

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the fifteenth meeting of the Health Professions Council held at **10am on Thursday 11 December 2003** at Park House, 184 Kennington Park Road, London, SE11 4BU.

PRESENT: Professor N Brook (President)
Mr R Clegg
Miss M. Crawford
Ms C Farrell
Miss A Foster
Prof. J. Harper (part)
Professor T Hazell
Dr. R. Jones
Mr C Lea
Miss M MacKellar
Mrs C McGartland
Mr W Munro
Dr J Old
Mr K Ross
Miss P Sabine
Mrs J Stark
Mrs. B. Stuart
Professor D Waller (part)
Mr N Willis

IN ATTENDANCE:

Mr P Baker, Finance Director
Mrs A Barnes, Director of Legal Services
Mr T Berrie, Director
Mr. J. Bracken, Bircham, Dyson, Bell
Dr P Burley, Director of Education and Policy
Mr C Middleton, Communications Director
Ms N O'Sullivan, Secretary to Council
Miss L Pilgrim, Director
Mr M Seale, Chief Executive and Registrar

Item 1.03/165 INTRODUCTION AND WELCOME

- 1.1 Professor Brook welcomed all members and non members, who were attending the meeting. She noted the length of the agenda and that there was less than two hours available for the meeting.

Item 2.03/166 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from the following Council members: Mrs S Chaudhry, Professor J Lucas, Ms J Manning, Dr A Van Der Gaag, Dr S Yule.

Item 3.03/167 APPROVAL OF AGENDA

- 3.1 The Council approved the agenda and noted that as agreed by email item 3, Health Professions Council's Strategic Intent, would be discussed at a special meeting of Council on 19 January 2004.

Item 4.03/168 MINUTES

- 4.1 It was agreed that the minutes of the fourteenth meeting of the Health Professions Council be confirmed as a true record and signed by the chairman.

Item 5.03/169 MATTERS ARISING

- 5.1 Item 8 – Nominations for Chairman and Vice-Chairman of Committees
- 5.1.1 The Council noted that a paper on the process for nomination of chairmen and vice-chairmen of committees would be included on March 2004 agenda.
Action: MJS
- 5.2 Item 9 - Regulation of New Professions By the HPC
- 5.2.1 The Council noted that a copy of the presentation from the Council of Clinical Physiologists was available on request.
- 5.3 Item 11-Structure of the Register
- 5.3.1 The Council noted that a consultation paper on the structure of the register would be issued in January 2004.
Action: MJS
- 5.4 Item 14 - Minutes of the Registration Committee held on 10 September 2003
- 5.4.1 The Council noted that a meeting to discuss issues surrounding health and disability issues was being organised for early 2004.
Action: MJS/CM
- 5.5 Item 19 - Guidance on Interim Orders
The Council noted that there had been no changes to this document since October when it was considered by Council.

Item 6.03/170 PRESIDENT'S REPORT

- 6.1 The President noted that she had been very busy since the last meeting and had held a number of meetings with representatives of new professions wishing to come into regulation.
- 6.2 She also noted that the work of the Professional Liaison Group on Approvals was progressing well. Meetings were being organised with the Presidents and Chief Executives of all the Professional Bodies to discuss the proposed new system with them.
- 6.3 The Department of Health was taking forward a new initiative on the development of common standards for record keeping in England and Wales. It was likely that this initiative would be extended to Scotland in the future. The regulatory bodies had been included in the development of this initiative. Currently she and Mr Dunn, the HPC Director of Information, were representing the HPC on a working group which was taking forward this work however she requested a volunteer from Council to attend meetings and to take forward the work on Council's behalf. Miss MacKellar agreed to share the work which the Dietitians Board had developed in this area. Legal issues with regard to record keeping would require careful consideration. The deadline for the conclusion of the project was September 2004.
Action:MDM
- 6.4 Professor Brook had attended the launch of the National Health Service University (NHSU) earlier that morning. To date 1300 learners had undertaken courses through the National Health Service University. These courses were based in Colleges of Further Education and Institutes. Further information was available on the NHSU website.

Item 7. 03/171 CHIEF EXECUTIVE'S REPORT

- 7.1 The Chief Executive, Mr Seale, noted that he had held a meeting with representatives of Thompson Directories and also of the Yellow Pages on 17 November 2003. The outcome of this meeting was that both companies had agreed that from July 2005 anyone inserting an advertisement in these publications would be required to provide their registration number before an advertisement could be placed.
- 7.2 A proposed meeting with Mr John Hutton MP had been postponed until Wednesday 17 December 2003.
- 7.3 An early day motion against the Rules had not been carried and the Rules had been passed by Parliament.

