

Fitness to Practise Committee, 16 February 2011

Audit of final fitness to practise decisions

Executive summary and recommendations

Introduction

At its meeting in December 2009, the Council agreed with the recommendation resulting from the review by the Executive of the CHRE's review into the conduct function of the General Social Care Council, namely that the Executive should consider mechanisms by which the HPC could be satisfied with the quality of decisions reached by practice committee panels.

Following the Council's decision, at its February 2010 meeting the Fitness to Practise Committee considered and approved a proposed mechanism to review fitness to practise decisions. The audit format is based on the practice note 'Drafting Fitness to Practice Decisions', which provides guidance to panels on the content that should be included in written decisions. A first audit of final fitness to practise decisions was carried out between April and August 2010, the results of which were considered by the Committee at its October 2010 meeting

A second audit of final fitness to practise panel decisions has been carried out by the Policy and Standards Department. This time the audit analyses decisions made between 1 September and 31 December 2010. This paper documents the results of that audit.

Decision

The Committee is invited:

- to discuss the results of the audit; and
- to agree the actions proposed by the Fitness to Practise Department on pages 15-16.

Background information

Fitness to Practise Committee paper, Audit of final fitness to practise decisions April-August 2010, www.hpc-uk.org/assets/documents/1000315B20101021FTP10-auditoffinaldecisions.pdf

Fitness to Practise Committee paper, Mechanism to review decisions, 25 February 2010, www.hpc-uk.org/assets/documents/10002C8B20100225FTP-12-mechanismstoreviewdecisions.pdf

Council paper, CHRE Review of the conduct function of the General Social Care Council: Learning points for HPC, 10 December 2009, www.hpc-uk.org/assets/documents/10002BD7GSCC-enc7.pdf

Resource implications

None at this time

Financial implications

None at this time

Appendices

Audit form for final/review hearing decisions

Date of paper

4 February 2011

1. Introduction

1.1 About the audit

At its meeting in December 2009, the Council agreed with the recommendation resulting from the review by the Executive of the CHRE's review into the conduct function of the General Social Care Council, namely that the Executive should consider mechanisms by which the HPC could be satisfied with the quality of decisions reached by practice committee panels. Following that decision, the Fitness to Practise Committee considered and approved a mechanism to carry out the review of fitness to practise decisions. The format for the audit is based on the practice note 'Drafting Fitness to Practise Decisions', which provides guidance to panels on the content that should be included in written decisions. The first audit of final fitness to practise panel decisions using this format was carried out by the Policy and Standards Department between April and August 2010.

The audit documented in this paper was carried out between 1 September and 31 December 2010, and applies the same process as the previous audit. The audit assesses Fitness to Practise panel adherence to the applicable law and to HPC policy in particular areas. The focus of the audit is on monitoring whether panels have followed correct process and procedure including whether sufficient reasons have been given for their decisions. The audit does not go as far as to 'second guess' the judgements reached by the panel – i.e. by concluding that the sanction applied was disproportionate or insufficient. The audit also does not question whether particular decisions are right or wrong, as this would jeopardise the independence of panels which operate at arm's length from the Council and the Executive. The audit also flags any areas where further policy development or consideration is required.

The learning points from the audit will be fed back into operational policy development and into training and appraisal processes.

1.2 About this document

This document summarises the audit results. The document starts by explaining the audit process, how the data from each decision has been handled and analysed, and provides the statistics for each question of the audit. Section 3 provides a summary of emerging themes identified in the responses. Section 4 discusses the emerging policy issues identified during the audit, and also notes some notable areas of change or improvement since the previous audit was carried out. Section 5 contains the Fitness to Practise Department's response to the learning points from the audit and makes some recommendations for future action.

2. Analysing the decisions

2.1 Method of recording and analysis

The audit period covered decisions made between 1 September and 31 December 2010. The analysis includes only final hearing cases and Article 30

review cases—reviews of conditions of practice orders and suspensions. Interim order cases and cases which were adjourned and did not reach a final decision during the audit period were not included, as the audit has been designed to only audit final hearings rather than cases where decisions are still pending.

The Policy and Standards Department has been responsible for carrying out the audit. The audit process and analysis were carried out by the department’s policy officer. The auditor’s understanding of the HPC fitness to practise procedures is based on the relevant practice notes and policy summaries.

As each decision was emailed to the Policy and Standards Department from the Fitness to Practise panels, the relevant details were captured by the auditor in Access using the approved audit questions. At the end of the audit period, the statistics for each question were collated and analysed to identify emerging trends and potential areas for further policy development. For the Committee’s information, the full set of audit questions are appended to this paper.

