

# Notes of Health Professions Council Away day held on 3 and 4 October 2007 at the Vale Hotel, Nr Cardiff

## Session I – Vision and Values

### *Feedback – Morag Mackellar*

John Donaghy, William Munro, Elizabeth Ellis, Barbara Stuart, Marc Seale, Simon Leicester, Jacqueline Ladds, Mary Clark-Glass, Paul Acres

Proactive in our vision....

- Regulation/risk assessment of aspirant groups
- HPC = Leading regulator of health care professions
- HPC = an Essential kitemark from public and professionals
- Relevant and respected – does everyone know what we do?
- Leader of agenda on regulation
  
- Strategy to deliver the mission in our vision
- Strategy to work alongside White Paper – prioritise to achieve
- Needs to be enabling, not coping
- For future consideration: how far should HPC be supportive of registrants, especially those in the private sector?
- How far should we be involved in curriculum guidance?
  
- Broad route map to provide direction and how fast
- Prioritise – can't do everything
- Reviewed regularly
- Strategy ought to align resources, got to be financially realistic
- Avoid complacency
- Happy with values, possibly add 'supportive to registrants'

- **Session I – Vision and Values**

*Feedback – Graham Smith*

Jeff Lucas, Sheila Drayton, Roy Dunn, Sue Griffiths, Annie Turner, Karen Bryan, Helen Davis, Robert Clegg, Patricia Blackburn, Niamh O'Sullivan

Vision

- How do we like to be seen? By whom?
- Proportionate
- Accountable performance management
- Accessible, approachable
- Effective organisation – seen as that by all stakeholders
- High profile – for the right reasons

Strategy

- Must set the direction
- Need to think 5 years ahead
- Outward facing to general public
- Targeted – towards organisations which interact with the public
- Work collaboratively
- Use the media – popular (Coronation street)
- Balance with value for money (registrants' fees)
- Start with independent survey of the public's understanding of our role
- Must not be complacent about low number of complaints

Values

- Fairness, openness, reflectiveness
- Communicate Effectively
- Good at consulting
- Need to unpick how we communicate with various groups
- May need revisiting in another arena – mechanics of all our values
- Reflective organisation – learning organisation
- Are the 6 guiding principles values? Are they outcomes, aspirations?
- Do we need values?

## Session I – Vision and Values

### *Feedback – Peter Douglas*

Anna van der Gaag, Keith Ross, Tony Hazell, Jacqueline Sheridan, Christine Farrell, Rachel Tripp, Neil Willis, Diane Waller

#### Vision

- Regulation should aim to promote social justice?
- Wider than FTP process: Raising standards/influence (e.g. Education and Standards) Improving the future
- Using our data/publicising
- Be the “Best managed regulator in the UK”
- Where we’ve come from (CPSM – HPC 2001)
- Expansion? – benefits of regulation? who to include?
- Mission given to us by HPO
- Our processes being adopted by others? Exemplary regulator? Model for Europe?

#### Communicating our vision

- Evaluating success
- A driver for quality improvement
- Increasing presence, efficiency and accessibility

#### Values

- Same as guiding principles? Does it matter?
- Protection of public = mission not value
- Values are ‘the DNA of the Organisation’
- Innovative
- Professionalism
- Openness

## Session I – Vision and Values

### Feedback – Eileen Thornton

Daisy Haggerty, Carol Lloyd, Mark Woolcock, Ozan Altay, Doug Proctor, John Harper, Greg Ross-Sampson, Larissa Foster, Kelly Johnson