- 7.4 Mr Seale highlighted three meetings which were planned for the new year.
- 7.4.1 The Executive was investigating the benefit of organising a one or two day conference for all HPC partners. This would be held just before the Council Away Day in October. A proposal would be presented to Council in March 2004.
Action: MJS/CM
- 7.4.2 The possibility of holding an ‘Annual General Meeting’ was being investigated by the Executive. The date being considered was 16 July 2004. Firm proposals would be presented to the Communications Committee in early 2004.
Action: CM
- 7.4.3 Consideration was being given to holding an event to which other UK Regulators of Healthcare Professions would be invited. The proposed date was the evening of 15 July 2004.
- 7.5 The Council noted that service levels had been reduced in the UK Registration Department during November as a consequence of the industrial dispute at the Royal Mail and a five day reduction of the BT telephone connection. Also numerous registrants were failing to sign the declaration forms. The form had been redesigned and the renewal period extended by one month.
- 7.6 The Council noted that following a revaluation the value of the building had increased by £400,000 and that the overdraft facility which had been agreed with the bank was not currently being used.

Item 8.03/172 HEALTH PROFESSIONS COUNCIL’S STRATEGIC INTENT

- 8.1 The Council noted that this item would be discussed at a special meeting on 19 January 2004.

Item 9.03/173 NOMINATIONS FOR CHAIRMAN AND VICE CHAIRMAN OF COMMITTEES

- 9.1 Following an agreement by Council that each statutory and non-statutory committee should seek nominations from amongst their members for the positions of chairman and vice-chairman, to be appointed until the end of the second transitional period, and that these would be considered by Council, the following committees had put forward nominations;

Education and Training Committee

Chairman - Miss Eileen Thornton
Vice-chairman- Professor John Harper

Registration Committee

Chairman - Professor Rosemary Klem
Vice-chairman - Miss Pam Sabine

Investigating Committee

Chairman – Mr Neil Willis
Deputy-chairman Miss Morag MacKellar

Health Committee

Chairman - Miss Mary Crawford
Deputy-chairman - TBA

Communications Committee

Chairman - Ms Jo Manning
Vice-chairman Mrs Jacqueline Stark

Finance and Resources Committee

Chairman - Mr Colin Lea
Vice-chairman - Dr Sandy Yule

Audit Committee

Chairman - Dr Sandy Yule
Vice-chairman Mrs Jacqueline Stark

- 9.2 The Council agreed the above nominations.
- 9.3 The Council noted that alternates were eligible for the position of Chairman and vice/deputy chairman of committees. The only restriction which being an alternate imposed on a Council member was that they could not vote at Council meetings if the registrant member was present.
- 9.4 The Council noted that the Health Committee had been inquorate for the last two meetings and therefore a nomination for deputy-chairman had not been put to Council.
- 9.5 The Council noted that members undertook a variety of work on behalf of Council including the chairmanship of committees and that all attempts should be made to spread the workload evenly among members.

Item 10.03/174 SERVICE STANDARDS/PERFORMANCE INDICATORS

- 10.1 The Council noted that the majority of the Health Professions Council's Rules had come into force on 9 July 2003 and had been operating for 22 weeks.
- 10.2 The Council needed to measure, monitor and publish how it performed.
- 10.3 It was proposed that a number of performance indicators which related to the HPC's four key processes, Registration, Standards, Fitness to Practise and Communications were established. These would be reviewed on a regular basis and it was likely that they would change over time.
- 10.4 The Council noted the importance of performance indicators and also of measuring the quality of service. Participants in Fitness to Practice cases were being asked to complete feedback forms on their experience of the procedure. All those who attended listening events were also asked to complete a feedback form. Market Research was being undertaken on registrants and the public's experience of dealing with the HPC as an organisation.
- 10.5 The Council approved:
- (i) The use of Performance Indicators.
 - (ii) The draft Performance Indicators.
 - (iii) That the Executive report to the Council the results against the Performance Indicators on a monthly basis from 1st January 2004.
 - (iv) The publishing each month on the HPC web site of the results against the Performance Indicators.
 - (v) The publishing of an annual review of the Performance Indicators.
 - (vi) The review by the Council of the Performance Indicators by March 2004 for possible revision and adoption of new ones from 1st April 2004.

Action: MJS

Item 11.03/175 DATES OF COMMITTEE MEETINGS 2004-2005

- 11.1 The Council received a paper outlining the proposed dates for statutory and non-statutory committee meetings for the coming year.
- 11.2 The Council agreed the dates subject to a revision by the Finance and Resources Committee and the Conduct and Competence Committee of

the dates on which those committee's meetings had been planned and the finalization of meeting dates by the Communications Committee.

