

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the 32nd meeting of the Education and Training Committee held on **Tuesday 12 June 2007** at Park House, 184 Kennington Park Road, London, SE11 4BU.

PRESENT: Professor J Harper (Vice-Chairman)
Professor K Bryan
Ms H Davis
Mrs S Drayton
Ms E Ellis
Ms C Farrell
Professor T Hazell
Professor C Lloyd
Mr P McFadden
Mr A Mount
Mrs B Stuart
Professor D Waller

IN ATTENDANCE:

Mr C Bendall, Secretary to the Committee
Ms A Creighton, Education Manager
Mr J Ennis, Associate Director - Quality Assurance, Skills for Health (Items 1-3 inclusive)
Ms H Fields, Associate Director of Policy and Strategy, Skills for Health (Items 1-3 inclusive)
Mr M Guthrie, Policy Manager
Ms M Hargood, Education Officer
Ms K Lock, Education Officer
Ms N O'Sullivan, Secretary to Council
Mr G Ross-Sampson, Director of Operations
Mr M Seale, Chief Executive and Registrar
Ms R Tripp, Director of Policy and Standards
Dr A van der Gaag, President

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Item 1.07/36 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Mr S Hutchins, Professor J Lucas, Ms G Pearson, Mr D Proctor, Miss P Sabine and Miss E Thornton. The Committee noted that, in Miss Thornton's absence, Professor Harper would chair the meeting.
- 1.2 The Chairman welcomed Professor Bryan to her first meeting of the Committee.
- 1.3 The Chairman thanked Mr McFadden for his contribution to the Committee during his time on the Council.

Item 2.07/37 APPROVAL OF AGENDA

- 2.1 The Committee approved the agenda, subject to including an item of any other business under item 23.

Item 3.07/38 SKILLS FOR HEALTH PRESENTATION

- 3.1 The Committee received a presentation about the work of Skills for Health, its strategic intent and its role. A copy of the presentation was included in the papers for the meeting. Further discussion on the work of Skills for Health took place in the private meeting.

Item 4.07/39 MINUTES OF THE EDUCATION AND TRAINING COMMITTEE MEETING HELD ON 28 MARCH 2007

- 4.1 The Committee agreed that the minutes of the thirty-first meeting of the Education and Training Committee should be confirmed as a true record and signed by the Chairman.

Item 5.07/40 MATTERS ARISING

- 5.1 The Committee received a paper to note from the Executive.
- 5.2 The Committee noted the action list as agreed at the last meeting.
- 5.3 The Vice-Chairman thanked members of the Executive for producing good quality papers which were a credit to the HPC.

Item 6.07/41 EDUCATION MANAGER'S REPORT

- 6.1 The Committee received a report on the work of the Education - Approvals and Monitoring Department.

- 6.2 The Committee noted that the Department was now in its peak period of activity, in terms of approval visits and running the annual monitoring process and minor and major change process. The Department was undertaking its final visits for the current academic year and had begun organising visits for the next academic year.
- 6.3 The Committee thanked the Department and the Director of Operations for all their work.

Item 7.07/42 STANDARDS OF PROFICIENCY FOR PSYCHOLOGISTS

- 7.1 The Committee received a paper for discussion/approval from the Executive.
- 7.2 The Committee noted that the White Paper "Trust, Assurance and Safety - the Regulation of Health Professionals in the 21st Century" had recommended that psychologists, psychotherapists and counsellors would be regulated by the HPC and that this would be the first priority for future regulation. It was anticipated that psychologists would become regulated by the HPC in early 2008.
- 7.3 The paper proposed that a Professional Liaison Group should be established to draft standards of proficiency for applied psychologists, building on work undertaken by the British Psychological Society. The Committee noted that the Council would confirm the membership and chairmanship of the Professional Liaison Group. The Committee noted that Professor Lucas had expressed interest in chairing the Group.
- 7.4 The Committee noted that, given the tight timescale and requirement to consult, it was not possible to seek the approval of the Committee and the Council in the normal way at their meetings, prior to consultation on the draft standards and their publication. The paper proposed that the draft standards should not come back to Council prior to consultation, but should instead be agreed by Chairman's action by the Chairman of the Education and Training Committee. Following consultation, the Committee and Council would be asked to electronically ratify the standards for publication.
- 7.5 The Committee agreed and recommended to Council that

(1) a Professional Liaison Group should be established to draft the standards of proficiency for applied psychologists and that it should be chaired by Professor Lucas; and

(2) the contents of the workplan attached to the paper should be approved.

