

**Date issued: 3 September 2024**

**SCOTTISH SOCIAL SERVICES COUNCIL**  
**FITNESS TO PRACTISE COMMITTEE**

**A meeting of the Fitness to Practise Committee will be held at 10.00am on Tuesday 10 September 2024 by Teams meeting.**

**AGENDA**

1. Welcome
2. Apologies for absence
3. Declaration of interests
4. Minutes of previous meeting – 23 September 2021
5. Fitness to Practise Panel outcomes and disposals - report no: 1/2024
6. Training of Fitness to Practise Panel Members - report no: 2/2024
7. Quality Assurance Sub-committee – report no: 3/2024

## **SCOTTISH SOCIAL SERVICES COUNCIL**

### **Unconfirmed minutes of the Fitness to Practise Committee held by Teams video conference Thursday 23 September 2021 at 10 am.**

**Present:** Peter Murray, Council Member, Chair  
Linda Lennie, Council Member, Vice-chair  
Safaa Baxter  
Mike Bell  
Anna Bowman  
Alan Campbell  
Isla Davie  
Douglas Cochrane  
Susan Dumbleton  
Alasdair MacMillan  
Ian McDonough  
David McLean  
Anne McMillan  
Janice Palmer  
Graham Ross  
John Service  
Susanne Tanner  
David Tierney  
Lorraine Turnbull  
Ian Turner  
Andrew Webster

**In attendance:** Hannah Coleman, Head of Regulatory Improvement and Hearings  
Caitlin Kinloch, Solicitor, Regulatory Improvement and Hearings  
David Kydd, Team Leader, Regulatory Improvement and Hearings  
Audrey Wallace, Corporate Governance Coordinator

#### **1. Welcome**

1.1 Peter Murray introduced himself and Linda Lennie as the Chair and Vice Chair of the Committee. He welcomed all Members and officers to the meeting and thanked them for their attendance.

#### **2. Apologies**

2.1 Apologies for absence were noted from Committee Members who were unable to attend. Hannah Coleman confirmed that the meeting was quorate.

#### **3. Declarations of Interest**

3.1 All social service workers in attendance declared their interest as registered workers.

#### **4. Minutes of the previous meeting – 27 September 2018**

- 4.1 The minutes of the meeting held on 27 September 2018 were agreed as an accurate record.

#### **5 Matters arising**

- 5.1 Hannah Coleman updated Members on progress regarding access to justice, at item 4.4ii of the minutes, and the SSSC's ongoing work to assist in making the hearings process more accessible to workers and other participants. She advised that the SSSC pays the travel and subsistence costs of all workers, their witnesses, supporters and representatives to enable their attendance at hearings. The SSSC was currently the only regulatory body in the UK to have such a policy. Hearings can be scheduled to be held at locations local to the participants rather than at SSSC headquarters, should this be helpful in making the process more accessible to participants. Where appropriate, participants were also able to attend hearings online rather than travelling to a physical location. Since the pandemic hit, almost all hearings have taken place online which has assisted workers to attend their hearings. Hannah Coleman confirmed that work would continue to improve accessibility to the whole hearings process.

#### **6. Fitness to Practise Panel outcomes and disposals**

- 6.1 Hannah Coleman presented report 01/2021 which provided information on the outcomes and disposals of the Fitness to Practise Panel meetings held between April 2018 and March 2021. The report gave statistical details on the outcomes of Temporary Order Hearings (TO), Temporary Order Review Hearings (TOR) Impairment Hearings, Application Hearings, Restoration Hearings and Appeals. Appeals are made to the Sherriff Court. As an update to the detail in the report at 4.7, Hannah Coleman advised that at the time of writing two appeals had been under consideration by the Sheriff however in the past few days one of these appeals had been dismissed. She advised that this had been referred to in one of the recent training sessions with Members and would be discussed during the next scheduled training session, as well as a copy of the judgment being shared with all members in due course.
- 6.2 Appendix 2 to the report showed the outcomes and disposals in chart form, broken down by hearing type for each financial year.
- 6.3 Linda Lennie asked whether, given that the hearings numbers had remained fairly consistent throughout the past three years, was it envisaged that these would increase with the increase in registered workers. Hannah Coleman answered, saying that while the numbers of investigations were expected to increase in line with the increase in the register, the introduction of opt-in hearings was expected to reduce the number of hearings taking place. Cases would only now involve a full hearing in front of panel members if requested by the worker.
- 6.4 Peter Murray posed a query on the how development needs identified during the hearings process were captured and appropriate action taken to remedy any gaps. Hannah Coleman confirmed that this requires the involvement of cross working between departments to identify and discuss development needs

or gaps and assess how these would be monitored and necessary action taken. She added that a further discussion within a different forum would be appropriate.

- 6.5 The Committee
1. noted the outcomes and disposals of the Fitness to Practise Panel hearings concluded between 1 April 2018 and 31 March 2021
  2. noted that this information would be presented to the next meeting of the Council.

