

## Section 29: statistical return

*Financial year 2008-2009 – 1 April 2008 to 31 March 2009*

1. From 1 April 2008 to 31 March 2009, 1370 cases were notified to CHRE for consideration under Section 29 of the NHS Reform and Health Care Professions Act 2002. Chart 1 shows the distribution of cases received by the nine regulatory bodies. The majority of cases were received from the Nursing and Midwifery Council (524) and the General Medical Council (382). Only one case was notified from the Pharmaceutical Society of Northern Ireland.

2. Chart 2 shows the number of cases considered by CHRE each month. We received the most cases in March (168), almost double the number of cases received in March 2008.

3. Chart 3 indicates the general rise in the number of cases CHRE has been receiving each month since April 2004. This shows that there has been an 11.3% increase in the number of cases received in 2008/2009 in comparison to 2007/2008 (i.e. 1231 cases received in 2007/2008 compared to 1370 in 2008/2009). Despite this, Table 4 indicates that proportionately the percentage of cases referred to Court has reduced. The increase in the number of cases notified to CHRE from January 2009 is partially due to the fact that cases involving the health of a registrant now fall within CHRE's remit, and these outcomes began being notified to us from 1<sup>st</sup> January 2009.

4. Chart 5 shows the average number of days taken for each of the bodies to send the determinations to CHRE after the conclusion of the hearing. The overall average from all of the bodies is 3.4 days. Several of the regulators, however, managed to provide determinations to us in an average of two days. Chart 6 shows the time taken by each regulatory body to send us determinations on a month to month basis.

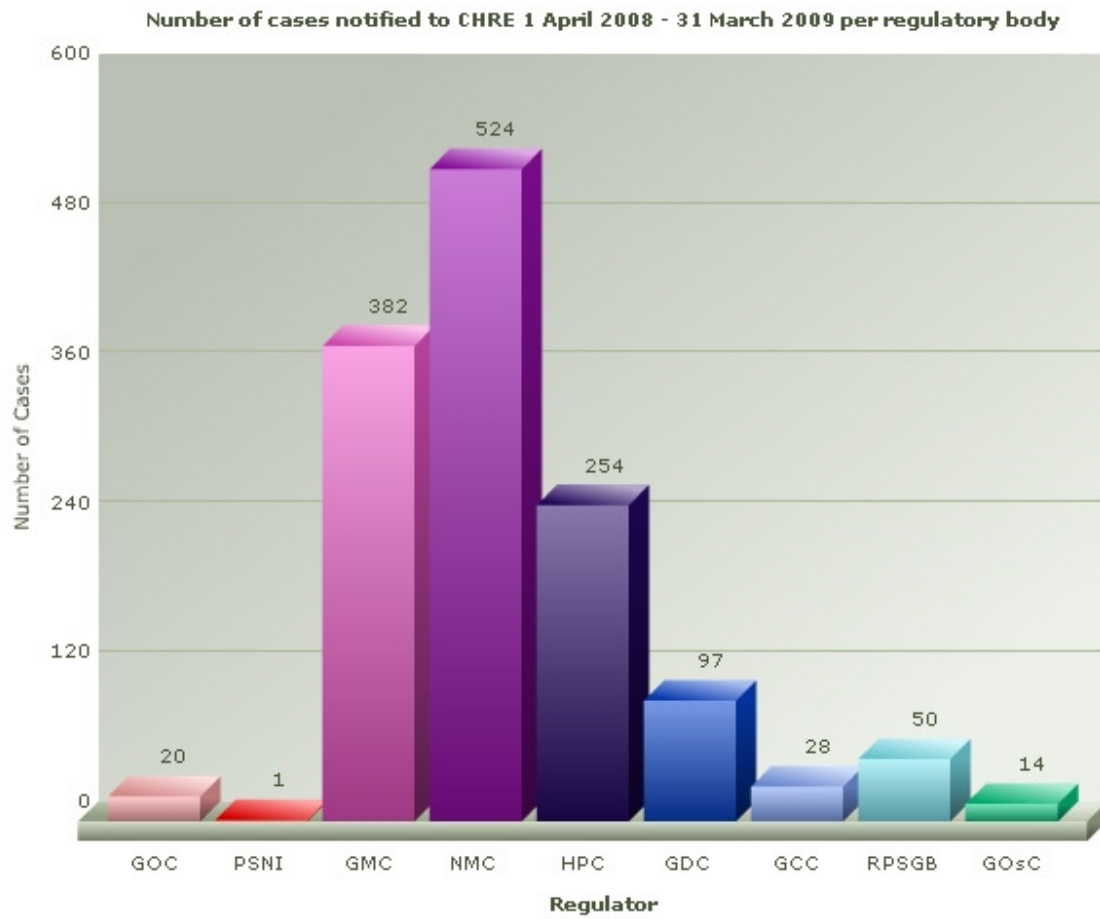
5. Most cases (1159 of the 1370 cases) were closed without further information being requested, although learning points for the regulatory bodies were identified from the determination in 70 of these cases and noted for future discussions. 129 transcripts were requested, 68 of which raised further learning points, either by the Scrutiny and Quality staff or by Council members considering cases at case meetings.