2.2 Quantitative analysis and results

A total of **133** decisions were analysed as part of the audit, of which **93** were final hearing cases, and **40** were Article 30 reviews. The majority of cases (**125**) were considered by conduct and competence panels, with a smaller number considered by health panels (**8**).

This section provides indicative statistics for the answers to the audit questions. Where necessary, contextual explanation has been provided following the results of some questions to clarify the way the audit question was interpreted by the auditor and the reason for particular results. The aggregated statistics below do not include individual case details.

2.2.1 Procedural issues

If the Registrant was not there and unrepresented, did the panel consider the issue of proceeding in absence?

Yes	No	Not applicable (registrant present)
57 (43%)	1 (1%)	75 (56%)

During the audit period, there were 57 hearings where the registrant did not attend or was not represented. Of those 57 hearings, there was only one case where the panel did not consider the issue of proceeding in absence of the registrant. However, this case was a voluntary consent order decision where the registrant had already accepted the facts of the allegations, was aware and in agreement with the proceedings taking place and made an application to be removed from the order. In these situations, the panel does not need to consider the issue of proceeding in absence, although most consent order decisions during the audit period did consider this issue.

Did any other procedural issues arise?

Yes	No
45 (33%)	88 (66%)

Other procedural issues noted by the auditor included amendments to, or withdrawals of allegations; applications for hearings to be heard in private; transfer of cases from a conduct and competence panel to a health panel for consideration; joinder of separate allegations; and transfer of fitness to practise cases from the Hearing Aid Council or the British Psychological Society. For further discussion of emerging issues from this question, please refer to section 3.

Was Legal Assessor advice disregarded?

Yes	No
0 (0%)	133 (100%)

During all the cases considered during the audit period panels had due regard to the advice of the relevant legal assessor.

Was the three-stage test applied?

Yes	No - not applicable (review hearings/consent orders)
81 (61%)	52 (39%)

For this question, the auditor interpreted the question to mean cases where the three-stage test was explicitly applied. In interpreting the results of the audit in relation to whether the three-stage test was applied consistently, the Committee should be aware that there are a number of decisions where the three-stage test does not need to be applied. These cases include review hearings, where the findings of facts, misconduct or lack of competence, and then impairment have already been established. In consent order cases, the facts are already accepted as proven, and the three-stage test is not necessary.

The table below breaks down the number of cases where the three-stage test was not applied by the type of decision hearing. The results show that there were no cases considered during the audit period that did not apply the three-stage test when it should have been applied.

Type of decision hearing	Number of cases (from 52)
Review hearings	40
Consent orders	10
Other	2

The 'other' category refers to a case where alternative orders were made outside the range of the usual sanctions, and the three-stage test was not required. These cases were:

- Two cases of discontinuance orders. Discontinuance orders are made on occasions when after the Investigating Committee has determined that there is a 'case to answer' in respect of an allegation, objective appraisal of the evidence gathered after the decision is made shows that there is little prospect of proving the allegation.

Evidence by way of mitigation considered?

Yes	No
83 (62%)	50 (38%)

Evidence by way of mitigation was not considered in 50 (38%) of cases. Mitigation may have been submitted in some of the other cases, but was not necessarily mentioned by panels in their decisions. Cases where mitigating evidence was not considered included the 10 consent order cases where the allegations had been accepted by the registrant. In the other cases the registrant in question had not engaged with the fitness to practise process and/or had not provided any mitigating evidence for the panel to consider.

2.2.2 Drafting

Is the decision written in clear and unambiguous terms (does it avoid jargon, technical, or esoteric language)?

Yes	No
131 (99%)	2 (1%)

The auditor interpreted this question to mean that the language used in the decision was appropriate to the context. In some decisions, there were only a few instances of unclear wording or terms, so the auditor decided not to include those in this category. This issue is discussed in more detail in section 3 of this paper.

Is it written in short sentences?

Yes	No
133 (100%)	0 (0%)

As for the previous audit question, the auditor interpreted the phrase to mean that the sentence length was appropriate for the subject. In all decisions during the audit period, the sentence length used was generally appropriate for the subject being discussed – in some decisions, while the sentences were not necessarily short, the concepts and reasoning required a more complex sentence structure which was generally appropriate in that context.

Is it written for the target audience?

