

MINUTES of the Investigating Committee held at 11.00 a.m. on Thursday, 8th May 2003 in the President's Room, The Oval Cricket Ground, Kennington, London, SE11 5SS.

Present: Mr.N.Willis (Chairman)
Mr.M.Collins
Ms.C.Farrell
Mr.P.Frowen
Mr.C.Lea
Miss M.Mackellar
Mr.W.Munro
Mrs.J.Pearce
Miss G.Pearson

In attendance: Mrs.L.A.Barnes – Director (Committee Secretary)
Mr.T.C.Berrie - Director
Mr.M.Seale (Chief Executive & Registrar)

1. APOLOGIES FOR ABSENCE

1.1 An apology was received from Mr.M.Barham.

2. MINUTES

2.1 The minutes of the meeting held on 13th January 2003 were approved and signed by the Chairman.

3. APPROVAL OF AGENDA

3.1 The agenda was approved.

4. MATTERS ARISING FROM THE MINUTES

4.1 Item 5 – Council Processes

4.1.1. The Committee received for information copies of the preview brochure, 'An Introduction to the Investigating Committee', which had been introduced at the HPC Launch in Edinburgh on 9th April 2003.

4.1.2. The Committee noted that the joint meeting of the practice committees planned for 24th January 2003 had not taken place due to the unavailability of the lawyer.

4.2 Mediation – It was noted that meetings had been held with CEDR (Centre for Dispute Resolution), ADR (Association for Dispute Resolution) and Mediation

UK. It was anticipated that a report would be available for the next meeting of Council on 4th June 2003.

- 4.3 Receipt of Allegations – Mr.Seale reported that the second transitional period was currently expected to start on 4th June 2003.
- 4.3.1. He reported that a meeting had been held with the Council’s lawyers to discuss the practice committees’ draft rules and how they would be implemented. It was noted that the concept had been agreed, but that the detail had not and that the lawyers were in the process of preparing a paper for Council.
- 4.4 Screeners – It was noted that the recruitment and training of screeners (as mediators) would take place once a decision by Council had been reached about mediation. Screeners (as screeners) would only be engaged if there proved to be a heavy workload.
- 4.5 Item 10 – Date of next meeting

The Committee noted that the Council had been forwarded and had approved the first tranche of rules via email. The next tranche was expected in the very near future.

5. **DATES OF FUTURE MEETINGS**

- 5.1 The Committee noted the dates of future meetings.

6. **GENERAL ENQUIRIES**

- 6.1 The Committee was asked to consider a procedure for dealing with general enquiries about the Standards of Conduct, Performance and Ethics and how HPC would provide that advice. It was suggested that general enquiries would first be brought to the Investigating Committee. Enquiries of a legal nature would be sent to the lawyers in the first instance and the advice given and the decision reached would be reported to the Investigating Committee (or the Committee would consider that legal advice). It was felt that some guidance would need to be put together, but that this would evolve over time. Some ethical issues could not be dealt with via email and would need to be debated at a meeting. It was suggested that some frequently asked questions could be put on the website.
- 6.2 Mr.Seale informed the Committee how the disciplinary procedure was envisioned. When an allegation arrived at HPC (no emails would be accepted), the complainant would be sent a complaint form to complete along with guidance notes. The complaint form should give an indication of who the registrant was along with details of the allegation. Allegations which were not within the Council’s remit would be forwarded to other professional bodies, if

appropriate, or could lead to mediation, in which case these would be reported to the Investigating Committee. Allegations which were clearly health related would go straight to the Health Committee. All others would go to the Chairman of the Investigating Committee in the usual way.

- 6.3 Some concern was expressed about the appropriate stage at which an issue should be reported to the HPC. The Committee was advised that any organisation having concerns could report them to HPC at any stage. These could be reported by Line Managers, or Human Resources, depending on the gravity of the situation and judged on the Standards of Conduct, Performance & Ethics.

7. PARTNERS

- 7.1 The Committee received a paper from the Human Resources Department providing information on the number of applications for 'partners'. It was noted that for the Prosthetists and Orthotists a minimum of two prosthetists and two orthotists panel members would be required. It was also noted that there would be a further recruitment drive should panel numbers prove to be insufficient. Mrs.Barnes to provide details of the number of partners recruited for panels and a paper about the make-up of panels for the next meeting.

ACTION: A.BARNES

8. CASES PENDING INVESTIGATION

- 8.1 The Committee noted the current number of cases pending consideration. It was also noted that at the present time there had not been a significant increase in the number of allegations received from members of the public as was expected with the abolition of the requirement of a statutory declaration.

9. CASES PENDING DISCIPLINARY HEARING

- 9.1 The Committee noted the current number of cases pending consideration by the Disciplinary Committee. It was also noted that the number of outstanding cases was decreasing.

10. ANY OTHER BUSINESS

- 10.1 Mr.Berrie reported that he had attended a conference on the review of the complaints procedure in the English NHS. Arising from this, he reminded the Committee that there would need to be a procedure to deal with complaints of a malicious nature, or complaints that were clearly from someone deranged. This would be an agenda item for the next meeting.

11. DATE OF NEXT MEETING

- 11.1 The next meeting would be on Thursday, 31st July 2003 at 11.00 am. at the Evangelical Alliance, Whitefield House, 186 Kennington Park Road, London, SE11 4BU.

CHAIRMAN