

Health Professions Council, 27th March 2008

Draft Policy & Standards workplan

Executive summary and recommendations

Introduction

Each year, the Policy & Standards department prepares a draft workplan for discussion and approval by the Council, setting out how the department will prioritise and carry out the Council's strategy for the coming financial year.

A draft workplan for the financial year April 2008 – March 2009 is appended to this document for the Council's consideration.

Decision

The Council/Committee is asked to:

- discuss the document attached; and
- agree the workplan detailing the suggested work and priorities of the Policy & Standards department during the financial year 2008 – 2009.

Background information

Not applicable

Resource implications

The resource assumptions for the attached draft workplan are detailed in the introduction, and form part of the assumptions that make up the HPC five year plan.

Financial implications

The financial assumptions of the attached draft workplan formed part of the assumptions for the Policy & Standards budget for 2008 – 2009.

Appendices

Policy & Standards department draft workplan 2008 - 2009

Date of paper

17th March 2008

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Policy & Standards Department

2008 – 2009 Work Plan

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Introduction

This document

This document has been drafted to set out work priorities for the financial year 2008 - 2009, and to provide a basis against which the work of the Policy & Standards department can be planned, resourced and measured. This document is underpinned by the Council's strategy, and details how the Policy & Standards department will continue to develop, to build on its work in embedding itself within the Health Professions Council (HPC) and in the wider policy arena, and assist the Council in preparing for the changes ahead in the regulation of healthcare professionals.

The nature of the issues that Policy & Standards deal with are such that work undertaken will comprise both planned projects, and also work which arises as a result of external factors, such as changes in legislation, changes to the professions, and other developments that are often unpredictable. Hence, in allocating resources, maintaining the ability to respond to the external environment is an important factor. To this end, the following projects are highlighted as those which could potentially be moved into next financial year, depending on external pressures, and particularly on the priorities identified by the White Paper implementation plan:

- Curriculum guidance;
- Environmental policy;
- New professions event;
- Registration Advisors' training;
- New professions research.

The Policy & Standards department

This represents the department's third full financial year of activity, and sees the department moving forward, particularly in the light of the numerous developments in the regulatory arena.

The Policy & Standards department's main responsibilities are:

- assisting the Council in developing strategy and policy;
- assisting the Council in setting and reviewing standards;
- assisting the Council in drafting guidance;
- supporting Professional Liaison Groups;
- running consultations;
- managing the new professions, or 'aspirant groups' process;
- liaising with the Council for Healthcare Regulatory Excellence on their annual performance review, and other cross-regulatory projects; and
- ensuring consistency of approach across all HPC departments.

Resourcing

The Policy & Standards department currently consists of four employees:

Rachel Tripp, Director of Policy & Standards

Michael Guthrie, Policy Manager
Sam Mars, Policy Officer
Charlotte Urwin, Policy Officer

The Director of Policy & Standards is responsible for devising and writing the Policy workplan, and overseeing its resourcing and implementation, the day-to-day running of the department, managing and developing the Policy team, and the development of new projects.

The Policy Manager takes particular responsibility for the area of professional standards and ethics, writing and managing the Standards workplan which sits underneath the Policy workplan, managing and overseeing pieces of work relating to standards, and developing relationships with stakeholders who are particularly interested in our standards function.

The Policy Officers each take on a variety of different projects to enable them to gain a breadth of experience, including education, standards, Europe, and other areas of the department's work.

It should be noted that Rachel Tripp will be on maternity leave for twelve months from July 2008. The recruitment process for her maternity cover is to begin in March 2008.

Aims

The HPC, through the work of its Policy & Standards department, aims:

Improve:

- To respond to the recommendations of the White Paper *Trust, assurance and safety: the regulation of health professionals in the 21st century*, published in February 2007, including, where appropriate, sharing information about best practice and participating in working groups, and also engaging with the issues raised in order to implement improvements to regulation.
- To review its standards, guidance and policies, including engaging with and consulting stakeholders, to gain feedback, and to make improvements to ensure that these continue to reflect the Council's purpose and principles.
- To collect information gathered and to analyse this information, and act upon it appropriately. This could include, for example, making the information available publicly, including to other potentially interested stakeholders, feeding this information into the Communications strategy, and / or making changes to processes where appropriate.
- To engage with and consult with stakeholders, and take account of their input in its work, to ensure that HPC's work is informed by the wider healthcare and regulatory landscape, and that our knowledge of multi-professional regulation can be shared.
- To continue to improve the way that healthcare professionals are regulated, by developing new guidance, new processes, or new requirements where appropriate.

Influence and promote:

- To build on its growing reputation as a respected voice within the policy arena of the regulation of healthcare professionals and other healthcare workers, and to use this reputation to pro-actively influence the external agenda, in the interests of protecting the public.

The projects below detail how the work of the Policy & Standards department will help HPC to meet these aims.

Trust, assurance and safety: the regulation of health professionals in the 21st century

Introduction

Although now published over a year ago, this year's Policy workplan still retains a separate section for the work arising out of the White Paper because this continues to be an important driver for the department's work.

The government published the above White Paper in February 2007. The White Paper was published as a result of the Chief Medical Officer's review of medical regulation, the parallel review of non-medical regulation (sometimes also called the 'Foster review') and the resulting consultation. The paper sets out the government's vision and priorities for how the regulation of health care professionals should work in the future, in order to respond to increasing expectations of the public and other stakeholders.