Yes	No
131 (99%)	2 (1%)

The auditor interpreted the phrase ‘target audience’ to mean members of the public and profession. Generally, the decisions from the audit period were also pitched appropriately to the target audience. Part of the interpretation of this question is linked to the previous two questions in consideration of the general tone of the decision, the words used, the length of sentences, and whether it would be able to be understood by a person who did not have specialist knowledge.

Was the factual background of the case included in the decision?

Yes	No
117 (88%)	16 (12%)

A small number of decisions (16) did not include the factual background of the case, all of which were either review hearings or voluntary consent order hearings where facts had been previously established. It should be noted that compared with the results of the previous audit, significantly more review and consent order decisions now include a summary of the facts of the allegations.

If a review hearing, does the decision make reference to previous facts?

Yes	No	Not a review hearing
37 (28%)	3 (2%)	93 (70%)

Is it a stand alone decision?

Yes	No
127 (95%)	6 (5%)

Most of the decisions made in during the audit period could be considered as ‘stand alone’ decisions. This means the decision ‘stands alone’ as a document of a hearing and decision-making process, and does not need additional explanatory material to be understood. Of the decisions that did not stand alone, this included five consent order decisions where a statement of agreed facts has been agreed in advance of the hearing and is made available if the panel agree to the removal. One other decision that did not stand alone was a review case where the original conditions of practice order was renewed but not set out in the review decision.

Are there adequate reasons for the decision?

Yes	No
133 (100%)	0 (0%)

In interpreting this question, the auditor did not go behind the decision, but instead assessed whether the reasoning process shown in the decision was adequate given the ultimate conclusion the panel reached. Please refer to section 3 of this report for more discussion of this issue.

Conclusions on submissions (adjourned, facts, admissibility)?

Yes	No
133 (100%)	0 (0%)

All decisions made during the audit period made adequate conclusions on the information presented during the hearing.

Does it clearly set out the finding of facts (including disputed and undisputed facts and if disputed, why the decision was made)?

Yes	No
127 (95%)	6 (5%)

Not all cases need to set out a finding of facts – for instance, the convention for consent orders is that the facts have been admitted in total by the registrant in question, and are not always included in the decision. In this audit, all six of the decisions that did not set out the full finding of facts were consent order hearings.

What standards were referred to?

64 (48%) decisions made reference to some form of standards, with the remaining 69 decisions (52%) not referring directly to the standards. The following table sets out which standards were referred to in those decisions which referenced them – some decisions (13) referred to more than one set of standards, so the total number of references is greater than the number of decisions.

Standards referred to	Number of references
Standards of conduct, performance, and ethics	48
Standards of proficiency	22
Standards of another regulatory body	7

2.2.3 Order

What was the panel's decision?

Sanction	Number of orders made (from 136)
Striking off	30 (22%)
Suspension	33 (24%)
Conditions	13 (10%)
Caution	18 (13%)
Mediation	0 (0%)
Not well founded	23 (17%)
No further action	5 (4%)
Consent order	10 (7%)
Other	4 (3%)

There were **136** sanction orders made, from **133** decisions. This is because in three cases the conduct of two registrants were considered in the same hearing, with each registrant given a separate sanction.

The ‘other’ category refers to cases where alternative orders were made outside the range of the usual sanctions. These orders were:

- Two discontinuance orders where after due consideration the panel decided to discontinue the consideration of the case as there was not enough evidence for a reasonable prospect of proving the allegation;
- One hearing where a previous decision had been brought to the panel for review but the panel decided that a review was not appropriate and that the caution order imposed should remain in place; and
- One case where a conduct and competence panel imposed a period of suspension but also agreed that the issues presented by the registrant would be referred to a health panel for consideration.

How long was the sanction imposed for?

The length of sanction question only applies to three types of sanction – suspension, conditions, and caution orders. This section sets out the lengths of sanctions orders set during the audit period, relevant to each type of sanction order made.

Because the length of sanction that can be imposed varies between the different types of sanctions, the relevant provisions from the indicative sanctions order regarding length of sanction are included below for the Committee’s information, along with the results for that sanction.

Suspension

The indicative sanctions policy states that *“a suspension order must be for a specified period not exceeding one year. [...] Suspension for short periods of time (i.e less than a year) is a punitive step which panels generally should not use...however, short term suspension may be appropriate where a lesser sanction would be unlikely to provide adequate public protection, undermine public confidence, or be unlikely to have a suitable deterrent effect upon the registrant in question and the profession at large.”*

Length of suspension	Number of orders (total 34)*
3 months	1
6 months	2
9 months	1
12 months/1 year	30

*Total includes a case where the panel decided to suspend the registrant for 12 months and refer the case to be considered by a health panel.