## **7. Training of Fitness to Practise Panel Members**

- 7.1 Hannah Coleman presented report 02/2021 which set out the training provided to Panel Members over the previous three years and the proposals for the coming three years. She advised that the feedback forms from Panel Members and a training analysis exercise would inform future training and development needs. Information received from other bodies including other regulators would also be taken into consideration.
- 7.2 Hannah Coleman further advised that Members had been surveyed on whether in-person or online training was preferred and, in accordance with responses, it was decided that, when permissible, of the two sessions per year, one would be conducted in person and one online.
- 7.3 Members were referred to Appendix 4 to the report which detailed the training dates and topics which had been already agreed. Hannah Coleman also referred Members to the setting up of the Quality Assurance Sub-committee, which had been agreed by Council earlier in the year and planned to be operative from November this year.
- 7.4 In answer to a question from Linda Lennie, Hannah Coleman confirmed that the training package was mandatory and this was included within the Panel Members' contracts.
- 7.5 The Committee
1. noted the contents of the report.

**Fitness to Practise Committee: 23 September 2021**  
**Start time: 10.00am**  
**Finish time: 10:16am**

Signed: .....  
Peter Murray, Chair, Fitness to Practise Committee

Date: .....

<b>Title of Report</b>	Fitness to Practise Panel outcomes and disposals
<b>Public/Confidential</b>	Public
<b>Summary/purpose of report</b>	To report on the outcomes and disposals of Fitness to Practise panel hearings for the past 3 years.
<b>Recommendations</b>	The Fitness to Practise Committee is asked to: <ul style="list-style-type: none"> <li>1. note the outcomes and disposals of the Fitness to Practise Panel hearings concluded between 1 April 2021 and 31 March 2024</li> <li>2. note that this information will be presented at the next meeting of Council.</li> </ul>
<b>Responsible Officer</b>	Hannah Coleman, Acting Director of Regulation
<b>Link to Strategic Plan</b>	The information in this report links to: Outcome 1: <b>Trusted</b> People who use services are protected by a workforce that is fit to practise.
<b>Link to Risk Register</b>	Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers. Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations. Risk 4: We fail to provide value to stakeholders and demonstrate our impact.
<b>Impact Assessment</b>	An Impact Assessment (IA) was not required.
<b>Documents attached</b>	Appendix 1: detail of amendments to the Fitness to Practise Rules Appendix 2: charts displaying hearing outcomes Appendix 3: appeals information

<b>Background papers</b>	None
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## **EXECUTIVE SUMMARY**

1. Fitness to Practise Panels act in terms of the Scottish Social Services Council (Fitness to Practise) Rules 2016 as amended (see appendix 1 for details of amendments).
2. Fitness to Practise Panels are convened on request from the Fitness to Practise Department (FtP).
3. Temporary Order hearings and Temporary Order review hearings make decisions about the imposition of a temporary order on a worker's registration while the FtP investigation takes place.
4. Impairment hearings make decisions on findings in fact, decisions on a worker's fitness to practise, and consider whether a sanction should be imposed on a worker's registration.
5. Application hearings consider whether or not to grant a worker's application for registration (with or without conditions).
6. Restoration hearings consider applications to be restored to the register, following a prior removal from the register.
7. This report covers the period 1 April 2021 to 31 March 2024.
8. In terms of the Council's governance processes, this report is presented to this Committee for consideration and thereafter reported to Council.

## **HEARING OUTCOMES**

9. Below are the Hearing outcomes for all hearings that concluded between the relevant dates. Charts of the outcome by year are contained at Appendix 2.

### **Temporary Order Hearings**

10. 266 Temporary Order Hearings took place with the following outcomes:
  - a. 183 workers had a temporary suspension order imposed
  - b. 49 workers had a temporary conditions order imposed
  - c. 32 workers had no order imposed where a temporary suspension order had been sought
  - d. 2 workers had no order imposed where a temporary conditions order had been sought.

### **Temporary Order Review Hearings**

11. 92 Temporary Order Review Hearings took place with the following outcomes:
  - a. 66 workers had their temporary suspension order extended
  - b. 8 workers had their temporary suspension order continued
  - c. 6 workers had their temporary suspension order varied
  - d. 2 workers had their temporary suspension order revoked
  - e. 3 workers had their temporary conditions order extended
  - f. 1 worker had their temporary conditions order continued
  - g. 6 workers had their temporary conditions orders varied.

### **Impairment Hearings**

12. 120 Impairment Hearings took place with the following outcomes:
  - a. 55 workers were removed from the register
  - b. 17 workers were found not to be impaired
  - c. 15 workers had a warning and conditions imposed on their registration
  - d. 13 workers had no action taken, after being found to be impaired
  - e. 6 workers had a warning imposed on their registration
  - f. 5 workers were suspended from the register and had conditions imposed
  - g. 5 workers had conditions imposed on their registration
  - h. 3 workers were suspended from the register
  - i. 1 worker had their temporary suspension order revoked.

### **Application Hearings**

13. 12 Application Hearings took place with the following outcomes:
  - a. 6 workers were registered
  - b. 4 workers were registered with conditions
  - c. 2 workers had their registration refused.



## **Restoration Hearings**

14. 3 Restoration Hearings took place with the following outcomes:
  - a. 2 workers were restored to the register
  - b. 1 worker was restored to the register with conditions.

