

**Health Professions Council
Fitness to Practise Committees
Witness Questionnaire and Service Level Standards**

Executive Summary and Recommendations

1. Introduction

Giving evidence to a hearing will often be a difficult experience for witnesses, and in an endeavour to alleviate some of the difficulties that are faced by witnesses and complainants, the fitness to practise department has introduced the first stages of a witness care scheme. This includes a witness information pack, case managers travelling to visit witnesses to explain the process, hearings organised in suitable location and travel and accommodation are arranged for witnesses by the fitness to practise team administrator.

There is also provision within the legislation for the protection of vulnerable witnesses, which has been used on a number of occasions. Case Managers will visit witnesses and assess their vulnerability and applications to have the witness designated as vulnerable will be made before the committee. The committee will then determine what measures should be put in place to protect the witness. The committee can also decide to hold the hearing in private.

The measures currently in place are a first step and the team have identified the following areas to investigate further:

- Suitable facilities for witnesses before, during and after the hearing
- Routine phone contact to discuss any difficulties
- Appropriate training for the fitness to practise staff
- Regular updates provided to witnesses and complainants to keep them informed about the progress of preparing a case for hearing.

Furthermore, in 2005 two brochures were published, the first explaining how to make a complaint and the second explaining what happens when a complaint is made about a health professional.

In order to assist the review of the processes that is planned to take place and determine whether the provisions that are currently in place are suitable, a questionnaire has been designed to assess the current provisions. A copy of this document is attached for the committee's information.

It is also intended to review the information that is provided for complainants. This included the provision of clear and accessible documentation which properly explains the procedure that is followed. This also includes ensuring that the complaints process is accessible to all potential complainants.

In order to aid this work further, preliminary research has been done on reviewing the appropriate service level standards that those involved in the fitness to practise process should expect from the fitness to practise team. This research has included

looking at what service standards are in place at other organisations. The organisations that have been looked at include:

- Royal Pharmaceutical Society of Great Britain
- General Medical Council
- Department of Health
- Department of Education and Skills
- Inland Revenue
- Financial Ombudsman
- Bexley Council
- Derby Council
- Health Ombudsman
- Healthcare Commission

The implementation of service level standards will contribute to ensuring that HPC's fitness to practise processes are clear, open and transparent and that response times are properly communicated and that expectations are met. The draft service level standards are attached for the committee's information.

This information will be incorporated in to the brochures that are currently in existence and on to the website.

2. Decision

This paper is for information only no decision is required

3. Background information

None

4. Resource implications

Time taken for team to contact witnesses and arrange travel.

Ensuring that there are enough resources to ensure that standards are adhered too.

5. Financial implications

None

6. Background papers

Committee procedural rules

Witness information pack

Brochure – How to make a complaint

7. Appendices

Witness Questionnaire

8. Date of paper

28th August 2006

FTP Department Standards

1. General standards for contacting the Fitness to Practise Team

- 1.1. The Fitness to Practise Team is generally available between 9am and 5pm, Monday - Friday. The team can be contacted by post, email, telephone and fax. Our details are as follows:

Telephone: 020 7840 9814

Fax: 020 7582 4874

Email: ftp@hpc-uk.org

Address: Fitness to Practise, Park House, 184 Kennington Park Road,
London, SW11 4BU.

Dedicated complaint line: ??

- 1.2. We will respond to general enquiries made in the form of letters and emails within 10 working days. If the query is complex, a full response may take longer.
- 1.3. We aim to answer phone calls promptly, however where this is not possible a message facility will be available to the caller. *We will respond to phone messages within 2 working days.*
- 1.4. *Members of the team will be courteous and polite and the same is expected of those who come into contact with the Fitness to Practise Department. Where individuals become rude or abusive to HPC employees, steps may be taken to limit contact to written correspondence only.*
- 1.5. *Everyone will be dealt with in fair and objective way, which is free from discrimination.*
- 1.6. We welcome constructive feedback on the way in which we implement the fitness to practise process.

2. Communication of information

- 2.1. We aim to provide clear, straightforward information to everyone.
- 2.2. We will take reasonable steps to enable anyone to make a complaint or allegation, and to assist those with special needs. *e.g. we can take complaints over the telephone. Please see our "How to make a complaint" brochure for further information. - This will need to be revised*
- 2.3. Where necessary we will arrange for information to be produced in different formats e.g. Braille or Large Print. *We can also provide an interpreter where needed???*
- 2.4. Due to the nature of the work undertaken by the Fitness to Practise Department, there are sometimes complex legal and professional issues involved. We aim to clearly set out and explain these out these without the use of jargon and abbreviations that are not commonly known. HPC is dedicated to ensuring that all publications are approved by the Plain English Campaign.

