

Council

Meeting Date	16 October 2025
Title	Fitness to Practise Performance Report
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Executive Summary This paper provides: <ul style="list-style-type: none"> • an update on the performance of the Fitness to Practise and Tribunal Services (FTP&TS) directorate; • an update on our ongoing improvement activity. The Council is asked to note the progress made.	
Action required	The Council is asked to note the update.
Previous consideration	Standing item to update the Council the performance of the FTP&TS directorate.
Next steps	The next report will be provided to the Council on 4 December 2025.
Financial and resource implications	Financial and resource implications are provided for in the FTP 2025-26 budget.
Associated strategic priority/priorities	Continuously improve and innovate
Associated strategic risk(s)	1. We are unable to deliver our regulatory requirements effectively in a changing landscape, affecting our ability to protect the public

Risk appetite	Regulation - measured
Communication and engagement	Not applicable
Equality, diversity and inclusion (EDI) impact and Welsh language standards	Improving the quality and timeliness of our management of fitness to practise cases will support all involved in the cases. Particular activities in the improvement programme 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.
Other impact assessments	Not applicable
Reason for consideration in the private session of the meeting (if applicable)	Not applicable

Fitness to Practise (FTP) Performance Report

1. Introduction

- 1.1. This paper provides Council with an update on our performance in relation to the quality and timeliness of our fitness to practise investigations. It also provides an overview of our progress in delivering the key improvement activity we have planned for 2025-26.
- 1.2. In July we went live with the final phase of changes to our FTP operating model, with the introduction of streaming of our non-frontloaded (i.e. 'standard') investigations. This significant change creates a more efficient pre-Investigating Committee Panel (ICP) process from triage through to either threshold closure or the ICP stage. The work of our previous Threshold and Investigations teams has been aligned to improve consistency and timeliness of our investigations, and remove delays caused by handover points between the two areas. The focus of each team now is organised around the level of resource and investigation required to progress a case to a pre-ICP decision based on criteria related to risk and complexity. Cases will now be managed by a single case owner for the whole of the pre-ICP stage, providing a better customer service for case participants.
- 1.3. Alongside streaming, we also changed how we notify registrants of the concern we have received by improving the level of information we share at this stage. We now share with registrants (unless in exceptional cases where it would not be appropriate to do so) a redacted copy of the concern we have received. The aim is to improve the transparency of our process and reduce anxiety caused by registrants not being fully aware of the detail of the concern.

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. These key quality areas 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. Identifying high risk cases as soon as possible is a key part of ensuring we protect patients and service users.
- 2.3. 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.

- 2.4. 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. In August our performance was four weeks, slightly above our three week key performance indicator (KPI). This was due to an adjourned hearing.
- 2.5. 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 August 2025 our performance was 19 weeks which is noticeably above our 12 week key performance indicator (KPI). This was primarily due to a number of cases that had been subject to a third-party investigation reaching the evidential stage required for an interim order. If those third-party investigation cases are excluded from the data our performance would be 16 weeks. Our performance was also impacted by three cases where new information was received in the later stages of our investigation which increased the risk profile, including one case where we received a second FTP concern from an employer about a registrant already under investigation.

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. Our target is to achieve 80% adherence with our best practice standard with a stretch target of achieving 90% compliance.
- 2.7. We have consistently exceeded the 80% target in each month since March 2025, with performance sitting at around 89%. Now that performance at the target level is embedded we are reviewing how we can support the teams to meet and exceed our stretch 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 our target is 80% adherence with our best practice standard.
- 2.9. We have exceeded the 80% target in eight of the nine months since November 2024, with our performance in August 2025 at 86%. Our average performance across this period is 82%.
- 2.10. In January 2025 we introduced an enhanced induction programme for new case managers, which includes a more structured and supportive approach to introducing new starters to the essential skills required for the role. As a result we have seen a more consistent performance across the team in reaching the best practice standard.

