

---

## Fitness to Practise Improvement Plan - Progress update

---

### Executive Summary

This paper is to update Council on the progress of the FtP Improvement Plan. This is the first update since Council agreed funding to accelerate the implementation of the FtP Improvement Plan and it is also the first time Council has been updated on the priority projects that have been added to the improvement plan for implementation between January and July 2021 (see Appendix 1). Therefore, this paper provides an overview of the key projects. It is too early to be able to report on the benefits of these projects, but this paper does include an overview of key upcoming milestones.

For future updates to Council progress against each of the projects will be provided with a particular focus on key milestones and benefits realisation.

---

Previous consideration	New standing item at Council (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	Council is asked to note the update and provide any feedback on the format and information provided for consideration for future papers to Council.
Next steps	The next report on progress will be provided to Council on 23 March 2021.
Strategic priority	Strategic priority 1: Improve our performance to achieve the Professional Standards Authority's Standards of Good Regulation.
Financial and resource implications	None as a result of this paper.
Author	Andrew Smith, Executive Director of Regulation <a href="mailto:Andrew.smith@hcpc-uk.org">Andrew.smith@hcpc-uk.org</a>  Laura Coffey, Head of Fitness to Practise <a href="mailto:Laura.coffey@hcpc-uk.org">Laura.coffey@hcpc-uk.org</a>

---

# Fitness to Practise Improvement Plan - Progress update

## 1. Introduction

- 1.1 The Professional Standards Authority Performance Review Report published on 11 December 2020 raises a number of serious concerns about our performance in FtP. We fully accept the report and the concerns about our performance.
- 1.2 Improving our performance is the priority for the HCPC in 2021. This means improving the quality and pace of our management of FtP cases. The HCPC has an FtP Improvement Plan in place and we are taking action in 2021 to accelerate and augment our improvement work.
- 1.3 To do this we have prioritised key projects to be delivered between January and July 2021 (some of these were already in the FtP Improvement Plan and some have been added following Council's approval of additional funding to support the acceleration of the plan). See Appendix 1 for a summary of these projects. This is an ambitious plan and contains a holistic suite of improvement activities to improve the quality and timeliness of our case management. It includes short term targeted action to progress our oldest cases while also building our internal capability and capacity.

## 2. The context in which we are operating

- 2.1 The pandemic slowed and hindered our progress in 2020. For example, from March 2020 we had to reallocate resource to:
  - 2.1.1 Move 96 people in FtP from office-based workers to homeworkers.
  - 2.1.2 Design and implement a temporary register for students and former registrants.
  - 2.1.3 Design and implement remote and hybrid hearings (July 2020 for remote substantive hearings and November 2020 for hybrid hearings).
- 2.2 We are also constrained by our legislation and the urgent need for regulatory reform. For example, ICP has no legal powers to impose a sanction (e.g. a warning) so such cases progress to a final hearing.

## 3. Progress against improvement plan

- 3.1 As this is the first update Council in this format this section includes an overview of our progress against the priority projects that are underway, highlighting key upcoming milestones. In future, updates to Council the focus will be on our progress against key milestones, the benefits we are seeing, key risks and mitigations and any changes in direction (e.g. de-prioritising a project if the evidence is showing it is not having the intended impact).

- 3.2 As there are 16 projects, this section of this paper provides an update of our progress against our priority projects by the following themes:
- Improving the age profile of the case load
  - Improving the quality of case management and decision making
  - People and culture
  - Implementation of key enablers

### Improving the age profile of the case load

- 3.3 We currently have a high volume of cases at the early stage of our FtP process (threshold) that are outside of their KPI (361 cases that are >150% of their target KPI).
- 3.4 To progress the oldest cases at this early stage of the FtP process we are working with legal services providers to add capacity to help us progress these cases either to closure at threshold or to the Investigating Committee Panel (ICP), depending on the seriousness of the concerns.
- 3.5 The HCPC ran a procurement exercise starting on 4th January 2021 and began onboarding and training the three appointed firms in w/c 25th January and 1st February 2021.
- 3.6 This action is focussed on the 280 oldest cases at our threshold stage. The HCPC began to hand over these cases to the appointed legal services providers in the w/c 8th February 2021. Based on a phased return of cases the HCPC forecasts that these 280 cases will either have progressed to the ICP stage (e.g. ready for observations and listing for ICP) or have been closed at the threshold decision stage by July 2021.
- 3.7 There are 379 cases at the investigation stage which are over our KPI (this includes cases in the investigations team (226) and in the serious case team (153)). Based on the risk profile of the cases we have selected the highest risk cases and are piloting a new approach to investigations ('frontloading') by which all the relevant evidence is gathered pre-ICP.
- 3.8 In February 2021, 41 of these cases were handed over to the legal services providers. With 21 cases being handed over each month thereafter. These cases are to be ready for the ICP within 18 weeks. This means those cases handed over in February will be ready for the ICP stage in July 2021. If the ICP decides there is a case to answer by 'frontloading' the investigation these cases will be ready to progress to the final HCPTS hearing stage following the ICP decision.
- 3.9 If this frontloading pilot is successful at improving the quality and timeliness of case progression, we will expand this approach.
- 3.10 For those cases which we have retained in-house there is a corrective case plan in place for all cases outside of KPI. The purpose of the corrective case plan is to timetable the case to the threshold decision point or the ICP stage, depending on what stage of the process the case is in.
- 3.11 These case plans are monitored on a monthly basis or more frequently depending on the risk level of the case. Case plans are reviewed by

