

**Regulation Department Report to Council Dataset Q4 2016-17**

**Concerns and Formal Complaints**

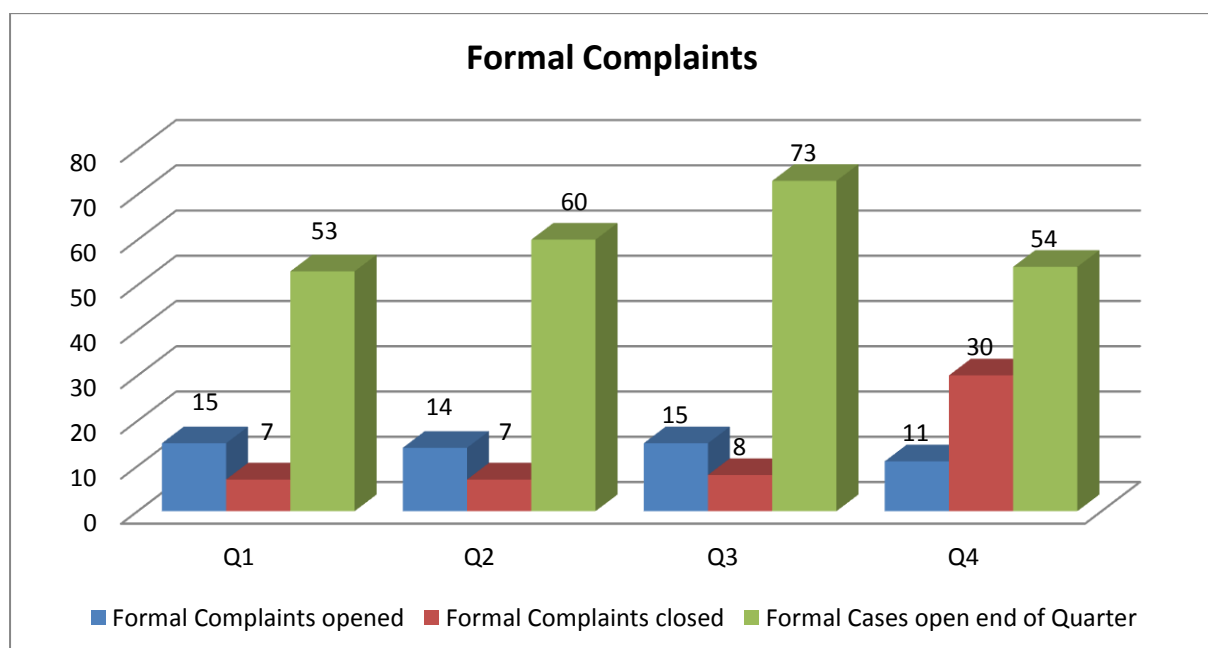
**Key points**

We received four fewer formal complaints and closed twenty-two more formal complaints in Q4 than in Q3. The number of open formal complaints has decreased by 26% from Q3 (73) to Q4 (54). A number of factors have contributed to the reduction in formal complaints open at the end of the quarter, including an increase in the number of cases considered by the Professional Conduct Committee during Q4 and an increase in the 'no case to answer' decisions by the Investigating Committee.

Between Q1-Q4 the Investigating Committee considered 78 cases. The Investigating Committee closed 19% of cases, adjourned 29% of cases and referred 52% of cases to a practice committee during this period. In Q3 the Investigating Committee part referred and part adjourned one case which is why there were 79 Investigating Committee decisions made in Q1-Q4.

In comparison in Q4 2015-16 we received 11 formal complaints during that quarter and had 58 open formal complaints at the end of the quarter.