The small number of cases where the panel imposed a shorter period of suspension seems to be generally consistent with the guidance in the indicative sanctions policy. The shorter periods of suspension were applied by

panels in cases where there was a specific reason for doing so. These cases were:

- A three month suspension for a case where the registrant was seeking a consent order for voluntary removal from the Register;
- A six month suspension given in a case where assessment of the registrant’s mental health was needed before a further consideration of their suspension;
- A six month suspension to allow for a registrant to complete a return to practise programme; and
- A nine month suspension to allow for a registrant to continue their recovery from a health condition before possibly returning to practice.

Conditions

The indicative sanctions policy states that *“a conditions of practice order must be a specified period not exceeding three years. [...] In some cases it may be appropriate to impose a single condition for a relatively short period of time to address a specific concern.”*

Length of conditions order	Number of orders (total 13)
3 months	1
6 months	1
12 months/1 year	4
2 years	3
27 months	1
3 years	3

Generally the conditions orders imposed seemed to be consistent with the guidance in the indicative sanctions policy. The longer conditions of practice orders were imposed for registrants with a greater need for support to reach full competence, with shorter sanctions imposed for registrants where panels were of the view that there were a few issues that could be readily addressed in a shorter time.

Caution

The indicative sanctions policy states that *“a caution order must be for a specified period of between one year and five years...In order to ensure that a fair and consistent approach is adopted, panels are asked to regard a period of three years as the ‘benchmark’ for a caution order and only increase or decrease that period if the particular facts of the case make it appropriate to do so.”*

Length of caution order	Number of orders (total 19)*
12 months/1 year	2
2 years	6
3 years	8
5 years	3

* This total includes the case where a panel decided not to review a previous decision and to uphold the previous caution order made.

As with the other sanction orders, panels seemed to be generally consistent in their application of the guidance in the indicative sanctions policy with regard to the length of sanction, with larger numbers of two and three year caution orders imposed. However, there was one caution decision where the auditor was concerned as to whether the wider principles of the indicative sanctions policy had been applied – this decision is discussed in section 3 in more detail.

Does the order accord with sanction policy?

Yes	No	Not applicable
102 (75%)	4 (3%)	30 (22%)

Only orders that applied a sanction are included in this category, including consent orders. This question does not include decisions that were not well founded/no case to answer, or where the panel decided that no further action was necessary. For further discussion of the cases that did not accord with sanction policy, please refer to section 3.

Does it state the operative date of the order?

Yes	No	Not applicable
111 (82%)	0 (0%)	25 (18%)

All relevant cases where a sanction order was imposed stated the operative date of the order. In this category are included all sanction orders, plus orders of 'no further action' in cases of a review of a sanction order the panel decided that the registrant had met all the (usually conditions) set.

Does it state the end date of the order?

Yes	No	Not applicable
67 (49%)	0 (0%)	69 (51%)

All relevant cases where a sanction order that could expire was imposed stated the end date of the order. Only sanction orders that would expire are included in this category – suspensions, conditions of practice, and caution orders. The other sanction orders – consent orders, and orders to strike off, do not have end dates, and in cases that went not well founded, there was no sanction order.

Conditions orders

Conditions were imposed in 13 cases.

The following tables analyses the conditions set and whether they accord with the guidance in the indicative sanctions policy.

If conditions are imposed:

Are they realistic (is the registrant able to comply)?

Yes	No
12 (92%)	1 (8%)

In most of the decisions made, the conditions were realistic and able to be complied with – in one case, the conditions were only realistic if the registrant was able to attract enough clients to continue in practice – however, the panel was aware of this issue and took it into account when imposing the conditions.

Are they verifiable (are dates on which information is due specific and clear)?

Yes	No
13 (100%)	0 (0%)

Are they imposed on anyone other than the registrant?

Yes	No
0 (0%)	13 (100%)

Generally the orders imposed were guidance in the indicative sanctions policy in that they were realistic in the conditions set, and that those conditions were verifiable.

The third question in relation to conditions was more difficult to assess, as while the majority of conditions set imposed some form of supervisory requirement on the registrant, although not by any named person. The auditor interpreted the third part of this question to refer to decisions where persons other than the registrant were required directly by the panel to carry out an action to enable the registrant to meet conditions. Where the registrant was responsible for organising other people to carry out certain actions to meet the conditions set, then the auditor understood that to mean that those conditions were only imposed on the registrant.

