

Audit Committee, 14 June 2017

Internal audit report – Property Management 405 KPR

Executive summary and recommendations

Introduction

As part of the Internal Audit Plan for 2016-17, Grant Thornton have undertaken an audit of property management, focusing on the tribunal suite at 405 Kennington Road.

Decision

The Committee is asked to discuss the report.

Background information

See Grant Thornton's report, attached

Resource implications

None

Financial implications

Grant Thornton's agreed fees for 2016-17 were £47k including VAT.

Appendices

Internal Audit Report – Property Management 405 KPR

Date of paper

7 June 2017



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Omer Tauqir
Director
T: 020 7865 2665
E: omer.tauqir@uk.gt.com

Amit M Patel
Manager
T: 020 7288 3109
E: amit.m.patel@uk.gt.com

Jason Mansell
Assistant Manager
T: 0121 232 5133
E: jason.mansell@uk.gt.com

The Health and Care Professions Council

Review of Property Management – Final report

Last updated 07 June 2017

Distribution		Timetable	
For action	John Barwick, Acting Director of FtP	Fieldwork completed	8 May 2017
	Brian James, Head of Case Preparation and Conclusion FtP	Draft report issued	23 May 2017
For information	Marc Seale, Chief Executive and Registrar	Management comments	07 June 2017
	Audit Committee	Final report issued	07 June 2017

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Glossary

The following terms are used in this report:

HCPC	Health and Care Professions Council
HCPTS	Health and Care Professions Tribunal Service
FtP	Fitness to Practice

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It is the responsibility solely of the Health and Care Professions Council's management to ensure that there are adequate arrangements in place in relation to risk management, governance and control.

1 Executive Summary

1.1 Background

As part of our 2016-17 Internal Audit Plan, it was agreed with the Health and Care Professional Council's Audit Committee and Management that Internal Audit would perform an audit of property management, focusing on the tribunal suite at 405 Kennington Road. The objective of the review was to assess whether the new tribunal space is being used efficiently and effectively through appropriate planning and scheduling of Fitness to Practise (FtP) tribunals.

The scope of the review was to undertake a high level review of the FtP planning and scheduling processes (both space scheduling and staff planning processes) and how it ensures efficient use of the capacity at 405 Kennington Road, including the use and reporting of KPIs and management information. In addition, to assess how cancellations and rescheduling are managed and minimised to ensure that there is a consistent and adequate utilisation of the available space. We also assessed the quality and upkeep of the space, through feedback from key users and staff to gauge whether the space is available in the right condition at the right time for FtP tribunals (including access to required facilities and IT requirements).

The statutory function of the HCPC is to set and maintain standards for the professions that it regulates, with the overarching objective of protecting the public. The HCPC's powers in respect of FtP are set out in Part V of the Health and Social Work Professions Order 2001. Article 32(3) of this Order requires Panels to conduct FtP proceedings expeditiously and it is in the interest of all parties, and the wider public interest, that hearings are heard and resolved as quickly as possible. The HCPC also has an obligation to provide a safe environment for all those

involved in FtP proceedings. To support this process the HCPC have taken out a 10-year lease on a dedicated tribunal suite at 405 Kennington Road from January 2016. Previously all hearings were heard at the HCPC's main offices at 184 Kennington Park Road or at other non-dedicated rented accommodation.

In general, hearing are allocated in date order. However, cases will also be prioritised for listing depending on the age and complexity of the case and whether there is an interim order in place. Scheduling Officers are required to ensure that they schedule a mix of cases across the whole of a given month, this ensures that any gaps are filled with half day hearings such as reviews, consent or conviction cases. This ensures that best use of available resources: Hearing Officers, hearing rooms and Presenting Officers. In addition, review hearings must be reviewed by Panels at defined points so must be slotted in as and when is necessary. This ensures that for budget and forecast purposes the average days of hearing per month remains consistent and staff are making use of every working day per month.

Utilisation of the tribunal suite at the date of the audit review was 89% against a year to date forecast of 94%. In part this was due to a higher number of non-England cases being held, both as final hearings and also as reviews. Utilisation is measured by the number of rooms in use at any given time for hearings, capacity (specifically under capacity) is not taken into consideration when calculating the figures.

As part of our review we interviewed three Scheduling Officers and two Hearings Officers to obtain their views on the effectiveness of the way the space is utilised. Further details on responsibilities, approach and scope are included in Appendix A.

1.2 Overall assessment

The planning process is robust and seeks to focus on the efficient use of the capacity of the building. Whilst the scheduling approach is not particularly sophisticated (being undertaken in MS Outlook) the process works and is fully understood by all necessary staff. We understand that management are currently in the process of potentially procuring a new Case Management System within the next two to three years and a scheduling tool will form part of any new system procured. Where postponements, adjournments and cancellations occur, which invariably they will, they are kept to a minimum and are monitored and reported to Council on a quarterly basis as part of the Fitness to Practise report

Management information and KPIs on the utilisation of the building was found to be in place, fit for purpose and reported to Council on a quarterly basis. Whilst these simply state the overall level of utilisation based on frequency (rather than on a room by room or occupancy basis) we consider that this is appropriate. Current utilisation is reported as 89%.

