hcpc **health & care professions council**

Education and Training Committee, 1 March 2018

Our approach to the auditing of CPD

Executive summary

Introduction

At present, we audit a selection of registrants at every registration renewal period in order to ensure continued compliance with our CPD standards. This audit pool is generated at random, meaning registrants can be selected for CPD audit multiple times in a row or, conversely, never be selected during their professional career.

Whilst in the majority of cases this does not pose any problems, we receive a small number of complaints annually regarding multiple / consecutive CPD audits, as well as concerns raised to employees at events such as Meet the HCPC. In some cases, registrants have been selected three times in a row, or three out of a possible five audits.

With these complaints in mind, this paper considers whether it is necessary to amend our current approach to CPD audits. This document sets out the relevant background, current approach, and the prevalence of consecutive audits.

Decision

The Committee is asked to discuss the issues raised in the paper and make a decision in relation to the following:

a. Should we amend our approach to CPD audits?

b. If yes, when should we implement any changes?

c. Should we put any interim measures in place until this is implemented?

Background information

Please see Annex A for further information.

Resource implications

- If the auditing process were changed resource implications include amending CPD guidance, updating systems and processes, and communicating with stakeholders. These resource implications would need to be taken into account in planning for the 2018-19 financial year.

Financial implications

If the Committee were to decide to implement a change to CPD audits, financial implications would include re-coding NetRegulate / the new Registration software, updating operating processes and amending guidance on CPD at an appropriate opportunity. Please see Annex A for more information.

Date of paper

12 February 2018

Our approach to the auditing of CPD

1. Introduction

1.1   Continuing professional development (CPD) is the way in which registrants continue to learn and develop throughout their careers so that they keep their skills and knowledge up to date and are able to practise safely and effectively.

1.2   We set five standards for CPD, which require registrants (amongst other things) to 'maintain a continuous, up-to-date and accurate record of their CPD activities'. Meeting these standards is a requirement of registration, and all registrants must complete a professional declaration every two years confirming that they continue to do so.

1.3   To ensure that our registrants are meeting the CPD standards, we audit a random sample of 2.5% of registrants from each profession every two years whereby they must demonstrate that they meet the standards. Failure to demonstrate this can lead to removal from the Register.

1.4   As the audit is selected at random, it is possible that a registrant could be selected for CPD audit multiple times in succession, or might never be selected for audit during their professional lifetime. This has led to a small number of complaints, and concerns raised to employees at events.

1.5   This paper summarises the background to our current approach, and discusses the concerns registrants have raised regarding the random selection process. It considers whether we would want to amend our approach to CPD audits, and seeks the Committee's views.

2. Background to our approach

2.1   CPD audits were introduced following Council's plans to introduce CPD standards, as a proportionate means of ensuring compliance with our standards.

2.2   Following consultation, it was agreed in principle in 2002 that CPD standards be introduced and linked to renewal of registration, and "require individual registrants to commit themselves to CPD".[1]

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[1] *Key decisions, HPC Consultation 2002*, Health Professions Council (2002) page 9 <http://www.hcpc-uk.org/assets/documents/10000561HPC_Consultation2002_Key_decisions.pdf>.

2.3   Then, in 2004 as part of a further consultation, we proposed to introduce random on-going CPD audits of each registered profession, in order to assess continued compliance with the standards. In reaching this decision, we stated in the consultation document:

> We believe that this is safe to do because we trust that, as professionals, registrants will take responsibility for, and keep to, the Standards of CPD. By auditing a sample of registrants, rather than all registrants, we will keep the costs of assessment down and achieve better value for registrants' money.[2]

2.4   This consultation received almost 1,500 written responses, of which several respondents suggested ways in which the sample could be generated. For example, it was suggested that there could be a sliding scale, with a higher number of new registrants being audited compared to more experienced registrants. Others suggested the sample be weighted towards those who are likely to be professionally isolated, or that registrants who take part in the CPD schemes of professional bodies be audited less frequently than those who do not.

2.5   Despite suggestions to the alternative raised by respondents, we confirmed that we would not change the random nature of the audit sampling process. We concluded this on the basis of professional advice from the Statistical Service Unit of the University of Reading, which advised that an on-going random audit of 2.5% was an accurate way of measuring how effective CPD is.[3] We chose not to pursue a more targeted selection process, stating our intention to treat all registrants equally. Therefore, it was determined that the length of time a professional has been on the register or their involvement in other CPD schemes would not affect the CPD standards they should meet, or the likelihood that they would be selected for audit.

2.6   The standards for CPD became effective on 1 July 2006 and are linked to each profession's two year registration cycle. The first CPD audits commenced in July 2008.

