Council, 1 July 2021

Unconfirmed minutes of the Education and Training Committee of 10 June 2021

Committee Chair's summary to Council

Introduction

The meeting was attended by all ETC members and observed by colleagues form Council.

Registration and Education Performance reporting

We had two papers related to the performance of the teams. These reports are in development and were both set out quite differently. They mainly focused on process and it was acknowledged that we need to think about how to include and report regularly for assurance on quality. There was general discussion about the utility of the reporting for the teams and the need to see trends as part of providing assurance. The Committee agreed that there is still development work to do and suggested cross team working to support the development of the reports. The Committee have offered to support where required.

Papers for recommendation to Council

The Policy team bought two papers to the meeting for recommendation to Council. The first of these was the response to the consultation on changing SET 1 for Operating Department Practitioners (ODPs). The Committee felt that the responses had been handled sensitively and they recognised the engagement that had been undertaken to accommodate the differences in provision across the 4 nations.

The Committee noted the comments in the report gave an insight into how the HCPC was perceived and understood by ODPs and their employers. These comments are useful for the professional insights team to work with, and it was good to know that they had been shared.

The second paper addressed the responses that were received to the consultation on Guidance on Health and Character. Minor changes have been made in response to the feedback. Generally the guidance was well received acknowledging that people often want more definitive guidance. The Committee recommended both papers to the Council for approval.

New Education Quality Assurance Model

The final two papers considered the revised education model and the governance of decision making in the approval process. The first paper included learning from the

second pilot and sought approval to move to the third pilot which was granted. The team shared that they were getting good feedback from stakeholders and the committee noted that this was reflected in the report and the actions. It was recognised that there is still work to do to embed data in the model and support the executive and partners with using this.

Risks were discussed in relation to understanding of the new model and the impact this will have on data. It was agreed that mitigation in relation to this needed to include work and communications with partners, the sector and PSA. Assurance was sought and gained form the Executive Director of Regulation that these changes are appropriate and will deliver a quality assured model combing the best of other regulators.

The Committee had attended a workshop with the Education team to discuss what should be the governance around decision making in the new model. The proposals form this workshop had been further developed by the team, discussed with the legal team and were presented back as a paper for discussion and approval. The Committee felt that the paper reflected the discussion in the workshop and were happy to approve.

There was good engagement form all Committee members and the contributions and work of the Executive were acknowledged.

Maureen Drake, Chair of the Education and Training Committee

Education and Training Committee

Minutes of the 99th meeting of the Education and Training Committee held as follows:

Date: Thursday 10 June 2021

Time: 10am

Venue: MS Teams

Members: Maureen Drake (Chair)
Helen Gough
Luke Jenkinson
Penny Joyce
Kathryn Thirlaway

In attendance:

Claire Amor, Head of Governance
Zoe Allan, Governance Coordinator
Olivia Bird, Policy Manager
Matthew Clayton, Senior Policy Officer
Stephen Cohen, Council member and Chair of the People and Resources Committee
Brendon Edmonds, Head of Education
Jamie Hunt, Education Manager
Sonya Lam, Council member and Chair of the Remuneration Committee
Naomi Nicholson, Executive Director of Professional Practice and Insight
Andy Smith, Executive Director of Regulation

Public Agenda

Item 1 – Chair's welcome and introduction

1.1   The Chair welcomed members and the Executive to the meeting. She extended a special welcome to Naomi Nicholson, Executive Director of Professional Practice and Insight, to her first meeting of the Committee. She also welcomed Nicola Hunt, Council Apprentice, Stephen Cohen the Chair of the People and Resources Committee and Sonya Lam Chair of the Remuneration Committee to the meeting as observers.

Item 2 - Apologies for absence

2.1   No apologies were received

Item 3 - Approval of agenda

3.1   The Committee approved the agenda

Item 4 - Declaration of members' interests

4.1   No public interests were declared.

Item 5 - Public minutes of the Education and Training Committee meetings of 11 March and 26 May 2021 (ETC 14/21)

5.1   The Committee approved the public minutes of its meetings of 11 March and 26 May 2021**.**

Item 6 - Matters arising (ETC 15/21)

6.1   The Committee noted the matters arising.

Items for discussion/approval

Item 7 - Registration Performance (ETC 16/21)

7.1   The Committee received a paper from the Head of Registration. The Committee had previously requested that the Executive report quarterly on both Registration and Education Performance as standing agenda items.