5. Chart 7 shows the average number of days taken for each of the bodies to send the transcripts to CHRE after they were requested. Chart 8 shows the total time taken for CHRE to receive all requested information (i.e. determination plus transcripts and exhibits, if relevant). Some of the regulatory bodies that are slower in providing determinations tend to provide transcripts more quickly. The outcome of our consideration of cases is summarised in chart 9.

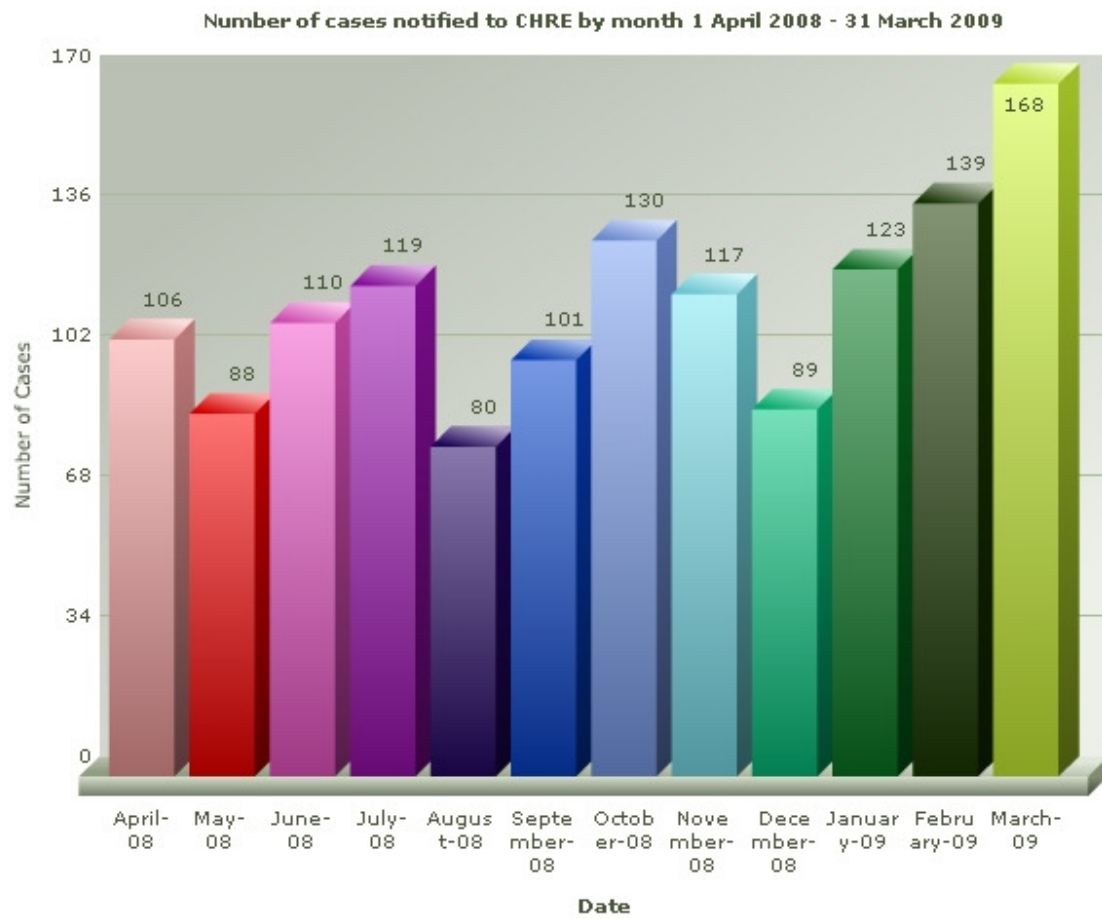
5. 19 cases were considered at case meetings of Council members, nearly double the number that were considered in the previous year, and five of these were referred to the High Court. Of the cases referred, two were from the NMC, one was from the GMC, one was from the GOsC and one was from the HPC. However, CHRE subsequently withdrew one of the NMC appeals and the HPC appeal from the Court.