3. Emerging themes

This section discusses the emerging themes from specific audit questions, and where necessary provides more detailed results to reveal trends and potential areas for further consideration.

3.1 Procedural issues

The audit showed that generally the procedural advice provided for fitness to practise panels is followed. The following issues were identified as part of the audit process.

As noted in the previous section, there were a wide range of other procedural issues considered by panels during the period of the audit, with procedural

issues considered in 33 percent of the cases considered. The following table sets out the number of instances of different types of procedural issues. In some cases, a number of different procedural issues were considered, so the total number of issues raised does not tally with the number of hearings (45) where procedural issues were considered.

Procedural issues	Number of instances
Request for hearing to be held in private	14
Amendments/corrections to allegations or facts	10
HPC request for withdrawal of allegations due to lack of supporting evidence	5
HPC application for discontinuance order	2
Application by registrant of no case to answer	1
Application to consider two separate allegations in the same hearing (joinder)	3
Transfer of fitness to practise case from a previous regulator (BPS or HAC)	13
Application for transfer of hearing to another type of fitness to practise panel	3
Other	6

The 'other' category includes:

- Two cases where an application was made for a witness or registrant to provide evidence by phone;
- One application for consultant psychiatrists to be present during the hearing;
- One case where a review scheduled earlier than necessary and the panel decided not to hear the case and allow another panel hear it nearer to the time of the expiry of the order.
- A case where the panel was satisfied that it had jurisdiction to review the case, but decided not to exercise its discretion to review the previous decision;
- Jurisdictional issue considered by the panel in relation to a case transferred from the Hearing Aid Council (HAC), and whether the HPC could consider allegations that had occurred in another country as the relevant HAC code of practice allowed for those issues to be considered through fitness to practise procedures.

Most procedural issues were relatively straightforward such as applications for hearings to be heard in private, joinder of separate allegations, minor amendments to allegations, or the transfer of fitness to practise cases from previous regulators – the British Psychological Society or the Hearing Aid Council.

3.2 Application of sanction policy

Generally, the auditor was satisfied that the sanction policy had been applied consistently, with relevant policy applied in 97 percent of cases where a

sanction was imposed. However, in four cases where caution orders were imposed, the auditor was concerned as to whether those decisions were made in line with the relevant policies.

The guidance on caution orders states:

“A caution order may be the appropriate sanction for slightly more serious cases, where the lapse is isolated or of a minor nature, there is a low risk of recurrence, the registrant has shown insight and taken remedial action. A caution order is unlikely to be appropriate in cases where the registrant lacks insight and, in that event, conditions of practice or suspension should be considered.”

In these cases the auditor was concerned as to whether the registrants in question had shown the requisite degree of insight into their own actions in order for a caution order to be imposed.

In one instance, a three year caution order brought for review by the panel was upheld for a registrant who had been previously suspended due to a conviction for possession of a large volume of child pornography. In this case the auditor was concerned as to whether the registrant had shown insight as they had not attended the hearing or actively engaged with the fitness to practise process. There is also an associated issue of whether it could ever be considered appropriate to impose a caution order on a registrant who had committed offences of this nature, given the guidance in the policy. The auditor was uncertain as to whether adequate reasoning had been shown in this decision.

In the three other cases, caution orders were imposed on registrants who had either demonstrated a lack of competence over a significant period of time, or in one case on a registrant who had been convicted of a criminal offence and who had hidden their conviction from their employer. Neither of these cases showed lapses that were of an ‘isolated or minor nature’. In one case, the auditor was concerned as to whether the registrant had shown insight into their behaviour.

3.3 Drafting

Most decisions generally used simple language appropriate to the context – in some decisions, the nature of the allegation and the concepts involved were technical and complex. In those decisions the auditor judged that it was appropriate for the issues to be discussed using the appropriate technical terms which were generally explained as necessary. While there were only two cases where the auditor felt that the language was consistently sufficiently unclear that it did not meet the ‘clear and unambiguous’ test, there were seven other decisions where there was some occasional use of overtly legal terminology or inadequately explained acronyms. In one decision in particular, the auditor felt that the language chosen was particularly jargon-heavy and habitually showed the use of terminology that was unnecessarily complex.