- 11.3 The Council agreed that the Executive should organise a meeting of the Chairmen of the three practice committees in the course of the coming year.

Action: GM

Item 12.03/176 COMPETENCE FRAMEWORK FOR FITNESS TO PRACTICE PANELS

- 12.1 The Council received a paper from the Executive.
- 12.2 The Council noted that the Competence Framework set out the skills, knowledge and behavioural attributes needed to perform the functions of a HPC Panel member against which recruitment, training and performance could be measured.
- 12.3 The Council approved the document.

Item 13.03/177 PRACTICE NOTE ON EQUAL TREATMENT

- 13.1 The Council received a paper from the Executive.
- 13.2 The Council approved the document.

Item 14.03/178 MINUTES OF THE COMMUNICATIONS COMMITTEE HELD ON 20 NOVEMBER 2003

- 14.1 The Council received the minutes of the Communications Committee held on 20 November 2003.
- 14.2 The Council noted that consideration was being given to the development of an independent complaints process for registrants wishing to complain about the HPC.
- 14.3 The Council noted that the Committee had agreed a draft advertising campaign which would be aimed at the general public. This would be put to the March meeting of Council for approval.
- 14.4 The Council noted that, following feedback from the Listening Events, the Communications Committee would be issuing a summary of decisions taken at Committee meetings in addition to the usual minutes of the Communications Committee.
- 14.5 Miss Foster thanked all Communications Committee members and the Executive for their hard work on behalf of the Committee.
- 14.6 Professor Brook thanked Miss Foster for her work as Chairman of the Communications Committee and the Council over the past two years

and noted that her contribution as a lay member of Council had been extremely valuable.

**Item 15.03/179 MINUTES OF A SPECIAL MEETING OF THE
REGISTRATION COMMITTEE HELD ON
24 SEPTEMBER 2003**

- 15.1 The Council received the minutes of a special meeting of the Registration Committee held on 24 September 2003.

**Item 16.03/180 MINUTES OF THE REGISTRATION COMMITTEE HELD
ON 5 NOVEMBER 2003**

- 16.1 The Council received the minutes of a meeting of the Registration Committee held on 5 November 2003.
- 16.2 The Council noted that Miss Crawford and Professor Klem would be meeting on 23 December to discuss the organisation of a meeting to discuss health and disability issues to be held in London in early 2004. Suggestions from members would be welcomed.
- 16.3 The Council noted that the International English Language Testing System (IELTS) would be discussed at the next meeting of the Registration Committee on 28 January 2004.

**Item 17.03/181 MINUTES OF THE FINANCE AND RESOURCES
COMMITTEE HELD ON 20 NOVEMBER 2003**

- 17.1 The Council received the notes of the Finance and Resources Committee held on 20 November 2003.
- 17.2 The Chairman of the Committee, Mr Lea, noted that a meeting had been held with the bank at which areas with which the committee had been dissatisfied had been discussed. Matters had been clarified to his satisfaction.
- 17.3 The Council noted that a staff handbook would be issued to all staff by December 2003. Its implementation would involve a series of staff meetings and management briefings.
Action: DT
- 17.4 The Committee had approved the latest version of the Risk Assessment document which would be passed to the Privy Council.
- 17.5 The Council agreed to ratify the budgeted deficit of £923,933 for the year.
- 17.6 The Council agreed to ratify the change of policy whereby Council Members or their employers should receive a reduced Attendance Allowance of £130 when they undertook work where they did not have

to be a Council Member to do it, e.g. acting as a visitor. Council Members who chaired a panel would receive an allowance of £260 per day.

17.7 The Council agreed that there should be no change in the rate of reimbursement for train travel for partners, i.e. it should remain at the Standard Class rate. This policy would apply to all partners except where there were exceptional circumstances which warranted the use of first class travel. There was a need for guidance on these circumstances.

17.8 The Council agreed the following recommendation from the Committee with regard to reduced fees for new graduate registrants.

(i) For new registrants starting from within six months of the start of the registration 2-year period a 100% discount up to the start of the period. This will be followed by a 2-year 50% discounted 2-year period. (Collected as one discounted fee to cover the maximum of an 18 month period).

(ii) For new registrants starting between six months and one year before the start of the registration 2-year period, a 50% discount on the one year fee up to the start of the period. This will be followed by a 2-year 50% discounted 2-year period.

17.9 The Council noted that it was important that information for new graduates regarding the reduced fee should be clear and easy to understand with specific examples of how it would apply.

