

**Fitness to practise quarterly data report  
Q3 2016-17**

**Concerns and Formal Complaints**

**Formal Complaints – KEY POINTS:**

The figures for concerns and complaints received and closed are calculated as at the end of the quarter.

We received one more formal complaint and closed one more formal complaint in Q3 than in Q2.

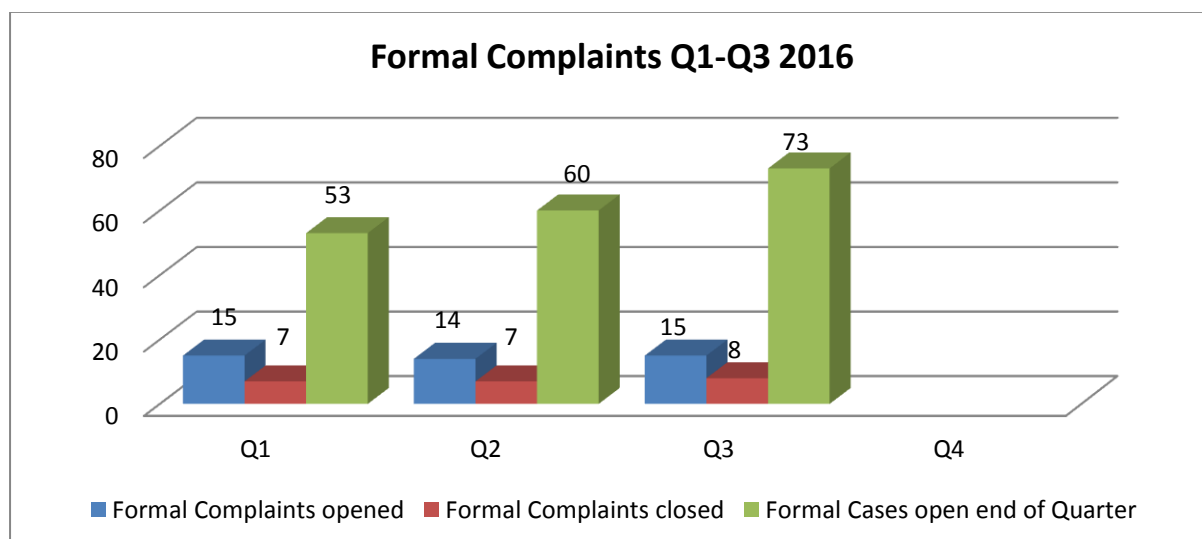
The number of open formal cases rose from 60 to 73. Between Q1-Q3 the Investigating Committee considered 56 cases. The Investigating Committee closed 16% of cases, adjourned 38% of cases and referred 46% of cases to a Practice Committee. Due to the low closure rate of cases at the Investigating Committee stage, the number of formal complaints has continued to increase per quarter.

The large number of advertising complaints received between November 2015 – July 2016 has also contributed to the high volume of formal cases open at the end of Q3. The Regulation team has not received any further advertising complaints from The Good Thinking Society (GTS) since Q2 and it is anticipated that the number of open formal cases at the end of Q4 will decrease as a result of the reduction in GTS advertising complaints.

**COMPARISON**

In Q3 2015-16 we received 16 formal complaints during that quarter and had 46 open formal complaints at the end of the quarter.

Number of Complaints Received	Q1	Q2	Q3	Q4
Formal Complaints opened	15	14	15	
Formal Complaints closed	7	7	8	
Formal Cases open end of Quarter	53	60	73	



## Annex to 6

Source of Formal Complaints	Q1	Q2	Q3	Q4
Self-referral by the registrant	0	0	1	
Registrar's Allegation	2	1	2	
Referral by non-NHS employer	0	0	0	
Referral by patient or service user	7	5	7	
Referral by NHS	1	0	1	
Referral by another registrant	0	0	0	
Anonymous informant	0	0	0	
Referral by another regulator body	1	1	0	
Any other informant	4	7	4	
<b>Total</b>	<b>15</b>	<b>14</b>	<b>15</b>	

**Key Points:** The Q3 'Any other informant' figure includes 4 GTS advertising complaints that had been referred to the Investigating Committee. Excluding those 4 complaints, 'Referral by patient or service user' is still the most common source of formal complaints in Q1-Q3.

Allegations in Formal Complaints	Q1	Q2	Q3	Q4
Conduct	15	14	14	
Conviction	0	0	1	
Competency	1	3	0	
Adjunctive Therapies	0	0	0	
<b>Total</b>	<b>16</b>	<b>17</b>	<b>15</b>	

**Key Points:** A complaint can have more than one type of allegation. For this reason the total allegations do not always equal the number of cases opened in the quarter. Conduct continues to be the main type of allegation raised in complaints.

**Concerns**

**Key Points:** Following Council approval of the new 'Initial Closure Procedure' in July 2016, 'Informal Complaints' are now termed 'Concerns'. The purpose of this initial closure procedure is to enhance transparency in our fitness to practise processes when there is insufficient information to identify whether there are concerns regarding a registrant's fitness to practise.

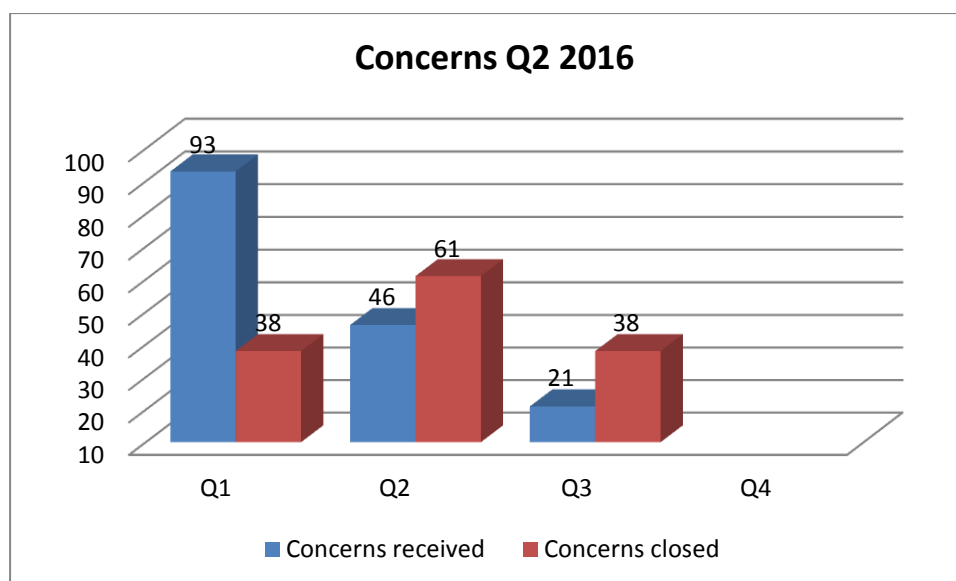
**Concerns Received**

21 concerns were received by the Regulation team in Q3. Of these 21 concerns only 2 related to advertising, which is a marked reduction in these type of cases from Q1(73) and Q2(24). This is mainly due to the work undertaken by GOsC in conjunction with the ASA/CAP. During Q3 no (GTS) complaints were received.

**Concerns Closed**

There is a significant reduction in the number of concerns closed in Q3 which is a result of no GTS referrals being received since July 2016. The total number of concerns closed in Q3 included 37 GTS matters which were closed under the threshold criteria or initial closure procedure.

Number of Concerns Received	Q1	Q2	Q3	Q4
Concerns received	93	46	21	
Concerns closed	38	61	38	