## **Appeals**

15. 6 appeals were raised between 1 April 2021 and 31 March 2024. 3 appeals were granted, 1 refused, 1 dismissed and 1 is ongoing. Further detail is contained at Appendix 3.

## **CONSULTATION**

16. No consultation was required in the preparation of this report which is reporting outcomes and disposals of hearings over the relevant period.

## **RISKS**

17. We have a cautious risk appetite to the management of regulatory quality and effective regulatory functions.
18. We have an averse appetite towards regulatory and legal compliance. The recommendations within this report comply with the requirements.
19. We have a cautious appetite towards the effective management of our regulatory function.
20. No specific risks were identified as part of this report.

## **IMPLICATIONS**

### **Resourcing**

21. The cost of hearings is managed within the relevant budget.

### **Compliance**

22. There are no compliance issues arising from this report.

## **IMPACT ASSESSMENT**

23. An Impact Assessment was not required because this report is for noting.

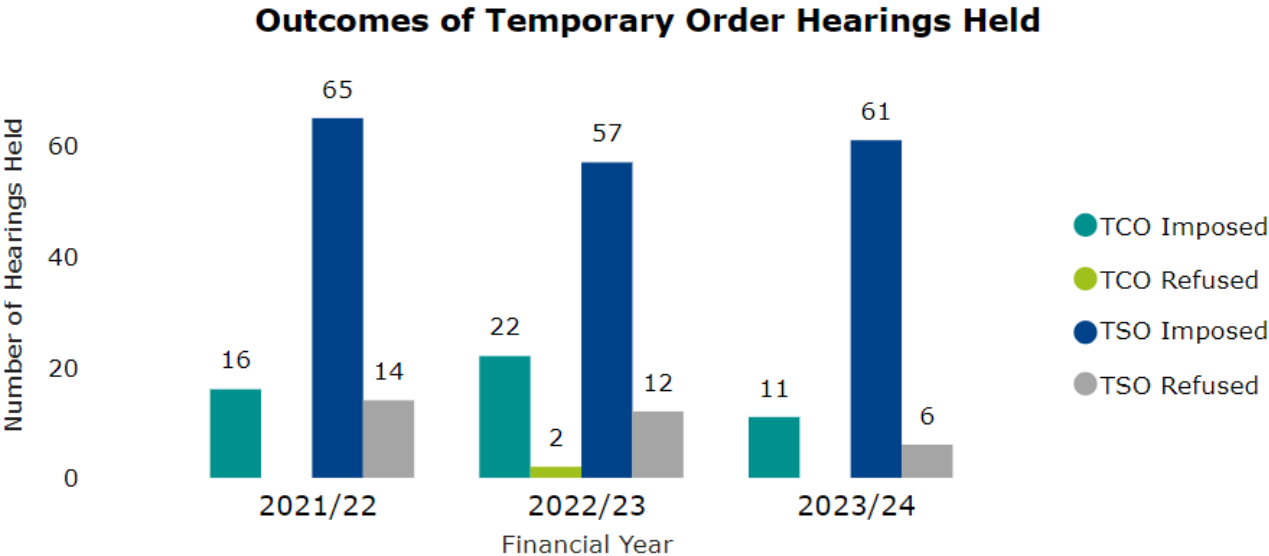
## **CONCLUSION**

24. The Committee is asked to:
- a. note the outcomes and disposals of all Fitness to Practise Panel hearings held between 1 April 2021 and 31 March 2024.
  - b. note that this information will be presented at the next meeting of the Council.

Fitness to Practise Panels act in terms of the Scottish Social Services Council (Fitness to Practise) Rules 2016 as amended by the Scottish Social Services Council (Fitness to Practise) (Amendment) Rules 2017 and Scottish Social Services Council (Fitness to Practise) (Amendment) Rules 2021. The 2016 Rules came into force on 1 November 2016, were amended by the 2017 Rules on 1 December 2017 and further amended by the 2021 Rules on 1 May 2021.

The below charts show the breakdown of hearing outcomes by hearing type for each financial year 2021 - 2024:

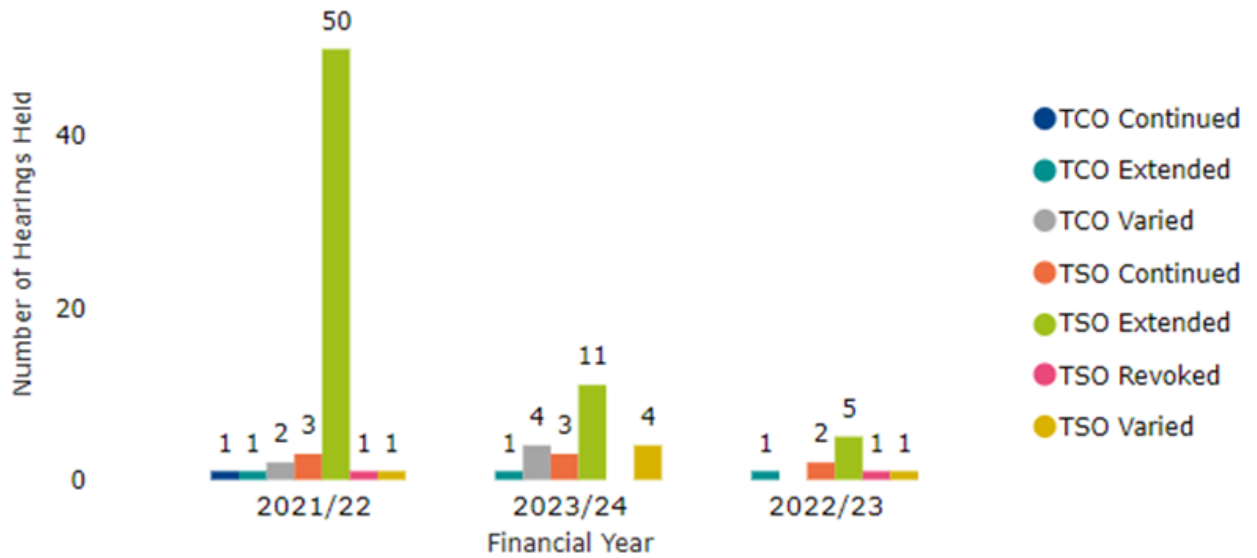
1. Temporary order hearing outcomes:



Financial Year	TCO Imposed	TCO Refused	TSO Imposed	TSO Refused
2021/22	16		65	14
2022/23	22	2	57	12
2023/24	11		61	6
<b>Total</b>	<b>49</b>	<b>2</b>	<b>183</b>	<b>32</b>

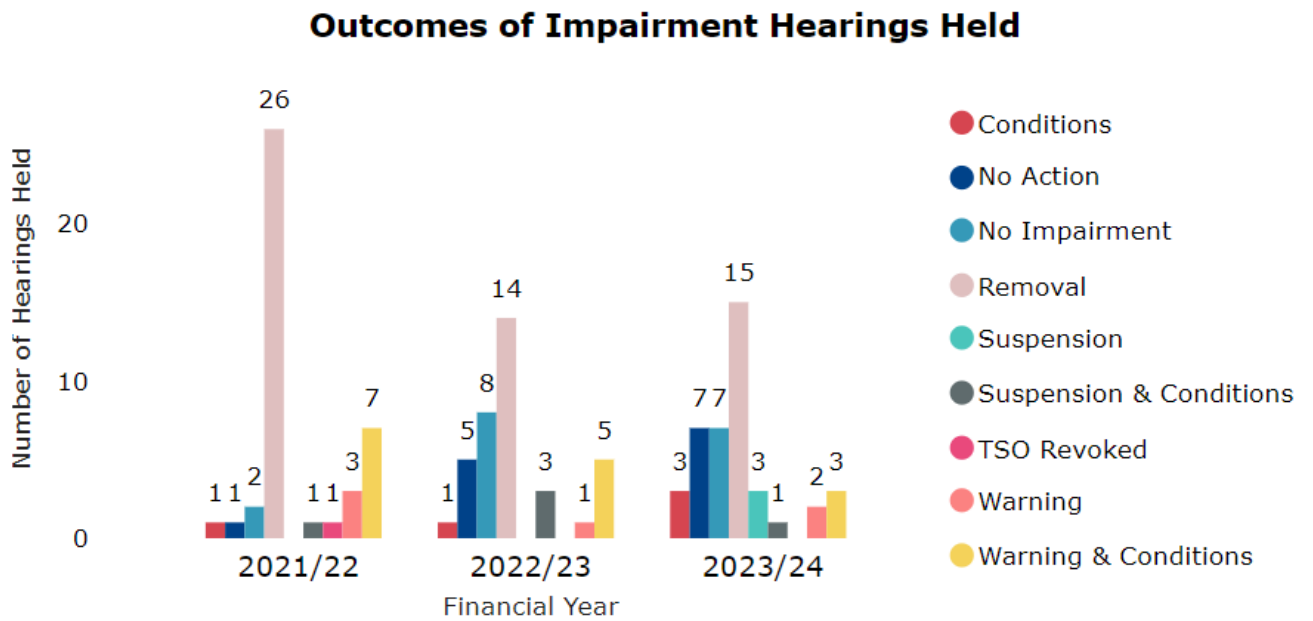
2. Temporary order review hearing outcomes:

**Outcomes of Temporary Order Review Hearings Held**



Financial Year	TCO Continued	TCO Extended	TCO Varied	TSO Continued	TSO Extended	TSO Revoked	TSO Varied
2021/22	1	1	2	3	50	1	1
2022/23		1		2	5	1	1
2023/24		1	4	3	11		4
<b>Total</b>	<b>1</b>	<b>3</b>	<b>6</b>	<b>8</b>	<b>66</b>	<b>2</b>	<b>6</b>