Operational Managers in the first instance and for all cases at +150% of the KPI the corrective case plans are reviewed by the Head of Fitness to Practise. Corrective case plans have been in place since November 2020 for the Investigations team and since January 2021 for the Threshold and Serious Case Team. Although this is not a long period of time there are early signs that they are supporting focused work to drive case progression where old cases are within our control to progress. For example, at the start of January there were 47 cases with corrective plans in the Investigations team. By mid-February this number had reduced to 23 cases as cases had progressed to the next stage.

## Improving the quality of case management and decision making

- 3.12 The 'frontloading' pilot that began in February 2021 (see paragraphs 3.7-3.9) will also improve the quality of investigations by gathering evidence (e.g. witness statements) earlier on in the process.
- 3.13 From 1st March 2021, the HCPC will have a senior lawyer on secondment to work with our Case Managers to review the initial risk assessments and case plans for all new cases. This will increase the expert input and oversight of a case at the very start of the process.
- 3.14 Following Council's approval in January 2021 for the ICP to have legally qualified Chairs the HCPC has started its recruitment campaign. Subject to the successful recruitment we will transition to having legally qualified Chairs for ICP by May 2021. Training is currently being designed for delivery in March and April 2021.
- 3.15 Training for HCPTS Chairs and Legal Advisors is being designed for delivery in April and May 2021. This training will focus on learning from Professional Standards Authority s29 Appeals and feedback points, applying our sanctions policy and on drafting a quality determination. A full refresh of how we train our HCPC panel members is planned for the autumn 2021.
- 3.16 In September 2020, the HCPC introduced a new threshold decision making process with a team of Senior Decisions Makers now responsible for that decision. An internal QA review of how this new process is working is commencing in February 2021. Any learning from this review will be fed back to the appropriate teams.
- 3.17 Internal QA reviews are also being planned throughout 2021 as part of how HCPC will evaluate if changes have been successfully embedded.

## People and culture

- 3.18 To increase our internal capacity, we are currently recruiting for 18 Case Managers. The advert went live on 29th January 2021. We are adopting a new approach to the recruitment process, including the use of assessment centres to add rigor to our recruitment and help select candidates which best reflect our new values.
- 3.19 For those appointed we will also be using a new onboarding process that will give emphasis to the customer service, our KPIs and the role specific skills and

capabilities new members of the team will need to develop. Importantly, this training is provided before new team members join their team to provide a foundation ahead of the 'on the job' training. This new induction process was trialled with the apprentices that joined the FtP team in January 2021.

- 3.20 In March/April 2021 we will be using the experience and insights from the outsourced cases to design and deliver investigation training for our FtP staff. For some teams, this training will also include training on how to conduct a frontloaded investigation so that we can begin to manage some of those cases in-house in the future.
- 3.21 We have also invested in a programme to coach and develop our people in FtP and equip them with the tools and skills to bring a continuous improvement mindset, improved team working and productivity to our teams. This work is supported by PWC's Perform Plus methodology and began in January 2021. In w/c 8 February 2021 the launch events were held and the 14 week coaching and development programme began on 15th February 2021.

### Implementation of key enablers

- 3.22 Our new CMS is due to go live in April 2021. This incorporates our new risk assessment tool that will be used to assess and monitor the risk on all our cases. Training on how to use the new system as well as training on new ways of working (e.g. using the new risk assessment tool) will take place in March and April ahead of the new system going live.
- 3.23 This new system is an enabler and will improve the management information Case Team Managers and Operational Managers have available to plan and forecast workloads.

## 4. Programme governance

- 4.1 Delivery of the FtP Improvement Plan is the number one priority for the HCPC in 2021. To improve the programme governance PWC are supporting the HCPC to refresh the programme governance arrangements to ensure that for each project:
- 4.1.1 There is a clear project plan and project owner.
  - 4.1.2 Risks to successful implementation are fully considered and mitigations are in place, as required.
  - 4.1.3 Key milestones and benefits (and how they will be measured) are documented for each project.
  - 4.1.4 Regular reporting of progress against milestones and benefits is in place.
- 4.2 This refresh of the programme governance is underway and future updates to Council will include an update on progress against the key milestones and the benefits realisation plan.