Action: MG (by 5 July 2007)

- 7.6 The Committee agreed that the draft standards should be circulated electronically to members of the Education and Training Committee for comment and that, following any comments, the draft standards should then be approved for consultation by Chairman's action.

Action: MG (by 31 October 2007)

Item 8.07/43 PROCESS FOR COMPLAINTS ABOUT EDUCATIONAL PROGRAMMES

- 8.1 The Committee received a paper for discussion/approval from the Executive.
- 8.2 The Committee noted that there was currently no process for the HPC to consider complaints about educational programmes. The Executive had received legal advice that it was important that any process should not compromise any fitness to practise case which might be necessary against an individual registrant involved in delivering a programme. It was important that, at the outset, any complaint received should be analysed to determine whether it was a complaint about an individual or a programme.
- 8.3 The Committee noted that the paper proposed that a complaint about an individual would be investigated by the Fitness to Practise department to use that department's experience of handling complaints. Any evidence obtained by voluntary admission would be admissible if it was later found that the complaint related to a programme.
- 8.4 The Committee noted that a complaint about a programme would be investigated by the Education - Approvals and Monitoring Department and any evidence obtained under the compulsion powers of the Health Professions Order 2001 might be inadmissible to any subsequent fitness to practise hearing.
- 8.5 The Committee noted that, to date, there had been a small number of complaints about programmes.

8.6 The Committee agreed in principle that a process was needed. The Committee agreed that the Executive should consider the following issues and respond in a paper for the next meeting on 27 September 2007:

- whether a complaint should only be made to the HPC once a complainant had exhausted the education provider's internal complaints process and the complaints process of the Office of the Independent Adjudicator for Higher Education;
- at what stage an education provider should notify the HPC of a complaint;
- if the fitness to practise procedures were used, whether this would create a risk that an individual (such as a programme leader) would be made responsible for a wider issue in a programme;
- the circumstances in which a complaint might be referred back to the education provider.

Action: SM (by 27 September 2007)

Item 9.07/44 DRAFT RESPONSE TO DRAFT REGULATIONS FOR DIRECTIVE 2005/36/EC

- 9.1 The Committee received a paper for discussion/approval from the Executive.
- 9.2 The Committee noted that the directive established rules for holders of a professional qualification in a member state to have access to, and pursue their profession, in another member state. The UK government was consulting on the discretionary elements of the directive and the Committee was invited to comment on the draft response by the HPC.
- 9.3 The Committee noted that the draft response indicated that the HPC would like to be able to stipulate that language competence should be tested, but accepted that this could not be a condition of registration. The Committee noted that, in the interests of patient safety, the Executive would continue to raise the importance of language competence in appropriate forums.
- 9.4 The Committee noted that it was intended that the Register would clearly indicate professionals who were temporarily registered and that the online Register would indicate a website link giving further details about temporary registration.
- 9.5 The Committee agreed that the draft response to the consultation should be submitted as HPC's formal response.

Action: SM (by 3 August 2007)

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**Item 10.07/45 CONTINUING PROFESSIONAL DEVELOPMENT -
PROCESS DECISIONS**

- 10.1 The Committee received a paper for discussion/approval from the Executive.
- 10.2 The Committee noted that, during the course of analysing the Continuing Professional Development (CPD) process, the Executive had identified a number of discussion points which required decisions by the Committee.
- 10.3 The Committee thanked the Executive for their work in exploring the relationship between CPD, the return to practice process and fitness to practise proceedings.
- 10.4 The Committee agreed that:
- (1) If a registrant was denied the right to defer their CPD assessment, they should not have the ability to appeal the decision. This was because the HPC would have considered the extenuating circumstances preventing a registrant from complying with the CPD requirements and the registrant would ultimately have the right to appeal against removal from the Register;
- (2) If a registrant lapsed after having been selected for CPD but then applied to return to the Register within two years, they should be requested to demonstrate their CPD. Legal advice had confirmed that the HPC could request evidence that the registrant was undertaking CPD during the two years before they had lapsed. If this was not possible, the HPC could request a profile with evidence of any current CPD activity;
- (3) If a registrant lapsed after having been selected for CPD but then applied to return to the Register after two years, the returners to practice policy should take precedence over CPD. The Committee felt that it would be unreasonable and inflexible to require registrants to demonstrate evidence of CPD undertaken several years ago. The Committee noted that the returners to practice policy required registrants to update their knowledge and skills;
- (4) If, at any point during the CPD process, a registrant were to have an allegation made against them, all CPD processing should cease until the allegation had been resolved. The Committee agreed that the HPC's duty to protect the public from

registrants whose fitness to practise might be impaired took priority over the CPD audit process;

