

Section 29: statistical return

Financial year 2010-2011 – 1 April 2010 to 31 March 2011

1. From 1 April 2010 to 31 March 2011, 2192 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 (791) and the General Medical Council (527).

2. Chart 2 shows the number of cases considered by CHRE each month. We received the most cases in February (321), almost double the number of cases received in February 2010. This sharp rise in cases received in some months is due to a very large number of complaints made to the General Chiropractic Council, originating from one source, about advertising on chiropractic websites.

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 a 19% increase in the number of cases received in 2010/2011 in comparison to 2009/2010 (i.e. 1835 cases received in 2009/2010 compared to 2192 in 2010/2011). Despite this, Table 1 indicates that proportionately the percentage of cases referred to Court has reduced since 2005/2006.

4. Chart 4 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 3.6 days. Two of the regulators, however, managed to provide determinations to us in an average of less than 1 day.

5. Most cases (1,898 of the 2192 cases) were closed without further information being requested, although learning points for the regulatory bodies were identified from the determination in 268 of these cases and noted for future discussions. 264 transcripts were requested, 152 of which raised further learning points. The outcome of all cases reviewed is depicted in chart 5.

6. Eight cases were considered at case meetings, one case fewer than in the previous year. Five cases considered at case meetings resulted in us feeding back comments to the regulators proposing improvements to their handling of future cases. Three of the cases considered at case meetings were referred to court. All of these cases were from the NMC.

7. The High Court heard one section 29 appeal during this period (in February 2011). The appeal (against an NMC decision) was upheld and judgment was issued in April 2011.

