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[   ]

28 February 2017

Dear Madam

The Health and Care Professions Council – a case of Regulatory Capture?

I am writing to draw your attention to a very worrying development in respect of the regulation of Social Workers and in particular "Regulatory Capture" of their regulatory body, the Health and Care Professions Council ("HCPC").

It seems to me that this could be contributing to the breakdown in public trust of social workers as questions are raised about the regulation of those who break the rules in the light of a certain lack of transparency as highlighted, for example, by The Transparency Project (http://www.transparencyproject.org.uk/if-the-health-and-care-professions-council-hcpc-really-have-found-the-social-workers-who-lied-on-oath-in-the-hampshire-case-not-to-have-committed-professional-misconduct-should-they-publish-th/).

Legislative background

As set out on the HCPC's own website, the establishment of the HCPC is governed by The Health and Social Work Professions Order 2001 (under section 60 of the Health Act 1999).

Under Part II of that Order, 4 states

"The over-arching objective of the Council in exercising its functions is the protection of the public"

This is then expanded upon in 4A:

"(4A) The pursuit by the Council of its over-arching objective involves the pursuit of the following objectives—

(a) to protect, promote and maintain the health, safety and well-being of the public;

(b) to promote and maintain public confidence in the professions regulated under this Order; and

(c) to promote and maintain proper professional standards and conduct for members of those professions."

What is Regulatory Capture?

Wikipedia defines Regulatory Capture as "a form of government failure that occurs when a regulatory agency, created to act in the public interest, instead advances the commercial or political concerns of special interest groups that dominate the industry or sector it is charged with regulating. When regulatory capture occurs, the interests of firms or political groups are prioritised over the interests of the public, leading to a net loss to society as a whole. Government agencies suffering regulatory capture are called "captured agencies"."

An example that is well known and is cited by Wikipedia is the break-down of regulation of Aviation in the United States of America. One of the examples as to how to the breakdown in regulation came about is that the Federal Aviation Authority started to the view the "Customers" as the Airlines, not the flying public that it was established to protect. Following the extensive criticism which it faced in Congress as a result of that breakdown in regulation, Reuters reported that the FAA would now treat the Public as the Customer – i.e. the people it was designed to protect and serve and not the Airlines which it was designed to regulate:

"The U.S. Federal Aviation Administration, trying to shake criticism it has been too close to the industry it regulates, will drop its practice of calling airlines its customers and will beef up safety practices.

"When we say customer, we mean the flying public," FAA Administrator Randy Babbitt said in announcing policy changes aimed at strengthening safety oversight and streamlining avenues for whistle-blowers and others to report problems without fear of reprisal or other pressure to remain quiet.

Some members of Congress, safety watchdogs, and whistle-blowers have long complained of a revolving-door culture that fostered coziness between the FAA and major U.S. airlines.

The issue erupted publicly last year when a whistle-blower case over maintenance lapses at Southwest Airlines Co led to a congressional investigation and harsh criticism of FAA oversight.

The agency fined Southwest $10 million for flying planes that had missed required safety inspections but later reduced the penalty by 25%." (http://www.reuters.com/article/airlines-faa-idUSN1722610320090917*)*

Indeed Regulatory Capture has been cited by no less than the Financial Times as the reason for the banking collapse (https://www.ft.com/content/577944d8-15b5-11e6-b197-a4af20d5575e).

Application to The Health and Care Professions Council

Looking at the HCPC's website (as at 28 February 2017) they have a "Customer Service" section (print attached), which includes "Customer Service Process" subsection (print attached), which in turn links to a document titled "Six monthly review of feedback and Complaints" (print attached).

This document states at 1.1

"This report is a summary of the complaints and feedback that the Health and Care Professions Council (HCPC) received in the second half of the last financial year, 1 October 2015 to 31 March 2016.".

On further review, it is clear (at 4.1 and following) that the significant majority of complainants dealt with, as set out in their "Customer Service Process", are the Registrants themselves (or prospective Registrants), and not the public.

It is clear therefore that HCPC view the Registrants as Customers. An organisation exists to serve its customers; by the very language organisations use, those organisations betray where their interests lie. Here they set out with care how they serve their Registrant Customers and how they deal with their Registrant Customer complaints.

The HCPC seems to have lost sight of the fact that the very core of its mission, as set out in legislation, is protect the public – and not to help serve its registrant customers, who are in fact the very people it should be regulating.

At the very least this in itself betrays a worrying mindset.

When this mindset is combined with a case (http://www.bailii.org/ew/cases/EWFC/OJ/2014/B227.html) where the following exchange occurs:

"Judge: "So it was a deliberate decision by yourself not to let the court and the parents have the Ms X Comprehensive Core Assessment and the guardian. Is that right?"

Registrant: "Yes""

And where the HCPC then states (to the Transparency Project http://www.transparencyproject.org.uk/open-letter-to-the-psa-response-from-hcpc/) in response to questioning how the social worker involved has not been subject to a fitness to practice hearing:

"On reviewing all the information obtained, including legal advice, we concluded in respect of each of them that the requirement for credible evidence of fitness to practise impairment was not met. This meant that we did not proceed to the second stage of the process.".

It is unclear how an experienced Registrant plainly stating in Court that she deliberately misled a Court could not be seen credible evidence of fitness to practise impairment.

This then raises questions as to the effectiveness of the HCPC and in turn perhaps suggests that the Regulatory Capture shown plainly in their own documents might be impacting on their approach to delivering their over-arching objective as set out in legislation.

I hope that you find this letter of interest. If you have any questions on the contents of this letter, please do not hesitate to contact me by email [   ] or [   ] .

Yours faithfully,

[   ]

Attachments

1. Print of Customer Service Page from HCPC
2. Print of Customer Service Policy from HCPC
3. Print of Customer Service Process from HCPC
4. Six monthly review of feedback and Complaints from HCPC
5. Print from FT
6. Print from Reuters

![hcpc health & care professions council]

Customer service

As an organisation, our aim is to provide the best customer service we can for all our registrants and stakeholders; that is why your feedback, good or bad, is so important to us.