(5) If a registrant failed CPD but had not yet been removed from the Register and had an allegation made against them in the interim, all CPD processing would cease and the fitness to practise case heard. Once the fitness to practise case had been disposed of, the original decision regarding CPD and renewal would still stand and registration would be lapsed.

(6) If a registrant failed CPD but had not been removed from the Register and a fitness to practise case found that they should remain on the Register with conditions of practice, the decision on CPD still stood. Therefore, the registrant would still be lapsed from the Register after the fitness to practise hearing; and

(7) If a registrant was selected for CPD and then had an allegation made against them which did not result in them being removed from the Register, they should be asked to complete their existing CPD assessment. If a profile was not received, they would not be lapsed from the Register but would instead be selected automatically in their profession's next CPD audit.

Action: RH (Ongoing)

Item 11.07/46 APPROVAL OF PROGRAMMES LEADING TO ENTITLEMENTS UNDER THE PRESCRIPTION ONLY MEDICINES (HUMAN USE) ORDER 1997

- 11.1 The Committee received a paper for discussion/approval from the Executive.
- 11.2 The Committee noted at its meeting on 28 March 2007 it had agreed to recommend to Council the arrangements for approving programmes and modules which lead to entitlement to use Prescription Only Medicines (POM). The Council had ratified these recommendations on 31 May 2007. The Committee had also raised a number of concerns which were addressed in the paper.
- 11.3 The Committee noted that, following the discussion at the last meeting and discussion with the podiatrist member of the Committee, the Executive no longer recommended at this time that the HPC should produce separate competencies for safe and effective practice in local anaesthetics and prescription only medicines. Existing documents produced by the Society of Chiropodists and Podiatrists provided an adequate basis for

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ensuring safe and effective practice and functioned as curriculum guidance under the Standards of Education.

11.4 The Committee noted that the other areas discussed at the last meeting were related to wider issues concerning post-registration qualifications. There was no evidence that the current mechanisms for approving supplementary prescribing programmes were ineffective or a barrier to education providers. The paper suggested that this area should be more fully explored as part of future work looking more broadly at issues around post-registration qualifications. It was therefore no longer necessary to establish a Professional Liaison Group.

11.5 The Committee agreed that:

(1) a draft consultation letter, which would explain the reasons behind the proposed removal of the optional status of the standards of proficiency relating to local analgesia (LA) and prescription only medicines, should be brought back to the meeting on 27 September 2007 for approval;

(2) following a three month consultation period, a consultation responses document would be brought back to the Committee and the Council; and

(3) if the proposed change was agreed, it would be effective from the academic year commencing in September 2008.

Action: MG (point 1 by 27 September 2007; points 2 and 3 ongoing to 2008)

Item 12.07/47 HISTORICAL APPROVAL OF PROGRAMMES LEADING TO ENTITLEMENTS UNDER THE PRESCRIPTION ONLY MEDICINES (HUMAN USE) ORDER 1997

12.1 The Committee received a paper for discussion/approval from the Executive. The Committee noted that this paper followed discussion at the meeting on 28 March 2007. Professor Hazell declared an interest, as he had previously been involved in managing the BSc (Hons) Podiatry programme at the University of Wales Institute, Cardiff.

12.2 The Committee noted that the Register was currently annotated to indicate where chiropodists and podiatrists were qualified to administer LA and to supply POM. The 1997 Order gave chiropodists the right to administer certain local anaesthetics provided they held a certificate of competence issued by the Chiropodists Board of the Council for Professions Supplementary to Medicine (CPSM). The Committee had agreed

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on 28 March 2007 that LA and POM programmes historically approved by the CPSM would be considered for renewal of approval or recognising historical approval.

