

# **NON-MEDICAL REGULATION**

## **Conference feedback**

### **YOUR VIEWS**

Reference Group Conference

8<sup>th</sup> November 2005

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Department of Health



# HOW TO MAKE SENSE OF SO MANY COMMENTS?



# FITNESS TO PRACTICE

- Agreement on 'optimum' harmonisation but not synchronisation. Differences should be the exception and be objectively justified.
- Agreement on case for assuring continuing FtoP
- Much concern about employers' capacity to assure continuing FtoP especially outside the NHS
- Regulators should have a responsibility for FtoP as well as or instead of employers
- Much concern about practicalities, some say it won't work others say we have to make it work
- Agreement on post-registration marks but only where higher competences are significantly different and related to patient protection

# INVESTIGATION AND ADJUDICATION

- Agreement on 'optimum' harmonisation of process
- Majority in favour of separation of policy making, investigation and adjudication but some sharp opposition
- Concerns about employers' capacity and/or impartiality in conducting investigations
- Agreement on single portal principally as a signpost
- Some opposition to independent adjudication – where is the evidence how do we get professional expertise?  
More opposition to single unified body
- Significant opposition to a separate investigatory body

# SUPPORT WORKERS

- Agreement that support workers should be regulated (85% of them want to be regulated)
- Some feeling that this has not received enough priority
- Cautious support but anxiety about employers' capacity and impartiality to manage this
- Some would rather regulate or register all staff but acceptance that starting with Bands 3&4 is sensible
- No clear view on which regulator should oversee this but PCTs could have a role
- Employers should pay for or subsidise the costs

# NEW ROLES

- General acceptance of the distributed model but some view it as a first step
- Standards should be national and transferable
- Some argue that if it is a completely new role registrants should all be under the lead regulator
- Where the role is team based the lead regulator should be from the team leader, including the GMC
- Where the role is autonomous the lead regulator should be chosen according to competences
- CHRE should determine the lead regulator
- Direct entrance could be the defining factor for new roles, much more work is needed on this

# WIDER CONTEXT

- Regulation is about patient protection: standard-setting is the most important tool for that.
- Important to fit with employer processes and devolved administrations' health policies
- More attention needed to non-NHS staff
- Agreement that rigour of process should be proportional to risk
- Agreement that harmonisation with medical regulation should be subject to the question 'Why not?' rather than 'Why?'

# REGULATORY BODIES

- Broad agreement on 'optimum' harmonisation of roles and functions. Little support for complete synchronisation of these.
- Model of professionally-led regulation reaffirmed. Professional majority should drop to one where currently greater.
- Divided views on move away from elected members
- Significant opposition to reduction in number of regulatory bodies
- Concerns about loss of professional ownership
- Feeling that HPC model cannot be extended
- Support for strengthened CHRE but want it to move on from its apparent focus on section 29



# NEXT STEPS

- This summary and the earlier presentation will be circulated to all attendees
- One further advisory group meeting on 7<sup>th</sup> December will focus on feedback from this conference and the key issues outstanding
- A meeting between the advisory group and Dame Janet Smith on 8<sup>th</sup> December
- Advice to ministers by Christmas
- Ministers will decide what to do next and

when

# SUMMARY

- General support for the overall direction of travel but some areas of sharp disagreement
- Particular concern about role of employers, and non-NHS staff
- Particular concern about translating all of this into practicality
- Thank you for contributing so enthusiastically and frankly today, your input is much valued



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