

Agenda Item 5

Enclosure 1

**Health and Care Professions Council
25 September 2019**

Minutes of the Council meeting of 4 July 2019

For approval

From Claire Amor, Secretary to Council

Council

**Public minutes of the 125th meeting of the Health and Care Professions
Council as follows:-**

Date: Thursday 4 July 2019

Time: 1pm (preceded by a private session of Council at 10.30am)

Venue: Room K, Health and Care Professions Council, Park House,
184 Kennington Park Road, London SE11 4BU

Present: Christine Elliott (Chair)
Stephen Cohen
Maureen Drake
Kathryn Foreman
Sue Gallone
Sonya Lam
Eileen Mullan
Gavin Scott
Robert Templeton
Stephen Wordsworth

In attendance:

Claire Amor, Secretary to Council
Claire Baker, Tribunal Services Manager – Hearings
John Barwick, Executive Director of Regulation
Nicola Bibbey, Registration manager
Olivia Bird, Policy Manager
Roy Dunn, Chief Information Security and Risk Officer
Guy Gaskins, Executive Director of IT and Resources
Sarah Harris, Kingsley Napley
Nicola Hill, Kingsley Napley LLP
Brian James, Head of FTP
Jameela Khan, Interim Director of Finance
Jacqueline Ladds, Executive Director of Policy and External Relations
James Penry-Davey, Capsticks LLP
Giba Rahman, Governance and Appointments Officer
Marcia Saunders, Chair of the Tribunal Advisory Committee
Marc Seale, Chief Executive and Registrar
Shaf Shafiq, Policy Officer
Kate Steele, Capsticks LLP
Kirsty Taylor, Fitness to Practise Quality Manager

Public Agenda

Item 1.19/97 Chair's welcome and introduction

- 1.1. The Chair welcomed Council members, the Executive and those seated in the public gallery to the 125th meeting of Council.

Item 2.19/98 Apologies for absence

- 2.1 No apologies were received.

Item 3.19/99 Approval of Agenda

- 3.1 The Council approved the agenda.

Item 4.19/100 Declaration of Members' interests

- 4.1 No interests were declared.

Item 5.19/101 Minutes of the Council meeting of 22 May 2019

- 5.1 The Council agreed the minutes of the 124th meeting of the Health and Care Professions Council.

Item 6.19/102 Matters arising

- 6.1 The Council noted those matters arising from the meeting held on 22 May 2019.

Standing items

Item 7.19/103 Chair's report

- 7.1 The Council noted a report from the Chair.

Item 8.19/104 Chief Executive's organisational performance report

- 8.1 The Council received a report from the Chief Executive.
- 8.2 The Council noted the following points:-
- the KPI for cases per case manager had been met in the reporting period;

- the working group formed to review the HCPC's approach to Education quality assurance had completed its review. The Education and Training Committee considered and supported the working group recommendations in June;
 - as part of work to ensure the HCPC's long term sustainability, budget holders were undertaking a 2019-20 budget refresh exercise as well as developing detailed budgets for 2020-21 and 2021-22. This work was due to complete at the end of July;
 - in June two workshops on 'valuing the patient voice' were delivered for all case management employees. The purpose of these sessions was to support colleagues in handling concerns sensitively.
- 8.3 The Council welcomed the revised financial reporting format included in the performance report.
- 8.4 The Council noted that the Tribunal Advisory Committee had discussed an increase in the not well-founded final hearing finding rate at their June meeting. It was noted that the Decision Review Group was reviewing the reasons behind the increase. The Council requested that reporting on this metric be considered for future performance reports.
- 8.5 The Council welcomed the positive improvements to the case per case manager KPI. It was noted that this has been achieved through work flow improvements. The Council requested that the Executive review this KPI to ensure it remained the right measure.
- 8.6 The Council discussed the recent FTP employee workshop sessions on 'valuing the patient voice'. It was noted that these sessions had been led by James Titcombe OBE, a patient safety specialist and a parent of a child impacted by the Morecambe Bay neonatal care failings. The Council welcomed this initiative and encouraged its development.
- 8.7 The Council discussed the level of spending against the Department of Health and Social Care (DHS) grant. It was noted that the grant terms specified what could be claimed for and that the additional costs incurred as a result of the uncertainty around the transfer date and not covered by the existing grant were being pursued through a second grant application to the Department for Education (DfE).