In order to facilitate discussion, the immediate issues raised in the White Paper are here placed in an approximate order of priority. (The topics below are those which have been initially identified as those likely to require some kind of work during this coming financial year.)

1. Revalidation

The White Paper proposes that in the future, all health professionals should be subject to some form of revalidation. The Council has set up a Professional Liaison Group, chaired by the President, to consider the broader issue of ongoing fitness to practise. This group's work is to consider further the issues raised in the White Paper, the questions and points raised in the Council's response to the Foster review, and also to link these issues to the broader environment including international systems for revalidation where these exist.

Timetable

The PLG met three times in the financial year 2007 – 2008. Three further meetings are planned for 2008 – 2009. When the PLG has completed its work, the results will be brought to the Council for discussion and agreement of a way forward at its meeting in October 2008.

2. Post-registration qualifications

The Council currently approves post-registration qualifications in local analgesia and prescription-only medicine for chiropodists and podiatrists, and also approves courses in supplementary prescribing for chiropodists and podiatrists, physiotherapists and radiographers.

The Education and Training Committee is considering how to approach other post-registration qualifications, particularly since the White Paper recommends that regulators should mark the Register to show specialisms where appropriate. (Article 19 (6) of the Health Professions Order already allows the Council to annotate additional qualifications.)

This piece of work will be closely linked with any work the Council undertakes around revalidation, and any decisions to annotate the Register any further will directly impact this work. Work on post-registration qualifications is also related to the Council's thoughts about the future shape of the work-force, with increased numbers of associate level, and advanced level practitioners, and how regulation may need to change to take account of this.

Timetable

The Education and Training Committee (ETC) held a discussion meeting in February 2008 on this topic with professional bodies, Visitors, and others. Results of this meeting are being considered and formalised at the time of writing, but early indications are that the area is, in line with the Council's initial analysis, considerably more complex than either the Foster review or the White Paper suggest.

As a result of this meeting, a further paper will be brought back to ETC in June 2008. Further to this, one option open to ETC would be to hold a consultation on possible ways forward.

3. Changes to the fitness to practise process

The White Paper separates adjudication from the General Medical Council, and in addition says that in the future, panel members for other regulators will be recruited and trained by a separate organisation.

During the financial year 2008 – 2009, the Policy & Standards department will liaise with the Fitness to Practise department to monitor the development of the Office of the Health Professions Adjudicator (OHPA), and to find out more about how it will fulfil its duties.

4. Health and character

The White Paper discusses the need for regulators to look at the good character of applicants, and suggests work to be carried out by CHRE on a common definition of good character.

In order to feed useful information into this project, and also in order to improve our processes, the Policy & Standards department will work with Fitness to Practise (FTP) on the results of their review of operating the health and character declarations process.

The results of FTP's review will be considered by ETC in March 2008. Depending on the outcome of the Committee's discussions, it is planned that the Policy & Standards department could then work with FTP on producing guidance for interested stakeholders in this area, which could include education providers, who often contact HPC with queries, for example, about students with convictions.

In addition, as a result of the Disability Rights Commission's inquiry into fitness standards in the regulation of teaching, social work and nursing, it is

anticipated that the results of FTP's review will be used as the basis for a formal response to this inquiry from the Council.

Timetable

This project was originally planned for the financial year 2007 – 2008, but has been pushed back into this financial year because of operational pressures on the Fitness to Practise department.

A paper from the Policy & Standards department on information for education providers and applicants on criminal convictions will be brought to the Education and Training Committee in September 2008.

At this meeting, a paper from the Policy & Standards department on a response to the DRC investigation will also be considered by ETC.

5. Registration of students

The White Paper says, 'The Government believes that each regulator should consider this issue on the basis of the risk presented to patients by trainees and students in particular professions.'

The Education and Training Committee has discussed a paper on the registration of students, and held a discussion meeting in November 2007 looking at the topic of student fitness to practise. The Council's submission to the Department of Health (DH), which stated that registration of students was not necessary because it would not be a proportionate reaction to the risk posed, was agreed and sent to DH in December 2007.

To read the Council's full response, see this page of the website:

<http://www.hpc-uk.org/aboutus/consultations/external/index.asp?id=58>

As a result of this work, the Education and Training Committee has further considered publishing specific information targeted at students on approved programmes, and is due to consider this topic at its meeting in March 2008.

The Policy & Standards department will also continue to work with CHRE who have been asked by the Department of Health to look at student engagement and student registration across all of the nine regulators.

Timetable

Work with CHRE on this topic will be ongoing throughout the year.

After the outcome of the discussion at ETC in March 2008, the Policy & Standards department will work to implement the Committee's recommendations. This may include either planning a piece of work for the financial year 2009 – 2010, or alternatively moving / reprioritising some work from the financial year 2008 - 2009.

6. The regulation of support workers

The White Paper discusses the regulation of healthcare support workers, and in particular the Scottish pilot project to implement employer-led regulation. The HPC Director of Operations is part of the Steering Group on this project,

and Audrey Cowie is due to attend the Education and Training Committee in March 2008 to update the committee on their ongoing work.

The White Paper also says that the government, 'will consider whether there is sufficient demand for the introduction of statutory regulation for any assistant practitioner roles at levels 3 and 4 on the Skills for Health Career Framework.'

