferred at various stages of the process.
Implementation of the requirements the Protection of Vulnerable Groups and	September 2009	On-going	We have attended number of meetings and briefings with the Independent Safeguarding Authority and the Protecting Vulnerable Groups Scheme in Scotland. Preparations, such as changes to the FTP database have been

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Safeguarding Vulnerable Groups Act			made for the requirements that come into effect in October 2009. We have also produced a practice note on how to manage barring allegations/ Work is on-going in relation to the requirements that will come into effect in 2010.
Renewals Cycle Review	April 2009	October 2010	The project team have identified a number of restructuring options and are currently reviewing and comparing the benefits of each and considering the cost and legal implications. Any change will potentially have an impact on the work the FTP Department in terms of the health and character declaration received when Registrants renew their registration.
Improve Identity Checks	June 2009	Ongoing	The Registration Department is currently in discussions with a third party provider in order to establish if this potential supplier has the capability to perform a sample check and validate each registrant's qualifications and identity submitted with an application to the Register.
Initial Audit of Fitness to Practise decisions	November 2009	February 2010	The audit is scheduled to take place between 30 November 2009 – 12 January 2010. A report will be produced by CHRE following the audit. We have also been audited by PKF in relation to the risks managed by the department and due to be audited again October 2009.
Panel Member Appraisal	Ongoing		All panel chairs have been appraised and the Partners department are now sending out papers to other panel members for the 180 degree appraisals.

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

Activity	Start date	End date	Progress report
Review Indicative Sanctions Policy	June 2009	December 2009	The policy was discussed and approved at the October 2009 Council meeting. Reviews from across the directorate have been fielded.
Impairment Practice Note		July 2009	This practice note was approved in April 2009 and subsequently updated and approved by the Council in October 2009.
CHRE learning points feedback		Ongoing	We ensure we update our documents with any relevant learning points. We also provide feedback from CHRE learning points in the FTP newsletter. The lead hearings officer also provided feedback to the individual panel members and legal assessors where appropriate.
Monitor updates in regulatory law		Ongoing	We continually monitor this to ensure changes are appropriately reflected in all of our documents. We also provide feedback from this to the legal assessors.
Panel Chair, Legal Assessor and Panel Member Review Days		Ongoing	A review day for panel chairs is planned for early 2010. The last legal assessor review day took place in September 2009. All but 14 panel members have attended refresher training days and the next tranche of training for 2010 is currently being planned.
Appointment and training of new panel members, panel chairs and legal assessors		Ongoing	Seven panel chairs were appointed after interviews in April 2009. We have also appointed a number of new panel members. Practitioner psychologist panel members were appointed and trained and are have begun sitting on panels. More legal assessors are going to be recruited in the next three months to cope with the increase in the number of hearings.
Quarterly newsletter for fitness to practise partners		Ongoing	A quarterly newsletter is circulated to all FTP partners raising a range of issues, updates and areas of learning.

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<b>Activity</b>	<b>Start date</b>	<b>End date</b>	<b>Progress report</b>
Quality Assurance of Decisions		Ongoing	We propose to look at mechanisms to formalise existing processes to quality assure decisions. We will begin this work in early 2010

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

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Complainant Expectations research	April 2009	March 2010	A research brief was issued and IPSOS MORI commissioned to undertake the work. A number of meetings have since taken place with IPSOS MORI to finalise the research brief. The research proposal has been finalised and sampling is taking place with a view to interviews and discussion groups taking place in October and November 2009. The final report should be available in late December/ early January 2010.
Develop and Implement Sifting tools	April 2009	December 2010	Initial work has begun on analysing the types of cases that are not referred by the Investigating Committee. A review of relevant documents will also be undertaken.
Suspended registrants	October 2009	December 2010	This area of work will be taking place in late 2009 – early 2010.
Produce, develop and refine Fitness to Practise Operating Guidance	Ongoing	Ongoing	A number of FTP operational guidance documents have been drafted and updated. New guidance documents include public or private hearings, vexatious complaints, file structure and signposting.
Keep under review the length of time it takes cases to conclude	Ongoing	Ongoing	Monthly reports are produced on the length of time cases take to reach various stages in the FTP process.
Review Service Level Standards	Ongoing	Ongoing	As above

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

Activity	Start date	End date	Progress report
Skills Audit	April 2009	Ongoing	This in progress as part of the long term training plan work below.

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Long term training plan	April 2009	March 2010	<p>Members of the team have completed the following training this year to date:</p> <ul style="list-style-type: none"> <li>• Contact management (all)</li> <li>• Understanding psychological therapies (all)</li> <li>• Team away day focusing on communication and insight (all)</li> <li>• Time management</li> <li>• Leadership/management</li> <li>• Personal development</li> <li>• Equality and diversity</li> <li>• Advocacy</li> <li>• Transfer of psychologists</li> </ul> <p>Further training will take place in relation project management and facilitation later in the year.</p> <p>An internal FTP induction programme is being developed to standardise the induction given to new employees.</p> <p>We are currently looking at identifying generic and individual training needs for the coming year.</p>
Budgetary controls	Ongoing	Ongoing	We have completed the tender for transcription writer services.
Operational forecasting	Ongoing	Ongoing	We are currently reviewing our operational forecast model to ensure that we have enough resources to meet the expected work load for the remainder of the year

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