Our aims

- To acknowledge receipt of feedback within three working days.
- To respond to feedback within 15 working days.
- To keep you regularly updated as to the progress of your enquiry if the issue has not been resolved within agreed times.
- To deal with all feedback in an effective, fair and confidential manner.
- To ensure continuous learning is taken from feedback and implemented.

We realise that sometimes mistakes do happen, so if you are unhappy with something we have done or have not done, then please let us know. Your feedback is valuable to us as it can help us improve our service, and therefore the service you receive in the future.

We aim to respond to concerns within 15 working days. If it is not possible to provide a full response, for example because we require more time for the investigation or because we need legal advice, we will provide an update on the progress of the complaint.

Customer Service policy
View our policy for customer service in this section

Customer service process
Step by step guide on the complaints process

Fitness to practise decisions
FTP complaints

How to contact us
Details on how to submit feedback

→ Related Documents
Feedback form   Adobe PDF Document   80kb

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Customer service policy

Our stakeholder requirements are of paramount importance to HCPC. We always strive to provide the highest standards in customer service. This is demonstrated through our compliance to ISO 10002 the international standard for Complaints and Customer Satisfaction, together with ISO 9001 for Quality Management. As a consequence we implement, maintain and continually improve robust Customer Service processes and objectives.

As an organisation, we have a commitment to provide an effective and efficient service. We are a learning organisation and continuous improvement and quality underpin everything we do. We provide adequate resources including training to ensure that we provide good customer service and resolve complaints in a timely manner.

Our aim is that our stakeholders will be satisfied with the service that we provide. We gather stakeholder feedback for our long term objectives and have various methods of obtaining and reviewing this feedback including our Accelerator Customer Service Insights Programme, Fitness to Practise Panel member feedback and our feedback and complaints process.

We welcome and value the input of our registrants, employees and other stakeholders. This takes into consideration relevant statutory, regulatory and organisational requirements.

This policy is fully supported and endorsed by the Executive Management Team and the CEO.

"The Health and Care Professions Council (HCPC) aims to provide a quality service to all our stakeholders and we always appreciate feedback. We want to know when things have gone wrong, to hear ideas for improvement and we are always delighted to know when people have been pleased with the service we have provided. We appreciate the time that it takes to contact us, we are a learning organisation and feedback is vital to us to help improve the services that we provide. From our inception, we have captured, analysed and acted on feedback and we continue to need and value this input."

Marc Seale, Chief Executive and Registrar

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Customer service process

As an organisation, our aim is to provide the best customer service we can for all our registrants and stakeholders; that is why your feedback, good or bad, is so important to us.

Stages of feeding back

Stage 1

The Service and Complaints Manager in the Secretariat will log your initial concerns and acknowledge receipt. You should put your concerns in writing or by email, you may choose to use the form provided on this page. A telephone number is provided for the purposes of discussing the complaints process and to address initial concerns, but unless you are unable to do so, you will be asked to put your concerns in writing.

Your complaint will be passed to the relevant department that you initially dealt with for investigation and a response.

Stage 2

If you are unsatisfied with the response that the department has provided, you can request that your complaint and the response that you received is reviewed by the Service and Complaints Manager. If appropriate, the Service and Complaints Manager may pass the complaint back to the original team to try to resolve your concerns again, we will let you know if this occurs.

The aim of a review is to ensure that your complaint has been handled in line with our complaint and departmental policies and processes.

Stage 3

If you are unsatisfied with our response and review, your complaint will be reviewed by the Chief Executive or a member of the Executive Management Team.

If you remain dissatisfied at this stage, any further correspondence that you send to us will be logged and acknowledged, but unless it raises new issues, we will not respond further on the points made.

Outcomes of complaints

A response to your complaint may include:

- An explanation of our policy and processes related to your feedback.
- An apology for any errors that have occurred.
- Learning points that we have taken from your feedback.
- Complaint reporting at HCPC

We regularly review and update our internal processes in light of complaints that we receive and use feedback from complaints as tools in training our employees and registrant partners. Some examples of recent improvements are:

- The development of a short readmission for those who apply within one month of being removed from the Register.
- Updated guidance about temporary registration on our website.
- Improvements to our template correspondence.

To download the "Six monthly review of feedback and complaints" which was considered at the Council meeting in September 2016, please click here.

Positive feedback

Equally, if you have experienced good customer service from our organisation, or you feel someone deserves praise for the work they have carried out, please let us know.

Data Protection

Personal data is protected and controlled by HCPC. Further information is available in our Data policy and terms of use.

Print page

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CPSM
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We have changed our name
Welsh Language Scheme
Working with stakeholders

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Agenda Item 15

Enclosure 13

Health and Care Professions Council
22 September 2016

Six monthly review of feedback and
complaints

For discussion

From Ruth Cooper, Service and Complaints
Manager

hcpc health & care professions council

Council, 22 September 2016

Six monthly review of feedback and complaints

Executive summary and recommendations

Introduction

The Health and Care Professions Council (HCPC) has operated a feedback and complaints function since 2004. Complaints, positive feedback, correspondence of note and letters from MPs are logged as part of the process. A report of this feedback, including a summary of every complaint and response is reviewed on a monthly basis by the Executive Management Team to identify learning points and process improvements.

The attached paper is a summary of the feedback received between 1 October 2015 and 31 March 2016. The paper outlines the feedback trends over the last six months. The paper also summarises some of the corrective action that has been put in place as a result of stakeholder feedback. Logging and reviewing feedback is an ISO 9001 and ISO 10002 requirement.

Decision

This paper is for discussion however no decision is required.

Background information

The HCPC's customer service policy is available at:
www.hcpc-uk.org/aboutus/customerservice

Resource implications

None

Financial implications

None

Appendices

Appendix 1 – ISO 10002 clauses descriptions
Appendix 2 – Table of complaints by month
Appendix 3 – Root cause analysis descriptions

Date of paper

9 June 2016

1.0   Introduction

1.1   This report is a summary of the complaints and feedback that the Health and Care Professions Council (HCPC) received in the second half of the last financial year, 1 October 2015 to 31 March 2016.