This is in accordance with the Council's view that some form of statutory regulation is necessary for these groups, in the interests of public safety.

A position paper on this subject will be drafted and brought to the Council at its meeting in July 2008.

7. Other White Paper work

HPC will continue to be part of the various UK-wide working groups established by the Department of Health, and also to be part of those parallel groups established by the Scottish government.

This will include membership of the group where we have been invited to participate, feeding in relevant information otherwise, and responding appropriately to recommendations.

Other topics which form part of the White Paper include Equality and Diversity (dealt with separately following the publication of the Council's Equality and Diversity Scheme) and the regulation of acupuncture, herbal medicine, and traditional chinese medicine (dealt with under the 'new professions' section of this workplan).

HPC strategy: Improve

Introduction

The HPC operates within a steadily evolving environment. How we register health professionals continues to develop as a result of external factors (including changes to the Health Professions Order, or to other legislation, changes to the professions, to best practice, or to stakeholders' evolving needs and expectations) or internal factors (including internal reviews, audits and other quality improvement measures).

An important part of the Council's work in this area is therefore to keep its standards, guidance and policies under regular review, ensuring that we react proportionately and appropriately to feedback, and take account of the views of those who are using the standards. In addition to this area of review and improvement, the Council will also wish to consider entirely new pieces of work, where these may contribute to effective regulation, in line with its guiding principles.

Projects for 2008 – 2009

1. Standards

The Council's standards workplan sets out the standards that the Council determines, the legal background for each, and the Council's aim in setting standards. It then goes on to detail a timetable for standards review, and scope for further work and development of the standards function.

The full standards workplan can be found on the Council website here:

www.hpc-uk.org/assets/documents/100017D6council_meeting_20061214_enclosure06.pdf

This workplan is being updated to take account of work undertaken, and will be presented to the Council in September 2008.

The main items of work which come under the area of standards are detailed below:

1. a Standards of education and training

The standards of education and training were reviewed from September 2007 by a Professional Liaison Group. In this financial year, a consultation will be held on the revised standards and guidance.

Timetable

The Council will be asked to approve a draft of the standards and guidance for consultation at its meeting in July 2008. A consultation on draft standards and guidance will take place between September and December 2008.

The responses from the consultation, and a revised draft of the standards and guidance, will be presented to the Education and Training Committee and Council in March 2009. The standards will then be republished and will become effective from the 2009/2010 academic year.

1.b Standards of proficiency for operating department practitioners

The Council consulted on revised standards of proficiency for operating department practitioners between December 2007 and March 2008.

The outcomes of the consultation are due to be considered by the Education and Training Committee and Council in March 2008.

Timetable

If the Council approves the standards of proficiency for operating department practitioners, they will be republished in line with the revised generic standards of proficiency and revised visual identity. The new standards would become effective in June 2008.

1.c Standards of conduct, performance and ethics supplementary information

In January 2007, the Conduct and Competence committee agreed that further information might be published on the HPC website which covered the following areas:

- Conflicts of interest
- Medicines and prescribing
- Reporting concerns
- Child protection
- Consent

The information would build upon the standards of conduct, performance and ethics to provide some brief, easy to understand information, followed by links to sources of information and guidance produced by other organisations.

Timetable

Medicines and prescribing information has been produced and published on the HPC website. The department will review the medicines and prescribing page, and publish information in the remaining areas, by the end of April 2008.

1.d Amendments to the standards of proficiency for chiropodists and podiatrists

The Council consulted between December 2007 and March 2008 on amendments to the standards of proficiency for chiropodists and podiatrists. The suggested amendments were to make the standards relating to the local anaesthetics and prescription only medicines entitlements compulsory.

Timetable

The Education and Training Committee and the Council will be asked to consider the outcomes of the consultation at their meetings in June and July 2008. If the amendments to the standards are agreed at those meetings, the Education and Training Committee and the Council will also be invited to consider an appropriate timescale for the change to become effective. This would ensure that there is sufficient time to effectively communicate the change and its consequences to key stakeholders.

Subject to the approval of the Education and Training Committee and the Council, it is anticipated that the standards might then become compulsory from the 2009/2010 academic year.

1.e Generic standards of proficiency

Revised standards of proficiency for the first 12 profession regulated by the Council, including generic standards, became effective on 1 November 2007.

During the course of the work to draft standards of proficiency for the registered psychologists part of the Register, it was suggested that we might review the generic standards of proficiency in order to ensure that they were widely applicable, as far as possible, to all the professions, including those likely to become regulated by the HPC in the future.

Timetable

At its meeting in June 2008, the Education and Training Committee will consider a paper looking at how the generic standards of proficiency might be reviewed. It is anticipated that, as such a review could build upon comments on the generic standards of proficiency already received and recorded by the Executive, it would not be necessary to establish a Professional Liaison Group.

If a review is agreed by the Education and Training Committee in June 2008, the Council would be invited to ratify their recommendation in July 2008. A consultation could then be held on revised generic standards of proficiency in early 2009.

1.f Standards of conduct, performance and ethics and confidentiality guidance

The Council consulted between June and September 2007 on revised standards of conduct, performance and ethics and draft guidance on confidentiality.

The Council is due to consider the outcomes of the consultations at its meeting in March 2008.