One area of note in the previous audit period was the standard of proof reading and editing before decisions are released in their final version. The decisions sent for audit were supposed to be the final decision made by the

panel, but in the previous audit period 28 percent of the decisions analysed contained identifiable spelling, grammar, and/or formatting mistakes. While the general standard of drafting has improved since the last audit period, 29 decisions (22 percent) still showed some minor errors, including incorrect dates or misspelling of registrant's names.

4. Emerging policy issues

Emerging policy issues identified in the audit are about the process applied by fitness to practise panels.

4.1 Realistic prospect test

There were two cases heard during the audit period that the auditor felt perhaps should not have reached the stage of a final hearing. Those cases were:

- One case that went not well-founded where the panel noted that the complaint against the registrant seemed to be based on a dispute about professional fees charged rather than the issues of confidentiality that were alleged;
- Another case where the allegations made about the registrant's behaviour were not well-founded, due to the nature of the registrant's health issues.

4.2 Drafting consistency

Compared to the previous audit period, there were a number of noticeable differences in the standard practice of fitness to practise panels when drafting decisions. Some of the changes noted by the auditor included:

- The factual background in review cases is included in most decisions – including consent order decisions;
- Skeleton arguments were introduced;
- In review hearings, inclusion of comments from previous panels in the new decision;
- Where allegations were amended or withdrawn during the hearing, these are more clearly identified in the decision.

During the audit period there was an identifiable difference between some cases where these changes were apparent, and others where they were not. This is probably indicative of phased-in change - hopefully these changes in drafting style will become more consistently applied in the future.

5. Learning points and recommendations

The Fitness to Practise department proposes that it takes the following actions/work forward. The Committee is asked to agree with those proposals:

- that panels should continue to use the new decision template;

- that Panel Chairs and Legal Assessors should be provided with a further briefing on how cases were transferred from the British Psychological Society and Hearing Aid Council so time in hearings can be used more effectively and is not wasted in dealing with this issue;
- that the Lead Hearings Officer should continue to review decisions before they are distributed to ensure accuracy in grammar and spelling;
- that the Indicative Sanctions Policy is further to determine whether further guidance on imposing caution orders is necessary;
- that application of the Indicative Sanctions Policy should continue to be a focus at panel refresher training sessions;
- that a paper reviewing not well founded decisions made in 2010-11 is considered by the Committee at its meeting in June 2011;
- that the Executive will take further steps to ensure that previous conditions of practice orders are included in templates where necessary; and
- that audits of final hearing decisions continue to be carried out twice yearly. The next audit dates are as follows:
 - April to August 2011
 - January to March 2012
 - September to December 2012.

Audit Form Final/Review Hearing Decisions

Case details	
Case name	
Case reference	FTP
Panel type	Conduct and Competence/ Health/Investigating/Review
Hearing date	
Legal Assessor	
Panel Chair	

1. Procedural issues

If the Registrant was not there and unrepresented, did panel consider issue of proceeding in absence?	Yes/No/Registrant or rep attended
Did any other procedural issues arise?	Yes/No/Comments
Was Legal Assessor advice disregarded?	Yes/No/Comments
Was the three stage test applied?	Yes/No/Comments
Evidence by way of mitigation considered	

2. Drafting

Is decision written in clear and unambiguous terms (does it avoid jargon, technical, esoteric language)?	Yes/No/Comments
Is it written in short sentences?	Yes/No/Comments
Is it written of target audience?	Yes/No/Comments
Was the factual background of the case included in the decision?	Yes/No/Comments
If review hearing, does decision make reference to previous facts?	Yes/No/Comments/Not review hearing
Is it a stand alone decision?	Yes/No/Comments
Are there adequate reasons for the decision?	Yes/No/Comments
Conclusions on submissions (adjourned, facts, admissibility)	Yes/No/Comments
Does it clearly set out the finding of facts (including disputed and undisputed facts and if disputed, why decision was made)	Yes/No/Comments

3. Order

What was the panel's decision?	Not well founded/ no further action/ mediation/ caution/ conditions/ suspension/ striking off
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How long was the sanction imposed for?	
Does the order accord with sanction policy?	Yes/No/Comments
Does it state the operative date of the order?	Yes/No/Comments
Does it state the end date of the order?	Yes/No/Comments
If conditions imposed:	
- are they realistic (is the registrant able to comply)?	Yes/No/Comments
- are they verifiable (are dates on which information is due specific and clear)?	Yes/No/Comments
- are they imposed on anyone other than the registrant?	Yes/No/Comments

4. Policy issues

Are there any emerging policy issues?

Audited by:

Date: