

Current fitness to practise dashboard Q2 2019-2020

Concerns and Formal Complaints

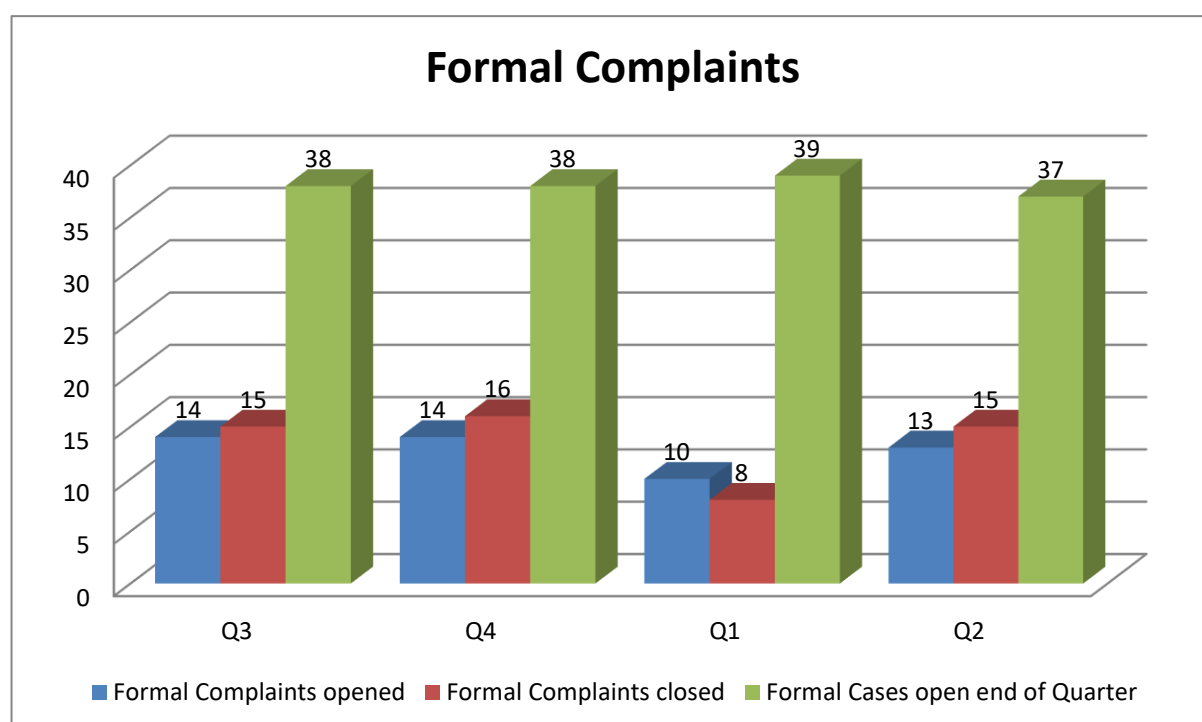
Formal complaints – key points

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

We received more formal complaints in Q2 than we did in Q1 of 2019-20. The number of open formal cases has decreased slightly but is not out of the normal range.

As a comparison, in Q2 2018-19 we received 11 formal complaints and had 39 open formal complaints at the end of the quarter.

Number of complaints received	Q3	Q4	Q1	Q2
Formal complaints opened	14	14	10	13
Formal complaints closed	15	16	8	15
Formal cases open end of quarter	38	38	39	37



Source of formal complaints	Q3	Q4	Q1	Q2
Self-referral by the registrant	3	1	1	6
Registrar's allegation	5	1	1	0
Referral by non-NHS employer	0	0	2	0
Referral by patient or service user	2	8	3	5

Referral by NHS	0	0	0	0
Referral by another registrant	1	0	3	0
Anonymous informant	0	2	0	1
Referral by another regulatory body	0	0	0	0
Any other informant	3	2	0	1
Total	14	14	10	13

Key points: The number of self-referrals received from registrants has significantly increased this quarter. The declarations received from registrants this quarter relate to lapses in professional indemnity insurance, criminal charges and a police caution.