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 investigations and the age profile of our cases.
- 3.2. To support our move to streaming cases from July, we implemented significant changes to our case management system. Those changes now allow us to monitor and report on cases in 'standard' (i.e. non-frontloaded) and 'frontloaded' investigation streams. Over time our data will better reflect the impact of streaming on the progression of cases at each stage of the process. As a result some of the data sets we share with the Council in this report will look a little different than we have previously shared as we begin to break down the caseload and timeliness data by stream.
- 3.3. In July we shared with the Council that, as part of the work we were doing to update our reporting, we had identified an anomaly in our data that meant we had previously underreported the number of new concerns we received in Quarter 1 of 2025-26. We had reported 568 concerns received in Quarter 1, or an average of 189 concerns per month. The actual number of concerns received in Quarter 1 was 676, or an average of 225 per month.
- 3.4. We have worked with colleagues in our Insights and IT teams to understand the root cause of the anomaly, which has now been corrected. Our Quality Assurance team have also undertaken a review of our data which has given assurance that the issue identified with how new concerns received were recorded does not affect any other data set we report on.

- 3.5. The data presented in 3.6 below reflects the corrected data from April 2025 onwards.

Case volumes at each stage

- 3.6. Figure 4 below shows the number of new FTP concerns received each month. In June 2025 we experienced a noticeable increase in the number of new concerns (278) which has been maintained in July (266) and August (292). Since April we have received an average of 247 new concerns a month, which is a 28% increase on the average monthly referral rate in 2024-25. We continue to monitor closely the rate of incoming referrals, which will inform our planning and budgeting for next year.

Figure 4 - Number of new FTP concerns received



- 3.7. Figures 5 shows the number of open cases in our pre-ICP stage.

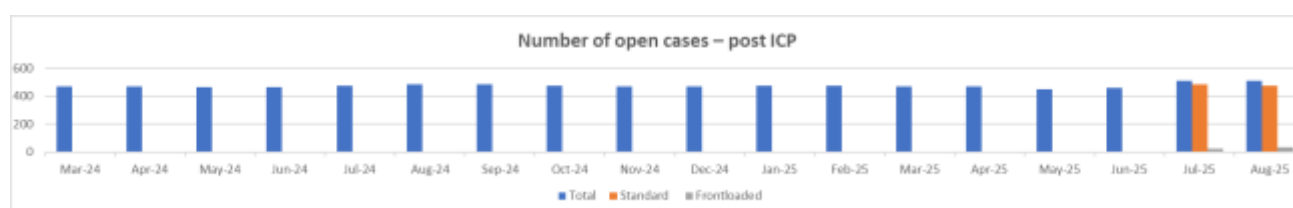
Figure 5 – number of open cases pre-ICP



- 3.8. Figure 5 combines the caseloads of the previous Threshold and Investigation teams, which came together in July 2025 when we introduced streaming, which is why the data starts from that month. The continued high volume of new concerns is reflected in the volume of cases at the pre-ICP stage, which was 3357 at the end of August. Of those, 159 cases were listed for an ICP and a further 255 were with our Senior Decision Maker team for either a decision to close the case against our Threshold Policy or approval that the case meets the Threshold and is ready for the ICP. The majority of cases pre-ICP (orange column) are those cases that were open prior to our new streaming process. These cases have decreased between July and August, which is what we would expect to see as these cases move through the ICP stage.
- 3.9. The number of new cases received since July 2025 and that have commenced in one of our streams has grown in August (light blue column), which is what we would expect as all new cases that pass Triage are now streamed.

