

MINUTES of the fourth meeting of the Investigating Implementation Working Party held at 11.00 a.m. on Wednesday, 10th April 2002 in Meeting Room 1, Park House, 184 Kennington Park Road, London SE11 4BU.

Present: Mr.N.Willis (Chairman)
Mr.M.Barham
Mr.M.Collins
Ms.C.Farrell
Mr.P.Frowen
Miss M.Mackellar
Miss G.Pearson

In attendance: Mrs.L.A.Barnes (Committee Secretary)
Mr.T.Berrie
Mr.G.Ross-Sampson
Mr.M.Seale (Chief Executive)
Mrs.J.Towey (Newchurch)

Item 1. 02/19 APOLOGIES FOR ABSENCE

Received from Mrs.J.Pearce and Mr.C.Lea.

Item 2. 02/20 MINUTES

The minutes of the meeting held on 8th March 2002 were approved and signed by the Chairman, having noted the following amendment under heading 02/14 - Procedure on Complaints; "It was **AGREED** that a user friendly leaflet from the Registrar would be provided."

Item 3. 02/21 MATTERS ARISING FROM THE MINUTES

21.1 1st April 2002-31st March 2003

21.1.1 It was **AGREED** that this Working Party be referred to as the Investigating Implementation Working Party.

21.1.2 Mr.Seale clarified the procedure for dealing with complaints during this transitional period. All complaints would go straight to the Registrar in the first instance and where required, he would seek legal advice from HPC's solicitors. The complaint would then be sent to the Chairman of this Working Party to decide whether the matter should be referred to an ad hoc Investigating Committee. The composition of the Investigating Committee can include members of this Working Party.

21.1.3 The question of the requirement for statutory declarations from members of the general public wishing to make a complaint

was raised. It had been understood that the requirement was made in order to protect the person complaining from libel. Mr.Seale **AGREED** to seek legal advice on this matter.

- 21.1.4 There was some discussion about queries relating to the interpretation of Statements of Conduct and Mr.Seale **AGREED** to prepare a note to Council members advising them to refer all queries of this sort to him, as Chief Executive and Registrar, in the first instance. Any complaints which might be sent direct to a Council member must also be passed to Mr.Seale.

Item 4. 02/22 DRAFT RULES/STANDING ORDERS

- 22.1 It was noted that there were some small amendments to be made to the draft rules and Mr.Berrie **AGREED** to undertake this and then forward it to the lawyers. The final document would be seen by the Working Party after the lawyers' input.

22.2 Screeners

- 22.2.1 There was much discussion about the use of screeners and it was concluded that a procedure would need to be set up. It was noted that it could take about six months to organise a number of screeners as there would need to be a process for selection and recruitment. It was felt that it would be better to have a screening system in place, should it be required, rather than not.

- 22.2.2 Concern was expressed that there would not be lay representation on the screening panel. It was noted that the Order states that there must be at least one lay person and one registrant member on the panel.

- 22.2.3 It was suggested that the Working Party draw up some tentative rules for screeners which would need to be presented to Council for agreement. Mr.Berrie and Mr.Willis **AGREED** to undertake this (in discussion with Miss Mackellar, Miss Pearson and Mr.Frowen), for the next meeting.

22.3 Mediation

- 22.3.1 The subject of mediation was discussed. It was noted that this would have to be a decision for Council. Mrs.Towey of Newchurch explained that mediation would allow much more flexibility and in some instances, could lead to withdrawal of a complaint. She would put together a draft paper for clarification and discussion at the next meeting, subject to what the lawyers have to say on the subject. Mr.Berrie **AGREED** to seek the advice of lawyers, Mr.J.Bracken and Mr.M.Caplan, on the powers to use mediation.

Item 5. 02/23 ANY OTHER BUSINESS

23.1 For clarification, it was stated that there would be lay involvement in the screening process.

Item 6. 02/24 DATE OF NEXT MEETING

24.1 The next meeting would be on Thursday, 9th May 2002 at 11.00 a.m.

CHAIRMAN