1.3   Feedback received by the HCPC includes complaints and positive feedback. Requests for information and comments about processes and procedures are also logged and reported on.

1.3   During this six month reporting cycle (1 October 2015 to 31 March 2016), 261 complaints and 71 pieces of positive feedback were received. The majority of complaints received were about policies, processes and service related to the Fitness to Practise and Registration departments. These are the departments with the most registrant and public facing transactions.

1.4   The report provides a review of the complaints that we have received in the last six months, comparisons across the professions that we regulate, corrective action put in place and positive feedback.

2.0   ISO 10002

2.1   During this reporting period, we implemented the ISO Standard for complaints management, ISO 10002. Between October 2015 and January 2016, we worked with an external consultant to bring our feedback and complaints system in line with the Standard.

2.2   During January and March 2016 we were audited by the British Standards Institute (BSI) to ensure that we met the Standard. The first stage audit, which was a document review, took place in January.

2.3   The second stage audit took place in March and involved audits of the complaints process that sits within the Secretariat and audits of individual complaints received about the Communications, Finance, Fitness to Practise, Policy and Standards and Registration departments. We passed both audits and have received our certificate of registration to ISO 10002.

2.4   The Standard contains eight clauses, five of which are audited against during the certification process. A description of these five clauses are set out in the appendix.

2.5   ISO 10002 re-certification is conducted on annual basis, the next audit will be three days in duration and is due in January 2017.

3.0 Review of complaints received in the last six months

3.1 We received 261 complaints during the reporting period, an average of 43.5 per month. Between December 2015 and January 2016, there was a drop in the number of complaints. In previous years, the number of complaints has been relatively lower in these two months; this appears to be related to less activity taking place within the organisation at this time, including days where the organisation is closed. Five of the sixteen professions that we regulate were in renewal at some point during this reporting period.

Number of complaints received during the review period

Month	Complaints
October	57
November	56
December	26
January	32
February	51
March	39

3.2 The table below shows the breakdown of complaints received over the last nine years, firstly by financial year, then by six month reporting periods.

	Yearly total	April to September	October to March
2006-07	137	108	29
2007-08	160	64	96
2008-09	257	189	68
2009-10	235	82	153
2010-11	221	145	76
2011-12	207	81	126
2012-13	600	227	373
2013-14	573	312	261
2014-15	491	247	244
2015-16	550	289	**261**

3.3 The table below shows the number of complaints received in the last nine financial years with the number of complaints per 1,000 registrants.

Financial year	Number of complaints	Number of complaints per 1,000 registrants
2006-7	137	0.77
2007-8	160	0.90
2008-9	257	1.38
2009-10	235	1.10
2010-11	221	1.01
2011-12	207	0.94
2012-13	601	1.87
2013-14	573	1.79
2014-15	491	1.48
2015-16	**550**	1.61

3.4 The HCPC completes a large number of registrant and public facing transactions. The departments that complete the most external transactions have the highest number of complaints and these departments are Registration and Fitness to Practise. During the last financial year, 550 complaints were logged, 1.61 per 1,000 registrants.

3.5 During the review period we received and responded to 261 complaints. We responded to 227 complaints within our service level of 15 working days, which represents 87 per cent of complaints received. This is the same figure as the last reporting period.

3.6 The table below shows how many complaints each department responded to.

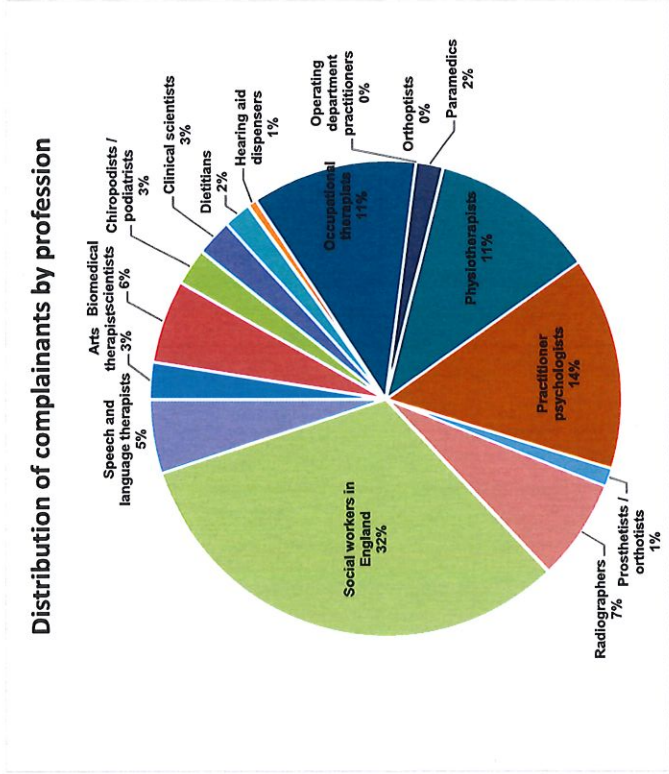| Department	Number of complaints
Communications	3
Education	1
Finance	8
Fitness to Practise	128
Human Resources	2
Partners	5
Policy and Standards	2
Registration	110
Secretariat	2
Total	**261**

4.0   Number of complaints received by profession

4.1   During the review period, we received 159 complaints from registrants and applicants where we were able to identify their profession. The highest number of complaints received were from social workers and they are the largest profession on the Register. The following table and graph show the breakdown of complaints received from registrants by profession.

