Education and Training Committee – 8 June 2010

Service user involvement in the approval and monitoring processes of the Education Department

Executive summary and recommendations

Introduction

In response to the Council for Healthcare Regulatory Excellence (CHRE) performance review in 2007/8, the Education and Training Committee in March 2009 agreed a series of changes to standards and processes to enhance the involvement of service users in the approval and monitoring processes. The Committee also directed the Education Department to conduct further research into the value and effectiveness of extending the composition of the visit panel to include service users. This research was presented to the Committee at its meeting in March 2010. The Committee directed the Education Department to further investigate the following options for service user engagement:

(i)   to investigate amending the guidance for the standards of education and training to require the definition of service users in relation to programmes and engagement with service users be compulsory rather than recommended.

(ii)   to commission research to explore the link between service user engagement and public protection.

(iii)   to pilot the inclusion of students or other service users on visit panels.

This paper further summarises the recommendations of the executive for the consideration of the committee. The committee is invited to discuss the paper and agree the work to be undertaken by the executive.

Decision

The Education and Training Committee is asked to discuss the issues in the paper and agree the recommendations for further work made by the executive.

Background information
1. CHRE performance review for 2007-08
2. Education and Training Committee 10 March 2010 (item 9)
3. Education and Training Committee 25 March 2009 (item 9)
4. Education and Training Committee 25 September 2009 (item 8)
5. Education and Training Committee 29 March 2006 (item 12)
6. Revised Standards of education and training guidance
7. Approval process - supplementary information for education providers
8. Annual monitoring - supplementary information for education providers

9. Major change - supplementary information for education providers

Resource implications
There may be resource implications from this paper.

The Education Department work plan for 2010-2011 does not currently include any employee time in relation to recruitment of partners beyond the usual activity to ensure appropriate numbers of registrant partners.

Financial implications
There may be financial implications from this paper.

The Education Department work plan for 2010-2011 currently has not increased the budget to accommodate the size of each visiting panel by 1 member.

Appendices
None

Date of paper
25 May 2010

Service user involvement in the approval and monitoring processes of the Education Department

Content

Overview
At its meeting on 10 March 2010, the Education and Training Committee directed the Education Department to consider three areas for further work in the area of service user involvement and return with further recommendations. In particular the committee highlighted the following options for further work:

(i)   to investigate amending the guidance for the standards of education and training to require the definition of service users in relation to programmes and engagement with service users be compulsory rather than recommended.

(ii)   to commission research to explore the link between service user engagement and public protection.

(iii)   to pilot the inclusion of students or other service users on visit panels.

This paper provides further information on the proposed work for the consideration of the committee. The committee is asked to discuss the paper and agree the further work to be undertaken by the executive.

Amendments to the standards of education and training
On the 10 March 2010, the Committee initially considered the definition of a service user. The committee took the view the CHRE definition did not encompass the full scope of service users impacted by the services of HPC registrants. The Committee agreed any further work should continue to use HPC's broad definition of service user as "anyone who is affected by the services of a registrant".

The Committee also considered, given the diverse nature of service users within the content of pre-registration training across 15 professions, whether it would be appropriate for education providers to define the service users in relation to the profession and programme. To assist this definition, potentially the standards of education guidance could be amended to make the definition and engagement with service users compulsory.

The following three options for amending the standards of education and training were investigated:

1. Amending the SETs guidance to make evidence of service user involvement in: 2.5, 3.2, 3.8, 4.4, 4.8 and 6.3 mandatory, and;

2. Amending the SETs guidance to make the definition of service user mandatory;

3. Creating a new standard which specifically addresses service user engagement;

The standards of education and training (revised 2009) encourage service user involvement in the following SETs: 2.5, 3.2, 3.8, 4.4, 4.8 and 6.3. Education providers may choose, as part of providing evidence of meeting these SETs, to include information specifically addressing service user engagement.

The intention of the SETs guidance is to assist education providers in gathering evidence to show how SETs are met. However, the guidance permits the education provider to meet the standard in a variety of ways. Mandatory requirements within the SETs guidance surrounding the methodologies of service user involvement would run contrary to the other standards. In light of this, the Committee should consider whether amendments to make the definition of service users mandatory is appropriate and whether this will continue to ensure our standards can be flexibly applied, with the burden on the education provider to evidence how they meet our standards.