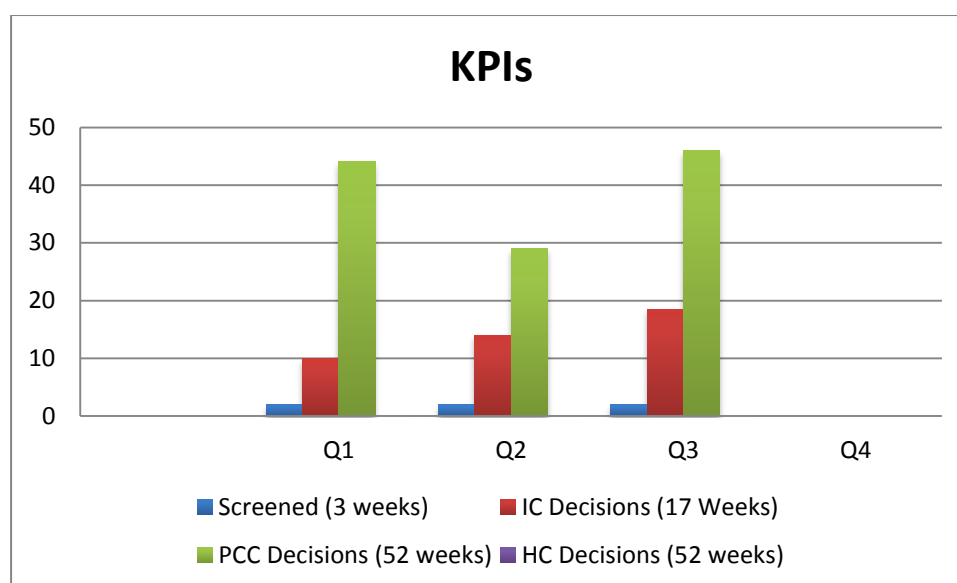
**Key Performance Indicators**

**Key Points:** All KPIs are measured in median weeks. The KPIs for screening cases and PCC decisions were met during Q3. The IC median for a decision increased from 14 weeks in Q2 to 18.5 weeks in Q3. The increase was due to the consideration of a number of cases previously adjourned at IC in March, April and August 2016 which were outside KPI. There were also no IC meetings in May, June, July, September or November which could also be a factor for the increase in IC Decisions median.

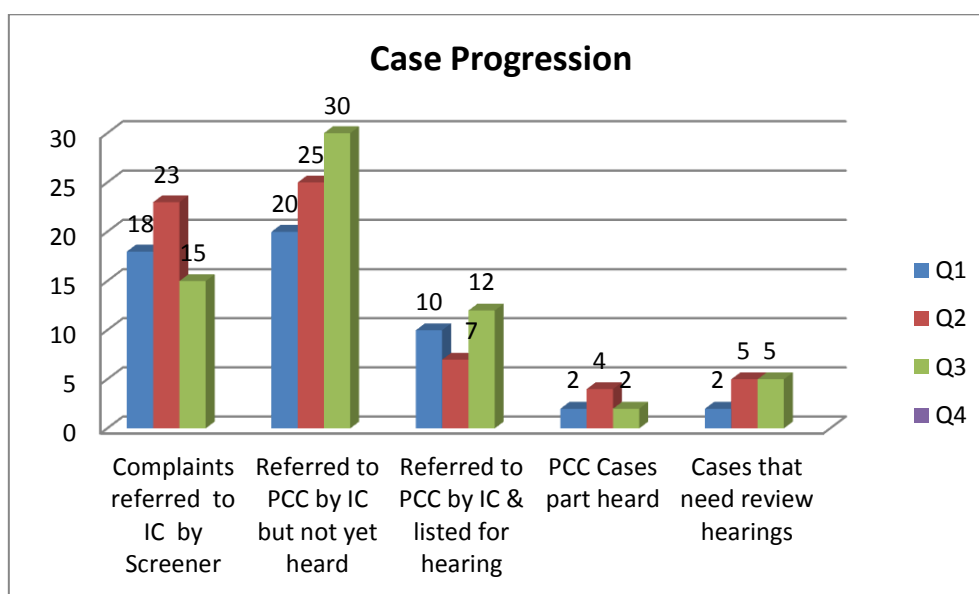
Two IC meetings have been scheduled for Q4 and this should result in a reduction in the median figure in Q4.

The PCC median increased from 29 weeks in Q2 to 46 in Q3. This increase was due to the consideration of two cases which exceeded the 52 week KPI.

Performance Against KPIs	Q1	Q2	Q3	Q4
Screened (3 weeks)	2	2	2	
IC Decisions (17 Weeks)	10	14	18.5	
PCC Decisions (52 weeks)	44	29	46	
HC Decisions (52 weeks)	0	0	0	



Case Progression	Q1	Q2	Q3	Q4
Complaints referred to IC by Screener	18	23	15	
Referred to PCC by IC but not yet heard	20	25	30	
Referred to PCC by IC & listed for hearing	10	7	12	
PCC Cases part heard	2	4	2	
Cases that need review hearings	2	5	5	



**KEY POINTS:** During Q3 12 cases have been referred to PCC by IC which is an increase on Q1 (10) and Q2 (7). The listing protocol introduced in September has contributed to an increase in the number of cases listed for hearing in Q3.

Formal Complaint to Final IC decision (in weeks)	Q1	Q2	Q3	Q4
Median	15	14	18.5	
Longest Case	65	34	67	
Shortest Case	7	10	6	

**KEY POINTS:** The median figure increased in Q3 due to the consideration of a number of cases that had previously been adjourned by the IC and exceeded the IC KPI. The longest case was adjourned by the IC in April 2016 for further information. A delay in obtaining a signed witness statement was a significant factor in the slow progress of this case.

