Professional Liaison Group for the review of the standards of education and training, 11 September 2015

Theme: Link to the standards of conduct, performance and ethics – Findings and initial considerations

Executive summary and recommendations

Introduction

The first phase of the standards of education and training (SETs) review has comprised a range of research and engagement activities to gather the views of stakeholders on the existing standards and accompanying guidance. This feedback has been synthesised into a number of key themes.

This paper focuses on the link between the SETs and the standards of conduct, performance and ethics (SCPE), which has been identified as a theme for consideration by the PLG. It summarises the feedback received on this topic and includes some initial considerations for the PLG.

Decision

The PLG is invited to discuss this paper and consider the questions in section 7.

Background information

See paper.

The current versions of the SETs and supporting guidance have been supplied separately as documents to note.

Resource implications

None

Financial implications

None

Appendices

Appendix 1: Proposed revised standards of conduct, performance and ethics

Date of paper

1 September 2015

Theme: Link to the standards of conduct, performance and ethics – Findings and initial considerations

1. Introduction

1.1 This paper explores the theme of the link between the standards of education and training (SETs) and the standards of conduct, performance and ethics (SCPE), drawing on feedback from stakeholders. Based on the prevalence of this topic in the first phase of the review, we consider that it warrants a specific discussion among PLG members.

1.2 We have included as part of this theme considerations about the clarity, robustness and effectiveness of the link between the SETs and the SCPE.

1.3 This paper provides background information and a summary of stakeholder feedback on this theme. The final sections set out some key questions for the Group to consider.

2. Background

2.1 The SCPE set out our ethical expectations of registrants. They are the overarching principles of ethical practice and conduct which health and care professionals can expect of each other, and which service users and other members of the public can expect from professionals.

2.2 Students on HCPC approved education and training programmes are expected to be taught and to understand the principles of conduct and ethics set out in the SCPE. The current version of the SETs includes a requirement to this effect.

2.3 Prior to the start of the review, the Executive's view was that the link between the SETs and the SCPE needed to be strengthened. This was supported by ad hoc feedback from stakeholders.

2.4 During engagement activities in the first part of the review, we actively sought comments from stakeholders about the way the SCPE are currently referenced in the SETs. We also asked stakeholders how the SETs could best ensure that students on approved programmes understand and are prepared to adhere to the ethical and conduct-related expectations of their profession.

2.5 It should be noted that the SCPE have recently undergone a periodic review which resulted in a number of proposed changes. The revised standards will be considered by the Council in September 2015 and are expected to be published in January 2016. The proposed revised standards have been appended to this paper.

3. Current approach

3.1   The key purpose of the SETs is to ensure that students completing approved pre-registration programmes will be adequately prepared with the knowledge, understanding and skills to practise safely and effectively in their profession. This includes the ability to meet the HCPC standards of proficiency (SOPs) for the profession and an understanding of the professional expectations set out in the SCPE.

3.2   The SETs require education providers to ensure that students understand the SCPE and the expectations of professional conduct. A small number of individual standards refer to the importance of teaching and assessment of professional conduct and ethics.

3.3   The SCPE are mentioned explicitly in one individual standard in SET 4 (curriculum):

'4.5   The curriculum must make sure that students understand the implications of the HCPC's standards of conduct, performance and ethics.'

3.4   The guidance currently provided to support SET 4.5 reads as follows:

'The standards of conduct, performance and ethics are broad standards that everyone on our Register must keep to. These standards must be taught and met throughout a programme. For example, they could be covered as part of a module on ethics or could be built into the curriculum as a whole.

'We will want to see that the curriculum refers specifically to the standards of conduct, performance and ethics, and that students understand these standards, including how and when they apply.

'We recommend that you include the standards of conduct, performance and ethics in your reading lists.'

3.5   The guidance also refers the reader to SET 3.16 (which requires the education provider to have a process in place throughout a programme to deal with concerns about students' profession-related conduct).

3.6   There is a slightly less direct link to the SCPE within two individual standards in SET 6 on assessment:

'6.3   Professional aspects of practice must be integral to the assessment procedures in both the education setting and practice placement setting.'

'6.5   The measurement of student performance must be objective and ensure fitness to practise.'

3.7   The supporting guidance under SET 6.3 defines 'professional aspects of practice' as including a student's familiarity with values and ethics, as well as

the expectations and responsibilities associated with professional regulation. It also refers the reader to the SCPE as another source of guidance.

3.8　Likewise, the guidance under SET 6.5 defines 'fitness to practise' as including adherence to the SCPE and the health and character requirements of registration.

3.9　Other individual standards relating to conduct and character of students do not touch on teaching or assessment of the SCPE, but refer education providers to the standards as a source of guidance in designing and implementing processes. These include SET 2.3 (on criminal conviction checks during the admissions process) and SET 3.16 (on having a process in place for dealing with students' profession-related conduct). The SCPE are also listed as another source of guidance for a number of other individual standards.

3.10　To assist students in understanding the expectations placed on HCPC regulated professionals, we produce guidance on conduct and ethics for students[1]. This guidance is based on the SCPE and aims to give students more information on how the principles of those standards relate to them during training. It is also aimed at academic staff involved in teaching students, as well as practice placement educators.

4.　Summary of stakeholder feedback

4.1　Discussions with stakeholders during the first phase of the SETs review covered a number of issues related to the link between the SETs and SCPE. In order to assist the PLG in considering the various aspects of this theme, comments on similar issues have been grouped under subheadings.

Ethics in education

4.2　There seemed to be a consensus among stakeholders at the Council of Deans Summit, visitor refresher training, Education Stakeholder Event, and the workshop with Education Department employees that it is not possible or desirable to separate ethics from education. These stakeholders were overwhelmingly in favour of strengthening requirements within the SETs for the teaching and assessment of ethics and other aspects of professional conduct within approved programmes.

4.3　Some educators at the Council of Deans summit thought that the SCPE should be embedded throughout the programme and not just in the curriculum. Practice placements and assessment were mentioned as areas where issues of conduct and ethics were also relevant.

4.4　Service users and carers felt that students should be expected to follow codes of conduct from the HCPC as well as professional bodies and the education

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[1] The guidance is currently under review given recent proposed changes to the SCPE. The current version can be found here: http://www.hcpc-uk.org/publications/brochures/index.asp?id=219

provider, and that it was the education providers' responsibility to ensure students were aware of these. These stakeholders worried that often a student's understanding of these codes was only checked once a problem had been identified, rather than on a more proactive basis.

Strengthening the link

4.5 All of the stakeholder groups with whom this topic was discussed felt that SET 4.5 needed to be strengthened. In particular, they did not think it was sufficient to recommend (as the current guidance does) that education providers include the SCPE in programme reading lists. Education Officers observed that in some cases where the education provider has included the SCPE in a programme reading list, demonstration of how this impacts on learning outcomes and ensures that students understand the implications of the SCPE can be weak.

4.6 Attendees at the Education Stakeholder Event suggested that making the SCPE more visible and prominent in the SETs could help. Some also favoured adding a requirement for education providers to demonstrate how the programme 'embeds' the SCPE throughout admissions, curriculum and assessment.

4.7 Representatives of the NES AHP Advisory Group suggested that the language in SET 4.5 could be strengthened by changing the word 'understand' to 'demonstrate' or 'adhere to'. Some cautioned that education providers could take a 'tick box approach' to this standard by showing that the SCPE were mentioned during the programme a certain number of times. They felt that it was difficult to assess whether education providers had met the standard unless there was a dedicated module on the SCPE and/or related topics.

4.8 A few stakeholders also recommended additional guidance on the relationship between the SETs and the SCPE. Some visitors noted that the SCPE are not emphasised during approval visits, and more clarity about why the SCPE are important and have been included in the SETs would be helpful.

4.9 Individual HCPC visitors attending refresher training had the following suggestions for ways of strengthening the link between the SETs and SCPE:

- SET 4.5 should explicitly mention professionalism.

- The expectation in SET 4.5 should be to ensure students understand the importance of the SCPE as well as their implications.

- The guidance under SET 6.3 (in particular the phrase 'professional aspects of practice may include…') should be strengthened to match the wording of SET 4.5, which says 'these standards must be taught and met throughout a programme'.

- A link to the SCPE should be added to standards on admissions, for example in SET 2.5, or a new standard to require education providers

to assess whether applicants to a programme have the potential to meet the SCPE.

- An additional standard could be added to enable visitors to assess whether a programme meets the SCPE.

Comparison with the SOPs

4.10   A number of stakeholders pointed out differences in the requirements relating to the SCPE and those relating to the SOPs.

4.11   In the current standards, SET 4.1 states: 'The learning outcomes must ensure that those who successfully complete the programme meet the standards of proficiency for their part of the Register'. The supporting guidance then states: 'This is one of the most crucial areas within the SETs' and describes the requirement on education providers to complete a SOPs mapping document prior to an approval visit. The mapping document requires the programme's learning outcomes to be mapped to individual SOPs as a way of demonstrating adherence to SET 4.1 and is used as a key document in the approval process.

4.12   While stakeholders noted that requirements relating to the SCPE were much less stringent than those relating to the SOPs, there were differing views on whether these should be more aligned. Some educators attending the Council of Deans Summit suggested that a mapping document for the SCPE would be the clearest and easiest way of making sure that SET 4.5 had been met. Others, however, were keen to avoid over-prescription (which they considered mapping against learning outcomes to be), as a way of avoiding a 'tick box approach' by education providers.

4.13   One visitor suggested that HCPC should develop a 'linking document' which education providers could use to set out the overarching approach and rationale behind a programme and show how individual modules work collectively to ensure students are fit to practise when qualified. The individual suggested that this would be a more meaningful way of linking the SETs with the SCPE and SOPs.

Values

4.14   Some stakeholders thought that requirements around teaching and assessment of the SCPE should necessarily include the inclusion of values in education. For example, some members of the NES AHP Advisory Group believed that SET 4.5 should clearly reflect values-based education; at the moment it does not mention values or how much emphasis should be on them.

4.15   Other feedback on the topic of values in education, including values-based recruitment will be explored in a subsequent paper.

5. Other regulatory standards

5.1   Other health and social care regulators in the UK take a variety of different approaches to linking their education standards or criteria with standards or codes of conduct and ethics. A brief description of the relevant documents published by each regulator is provided in the table below.

Regulator	Current approach
General Medical Council (GMC)	The introduction to 'Tomorrow's Doctors' lists responsibilities of students, including working within the limits of their competence, raising concerns about patient safety or the conduct of others and following guidance on professional values and fitness to practise. Outcomes 2 'The doctor as practitioner' includes a number of points which are similar to those in the SCPE, e.g. effective communication and ensuring patients' understanding; obtaining consent; and respecting the rights and preferences of patients. Under Outcomes 3 'The doctor as a professional', it states: 'The graduate will be able to behave according to ethical and legal principles.' Graduates are expected to know about and keep to the GMC's code of conduct, 'Good medical practice', and supplementary ethical guidance. The standards for teaching, learning and assessment refer to the outcomes as mentioned above and to 'Good medical practice' in the detailed requirements._x000D_See: http://www.gmc-uk.org/education/undergraduate/tomorrows_doctors.asp_x000D_The GMC recently published 'Promoting excellence: standards for medical education and training' which will replace the education standards in 'Tomorrow's Doctors' from January 2016. Under learning environment and culture, standard S1.2 states that the learning environment and organisational culture must enable learners to demonstrate what is expected in 'Good medical practice' (including openness and honesty and raising concerns). Similarly standard S3.1 states that learners must receive educational and pastoral support to be able to demonstrate what is expected in 'Good medical practice' (including having a clear way to raise ethical concerns)._x000D_http://www.gmc-uk.org/Promoting_excellence_standards_for_medical_education_and_training_0715.pdf_61939165.pdf
Nursing and Midwifery Council (NMC)	The NMC's Standards for pre-registration nursing education are split into standards for competence and standards for education. The standards for competence

	refer in a number of places to the requirement for all nurses to practice according to 'The Code: Standards of conduct, performance and ethics for nurses and midwives'. Other related topics include communication, challenging discrimination, and working within one's competence. The standards of education, Standard 1: Safeguarding the public, states: 'Nursing and midwifery education must be consistent with [the Code].' The detailed requirements underneath state that programme providers must have effective policies and procedures on fitness to practise. Standard 5: Structure, design and delivery of programmes states: 'The programme must be structured, designed and delivered to meet NMC standards and requirements'. The detailed requirements underneath state that programme providers must ensure professional codes and ethics are included and underpin key aspects of practice. Additionally, the NMC sets minimum requirements which must be met by progression points. At the first progression point, a student must practise honestly and with integrity, applying the principles of the Code.
	See: http://www.nmc.org.uk/standards/additional-standards/standards-for-pre-registration-nursing-education/
	The NMC produces separate Standards for pre-registration midwifery education. This document states that throughout the programme the NMC would expect that students develop their practice in accordance with the Code. Additionally, Standard 17 lists the competencies required to achieve the NMC standards, including the ability to practise in accordance with the Code; within the limitations of one's competence; and in a way which respects and promotes individuals' rights and preferences.
	See: http://www.nmc.org.uk/standards/additional-standards/standards-for-pre-registration-midwifery-education/
General Dental Council (GDC)	The GDC has recently updated its Standards for education (May 2015). The document does not explicitly refer to the Standards for the Dental Team (which set out standards of conduct, performance and ethics for dental professionals). However, there are a small number of statements relating to students' understanding of expectations around conduct and ethics. Under Standard 1 – protecting patients, Requirement 6 states that students and those involved in the delivery of education must be made aware of their obligation to raise concerns about patient safety. The education provider should

