
Interim Deputy Chief Executive's report on organisational performance
May 2023

Executive Summary

This paper provides the Council with an assessment of some of the key papers coming to Council today and also provides an overview of other key developments since the March 2023 Council meeting.

At Council's next meeting in July, Council will receive a detailed report with updates of performance against our key performance indicators, progress against our Corporate Plan for this current year and our strategic risks. This issue of the report is a briefer interim update on key matters.

Previous consideration	This is a standing item, considered at each Council meeting.
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Purpose of report	The Council is asked to discuss the report.
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Next steps	The next report will be received in July 2023.
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Strategic priority	This report is relevant to all strategic priorities.
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Financial and resource implications	None because of this paper.
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EDI implications	None as a result of this paper.
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Interim Deputy Chief Executive's Performance Report – May 2023

This report provides my assessment of some of the key papers coming to Council today and also provides an overview of other key developments since Council last met in March.

At Council's next meeting in July my report will provide a detailed update of our performance against our key performance indicators, progress against our corporate plan at the end of Q1 of this financial year and our strategic risks.

Since the last meeting of Council in March we have announced the appointment of Bernie O'Reilly as our Chief Executive. I have had the opportunity to meet Bernie a few times since his appointment and I know how excited he is to join us. I look forward to working closely with Bernie and welcoming him to the HCPC when he joins us on the 3 July 2023.

1. Regulatory Reform

In my February report I updated Council that the Department of Health and Social Care (DHSC) had launched its consultation on draft legislation for the General Medical Council (GMC) for the regulation of anaesthesia associates and physician associates. This draft legislation will serve as a template for further reform across healthcare professional regulators. We warmly welcome the draft legislation, which represents a significant step forward in removing overly prescriptive legislation and provides regulators with a high-level legislative framework and increased flexibility and autonomy to make changes to their processes.

As Council will recall, we responded to the policy proposals which formed the basis for the draft legislation as part of the DHSC consultation *Regulating healthcare professionals, protecting the public* in 2021. Our response to this technical consultation on the legal drafting was underpinned by our response to the policy proposals as agreed with Council in May 2021.

In general, we support the legislative proposals put forward in the consultation, however, we have asked the DHSC to give further consideration to a number of areas. These include the need to clearly refer to an initial assessment stage as part of the fitness to practise process to ensure that we are able to act proportionately and effectively to avoid unnecessary delays and that the right regulatory outcome is reached as early as possible in the process.

We have also recommended that the DHSC review its approach to reviews, revisions and appeals to provide greater clarity and reduce unnecessary burdens and duplication and more broadly, consider the accessibility of the legislation. We have also provided feedback on the way in which the legislation describes fees-setting powers, which we hope will enable us to move to a more flexible approach with appropriate safeguards, as is already the case for other regulators.

The DHSC have said the HCPC (alongside the NMC) will be the next regulators to have their legislation modernised once the work on the GMC legislation has progressed further. In the next phase of our regulatory reform work, we will be

engaging with the DHSC to identify any HCPC specific variations to the template legislation.

I'm delighted that colleagues from DHSC are able to attend Council today to give a presentation on the regulatory reform work.

2. Covid-19 Temporary Register

In March 2023, Council approved our recommended approach for the ongoing management and maintenance of the Covid-19 Temporary Register. Following that decision, we have established a cross-organisation project team to implement that approach. This includes the development of our communications plan for people on the temporary register and other key stakeholders – including the high-level guidance on what we will expect from registrants working in support of the Covid-19 recovery as discussed with Council in March.

We expect to start contacting people on the temporary register in the coming weeks.

3. Regulatory performance

3.1 Education

For education assessments (which include new programme approvals and performance reviews) we are within our key performance indicators (KPIs) for 9 out of 10 assessments, and the number of active cases has reduced significantly from 120 in September 2022 to 74 at the end of April 2023.

The education team are closely monitoring the flow of cases through assessment stages to ensure we maintain and improve performance against our KPI in the coming months. The team's quality assurance checks indicate that our decisions continue to be of good quality.

A key aim of our quality assurance model is to engage with providers more throughout the process and reduce the number of formal conditions applied when approving programmes as a result. We still hold providers and programmes to the same high standards but work with them to address issues that could give rise to conditions as early as possible. In the last quarter we have not applied conditions to any programmes, which is indicative of the support we continue to provide to providers through the process.