Cases open end of 1/4 older than	Q1	Q2	Q3	Q4
52 weeks	9	17	19	
104 weeks	1*	3**	3	
156 weeks	1*	1*	1*	

\* Health Case requiring review of substantive order

\*\* 1 Health Review Case and 1 PCC Review Case

**KEY POINTS:** The 3 cases that are open for 104 weeks include 2 cases that require Professional Conduct Committee review and one case requiring closure as the registrant has now been removed.

The case that is older than 156 weeks is a health case which requires review.

The 19 cases that are open for 52 weeks or more are as follows: 7 cases listed for hearing in 2017, 6 require listing for a hearing, 3 previously adjourned by PCC and need relisting, 2 require a review hearing and 1 case requires IC consideration.

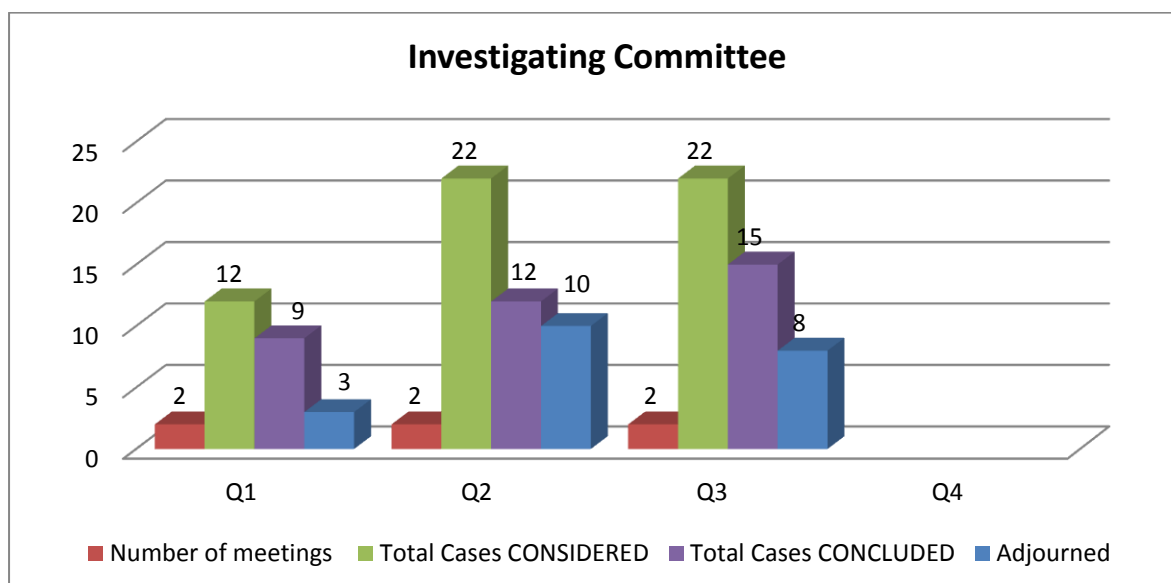
### INVESTIGATING COMMITTEE

**KEY POINTS:** The number of cases considered by the IC in Q3 was consistent with Q2. The *Total Cases Concluded* rate in Q3 was 68% compared to 55% in Q2.

During Q3 one case was part referred to the PCC and part adjourned. This case has been included in both the *Total Cases Concluded* and *Adjourned* figures below. It has only been included once in the *Total Cases Considered* figure.

1 IC ISO was applied for and granted in Q3.

Investigating Committee	Q1	Q2	Q3	Q4
<b>IC MEETINGS</b>				
Number of meetings	2	2	2	
Total Cases CONSIDERED	12	22	22	
Total Cases CONCLUDED	9	12	15	
<b>IC DECISIONS</b>				
No Case to Answer	2	3	4	
Referred to PCC	7	8	11	
Referred to HC	0	1	0	
Referred to PCC and HC	0	0	0	
Adjourned	3	10	8	
<b>IC Interim Suspension Order DECISIONS</b>				
Applications made	0	2	1	
Interim Suspension Order Imposed	0	2	1	
Undertaking	0	0	0	
Receipt of complaint to ISO Decision (MEDIAN in weeks)	0	4.5	4	