3. How do we currently approach CPD audits?

3.1   We currently audit 2.5% of registrants at each profession's renewal period, which takes place on a fixed date every two years. If a registrant is selected for audit, registrants are required to submit a profile demonstrating that they

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[2] *Continuing Professional Development – Consultation paper*, Health Professions Council (2004), page 12 <http://www.hcpc-uk.org/assets/documents/10000575cpd_consultation_document.pdf>.
[3] *Continuing Professional Development – Key decisions*, Health Professions Council (2005), page 17 <http://www.hcpc-uk.org/assets/documents/100008F3CPD_key_decisions.pdf>.

have met the CPD standards and, if we consider that the CPD standards are met, registration is renewed. So far, the vast majority of registrants who have participated in an audit have been able to demonstrate that the standards are met and have had their registration renewed.

3.2   All registrants are eligible to be selected for CPD audit, even if they have been recently audited, as long as they have been on the Register for two or more years, and are not going through a fitness to practise procedure or a pre-existing CPD audit. Registrants who successfully passed a previous audit will not be in a current CPD status and are therefore considered eligible.

3.3   CPD audits can be deferred in some unavoidable circumstances, where a registrant cannot complete their CPD profile for reasons beyond their control (such as maternity leave, their health, a career break (of over a year) or a registrant's personal circumstances). In these cases, anyone accepted for deferral is automatically included in the next round of CPD audits for their profession. Consecutive CPD audits, however, is not an accepted reason for deferral.

3.4   Audit selection is computer-generated using a standard java randomisation algorithm via the HCPC's registration system, NetRegulate. Selection in a previous CPD audit has no bearing on future CPD audit selections. All registrants have an equal chance of being selected for CPD audit whether they've been selected before or not, whether they passed a previous audit first time, or whether they were asked for further information one or more times during a previous audit.

3.5   In a small number of cases, therefore, a registrant is selected for audit multiple times in a row. Our current justification for this is that meeting our CPD standards is an ongoing professional requirement for all our registrants, whether or not they have been selected for audit in the past. If certain registrants are selected multiple times in a row, this is not a problem as such as we would expect registrants to be continually meeting the standards. However, in a small number of occasions, this has led to complaints.

4. Prevalence of consecutive CPD audits

4.1   We have received data from the Registration team, comparing the number of registrants who were selected for CPD audit in the registration renewal period 2012-14 and 2014-16 against the number of registrants who were selected for audit on both occasions. This data excludes those re-selected on the basis of a deferral.

4.2 The data revealed across all 16 professions over the two CPD audits, 17,147 registrants were audited. Of those, only 174 were re-selected for a second consecutive audit.

	2012-14 total selected	**2014-16 total selected**	**Amount reselected**
Number of registrants selected	8,329	8,818	174

4.3 By comparison, in the last three years we have received 12 complaints regarding consecutive CPD audits:

Year	**2015/16**	**2016/17**	**2017/18**
Number of complaints	7 (of which 1 review)	2	3

4.4 Whilst relatively infrequent, complaints regarding consecutive CPD audits express the genuine concerns and frustrations which many of our registrants could have.

4.5 A standard complaint will generally stem from a registrant being selected for audit multiple times in a row. For example, in 2017 a registrant was selected for CPD audit for the 3rd time in a row and was seeking 'appeal for removal from this year's audit'. The complainant noted the time and effort it takes to complete a CPD profile, and questioned the fairness and purpose of the process if the same registrants can be selected multiple times in a row.

4.6 We have also received complaints about feeling 'victimised' after consecutive CPD audits. For example, one complainant felt we needed to revise our auditing process as it 'seems neither fair nor efficient'. Complainants argued our auditing process would be more useful if it picked up registrants who have not been audited, as opposed to repeat the process in such a short space of time to those who have been. Similar concerns have been raised in person to employees at events, such as Meet the HCPC.

4.7 When responding to these complaints, we note that meeting our CPD standards is a requirement of all our registrants whether or not they have been selected for audit in the past and therefore all registrants have an equal chance of being selected. We also talk them through the selection process, to provide clarification on its random nature.

4.8   Despite this, the Committee may wish to consider these concerns and whether the possibility of consecutive CPD audits negates in any way the purpose of the audit.

5. Options to amend our approach to CPD audits

5.1   Deciding to amend our approach to CPD audits is a decision for the Committee alone, and does not need to go to Council.[4] There is no requirement to consult on any change.

5.2   Below, we have set out the options available to the Committee in responding to the concerns raised by registrants. This includes a high-level analysis of the expected costs and benefits of each option.

5.3   Please note that at the time of writing of this paper, the budget and planning process for 2018-19 had yet to be concluded.