3.2 Registration

Contact centre

Our contact centre continues to provide a good service. The telephone call answer rate exceeded KPI in March and April 2023, with this level of service continuing in May 2023. Our contact centre has been providing a timely service and meeting our KPIs since October 2022.

Our improved performance in responding to emails has been sustained at 2 working days in March 2023 and 1 working day in April 2023. The KPI has been met since June 2022.

UK applications to join our Register

The team continue to manage UK applications to join our Register, from new graduates from our approved programmes, and within service levels at all times. Performance against the KPI for UK applications has been consistently met since February 2022.

International applications to join our Register

There continues to be a high volume of new online international applications, receiving 1,285 applications in March 2023 and 903 in April 2023.

In 2022-23, over 13,000 international applicants joined our Register. This is nearly three times the number of people who joined our Register via the international application route the year before. Despite the high demand, we have been within our service standard of making a first decision on applications within 60 working days since June 2022. Since November 2022, this has been under 20 working days.

We are continuing to be more proactive in contacting third party organisations (such as overseas education providers and employers) to verify the information provided by applicants to help reduce the time take for successful applicants to join our Register.

Registration renewals

The renewal window for practitioner psychologists closes on 31 May. At the time of writing this report on the 17 May 2023, the renewal rate is at 90%. At the same point at the last renewal period, 78.7% had renewed. This continues the trend we have seen of registrants renewing their registration earlier in the renewal window since we moved the process online.

We continue to engage with the relevant professional bodies before and during the renewal windows, this includes us sharing renewal rates periodically and providing information to support registrants to renew their registration throughout the renewal window.

3.3 Fitness to Practise

In April we launched the Registrant Support Line which offers confidential advice and support for registrants involved in the fitness to practise process. This was a key milestone as part of our work to become a more compassionate regulator.

We know that being part of the fitness to practise process can be a stressful experience. To help registrants during that time, we've partnered with CiC, a leading wellbeing service provider, to give free, independent and confidential emotional

support and practical advice to all HCPC registrants going through the fitness to practise process. The service is available 24 hours a day, 365 days a year.

As Council is aware our 'Tone of Voice' project which includes updates to our template emails and letters in fitness to practise was not concluded last year and is included in this year's Corporate Plan. This work is now being supported by our Business Change Team to monitor progress and help ensure we remain on track within our updated timeline.

A detailed report on fitness to practise performance is provided in the Fitness to Practise Performance Update paper.

4. Standards of Conduct Performance and Ethics Consultation

The consultation on the Standards of Conduct, Performance and Ethics and the guidance on social media launched on 27 March 2023.

To support the consultation process, we are hosting a series of external workshops that explore the key themes of the consultation. The series includes six external stakeholder workshops open to all stakeholders. These are interactive, held online and explore the following themes; equality diversity and inclusion, communication with service users, carers and colleagues, duty of candour, upskilling and training responsibilities, managing health conditions and disabilities in the workplace and sustainability.

We have also offered workshops to specific stakeholder groups such as trade unions and professional bodies. Our first workshop with professional bodies took place on Monday 27 April and another will take place on Thursday 25 May.

5. Financial position

The finance report on the agenda summarises HCPC's financial performance over 2022-23. The figures in that paper are subject to audit review and some potential further year-end adjustments.

The report shows that HCPC ended the year with a relatively modest deficit of £169k (0.4% of income). This represents an improvement on the larger deficit assumed in the budget at the start of the year, and reflects a number of factors, including higher volumes of registration applications, progress on efficiency, and some underspends resulting from constraints on the rate at which we have been able to carry out recruitment and project delivery (which were highlighted in our report to Council in March which outlined how we had delivered our 2022-23 Corporate Plan).

There have also been additional fitness to practise legal costs to enable our transition to the new frontloading approach that will deliver downstream efficiencies and improvements.

Over the year we invested £690k in further improvement to our operational systems, in enabling hybrid working and in other infrastructure. We ended the year with reserves of £1.3m after making provision for future liabilities.

Although there has been good progress in strengthening our financial management and reducing the deficit, our reserves remain well below prudential levels, which underlines our continuing need for a fee rise.