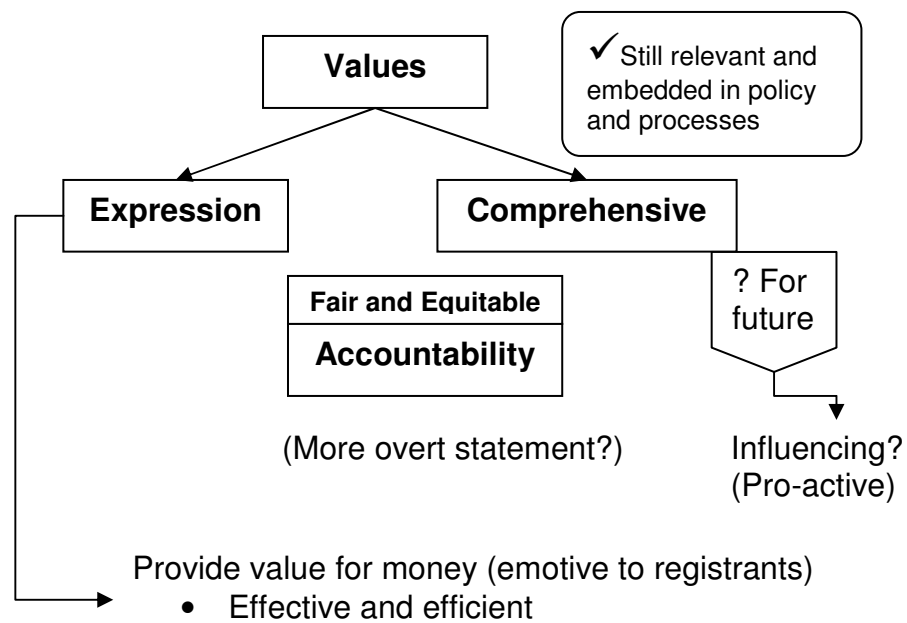
#### Strategy

- Realign any change in vision, values etc (pro-active)
  - Action points
  - Time frame
  - Prioritise
- } add three year period

(Workplan too detailed)

#### Vision

- HPC to be recognised internationally as 'model' of best practice in regulation
- \*influence\*



## Session II – Future Proofing

### *Feedback – Jeff Lucas*

- Devolution had created divergence across the four home countries and HPC should be more proactive in understanding differences in policy and practice in the four countries.
- Future composition and governance of Council?
- The political and public backlash against professional self-regulation. Some uni-professional regulators were moving away from self-regulation. HPC did not fully understand the nature of the patient voice and should draw on work by the Health Minister (Ben Bradshaw) and Professor Desai.
- A view was expressed that consultation was ‘palliative’.
- The HPC should consider the impact of foundation trust status on primary and secondary care services.
- New technologies – growth in telemedicine - will have an increasing impact on regulation

Professions were increasingly being divided into hands-on work and diagnostic work (e.g. diagnostic work was done in other countries and the results were sent back to the UK). Where did responsibility rest in these circumstances? There should be an international debate about the need to protect the public.

- New structures in government (e.g. new departments such as the Department of Children, Schools and Families) and in the workforce. Education in university was increasingly linked to industry.

The well-being agenda increasingly to the forefront of policy. There were also developments such as the new Mental Health Act and changes to older people’s services which would have impact on the composition of the workforce and therefore the future structure of regulation.

- Emerging professions could put significant parts of the population at risk if they were not regulated. The HPC had the power to recommend that certain aspirant groups should be regulated but there was a lack of debate between regulators about emerging professions or the future. HPC needed to liaise with other stakeholders in this debate.
- A member made the point that the concept of public protection was paternalistic and it was not clear if the public thought that regulation was benefiting them.

- **Session II – Education of Professionals**

*Feedback - Willie Munro*

Education

- Proactive and consistent curriculum framework/guidance – need to be confident using it in the approvals process to confirm that we deliver what we want to deliver
- SET 4.1.4.2 – review to start
  - Use our legislation/standards, SOPs, SETS and crosscheck against patient safety when raised
- If FTP procedures are using SOPs, - stage further to ensure lessons learned. Individual registrants are not task driven. Underpinning education must be good
- Should be reviewing reports/issues in delivery
- Highlight good practice – expand dissemination mechanisms to do this
- Clear focused approach to skills for health consultation – publicise responses
- User/other stakeholder involvement in HPC – keep under review in all our processes
- Approvals – proactive HPC – Change and monitoring role

## Session II – The Unregulated Sector

*Feedback - Graham Smith*

### Unregulated sector

#### 1. New group applications

- HPC do more to help the applicants once they are through the initial stages?
  - Seek additional financial assistance e.g. market research costs
- Start from who does the most harm to the patient (function and title role)
- Are there groups who don't readily fit the 9 criteria for regulation that should be regulated?
- Consider regulating health professions core and specialists?
- Consider "groupings" under each profession e.g. professional/technician/support worker – bands within functions
- Adding significantly more titles (to protect the public) likely to become unwieldy
- Current approach and process designed to be exclusive not inclusive (to protect the public)
- Council should revisit the criteria and see if they can be improved on (modernised)
- Does HPC ever re-visit the aspirant groups we turned down to see what impact they are having on patients – i.e. risk (after being turned down?)
- If legislative backlogs exist (to regulate aspirant groups) should HPC do more to encourage streamlining (to protect the public sooner?)
- The Council to set up PLG/working group to examine the above issues e.g. the list of criteria, title vs. function etc