Allegations in formal complaints	Q3	Q4	Q1	Q2
Conduct	12	13	10	12
Conviction	2	0	0	0
Competency	0	0	0	0
Adjunctive therapies	0	0	0	0
Health	0	1	0	1
Total	14	14	10	13

Key points: Conduct continues to be the main type of allegation raised in formal complaints.

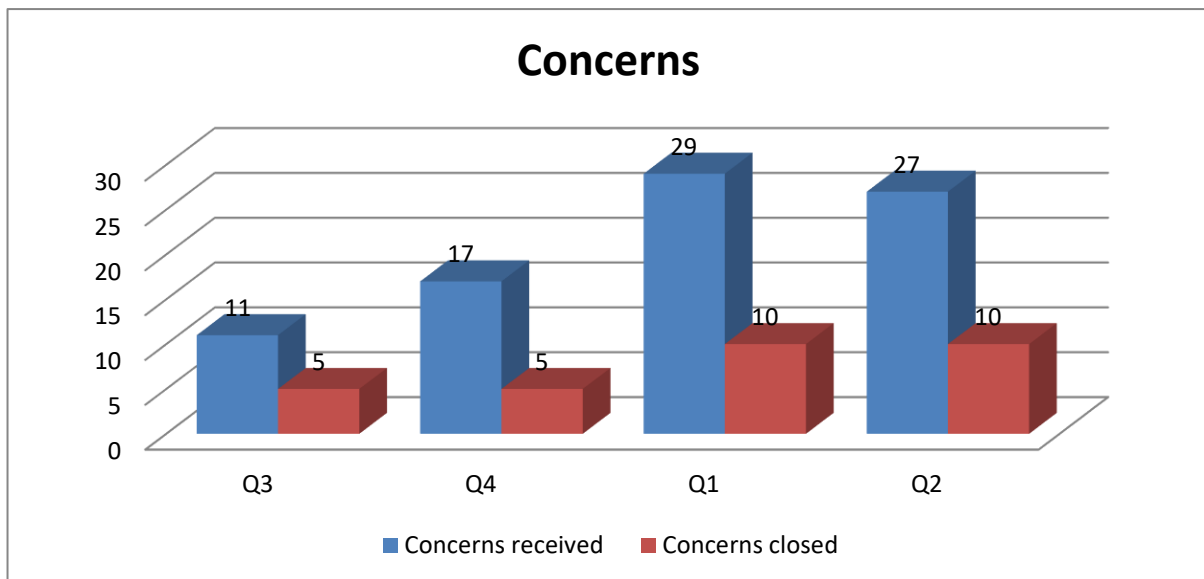
Concerns received

The number of concerns received in Qs 1 and 2 have been significantly higher than usual in the previous two quarters (Q3 and 4). The increase in self-referrals has contributed to this in part. The main sources of concern in Q2 were inappropriate and/or forceful treatment, sexually motivated conduct and failure to maintain professional indemnity insurance.

Concerns closed

Ten concerns were closed during Q2 under the Initial Closure Procedure.

Number of concerns received	Q3	Q4	Q1	Q2
Concerns received	11	17	29	27
Concerns closed	5	5	10	10



Key Performance Indicators

Key Points: Each KPI is the length of time, measured in median weeks, from receipt of formal complaint to decision point (i.e. screener, IC or PCC/HC decision).

Our targets for performance at each decision point are set out in the first table below. Our performance against each target is also set out in that table.

The target for screening formal complaints was met this quarter.