- 12.3 The Committee noted that the Executive had obtained information about the LA and POM programmes historically approved by the CPSM.
- 12.4 The Committee approved the following standalone POM programmes as having historically (i.e. before October 2007) allowed those who completed them to have the Register annotated:

University of Huddersfield	BSc (Hons) Podiatry
University of Southampton	BSc (Hons) Podiatry
London Foot Hospital (no longer delivers pre-registration training)	BSc (Hons) Podiatry
Matthew Boulton College	BSc (Hons) Podiatry
University of Salford	BSc (Hons) Podiatry
University of Brighton	BSc (Hons) Podiatry
Queen Margaret University (previously known as Queen Margaret University College, Edinburgh)	BSc (Hons) Podiatry/ BSc Podiatry
University of Northampton (previously known as Nene University College Northampton)	BSc (Hons) Podiatry
University of Plymouth (no longer delivers pre-registration training)	BSc (Hons) Podiatry
Queens University Belfast	B.Med.Sc Podiatry
New College Durham	BSc (Hons) Podiatry
University of Wales Institute Cardiff (previously known as Cardiff Institute of Higher Education)	BSc (Hons) Podiatry
Glasgow Caledonian University	BSc (Hons) Podiatry

- 12.5 The Committee agreed that these stand-alone programmes should complete a successful minor/major change submission before they could be delivered to future students. This was to ensure that the programme was relevant to current practice and had appropriate selection and entry criteria for direct entry into the module.

Action: AC (Ongoing)

- 12.6 The Committee agreed that there was insufficient evidence to historically approve any LA programmes as a stand-alone programme.

- 12.7 The Committee agreed that the Executive should clarify the status of the LA examination and contact the Society of Chiropractors and Podiatrists as necessary.

Action: AC (by 27 September 2007)

Item 13.07/48 PRE-REGISTRATION EDUCATION AND TRAINING FOR PARAMEDICS

- 13.1 The Committee received a paper for discussion/approval from the Executive.
- 13.2 The Committee noted that the majority of paramedic training was delivered in ambulance training centres as an Institute for Healthcare Development (IHCD) paramedic award, awarded by Edexcel.
- 13.3 The Committee noted annual monitoring had identified that major changes had been made to three programmes offered by ambulance trusts and there were significant variations between programmes. The Committee noted that the Executive was arranging visits to the Wales Ambulance Service, the South Central Ambulance Service and the East of England Ambulance Service to consider the issues raised during the 2006 annual monitoring round.
- 13.4 The Committee agreed that all remaining 13 NHS ambulance trusts offering IHCD approved awards would be visited over the next 12 months, unless the trusts provided written confirmation that their IHCD programme would cease to enrol students after a specified date. The Committee agreed that the Executive should monitor the situation to ensure that IHCD programmes had ceased.

Action: AC (Ongoing to June 2008)

Item 14.07/49 HEALTH AND CHARACTER PROCESS REVIEW

- 14.1 The Committee received a paper for discussion/approval from the Executive.
- 14.2 The Committee noted that in June 2005 it had approved the policy which HPC should adopt when receiving self-referrals of health or character issues by registrants and health and character declarations on renewal, application for admission and readmission. The paper proposed that the policy should be reviewed by the Executive.

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- 14.3 The Committee agreed the workplan for the review, as set out in the paper.

Action: KJ (Ongoing to 2009)

Item 15.07/50 COUNCIL MEMBERS AS REGISTRATION ASSESSORS

- 15.1 The Committee received a paper for discussion/approval from the Executive.
- 15.2 The Committee noted that, following the Council's decisions to no longer use Council and Committee members as Panel members and Visitors, the paper invited discussion on whether it was appropriate for Council and Committee members to be used as registration assessors and in other partner roles.
- 15.3 The Committee agreed that, in order to ensure some flexibility in the future, Council and Committee members should not in future be used in partner roles unless there were exceptional circumstances.

- 15.4 The Committee agreed to recommend to the Council that:

(1) Council members, alternate members or Committee members should not in future be appointed as partners unless they were required because of exceptional circumstances (for example, in a small profession where there was a shortage of partners);

(2) in the future, if a partner was appointed or elected to the Council, the Partner Manager should approach them to explain the HPC's policy on separation of role and they should be given notice that their partner contract would be terminated;

(3) existing Council members, alternate members or Committee members who were Registration Assessors should not be used from October 2007, with the exception of professions where they were required because of exceptional circumstances. The Committee noted that one Council member (the alternate clinical scientist member) would continue to be used as a Registration Assessor until a replacement had been recruited; and

(4) those council members from other professions who acted as Registration Assessors should be given the required three month notice in order to terminate their contract as a Registration Assessor.