## 5. Key risks to the delivery of our improvement plan

### 5.1 Key risks to bring to Council's attention are:

- 5.1.1 **Risk:** This is an ambitious improvement project with many parts and there is a risk the HCPC does not have the capacity to deliver successfully in the timescales required or report on benefits. **Mitigation:** Priority projects have been identified for delivery between January and July 2021 and PWC have been commissioned to set-up the programme governance and add capability and capacity to our programme management while we build up our internal capability and capacity.
- 5.1.2 **Risk:** The full benefits of these projects will not be realised for a number of months. **Mitigation:** Regular reporting on the progress to show the action the HCPC is taking and the direction of travel in advance of realising the full benefits.
- 5.1.3 **Risk:** New CMS is not implemented on time resulting in delays to realising the efficiency and reporting benefits as well as process improvements such as the rollout of the new risk assessment tool. **Mitigation:** The early stages of the FtP process are well advanced in the CMS project. It is these early stages of the FtP process where performance is most concerning. De-scoping the later stages of the FtP process in the new CMS would be considered before delaying implementation of the new CMS in April 2021. The new CMS will make significant improvements to our ability to monitor progress of cases and reporting but will not itself improve the quality and timeliness of case management and many (not all) of the projects are not reliant on the new CMS.

## 6. FtP performance report

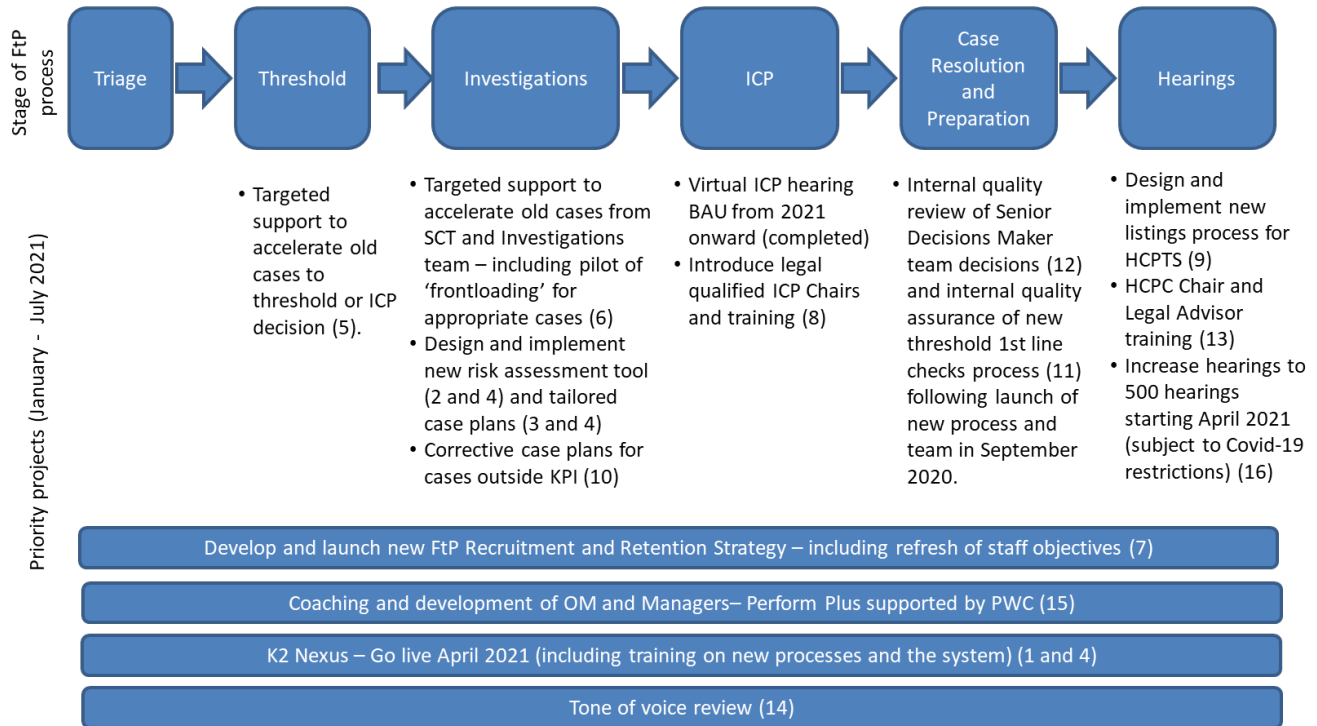
- 6.1 To help us track progress and the impact of our Improvement Plan a new performance dashboard is in development for 2021. The new performance report will be provided to Council as part of regular reporting. This will provide a clear overview of:
- The number of cases at each stage of the process:
  - The number of cases that have moved through a stage of the process
  - Age range of cases at each stage of the process
  - Median case age for each stage of the process
  - Cumulative age of cases by stage of the process.