Timetable

If the standards and guidance are approved, they will be published in summer 2008.

1.g Standards of proficiency and threshold level of qualification for entry to the registered psychologists part of the Register

The Council consulted between November 2007 and February 2008 on draft standards of proficiency and the threshold level of qualification for entry to the registered psychologists part of the Register (standard one of the standards of education and training).

In the coming financial year, the standards of proficiency for the registered psychologists part of the registered will be published. The standards of education and training will also be amended to reflect the threshold level of qualification for entry to the registered psychologists part of the Register.

Timetable

The timetable for publishing the standards is dependent upon the outcomes of the Department of Health (UK) consultation on the draft legislation following the debate in the House of Lords which is anticipated to occur before the Christmas 2008 recess.

Therefore, it is presently anticipated that the outcomes of the consultations will be brought to the Education and Training Committee and to the Council at their meetings in September and October 2008. If approved, the standards will then be revised and published in time for the anticipated opening of the registered psychologists part of the Register in early 2009.

For more information about the Policy & Standards department's planning for further new professions' standards, please see page 19 of this workplan.

2. Welsh language scheme

Following initial research by HPC and contact with the Welsh Language Board, HPC has always provided information in Welsh on request, and has published translations online after they have been completed. In addition, the Communications team has published public information literature in Welsh, and has produced a display backboard in Welsh for use at appropriate events.

Building on this work, 2008 – 2009 is an appropriate year to bring together this work into a formal Welsh Language Scheme. This piece of work also forms part of the department's action points under the Equality and Diversity Scheme.

Timetable

A paper on a Welsh Language Scheme will be brought to Council in September 2008.

3. Environmental policy

The Middle Management Group (a group of employees at HPC who are not members of the Executive Management Team, who meet to share information, and to develop ideas for improved ways of working) has done

some work on a Corporate and Social Responsibility (CSR) Statement of Intent.

In order to progress this further, the Policy & Standards department will work with the Middle Management Group to take forward the action points identified to improve HPC's environmental responsibility. This is an area of particular interest to employees, who have already identified, and continue to identify, ideas for ways forward. It is anticipated that some work on an organisational environmental policy would at once ensure that we don't lose the momentum created by the CSR work already undertaken, but also provide a sensible framework for considering ideas for improvement, perhaps identify some aims and priorities, and ensure a co-ordinated approach.

Timetable

A paper considering an environmental policy for HPC will be brought to Council in March 2009.

4. Registration Advisors' training

As part of the ongoing development of the Registration team, the Policy & Standards department will work with the Registration Manager, the Customer Services Managers and team leaders to develop an ongoing programme of regulation training for Registration Advisors. This will complement existing training provided by the Registration department, and should provide an opportunity for information sharing, increased knowledge of regulation (and of the work of the Policy & Standards team), increased knowledge in order to answer registrants' queries, and therefore increased levels of customer service.

The precise format and content of the training will be developed in conjunction with Registration, but could include a series of 'stand-alone' sessions on, for example:

- regulating new professions;
- the role of professional bodies and the role of a statutory regulator; and
- standards of conduct, performance and ethics.

Once developed, if successful, these could be run on a rolling basis to capture new starters and those who would like a 'refresher' session.

Timetable

This year, the Policy & Standards department will work with Registration to scope out and plan training sessions, with a view to trialling two sessions before April 2009, to enable some feedback.

5. Curriculum guidance

At its awayday in October 2007, one area highlighted by the group considering Education was the role of curriculum guidance (also referred to as 'curriculum frameworks'). Currently, these documents are often produced by professional bodies, and may be used by education providers in developing

programmes, and finding ways to meet our Standards of Education and Training.

The Council discussed how some professional bodies develop these documents, and others do not, and also discussed whether some form of HPC approval or further involvement might be appropriate in the future.

As a way of beginning to consider this topic, the Policy & Standards department will undertake a piece of work to look firstly at how curriculum guidance is currently used: by education providers, by Visitors, and others. This piece of work will also look at the outcomes of Approvals visits to date, and pull out any information, particularly conditions, relating to curriculum guidance.

This piece of scoping work will allow the Education and Training Committee to consider the information necessary in order to reach a decision on possible ways forward in this area.

Timetable

A paper drawing together information around curriculum guidance documents will be brought to the Education and Training Committee in December 2008.

6. Age discrimination

Age discrimination is another issue which has been raised by the Education and Training Committee as needing consideration, and has also been the subject of some queries from education providers.

The questions that have arisen are not about HPC's obligations, but instead about approved programmes, and what the implications are for education providers of the legislation in this area.

The Policy & Standards department will work with the Education team to assess the questions that have come up, to look at other regulators' work in this area, seek legal advice, and bring a paper to Education and Training Committee clarifying information for education providers.

Timetable

A paper will be brought to the Education and Training Committee in September 2008.

7. Consumer complaints

The likely regulation of the Hearing Aid Dispensers by HPC in Spring 2009 means that consumers are likely in the future to contact us in reference to complaints which are related to the consumer aspects of the service they have received (price, payment terms, quality of products, etc.) as well as those complaints which concern an individual's fitness to practise.

This is also likely to be an area of increasing importance to other professions regulated by us, as more registrants are self-employed or in private practice.

The General Dental Council established a 'Dental Complaints Service': a complaints resolution service that is a department of the GDC, but run at arms length from it.