6. Estates and hybrid working

As part of our wider approach to hybrid working and our commitment to maximising efficiency, we have successfully concluded the exit from our two leases in 33 Stannary Street, following the authority given by Council.

The agreement to exit the leases was reached with the landlord after intensive discussions and with the benefit of professional advice, to ensure that HCPC's interests were fully protected. The agreement provides good value for money, with a payback of one year and an immediate budgetary benefit. It also enables HCPC to focus our efforts on optimising the value we get from our remaining, freehold estate as part of hybrid working. With the exit from the previous tribunal spaces in 405 Kennington Park Road, HCPC's estate has now halved in size over the past two years, giving us a smaller and more cost-effective working environment.

The hybrid working paper on the agenda today includes further information about progress on moving to hybrid working including the changes we are making to create a collaborative working environment and facilitate hybrid meetings within our freehold property. The paper also has a strong focus on the people and the organisational culture aspects of hybrid working. There is some further work for us to do to ensure the policy we have put in place is implemented fully and we continue to improve the quality of the data we hold about the use of our estate to assist with that.

7. Partners review

As the People and Resources Committee is aware, in February 2023 the HCPC commissioned an independent review into how we use our partners and the services partners provide for the HCPC across our regulatory functions.

The purpose of this work is to fully understand the current state (what's working well, risks and issues) and use that baseline to identify improvement and value for money opportunities to help us design the future state.

The review has included collaboration with various stakeholder groups including partners, the teams working with partners and insights for how a 'partner' model works in the healthcare regulation sector and other sectors.

In addition, we have been continuing the work of the task and finish group that was established to consider the implications for HCPC of the legal case on the employment status of partners at the Nursing and Midwifery Council. We are continuing to develop our understanding of potential changes that may be needed in future.

We will be holding a workshop with the People and Resources Committee in July to explore the findings of the review and how we will prioritise the recommendations.

8. Deputy Chief Executive meeting list

HCPC Professional Bodies Forum – Quarterly meeting	24 March 2023
Chief Executives Steering Group (CESG) Meeting	24 March 2023
NHS England: National Joint Strategic Oversight Group (NJSOG)	27 March 2023
British Psychological Society: Sarb Bajwa, CEO	27 March 2023
AHP Workforce & Education Strategic Oversight Forum	29 March 2023
Professional Standards Authority: Alan Clamp (CEO) & Caroline Corby (Chair) – quarterly CEO & Chair meeting	30 March 2023
Suzanne Rastrick Chief Allied Health Professions Officer for England – quarterly catch up	4 April 2023
General Pharmaceutical Council, Duncan Rudkin, CEO & Registrar meeting	5 April 2023
NJSOG Planning Workshop	11 April 2023
Healthcare Improvement Scotland: Robbie Pearson (CEO), Ann Gow (Deputy Chief Executive - Director of Nursing, Midwifery and Allied Health Professionals), Gareth Hill – Introductory meeting and Memorandum of Understanding (MOU) review meeting	14 April 2023
Institute of Biomedical Science: David Wells, CEO	17 April 2023
Department of Health and Social Care (DHSC), Regulatory Team – workshop on anaesthesia associates and physician associates order	18 April 2023
DHSC meeting with the Regulatory Team	19 April 2023
AHP Strategy Programme Board meeting	20 April 2023
NJSOG meeting	24 April 2023
Royal College of Occupational Therapists: Steve Ford, CEO	24 April 2023
Chief Executives Officers & Registrars Board (CEORB) meeting	27 April 2023
Nursing and Midwifery Council meeting with Andrea Sutcliffe, CEO	2 May 2023
Carolyn McDonald, Scotland's Chief Allied Health Professions Officer & Catherine Ross, Scotland's Chief Healthcare Science Professions Officer meeting	16 May 2023
Northern Ireland Government meeting: Peter Barbour & Aislinn McAlister	16 May 2023

Professional Standard Authority Roundtable discussion (Belfast) on health and care regulation in Northern Ireland	17 May 2023
DHSC meeting with the Regulatory Team	19 May 2023
Delia Ripley (Deputy Chief Scientific Adviser for Health (Welsh Government)) and Ruth Crowder (Chief Allied Health Professions Adviser (Welsh Government) meeting	19 May 2023
Anton Barnett-Harris, CEO of the Australian Physiotherapy Council – introductory meeting	19 May 2023