Regulation – Developments in the UK

Marc Seale – Chief Executive HCPC
INPTRA, Cape Town – Friday 30th June 2017
9 UK statutory regulators of healthcare professionals

General Chiropractic Council
General Dental Council
General Medical Council
General Optical Council
General Osteopathic Council
General Pharmaceutical Council

hcpc health & care professions council
NMC Nursing & Midwifery Council
Pharmaceutical Society of Northern Ireland
HCPC - multi-professional statutory regulator

Ref: MJS/HCPC/INPTRA/June2017
Objective of regulating healthcare professionals

Benefits to Profession

Standards
- Knowledge
- Skills
- Values
- Behaviours

Benefits to Citizens

Safe & Effective

Trust & Confidence

Ref: MIS/HPC/INPTRA/June2017
Generic Regulatory Framework

- Government
- Intended Regulatory Policy Objective
  - Rules & Standards
    - Enforcement Sanctions Penalties
    - Earned Autonomy
      - Assess Degree of Compliance
  - Data Information Collection
    - Monitor & Inspection
  - Stakeholders

Ref: MIS/HPC/INPTRA/June2017
HCPC Standards
Statutory regulators make High Stake Decisions

- Decisions
  - Fitness to practise
  - Admission to the register
    - Domestic
    - International
  - Approval of programmes of Education & Training
  - Continuing competence
  - Regulating new professions
  - Rogues & Charlatans
High stake decisions require effective legislation

- Legislation
  - Primary, Secondary, Rules & Standards
  - Slow to introduce & amend
  - Scarce

- Choices
  - Specific or general?
  - Transnational, Federal or Regional?
The challenge

Regulators depend on government to enact up to date & effective legislation in a timely manner
VUCA
VUCA

• Volatility
  • Nature & dynamics of change, speed of change forces & change catalysts

• Uncertainty
  • Lack of predictability, the prospects for surprise, the sense of awareness & understanding of issues & events

• Complexity
  • Multiplex of forces, confounding of issues, no cause-and-effect chain & confusion surrounding organisations

• Ambiguity
  • Haziness of reality, the potential for misread, mixed meaning of conditions & cause-and-effect confusion
Politics in the age of VUCA

• Emmanuel Macron & Donald Trump

• Nigel Farage, Beppe Grillo, Marine Le Pen, Geert Wilders

• Characteristics
  • Populists
  • Risk takers
  • Centralisation of advisers – “The Court of Kings”
  • Bypassing traditional channels of communication
  • Headline & action management
  • Hit back to challenges or avoiders
  • 4 branches of government conflicted
UK perceived problems & solutions with regulation of healthcare professionals

- Cooperation between regulators: Increase
- Cost of regulation: Reduce
- Cross border movement of professionals: Facilitate
- De-regulating some professions: Select
- Extend regulating to new professions: Decision process
- FTP/ disciplinary process: Quicker & cheaper
- Flexible legislative regulatory framework: Introduce
- Governance arrangements: Different
- Number of regulators: Reduce
- Oversight of regulators: Better
- Professionalism: Increase
Progress over last 6 years

• **Law Commissions**
  • Commissioned 16 February 2011
  • Consultation 12 March 2012
  • Consultation analysis published 20 February 2013
  • Report, recommendations & draft Bill 2 April 2014
  • Government response 29 January 2015
  • Preparing government consultation May 2017
  • Conservative party manifesto 18 May 2017

  “**legislate to reform and rationalise the current outdated system of professional regulation of healthcare professions, based on the advice of the professional regulators**”

• General Election 8 June 2017
• Queen’s Speech 21 June 2017
Other developments & possible solutions

• New regulator for Social Workers in England

• Regulation of Physician Associates (Assistants)

• Section 60 vs Primary legislation
Finding out more & keeping in touch

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