### **Session III – The Restructured Council**

During the President's presentation, the following points were made:

- the Council has decided on a 'balance' of membership, but not what a balance might mean.
- Requirements for the future make-up of Council should not be unnecessarily complicated. HPC had access to a phenomenal pool of experience in its registrants, which it could draw on if necessary.
- HPC should not prejudge what the committees and the Council would do in the future. There was a presumption that the total membership of the restructured Council would bring all the experience which was required.
- Many professions would cover several aspects of the professional spectrum, depending on the roles in which individuals worked.
- The intention was to devise criteria to inform the appointment process, which would be operated by the Appointments Commission. The Appointments Commission would be ready to begin the appointment process once legislation for the restructured Council had taken effect. Therefore, the HPC should suggest criteria so that everything was in readiness for implementation of the legislation. The aim should be that the restructured Council should continue to do its job well and ensured continuity as far as possible. The restructured Council would also need diversity. It was intended that there would be a short transition period (6-12 months) and that the appointment process would involve open competition.
- Initial sifting of the applications would be by the Appointments Commission. The long-list of applications would then be sifted by a selection panel, including the President as a member. It was felt that, in order to take account of devolution, the Appointments Commission should ensure involvement of the appointment units from the four home countries. Concerns were expressed about the Appointments Commission's willingness to involve the devolved administrations in the process, based on past experience in this area.



## Session III – The Restructured Council

- i. Council membership
- ii. Committee membership
- iii. Recruitment criteria

### *Feedback – Jacqueline Ladds*

Morag Mackellar, John Donaghy, William Munro, Elizabeth Ellis, Barbara Stuart, Marc Seale, Simon Leicester, Mary Clark-Glass, Paul Acres

No to any exclusions in the following categories:

- > Member of other regulatory council
  - > Member of council or professional body (not unanimous)
  - > Age bar
- Conflict of interest?

\* what is the fundamental purpose of the Council? \*

YES —————> one to one interview

70/30 —————> group discussion

NO —————> Written exercises

- Committees dependent on what the Council is going to do
- Normally delegates decision making process to them but must maintain corporate responsibility

↓  
Recommendations

## Session III – The Restructured Council

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### *Feedback - Robert Clegg*

Eileen Thornton, Doug Proctor, Jeff Lucas, Niamh O'Sullivan, Sue Griffiths, John Harper, Robert Clegg, Kelly Johnson, Karen Bryan, Christine Farrell

- Continuity – important
- Diversity – what does this mean?

Criteria } - got to get the best people  
Expertise } - if we need expertise we will get it

- Danger of excluding certain categories (i.e. no exclusions!), however difficult to wear two hats
  - Individual must manage the conflict
- Don't write large exclusion clauses
- Council must retain the right to elect the chairs of Committees
- Expertise in chairing, not detailed technical expertise
- Communicate message that members are not representatives, particularly to the professional bodies
- Create a group of people who can work together
- Council is governance not management
- Selection process?
  - Don't make an industry out of this
  - One face to face interview
  - The application form is demanding

## Session III – The Restructured Council

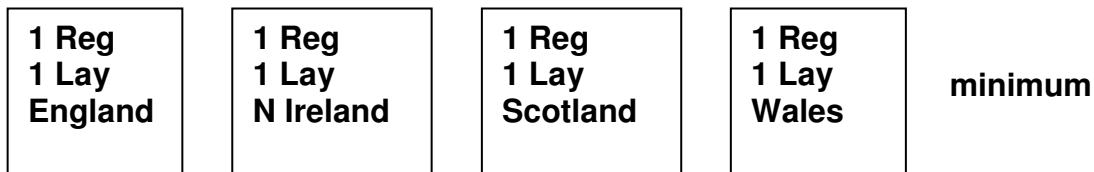
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### *Feedback - Sheila Drayton*

Morag Mackellar, Roy Dunn, Daisy Haggerty, Annie Turner, Ozan Altay, Greg Ross-Sampson, Tony Hazell, Patricia Blackburn, John Donaghy