Profession	Total	Number per 1,000 registrants
Art therapists*	4	1.0
Biomedical scientists*	9	0.4
Chiropodists / podiatrists	4	0.3
Clinical scientists	4	0.7
Dietitians	3	0.3
Hearing aid dispensers	1	0.4
Occupational therapists*	18	0.5
Operating department practitioners	0	0.0
Orthoptists	0	0.0
Paramedics	3	0.1
Physiotherapists*	18	0.3
Practitioner psychologists	23	1.1
Prosthetists / orthotists	2	2.0
Radiographers*	11	0.4
Social workers in England	51	0.5
Speech and language therapists	8	0.5

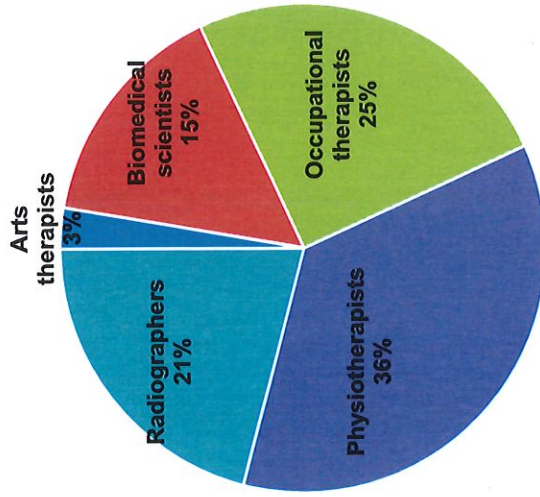*Denotes that the profession was in renewal during the review period.

Distribution of Register by profession
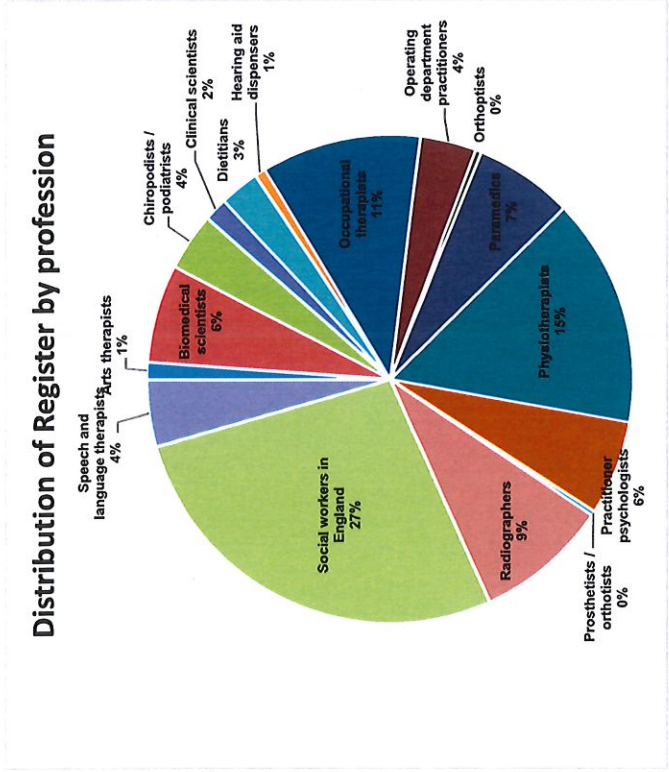
The above graph is a graphical representation of the Register broken down by profession.

Distribution of complainants by profession

The above graph represents the percentage number of complaints that we received based on profession.

**Distribution of Register by profession (in renewal)**

- Arts therapists 3%
- Biomedical scientists 15%
- Occupational therapists 25%
- Physiotherapists 36%
- Radiographers 21%

Distribution of complainants by profession who renewed their registration

- Art therapists 7%
- Biomedical scientists 15%
- Occupational therapists 30%
- Physiotherapists 30%
- Radiographers 18%

The above graph represents the professions who were going through renewal during the review period.

During the review period, we received 60 complaints from registrants who were in renewal.
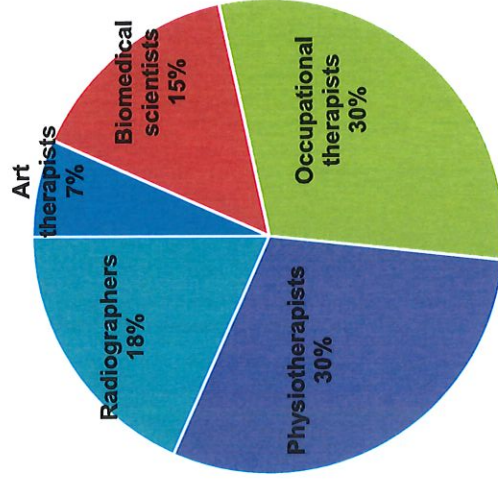
The above graph represents the percentage number of complaints that we received from registrants who were going through renewal during the review period.

4.2 The table below shows the distribution of complainant's professions and the distribution of the profession in proportion to the whole Register. During this reporting period, the percentage of total complaints received from each profession was broadly comparable to the profession's percentage size on the Register for most professions.

	% of complaints	% of Register	Ratio of % complaints to % of Register
Arts therapists*	2.5%	1.1%	2.2
Biomedical scientists*	5.7%	6.5%	0.9
Chiropodists / podiatrists	2.5%	3.9%	0.7
Clinical scientists	2.5%	1.6%	1.6
Dietitians	1.9%	2.6%	0.7
Hearing aid dispensers	0.6%	0.7%	0.9
Occupational therapists*	11.3%	10.6%	1.1
Operating department practitioners	0%	3.7%	0
Orthoptists	0%	0.4%	0
Paramedics	1.9%	6.5%	0.3
Physiotherapists*	11.3%	15.1%	0.7
Practitioner psychologists	14.5%	6.3%	2.3
Prosthetists / orthotists	1.3%	0.3%	4.3
Radiographers*	6.9%	8.9%	0.8
Social workers in England	32.1%	27.3%	1.2
Speech and language therapists	5.0%	4.4%	1.1

*Denotes that the profession was in renewal during the review period.

4.3 The last column of the table represents the ratio of the percentage of complaints from a profession to the percentage size of the profession on the Register. A figure of 1.0 means that the number of complaints received from a profession is proportionate to their size within the Register. A number larger than 1.0 represents a larger representation of a profession within the complaints data, and conversely, a figure lower than 1.0 shows that the profession logged relatively fewer complaints.