7.2   The Committee noted the following points:-

- the report included the data sets discussed at the recent Council workshop on performance reporting;

- all measures would be captured from June 2021 onwards. Some measures had historical data available;

- performance medians had been included as well as age ranges to identify outliers for processing times;

- data on internal quality checks was included; and

- a revision to the report had been circulated to members which provided clearer commentary and a monthly percentage volume for phone calls.

7.3   The Head of Registration summarised the report by noting it had been a challenging first few months of the year for the Department's performance due to all employees working from home, and difficulties with remote telephony services. There had been a 65% increase in international applications which had driven up contacts through email and phone which had been challenging to manage within service standards.

7.4   The Council asked if the target of 95% of emails responded to within 2 working days was considered achievable. The Head of Registration confirmed that it had been achieved historically. The significant difference the HCPC was experiencing, apart from full home working, was a significant increase in international applications due to international recruitment drives. Delays in processing these applications resulted in high volumes of contacts which placed more demand on resource. A return to a significant office presence for the team had started at the end of May to improve response rates.

7.5   The Committee felt that while a lot of data was presented in the report, it was difficult to take an overall performance assessment from it. The Committee asked if the performance data could be presented as statistical process control charts to enable clear identification whether a variance in performance was beyond an acceptable limit. The Executive Director of Regulation advised that the HCPC did not have the resource to be able to produce statistical control charts at that time. Building up data reporting capability was within the Corporate Plan 2021-22. Committee member Luke Jenkinson agreed to engage with the Executive on the use of statistical process control methodology.

7.6   The Committee agreed that the range of data presented was impressive and it was clear that operationally the registration function had a very granular understanding of how processes were flowing. However, the Committee agreed that information on the quality of registration work was missing from the report. For example, information on the grounds on which a registration appeal was made. The Executive agreed to review this and agreed that information regarding the substance of upheld registration appeals could be provided, as this was regularly reported to the PSA.

7.7   The Chair of the People and Resources Committee asked the Head of Registration and the Executive Director of Regulation if they found the data in the report useful in providing assurance. The Head of Registration responded that it was useful, and that age range was a new measure for the department

to track. The Executive Director of Regulation noted that the report would be presented to the SMT every month. He added that his main area of concern on registration performance was response rates to phone calls and emails as well as international application timescales. He noted that the report did not provide information on quality, and that he sought assurance on that aspect though complaints and positive feedback reporting as well as registration appeals outcomes.

7.8   The Committee thanked the Head of Registration for the report and welcomed its further development for September 2021. The Committee agreed to provide further feedback on the report to the Head of Registration outside of the meeting.

Item 8 - Education Performance (ETC 17/21)

8.1   The Committee received a paper from the Head of Education.

8.2   The Committee noted the following points:-

- as the Education QA model was in transition, the KPI reporting to the Committee would change once the new QA model was implemented;

- the data sets presented were thought to be the most useful to the Committee. In particular the Executive considered that the timeliness to produce visitor reports and timeliness of the major change process were key assurances;

- the data sets presented could be taken further back historically as this data was held. The only metric that was not held was the age range;

- the monitoring process was paused, there would be a third section of the report if this was running; and

- quality measures were included, the example of non-approval cases and major change process failures were given.

8.3   The Committee discussed performance reporting of non-approval cases. The Head of Education noted that the Executive would prefer not to have non approval recommendations as the final outcome of the process, as it was more constructive to work with the provider earlier in the process to identify the risk and address this, or to not proceed with a process that had no real prospect of approval being given. The Committee agreed with this aim but noted that it did not wish to see the Executive setting a target of zero non-approval cases as it could be perceived externally as the HCPC not being willing to withhold approval.

8.4   The Committee noted that Education data reporting was a manual process but that the Executive aimed to make this more automated through the use of Power BI.

8.5   The Committee asked that more context accompany the target on conditions being set to provide clarity on why the new model should result in fewer conditions being set, without leading to the external perception that this was due to a lowering of standards, rather than more targeted engagement and a new institution approval level.

8.6   The Committee welcomed the presentation of the report and asked that the registration report be formatted in a similar style. The Executive agreed to action this for the September reports.