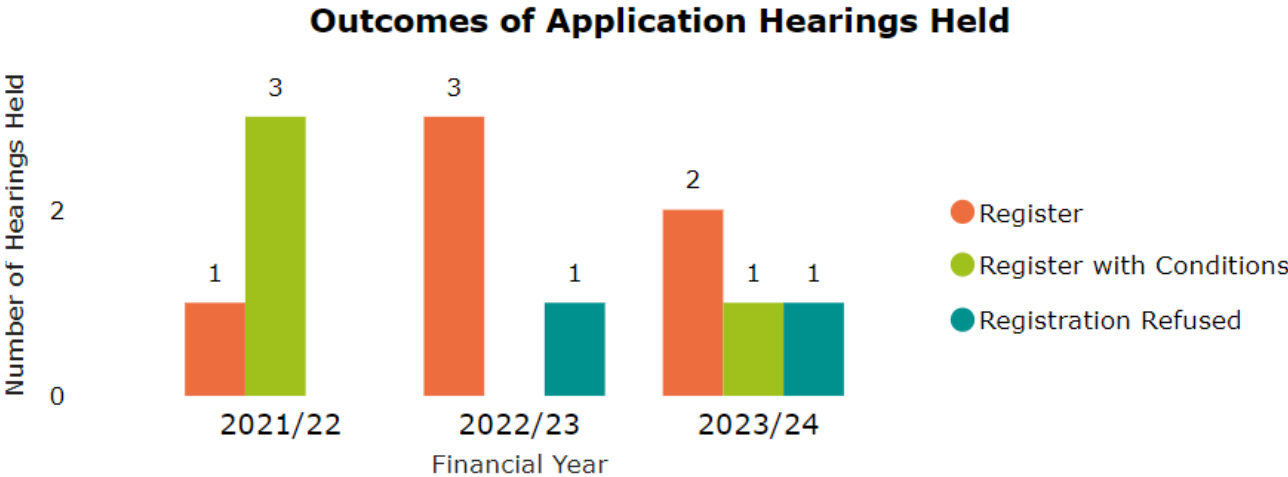
3. Impairment hearing outcomes:



Financial Year	Conditions	No Action	No Impairment	Removal	Suspension	Suspension & Conditions	TSO Revoked	Warning	Warning & Conditions
2021/22	1	1	2	26		1	1	3	7
2022/23	1	5	8	14		3		1	5
2023/24	3	7	7	15	3	1		2	3
<b>Total</b>	<b>5</b>	<b>13</b>	<b>17</b>	<b>55</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>6</b>	<b>15</b>

Note – 'TSO revoked' is not usually an impairment hearing outcome; the SSSC withdrew its case, resulting in the panel making the decision to revoke the TSO that was in place.

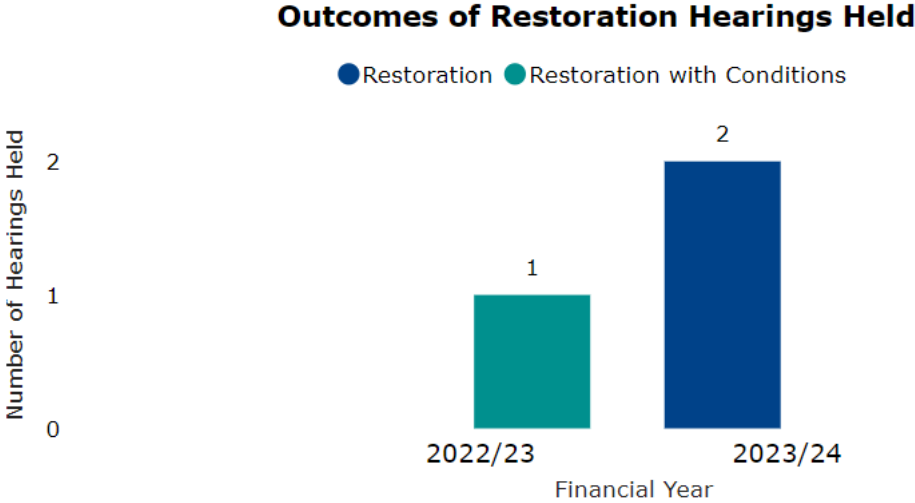
4. Application hearing outcomes:



Financial Year	Register	Register with Conditions	Registration Refused
2021/22	1	3	
2022/23	3		1
2023/24	2	1	1
<b>Total</b>	<b>6</b>	<b>4</b>	<b>2</b>



5. Restoration hearing outcomes:



Financial Year	Restoration	Restoration with Conditions
2022/23		1
2023/24	2	
<b>Total</b>	<b>2</b>	<b>1</b>

<b>Appeal type</b>	<b>Date appeal raised</b>	<b>Date appeal was resolved</b>	<b>Outcome</b>	<b>Comment</b>
Appeal against TSO	April 2021	July 2021	Appeal was granted	The SSSC conceded the appeal
Appeal against Removal Order	August 2022	July 2024	Appeal was refused	Decision of the Sheriff to refuse the appeal was appealed to the Sheriff Appeal Court. The Sheriff Appeal Court also refused the appeal.
Appeal against Removal Order	March 2023	March 2023	Appeal was granted	The SSSC conceded the appeal due to issues with the opt in process and the matter was remitted to Impairment Hearing.
Appeal against TSO	December 2023	Ongoing	Ongoing	Ongoing
Appeal against TSO	January 2024	February 2024	Appeal was dismissed	The appellant advised the court they no longer wished to insist on the appeal.
Appeal against Removal Order	February 2024	February 2024	Appeal was granted	The SSSC conceded the appeal due to an error by the SSSC at the time of the impairment hearing in 2021, regarding the effect of a removal order.