Number of Complaints Received	Q1	Q2	Q3	Q4
Formal Complaints opened	15	14	15	11
Formal Complaints closed	7	7	8	30
Formal Cases open end of Quarter	53	60	73	54



## Annex to 6

Source of Formal Complaints	Q1	Q2	Q3	Q4
Self-referral by the registrant	0	0	1	2
Registrar's Allegation	2	1	2	1
Referral by non-NHS employer	0	0	0	0
Referral by patient or service user	7	5	7	3
Referral by NHS	1	0	1	0
Referral by another registrant	0	0	0	2
Anonymous informant	0	0	0	0
Referral by another regulator body	1	1	0	0
Any other informant	4	7	4	3
<b>Total</b>	<b>15</b>	<b>14</b>	<b>15</b>	<b>11</b>

**Key points:** the Q4 'Any other informant' figure includes two GTS advertising complaints that had been referred to the Investigating Committee. Excluding those two complaints, 'Referral by patient or service user' is still the most common source of formal complaints in Q1-Q4.

In Q4 we received two 'referral by another registrant' complaints which raised concerns about fellow registrants.

Allegations in Formal Complaints	Q1	Q2	Q3	Q4
Conduct	15	14	14	8
Conviction	0	0	1	1
Competency	1	3	0	2
Adjunctive Therapies	0	0	0	0
<b>Total</b>	<b>16</b>	<b>17</b>	<b>15</b>	<b>11</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:**

The initial closure procedure approved by Council in July 2016 has assisted with the timely progression of concerns where there is insufficient information to identify whether there are concerns regarding a registrant’s fitness to practise. The procedure imposes a 42 day timeframe for the receipt of the information from a complainant and has enabled regulation officers to progress concerns in accordance with set timeframes.

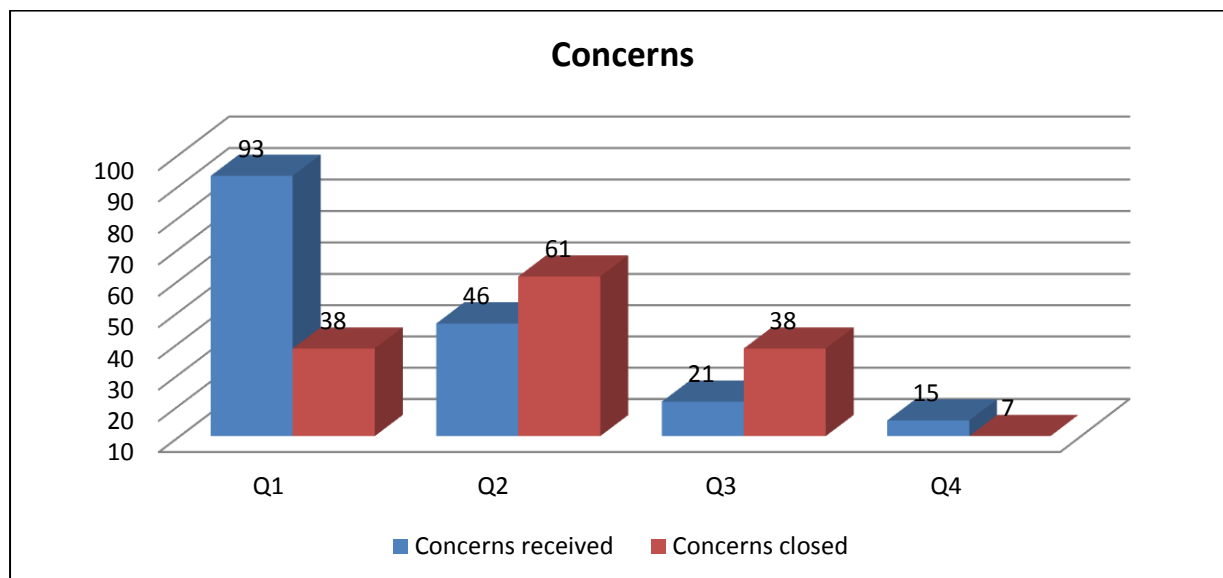
**Concerns Received**

15 concerns were received in Q4. Of these 15 concerns only two related to advertising which is consistent with the number of advertising concerns received in Q3.

**Concerns Closed**

There is a significant reduction in the number of concerns closed in Q4 which is a result of no GTS referrals being received in this quarter. Whilst the number of concerns closed has decreased in Q4, 37 of the 38 cases closed in Q3 were GTS cases.