3. Meetings

- 3.1. Where a face to face meeting is appropriate, this will be arranged at a convenient time and in a suitable environment. This will generally be at Park House where private meeting rooms are available. However, external venues can be arranged where this is considered to be more appropriate. The facilities will meet the needs of all parties.

- 3.2. If an individual feels it is necessary to come to Park House they will, in most cases, be met by a member of the Fitness to Practise Team. It should be noted that may not be possible to meet with the person dealing with a particular case if an appointment is not made in advance. Therefore the information and assistance that can be provided may be limited.

4. Fitness to Practise

- 4.1. We aim to acknowledge allegations within 10 working days of receipt. Allegations are assessed on receipt, and where there may be immediate risk or danger to the public, acknowledgement will be made within 3 working days.
- 4.2. Each allegation is assigned to a member of the team who will be responsible for the case until its conclusion. The direct contact details of that team member will be provided to ensure that they can be contacted with questions.
- 4.3. We will keep complainants informed of the progress of the case. This is achieved by ensuring that there is contact with the complainant regular contact *approximately once a month*, either by letter, email or phone.
- 4.4. Where it is necessary for us or our solicitors to obtain a witness statement, this will be arranged at a convenient time and in a suitable environment.
- 4.5. If a witness needs to attend the final hearing, we will contact them with the details of this. They will be provided with a witness pack containing useful information and the direct contact details of a person in the team that they can contact with questions.
- 4.6. After a hearing, the complaint and all witnesses will be informed of the outcome.
- 4.7. Once a case has been referred by the Investigating Committee, the registrant will be kept informed of progress of the case and when they can expect the final hearing to take place.

5. Registration Appeals

- 5.1. We aim to acknowledge an appeal within 10 working days of receipt.
- 5.2. Each appeal is assigned to a member of the team who will be responsible for the case until its conclusion. The direct contact details of that team member will be provided to ensure that they can be contacted with questions.
- 5.3. We aim to hear each appeal within 6 months of receipt. However, in some cases it may take longer e.g. where there is a health or character issue that requires investigation.
- 5.4. We ask that appellants assist us by providing any information that is requested promptly and in the form required.

6. Health & Character Declarations

- 6.1. We aim to acknowledge a health and character declaration within 5 working days of it reaching this department.
- 6.2. Each declaration is assigned to a member of the team who will be responsible for the case until its conclusion. The direct contact details of that team member will be provided to ensure that they can be contacted with questions.
- 6.3. Declarations on application to the register
We aim to process any health and character declaration that is made on application to the register as quickly as possible, in order to minimise any delay in registration. A panel can usually consider these cases within 1 month.

- 6.4. **Declarations by registrants**
We will keep the registrant informed of the progress of any further investigations we make.

7. Protection of Title

- 7.1. We aim to acknowledge an enquiry within 10 working days of receipt.

Fitness to Practise Team Contact Information

Fitness to Practise e-mail: ftp@hpc-uk.org
Health Profession Council website: www.hpc-uk.org

Director of Fitness to Practise
Kelly Johnson
Tel: 020 7840 9754
Email: kelly.johnson@hpc-uk.org

Fitness to Practise Manager
Eve Seall
Tel: 020 7840 9758
Email: eve.seall@hpc-uk.org

Case Managers

Sabrina Adams
Tel: 020 7840 9756
Email: sabrina.adams@hpc-uk.org

Nick Grassby
Tel: 020 7840 9793
Email: nick.grassby@hpc-uk.org

Zoe Maguire
Tel: 020 7840 9761
Email: zoe.maguire@hpc-uk.org

Mick Calligy
Tel: 020 7840 9759
Email: mick.calligy@hpc-uk.org

Case Officers

Emma Pearce
Tel: 020 7840 9762
Email: emma.pearce@hpc-uk.org

Simon Thompson
Tel: 020 7840 9766
Email: simon.thompson@hpc-uk.org

Hearing Officers

Gemma Lee
Tel: 020 7840 9715
Email: gemma.lee@hpc-uk.org

James Bryant
Tel: 020 7840 9794
Email: james.bryant@hpc-uk.org

Team Administrator

Emma Bowman
Tel: 020 7840 9814
Email: emma.bowman@hpc-uk.org

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