The Policy & Standards department will research this area, including working with the Hearing Aid Council to look at their current consumer complaints and systems. This financial year will provide an opportunity to scope this area, and to do some initial analysis of potential ways forward for HPC.

Timetable

A scoping paper on consumer complaints will be considered by the Practice Committees in January 2009, with potential for recommendations from the Practice Committees being considered by the Council in March 2009.

8. CHRE performance review

Every year, the Council for Healthcare Regulatory Excellence (CHRE) reviews the performance of all nine health regulators. Assembling the HPC's submission to the performance review is co-ordinated by the Policy & Standards department. This process involves submitting a report to CHRE, attending initial meetings, and follow-up meetings, providing additional information as required, and approving the final report(s).

Timetable

The performance review for the financial year 2008 – 2009, if similar to that of last year, will involve submitting the initial report to CHRE in January 2009, with the results of the review being published in April 2009.

9. Consultation

This project reviews the current process that we use to consult with our stakeholders, including reviewing our consultation list, the use of consultation events, responses received, and whether there is best practice in this area that we could learn from.

Timetable

Preparation and research on this issue has been undertaken from December 2007– March 2008. A paper with an initial review of the consultation process will be considered by the Council in May 2008. If agreed by the Council, the Policy & Standards department will work to implement the action points identified in the review.

10. Complaints process for approved courses

The Policy & Standards team has worked with the Education department to establish a process to assist the Education and Training committee in dealing with complaints about approved courses.

Timetable

An initial process for dealing with complaints was considered by ETC at its meeting on December 2007. At this meeting ETC agreed the overall process and approach, and also agreed that the Policy & Standards and Education

departments should undertake further work to put together more detailed information for complainants and others. This information is being brought back to ETC for discussion in May 2008.

HPC strategy: Influence and promote

Introduction

In July 2008, the Council will have been operating under its new legislation for five years, in addition to its experience in operating in shadow form during 2002.

The Council wishes to continue to use this experience of regulation in order to positively influence the policy agenda in the regulation of healthcare professionals, in line with its objective of protecting the public, and its guiding principles.

This part of the document details the specific work that will be done over the coming financial year towards meeting this aim, and shows how this work will be built upon thereafter.

Projects for 2008 - 2009

1. New professions

The regulation of aspirant groups by the Council is an important area of work, particularly given the clear message given by the White Paper that there will be no additional regulators created, and that HPC is likely to be the regulator for future groups coming into regulation.

The White Paper identifies psychotherapists, counsellors and healthcare scientists as the next professions that are the highest priority for regulation. In addition, the Hearing Aid Council (HAC) is due to be abolished by the Department for Business, Enterprise & Regulatory Reform (BERR), and it is probable that the hearing aid dispensers they regulate would then become regulated by the HPC. The White Paper also mentions the Steering Group which is looking at the statutory regulation of acupuncture, herbal medicine, and traditional Chinese medicine. The Director of Policy & Standards is a member of this working group, which is expected to publish its report in Spring 2008.

The work that Policy and Standards will do in this area will be divided into two areas:

- The provision of information to groups seeking to apply to the Council, and liaising with those who have already applied to the Council but who are not mentioned by the White Paper as a priority for regulation.
- Preparing for the regulation of groups who are mentioned in the White Paper, including the process of preparing standards and being part of any cross-departmental operational projects to open a new part of the Register.

The timing of work around drafting standards is heavily dependent upon the priorities of the UK departments of Health, and the timetable for legislation, which is subject to change. Hence, the work below has been planned as flexibly as possible, in order to make pragmatic decisions about allocating resources.

Because of its unique role as a multi-professional regulator, with the ability to regulate new professions, regulating new groups is a key way in which HPC can influence the work of other organisations.

1.a New professions event

The Policy and Standards department will work towards a new professions / aspirant groups event, to be held in March 2009. It is hoped that speakers could include individuals from HPC, but also representatives from the Departments of Health, from professional bodies that have applied to the Council, and from groups that have sought regulation and become statutorily regulated (for example, the arts therapists, and the operating department practitioners).

HPC is often approached for advice by groups seeking regulation, and this event would seek to bring together the expertise both within and also outside HPC, particularly from those groups who have successfully sought regulation.

After the event, depending on its success, the Council may decide to ask the Policy & Standards department to write up information from it as guidance to aspirant professional bodies. This guidance could provisionally be called, 'Becoming statutorily regulated' and could cover preparing a profession, joint working, applying to the Council, dealing with legislation, and continuing as a professional body after regulation.

Timetable

A new professions event will be planned by the Policy & Standards department, and delivered in collaboration with the Communications department, in March 2009.

1.b Project groups participation

The White Paper also created a UK-wide working group looking at the regulation of new groups, and the Scottish government has established its own group working in parallel to this, in order to feed in concerns and issues from Scotland. Marc Seale, Chief Executive of HPC, is part of both of these groups, and the Policy & Standards department will continue to receive feedback from the groups' work, and to provide him with relevant information to ensure that HPC contributes effectively to this strand of work.

Timetable

Ongoing 2008 – 2009.

1.c Aspirant groups liaison work

Throughout this financial year, as others, the Policy & Standards department will continue to liaise appropriately with aspirant groups. This includes responding to requests for meetings, identifying groups to meet with, drafting information for publication on the HPC website or on other groups' websites. This liaison work applies to groups who have applied to the Council, and also those groups that have not and are considering doing so.

In addition, the Policy & Standards department will liaise with any group wishing to make an application to the Council this year, and will score the application against the 10 new professions criteria to aid Council's consideration.

Timetable

Ongoing 2008 - 2009

1.d Standards of proficiency for new professions.

If further professions are brought onto the Register, then the HPC will need to establish standards of proficiency, and consult on them. As detailed above, the timetable for establishing standards is heavily dependent on the timetable for legislation, which can be subject to change or to delay.

We need to establish standards of proficiency by drawing on appropriate expertise and experience, ensuring that there is strong professional, lay and four home country input where possible. Normally, standards of proficiency would be drafted by establishing a PLG, but where substantial work has been done by other groups to draft standards (for example the work that has been done by the Hearing Aid Council), it may be possible for the Council to agree another approach building on the work that has already been undertaken.

The Council has already agreed to establish a Professional Liaison Group for psychotherapists and counsellors.

Timetable

A detailed workplan for the psychotherapists and counsellors PLG will be brought to the Education and Training Committee in June 2008.

The timetable for this PLG could be reviewed depending on the likely timetable of legislation to regulate, for example, hearing aid dispensers, or other groups highlighted by the White Paper. With current levels of resourcing, the Policy & Standards department can work on one set of Standards of Proficiency at any one time. It is therefore assumed that work will continue on the psychotherapists and counsellors' PLG, unless legislation dictates otherwise, in which case a proposed revised timetable paper would be brought back to ETC and to Council.

1.e Other new professions work

An issue commonly raised by registrants is that of individuals who work in a similar area to registered health professionals, but use an alternative title. The

most prevalent example appears to be foot health professionals, since there are dedicated schools to train people to use this title and to practise foot care.

The Council has often raised questions about the benefits and drawbacks of protecting title rather than function, and has put resources into communicating with the public via campaigns to encourage people to check that their health professional is registered.

This year, the Policy & Standards department will undertake work to look at the practice of foot health professionals, and to allow the Council to make an informed recommendation as to whether foot health professionals should be regulated, and if so what form this regulation should take.

This work will involve liaison with the professional bodies for chiropody and podiatry, as well as liaison with the training organisations for foot health professionals. It could include independent research into the scope of practice of foot health professionals, and will also need to refer to parallel work being undertaken regarding the regulation of support workers.

Timetable

A paper will be brought to the Council outlining a way forward in July 2008. Depending on the Council's decision, results could be considered, and a recommendation made at the Council meeting in December 2008.

2. Government, including four UK departments of health

The Policy & Standards department will continue to work with the Chief Executive, and the Communications department (and particularly the Public Affairs Manager) to ensure a consistent, and strategic approach to stakeholder relationships.

In particular, a joint approach by Policy & Standards and Communications in making dedicated trips to a home country over several days has been very successful in building and developing new and existing relationships respectively. Further to these meetings, contacts have been followed up, areas of common interest identified, and working relationships improved.

Following trips to Scotland and Northern Ireland, this financial year the Policy & Standards department will work with the Public Affairs Manager to organise a similar trip to Wales. These contacts are complementary to the regular meetings with government representatives from all four home countries undertaken by the Chief Executive and President, which draw on Council members' contacts and expertise.

3. European Union

In 2007 the Professional Qualifications Directive passed into UK law. This provided a new legal framework for how HPC assesses EEA applicants to the Register, and also provides for temporary registration, and the possibility of the establishment of 'Common Platforms'.

The Policy & Standards department worked with Registration and with legal advice to set up systems to deal with temporary registration in particular.

In 2008 it was originally envisaged that a directive on the provision of healthcare services would be produced, but it now appears likely that a statement will be published in 2008, and the directive itself will be pushed back into 2009. There is also the possibility of a directive in 2008 on patient rights.

This means that the financial year 2008 – 2009 provides an opportunity for review and consolidation in the area of Europe, and the opportunity to influence new developments. In order to meet the challenges and opportunities presented by European developments, the Policy & Standards team will:

- continue to monitor the temporary registration process, particularly working with Registration to ensure the process meets our obligations under the Directive, and with Communications, to ensure we give consistent, reliable external information about what temporary registration is, and what it means;
- continue membership of the Alliance of UK Health Regulators in Europe (AURE), as an effective way of making shared UK regulatory issues heard in Europe, particularly pursuing any opportunities for proactively influencing the directive to come out in 2009;
- continue to implement and review the recommendations from the European conference on Healthcare Professionals Crossing Borders, October 2005. This includes working with colleagues in European competent authorities around implementing the next steps of the consensus, particularly around sharing information in Europe;
- continue ongoing updating and development of www.healthregulation.org as a worldwide resource for all regulators to enable effective sharing of information, particularly around fitness to practise;
- undertake a trip to the European Parliament in order to build on contacts, and increase internal knowledge of processes and opportunities for future work. It is likely that this trip would be undertaken by a Policy Officer, perhaps in conjunction with the Public Affairs Manager from Communications, if workload allows.

4. Consultation responses

The Policy & Standards department will continue to build on its work in responding to other organisation's consultation responses, including ensuring that HPC is on more consultation lists, and widening its scope in responding not only to consultations that are directly concerned with health professionals'

regulation, but also bringing this expertise to consultations on issues related to health, consumer issues, and regulation more broadly.