Number of Concerns Received	Q1	Q2	Q3	Q4
Concerns received	93	46	21	15
Concerns closed	38	61	38	7

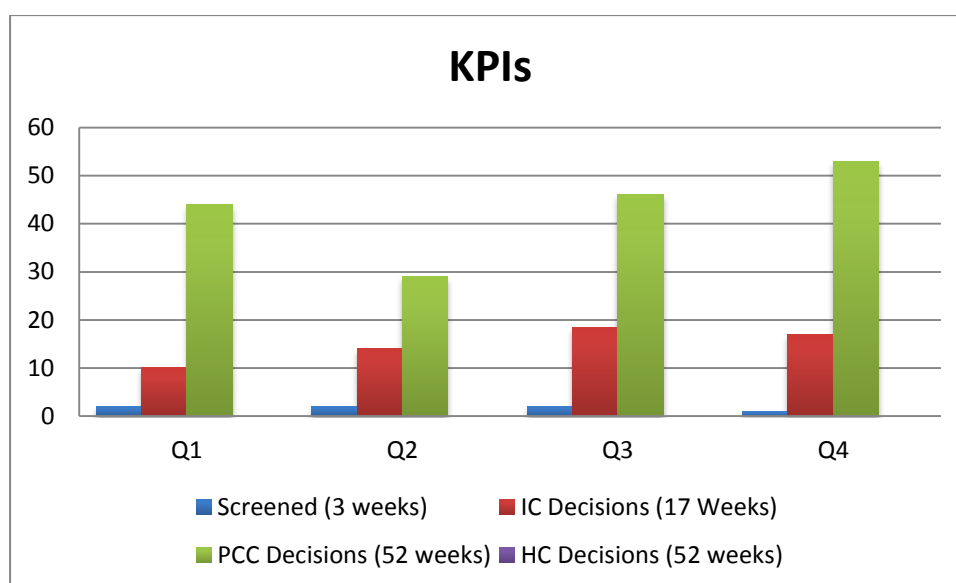


### Key Performance Indicators

**Key points:** the KPIs for screening cases and IC decisions were met during Q4. The IC median for a decision decreased from 18.5 weeks in Q3 to 17 weeks in Q4. The reduction in the median figure is a result of proactive case progression and the regular scheduling of IC meetings.

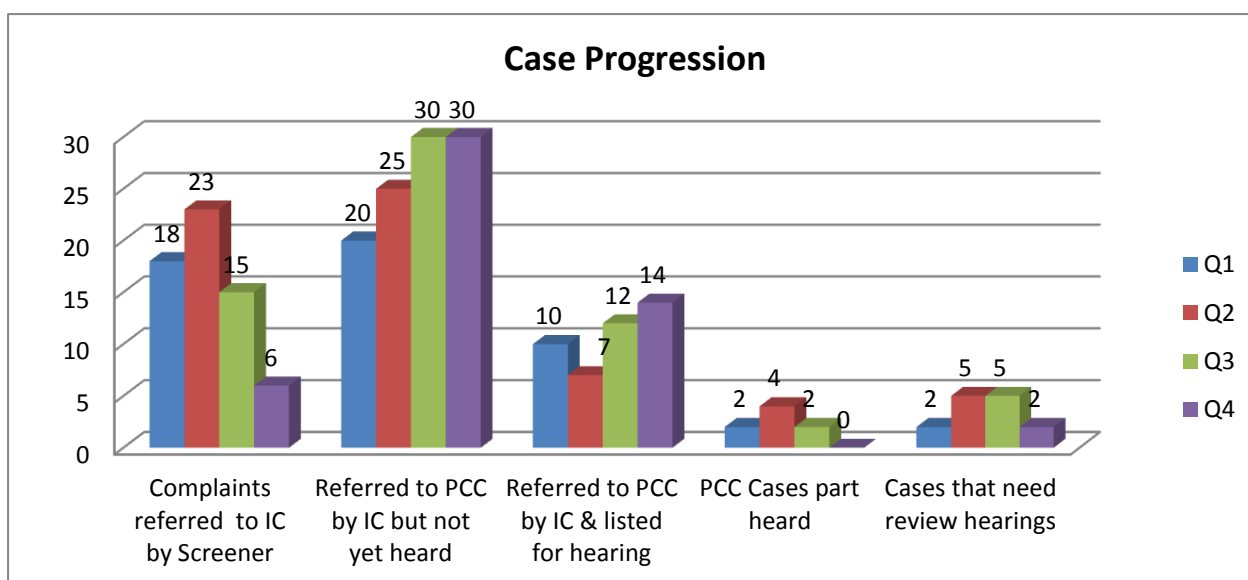
The PCC median increased from 46 weeks in Q3 to 53 in Q4. This figure has exceeded the 52 week KPI for PCC decisions. During Q4 the PCC considered a number of cases that were older than 52 weeks and this has had an adverse impact on the median figure. The Regulation team are currently listing cases in advance of the KPI and this should result in a reduction of the PCC median figure in 2017-18.

