



Policy Advisory Committee

13 October 2016

Values, Standards and Regulation in context

Classification	Public
Purpose	For discussion
Issue	Understanding the relationship between values and the implementation of standards.
Recommendation	To consider our approach to exploring the relationship between values and the implementation of standards.
Financial and resourcing implications	The cost of the values work comprises mainly staff time at the moment whilst we scope the work. The General Dental Council have set aside funding to undertake some exploratory work with patients as part of the scoping. We expect that we will make provision in the 2017/18 budget to commission specific expertise to support the development of tools, once the scoping stage has been completed.
Equality and diversity implications	Equality and diversity matters are being considered as part of this project. The project is about identifying what matters to the individual patient and the context of the consultation to support the implementation of standards.
Communications implications	We will communicate our work on values to registrants and others through our usual channels including the osteopath and to our key stakeholder groups.
Annex	Poster and abstract to the Altogether Better Health Conference in September 2016.
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Background

1. Our Corporate Plan 2016 to 2019 states we aim 'to fulfil our statutory duty to protect public and patient safety through targeted and effective regulation, working actively and in partnership with others to ensure a high quality of patient experience and of osteopathic practice'.
2. Our strategic objectives are:
 - To promote public and patient safety through patient-centred, proportionate, targeted and effective regulatory activity.
 - To encourage and facilitate continuous improvement in the quality of osteopathic healthcare.
 - To use our resources efficiently and effectively, while adapting and responding to change in the external environment.
3. The 2016-17 Business Plan sets out a goal 'to use evidence from data collection, risk analysis and research to inform the development of osteopathic regulation and practice.' Our stated activities include 'continue to develop work in relation to values in practice to support the development of the Osteopathic Practice Standards and new CPD scheme.'
4. This paper provides an update on our work on values since the last report to Committee in October 2014 and seeks the Committee's feedback about this exploratory work.

Discussion

5. We have been undertaking a range of work and engagement to help us to better understand the relationship between values, standards and the context of application of standards in a clinical consultation. In exploring this work we have been working closely with Professor Bill Fulford, Director of the Collaborating Centre for Values Based Practice based in Oxford and Professor Stephen Tyreman, Professor of Osteopathy and Philosophy at the University of Bedfordshire and more recently, closely with other health professional regulators.
6. We ran a seminar in October 2014 which involved attendees from a broad range of fields including academics, patients and those with an expert interest in the patient narrative, regulators, professional bodies, osteopaths from the Council for Osteopathic Educational Institutions, the Institute of Osteopathy and the Osteopathic Alliance and students. We explored views with a range of stakeholders with an interest in contextual professional judgements. During the seminar, participants:
 - Undertook interactive exercises
 - To explore and describe good osteopathic care identifying what was important about good care.

- To explore different choices made using a common evidence base in hypothetical case study recognising that different people have different reasons for selecting a treatment which may be related to values that are important in their circumstances, for example, age, culture, family circumstances, professional experience time.
 - Developed frameworks to support the exploration of values
 - Tested the frameworks with a case study.
7. Findings from the seminar included:
- Values are diverse – a wide range of descriptors of values had been generated from the discussions.
 - Values are common – while descriptions of good osteopathic care were diverse, there were some areas of commonality with the highest responses being around care and compassion, competence, professionalism and communication.
 - Values are complex – the discussions about values had identified that while many were common, there were many nuances that arose from individuals' personal circumstances and experiences.
8. We also ran a seminar in May 2015 to build on the work of the initial seminar by making more explicit the links between values and standards in osteopathy, as expressed in the *Osteopathic Practice Standards*. The majority of attendees at the second seminar had attended the first seminar.
9. At this seminar, Professor Stephen Tyreman presented an analysis of the findings of the previous seminar and suggested a draft framework to explore further in this seminar. The draft framework was built around the domains of care, competency, professionalism and context. Again the draft framework was explored and developed through discussion, interactive exercises and case studies.
10. Findings from this seminar included:
- There was not a consensus about how to re-classify values or restructure the draft values framework. However, while there was debate about the meanings or definitions of the values and how best to represent them in a framework or model, thinking about different people's values seemed to resonate as a useful signpost to thinking about good, person-centred care.
 - Participants reflected that, overall, the values in the draft framework helped them to draw out different people's viewpoints about what constitutes good osteopathic care compared with only using the *Osteopathic Practice Standards*.
 - Feedback on the *Osteopathic Practice Standards* from the perspective of values which was taken into account as part of the review process.
11. We took stock of the findings during 2015, and met regularly with Professor Fulford and Professor Tyreman to develop a project outline for further discussion. The challenge is to make a difference at the point of implementation

of our standards and to be able to demonstrate this: a key component of our thinking. Professor Fulford and the Professional Standards Authority suggested that we arrange a pre-conference meeting to the Professional Standards Authority 2016 Research Conference in March 2016 to test out our emerging ideas with peers. Colleagues from the General Pharmaceutical Council and the General Dental Council as well as representatives from other health professions, organisations and others were supportive of our ideas and suggested that we developed them further.