8. We also reached settlement in two NMC cases which we referred to court in 2009/2010.

Chart 1

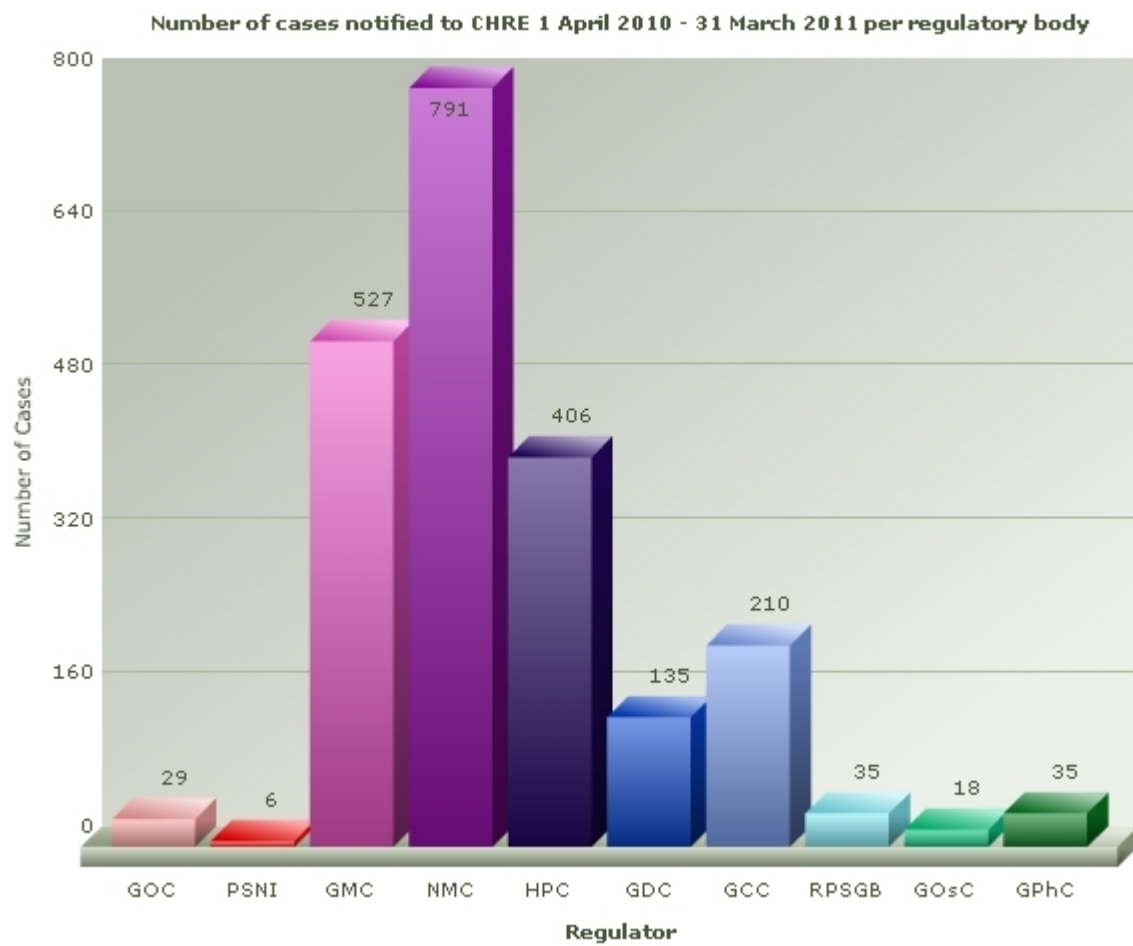