- 3.10. The green column shows the total number of frontloaded investigations that are open pre-ICP, including those with our in-house legal team.
- 3.11. At the end of August 2025, the median age of our open pre-ICP caseload was 51 weeks. This includes cases that are or have been on hold due to a third-party investigation. The youngest case was two weeks old and the oldest was 338 weeks.
- 3.12. The median age of pre-ICP frontloaded cases at the end of August was 68 weeks, including those that are or have been on hold due to a third-party investigation. The median age for cases frontloaded with one of our external legal providers was 78 weeks, and with our in-house frontloading team was 21 weeks. Whilst work on our internally frontloaded cases has started well, the majority of on hold cases and complex cases in that case stream are managed by our external legal providers, which will impact the median age. It is too early to compare the age profile of internally and externally managed frontloaded cases post-ICP, as only three internal frontloaded cases have reached that stage to date. However, as this caseload builds we will be able to develop our reporting to the Council.
- 3.13. The number of cases open post-ICP has remained broadly consistent and at the end of August 2025 was 513 cases (Figure 6). Of those, 86 were listed for a final hearing. The majority of cases open at this stage have come through our standard investigation route (orange column) and are being prepared for a final hearing by our external legal supplier. Only 35 cases at this stage in August were frontloaded investigations (grey column). This is what we would expect to see as Frontloaded cases are hearing ready at the Investigating Committee stage and therefore proceed to a final hearing more quickly.

Figure 6 – number of open cases post-ICP



Age profile of cases at the point of case conclusion

- 3.14. To reduce the overall number of cases over our KPI it is important to make sure we do not progress older cases at the expense of younger cases. The median age of cases at the point they are closed provides a useful measure of how well we are balancing the progression of cases across the caseload.
- 3.15. Figure 7 shows the median age of cases closed against our threshold policy and by the Investigating Committee Panel (i.e., all pre-ICP case closures) month on month.
- 3.16. In August 2025, the median age of cases closed at the pre-ICP stage was 26 weeks, which is within our 33 week KPI. This median has remained consistent since May 2024. The oldest case closed was 220 weeks and the youngest

was two weeks. This shows we continue to progress our oldest cases, alongside those more recently received.

Figure 7 – median age of cases closed pre-ICP



3.17. Figure 8 shows the median age of cases closed at a final hearing. We expect the median age of cases concluded at this stage to be above our 39 week KPI as our older cases move through the process.

3.18. The median age of cases concluded at a final hearing in August 2025 was 104 weeks, with the oldest case at 238 weeks and the youngest case at 45 weeks.

Figure 8 – median age of cases concluded at a final hearing



4. Overview of improvement activity

4.1. Our improvement activities for 2025-26 build on the work we delivered last year and are focused on improving the efficiency of the FTP process, enhancing participant support and ensuring our operating model and ways of working help prepare us for the future. We also continue to ensure that the quality of our case investigations, risk management and regulatory outcomes are maintained.

4.2. Our key improvement areas are:

- **Development of our in-house frontloaded investigations:**

This year we are developing our experience of in-house frontloaded investigations post-ICP as the initial cases we commenced in 2024-25 reach the final hearing stage. Our first three cases to reach this stage are listed for a hearing in October 2025 and are therefore expected to conclude within our 18 month end-to-end KPI.

- **Introduction of streaming for non-frontloaded investigations:**

In July we went live with the streaming of non-frontloaded investigations to create a more efficient process from receipt of the case through to Threshold closure or the ICP stage. We are now focused on embedding the new processes within the teams and ensuring ongoing support to case managers as they develop their skills in aspects of the process they may not have undertaken before. In September we held a workshop with the teams to seek early feedback on the new ways of working. From October we will also be using our frontline checks to monitor compliance with our new processes and identify any areas of support and further training.

Between July and September we have carried out a review of our KPIs for the entire FTP process, with particular focus on our operational KPIs and service level agreements (SLAs). This was to ensure they remain aligned to our new streaming and frontloaded processes (both external and internal), are realistic and support us to drive performance. These are being rolled out across our teams over September and October. We will provide further detail on our KPIs at the next Council meeting.

