

Fitness to Practise Forum – 24 April 2009

Feedback from Hearings

Executive summary and recommendations

Introduction

Panel and Legal Assessor feedback forms were introduced for use at hearings in February 2008. Forms are provided for panel members and legal assessors to use at the conclusion of each substantive, review and interim order hearings

Forms are an important tool in the monitoring and review of at HPC hearings. 130 forms had been returned and completed during 2008-2009. The attached report details the feedback, common themes and issues and any action that has been taken to resolve any areas of concern highlighted.

Decision

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

Background information

None

Resource implications

None

Financial implications

None

Appendices

Report of feedback issues

Date of paper

11 April 2009

Appendix One – Feedback Report

The feedback forms identified a number of areas of positive areas. They were overwhelming positive about the role played by hearings officers during the entire hearing process, and about presentations and advice provided by Case Managers and Kingsley Napley in their roles as presenting officers. They were also largely positive about the role played by Panel Chairs as well as the advice provided by legal assessors. The feedback also identified opportunities for improvement which are outlined in more detail below.

Topic	Times Raised	Concerns	Action/Comment
Drafting of Allegations	13	There were concerns raised concerning the quality and drafting of particulars in 12 cases	<ul style="list-style-type: none"> - Fitness to Practice Operating Guidance drafted to aid Case Managers in the drafting of allegations - Case to Answer Practice Note reviewed and updated - Consideration to be given to mechanisms to quality assure allegations
Article 30	6	Ongoing concerns raised about the continuous loop of suspension in health and competence cases	<ul style="list-style-type: none"> - Health and Conduct and Competence Committee approved a more purposive approach to the interpretation of the provisions of Article 30 in September 2008. 17 registrants have now been struck off the Register following the change in approach - The disposal of cases via consent is now fully operational and has been used by panels 3 times in 2008-9
Facilities (including venue, catering)	37	Timing of catering at external venues	<ul style="list-style-type: none"> - Timings of refreshments should be confirmed by hearing officers before the start of

		<p>Quality and quantity of food at Park House</p> <p>Disruption caused by noise from other rooms or from building works</p>	<p>hearings</p> <ul style="list-style-type: none"> - Catering is obtained under contract which is subject to continual review
Case Management	11	<p>Delay in case going to a panel</p> <p>Missing documents from the case papers</p>	<ul style="list-style-type: none"> - Continuous review of the length of time it takes cases to conclude - Case papers are checked by Case Managers before sending for copying
Case Papers	29	<p>Delay in partners receiving case papers</p> <p>Voluminous or important papers presented on the day of the hearing</p>	<ul style="list-style-type: none"> - Mechanisms implemented to ensure delay is prevented where possible - Union representatives have been reminded about the difficulties caused by papers being supplied just before the hearing
Panel training issues	8	<p>A number of unrelated issues arose which identified training needs.</p>	<ul style="list-style-type: none"> - Chair and partner refresher training took place in 2008-9 and will continue in 2009-10