4.4 No complaints were logged from operating department practitioners or orthoptists.

4.5 Arts therapists, practitioner psychologists and prothetists/orthotists provided more feedback in proportion to their size on their Register. This is less significant for arts therapists and prothetists/orthotists as the total number of registrants in those professions is small and the total number of complaints was four and two respectively. Practitioner psychologists provided more than double the number of complaints compared to their size on the Register.

Number of complaints received across two year cycles

Legend: 2006/07, 2008/09, 2010/11, 2012/13, 2014/15
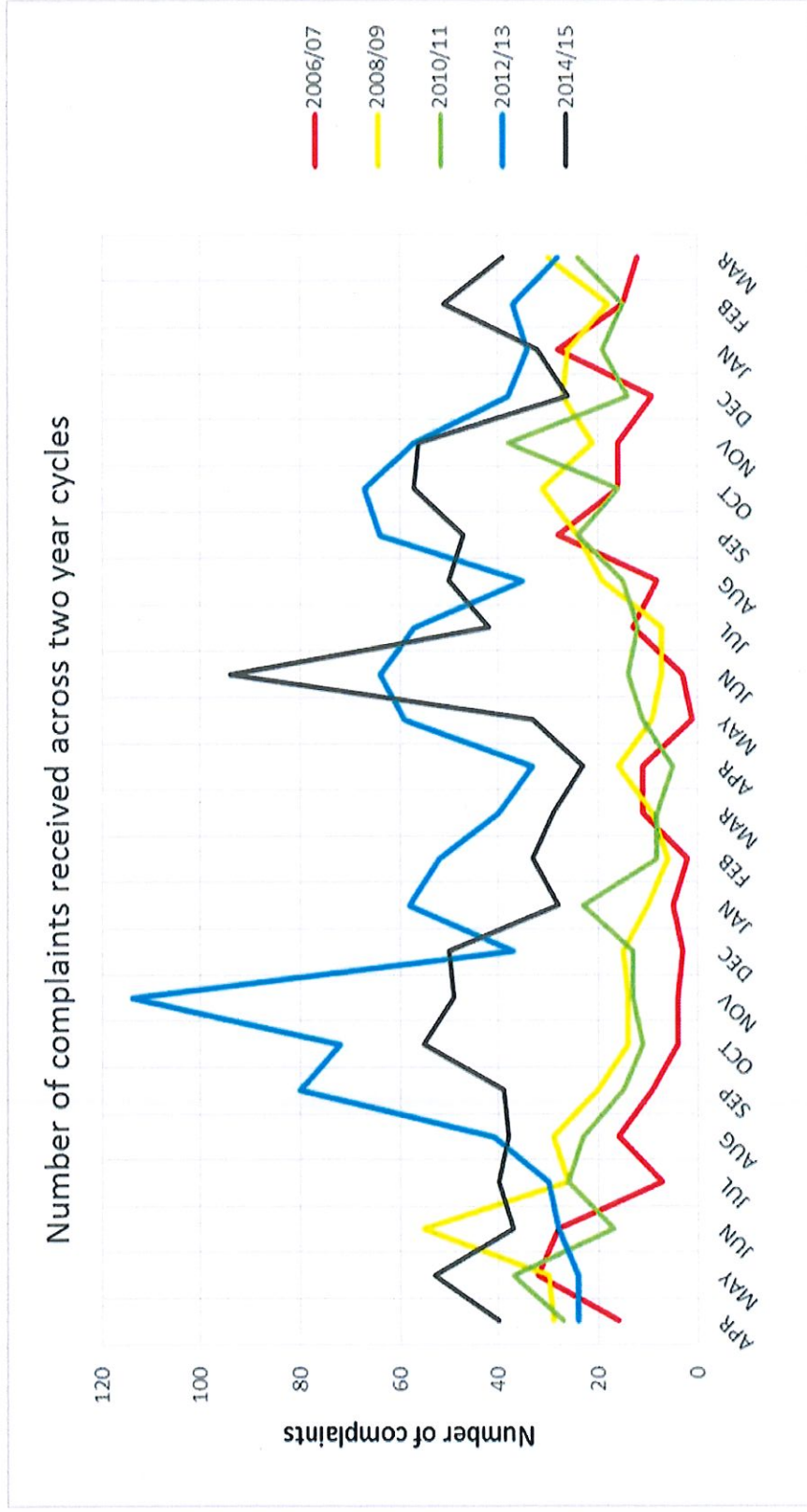
The above graphs shows the distribution of complaints across the last ten years, in two year cycles. The peak in 2012/13 relates to social workers being taken on to the Register and the peak in 2014/15 relates to the increase in registration fees.

5.0 Main areas of negative feedback

5.1 This section provides further details about the main areas of negative feedback received during the review period. Appendix two provides more detail of complaint themes on a monthly basis.

5.2 Readmission process - outside of complaints relating to personal circumstances, for example, an application form being returned because it was incomplete or a person wanting to start a job immediately, complaints and feedback related to:

- Difficulties involved in going through the return to practice process in terms of time and cost.

5.3 Registration renewal - this was the process that registrants complained about most, however the numbers are relatively low considering the volume of renewals being processed, complaints and feedback related to:

- Objections to the employer reminder letters, some registrants consider this a breach of their privacy.
- Registrants continuing to receive correspondence related to renewal when they have informed us that they intend to remove themselves from the Register at the end of the renewal window, either by voluntary de-registration, or allowing their registration to terminate.
- The online renewal portal being too secure in requiring multiple codes, some registrants commented that it was more secure than any online system they had previously used.
- If a registrant is changing their payment method to direct debit, they cannot renew online until they have returned a paper direct debit.
- Renewal from abroad - if a registrant is unable to login to the online renewal portal or locks out of the system, they have a more limited timeframe and options for renewal.

5.4 Removal process - the removal process is run if registrants fail to renew their registration. After the renewal window has closed, registrants are removed from the Register if they have not renewed. Outside of complaints relating to personal circumstances, for example, being unaware of the renewal window, complaints and feedback related to:

- The policy of removing registrants from the Register.
- The necessity to complete and return a readmission form.
- Not using alternative communication methods for contacting registrants.