5. Reviewing stakeholder contact and influence

As outlined in the previous workplan, 2006 - 2007 was primarily a year of ground-work: making contacts - particularly within the wider policy arena, building knowledge, continuing to gain input and ideas from stakeholders and feeding these into the appropriate parts of the organisation. In 2006 the Council identified that the financial year 2008 – 2009 would be a good year to review its work in this area.

The Policy & Standards department will work with the Communications department, particularly the Public Affairs Manager, to map external contacts across the organisation, including capturing where joint work has been undertaken, or where particular views of the Council have been pursued. This will include capturing information from employees and from Council members, and will allow the two departments to identify where the Council's external work has been successful, but also to identify gaps where additional contacts could be better used, or relationships developed.

Timetable

Mapping work ongoing throughout 2008 – 2009. A paper summarising this work will be brought to the Communications Committee in February 2009.

Completed projects

In the interests of completeness, a list of those projects from the previous two financial years which have now been completed is below.

1. The Council's requirement for external examiners

In 2006, the Council consulted on a change to its requirement for external examiners. Following the analysis of responses, the Council agreed that the new standard 6.7.5 should require assessment regulations to 'clearly specify requirements for the appointment of at least one external examiner from the relevant part of the Register, unless other arrangements are agreed.'

This means our requirements are now more flexible and take account of feedback received from providers that our old standard was not allowing them to appoint external examiners with appropriate expertise.

2. Drawing on good practice from education providers

The Policy & Standards department has worked with the Education department in order to consider how best to draw out elements of good practice from pre-registration education. A paper analysing the commendations awarded by Visitors as part of their Visitors' report will be considered by the Education and Training Committee in March 2008.

This paper discusses the purpose of commendations, recommends more information for Visitors in order to aid consistency, and recommends that considering commendations should in future be part of the Education annual report. If the paper is agreed by ETC, then this project will be finished.

3. Registrant numbers and forecasting

Forecasting how future registrant numbers may change has historically been undertaken by the finance department, as part of the budget planning process. In order to recognise the increasing complexity of assumptions effecting future registrant numbers, the Policy & Standards worked with colleagues in Registration, Finance, Fitness to Practise and other departments to produce a piece of work which pulls together information about all the areas that affect the number of registrants.

This was presented to the Finance and Resources Committee in November 2007, and the numbers in it are now used to inform HPC's planning process. This document will be reviewed and updated this financial year.

4. Partners' Code of Conduct

The Policy & Standards department has worked with the Human Resources department to establish a code of conduct for partners.

This was agreed by the Finance and Resources Committee in September 2007 and has now been rolled out to all Partners.

5. Grandparenting review

The review of the grandparenting process was researched and written by the Policy & Standards department, agreed by the Council in May 2007, and has been published online and in hard copy.

6. Health, disability and registration

The Council has published two documents which deal with the subject of health, disability and registration:

- a disabled person's guide to becoming a health professional; and
- information about the health reference.

These documents have been published online and in hard copy (and are available, as are all HPC publications, in alternative formats on request).

In addition, the Policy & Standards department worked with the Events Manager to hold a stakeholder event in November 2007 to discuss health, disability and registration, to raise awareness of the Council's guidance, and to discuss potential future areas of work.

7. Review of the Standards of Proficiency

The Council has completed its review of the Standards of Proficiency for the original 12 professions. The results of this review were agreed for consultation at the Council meeting of 6th July 2006.

Suggested changes to the generic and profession-specific standards went out for consultation from October 2006 until early February 2007. An analysis of the results of the consultation, and final recommendations for necessary amendments or changes, were agreed by the Council in May 2007.

The revised standards have now been published in hard copy and online, and the launch of the revised standards was publicised by the Communications department. The revised standards became effective from September 2007.

HPC-wide Projects

The Policy & Standards department will also contribute, where appropriate, a policy perspective to the various cross-departmental projects that are co-ordinated by the Projects team. The main projects which Policy will be involved in, and which do not appear elsewhere in this workplan, are detailed below.

1. Safeguarding vulnerable groups

Legislation is being introduced to implement the recommendations of the Bichard report around the protection of children and of vulnerable adults. This is being implemented via the Safeguarding Vulnerable Groups legislation in England, Wales and Northern Ireland, and the Protection of Vulnerable Groups legislation in Scotland.

This legislation will create two barring systems, which are intended to prevent individuals from working with children and / or vulnerable adults if they are considered not safe to do so. It is important that HPC works with these new barring arrangements to fully understand the impact that these will have on our processes, particularly for registration, and the interaction with our fitness to practise process.

Policy & Standards has worked with the Fitness to Practise to respond to initial consultations on the setting up of barring arrangements. Policy will continue to be part of the cross-departmental project group for implementation, providing research and recommendations on ways forward.

Timetable

Ongoing 2008 – 2009.

2. Fees 2009

The Council has agreed to review its fees every two years, in order to make future fee rises incremental and financially manageable for registrants. The Policy & Standards department has therefore been working with the project group to implement the Fees 2009 project. For the Policy & Standards department, the main involvement is around the consultation process: liaising with other departments in order to put together the consultation document, receive, sort and analyse responses, and drafting the Key Decisions document to aid Council's final decision on fees.