Chart 2

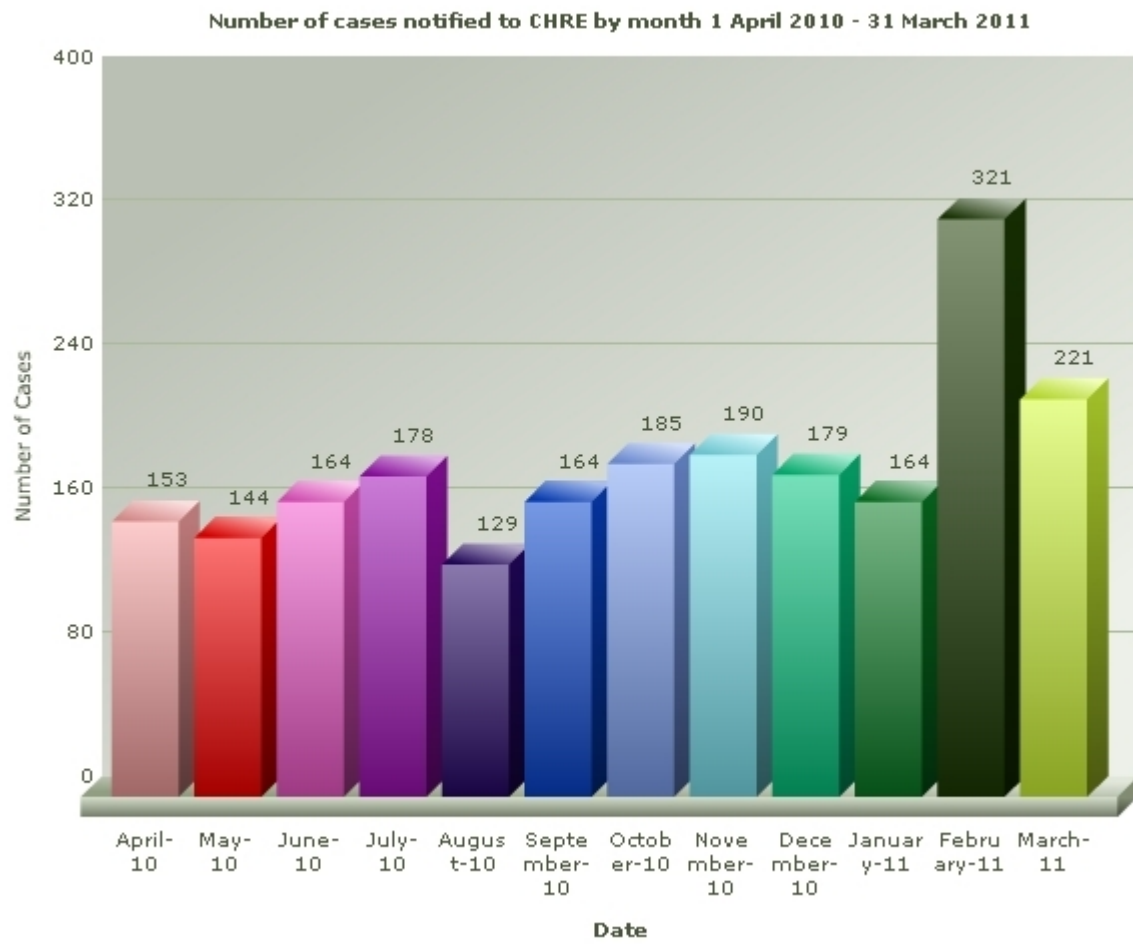


Chart 3

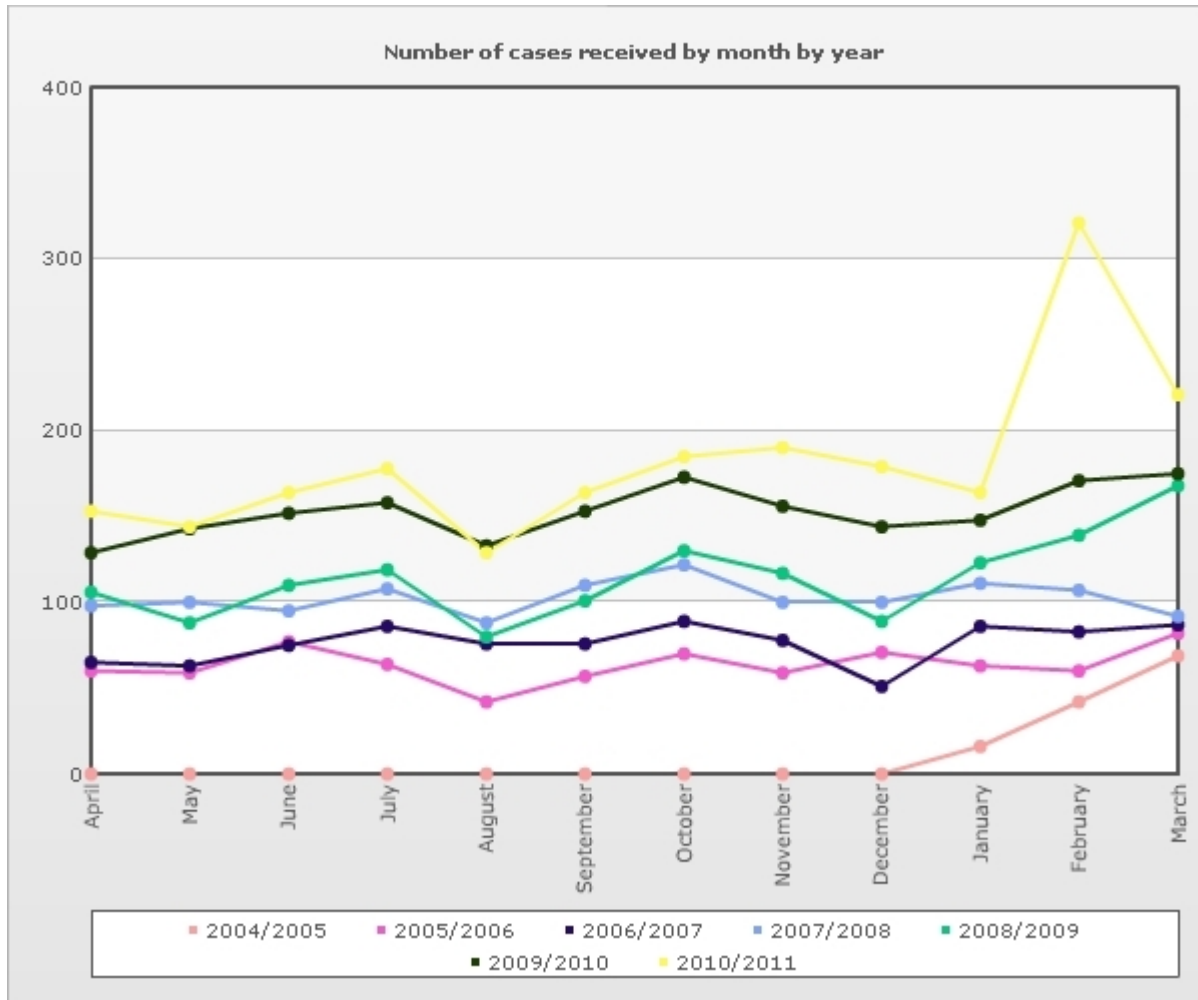


Chart 4

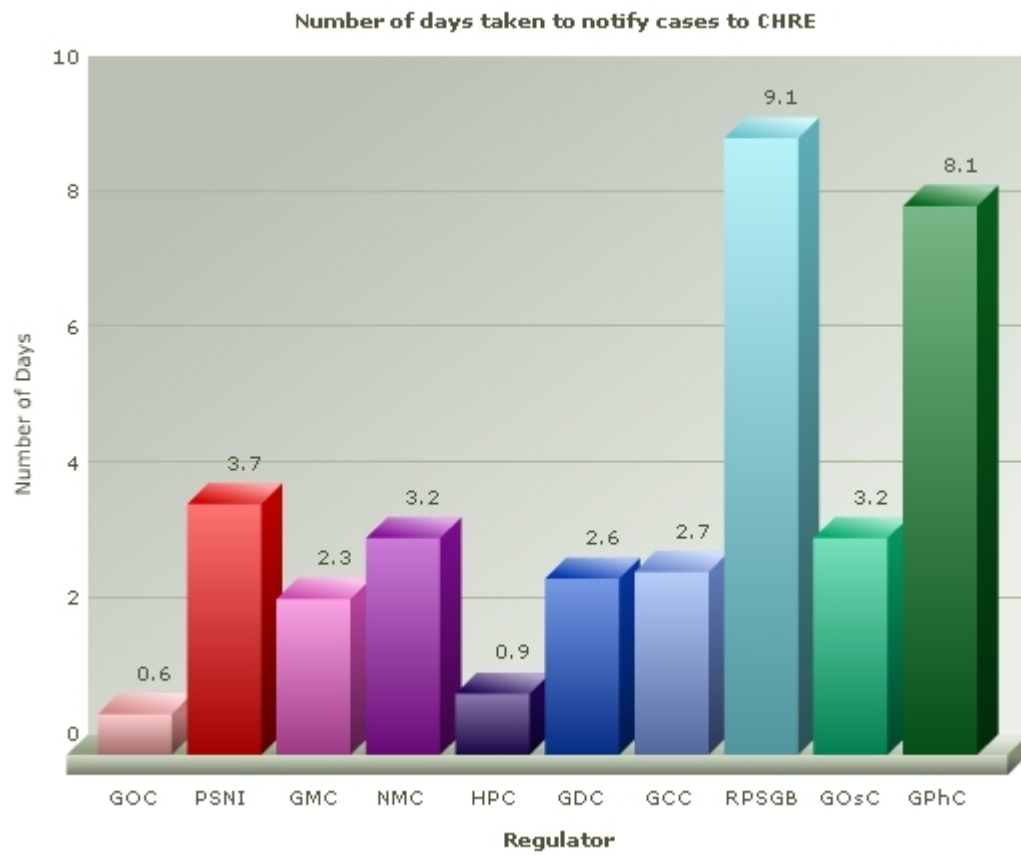