6. We received judgments from the Court in 6 cases this year. Five of the appeals were settled by agreement and the other appeal was dismissed.

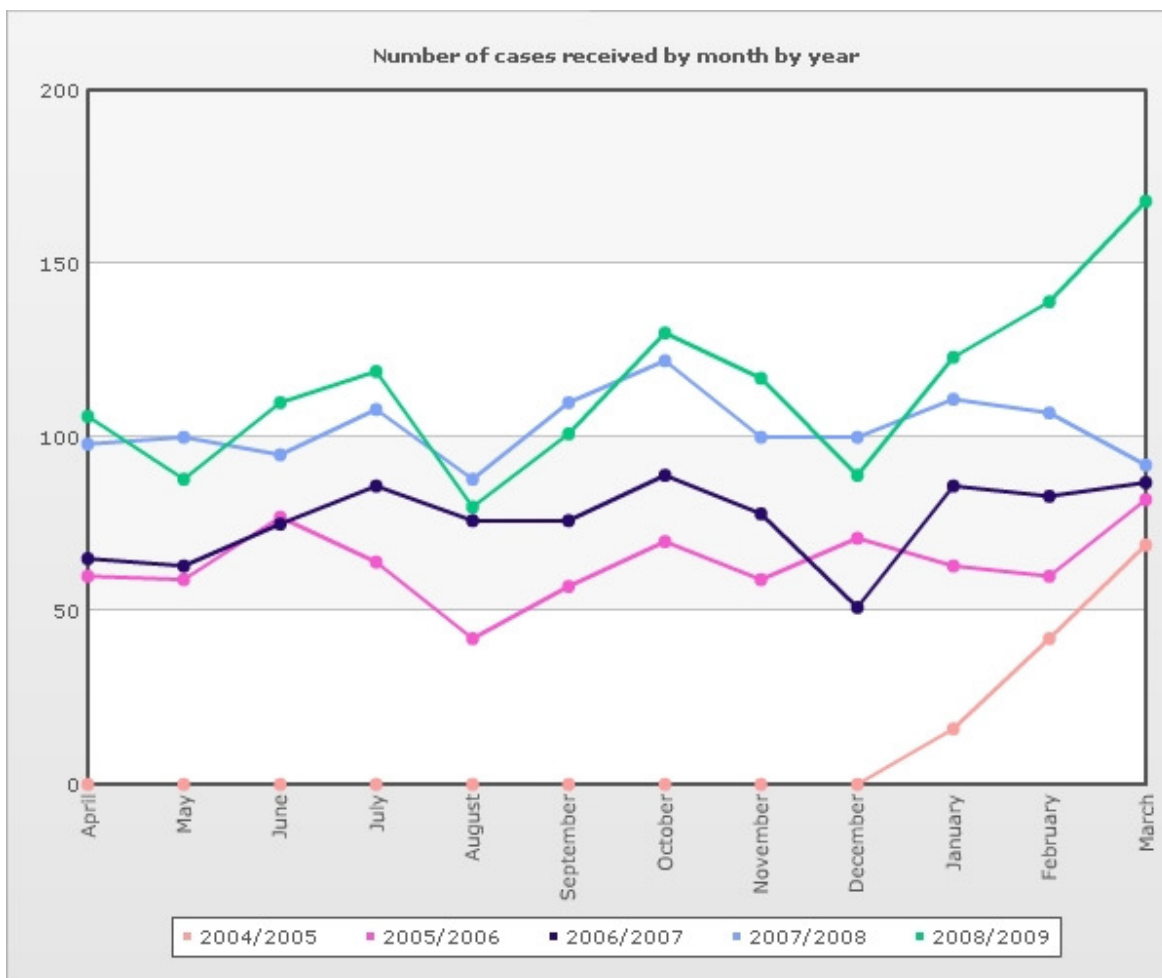
**Chart 1**



**Chart 2**



**Chart 3**



**Table 4 - Number of cases referred to court per year**

	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009
<b>Number of case referred</b>	<b>7</b>	<b>10</b>	<b>4</b>	<b>5</b>	<b>5</b>
<b>% of cases referred</b>	<b>1.18</b>	<b>1.31</b>	<b>0.43</b>	<b>0.41</b>	<b>0.36</b>