- **Introduction of AI redaction software**

In July we piloted using an AI-powered redaction tool to help us identify and remove personally identifiable information (PII) and other sensitive information from FTP case bundles. Currently, redacting bundles is a manual task which is not only time consuming but increases the risk of error. The pilot demonstrated a 50% reduction in the time taken to complete a redaction task as well as improvements in accuracy and quality. In September the Executive Leadership Team (ELT) approved a business case to roll out the software across the team. Team training and set up is underway and we expect the AI redaction software to be in use by the end of October.

- **Scheduling process review Phase 2: exploring and implementing efficiencies in the listing process**

Last year we started work to improve our scheduling and pre-hearing management case management process by putting in place new reporting and management oversight tools. Phase 2 builds on this work to review and revise our scheduling process to make the end-to-end listing process more efficient. The first stage of this process has been to look at how our Scheduling team is organised. Over the summer the Scheduling team transitioned into their new operating model with three teams focused on listing specific types of hearing. The new operating model also supported the transition of the listing and administration of registration appeal hearings to the Tribunal Service, which went live at the start of October 2025.

- **Continue the work we have started to enhance the support provided to witnesses through the FTP process**

We are continuing the work we started last year to look at the support provide to participants in the process. This includes how we engage with witnesses during the FTP process, particularly those who have been victims of sexual misconduct. Phase 1 of the project to revise and update our public facing material for witnesses is due to conclude by the end of the year. Cross-function working on Phase 2, to develop how we support witnesses from the early stages of the FTP process through to a hearing has recently started.

- **Supporting our panels to make consistent, fair, transparent and proportionate decisions**

In August the ELT approved a new practice note for FTP panels on abuse of process applications. The practice note provides guidance on the approach to be taken when panels are considering an application to stay proceedings on the ground that there has been an abuse of process and provides clarity on the legal principles.

We are currently developing two new practice notes on registration appeals and fraudulent and incorrect entry.

The consultation on changes to our sanctions policy closed on 1 September. We are currently reviewing the responses with our Policy team and will update the Council on the outcome at their meeting in December.

- 4.3. We will update the Council with our progress on the delivery of these activities.

5. Key risks and mitigation

- 5.1. As we have shared with the 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. The monitoring of the improvement work we have delivered to date is embedded into our business as usual activity to ensure this work is sustained.
- Increase in FTP concerns – in the last two years we have seen a significant increase in the number of new FTP concerns we receive, which makes it even more challenging to progress cases at pace. There are no discernible themes behind the increase in referrals and the trend in increased volumes of new referrals is also being experienced by other regulators. We have taken action to plan our resource and adapt our

ways of working to respond to it and continue to monitor the number of referrals on a monthly basis.

- Capacity to undertake frontloaded casework – in 2024 we implemented frontloaded investigations in-house on a small scale. This year we have focused on developing our understanding and experience of managing these cases post-ICP, as our first internal frontloaded cases reach the final hearing stage. We also continue to steadily but slowly build our internal caseload of frontloaded investigations. We know that frontloading appropriate cases can lead to better quality and more timely regulatory outcomes. However, our ability to frontload internally and with our external legal providers is constrained by capacity and resource. This means that we are not able to frontload all cases that would meet our criteria for doing so and it remains a smaller proportion of our caseload.
- Resource – whilst turnover has improved, and we have reduced our reliance on temporary and fixed term contracts, we continue to work on ensuring stability and resilience across the FTP teams. Recruitment in key roles, such as our case management teams, remains a challenge, and although we have increased headcount in these teams, we have not been able to fill all those new posts. The time taken to onboard and train new starters, to ensure they have the skills and confidence to manage cases, means there will be a delay in feeling the impact of increased headcount. In September our new Operational Manager for Investigations joined the team, meaning we have a full complement of operational managers in the directorate for the first time in over a year.
- 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 Department of Health and Social Care on the plans for regulatory reform.

6. Next steps

- 6.1. We will continue to update the Council on our performance and continuous improvement activity at each Council meeting.