Chart 5

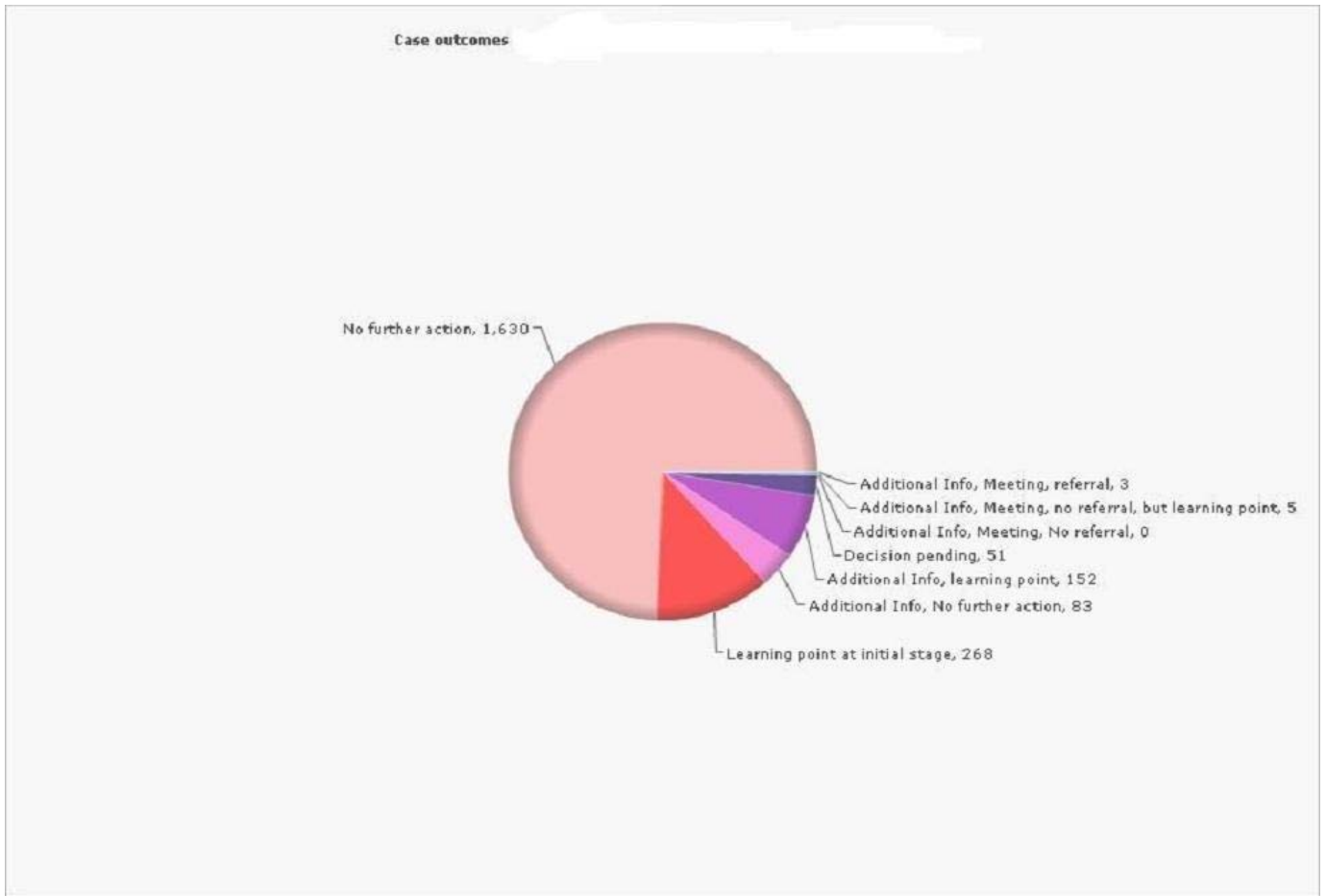


Table 1 - Number of cases referred to court per year

	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Number of cases referred	7	10	4	5	5	2	3
% of cases referred	1.18	1.31	0.43	0.41	0.36	0.1	0.14

