

## Response to Health Education England consultation on draft standards for the Foot Health Workforce

February 2021

### 1. Introduction

- 1.1 The Professional Standards Authority for Health and Social Care promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and registration of people working in health and care. We are an independent body, accountable to the UK Parliament. More information about our work and the approach we take is available at [www.professionalstandards.org.uk](http://www.professionalstandards.org.uk)
- 1.2 As part of our work we:
- Oversee the ten health and care professional regulators and report annually to Parliament on their performance
  - Accredit registers of healthcare practitioners working in occupations not regulated by law through the Accredited Registers programme
  - Conduct research and advise the four UK governments on improvements in regulation
  - Promote right-touch regulation and publish papers on regulatory policy and practice.

### 2. Key points

- 2.1 We welcome the opportunity to respond to the Health Education England (HEE) consultation on draft standards for the foot health workforce. We support HEE's work in this area which should have a positive effect on raising standards within this workforce and strengthening patient safety.
- 2.2 We recognise that HEE's focus is on increasing the supply of foot health practitioners in the NHS. We note however that not all treatments are available on the NHS and therefore many patients receive care and treatment from the independent or voluntary sectors.
- 2.3 Our comments are provided in the light of our role in protecting the public by raising standards of regulation and registration of people working in health and care, in particular our oversight of the statutory health professional regulators and the Accredited Registers (AR) programme which accredits registers of practitioners not regulated by law.
- 2.4 As outlined in the consultation, foot health practitioners (up to the level of HCPC registered podiatrists) are not statutorily regulated. The Alliance of Private Sector Practitioners, which includes membership from regulated podiatrists as well as a register of unregulated foot health practitioners and is accredited under the AR programme, provides assurance that the independent

practitioners on its register meet relevant standards and provides a mechanism for patients to raise concerns where required. However, there remain a significant number of registrants who are not on a register overseen by the Authority. We hope that HEE's proposals will enable more to be brought into the framework of assurance that regulators and accredited registers provide.

- 2.5 We do not have detailed comments on the standards themselves but note that it is important that HEE's work to develop the final standards is sufficiently cognisant of mechanisms currently in place to manage risks amongst the foot health workforce and that the standards will resonate with practitioners who work in a variety of settings, including both the NHS and independent sector. This is important to try to ensure a consistent approach across the health service and outside of it. There is otherwise the risk of the development of a two-tier approach where patients may experience a different quality of care depending on how they access services.
- 2.6 There is also the risk that by setting standards which do not work for practitioners in the independent sector HEE may be unable to follow through on its aim to create a clear, attractive career pathway and increase the foot health workforce within the NHS.
- 2.7 We welcome the reference to the AR programme in the consultation and the potential to better utilise practitioners on Accredited Registers in meeting workforce needs within the health service. Our own proposals for the future direction of the programme, as set out in our public consultation, shares some common aims with those set out by foot health practitioners, providing that the points above can be addressed.
- 2.8 We would be very happy to provide any support we can in facilitating further discussions between HEE and stakeholders within the independent sector if this would be of use.

### **3. Detailed comments**

#### **Development of standards for foot health practitioners**

- 3.1 We welcome HEE's work to produce standards for the foot health workforce to improve public protection and support workforce needs. There is merit in HEE developing these standards which should help to ensure that these are sufficiently routed in expectations for all health and care professions.
- 3.2 We do not have detailed comments on the content of the draft standards but the reference to common themes across all healthcare professions including the duty of candour, safeguarding and EDI are welcome. This should help to promote a consistent approach and understanding across professionals and practitioners which will be beneficial for patient safety and care.
- 3.3 There is a need for a clear career pathway for practitioners to progress through to registered Podiatrist where appropriate and we welcome the fact that the proposed Framework for Higher Education Qualifications allows for this. However, it is important that the proposed career pathway broadly reflects

that which currently operates within the foot health workforce and the levels of autonomy that practitioners are currently working up to.

- 3.4 It is particularly important that HEE's work to develop the final standards takes into account the mechanisms currently in place to manage risks amongst the foot health workforce and takes account of standards which practitioners may currently be working to. This will help to ensure that the standards will resonate with those currently practising in this area and will increase compliance.
- 3.5 As far as possible it will be important seek buy-in to the standards both inside and outside the NHS. We recognise that the objectives behind the development of these standards are to develop podiatry training routes and to safely meet patient needs in the NHS through the introduction of an expanded foot health support workforce. However, as far as possible it would be good to try to ensure a consistent approach across foot health practice. This includes engaging with relevant stakeholders outside of the health service and promoting uptake of the standards as widely as possible. Insufficient buy-in from practitioners outside of the health service may make it more difficult for HEE to achieve its objectives.
- 3.6 We further note that not all treatments are available on the NHS and therefore many patients will continue to receive care and treatment from the independent or voluntary sectors.
- 3.7 As outlined in the consultation, foot health practitioners (up to HCPC registered podiatrists) are not regulated by law. The Alliance of Private Sector Practitioners (the Alliance) which includes membership from regulated podiatrists as well as a register of unregulated foot health practitioners and is accredited under the AR programme, provides assurance that practitioners meet relevant standards and provides a mechanism for patients to raise concerns where required.
- 3.8 There also remain a significant number of registrants who are not on a register overseen by the Authority. We hope that HEE's proposals will enable more to be brought into the framework of assurance that regulators and accredited registers provide.

### **Accredited Registers programme**

- 3.9 The Authority has long taken the view that decisions on assurance for different occupational groups should be based on risk of harm arising from practice. The Authority oversees the Accredited Registers programme for organisations which hold voluntary registers and set standards for practitioners who are not regulated by law. This includes the Alliance of Private Sector Practitioners who hold a register of foot health practitioners.
- 3.10 Registers are assessed to ensure that they meet our standards. Practitioners on Accredited Registers include counsellors, sports therapists, public health practitioners, sonographers and foot health practitioners amongst many others. The scheme offers assurance to the public as well as employers, commissioners or GPs who may wish to refer patients on, about the practitioners on these registers.

- 3.11 As we have previously highlighted, better use of the broad expertise of AR practitioners could be a means for addressing workforce shortages and we very much welcome HEE's recognition of this in the consultation document. AR practitioners already deliver, support and supplement NHS and care services. With changing models of healthcare, they are well placed to support the transformation of our health and care services to meet future challenges.
- 3.12 We are currently mid-way through a strategic review of the AR programme to ensure it continues to meet its founding objectives. We have been grateful to have input from HEE and other stakeholders on how the programme might develop in the future to support mutual objectives around providing assurance for unregulated groups and protecting the public.
- 3.13 Our own proposals for the future direction of the programme, as set out in our public consultation<sup>1</sup>, shares some common aims with those set out for foot health practitioners. We think that greater consistency of standards within foot health would lead to better outcomes for patients and service users and help create a simpler system. However, we think it is also important to recognise that foot health practitioners work across a number of settings and include those who are self-employed. We think it is important that any new standards can be adopted irrespective of practice setting, so that they benefit the maximum number of patients.

#### **4. Further information**

- 4.1 Please get in touch if you would like to discuss any aspect of this response in further detail. You can contact us at:

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<sup>1</sup> *Consultation on the future shape of the Accredited Registers programme*. Available at: <https://www.professionalstandards.org.uk/what-we-do/improving-regulation/consultation/consultation-on-future-of-accredited-registers>