Performance Against KPIs	Q1	Q2	Q3	Q4
Screened (3 weeks)	2	2	2	1
IC Decisions (17 Weeks)	10	14	18.5	17
PCC Decisions (52 weeks)	44	29	46	53
HC Decisions (52 weeks)	0	0	0	0



## Annex to 6

Case Progression	Q1	Q2	Q3	Q4
Complaints referred to IC by Screener	18	23	15	6
Referred to PCC by IC but not yet heard	20	25	30	30
Referred to PCC by IC and listed for hearing	10	7	12	14
PCC Cases part heard	2	4	2	0
Cases that need review hearings	2	5	5	2



**Key points:** during Q4 14 cases have been referred to PCC by IC which is an increase on previous quarters. The listing protocol introduced in September 2016 has contributed to the efficiency of the listing process and ensures that cases are listed as soon as possible after IC referral. In Q1 of 2017-18, 17 of the 30 cases referred but not yet heard have already been listed for consideration by the PCC.

Formal Complaint to Final IC decision (in weeks)	Q1	Q2	Q3	Q4
Median	15	14	18.5	17
Longest Case	65	34	67	108
Shortest Case	7	10	6	4

**Key points:** the median figure decreased in Q4 and is consistent with the IC KPI. The longest case took 108 weeks for an IC decision. A number of factors contributed to the delay in progressing this case, including a criminal investigation and the lack of engagement by the witness.

## Annex to 6

Cases open end of quarter older than	Q1	Q2	Q3	Q4
52 weeks	9	17	19	9
104 weeks	1*	3**	3**	1
156 weeks	1*	1*	1*	0