<b>Title of Report</b>	Training of Fitness to Practise committee members
<b>Public/Confidential</b>	Public
<b>Summary/purpose of report</b>	To detail the training that has taken place between 2021 and 2024 and outline the plans for the 2024 - 2027 reporting period.
<b>Recommendations</b>	The Fitness to Practise Committee is asked to: <ul style="list-style-type: none"> <li>1. note the training provided between 2021 and 2024</li> <li>2. note the outline plans for future training.</li> </ul>
<b>Responsible Officer</b>	Hannah Coleman, Acting Director of Regulation
<b>Link to Strategic Plan</b>	The information in this report links to: Outcome 1: <b>Trusted</b> People who use services are protected by a workforce that is fit to practise.
<b>Link to Risk Register</b>	Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers. Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations. Risk 4: We fail to provide value to stakeholders and demonstrate our impact.
<b>Impact Assessment</b>	An Impact Assessment (IA) was not required.
<b>Documents attached</b>	Appendix 1 – Training provided to all panel members between 2021-2024 Appendix 2 – Induction training provided to new panel members 2021-2024 Appendix 3 – Panel members’ feedback on training

<b>Background papers</b>	None
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## **EXECUTIVE SUMMARY**

1. This report sets out the training that has taken place since the last meeting of the Committee, 23 September 2021, to date. In addition, it notes proposals for members' continued training and development.

## **TRAINING UNDERTAKEN**

2. Appendix 1 contains a table of all training provided to members between 23 September 2021 to date.
3. We have provided refresher and update training as well as introducing additional development where this has been identified as being required or beneficial to members.
4. We have carried out three recruitment exercises in this period, resulting in the appointment of two cohorts of lay and social service members, and a cohort of legally qualified chairs. Appendix 2 contains a table of the training provided to each cohort of new panel members.
5. We seek feedback from panel members following training sessions. We use the rating of 1 (not helping at all with the role) to 5 (significantly helping with the role). 96% of feedback received from panel members rated the training provided as 4 or 5.

## **PROPOSED TRAINING 2024 ONWARDS**

6. Training will continue to take place twice per year.
7. 24 of our current panel members will come to the end of their final term with the SSSC before the end of 2024. At this point we will carry out a training needs analysis of remaining members to shape the training plan for 2025 and beyond.
8. We will continue to run each training day for the full cohort of members twice, on separate weeks, to maximise members' attendance. We will continue to endeavour to have a split of lay members, social service members and chairs at each training session, where possible.

## **CONSULTATION**

9. No consultation was required in the preparation of this report, which is reporting on training provided over relevant period and setting out proposals for the next three years. Members will be consulted on the training plans for the next three years and will be invited to complete a

training needs analysis at the end of 2024. This will be used to help shape future training plans.

## **RISKS**

10. We have a cautious risk appetite to the management of regulatory quality and effective regulatory functions.
11. We have an averse appetite towards regulatory and legal compliance. The recommendations within this report comply with the requirements.
12. We have a cautious appetite towards the effective management of our regulatory function.
13. The risk of failing to provide training and development for panel members is that they will be ill-equipped to ensure that fair hearings take place. The measures in place to provide ongoing training that meets members' training needs manages this risk.

## **IMPLICATIONS**

### **Resourcing**

14. We will keep the cost of training within the approved budget.

### **Compliance**

15. It is important that panel members understand their roles and responsibilities so that workers and applicants receive a fair hearing.

## **IMPACT ASSESSMENT**

16. An Impact Assessment was not required because this report is for noting.

## **CONCLUSION**

17. The Committee is asked to:
  - a. note the training provided to panel members between 2021 and 2024
  - b. note the outline plans for future training.

**Topics Covered at the Training of Panel Members  
September 2021 – September 2024**

<b>2021</b>			
<b>Date</b>	<b>Topic</b>	<b>By Whom</b>	<b>Attendees</b>
15, 21, 28 September	The life of a Fitness to Practise case	Laura Russell, Regulation Manager (Development & Training)	All
	Trauma informed practice	Lisa Greenan, Regulation Manager (Sector)	All
	SSSC appeals	Laura Russell and Caitlin Edwards, solicitor, Regulatory Improvement & Hearings	All
	Temporary conditions	Lisa Greenan, Regulation Manager (Sector)	All
<b>2022</b>			

**Fitness to Practise Committee**  
**10 September 2024**  
**Agenda item: 06**  
**Appendix 1**

17, 21, 29 March	Plain language training	Mairi Damer, Mind your language	All
	Equality, diversity and inclusion training	Carey Halem, Employers' Network for Equality and Inclusion	All
8, 27 June	Managing difficult dynamics within hearings	Emma Bell, Bell Tapner Ltd	Chairs
	Discussion session	Facilitated by Laura Russell, Regulation Manager	Chairs
15, 22 November	Trauma informed practice	Lisa Greenan, Head of Workforce and Education	All
	Data protection (members who missed this training day completed online training)	David Kydd, Team Leader (Hearings)	All
	Case law update	David Blair, Advocate	All
	Panel member discussion session	Facilitated by Hannah Coleman, Head of Regulatory Improvement and Hearings	All