Timetable

The fees consultation is due to take place from April – July 2008. Responses will be analysed during August, and a document considered by the Education and Training Committee, and by Council, in September 2008.

3. Continuing Professional Development (CPD)

The CPD audits are due to begin in July 2008 for chiropodists and podiatrists, and for operating department practitioners.

The Policy & Standards department will continue to work with the project team to ensure the smooth implementation of the audit process, including training CPD Assessors, and doing work to undertake analysis of the first set of audit results. The Policy team will also work with colleagues to assist with preparing for the production of the first CPD annual report.

In addition, the Policy & Standards department will continue to work with the professional bodies regarding their sample profiles for each of the professions. In 2007/2008, profiles were published on the HPC website for chiropodists and podiatrists, biomedical scientists and prosthetists and orthotists. This year, the department will focus on those professions where a profile has not yet been published. The department is currently working with the professional bodies to produce sample profiles in the following professions:

- Art therapists
- Chiropodists and Podiatrists
- Dietitians
- Music therapists
- Radiographers

Timetable

The Policy and Standards department will aim to ensure that at least one profile is published for each part or sub-section of the Register, by December 2008.

2009 – 2011

The Policy & Standards department will continue to work flexibly, adapting plans for delivering work in response to changes in the external environment. It is anticipated that future important areas of work will include the following:

Revalidation

Overall, it is expected that the work of Policy & Standards from 2009 – 2010 will continue to be heavily influenced by the implementation of recommendations from the White Paper. In particular, the outcomes of the Council's work on continuing fitness to practise will be important in influencing the debate around revalidation.

CPD

After the first stage of carrying out audits for chiropodists and podiatrists, and operating department practitioners, further work will be needed in this area. This will include operational improvements to how the audits are carried out, as well as analysing the results of further audits, sharing this information externally, and considering how the results of audits could feed into the issue of revalidation, and other regulatory issues.

New professions

As outlined in the new professions section, given the timetable for the regulation of new groups anticipated, it is highly likely that working on new professions will continue to form a significant part of the work of Policy & Standards.

European directives on healthcare services

As outlined in the Europe section of this workplan, directives are anticipated in the provision of healthcare services, and patient rights. Depending on the content of these directives, there may be some implications for the registration of EEA health professionals, or on arrangements for cross-border healthcare.

In 2009 – 2011, Policy & Standards will continue to work with the Alliance of UK Health Regulators on Europe to monitor these directives, to influence their content where appropriate, to respond to consultations, and to implement their requirements.

Preparation for the review of regulation

In addition, the White Paper 2007 said that in 2011 a further review of regulation would be undertaken, to look again at some of the questions that were originally considered by the Foster review. Although at this stage little is known about what form this review could take, it is therefore sensible to assume that in 2010 – 2011 some resources will be dedicated to providing information to, or participating in, this review.

The changing workforce

Another important factor that will have a bearing on the Council's future work is the changing nature of the workforce. As changes are made to workforce

numbers, roles, and how healthcare is delivered, the Council will need to consider how regulation can adapt to ensure that the public is protected, and that regulation continues to be sufficiently flexible so as not to impede local developments in service delivery. In particular, planned increases to the number of associate level practitioners, to the number of advanced level practitioners, and the increase in team-based healthcare delivery could affect how healthcare professionals are regulated in the future.

Equality and Diversity

The Council has now agreed its Equality and Diversity Scheme, which details, amongst other areas:

- action points for each department;
- the employee diversity group; and
- collecting demographic data.

The Policy & Standards department continues to provide the project lead for this important part of the Council's work. This now involves overseeing the completion of action points, in conjunction with the Head of Business Process Improvement.

During this financial year, the Policy & Standards department will work with the Project Manager to implement the data collection part of this project, in line with the Council's agreement to proceed incrementally, analysing the data collected at each stage, and carefully assessing the need to collect further information.

During this financial year, the Policy & Standards projects which also go towards meeting our Equality and Diversity action points include:

- Reviewing the consultation process;
- Age discrimination; and
- Welsh Language Scheme.

In addition, the following are highlighted as projects for 2009 – 2010:

- Health, disability and registration additional work; and
- Review of the return to practice requirements.

Risk management

Managing risks is also a vital part of the Policy & Standards work over the coming year. The main risks that are owned by the department are:

12.1 Incorrect process followed to establish standards/guidance/policy (ie: no relevant Council decision)

12.2 Inappropriate standards/guidance published eg: standards are set at inappropriate level, are too confusing or are conflicting

12.3 Changing/evolving legal advice rendering previous work inappropriate

12.4 Inadequate preparation for a change in legislation (Health Professions Order, or other legislation affecting HPC)

In summary, however, it should be noted that although it's separately dealt with here, risk management is in fact embedded into much of the workplan for this coming year. For example:

Resourcing

Increasing the number of employees, particularly those with good previous experience, increases the capacity of the department, and also helps to manage all the relevant risks in Policy & Standards, but particularly risks 12.3 and 12.4.

Networking and engagement

Making good contacts with external organisations feeds into the Council's overall aim to influence and promote, and also helps to manage risk 12.4.

Quality management

Working with the Head of Business Process Improvement, particularly around internal audits, not only links with the Council's aim to improve, by keeping ISO registration, but also helps to manage risk 12.1.