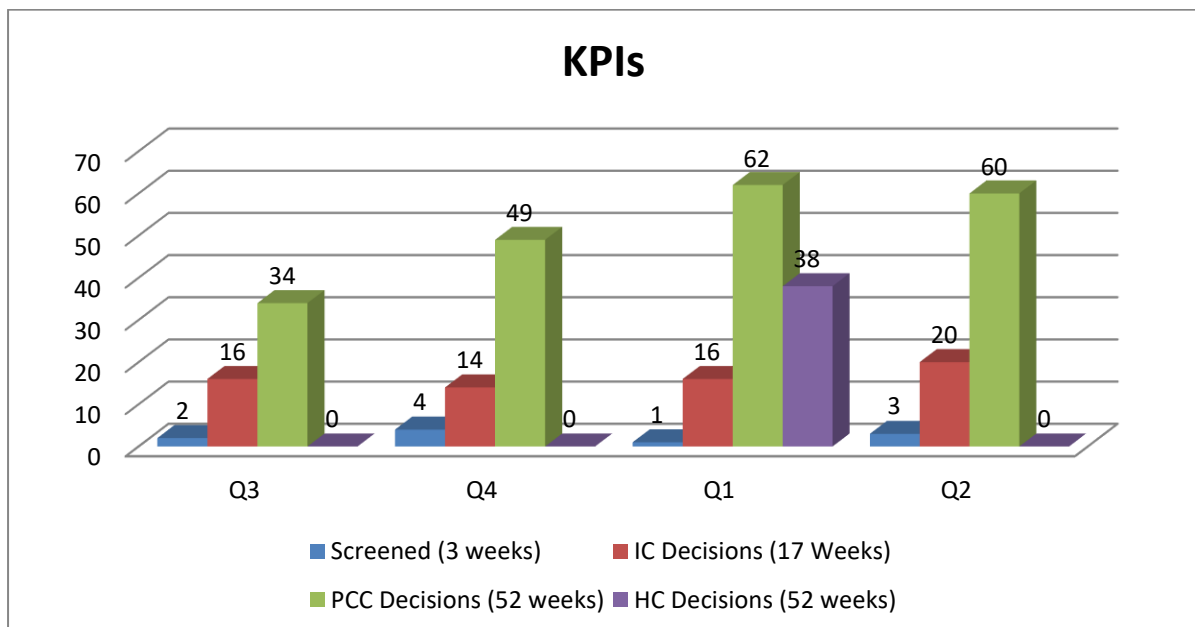
The target for IC decision was not met this quarter. The number of cases considered by the IC was unusually small, being 6 in total. Performance against the target was affected by two cases where both registrants concerned were given a further opportunity to respond due to amendments made to the allegations prior to IC consideration. In the other 4 cases the target was met.

The median for the conclusion of PCC decisions was 60 weeks instead of 52 this quarter. In one case, the matter was paused pending the outcome of an appeal hearing in connected third party proceedings. One case was originally listed within target but postponed on the registrant's application due to a serious health condition. A third case was referred by the PCC to the HC due to health concerns which arose during a hearing. The PCC hearing was therefore adjourned pending the HC's decision. Excluding these cases, performance was 58 weeks. Two further cases concluding this quarter were cases which had been adjourned the previous quarter. The hearings for these cases had been listed to conclude to target in previous quarters, but in the event concluded outside of target due to the adjournments.

Without the above circumstances the overall median performance would have been 49 weeks this quarter.

Performance against targets	Q3	Q4	Q1	Q2
Screener Decisions (target: 3 weeks)	2	4	1	3
IC Decisions (target: 17 Weeks)	16	14	16	20
PCC Decisions (target: 52 weeks)	34	49	62	60
HC Decisions (target: 52 weeks)	n/a	n/a	38	n/a