### Council Restructure

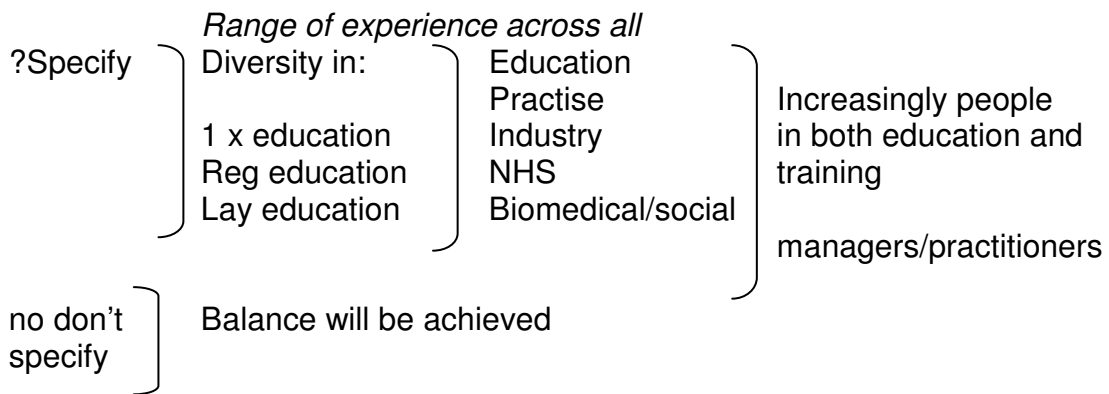
- “10” members minimum
- Spectrum - may not be such as issue. Some/many existing registrant Council members operate in numerous sections already.
- “one trick pony” will not apply to sit on Council
- Registrant home country representatives required (but less important than 5 years ago)
- Welsh and Scottish moving further away from English model
- Does it have to be a registrant Council member? – some lay members are very well connected (e.g. Tony H) and may be better than a registrant member



Potentially some registrants may not be allowed as already represented by a home country member

- Council function will not change BUT Committee requirements may change
- Diversity – Education vs Practitioner OR are the boundaries now so vague that it is not relevant?
- Are the persons that would apply for election the same people that would apply to the Appointments Commission?
- Some past requirements no longer fit and even existing members change over time. e.g. Tony H was Education/Welsh representative and now no longer is in education four years later
- Check what the criteria are for current Appointments Commission (basis for selection)  
Biomedical vs Social?  
NHS vs Private?
- Partners need specifics/skills

- Council members need less specific
- Professional body council member *does not equal* HPC member as this conflicts
- Attendance at professional body Council by HPC members ok
- relationship between Council and Committees key
  - 10 members, registrant, education, practise – making it too complicated?
- Calibre of people key – able to span fields
- Key point – maximum of 1 per profession
  - Right skills – generic skills for Council
  - 1 Registrant from each country (networks)
  - 4 Professional, 4 Lay
  - 1 lay from each 4 countries
  - Debate about lay people – Finance



- Really important work done by panel members and committee members

## **Session III – The Restructured Council**

- i. Council membership**
- ii. Committee membership**
- iii. Recruitment criteria**

*Diane Waller*

Mark Woolcock, Elizabeth Ellis, Barbara Stuart, Neil Willis, Mary Clark-Glass, Larissa Foster, Diane Waller, Graham Smith, Peter Douglas, Marc Seale, Rachel Tripp

The group found it very difficult to reach agreement.

**Selection process:** The group felt that Council members should not be members of the councils of other regulatory bodies or professional bodies. The group disagreed on conflicts of interest and felt it was important to maintain good relationships with professional bodies. The group was not clear on the function of Council and noted that there was no definite agreement on the number of members of the restructured Council, only a range of numbers.

**Appointment process:** Some members favoured a one-to-one interview but the group disagreed about whether a group discussion between candidates would be effective. There were also passionate views for and against a written exercise.

**The task of committees:** The role of committees would be dependent on how the restructured Council worked. The committees would do detailed work and it was therefore important to carefully consider committee membership.

## **Session IV – Governance Review**

- i. Council member self-appraisal**
- ii. Committee self-evaluation**
- iii. Council meeting format**

### *Feedback - Sheila Drayton*

Morag Mackellar, Roy Dunn, Daisy Haggerty, Annie Turner, Ozan Altay, Greg Ross-Sampson, Tony Hazell, Patricia Blackburn, John Donaghy

#### Self appraisal

- Useful
- An Improvement on previous process
- 1 on 1 with president valued
- Handled well – specific questions could be restructured but handled well

#### Appraisal by president

- Difficult for alternates - those who don't see President in action frequently
- Specific questions useful
- Trigger

View – Continue, review in two years. Give it a good run for its money

Does it add value? Yes

#### Committee Self Appraisal

- Range of views from: waste of time, to need to revisit, to scepticism regarding value
- Form asks are we doing things right rather than are we doing the right things
- Ideally, evaluation of Committee should be outcome focused but difficult, therefore currently focused on process
- Need to revisit – political imperative, huge amount of work, what do you do with it?