**Chart 5**

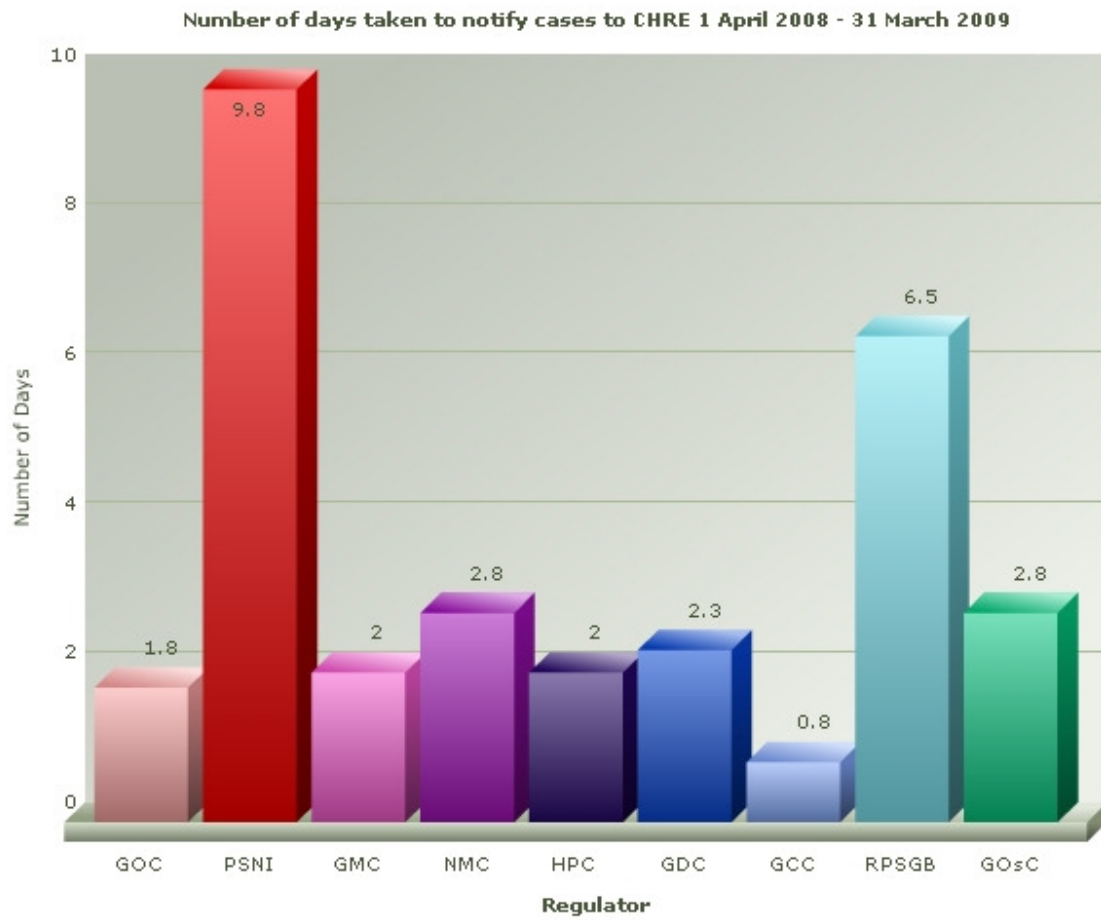