Management have a process to obtain feedback from key users (Panel members and witnesses) which is recorded and used to assess the quality and upkeep of the building. However, the response rates are low and need to be improved. Management are currently in the process of reviewing how they can improve the response rate. Feedback that is received is generally stating that the facilities are of a high quality, but any specific issues raised are monitored by management and rectified if appropriate.

All staff we interviewed praised the quality and design of the building and the provided facilities and IT. In part this was due to the Adjudication Manager (Scheduling) being involved in the design and internal layout of the rooms prior to taking occupancy.

One of the other key benefits of the building is the visible separation from the offices at 184 Kennington Park Road. Alongside the recent development of the Health and Care Professions Tribunal service which also provides a further distinct identity to emphasise that hearings are conducted and managed by independent Panels which are at arm's length from the HCPC.

During our field work we interviewed staff to check their understanding of the evacuation procedures. Staff were unsure where the building's safe meeting point (fire muster point) was. For their safety, and the safety of the Hearing participants and members of public that may be in the building in the event of a fire alarm sounding, it is important that this is clearly clarified and displayed. We shared our initial findings with management who agreed with our finding and have now displayed the location of the fire muster point, on Stannary Street. A recent fire drill was carried out where management concluded the fire drill was "effective, orderly and satisfactory".

As part of our review we identified two issues for management attention.

The two low risk issues were:

- the provision of braille signage throughout the building for visually impaired individuals.
- the provision of refresher and ongoing training for relevant staff who have to deal with the Press.

The table below details the key findings from our review.

1.3 Key findings

Risk / Process	High	Medium	Low	Info.
Access to required facilities	-	-	1	-
Fire Safety instructions	-	-	-	-
Dealing with the Press	-	-	1	-
Total	-	-	2	-

Further details of our findings and recommendations are provided in Section 2 of this report. Refer to Appendix B for definitions of internal audit issue ratings.

1.4 Basis of assessment

For the key processes reviewed, we found that for the sample selected:

- Staff had been involved in the design of the building and the internal layout prior to occupancy.
- The planning process, including financial planning, is robust and managed well.
- The scheduling process with the use of MS Outlook is not particularly sophisticated but works well and is fully understood by all staff.
- Staff interviewed all praised the design and layout of the building and particularly the visible separation from the main HCPC's offices on Kennington Park Road. This was to provide further clarity on the independence of the hearings process.
- User feedback is regularly sought, recorded and acted upon.
- Risk assessments for the building for fire safety were found to be up to date.
- The relationship and service provided by both Facilities and IT was praised as being of high quality.

- KPIs on utilisation are maintained and reported to management and Council regularly.

1.5 Acknowledgment

We would like to take this opportunity to thank the staff involved for their co-operation during this internal audit. Their details can be found at Appendix A.

2 Detailed Findings

2.1 Access to required facilities

1.	Low	Accessibility for visual impaired individuals
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Finding and Implication	Proposed action	Agreed action (Date / Ownership)
<p>Our assessment of the quality and upkeep of the space at the Tribunal Centre at 405 Kennington Road identified that it is fully accessible to all staff, Hearing participants and members of the public. This includes the provision of all the required items for their logistical and technical needs.</p> <p>However, we did identify the lack of any braille signage throughout the building for blind or visually impaired individuals.</p> <p>Whilst the provision of braille signage at a place of employment is not a specific requirement of the Equality Act 2010, it remains good practice.</p>	<p>We recommend that braille signage is installed throughout the building, particularly on lifts, door entrances and other required facilities.</p>	<p><i>As stated, the provision of braille signage at a place of employment is not a specific requirement of the Equality Act 2010.</i></p> <p><i>All people attending a tribunal – panel members, registrant, witnesses, visitors, legal assessors - are asked before the panel hearing whether they have any specific requirements such as visual impairments, limited mobility, dietary requirements etc. An assessment of these requirements is made and any adjustments are made where reasonable.</i></p> <p><i>All tribunals are clerked by an HCPC employee and take control of their room if any incidents occur.</i></p> <p><i>Specifically for visual impaired attendees, if they have not brought their own escort then a member of staff</i></p>

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1.	Low	Accessibility for visual impaired individuals
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Finding and Implication	Proposed action	Agreed action (<i>Date / Ownership</i>)
		<p><i>is assigned to them for the time they are in the panel to assist them in moving around the tribunal building.</i></p> <p><i>Upon joining HCPC all new employees are assessed and any reasonable adjustments are made to their working environment. Furthermore, all employees are shown around and made familiar of all the relevant HCPC buildings that they are likely to be attending.</i></p>