Item 9.19/105 Transfer of Social Workers to Social Work England

- 9.1 The Council received a paper from the Executive Director of Regulation.
- 9.2 The Council noted the following points:-
- the HCPC had transferred data, as per the data sharing agreement, to Social Work England (SWE) to enable them to begin to test their

systems. The transfer proceeded smoothly and no feedback had yet been received on the progress of SWE's system testing;

- the Infrastructure and Projects Authority (IPA) had undertaken their review of the project to establish SWE and its readiness to regulate;
- the Executive had provided feedback on the draft PWC report, commissioned by DfE, to scrutinise the HCPC's request for further grant funding in respect of additional costs incurred as a result of the uncertainty around the transfer date. Engagement would continue; and
- due to the delay to the transfer date of the original expectation of September 2019, fixed term contracts for some FTP and Registration employees had been extended to reflect the anticipated December transfer date.

9.3 The Council noted that later that day, the Minister for Education was expected to announce the transfer date of 2 December 2019.

9.4 The Council noted that SWE had requested additional data relating to registrant qualifications which was not factored in their initial business analyst discovery report. Based on the original request, HCPC was currently only providing this data for new applicants. The HCPC had advised SWE that the change would delay the data migration timeline by at least a month, however SWE were prepared to accept this risk and the HCPC was now implementing the change.

9.5 The Council noted that the HCPC would not incur costs related to the project which could not be claimed against a grant, as it has been agreed as a principle that registrants should not bear the costs of a government policy decision.

Items for discussion / approval

Item 10.i.19/106 Unconfirmed minutes of the Audit Committee meeting of 4 June 2019

10.i.1 Sue Gallone, Chair of the Audit Committee, highlighted the following points with respect to the minutes:-

- the end of year external audit had been an excellent result with no unadjusted errors required.
- the concept of going concern in relation to ongoing uncertainty over the fee rise proposals was discussed with the auditors who had agreed that it was not a concern for 2018-19, but that they would require more information for the 2019-20 external audit;
- the Committee agreed to focus on strategic risk four, relating to financial sustainability at its meeting in September 2019;

- the Internal Audit assurance map report had been very useful as a basis on which to plan the full year's Internal Audit Plan; and
- the Quality Assurance Department had been in place for a year and the Committee had requested its reporting be reviewed.

10.i.2 The Council thanked the Audit Committee for the assurance it provided through its scrutiny.

Item 10.ii.19/106 Annual report and accounts 2018-19

- 10.ii.1 The Council received a paper from the Interim Director of Finance.
- 10.ii.2 The Council noted that the Audit Committee reviewed the draft Annual Report and Accounts at their June 2019 meeting. The Committee recommended that the Annual Report and Accounts should be approved.
- 10.ii.3 The Council agreed that the findings of the external auditors that no unadjusted misstatements were required was particularly positive given the change of key employees during the process.
- 10.ii.4 The Council agreed that the first sentence of page 16 of the report should read that 'Our Council also made the decision to increase our fees to £106, subject to parliamentary approval of our Rules, which has not yet been received'.
- 10.ii.5 The Council agreed that Sue Gallone should be referenced as the Chair of Audit Committee in the table on page 30 of the report.
- 10.ii.6 The Council approved the Annual Report and Accounts 2018-19, subject to the amendments agreed in paragraphs 10.ii.4 and 10.ii.5.

Item 10.iii.19/107 Haysmacintyre final report to those charged with governance

- 10.iii.1 The Council received a report from the HCPC's external auditors, Haysmacintyre LLP.
- 10.iii.2 The Council noted that the report was considered by the Audit Committee at their meeting in June 2019.
- 10.iii.3 The Council noted the report.