\* Health Case requiring review of substantive order

\*\* one Health Review Case and one PCC Review Case

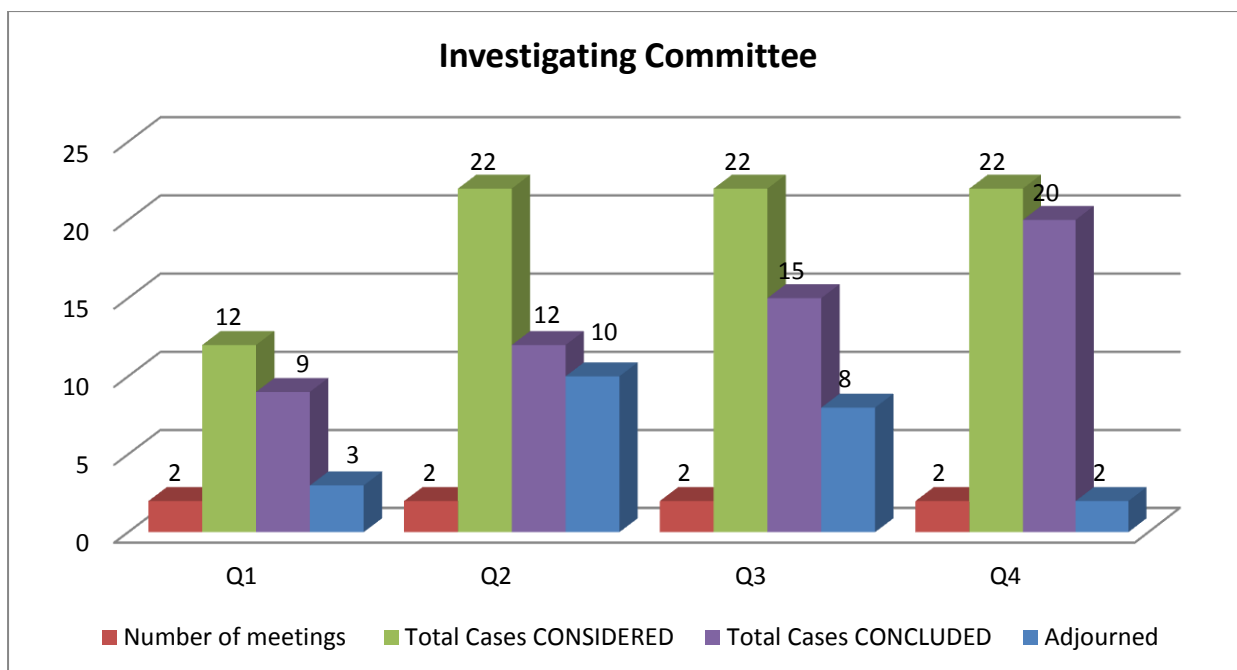
**Key points:** there is currently one case older than 104 weeks and no cases older than 156 weeks. The number of cases older than 52 weeks has decreased significantly since Q3. Five of the cases older than 52 weeks are due to be considered by the PCC during the next quarter.

### Investigating Committee

**Key points:** the number of cases considered by the IC in Q4 was consistent with Q2 and Q3. The Total Cases Concluded rate in Q4 was 91% compared to 68% in Q3. This was in part due to further investigative work undertaken by the regulation officers pre-IC.

One IC ISO was applied for and granted in Q4. The complaint information received was not sufficient to enable expedient ISO consideration and further investigation was required. Once the required information was received an ISO decision was made in three weeks.

Investigating Committee	Q1	Q2	Q3	Q4
<b>IC MEETINGS</b>				
Number of meetings	2	2	2	2
Total Cases CONSIDERED	12	22	22	22
Total Cases CONCLUDED	9	12	15	20
<b>IC DECISIONS</b>				
No Case to Answer	2	3	4	6
Referred to PCC	7	8	11	14
Referred to HC	0	1	0	0
Referred to PCC and HC	0	0	0	0
Adjourned	3	10	8	2
<b>IC Interim Suspension Order DECISIONS</b>				
Applications made	0	2	1	1
Interim Suspension Order Imposed	0	2	1	1
Undertaking	0	0	0	0
Receipt of complaint to ISO Decision (MEDIAN in weeks)	0	5	4	10
From decision there is information indicating the need for an interim order to ISO Decision (MEDIAN in weeks)	0	5	4	3