	SSSC updates	Hannah Coleman, Head of Regulatory Improvement and Hearings	All
<b>2023</b>			
3, 16 May	Adjournment/postponement decisions	Toni Smerdon	Chairs
14, 21 June 2023	Trauma informed justice framework	Dr Sonia Petersen, NHS Education for Scotland	All
	Trauma informed questioning techniques and challenges of online hearings	Nicola Burnett Smith & Irene Allan, Xperient LLP	All
29 November	Conditions (with case studies)	Jenni Tait, Acting Regulation Manager (Sector)	All
	Case law update	Toni Smerdon	All
	SSSC updates	Facilitated by Laura Russell, Acting Head of Regulatory Improvement and Hearings	All

	Future Proofing Programme	Hannah Coleman, Acting Director of Regulation	All
<b>2024</b>			
15 and 30 May	Plain English in written communication	Catherine Bowie, Communicate	All
	Codes of Practice	Craig MacGregor, Learning and Development Adviser, SSSC  (15 <sup>th</sup> May)  Audrey Pollock, Learning and Development Adviser, SSSC  (30 <sup>th</sup> May)	All

**Fitness to Practise Committee**  
**10 September 2024**  
**Agenda item: 06**  
**Appendix 1**

	Future Proofing Programme	Hannah Coleman, Acting Director of Regulation (15 <sup>th</sup> May)  Cheryl Campbell, Acting Head of Education and Standards (30 <sup>th</sup> May)	All
	Panel member discussion session	Facilitated by Laura Russell, Acting Head of Regulatory Improvement and Hearings	All
	SSSC updates	Facilitated by Laura Russell, Acting Head of Regulatory Improvement and Hearings	All
27 August	Unconscious bias	Emma Bell, Bell Tapner Ltd	Lay and social service members appointed in 2022

**Topics covered at the Induction Training of Lay and Social Service Members November 2022**

<b>Topic</b>	<b>By Whom</b>
Regulatory Induction Training (1.5 Days)	Toni Smerdon, Nicola Smith and Ian Sanders, Xperient LLP
Conditions Training including SSSC Codes of Practice	Lisa Greenan, Head of Workforce and Education; Jill Low, Senior Regulation Professional Adviser; Josephine Holmes, Learning and Development Adviser
Case law	Laura Russell, Regulation Manager
Equalities training	Jamie Spurway, Spurway Training
Plain language and publicity training	Nicola Gilray, Head of Strategic Communications and Policy
Overview of the hearings team Data Protection Practicalities (including the scheduling of hearings, support and expenses)	David Kydd, Hearings Team Leader
Health and safety Quality Assurance Mentoring	Hannah Coleman, Head of Regulatory Improvement & Hearings

Next Steps	
Online cyber security training	Links provided after training days

### Topics covered at the Induction Training of Legally Qualified Chairs January 2024

<b>Topic</b>	<b>By Whom</b>
Regulatory Induction Training (2 Days)	Toni Smerdon, Nicola Smith and Ian Sanders, Xperient LLP
Conditions Training	Jillian Low, Senior Regulation Professional Adviser; Helen Marshall, Senior Regulation Professional Advise
SSSC Codes of Practice	Audrey Pollock, Learning and Development Adviser
Equalities training	Jamie Spurway, Spurway Training
Overview of the hearings team Data Protection Practicalities (including the scheduling of hearings, support and expenses)	David Kydd, Hearings Team Leader
Health and safety Quality Assurance Mentoring Next Steps	Laura Russell, Acting Head of Regulatory Improvement & Hearings
Online data protection and cyber security training	Links provided after training days

**Topics covered at the Induction Training of Lay and Social Service Members April 2024**

<b>Topic</b>	<b>By Whom</b>
Regulatory Induction Training (2 Days)	Toni Smerdon, Nicola Smith and Ian Sanders, Xperient LLP
Conditions Training	Jillian Low, Senior Regulation Professional Adviser; Helen Marshall, Senior Regulation Professional Adviser
Plain language and publicity training	Nicola Gilray, Head of Strategic Communications and Policy
SSSC Codes of Practice	Audrey Pollock, Learning and Development Adviser
Overview of the hearings team Data Protection Practicalities (including the scheduling of hearings, support and expenses)	David Kydd, Hearings Team Leader
Health and safety Quality Assurance Mentoring Next Steps	Laura Russell, Acting Head of Regulatory Improvement & Hearings
Online data protection and cyber security training	Links provided after training days