2.2 Dealing with the Media and the Press

2.	Low	The provision of training for dealing with the Press
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Finding and Implication	Proposed action	Agreed action (Date / Ownership)
<p>Tribunal hearings are open to both members of the public and members of the Press. Members of the Press normally attend when a case is particularly complex or high profile. Prior to admittance to a Hearing they have to identify themselves as a member of the Press and provide relevant identification.</p> <p>Whilst some staff interviewed stated that they had received training on how to deal with the Press some felt that ongoing and refresher training would be useful.</p> <p>Failure to deal with the Press appropriately may result in adverse publicity for the organisation.</p>	<p>Refresher and ongoing training should be provided to all relevant staff on dealing with the media and the Press.</p>	<p><i>The Media & PR working very closely with the Tribunals team. There are agreed processes in place developed by the Media & PR team to manage journalists who want to attend a hearing or their interactions during a hearing. Journalists can ask about timings or the spelling of panel members names but any other requests have to come through the press office. This has been outlined to all hearing officers. There is also a section on the HCPTS website outlining general information and hearing rules for journalists. Delays around training have happened because of the turnover of Tribunal staff and their availability because of the nature of their jobs. Dates for training on how the Media & PR team and Tribunals team work together will now take place in June/July 2017.</i></p>

A Internal Audit Approach

Approach

As part of our 2016-17 Internal Audit Plan, it was agreed with the Health and Care Professional Council's Audit Committee and Management that Internal Audit would perform an audit of Property Management, focusing on utilisation of the tribunal suite at 405 Kennington Road. It was agreed that the approach to this audit would involve:

- a high level review of the end to end process for the FtP planning and scheduling process to determine whether the controls in the process are robust for effective and efficient planning;
- undertaking specific testing of the FtP planning and scheduling processes including the reasonableness of the forecasting model (a forecast of both activity/utilisation and associated financial costs);
- holding discussions with key staff (Hearing Officers and Scheduling Officers) on the effectiveness of the space;
- a review of user feedback on the use of the facilities to assess how it is collected, reviewed and acted upon.

We achieved our audit objectives by:

- Meeting with audit sponsors and other key contacts to gain an understanding of the processes in place and the risk areas, building upon information gained through the audit planning process
- Reviewing key policies, procedures and other documents to support management's representations.

The findings and conclusions from this review will support our annual opinion to the Audit Committee on the adequacy and effectiveness of internal control arrangements.

Additional information

Client staff

The following staff were consulted as part of this review:

- Kelly Holder – Director of Fitness to Practise
- John Barwick, Acting Director of FtP
- Brian James, Head of Case Preparation and Conclusion FtP
- Deborah Oluwole, Adjudication Manager – Scheduling
- Jason Rowbottom, Adjudication Manager – Hearings
- Claire Baker – Scheduling Team Manager
- Samantha Still – Scheduling Officer
- Patricia Baker – Scheduling Officer
- Jennifer Pittam – Hearings Officer
- Tessa Leake – Hearings Officer
- Andy Gilles – Finance Director

- James McMahon – Office Services Manager
- Robert Pope – Facilities Manager

Documents received / examined

The following documents were received or looked at during the course of this audit:

- FtP Forecast Spreadsheet 2016/17
- FtP Operational Guidance – Postponement and Adjournment Requests
- FtP Operational Guidance – Scheduling Teleconference
- FtP Operational Guidance – Hearings Risk Management
- FtP Adjudications Scheduling Activity
- FtP Supplementary Management Information Pack
- HCPTS Brochure (May 2017)
- Adjournment and Postponement Report – October 2016
- Panel Member Feedback spreadsheet 2017
- Witness Feedback logs 2016 and 2017
- Witness feedback form
- Hearing feedback form
- Health and Safety Risk Assessment 2017 (Building 405)
- Fire Safety Risk Assessment 2017 (Building 405)
- Financial budgets/expenditure 2016/17 and 2017/18

Locations

The following location was visited during the course of this review:

- Health and Care Professions Council
Park House
184 Kennington Park Road
London SE11 4BU
- Health and Care Professions Council
HCPTS Tribunal Centre
405 Kennington Road
London SE11 4PT

B Definition of audit issue ratings

Audit issue rating

Within each report, every audit issue is given a rating. This is summarised in the table below.

Rating	Description	Features
High	Findings that are fundamental to the management of risk in the business area, representing a weakness in control that requires the immediate attention of management	<ul style="list-style-type: none"> • Key control not designed or operating effectively • Potential for fraud identified • Non compliance with key procedures / standards • Non compliance with regulation
Medium	Important findings that are to be resolved by line management.	<ul style="list-style-type: none"> • Impact is contained within the department and compensating controls would detect errors • Possibility for fraud exists • Control failures identified but not in key controls • Non compliance with procedures / standards (but not resulting in key control failure)
Low	Findings that identify non-compliance with established procedures.	<ul style="list-style-type: none"> • Minor control weakness • Minor non compliance with procedures / standards
Improvement	Items requiring no action but which may be of interest to management or best practice advice	<ul style="list-style-type: none"> • Information for department management • Control operating but not necessarily in accordance with best practice



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