5.5　Continuing Professional Development audit - outside of complaints relating to personal circumstances, for example, assessment decisions, complaints related to:

- Being selected for CPD more than once, for example, twice within two registration cycles.

5.6　Online Register - registrants provided feedback about additional elements of the online Register. Complaints and feedback related to:

- Not providing details on each registrant's Register entry about the specific protected titles that they can use and details of their practise.
- Not displaying initial registration dates and all dates of registration and qualification details.

5.7　International application process and processing times - the process consists of the submission of an application form, supporting documentation, payment, and qualification and verification checks. Applications are assessed on an individual basis and we aim to provide the initial decision within 12 weeks. Outside of complaints relating to personal circumstances, for example, the application form being returned because it was incomplete or a person wanting to start a job immediately, complaints related to:

- The amount of time taken to receive an assessment outcome.
- Some applicants had no concerns about the process, but were unhappy with the outcome of their application.

5.7.1　We are experiencing higher volumes of international applications than we have previously had. This financial year, we received 5991 new international applications, compared with 4608 last financial year. Between 1 January and 31 March 2016, we received 12.7% more applications than forecasted.

5.8　Pre-Investigating Committee Panel and standard of acceptance decisions - a concern that is raised about a registrant must meet the standard of acceptance to be taken forward to an Investigating Committee Panel. To ensure that allegations are considered appropriately, the standard of acceptance sets out a modest and proportionate threshold which allegations must normally meet before they will be investigated by the HCPC. Complaints have been received about:

- The FTP department not deeming a concern or concerns to have reached the standard of acceptance and therefore not progressing the case to an Investigating Committee Panel.

5.8.1 The majority of complaints about FTP processes come from members of the public (69% of those received in 2015-16). The majority of complaints (from all sources) relates to decisions about cases. More than half of these cases that are closed at the earliest stage are complaints that come from members of the public (54% of those closed pre-ICP in 2015-16).

5.8.2 The number of complaints about closures has increased due to the changes in Standard of Acceptance. We changed the Standard of Acceptance in May 2015 and closed significantly more cases using the new standard. In 2014-15, we closed 1042 cases because they did not meet the Standard of Acceptance, in 2015-16, we closed 1661 cases, an increase of nearly 60% on the previous year. Some of these cases were also older, as we had been waiting to receive information to assess if the standard would be met.

5.9 Investigating Committee Panel decisions and hearings - these relate to the ICP decision to close a case and/or the logistics of the hearing. The number of these complaints has fallen in comparison to previous years which is likely to be partially due to the new Standard of Acceptance and cases being closed earlier in the process.

6.0   Root cause of complaints

6.1   To help the HCPC identify where there may be problems with processes or policies, complaints are classified according to where the error that caused the complaint occurred. The classifications can also help us to identify where there may be a misunderstanding among stakeholders about our processes. Examples of these classifications is provided in appendix 3.

6.2   During the review period, the breakdown of root cause of complaints (where the root cause was available) was as follows:

- HCPC – 23%
- Registrant / applicant – 1%
- N/A – 76%

6.3   The graph below shows the distribution of complaints within the three root cause categories.

Complaint root cause - October 2015 to March 2016

HCPC
23%

Reg
1%

N/A
76%
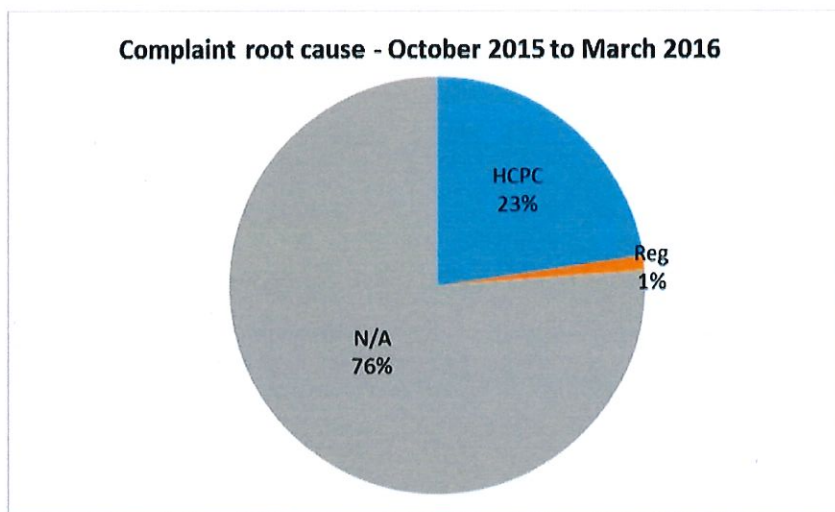
7.0   Corrective action

7.1   The majority of complaints (76%) that were received during the review period were not due to an HCPC error. In these cases, a response to the complainant with details of the relevant policies and processes is often the most appropriate action. An essential part of complaint responses are an explanation of our processes and policies. This is to ensure that we are open, transparent and fair in the way that we handle complaints.

7.2   During this review period, a number of corrective actions have resulted from complaints or been a factor in the development of corrective actions. The following are examples:

- Reviewing telephone calls related to a complaint to ensure that the information provided is correct and asking call-handlers to listen to these calls.
- Regular amendments and additions to the website, standard letters and emails where necessary changes have been identified. This applies particularly in departments that have more interactions with stakeholders including Fitness to Practise and Registration.
- Regular updates to the department through email reminders.
- Training and feedback for employees on a group basis through team and training meetings, complaints have been fed into Registration training workshops.
- Re-writing of CPD letters following feedback about the content, for example, the time and effort registrants have put into preparing their profile.
- Feedback on specific issues to employees after the conclusion of a complaint.

7.3   Complaints feed back into our project work, including providing feedback for the Registration systems and process review with suggestions that have come from complaints and feedback that registrants have provided us, for example:

- A bulk upload system for registrants who are submitting their CPD profile, these documents often contain large amounts of information and cannot be accepted in a single email.
- Communication preferences to include greater use of email, SMS and new technology.
- More payments options for applicants applying for registration and paying their application fee.