Item 10.iv.19/108 NAO final report to those charged with governance

- 10.iv.1 The Council received a report from the National Audit Office (NAO).
- 10.iv.2 The Council noted that the report was considered by the Audit Committee at their meeting in June 2019.

10.iv.3 The Council noted the report.

Item 11.i.19/109 Unconfirmed minutes of the Tribunal Advisory Committee meeting of 29 May 2019

11.i.1 The Chair of the Tribunal Advisory Committee provided the Council with a verbal summary of the business considered at the Committee's May 2019 meeting.

11.i.2 The Council noted in particular the Committee's discussion of the HCPC's data analysis capabilities and assured the Chair of the Committee that the Council also viewed EDI reporting capabilities as a priority for improvement.

Item 11.ii.19/110 Annual report of the Tribunal Advisory Committee 2018-19

11.ii.1 The Council received a paper from Marcia Saunders the Chair of the Tribunal Advisory Committee.

11.ii.2 The Council noted the following points

- TAC was established in May 2017 with the aim of enhancing the independence of the Tribunal service;
- TAC has sought to improve Practice Note consistency through a common format and ensuring clarity of purpose;
- TAC members have attended relevant PSA meetings and seminars as HCPC delegates, including consultations on duty of candour and public confidence;
- Legal Assessor oversight has been enhanced by the inclusion of this group in performance reviews and a review of the competency framework for all panel members;
- panel member training and feedback mechanisms had also been a key focus over the previous year. This would continue with the development of an software platform to facilitate regular reflection and feedback; and
- a key theme for TAC has been the need for better data analysis capabilities, particularly with regards to EDI data.

11.ii.3 Marcia noted that TAC appears to have achieved quite a lot in a short time and has been provided with excellent support from the Executive. Marcia asked the Council to consider how TAC could add value within FTP and to consider TAC when undertaking broader policy reviews.

11.ii.4 Marcia noted that TAC would be reviewing its own effectiveness and ways of working, part of this would include a review of its terms of reference. The

Council supported this review and agreed to consider any recommendations arising from this.

- 11.ii.5 The Council thanked Marcia and the TAC for their continued focus on improving the HCPTS performance.

Item 12.19/111 Council development

- 12.1 The Council received a paper from the Secretary to Council.
- 12.1 The Council noted the findings of a recent Council member workshop survey. Members agreed to provide feedback to the Secretary on their priority areas for workshop focus.

To note

The Council noted the following papers:-

Item 13.19/112 Registration Forecast

- 13.1 The Council noted that the Advisor to Council had commended the statistical reporting of the Chief Information Security and Risk Officer (CISRO) in supporting his work.
- 13.2 The CISRO noted that no significant changes had taken place since the forecast was produced. It was noted that more international social worker applications had been received than expected, as a slowing of these applications due to the transfer and the UK's exit from the European Union had been assumed.
- 13.3 The Council questioned whether the HCPC had a role in ensuring its regulated professions would be included in any points based immigration system, depending on the arrangements for the UK's exit from the European Union.
- 13.4 The Council noted the need to monitor any impact of reduced bursary funding on the numbers of new registrants over the coming years.

Item 14.19/113 Unconfirmed minutes of the Education and Training Committee of 5 June 2019

Item 15.19/114 Council and Committee dates 2020

Item 16.19/115 Any other business

- 16.1 There was no further business discussed.

Item 17.19/116 Meeting evaluation

- 17.1 The Chair invited the Secretary to Council to provide her observations on the meeting. The Secretary welcomed the meeting's focus on the TAC and its contribution to the HCPC's governance framework. She encouraged members to observe a meeting of the TAC and to further consider where TAC could add value.

Item 18.19/117 Date and time of next meeting:

- 18.1 25 September 2019, at Park House, 184 Kennington Park Road, London SE11 4BU.

Chair:

Date:

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