Chart 6

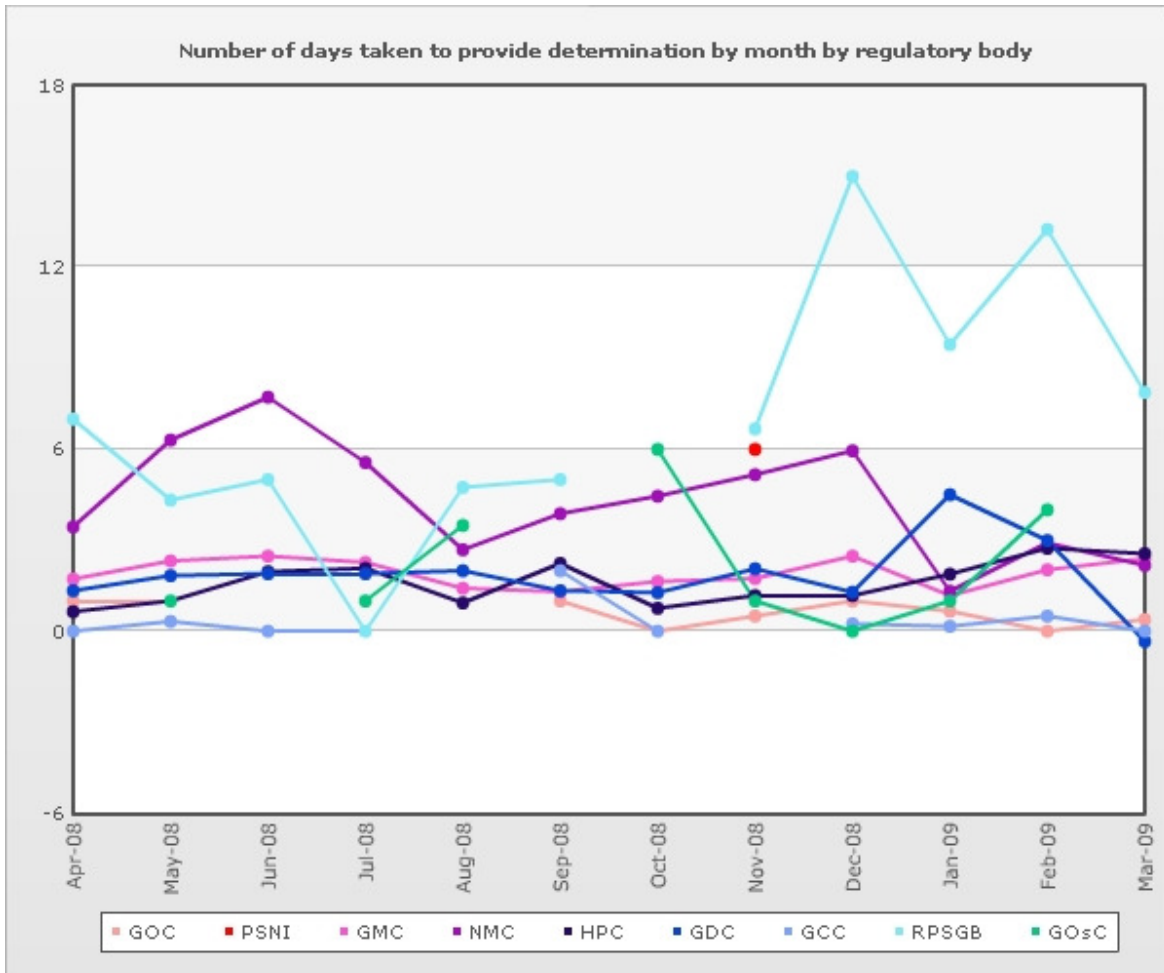