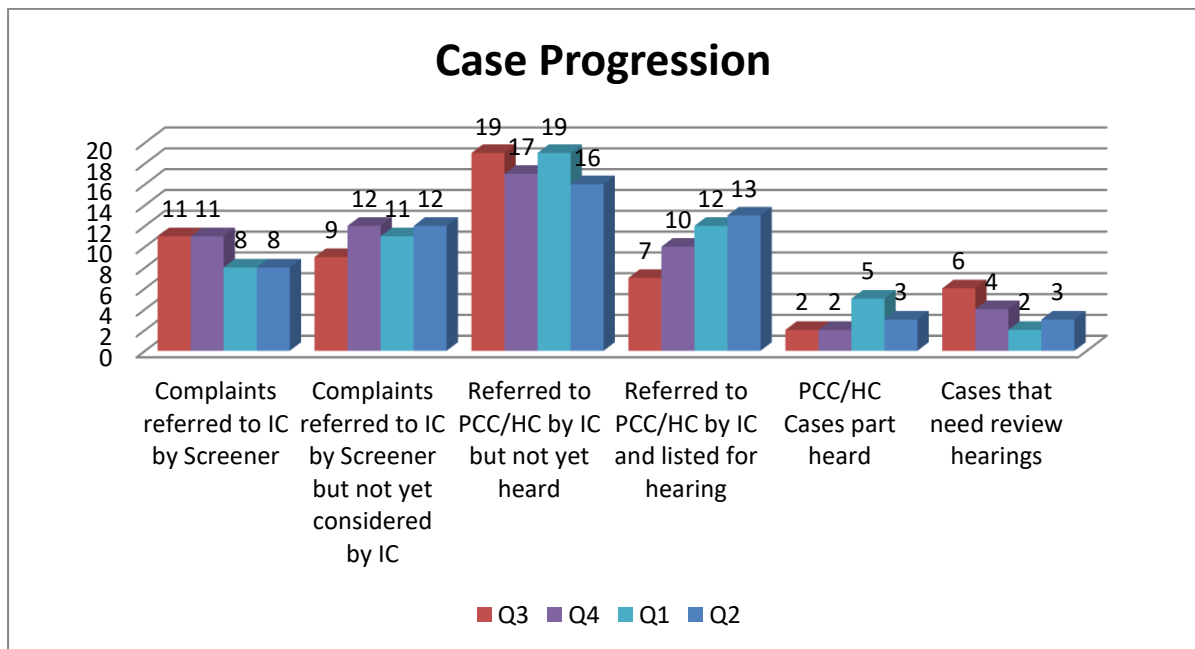
Performance against targets	Q1	Q2
PCC Decisions excluding cases on hold due to: <ul style="list-style-type: none"> - Pending third party investigations - Registrant health condition - PCC adjournment for referral to HC 	52	58



Case Progression

Case progression	Q3	Q4	Q1	Q2
Cases referred to IC by Screener	11	11	8	8
Cases referred to IC by Screener but not yet considered	9	12	11	12
Cases referred to PCC/HC by IC but not yet heard	19	17	19	16
Cases referred to PCC/HC by IC and listed for hearing	7	10	12	13
PCC/HC cases part heard	2	2	5	3
Cases that need review hearings	6	4	2	3

Key points: Two of the three part-heard cases are listed to resume in Q3. Six of the cases referred to the IC by the Screener but not yet heard are outside target date. All are scheduled to be heard by the IC in Q3 with the exception of one health case. Of the 16 cases referred to the PCC or HC but not yet heard, four are outside target. Three are listed for hearings. The fourth was listed but the GOsC applied for a postponement to allow for the investigation of a second patient complaint.



Age of Caseload

Cases open end of 1/4 older than	Q3	Q4	Q1	Q2
52 weeks	6	6	9	6
104 weeks	1	1	2	1
156 weeks	0	0	0	0

Key points: Of the six cases older than 52 weeks:

- One case was on hold pending a police investigation. It has now been further postponed by the PCC to allow for the investigation of a second patient complaint against the registrant.
- One is a health case which was on hold pending the conclusion of a linked case relating to an allegation of unacceptable professional conduct. This case is listed for hearing in Q3.
- Two cases were postponed following a successful application by the Registrant for the joinder of these cases with a third case. A further two cases have also been joined to the matter. The joint hearing is scheduled to run across 10 days in Q4 of 2019-2020 and Q1 of 2020-2021.