Item 9 - Consultation on the revised threshold level of qualification for entry to the Register (SET 1) for Operating Department Practitioners (ETC 18/21)

9.1   The Committee received the paper from the Senior Policy Officer.

9.2   The Committee noted the following points.

- the HCPC consulted between 25 January 2021 to 26 April 2021 on proposed changes to the threshold level of qualification for entry to the Register (SET 1) for Operating Department Practitioners (ODPs);

- the proposed change was supported by the majority of respondents. 20% did not wish to see the change;

- as a result, the Executive intended to ask the Council to agree to change SET1 for ODPs. The Committee's recommendation to Council on this approval was sought;

- should the Council approve the change the HCPC would cease accreditation of new ODP programmes below degree-level after 2 July 2021. Approved programmes delivering below degree-level would not be able to take on new cohorts from 1 September 2024;

- the Executive believed this phasing struck the right balance between safeguarding service user safety and providing education providers, employers, and other stakeholders adequate time to plan for the transition; and

- there were significant differences between Scotland and the rest of the UK in the provision of ODP education. The Executive had undertaken extensive engagement with Scottish Stakeholders through the development and consultation process to manage any anticipated negative impacts of increasing ODP SET 1.

9.3   The Committee questioned the extended timeline for the closure of existing provision below degree level. The Executive explained that the timeline for the change had been developed following engagement with Scottish Stakeholders to enable enough time for the change to be implemented. It also followed the same approach taken when SET1 for paramedics was raised.

9.4 The Committee asked if Scottish Stakeholders were supportive of the change. The Senior Policy Officer advised that following extensive engagement and consultation stakeholders in Scotland had confirmed they were content with the proposals and next steps. The Executive Director of Professional Practice and Insight added that the HCPC had received positive feedback from Scottish Stakeholders about the quality of engagement on the issue.

9.5 The Committee noted that some of the responses to the consultation highlighted a lack of clarity among registrants on the role of a regulator as opposed to a professional body. The Committee noted that this learning had been shared with the professionalism and prevention team to inform their engagement programme.

9.6 The Committee agreed to recommend the paper and the proposed change to SET1 of ODPs to Council for approval. The Committee thanked the Senior Policy Officer for his excellent engagement work on the issue.

Item 10 - Consultation on the revised Guidance on Health and Character (ETC 19/21)

10.1 The Committee received a paper from the Senior Policy Officer.

10.2 The Committee noted the following points:-

- the HCPC consulted between 18 January 2021 and 12 April 2021 on proposed changes to the Guidance on Health and Character;

- the changes aimed to align the guidance with recent developments in other guidance and research. The changes also merged the guidance with the Health and character declarations policy to create a single pubic document;

- the consultation resulted in strong support for the changes with the majority of respondents agreeing that the guidance gave clear explanations of when applicants or registrants need to declare issues with their health or character; and

- respondents who disagreed that the guidance was clear wanted the HCPC to provide more specificity than it was possible to give in guidance.

10.3 The Committee welcomed the positive response to the consultation. The Committee agreed that further specificity was not possible to achieve within the guidance.

10.4 The Senior Policy Officer confirmed that there was a communications strategy in place to support the launch in particular with professional bodies and employer bodies.

10.5 The Committee agreed to recommend the revised Guidance on Health and Character and the consultation response document to Council for approval.

Item 11 - Education QA model update and evaluation of second pilot cycle (ETC 20/21)

11.1 The Committee received a paper from the Education Manager. The paper presented the Executive's evaluation of the second cycle of the new education QA model pilot.

11.2 The Committee noted the following points:-

- all measures were on track to be met and had agreed measurements for tracking success. No statuses had degraded since the last report;

- while there were a small number of measures where the Executive would wish to be further progressed, the Executive had a good understanding of the actions required to meet the measures designated as requiring follow up;

- the second cycle had enabled clear benefits realisation for a broader range and larger number of providers involved in the pilot;

- the pilot continued to provide rich developmental feedback, which helped to define future areas of focus;

- planning was underway to address stakeholder feedback and prepare stakeholders for full model implementation from September, should the Committee agree to this. Focus until September would be on scaling up activities and ensuring all information and guidance was ready for full implementation.

11.3 The Committee agreed that the report provided assurance that stakeholder feedback was informing ongoing development and improvement.

11.4 The Committee discussed the risk of the new model not being well understood by the HCPC's visitors, noting that a recent non-approval case had highlighted the risk and the need to mitigate. The Education Manager agreed noting that, as part of the full implementation, programme support for visitors, and the Education Executive would be increased to ensure good understanding and consistent application. He added that the Education team were working with the Partners team to ensure the right person specification was in place for a newly defined visitor role. Additionally, the new model was more framework based which would provide a clear decision-making structure for visitors to follow.