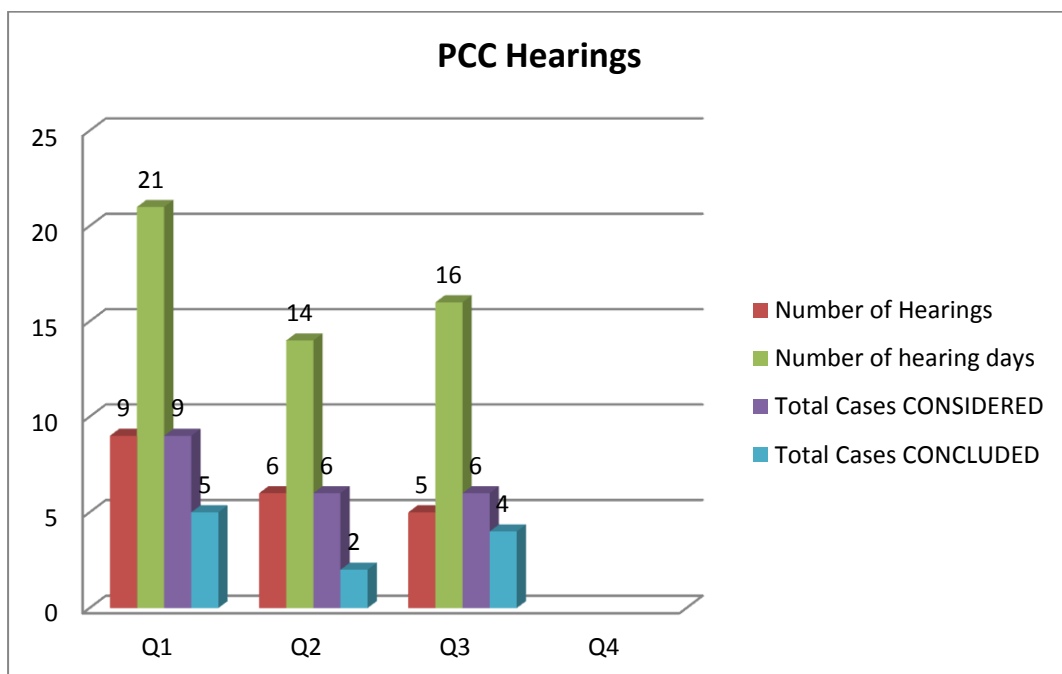
**PROFESSIONAL CONDUCT COMMITTEE**

**KEY POINTS:** 66% of cases were concluded by the PCC in Q3 compared to 33% in Q2. The PCC held 5 hearings during Q3 and considered 6 cases. One hearing concerned 2 cases against the same registrant.

As at 30 December 2016 there are 2 part heard cases in total. This compares to 5 part heard cases as at 30 September 2016.

## Annex to 6

Professional Conduct Committee	Q1	Q2	Q3	Q4
<b>PCC Hearings</b>				
Number of Hearings	9	6	5	
Number of hearing days	21	14	16	
Total Cases CONSIDERED	9	6	6	
Total Cases CONCLUDED	5	2	4	
<b>PCC DECISIONS</b>				
Allegation not 'well founded'	0	2	1	
Admonished	2	0	1	
Conditions of Practice	1	0	0	
Suspension	1	0	0	
Removal	1	0	1	
Rule 19	0	0	0	
Adjourned	4	4	0	
Rule 8 Admonishment	0	0	0	
<b>PCC Interim Suspension Order DECISIONS</b>				
Applications made	1	1	2	
Interim Suspension Order Imposed	1	0	1	
Undertaking	0	1	0	





**Protection of Title**

**Key Points:** We received 11 fewer concerns in Q3 compared to Q2 (50% decrease). GOsC commenced a prosecution in Q3 against an osteopath who had been erased in 2016. The matter is listed for hearing on 24 January 2017 at Willesden Magistrates Court. There were 13 active Protection of Title cases as at 30 December 2016.

The figures for Protection of Title concerns received and resolved are calculated as those received and resolved during the quarter. It is possible to resolve more concerns in a quarter than were received taking into account for example the time delay between sending out a Cease and Desist letter in one quarter and receiving a response in another.

Protection of Title	Q1	Q2	Q3	Q4
Concerns Received	16	22	11	
Cease and Desist letters sent	8	18	4	
Resolved	5	10	7	
Prosecution Commenced	0	1	1	
Conviction Secured	0	0	1	