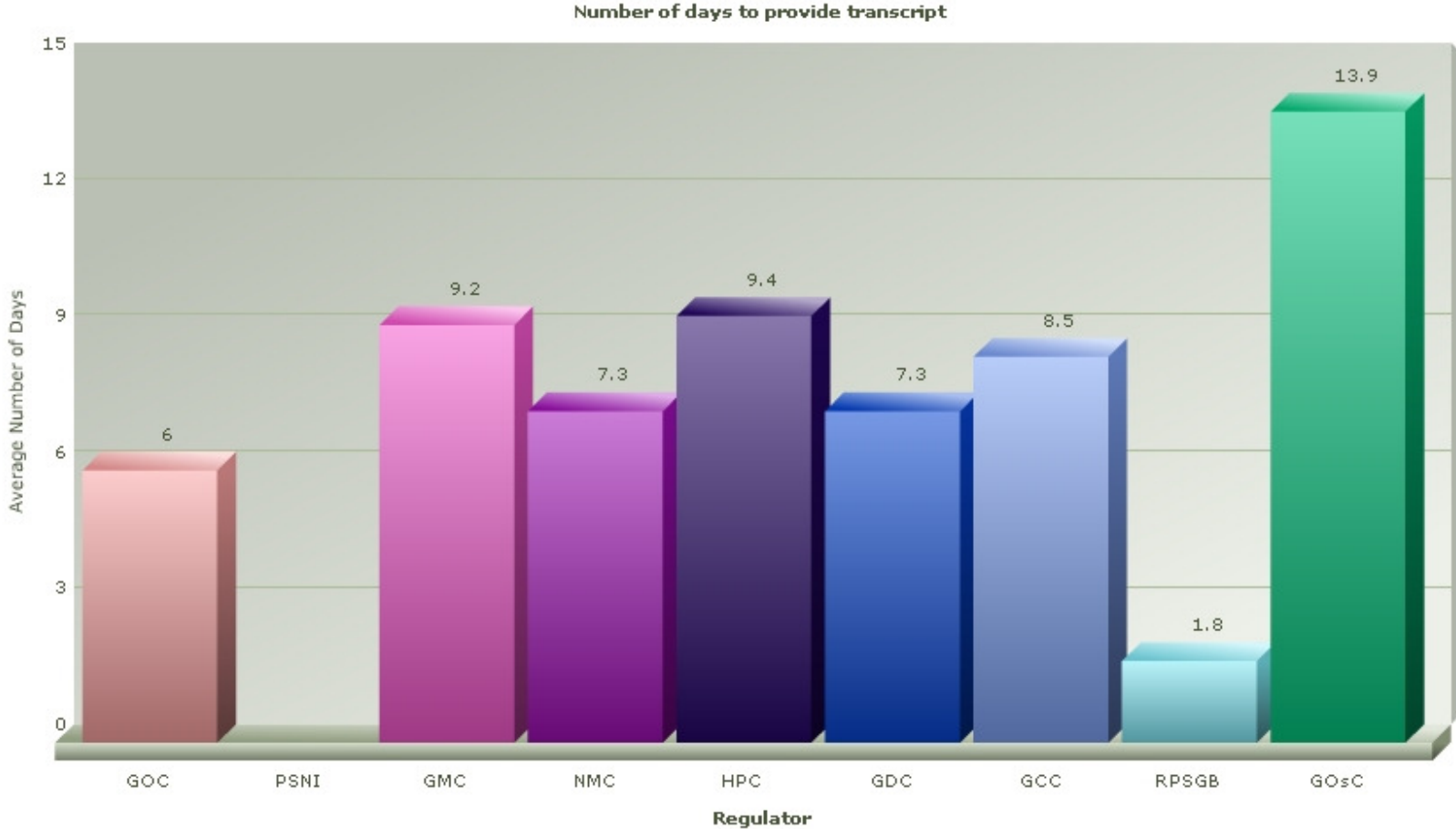
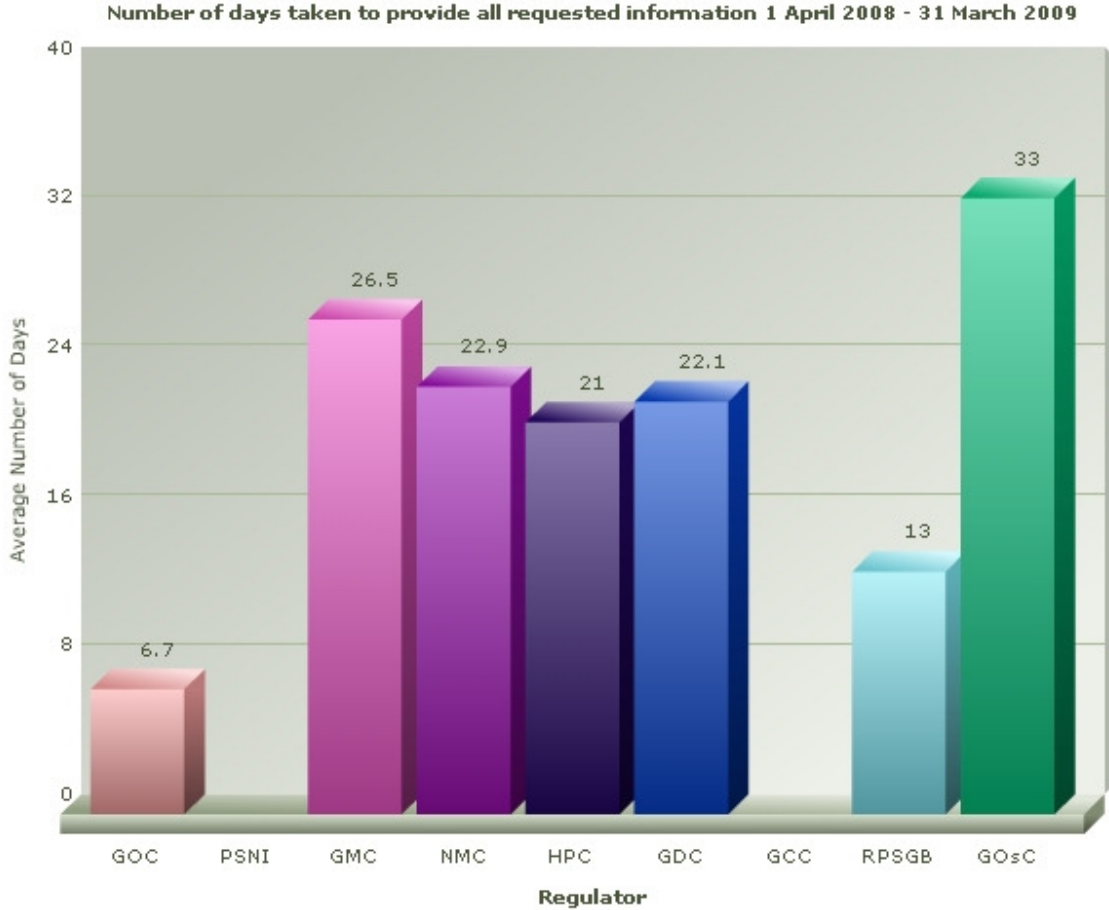


Chart 7



**Chart 8**



**Chart 9**