Action: RT (by 5 July 2007)

**Item 16.07/51 HIGHER EDUCATION REGULATION REVIEW GROUP
CONCORDAT**

- 16.1 The Committee received a paper for discussion/approval from the Executive.
- 16.2 The Committee noted that at its meeting on 28 March 2007, it had agreed that the HPC should pursue signing the Higher Education Regulation Review Group Concordat (HERRG). The paper included a draft appendix to the Concordat which had been prepared on behalf of the Council.
- 16.3 The Committee noted that other signatories to the Concordat had adopted various approaches in preparing their appendices. The HPC's draft appendix stated that the Council was committed to modern, risk-based and light touch processes, whilst ensuring that the public were protected.
- 16.4 The Committee noted that the Executive believed that the HPC's processes were already compliant with the principles of the Concordat and that future reviews of relevant processes would take into account the principles.
- 16.5 The Committee agreed:
- (1) the draft HPC appendix to the Concordat;
 - (2) that the Executive should forward the draft appendix to the HERRG Secretariat, who would circulate it to HERRG members and forward any relevant comments or suggested changes to the HPC Executive;
 - (3) that if any suggested changes from HERRG were minor, these should be made by the Executive and the HPC should become a signatory to the Concordat and this should be brought back as a paper to note by the Committee at its next meeting; and
 - (4) that if suggested changes from HERRG were substantive, these should be brought back to the next Committee meeting for consideration.

Action: RT (by 27 September 2007)

Item 17.07/52 COMMITTEE SELF-EVALUATION

- 17.1 The Committee received a paper for discussion/approval from the Executive.

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- 17.2 The Committee noted that the Council on 29 March 2007 had agreed the text of a document which committees could use to self-evaluate their performance. The Council had agreed that use of the form should be piloted by each committee and feedback on the process should be considered by the Council in October 2007.
- 17.3 The Committee agreed that members should individually complete the form and return their comments to the Secretary to the Committee (either electronically or by post) for collation. The collated responses would then be discussed by the Committee at its meeting on 27 September 2007. The Committee agreed that the Secretary to the Committee should electronically circulate the form to members.

Action: CB (by 19 June 2007)/All members (by 14 September 2007)

**Item 18.07/53 ANNUAL REVIEW OF ACTIONS TAKEN IN 2006-7:
PUBLIC MEETINGS**

- 18.1 The Committee received a paper to note from the Executive.
- 18.2 The Committee noted details of actions which had been taken following public meetings in 2006-7.

**Item 19.07/54 REPORTS FROM EDUCATION AND TRAINING
COMMITTEE REPRESENTATIVES AT EXTERNAL MEETINGS**

- 19.1 The Committee received a paper to note from the Executive.
- 19.2 The Committee noted the reports.
- 19.3 The Committee noted that there was some duplication of reports in the papers for the Education and Training Committee and the papers for Council. The Committee agreed that the Executive should review this.

Action: CB (by 27 September 2007)

**Item 20.07/55 MINUTES OF THE EDUCATION AND TRAINING PANEL
HELD ON 28 MARCH 2007**

- 20.1 The Committee noted the minutes of the Education and Training Panel held on 28 March 2007.

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Item 21.07/56 UNCONFIRMED MINUTES OF THE EDUCATION AND TRAINING PANEL HELD ON 31 MAY 2007

21.1 The Committee noted the unconfirmed minutes of the Education and Training Panel held on 31 May 2007.

Item 22.07/57 HEALTH AND CHARACTER DECLARATIONS.

22.1 The Committee received a paper for information from the Executive.

Item 23.07/58 ANY OTHER BUSINESS

23.1 The Committee noted that a member who was absent had asked for two items to be considered as any other business. The Committee noted that the Executive had replied directly to the member to address the points raised. The Committee noted that the Vice-Chairman and the President were content with this approach.

Item 24.07/59 DATE AND TIME OF NEXT MEETING

24.1 The next meeting of the Committee would be held at 10.30 am on Thursday 27 September 2007.

24.2 Subsequent meetings would be held at 10.30 am on:

Tuesday 4 December 2007
Wednesday 26 March 2008
Tuesday 10 June 2008

CHAIRMAN

DATE