Action: CM

Item 18.03/182 PRIVY COUNCIL APPEAL DECISION

18.1 The Council noted that at a disciplinary hearing of the Paramedics Board in March 2003, the Committee directed the Registrar to remove the name of the respondent from the register. On 7th October 2003, the Judicial Committee of the Privy Council upheld an appeal by the respondent because of the lack of reasoning for the Committee's decision.

18.2 The Council noted that all Panels must provide reasoned judgement for their decisions.

Item 19.03/183 FITNESS TO PRACTICE PANELS

19.1 The Council received a paper from the Executive.

Item 20.03/184 HPC RESPONSE TO COUNCIL FOR THE REGULATION OF HEALTHCARE PROFESSIONALS

- 20.1 The Council received a paper from the Executive.
- 20.2 The Council noted that member's comments would be incorporated in the response which would be despatched the following day.
Action: MJS

Item 21.03/185 MINUTES OF THE CONDUCT AND COMPETENCE COMMITTEE HELD ON 23 SEPTEMBER 2003

- 21.1 The Council received the minutes of the Conduct and Competence Committee held on 23 September 2003.

Item 22.03/186 MINUTES OF THE CONDUCT AND COMPETENCE COMMITTEE HELD ON 20 NOVEMBER 2003

- 22.1 The Council received the minutes of the Conduct and Competence Committee held on 20 November 2003.

Item 23.03/187 NOTES OF THE HEALTH COMMITTEE HELD ON 29 OCTOBER 2003

- 23.1 The Council received the notes of the Health Committee held on 29 October 2003.

Item 24.03/188 MINUTES OF THE INVESTIGATING COMMITTEE HELD ON 12 NOVEMBER 2004

- 24.1 The Council received the minutes of the Investigating Committee held on 12 November 2003.
- 24.2 The Council noted that legal advice was being sought on whether additional comments made by screeners should be forwarded to the Investigating Committee.

Item 25.03/189 MINUTES OF THE EDUCATING AND TRAINING COMMITTEE HELD ON 24 SEPTEMBER 2004

- 25.1 The Council received the minutes of the Education and Training Committee held on 24 September 2004.

Item 26.03/190 MINUTES OF THE EDUCATING AND TRAINING COMMITTEE HELD ON 19 NOVEMBER 2004

- 26.1 The Council received the minutes of the Education and Training Committee held on 19 November 2004.

Item 27.03/191 RETURN TO PRACTICE

- 27.1 The Council received a paper setting out the return to practice policy.
- 27.2 The Council noted that issues regarding the creation of guidance notes and the implementation of the policy would be discussed at the next meeting of the Registration Committee on 28 January 2004.
- 27.3 The Council agreed that the policy would be implemented in early 2004.

Action: MJS

Item 28.03/192 COUNCIL MEMBERSHIP

- 28.1 The Council noted the resignation of Mr Michael Collins, alternate paramedic member, of 16 October 2003 and also the resignation of Ms Ann Foster, lay member, as of 31 December 2003.
- 28.2 The Council noted the appointment of Mr J Camp and Ms R Levenson as alternate members on Council in place of Professor Sir John Lilleyman and Ms A Foster. A press release regarding their appointments would be issued shortly.
- 28.3 A paper on the process for appointing non-Council members to statutory and non-statutory committees would be considered at the March 2004 meeting of Council.

Action: MJS

Item 29.03/193 LIST OF ITEMS HELD OVER UNTIL THE COUNCIL MEETING IN MARCH 2004

- 29.1 The Council noted the list of items held over until the Council meeting in March 2004.

Item 30.03/194 ANY OTHER BUSINESS

- 30.1 The Council noted an additional item entitled Registration Appeals.
- 30.2 The Council noted that Rule 8 of the Health Professions Council (Registration Appeal) Rules 2002 required that registration appeals would be considered by the Council or by a panel appointed by the Council for that purpose.

- 30.3 The Council was requested to delegate authority to the President to appoint panels to consider appeals against decisions of the Education and Training Committee in connection with applications for registration.
- 30.4 The Council agreed to delegate authority to the President to appoint panels to consider appeals against decisions of the Education and Training Committee in connection with applications for registration.

Item 31.03/195 DATE AND TIME OF NEXT MEETING

- 31.1 The next meeting of the Council would be held at 12 noon Tuesday 2 March 2004.
- 31.2 Further meetings would be held on the following dates;
- Thursday 13 May 2004
- Thursday 15 July 2004
- Tuesday 14 September 2004
- Wednesday 6 October 2004 and Thursday 7 October 2004
- 'away day' -
- Tuesday 7 December 2004
- Wednesday 2 March 2005

A special meeting of Council would be held on Monday 19 January 2004 to discuss the revised strategic intent.