### Professional Conduct Committee

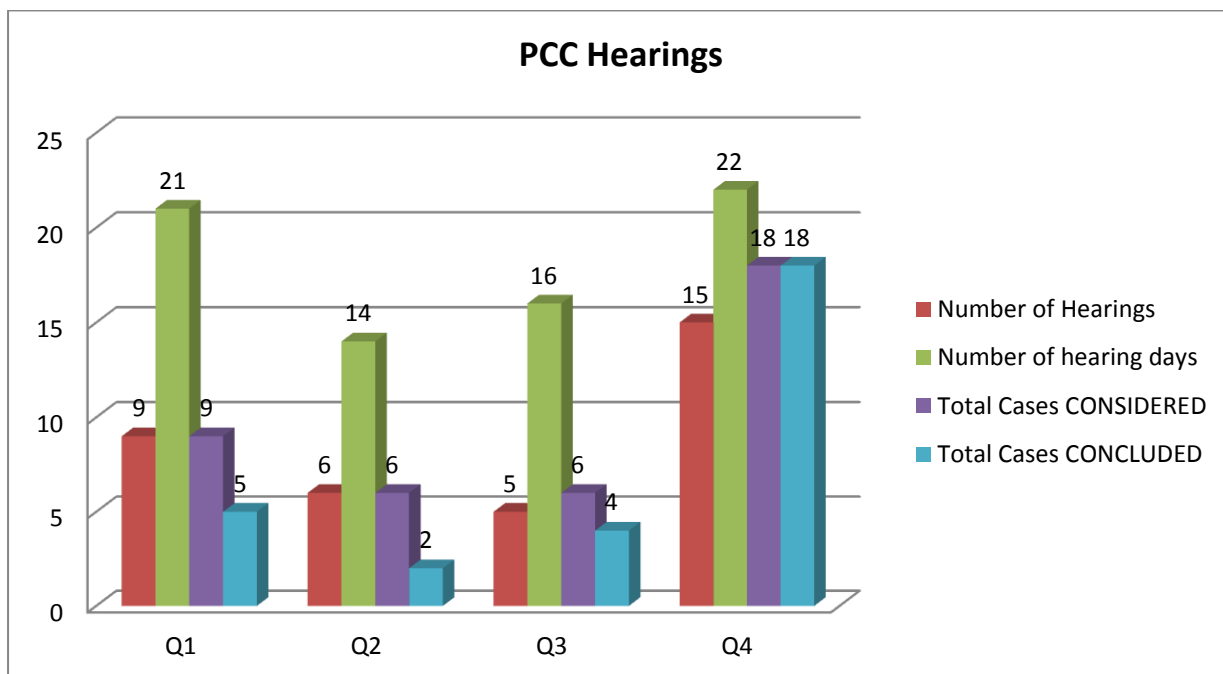
**Key points:** 100% of cases were concluded by the PCC in Q4 compared to 66% in Q3. The PCC conducted 15 hearings during Q4 and considered 18 cases. Two hearings concerned two cases against the same registrants and resulted in the closure of four cases at two hearings. One case concluded following the revocation of the conditions of practice order and this case has not been included in the decisions table below. This case has been included in the 'total cases concluded' figure.

As at 31 March 2017 there are no part-heard cases. This compares to two part-heard cases as at 31 December 2016.

Professional Conduct Committee	Q1	Q2	Q3	Q4
<b>PCC Hearings</b>				
Number of Hearings	9	6	6	15
Number of hearing days	21	14	16	22
Total Cases CONSIDERED	9	6	6	18
Total Cases CONCLUDED	5	2	4	18
<b>PCC DECISIONS</b>				
Allegation not 'well founded'	0	2	1	7
Admonished	2	0	1	4
Conditions of Practice	1	0	0	0
Suspension	1	0	0	0
Removal	1	0	1	2
Rule 19	0	0	0	2
Adjourned	4	4	0	0
Rule 8 Admonishment	0	0	0	2

## Annex to 6

PCC Interim Suspension Order DECISIONS				
Applications made	1	1	2	2
Interim Suspension Order Imposed	1	0	1	1
Undertaking	0	1	0	1



## Health Committee

Health Committee	Q1	Q2	Q3	Q4
HC Hearings				
Number of Hearings	0	0	0	1
Number of hearing days	0	0	0	1
HC DECISIONS				
Allegation not 'well founded'	0	0	0	0
Conditions of Practice	0	0	0	0
Suspension	0	0	0	0
Revocation of Order	0	0	0	1

**Key points:** the Health Committee considered one case in Quarter 4 and determined to revoke the suspension order.



**Protection of Title**

**Key points:** we received nine more concerns in Q4 compared to Q3. The GOsC brought a successful prosecution against a former registrant for misuse of title on 24 January 2017 at Willesden Magistrates Court. There were 19 active Protection of Title cases as at 31 March 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	20
Cease and Desist letters sent	8	18	4	9
Resolved	5	10	7	4
Prosecution Commenced	0	1	1	0
Conviction Secured	0	0	1	1