Does it add value? Not yet

#### Council meeting format

- Always were occasional sessions
- New style – good, useful
  - Opportunity to focus on a topic
- Two sessions to date – some have trouble remembering
  - Topics - governance, size of council
- Need to be clear on purpose
  - Briefing
  - Training
  - Towards decisions making
  - debate
- Too early to assess – value in briefing on particular issues and training – use the time to connect

- Meetings could be shorter – focus debate when required  
Does it add value? Used judiciously, yes

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### *Feedback - Paul Acres*

Carol Lloyd, Anna van der Gaag, Helen Davis, William Munro  
Jacqueline Sheridon, Simon Leicester, Jacqueline Ladds, Keith Ross

### Appraisal, Self and Chair –

- Caused to reflect on role/value (should improve over time)
- Dialogue and feedback
- Adds - Identifies themes that benefit governance and HPC
- Common themes analysis added value to governance – multi-level review good
- An important check on president's performance
- Proactive (dialogue in-between?)
- Clarify expectation of ongoing dialogue - no surprises!
- Alternates may find the appraisal process difficult as they do not always attend council meetings but may find it useful to be revisited by committee chair
- 'Average', too relative – change to 'acceptable'

### Committees

- Not as effective – too “yes” “no”
- Too much about individuals, not about the committee (less “I”)
- Things right but right things?
- Council should evaluate work of Committees
- What added value?
- Committee itself must address and discuss
- Did cause to reflect and should? Improve committee/governance
- Approach adopted by NAO for Audit Committees useful

### Council Format/Agenda

- Useful, good vehicle for dialogue
- Focus
- Context – be aware
- Addressing big issues
- Leaves space for individual views to add value

### Dialogue drives consensus

- Strategy first?
- Value in less structured format
- Worth going
- Need for a process to identify key themes and build into a programme for Council meetings



- Continuity of addressing strategic issues

## **Session IV – Governance Review**

- i. Council member self-appraisal**
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### *Feedback – Karen Bryan*

Eileen Thornton, Doug Proctor, Jeff Lucas, Niamh O'Sullivan, Sue Griffiths, John Harper, Robert Clegg, Kelly Johnson, Christine Farrell

#### Council member self appraisal

- Telephone option good
- Paperwork was better this year – it is a requirement and adds value
- Should continue to be annual
- Form somewhat limiting – should be an optional comments section
- Generally better this year
- Review of president useful – perhaps too prescriptive

#### Committee self evaluation

- What does this set out to achieve?
- Overlap with self evaluation
- Needs to focus on what the Committee is achieving rather than process
- We need to look at terms of reference – are we achieving these?
- Evaluation needs to be outcomes focused
- Link the strategic plan for the Committee to the workplan – this is now happening and is very useful

#### Format of Council Meetings

- Papers are well prepared
- Now inviting comments from the Committee Chairs – positive development
- Created environment for strategic discussion
- Balance between council discussing issues, new perspectives and reopening discussion had in committees – executive should be at the table
- Continue to ensure there is space for debate
- Need more landscape type items – presentations from external bodies and Department of Health
- It would be helpful to have external speakers at meetings and away days
- How do we leverage for more improvement – discuss overarching issues
- Role for Chairs' Liaison group in agenda setting – informing the process rather than controlling

## **Session IV – Governance Review**

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### *Feedback – Rachel Tripp*

Mark Woolcock, Elizabeth Ellis, Barbara Stuart, Neil Willis, Mary Clark-Glass, Larissa Foster, Diane Waller, Graham Smith, Peter Douglas, Marc Seale

#### Council member self appraisal and feedback

- Face to face with president
- Dedicated time/semi-formal time appreciated
- Positive/useful
- ‘Safety valve’ for difficult situations
- Brave (possibility of criticism)
- Identifying training needs
- Process of self assessment useful
- Progressive – a good thing for a regulator to do

#### Committee self-evaluation

- What are the results? What changes as a result?
- Executive input in future? (some questions currently relate to executive: papers etc)
- Improving format of results
- Group self evaluation in future?
- Important that should go back to committee as an item to discuss/action
- Low responses (time? fatigue?)
- Qualitative/quantitative (encourage comments)
- Do questions on delivery and quality of papers need to be included need to stay? (is committee self evaluation right place)

#### Council meeting format

- Layout of council meetings
- Discussion/debate?
- Distinction: “healthy” “invigorating” broad strategic discussion/signing off business
- More discussion recently
- Improvement – still room for more