	publish policies to make clear to all parties how concerns should be raised and how they will be acted upon; and also support and provide assurance to those who do raise concerns.
	See: http://www.gdc-uk.org/Aboutus/education/Documents/Standards%20for%20Education%20(v2%20revised%202015).pdf
General Osteopathic Council (GOsC)	The Quality Assurance Agency (QAA) has developed a subject benchmark statement for osteopathy training in conjunction with the GOsC and the osteopathy training providers. This document contains a number of references to the GOsC's 'Osteopathic Practice Standards', which covers codes of practice. Under 'Knowledge, understanding and skills' to be achieved through osteopathic education, an osteopathic graduate is expected to abide by the ethical standards outlined in 'Osteopathic Practice Standards'; to justify their actions; maintain the integrity of the profession; maintain financial and other practice operation details in accordance with legal and ethical requirements; and maintain confidentiality and patient records in compliance with legal and ethical requirements.
	See: http://www.qaa.ac.uk/en/Publications/Documents/SBS-consultation-osteopathy.pdf
General Chiropractic Council (GCC)	The GCC Degree Recognition Criteria cover the programme outcomes that students need to achieve at the point of graduation to be fit to practise. These are very closely linked to the GCC's 'Code of Practice and Standard of Proficiency' and include principles such as respecting dignity, individuality and privacy; justifying public trust and confidence; and protecting patients and colleagues from risk of harm. Criterion 10 states: 'At the point of graduation, students must understand the nature of professional accountability and their duty to protect and promote the interests of their patients.' Specifically, they must be able to recognise and work within the limits of their knowledge and skills; and raise concerns about the conduct, competence or health of another student or practitioner. Programmes are recommended to cover ethical dilemmas which are included in the Code.
	The Degree Recognition Criteria also cover the nature of programmes and programme providers. The guidance under Criterion 37 recommends that throughout the programme students should be encouraged to understand the relationship of what they are learning to the Code of Practice and Standard of Proficiency, so that

	they understand the direct link to statutory registration as a chiropractor. See: http://www.gcc-uk.org/UserFiles/Docs/DegreeRecCriteriaUPDATED2012.pdf
General Optical Council (GOC)	The GOC sets the necessary competencies which education and training must enable students to meet. This includes the ability to work within the codes and guidelines set by the regulator and the profession. The GOC does not produce a set of standards for education and training similar to the SETs, but rather a series of handbooks with guidelines for the approval of training establishments. The handbook for optometry does not specifically mention the 'Code of Conduct for optometrists, dispensing opticians and optical students' as part of the curriculum. The handbook for ophthalmic dispensing programmes, however, links the core competency of professional conduct directly to learning outcomes. See: https://www.optical.org/en/Education/Approving_courses/index.cfm
General Pharmaceutical Council (GPhC)	The document 'Future Pharmacists' sets out requirements against which the GPhC approve education and training for student pharmacists and pre-registration trainee pharmacists. Under Standard 1 – Patient and public safety, criterion 1.1 states: 'There must be effective systems in place to ensure that students and trainees…understand what is and what is not professional behaviour and are familiar with the GPhC's Code of conduct for pharmacy students and Standards of conduct, ethics and performance.' The evidence required to meet this standard includes evidence that the Code for pharmacy students and the standards are used to promote professional conduct; as well as summary outcomes of student fitness to practise hearings. Learning outcomes also reflect the GPhC's ethical standards. See: http://www.pharmacyregulation.org/sites/default/files/GPhC_Future_Pharmacists.pdf The 'Standards for the initial education and training of pharmacy technicians' criterion 1.6 states: 'Training providers delivering an accredited or approved programme use the Code of Conduct for Pre-registration Trainee Pharmacy Technicians to ensure that