**Panel Members' Training Proposals 2024 - 2027**

<b>Date</b>	<b>Training</b>
October 2024	<ul style="list-style-type: none"> <li>• Unconscious bias training for new members</li> </ul>
October/November 2024	<ul style="list-style-type: none"> <li>• Discussion sessions with outgoing members</li> </ul>
November 2024	<ul style="list-style-type: none"> <li>• Case law update</li> <li>• SSSC appeals</li> <li>• Discussion session</li> </ul>
<i>December 2024 / January 2025</i>	<i>Training needs analysis carried out</i>
March/April 2025	<ul style="list-style-type: none"> <li>• To be determined following outcome of training needs analysis</li> </ul>
November 2025	<ul style="list-style-type: none"> <li>• To be determined following outcome of training needs analysis</li> </ul>
March 2026	<ul style="list-style-type: none"> <li>• To be determined following outcome of training needs analysis</li> </ul>
September 2026	<ul style="list-style-type: none"> <li>• To be determined following outcome of training needs analysis</li> </ul>
March 2027	<ul style="list-style-type: none"> <li>• To be determined following outcome of training needs analysis</li> </ul>



<b>Title of Report</b>	Quality Assurance Sub-committee
<b>Public/Confidential</b>	Public
<b>Summary/purpose of report</b>	To provide a summary of the work carried out by the Quality Assurance Sub-committee.
<b>Recommendations</b>	The Fitness to Practise Committee is asked to: 1. note the output from the Quality Assurance Sub-committee between 2022 and 2024.
<b>Responsible Officer</b>	Hannah Coleman, Acting Director of Regulation
<b>Link to Strategic Plan</b>	The information in this report links to: Outcome 1: <b>Trusted</b> People who use services are protected by a workforce that is fit to practise.
<b>Link to Risk Register</b>	Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers. Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations. Risk 4: We fail to provide value to stakeholders and demonstrate our impact.
<b>Impact Assessment</b>	An Impact Assessment (IA) was not required.
<b>Documents attached</b>	None
<b>Background papers</b>	None

## EXECUTIVE SUMMARY

1. The Quality Assurance Sub-committee (the Sub-committee) is responsible for the review of Fitness to Practise panel members' decisions. The Sub-committee is required to report to the Fitness to Practise Committee every three years.
2. Members of the Sub-committee review written Notices of Decision, and separately observe hearings, providing feedback in each case.
3. Members of the Sub-committee meet once per year, or more frequently as required.

## REVIEWS

4. Members of the Sub-committee began reviewing Notices of Decision in May 2022 with the aim of reviewing at least 10% of hearing decisions per year. The aim is to review decisions of different legally qualified chairs. Reviews have been carried out as follows:

Financial year	Notice of Decision Reviews completed	Percentage of total hearings held
2022/23	29	20%
2023/24	27	18%

5. A written report containing feedback is shared with the chair responsible for the decision that has been reviewed. Themes that arise from reviews form part of discussion sessions with members, and content is shared within quarterly newsletters as appropriate.
6. A meeting took place with legally qualified chairs in January 2023 to discuss the common themes that were arising from reviews of Notices of Decision. This meeting included discussion and reaching consensus around how best to set out findings of fact; how best to state and record legal advice; the use of language to emphasise the decision being of the Panel; length of decisions.
7. Learning feeds into future training plans. Plain English in written communication training was provided following feedback that better consideration was needed, in some cases, as to the accessibility of written decisions.

## **OBSERVATIONS**

8. Members of the Sub-committee began observing hearings in January 2023, with the aim of observing at least 10% of hearings per year. Observations have been carried out as follows:

Financial year	Observations completed	Percentage of total hearings held
2022/23	3	-
2023/24	15	10%

9. If specific training/learning points are identified during an observation, they are shared directly with the relevant member. Training/learning points relevant to all members are shared via the quarterly panel member newsletter.
10. Hearings continue to take place remotely in over 90% of cases. Observation feedback, therefore, relates predominantly to online hearings.
11. Some of the matters raised have included having a better awareness of one's own body language and how this comes across on screen; when adjourning a hearing (other than for final decision), ensuring that a time is given for the intended reconvening of the panel; ensuring eye contact and engaging with the screen.
12. Members of the Sub-committee have noted improvements following the introduction of observations and associated provision of feedback.

## **CONSULTATION**

13. No consultation was required in the preparation of this report which is reporting the output from the Sub-committee over the relevant period.

## **RISKS**

14. We have a cautious risk appetite to the management of regulatory quality and effective regulatory functions.
15. We have an averse appetite towards regulatory and legal compliance. The recommendations within this report comply with the requirements.
16. We have a cautious appetite towards the effective management of our regulatory function.
17. There is a risk to the quality of Fitness to Practise panel decisions if there is no mechanism to review and improve on decisions, or to address issues or

concerns. The Sub-committee addresses this risk and provides ongoing review, identifies areas to improve and promotes consistency.

## **IMPLICATIONS**

### **Resourcing**

18. We will keep the cost of Quality Assurance within the approved budget.

### **Compliance**

19. This Sub-committee provides assurance to the Fitness to Practise Committee, which in turn provides assurance to Council of the competence of panel members.

## **IMPACT ASSESSMENT**

20. An Impact Assessment was not required because this report is for noting.

## **CONCLUSION**

21. The Committee is asked to:

- a. note the output from the Quality Assurance Sub-committee between May 2022 and March 2024.