8.0 Positive feedback

8.1 The HCPC log positive feedback alongside complaints to ensure that a balance is achieved between areas that could be improved and current achievements. During the review period we logged 38 pieces of positive feedback. These included cards, letters and emails thanking employees for many different types of activity.

8.2 The following are a small number of examples of feedback that we have received from stakeholders:

- Positive feedback from a witness in the FTP Hearing process, "Was kept well informed of the process and was supported professionally to complete statement and evidence requirements (expectations were clear). Was greeted professionally and treated with courtesy at all times by HCPC staff and panel. Arrangements for my attendance were good."
- Positive feedback Registration staff involved in an international application, "I really appreciate all your help! Your guidance and support have been amazing!"
- Positive feedback from a registrant for our Communications team, "Thank you for presenting the talk... I found it very useful and I am sure many others did also... I have had a few questions from staff on the subject and your presentation has helped greatly".

8.3 The table below shows how many pieces of positive feedback have been logged during the last eight years in each reporting period.

Financial year	Number of pieces of positive feedback	Number per 100,000 registrants
2006-07	26	15
2007-08	24	13
2008-09	33	18
2009-10	76	36
2010-11	78	36
2011-12	66	30
2012-13	71	23
2013-14	91	28
2014-15	108	33
2015-16	71	21

9.0   Conclusion

9.1   The number of complaints logged during this reporting period was a small increase on the same period last year and the same as two years ago.

9.2   The distribution of complaints received was balanced across the professions.

9.3   The Fitness to Practise and Registration departments continue to receive the most feedback. Both departments carry out the most individual transactions with registrants and other stakeholders.

9.4   The number of international applications received has increased recently. The Standard of Acceptance for FTP concerns was changed last year. These two factors have changed the profile of complaints over the past year.

9.5   The number of complaints received continues to be in line with previous reporting periods.

9.6   The next report will cover the period 1 April 2016 to 30 September 2016.

Appendix 1

To provide some background to the ISO Standard for complaints management, ISO 10002, a description of the five clauses that are audited against are set out below:

Guiding principles

This provides an overall framework including sub-clauses for visibility, accessibility, responsiveness, objectivity, charges, confidentiality, accountability and continual improvement.

This clause covers main principles such as making the feedback and complaints process easily available and in accessible formats, the timeframe for responses, that no charge should be made for access to the complaints process and that the organisation should seek to improve the process on an ongoing basis.

Complaints-handling framework

This clause covers the commitment, policy and responsibility and authority of the complaints process including roles and responsibilities of those involved.

Planning and design

The clause covers the planning and design of the complaints process including that the process is efficient, is designed to improve customer satisfaction, has objectives, that the process can be linked to other relevant processes and that the process is properly resourced.

Operation of complaints-handling process

This clause covers the detail of the complaints process from receipt and acknowledgement of complaints, through tracking, investigation, response and complaint closure.

Maintenance and improvement

This clause covers the detail of reporting on complaint and the complaints process, satisfaction with the process, auditing, management review, and continual improvement.

Appendix 2

This table provides a summary of the main issues that were identified in complaints during each month, the departments that responded to complaints, the customer service policy and root cause.

Review month	Number of complaints received	Main issues (summary)	Number of complaints per department	Customer service policy	Root cause
October	57	• UK registration/registration – registrant renewal reminder letters and employer renewal reminder letters, voluntary deregistration • International registration – time taken to progress applications • FTP – decisions not to progress concerns to an Investigating Committee Panel, Hearings issues	Fitness to practise - 28 Registration - 29	78%	HCPC 28% Reg 0% N/A 72%
November	56	• UK registration/renewal – renewal issues, online renewal portal, payment of fees • International registration – time taken to progress applications • FTP – decisions not to progress concerns to an Investigating Committee Panel, customer service	Communications - 1 Education - 1 Finance - 4 Fitness to Practise - 19 Partners - 4 Registration - 26 Secretariat - 1	91%	HCPC 27% Reg 4% N/A 69%
December	26	• UK registration/renewal – various renewal issues • FTP – decisions not to progress complaints to ICP stage	Finance - 1 FTP - 13 Partners - 1 Registration -11	90%	HCPC 8% Reg 4%

					N/A 88%
January	32	• UK registration/renewal – various registration issues • International registration – time take to process applications • FTP – decisions not to progress concerns to an Investigating Committee Panel	Communications - 1 FTP - 17 Policy and Standards - 1 Registration - 13	88%	HCPC 22% Reg 0% N/A 78%
February	51	• UK registration/renewal – various registration issues • International registration – time take to process applications • FTP – decisions not to progress concerns to an Investigating Committee Panel, customer service	Communications - 1 Finance - 3 FTP - 35 Human Resources - 1 Registration - 11	86%	HCPC 16% Reg 0% N/A 84%
March	39	• UK registration/renewal – various renewal issues • International registration – time take to process applications • FTP – decisions not to progress concerns to an Investigating Committee Panel	FTP - 16 Human Resources - 1 Policy and Standards - 1 Registration - 20 Secretariat - 1	90%	HCPC 29% Reg 0% N/A 71%

Appendix 3

Root cause analysis

Three groups are used to classify complaints, they are:

- HCPC – the HCPC has made a mistake that caused the complaint, or made a mistake whilst addressing the issues raised in the complaint. Examples of complaints in this category include giving incorrect advice to a registrant or incorrectly returning an application form.

- Registrant or applicant – the registrant or applicant has made a mistake that has caused their complaint. Examples of complaints in this category include incorrectly completing a readmission form or returning a renewal form after the renewal deadline.

- Not applicable – neither the HCPC nor the registrant are at fault in the issues brought to light by the complaint. Examples of complaints in this category include complaints about the size of the registration fee, regulation of new professions or the correct application of an HCPC policy.