	professionalism is embedded in trainees and to act as a guide to what constitutes acceptable and unacceptable practice, attitudes and behaviours in relation to fitness to practise.' See: http://www.pharmacyregulation.org/sites/default/files/Standards%20for%20the%20initial%20education%20and%20training%20of%20pharmacy%20technicians.pdf
Pharmaceutical Society of Northern Ireland (PSNI)	The PSNI has adopted the GPhC's 'Future Pharmacists' (see above) as the standards used to accredit education and training courses. The PSNI and GPhC have also jointly agreed the Code of conduct for pharmacy students. See: http://www.psni.org.uk/education-2/
Care Council for Wales (CCW)	The CCW has published 'The Framework for the Degree in Social Work in Wales', which includes criteria for approval and quality assurance of social work programmes. This states that a student completing the degree programme must demonstrate by the final assessment that they complied with, critically analysed and applied the Code of Practice for Social Care Workers through their practice, conduct and academic work. See: http://www.ccwales.org.uk/regulation-of-training/
Northern Ireland Social Care Council (NISCC)	The NISCC 'Rules for the Approval of the Degree in Social Work' do not mention professional codes of conduct explicitly. However, the 'Framework Specification for the Degree in Social Work' does express the expectation that course providers will ensure students understand and adhere to the Code of Practice for Social Care Workers in all aspects of their training. The ability to identify and work to standards of practice including the NISCC Code is part of the required competencies. All students undertaking social work training in Northern Ireland must be registered and therefore agree to abide by the standards set in the NISCC Code of Practice for Social Care Workers. See: http://www.niscc.info/index.php/education-for-our-training-providers/regulating-training-standards-education
Scottish Social Care Council (SSSC)	The SSSC's Framework for Social Work education in Scotland encompasses the Scottish Requirements for Social Work Training. These require training providers to design the content, structure and delivery of the training to allow social work students to show that they can meet the Standards in Social Work Education (SiSWE) and are

	suitable to be registered with the SSSC. The SiSWE set out learning requirements and proficiencies for social work education and include ethical principles such as maintaining and promoting dignity and choice; equality and diversity; and maintaining public trust and confidence in social services. The SiSWE also refer strongly to the Code of Practice for Social Service Workers.
	See: http://www.gov.scot/Publications/2003/01/16202/17018

6. Executive recommendations

6.1   As mentioned, prior to the start of the review it was the Executive's view that the link between the SETs and the SCPE needed to be strengthened. The feedback from stakeholders obtained during the first phase of the review (and outlined above) has confirmed this assessment.

6.2   It is a particular concern that the guidance as currently drafted can lead education providers to understand that including the SCPE in a reading list is a sufficient way of meeting standard 4.5.

6.3   We also note the differences in the way the SETs and guidance reference and incorporate the SOPs, compared with the SCPE. However we do not think that it would be effective or reasonable to require education providers to 'map' the learning outcomes of the programme to the SCPE. The principles set out in the SCPE are likely to be most effectively taught and met throughout a programme, rather than only in discrete modules.

6.4   The Executive plans to bring more concrete recommendations for potential amendments to the SETs and guidance to the PLG at a later date. However at this stage, we would appreciate some direction from the Group on the issues raised by stakeholders in this area and on the questions outlined below.

7. PLG considerations

7.1   In addition to the points in section 6 above, the PLG may wish to consider the following questions as part of their discussion on this topic:

- Do members of the PLG agree that a more robust requirement for education providers in respect of the SCPE is needed?

- If so, do members of the PLG have any suggestions for amendments to SET 4.5 (or other individual standards) and/or the supporting guidance in order to strengthen the link to the SCPE?

- Is there a need for any additional standard(s) (in SET 4 or elsewhere)?

- Do members of the PLG have any other comments or reflections on the link between the SETs and SCPE and issues raised by stakeholders?

7.2   The PLG is encouraged to consider these questions in light of the key principles behind development and use of the standards. In particular, the SETs should:

- be set at the **threshold** level, to ensure that education and training programmes provide students with skills and understanding to practise safely and effectively and to meet the SOPs for their profession;

- be **flexible**, in that we aim to minimise prescription and to enable education providers to meet the standards in the way they consider most effective and appropriate (given institutional and professional considerations);

- be **meaningful**, clear and useful to education providers and other stakeholders; and

- reflect **existing provision** within education and training programmes, or be realistic or reasonable as requirements.