

**Unconfirmed**

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**MINUTES** of the ninth meeting of the Registration Committee of the Health Professions Council held on Thursday 6 March 2003 at Park House, 184 Kennington Park Road, London SE11 4BU.

**PRESENT :**

Prof. R. Klem (Chairman)  
Miss P. Sabine  
Mr P. Frowen  
Prof. N. Brook (ex-officio)  
Mr C. Lea (ex-officio)  
Mr. G. Sutehall (ex-officio)  
Prof. D. Waller (ex-officio)

**IN ATTENDANCE :**

Miss L. Pilgrim  
Mr M. Seale  
Dr P. Burley  
Miss C. Harkin  
Mr R. Dunn  
Ms S. Dawson  
Mr C. Middleton  
Mr G. Ross-Sampson  
Mr J. Bracken  
Ms M. Collins  
Mr S. Hill

**INTRODUCTION AND WELCOME**

Prof. Klem welcomed members of the public to the meeting.

**ITEM 1     APOLOGIES FOR ABSENCE**

Apologies were received from :- Miss M. Crawford, Dr. R. Jones, Mr. I. Massey, Miss E. Thornton, and Dr. A. Van der Gaag.

**ITEM 2     MINUTES OF THE MEETING HELD ON 29 JANUARY 2003**

The minutes of the meeting held on 29 January 2003 were agreed as a correct record and signed by the Chairman.

**ITEM 3     MATTERS ARISING**

Mr. P. Frowen asked if any further progress had been made with reference to item 8 of the minutes of 29 January 2003. He highlighted the relative urgency of clarifying whether the certification of exemption under the Medicines Act would be included on the current Registration Certificate. He drew attention to the fact that some 350 – 400 students graduating in June would qualify for this exemption.

Mr. Bracken said that, as prescribing rights were likely to be extended to a number of HPC professions in the future, it would be sensible for the HPC register to reflect those rights and he had raised this point with the Department of Health. He agreed to report progress in due course.

The Chairman explained that, as a result of continuing work, several documents had been tabled. It was agreed that the meeting would adjourn for one hour to allow members reading time before consideration of the remaining items.

**ITEM 4     REGISTRATION OPERATING MANUAL**

It was agreed that item 4 on the agenda be dealt with after item 8. The Committee would study the manual and e-mail comments to the Secretary by 24<sup>th</sup> March. Mrs Collins would update the manual in the light of any comments made.

**ITEM 5     REGISTRATION / RE-ADMISSION FORM**

Mr. Bracken said that this form was specified in the Rules and would go to the Privy Council with the Rules.

The Committee discussed the contents of the form. Various amendments were suggested and agreed.

It was **AGREED** that the issue of health and character references for new UK graduates, for whom educational institutions submit a pass list, would go back to the Education and Training Committee for determination of the nature of the reference to be sought and from whom it should be obtained.

It was **AGREED** that the Chairman of the Registration Committee would take Chairman's action to approve the amendments to the forms and proposed that the Chairman of the Education and Training Committee subsequently take Chairman's action to sign them off.

## ITEM 6     TEST OF COMPETENCE IN ENGLISH

The Chairman drew attention to Mr. Bracken's advice about English Language Testing. Mr. Bracken said that the legality of testing the language skills of EEA applicants was far from clear, but the routine testing or screening of such applicants would not be lawful.

Mr. Bracken felt, however, that the Council should seek the power to test any applicant where there were reasonable grounds to believe that an applicant was unable to communicate effectively with patients or clients. This would be in line with Council's overriding obligation, which was to protect the public.

Mr. Bracken said that an appropriate form of words would be included in the draft registration Rules but that he would need to draw the point to the attention of the Department of Health (DH) lawyers who might wish to modify it. He added that whilst he could not say with any certainty that HPC would not be subject to legal challenge if it tested an EEA applicant, if the applicant concerned could not communicate effectively in English and thereby posed a danger to patients or clients, then this might well be a fight which Council would wish to take on in any event.

The Committee discussed the International English Language Testing System (IELTS) and considered what tests would be appropriate to demonstrate an applicant's language proficiency.

The Committee **AGREED** to recommend to the Education and Training Committee the continued use of the IELTS test and also of any test that could be shown to be of a comparable standard.

The Committee **AGREED** that for the Speech & Language Therapy profession the minimum requirement should be IELTS grade 8 and for the other professions the IELTS grade 5, noting that this was the current requirement.

## ITEM 7     TEST OF COMPETENCE

Prof. Brook said that the Test of Competence (TOC) could not be completed without the profession-specific elements of the Standards of Proficiency (SoP). It was noted that both the Standards of Proficiency and the Test of Competence would have to be completed by the time the Transitional Provisions under Article 13 of the Order were triggered.

After discussion the Committee **AGREED** that appropriate groups who had taken part in drawing up the SoPs would be approached. They would be asked to assist with finalising the drafting of the TOC and to determine the criteria for assessing applicants against the SoPs.

It was also **AGREED** that before an approach was made to such groups, a group comprised of registrant and alternate Council members would meet to discuss and determine exactly what the appropriate groups would be asked to do. It was felt that this group should meet before 20<sup>th</sup> March when it was intended that the SoPs would be available and that the groups could start working as soon as possible after that date.

The Committee suspended Standing Orders to enable the meeting to continue.

**ITEM 8      OIC – ARTICLE 9 (2) (A)**

The Committee noted the comments made in Mr. Bracken's paper entitled " Prescribed Periods ". In particular it was noted that under the Health Professions Order Council would provide prescribed time periods under Article (9) 2 and Article 19 (3). These prescribed periods would be included in the draft Registration & Fees Rules.

After discussion it was **AGREED** to recommend to the Education and Training Committee (ETC) that the prescribed period in Article 9 (2) would be 4 years.

The Committee discussed the position under Article 19 (3). It was felt that a " Sliding Scale " would be appropriate. It was suggested that an applicant who had not practised for less than two years would not have to undertake additional education and training or experience.

Where an applicant had not practised for between two and four years they would need to refresh their skills and experience by working under supervision for a specified period and undertaking study to bring their skills and knowledge up to date.

Where an applicant had not practised for four years or more, they would be required to meet current standards of proficiency. A qualification that was more than five years old would be too out-of-date to enable its holder to meet the Standards of Proficiency; such an applicant would need to undertake a programme of education and experience or training.

The Committee felt that the detailed requirements for this would need to be discussed by the groups referred to at item 7.

The Committee **AGREED** to recommend to the Education and Training Committee (ETC) that the prescribed period under Article 19 (3) would be 4 years.

The Committee did not make any recommendations to the ETC at this stage about the requirements to be met by those who had not practised for between two and four years and those who had not practised for four years or more.

**ITEM 9      REGISTRATION ASSESSOR GUIDANCE**

The Committee noted the existence of this document. It felt that the broad text of the document was appropriate. It was **AGREED** that the Executive would update the Committee about the progress of the document.

**ITEM 10      MINUTES OF THE EDUCATION AND TRAINING COMMITTEE  
HELD ON 12 FEBRUARY 2003**

The Committee noted the minutes.

**ITEM 11    ANY OTHER BUSINESS**

There was no other business.

**ITEM 12    DATE AND TIME OF NEXT MEETING**

The Committee felt that there were important matters and documents to be considered and that an earlier meeting would be needed.

The next meeting would be held on Tuesday 15 April at 10.00 am.

**CHAIRMAN**