## 7. Next steps

- 7.1 Council will be updated on the progress against our plan at each meeting in 2021.
- 7.2 This will include an update on progress of the projects set out in Appendix 1, the benefits we are seeing, risks and mitigations and the performance dashboard to show the impact of our changes and the progress we are making.

# Appendix 1: FtP Improvement Plan Priority Projects Overview

## Overview of priority projects by stage of the FtP process



Key  
Number in brackets = project number



Overview of priority projects – plan on a page

Project	Month							Benefit(s)*				
	Jan	Feb	Mar	Apr	May	Jun	Jul	A	Q	T	R	E
1) New CMS	Build and testing			Staff training	Go-live Apr	Embed and monitor	Build and testing for release 2	2nd release	✓	✓	✓	✓
2) New risk tool (embedded within new CMS)	Design	Refine and testing	Staff training	Go-live Apr	Go-live Apr	Monitoring compliance and prep for internal quality review in June			✓		✓	
3) New tailored case plans (embedded within new CMS)	Design	Refine and testing	Staff training	Go-live Apr	Go-live Apr	Monitoring compliance and prep for internal quality review in July			✓	✓	✓	
4) Update SOPs and guidance for new CMS and related process changes (including staff training)	Update docs		Staff training	Go-live Apr	Monitoring compliance with new processes using MI from new CMS				✓	✓	✓	
5) Targeted support to improve age profile of cases at threshold stage	Procurement	Onboarding & training	Case investigation and management (phased return of cases on a 8-12 week SLA)			Threshold and ICP decisions	280 cases at threshold decision or ICP stage	✓	✓			
6) Targeted support to accelerate old cases from SCT and Investigations team – including pilot of 'frontloading' for appropriate cases	Procurement	Onboarding & training	Case investigation and management (phased return of cases on a 16-18 week SLA)			Learning to inform training for Case Managers	Training for Case Managers	1st batch of cases ready for ICP	✓	✓	✓	✓
7) FtP Recruitment and Retention strategy	Review Case Manager recruitment approach	29/1: 18 new Case Manager roles advertised	Design new recruitment process (including assessment centres)	Interviews and assessment centres	Onboarding and induction of new Case Managers (subject to notice periods)	HR led review of success of new recruitment strategy			✓	✓		✓
8) Introduce legally qualified ICP Chairs	Draft Council Paper	Council approval (outside of meeting)	Update guidance and develop training materials	Training	Go-live end of April / early May - subject to recruitment	Recruitment			✓	✓		✓
9) New listings/scheduling process for HCPTS	Design	FIP Reps workshop (26/1)	Design (including updating SOPs and guidance)			Training	Go-live July			✓		✓
10) Corrective case plans for all cases past KPI	Case plans drafted and signed-off by OMs	Weekly review of cases	Weekly review of cases	Weekly review of cases	Weekly review of cases	Weekly review of cases	Weekly review of cases	Weekly review of cases	✓	✓	✓	✓



Project	Month							Benefit(s)*				
	Jan	Feb	Mar	Apr	May	Jun	Jul	A	Q	T	R	E
11) Internal quality assurance of new threshold 1st line checks process		Agree scope and QA review	QA report	TBC: Implement recommendations					✓		✓	
12) Internal quality assurance of Senior Decisions Maker team decisions		Agree scope and QA review	QA report	TBC: Implement recommendations					✓		✓	
13) HCPTS Panel member training		Agree scope of short term targeted training for Panel Chairs and Legal Advisors	Design & schedule training	Training delivered		Agree scope for longer term new training plan for FIP panel members to be delivered from Sept 2021		✓				
14) Tone of voice review		Agree scope and key principles		Stakeholder engagement and design		Updating templates on CMS		✓				
15) Perform Plus - Development of our people supported by PWC		Embedding Efficiency, Quality and Cultural Improvement on the Ground	Adapting towards a proactive approach to problem solving and standardised process	Continuous Improvement Capability Development		Sustained Continuous Improvement		✓	✓			✓
16) Increase hearings to 500 hearings starting April 2021 (subject to Covid-19 restrictions)		Prepare for increase scheduling and hearings capacity		Begin delivery of hearings at increased rate						✓		✓

\*Key  
A = Improved case age profile; Q = Quality; T = Timeliness  
R = Improved risk management; E = Efficiency