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UK regulation

An innovative yet double-edged approach to financial regulation

FTfm

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MAY 9, 2016 by: **John Thornhill**

Whenever an industry publicly praises its regulator then the rest of us should probably consider running for the hills. Regulatory capture is often a prelude to catastrophe, as we saw when the banking industry collapsed in 2008.

What should we therefore make of the love-in that is developing between the British government, the Financial Conduct Authority and London's emerging fintech industry?

At last month's Innovate Finance conference, fintech entrepreneurs applauded the FCA for its willingness to co-operate with the industry. The City regulator (http://www.ft.com/topics/org anisations/Financial_Conduct_Authority_UK) was described as bold, supportive and imaginative, adjectives rarely applied to watchdogs.

Alastair Lukies, chairman of Innovate Finance, hailed "right touch" regulation as one of the reasons why London had emerged as a leading fintech centre. "Regulators have to innovate just as much as innovators," he said.

Harriett Baldwin, economic secretary to the Treasury, was equally effusive praising the "beautiful friendship (https://www.gov.uk/government/speeches/fintech-making-sure-the-uk-continues-to-be-the-global-capital)" between government and fintech. The government had a key role, she said, in creating the regulatory environment in which fintech could thrive. She praised the FCA for its "simplicity, transparency, and industry-led approach".

The government has a strategic ambition to turn London into the global centre for online financial services, ranging from investment platforms to digital currencies to microinsurance, which may yet upend the finance industry. That ambition is understandable given the importance of financial services to the economy and the speed at which technology is disrupting industries.

The City certainly brings a lot of Fin to the equation and London's software developers are adding the Tech. Nowhere else in the world, with the possible exception of New York, is there a comparable concentration of financial expertise and technological smarts.

John Thornhill

More than venture capital is needed for success (http://next.ft.com/content/01d383bc-ffd6-11e5-ac98-3c15a1aa2e62)

Too much VC money is being invested in start-up companies with daft ideas

The government has encouraged regulatory flexibility for two good reasons. First, the demands of complying with a rule book designed for large financial institutions would crush most start-up companies. Complex regulation is a daunting barrier to entry. Second, it is healthy for regulators to listen to insurgents as well as incumbents if they best wish to serve consumers.

For the moment, the government's strategy is working. A study by the consultants EY ranked London as having the best fintech ecosystem in the world employing 61,000 people. The FCA is well on its way to becoming the global regulator of reference for the industry.

However, the dangers of such a flexible approach are glaring. "Right touch" regulation sounds ominously like the "light touch" regulation that preceded the financial crash.

Veteran financiers mutter that much of fintech is overhyped (http://next.ft.com/content/c15f5252-f751-11e5-96db-fc683b5e52db) and will end in disaster when the credit cycle turns. The risks of new financing models, such as peer-to-peer lending, are scary, often blurring the lines between consumers and investors. Adair Turner (http://next.ft.com/content/e123234c-cfd4-1

1e5-92a1-c5e23ef99c77), former chairman of the Financial Services Authority, this year warned peer-to-peer lending could result in losses that would "make the worst bankers look like absolute lending geniuses".

The FCA says it understands the dangers, insists that it is in no way lowering regulatory standards and will always prioritise the protection of consumers. But its mission is also to make markets work better by promoting competition and innovation. "We also want to focus on supporting good things coming to the market," says Chris Woolard, the FCA's director of strategy and competition.

To that end, the FCA launched Project Innovate in 2014, offering advice to innovative companies, be they start-ups or established institutions. Of 256 companies it has advised, 18 have been authorised by the FCA and have entered the market with a further 21 close behind. The FCA is also launching a regulatory "sandbox" to enable fintech companies to test ideas and products in a safe space. "It is a bit like a regulatory incubator," says Mr Woolard. These days, it seems, regulators are not just concerned with financial institutions deemed too big to fail but also those which are too small to succeed.

Risky though it is, the FCA's approach is not necessarily bad, however hard it will be to act as both watchdog and guide dog. Few, if any, fintech companies are systemically important. The venture capital companies that back most fintech firms know failure is part of the game. So long as widows and orphans are protected then there may be little harm in fintech messing around in its sandbox — and potentially there is a lot of good. All will depend on how well the FCA does its core job.

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WASHINGTON, Sept 17 The U.S. Federal Aviation
Administration, trying to shake criticism it has been too close
to the industry it regulates, will drop its practice of calling
airlines its customers and will beef up safety practices.

"When we say customer, we mean the flying public," FAA
Administrator Randy Babbitt said in announcing policy changes
aimed at strengthening safety oversight and streamlining
avenues for whistleblowers and others to report problems
without fear of reprisal or other pressure to remain quiet.

Some members of Congress, safety watchdogs, and
whistleblowers have long complained of a revolving-door culture
that fostered coziness between the FAA and major U.S.
airlines.

The issue erupted publicly last year when a whistleblower
case over maintenance lapses at Southwest Airlines Co (LUV.N)
led to a congressional investigation and harsh criticism of FAA
oversight.

The agency fined Southwest $10 million for flying planes
that had missed required safety inspections but later reduced
the penalty by 25 percent.

Babbitt said the FAA would create an office to handle
safety complaints from whistleblowers and the public. It is
also improving procedures to ensure airlines comply fully with
the hundreds of FAA directives issued each year, mainly on
matters that require precise recordkeeping and a maintenance
response.

Babbitt said he saw no signs the FAA was too close to
airlines but noted the agency has a good working relationship
with the industry, which he said benefits safety.

"We often turn to these people (airlines) to find
solutions," Babbitt, a former airline pilot, said. "Just
because you know their first names doesn't mean you're cozy."

Although there was a notable airline accident and a fatal
collision between a tourist helicopter and a small plane this
year, the industry that operates more than 30,000 commercial
flights per day and flies more than 600 million passengers per
year is safe, Babbitt said.

Babbitt said the airlines know the rules and promised that
FAA would not hesitate to crack down on violators and ground
planes if necessary.
(Reporting by John Crawley; Editing Bernard Orr and Matthew
Lewis)

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