Option 1: Amend our approach to CPD audit selection

5.4   The Committee may wish to amend our approach to CPD audits so that registrants cannot be selected for audit more than once in a row. In practical terms, this would mean removing registrants selected for the previous audit from the next audit sample.

5.5   To implement such a change would require a number of amendments to our current registration system. As mentioned above, the current sample is generated via NetRegulate. This will eventually change to the new Registration software, CRM, in the coming years. However, any short term changes would require NetRegulate to be re-coded. This would result in substantial costs and resource implications and is not preferred.

5.6   To counteract such costs, the audit process could be amended as part of the Registration software update. The audit selection code has not yet been written, so any changes could be covered under the project budget as long as the Committee have reached a decision by April 2018. However, this will mean any changes will not be live until at least 2020.

5.7   The Committee may wish to put in place interim measures if the changes will not be implemented until at least 2020. This might include pursuing a change

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[4] This has been confirmed by legal advice and relates to Rule 11A of the Registration and Fees Rules and powers that rest solely with the Committee. See http://www.hcpc-uk.org/Assets/documents/10004788HCPCCONSOLIDATEDREGISTRATIONANDFEESRULES(July2014).pdf.

to NetRegulate (see above) or allowing consecutive CPD audits to be a reason for deferral in the meantime.

5.8 Notwithstanding any change to our approach to audits, registrants would still be subject to the CPD standards.

Benefits of this approach

- By preventing multiple, consecutive audits from taking place, this would ensure that a greater number of unique registrants are audited, therefore ensuring that a greater number of registrants are meeting our CPD standards. It could be argued that at present, by auditing those who have already recently passed their CPD audit, we are not targeting those who pose the greatest risk to the public.

- It would provide registrants with assurances that they would not be re-selected for CPD audit at the next renewal period, therefore lightening the administrative burden associated with being selected for audit.

- It would align with the organisation's statement in 2004 that we trust that, as professionals, registrants will take responsibility for, and keep to, the Standards of CPD.

Factors to consider

- If the Committee decides to adopt this approach, this would need to be communicated carefully. We would not, for example, want such a change to be presented as giving certain registrants a 'break' from completing CPD. Instead, the emphasis would need to be on making sure that our approach to audits is proportionate to protecting the public, by ensuring we audit a wider range of registrants.

- There is still a potential risk that registrants will interpret such a decision as a reason not to complete CPD for the next registration period, which would have associated risks for the public. Similarly, we may receive more deferral requests, which could have internal resource implications.

Costings

- We have received estimates from the Projects team that such a change to NetRegulate in the interim could cost somewhere in the range of £25,000. However, any final figure cannot be confirmed without commissioning our NetRegulate supplier to investigate the complexity of this piece of work (for which a fee is payable). In the past costs to change NetRegulate have

significantly varied, and so there is a possibility that this figure could also. Budget for such a change has not yet been allocated.

- Implementing this change would also require internal resource, such as Projects, IT and Registration team input, which would need to be managed alongside other work priorities for the new financial year, such as the Fitness to Practise improvement project.

- As NetRegulate is going to be replaced in the near future, and given the additional resource implications involved, an update to this system is not preferred.

Option 2: Retaining the status quo

5.9   Whilst we have received complaints on this issue, these represent only a very small volume of total complaints received per year. They also represent a tiny fraction of the number of registrants who are selected for CPD audit. The Committee may therefore decide that this is insufficient to warrant a change to the approach to CPD audits, and decide not to pursue any change.

Benefits of this approach

- If the audit approach was changed, there is a risk that some registrants conclude that the CPD standards no longer apply to them in the next audit cycle. By retaining the status quo, it is clear that CPD is an ongoing professional obligation and this will reduce the likelihood that registrants selected for audit in the previous audit cycle stop undertaking CPD.

- It would also retain the truly random nature of the CPD audit, which is something we currently emphasise. By maintaining a random selection process, any concerns a particular registrant may have of being victimised or unduly targeted can be mitigated.

Factors to consider

- By retaining the current approach, we will not address the concerns raised by some registrants about the purpose of CPD audits and their benefit in terms of protecting the public.

- Members of the public may be concerned that we are not auditing certain registrants, and question whether we are therefore meeting our objective of protecting the public.

<u>Costings</u>

- As this option is retaining the status quo, there will be no additional cost implications.

- There will be continued existing costs internally around the handling of complaints about this subject.

6. Decision

6.1   The Committee is asked to discuss the issues raised in the paper and make a decision in relation to the following:

a. Should we amend our approach to CPD audits?

b. If yes, when should we implement any changes?

c. Should we put any interim measures in place until this is implemented?