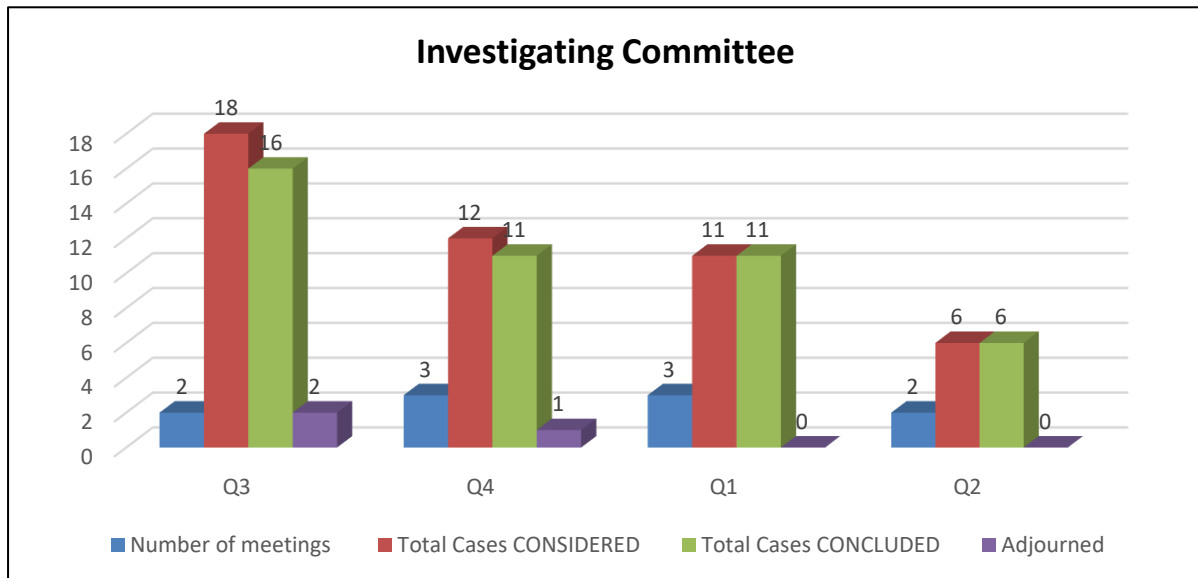
- One case was adjourned by the Investigating Committee in order to obtain expert evidence from a sports massage therapist. A delay was caused by difficulties in identifying a suitable expert for this purpose. The case is listed to be heard in Q4.
- One case was adjourned by the PCC in Q4 of 2018-2019. There was a delay in re-convening this hearing due to panel member availability.

Investigating Committee

Key points: The IC held two meetings in Q2 and considered six cases. The majority of cases considered by the IC were referred to the PCC. The IC did not adjourn any cases in Q2.

The IC did not consider any interim order applications in Q2.

Investigating Committee	Q3	Q4	Q1	Q2
IC MEETINGS				
Number of meetings	2	3	3	2
Total cases CONSIDERED	18	12	11	6
Total cases CONCLUDED	16	11	11	6
IC DECISIONS				
No Case to Answer	4	3	3	2
Referred to PCC	12	7	8	4
Referred to HC	0	0	0	0
Referred to PCC and HC	0	0	0	0
Adjourned	2	1	0	0
Stayed	0	1	0	0
IC Interim Suspension Order DECISIONS				
Applications made	1	0	1	0
Interim Suspension Order imposed	1	0	0	0
Undertaking	0	0	0	0
Receipt of complaint to ISO Decision (MEDIAN in weeks)	3	N/A	8	N/A