The creation of a new standard to address service user engagement would be a proportionate response to address CHRE requirements and the future work of the HPC. The standard and any associated guidance would detail the definition of a service user for the purposes of the HPC and its' regulatory role in approving programmes.

A new service user standard with guidance would allow the Executive to provide:

- Definition of a service user as appropriate to the approval of programmes which lead to eligibility to apply to the register;
- Suggested evidence which would be appropriate to meet this SET (based on common practice within the education sector).

The inclusion of a new standard would provide the following benefits:

- Initial approval of a programme would always account for service user involvement;
- Subsequent monitoring would continue to account for changes to service user involvement;
- It would specifically address the requirements for CHRE.

Significant resources may need to be expended by education providers to develop and implement systems to formally engage service users in the development of programmes. However, experience suggests most education providers within higher education are already engaging service users on a

regular basis. The resource impact may be increased for approved programmes outside the higher education environment.

The development of a new standard would need to be consulted upon with our stakeholders. The next review of the SETs and guidance is not due to take place until 2014/15 and any new standard would most likely be encompassed within this comprehensive review. However a separate consultation on the new standard could be conducted earlier should the Committee decide it is appropriate to do so.

Commissioned research into service user engagement
In the March 10 paper to Committee further research was identified as being desirable to build an evidence base linking service user engagement and public protection. The committee noted there was no clear evidence that service user involvement on visit panels would enhance public protection, but this was not conclusive of there being no link. The research conducted so far suggested there were benefits to inclusion for both education providers and service users. It was considered that such research could also provide a clear evidence base for the development of a new standard of education and training.

Therefore the Committee should consider that any further commissioned research is focused in two key areas:

- Exploring the link between public protection and service user engagement;
- Investigating and analysing the current strategies of service user engagement on currently approved programmes with the HPC (or other professions).

Further evidence to link service user engagement with public protection will inform future strategies of engagement within the HPC. The investigation of currently approved programmes will build an evidence base upon which the development of a new standard and the review of existing standards can be progressed. The Policy and Standards Department is well placed within the organisation to lead on the commissioning of this research.

Pilot – Expanding visiting panels to include service users
At its meeting on 10 March 2010, the Committee also considered a pilot to include students on HPC visit panels. Further clarification was sought from CHRE regarding their recommendations for service user involvement. CHRE advised the following:

- Evidence of HPC visitors speaking directly with students/patients.
- Lay participation on panels.

- Patient/student involvement in the design and delivery of education programmes.

Consequently, CHRE also advised they are satisfied with the processes the Education Department already have in place to engage students, namely a meeting with students at approval visits. Therefore the resource required to include students on visiting panels would provide no further solution to address CHRE recommendations. In light of this, the Committee may consider a pilot of students on visiting panels is not an appropriate response to begin addressing the CHRE recommendations.

CHRE do however recommend lay members should form part of any approval visit panels. The challenges and benefits of engaging lay partners are detailed below. The costs associated with recruiting and training lay partners were outlined in the previous report to committee (March 10). For each new partner appointed the ongoing cost to the organisation amounts to approximately £1000 per year. Similar types of lay engagement can be found in the fitness to practice panels conducted by the HPC. Lay partners are always included on these panels and are asked to make judgements about a registrant's fitness to practice. Comparisons between an approval visit and a fitness to practice case can be drawn as both are linked closely to standards set by the HPC. Although the cost of lay visitors to the organisation would be significant, the cost of not including lay members on visiting panels from the view of public confidence in the regulator is a necessary consideration for the Committee.

To assist this discussion, the following benefits to including lay members on visit panels are highlighted below:

- It would satisfy the CHRE recommendation;
- It would involve service users directly in the decision making process of approval and monitoring programmes;
- It would provide more consistency across the organisation regarding the use of lay partners in the operational processes.

The challenges to facilitating this engagement are as follows:

- Further recruitment strategies;
- New partner training and ongoing refresher training;
- Cost of extending visiting panels for each visit.

