

**Health Professions Council  
Conduct and Competence Committee, 30<sup>th</sup> January 2007**

**Supplementary guidance and information to the standards of conduct, performance and ethics**

**Executive Summary and Recommendations**

**Introduction**

At its meeting on 19<sup>th</sup> September 2006, the Conduct and Competence Committee considered a proposal for producing supplementary guidance to the standards of conduct, performance and ethics in a discrete number of areas. The Committee agreed to produce formal guidance on confidentiality and consent. A draft of confidentiality guidance is also being considered by the committee at its meeting in January.

At their meetings in November 2006, the fitness to practise Committees approved a workplan setting out the future direction of the Council's standards related work. The workplan was subsequently approved by the Council on 14<sup>th</sup> December 2006.

This paper sets out a proposal for the approach of the Committee in publishing guidance and information.

**Decision**

The Committee is invited to discuss the attached paper, and agree the approach set out on page x.

**Background information**

None

**Resource implications**

None

**Financial implications**

None

**Background papers**

None

**Appendices**

None

**Date of paper**

10<sup>th</sup> January 2007

<b>Date</b>	<b>Ver.</b>	<b>Dept/Cmte</b>	<b>Doc Type</b>	<b>Title</b>	<b>Status</b>	<b>Int. Aud.</b>
2007-01-17	b	POL	PPR	Supplementary guidance and information to the SCPE	Final DD: None	Public RD: None

# **Supplementary guidance and information to the standards of conduct, performance and ethics**

## **Introduction**

The standards workplan (approved by Council on 14<sup>th</sup> December 2006) sets out the broad future direction of the Council's work on standards. Under the heading "standards guidance and information" the Council's main objectives are:

- To improve understanding of, and compliance with, the standards amongst registrants.
- To improve understanding of the standards amongst other stakeholders.

This paper builds upon the workplan to explain the work which the Committee might wish to carry out in order meet these objectives.

## **Formal guidance – decision of the conduct and competence committee**

At its meeting on 19<sup>th</sup> September 2006, the Conduct and Competence Committee considered a scoping document which explored options for producing formal guidance. The paper included feedback from registrants following an article in the newsletter. This indicated some support for additional guidance, whilst other registrants felt that we should avoid duplicating information that is already produced by professional bodies and other organisations.

The paper considered producing guidance in four areas:

- Confidentiality
- Record keeping
- Consent
- Medicines and prescribing

The Conduct and Competence Committee agreed that we should produce guidance on confidentiality (currently in draft form) and on consent. However, concerns were raised that substantial information already existed on these topics.

## **Criteria for guidance and future development**

The standards workplan lays out the criteria to be met for formal guidance to be produced. Formal guidance should be produced if:

- there is good evidence to suggest that formal guidance would be helpful;
- the topic is not substantially covered in another HPC publication or in other authoritative sources;
- the topic is relevant to most professionals who are registered; and
- the topic builds upon the existing standards.

The workplan also says: "The Executive will also explore developing the standards section of the HPC website. This could include producing a 'bank' of information on a small number of

topics. Such information could be produced where a topic is not substantive enough to merit formal guidance being produced”.

### **Review of the standards of conduct, performance and ethics**

During the review of the standards of conduct, performance and ethics, the Executive has identified a small number of areas where it might be useful to provide specific information or signposts to information available elsewhere. Each of these areas would not seem to be substantive enough, in order to meet the criteria laid out above and on the previous page. They are:

- Conflicts of interest (including gifts from service users)
- Boundaries between professionals and service users, including chaperoning
- Child protection
- Reporting concerns

These areas were identified through discussion of the standards at Committee and discussion at the professional bodies and unions discussion meeting.

Such information might also usefully be produced for **medicines and prescribing and record keeping**.

### **Guidance produced by other organisations**

Many of the professional bodies produce guidance to assist their members. Most produce a code or statement of professional conduct (similar to the standards of conduct, performance and ethics). Others build upon this, producing specific guidance on topics such as record keeping and confidentiality. Some of this information is only available to members.

The Department of Health produces authoritative advice on a number of topics, including communicable infections, confidentiality and consent.

In addition, the Executive is currently providing input into work being undertaken by the Council for Healthcare Regulatory Excellence (CHRE) into guidance for health professionals and employers about maintaining clear boundaries with patients. The draft guidance for health professionals covers topics such as relationships with patients and chaperoning. It is unclear whether CHRE will ask each of the regulators to formally adopt the guidance (and as such whether a formal public consultation will be necessary).

At this stage, it would seem that it might be helpful for the finalised guidance to be published on the website, perhaps with some supporting text contextualising it within the standards of conduct, performance and ethics.

## Our approach

In putting forward the approach in the approach detailed below, the Executive suggests that it would be an effective way of:

- avoiding duplication of effort;
- publicly recognising the important role of professional bodies; and
- providing registrants with appropriate information, advice and signposts for further information and advice.

*The Executive proposes that:*

- Formal guidance on consent should not be produced at this stage – this decision should be reviewed following the consultation on confidentiality guidance.
- In line with the standards workplan a bank of information should be produced for the website. This should:
  - be based around the existing standards of conduct, performance and ethics
  - include signposts for further sources of information (which might include department of health guidance and professional body guidance, amongst other sources).
- Information and signposts should initially be produced on the following topics:
  - conflicts of interest (including gifts)
  - medicines and prescribing
  - reporting concerns
  - child protection
  - consent
- The professional bodies should be informed of the Committee's approach early in the new year (including being informed of the planned consultations on confidentiality guidance and standards of conduct, performance and ethics)
- The professional bodies should be asked to provide details (and preferably copies) of the information and guidance they publish (including that which is only available to members). This information can then be used to provide signposts on the website.
- The Committee should consider whether additional information or formal guidance might be helpful as part of its yearly meeting to consider the standards of conduct, performance and ethics (next meeting in 2008)<sup>1</sup>

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<sup>1</sup> The practice committee rules specifically provide that the standards of conduct, performance and ethics should be reviewed by the Conduct and Competence Committee each year.