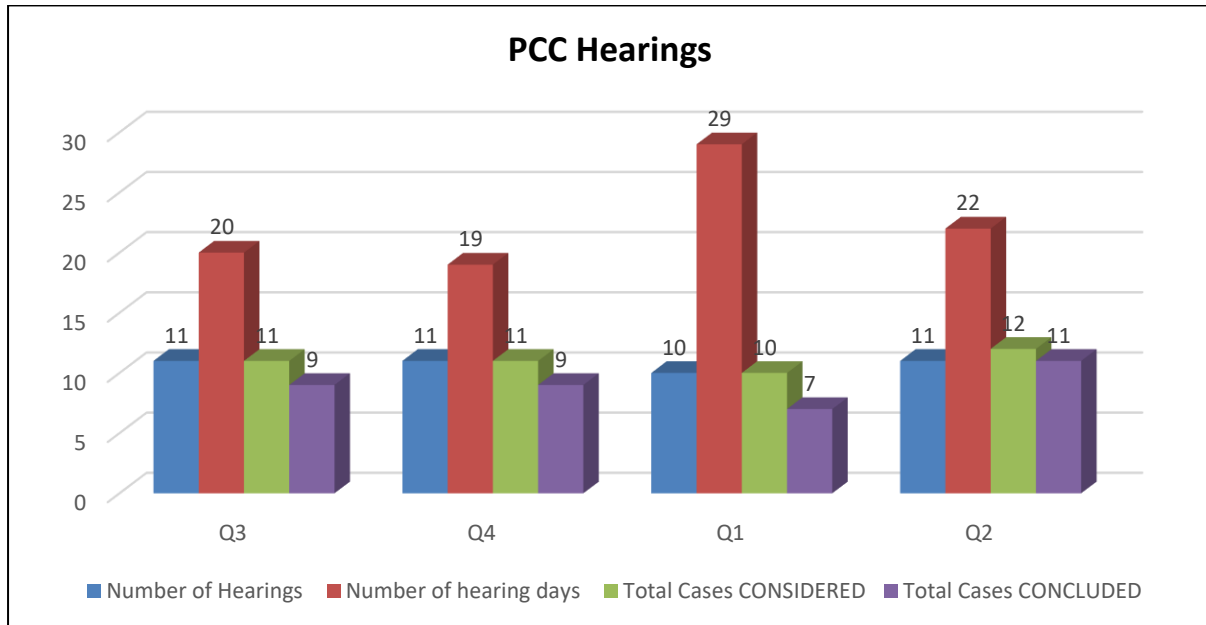
Professional Conduct Committee

Key points: In Q2 the PCC considered 12 cases, concluding 11 cases and adjourning one. In the adjourned case, the case was listed for one day but the Committee's deliberation as to the facts of the allegation took longer than had been anticipated (a number of previous cases involving similar circumstances all concluded within one day).

The PCC stayed one allegation concerning a registrant who had been removed from the Register at the conclusion of another fitness to practise matter.

Professional Conduct Committee	Q3	Q4	Q1	Q2
PCC Hearings				
Number of hearings	11	11	10	11
Number of hearing days	20	19	29	22
Total cases CONSIDERED	11	11	10	12
Total cases CONCLUDED	9	9	7	11
PCC DECISIONS				
Allegation not 'well founded'	1	3	1	6
Admonished	1	1	0	1
Conditions of Practice	0	0	0	1
Suspension	2	1	2	1
Removal	2	2	1	0
Rule 19	0	0	0	0
Adjourned	2	2	3	1
Conditions/Suspension to expire at end of order	0	2	2	1
Rule 8 Admonishment	3	0	0	0
Stayed	0	0	1	1

PCC Interim Suspension Order DECISIONS	Q3	Q4		
Applications made	1	1	0	0
Interim Suspension Order imposed	1	1	0	0
Undertaking	0	0	0	0



Health Committee

The HC did not consider any cases this quarter.

Protection of Title

Key points: There are 30 active protection of title cases as at 30 September 2019.

Protection of Title	Q3	Q4	Q1	Q2
Concerns received	8	13	11	15
Cease and desist letters sent	12	14	11	12
Resolved	5	10	6	12
Prosecution commenced	0	0	0	0
Conviction secured	0	0	0	0