The Executive acknowledge the input of lay partners into approval and monitoring processes is yet to be quantified and its value assessed. Before deciding on whether to implement such measures, the Committee should consider whether running a pilot of lay partner involvement is appropriate.

The executive suggests two options for the structure of such a pilot:

- Extend visit panels to include lay visitors – 3 visitors and 1 executive.
- Replace one profession specific visitor with a lay visitor and keep the size of the visit panel the same.

In proposing these options the executive has considered the following operational implications:

- Effectiveness of approval recommendation making process
- The cost of running the pilot given no additional resource has been included in the Education budget for 2010-11 financial year;
- The recruitment requirements to implement such a pilot;
- The training of lay visitors in the approval and monitoring processes;
- The risk of cancelling visits if the only profession specific visitor on the panel should have to withdraw;
- Managing the expectations of current visitors that are traditionally supported by another member of the profession in decision making;
- The Education and Training Committee decision regarding the use of lay visitors (29 March 2006)
- The perception to the education provider of increasing visit panels;
- The burden to the education provider to accommodate an additional visitor.

The table below details how these operational implications are impacted depending on the model adopted for a pilot:

Operational areas for consideration	Option 1: Extending visit panel	Option 2: Replace visitor with lay
Decision making	Potentially take longer to reach agreement – however experience suggests not an issue	Increased pressure on profession specific visitor
Recruitment	Use existing pool from partners first	Use existing pool from partners first
Training	Design pilot specific training, adapt existing models to be appropriate for lay	Design pilot specific training, adapt existing models to be appropriate for lay
Cost	Partner fee, accommodation, travel	No extra costs
Scheduling of visit	Can still proceed should a profession specific visitor withdraw	May need to cancel if profession specific visitor withdraws
Education provider burden	Extra documents, catering	No extra burden

Education provider perception	Greater scrutiny	No perception of greater scrutiny
Legal	Legal advice needed	Legal advice needed

The Education Department currently has 4 lay visitors who are already trained and perform in the role on occasion. These visitors do have a background in education and would not require any further training. The Committee may wish to discuss if these visitors are the most appropriate to take part in the pilot. 49 lay partners are currently appointed to other roles within the organisation for the Fitness to Practice Department. This pool of lay visitors could also be approached to participate in the pilot. However this pool would require specific training and the Partner Department would also need to expand their current contractual agreement with the HPC to be a visitor.

The Committee should also consider the ETC decision on 29 March 2006 regarding the use of lay visitors in operational processes. At that meeting, the Committee decided to approve the use of lay visitors, only where a conflict of interest occurs or where an experiential issue occurs and where an appropriate registrant visitor cannot be sourced. In light of the proposed pilot, the Committee may wish to revisit this decision to clearly articulate the circumstances in which lay visitors can be appointed to operational work.

The impact to the education provider is minimal. However, the executive must ensure processes are in place to gain consent from the education provider to take part in the pilot.

The following objectives could be used for the pilot:

- To assess the effect of lay visitor input into the approval process;
- To assess the ability of lay members to review programmes using HPC standards;
- To assess the impact to education providers of including lay members on visiting panels.

The following criteria could be used to evaluate the effectiveness of the pilot:

- The lay visitor makes decisions based on appropriate evidence using HPC standards and procedures;
- The lay visitor provides articulate reasons for decision-making both in dialogue and writing;
- The lay visitor demonstrates a willingness to make decisions based on the available evidence;
- Lay visitor makes decisions that have a proportional impact on the issues at hand.
- The input of lay visitors to the approval process has enhanced the transparency of the process and application of HPC standards.

Detail addressing the strategy for implementation and evaluation of the pilot requires further work. The Committee may deem it appropriate for this information to be presented to them at its meeting on 16 September 2010.

Directions for Committee discussion
The Committee is asked to discuss and agree the following actions:

- The executive to pilot including lay visitors on approval visit panels in 2010-11 academic year;
- The executive to report back to the 16 September 2010 committee with clear objectives, evaluation and implementation schedule for the pilot;
- The executive to commission research through the Policy and Standards Department to explore link between public protection and service user engagement in 2011-12;
- The executive to create a new standard which specifically addresses service user engagement as part of the standards review in 2014/15 or earlier as part of a separate consultation.