11.5 The Committee discussed the burden on stakeholders as highlighted in the report. The Committee asked if there was a risk of the burden being too great when full implementation went live. The Education Manager noted that the Executive were working closely with providers to make clear the steps they would need to take on go live, such as data cleansing and defining how they group their programmes. The Executive recognised that there would be initial additional burden in the first six months of the new model but that there would also be immediate benefit, for example no major change notification

requirement, and the initial investment of time would result in streamlined future engagement with the HCPC.

11.6   The Committee asked if the burden of full implementation on the Education Executive would be manageable. The Education Manager noted that to manage this, a phased scale up to full implementation was planned which would be outlined in the paper to be presented to the Committee in September. Training for the full Education Executive was underway in preparation.

11.7   The Chair of the People and Resource Committee asked the Executive Director of Regulation his view of the new model, having joined the HCPC after it was developed. The Executive Director of Regulation responded that he did not see the new model as presenting more risk but that it would move the HCPC forward following many years of no change. He took assurance that the Education Executive had reviewed the models of other regulators and tailored a new model to fit the HCPC's context, and that benefits realisation plans were now in place. He added that his main concern about the full implementation was the external perception that could result from the number of conditions greatly reducing, as the new model could wrongly be perceived as being 'light touch' whereas the aim to set less conditions was based on significantly improved engagement at the earlier stages and institution level approvals.

11.8   The Committee thanked the Education Manager for the comprehensive report and agreed that the pilot should progress to cycle 3.

Item 12 - Education operational decision-making governance (ETC 21/21)

12.1   The Committee received the paper from the Education Manager. The paper set out a proposal for the Committee's role in decision making as part of the new Education QA model.

12.2   The Committee noted the following points:-

- the proposed model was informed by the Committee's workshop in May 2021;

- the proposal intended to ensure that decision making would take place at the right level, would be consistent with legislative requirements and would add value to providing effective education quality assurance; and

- the Executive had received public law advice that the proposal was congruent with the Health Professions Order.

12.3   The Committee discussed the tier based decision making proposal and the decision trees as set out in paragraphs 3.3.3 to 3.3.7 of the paper. The Committee agreed that the proposals were in line with workshop discussions and that it would be a suitable basis on which to proceed.

12.4 The Committee asked if the flow diagrams should begin with the start of the approval process. The Education manager noted that the diagrams were for illustrative purposes for the Committee only and that more developed flow diagrams of the new Education QA model were being developed for internal use.

12.5 The Committee discussed trends and KPI reporting for the new model. The Committee agreed that the proposals set out in section 4 of the paper appeared suitable. The Committee asked how learning from events such as a recent non approval case would be captured and fed back in to improving the approval process, through Visitor training or development of the standards for example. The Head of Education noted that the Education performance report would include trends and KPI reporting, and it would also include reporting on process improvements. The matters arising from meetings mechanism would also capture the Committee's requests for action and the Executive's completion of those actions.

12.6 The Committee agreed that the proposal its future involvement in approval decision making should be progressed to implementation. The Committee noted that revised governance documents would be presented at the September 2021 meeting for onward recommendation to Council.

The Committee noted the following items:

Item 13. Education and Training Committee forward workplan (ETC 22/21)

Item 14 - Any other business

14.1 There was no further business.

Item 15 - Date and time of next meeting

15.1 Thursday 9 September - Virtual

Item 16 - Resolution

The Committee is invited to adopt the following:

'The Committee hereby resolves that the remainder of the meeting shall be held in private, because the matters being discussed relate to the following;

(a) information relating to a registrant, former registrant or application for registration;
(b) information relating to an employee or office holder, former employee or applicant for any post or office;
(c) the terms of, or expenditure under, a tender or contract for the purchase or supply of goods or services or the acquisition or disposal of property;
(d) negotiations or consultation concerning labour relations between the Council and its employees;
(e) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
(f) action being taken to prevent or detect crime to prosecute offenders;

(g) the source of information given to the Council in confidence; or

(h) any other matter which, in the opinion of the Chair, is confidential or the public disclosure of which would prejudice the effective discharge of the Council's functions.'

Item	Reason for Exclusion
17	H

Item 17 - Private minutes of the Education and Training Committee meeting of 26 May 2021 (ETC 23/21)

17.1 The Committee approved the private minutes of its meeting of 26 May 2021

Signed …………………………..

Date …………………………..