12. We also shared our findings and our draft project outline at the Altogether Better Health Conference in Oxford in September 2016: a global conference in Oxford attracting healthcare practitioners, students, policymakers, researchers and service users to compare perspectives and share expertise. We held conversations with professionals from different disciplines to test out our thinking and will share and test our thinking again presenting with the General Dental Council at the Scottish Government Health Conference in Edinburgh in 2016.
13. The poster and abstract for our recent conference presentation is attached at the Annex for information.
14. Our working project outline will be circulated to attendees. This remains a confidential document at this stage due to the developmental nature of the work.
15. The Committee are invited to explore our thinking in the project outline and to provide feedback to support further development of the scoping work.

Recommendation: to consider our approach to exploring the relationship between values and the implementation of standards.



Values, standards and the real world: regulation in context

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Objective

Achieving patient safety and quality of care through better understanding of the impact of regulation.

Methods

Literature review.

Workshops with osteopaths, other health professionals, patients and educators to:

- explore values
- develop a framework to support better partnership clinical decision making
- test framework with case studies.



Results

- Regulatory standards ≠ practitioner behaviour.
- Values are common.
- Yet values conflict.

Conclusion

Common framework was helpful but still challenging when applied to case studies.

Test concept and interventions in different health contexts.

Next steps

Work with the General Dental Council to explore mechanisms for making patient and practitioner values more explicit, in order to develop 'context' further.

#whatmatterstoyou

Test impact on patient-reported experience using *Care and Relational Empathy Measure*, which incorporates values.



References:
 McGivern, G et al, 2015. *Exploring and Explaining the Dynamics of Osteopathic Regulation, Professionalism and Compliance with Standards of Practice*. Available at: <http://bit.ly/2b3cU0U>
 Fulford KWM, Peile E and Carroll H, 2012. *Essential Values-Based Practice*. Cambridge University Press.
 Mercer S et al. The consultation and relational empathy (CARE) measure: development and preliminary validation and reliability of an empathy-based consultation process measure. *Family Practice* (2004) 21 (6):699-705.

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Title: Values, standards and the real world: regulation in context

Conference Programme Description: This session will explore regulation in the real world context and will discuss our collaborative work with Professors Bill Fulford and Stephen Tyreman on a values-based model of regulation exploring the role of patient and clinician values in standards, focussing on implementation.

Key Words:

- Values
- Regulation
- Standards

Abstract for oral presentation or poster presentation

Regulation is traditionally perceived as linear: setting and monitoring standards, quality assuring education and restricting those who do not meet the required standards at a given point in time. While there are also statutory duties to 'promote high standards', less attention is given to how standards are interpreted by an individual working in a particular context, systemic relationships and how these complex interactions can contribute to good practice.¹

Further, regulation research has shown that abstract rules and regulations can have unintended consequences. For example, perceptions of fitness to practise by registrants following cases which do not appear to have been dealt with fairly according to their norms, can lead to greater disengagement from the regulator impacting on the very patient safety that the regulator seeks to achieve.²

Research focussing on clinical practice and education has more recently highlighted the real world and context within which health professionals work.³ We see research showing correlations between fear and behaviour not in accordance with standards,

¹ The Law Commission Report on the *Regulation of Health Care Professionals Regulation of Social Care Professionals in England*, 2012 and subsequent dialogue in relation to this is an example about this framing of regulation.

² See for example, McGivern, G, et al *Exploring and explaining the dynamics of osteopathic regulation, professionalism and compliance with standards of practice*, 2015 available at: <http://www.osteopathy.org.uk/news-and-resources/document-library/research-and-surveys/dynamics-of-effective-regulation-final-report/>

³ See for example, Fulford KWM, Peile E and Carroll H, *Essential Values-Based Practice*, 2012, Cambridge University Press, Wintrup J, *The changing landscape of care: does ethics education have a new role to play in health practice?*, BMC Medical Ethics 2015;16:22 DOI: 10.1186/s12910-015-0005-0. See also Rosalind Searle, who has written about the correlation between high trust and high performance in NHS organisations and more broadly and also McGivern G above.

and anxiety leading to unethical behaviour, low trust and low performance. Research also shows that a focus on values can support contextual application of the right tools in the right context.

This presentation will explore regulation in the real world context and will:

- Set the scene to argue that an approach to regulation should be much more contextual, should focus on health professionals as human beings and should seek to achieve genuine improvements which can be demonstrated through innovative evaluation.
- Discuss our collaborative work with Professors Bill Fulford and Stephen Tyreman on a values-based model of regulation exploring the role of patient and clinician values in standards, focussing on implementation.
- Identify areas for future research for which the osteopathic population is ideally suited to test out some of these ideas.

Biographical Details

Tim Walker has been Chief Executive and Registrar of the General Osteopathic Council since autumn 2010. Prior to the GOsC he worked for the General Medical Council, also as a political consultant and in regulatory affairs at Turner Broadcasting UK, the Cabinet Office, and the Ministry of Agriculture, Fisheries and Food. He is Chair of two charities: the National Council for Osteopathic Research and Kingsgate Workshops Trust, an artists' studio provider and community arts project.

Fiona Browne is Head of Professional Standards at the General Osteopathic Council, established in law as the statutory regulator for osteopathy in the United Kingdom (UK). Fiona has held previous roles at other regulators, gaining a broad perspective on the impact of regulation through the lenses of fitness to practise, education and revalidation. Fiona is interested in exploring patient safety through the impact of regulation on behaviour.