

# **THE SHADOW HEALTH PROFESSIONS COUNCIL**

Chief Executive Designate: Mr Marc Seale

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MINUTES of the tenth meeting of the Shadow Health Professions Council held at **12.00 noon on Tuesday 12 March 2002** at Park House, Kennington Park Road, London, SE11 4BU

**PRESENT:** Professor N Brook (President)  
Mrs S Chaudhry  
Mr R Clegg  
Miss M Crawford  
Ms H Davis  
Ms A Foster  
Professor J Harper (Items 1-16)  
Dr R Jones  
Mr C Lea  
Professor J Lilleyman (Items 1-16)  
Professor J Lucas  
Mrs C McGartland  
Ms J Manning (Items 1-16)  
Dr J Old  
Miss G Pearson  
Miss P Sabine  
Mrs J Stark  
Mrs B Stuart (Items 1-16)  
Dr A Van Der Gaag  
Professor D Waller (Items 1-16)  
Mr N Willis  
Dr A Yule

**IN ATTENDANCE:**

Mr T Berrie (Items 7 - 11)  
Dr P Burley (CPSM) (Deputy Registrar)  
Mrs M Gilbert (National Assembly for Wales) (Items 1-16)  
Ms J Hammond (SHPC's Human Resources Adviser)  
Ms R Mead (Department of Health)  
Mr C Middleton (SHPC) (Communications Manager)  
Ms N O'Sullivan (CPSM) (Assistant Registrar)  
Mr M Seale (SHPC) Chief Executive Designate

**Item 1.02/147 WELCOME**

- 1.1 Professor Brook welcomed Mr Middleton and Ms Hammond to their first meeting of Council.

**Item 2.02/148 APOLOGIES FOR ABSENCE**

- 2.1 Apologies for absence were received from Ms C Farrell, Professor A Hazell, Miss M MacKellar, Mr W Munro, Mr K Ross
- 2.2 Apologies for absence were also received from Mrs A Imison, Department of Health and Mrs N McArdle, Northern Ireland Assembly.

**Item 3.02/149 APPROVAL OF AGENDA**

- 3.1 The Council agreed the agenda and noted that Mr Seale would provide an update on the Council for the Regulation of Healthcare Professionals (CHRP) in the Chief Executive's Operational Report.

**Item 4.02/150 MINUTES**

- 4.1 It was agreed that the minutes of the ninth meeting of the Shadow Health Professions Council be confirmed as a true record and signed by the President subject to the following amendments:
- 4.2 That Dr R Jones be added to the list of those attending and Mrs C McGartland be added to the list of apologies.
- 4.3 Minute 10.2 should read 'The Chairman of the Committee Mr Colin Lea reported that the transfer of assets and liabilities from CPSM to HPC would commence on 18 February 2002 following the appointment of auditors'.
- 4.4 All other references to Mr Yule under item 10 should read Mr Lea.

**Item 5.02/151 MATTERS ARISING**

- 5.1 Regional Offices  
The Council noted that Professor Brook and Mr Seale would be visiting Northern Ireland on 28 March 2002 and that the issue of a local HPC office for Northern Ireland would be discussed further at that time.

- 5.2 HPC Launch
- 5.2.1 The Council noted that the invitations to the launch event would be despatched shortly.
- 5.2.2 The Council also noted that consideration would be given to extending the invitation to the launch event to the partners of Council and staff members when the approximate number of those attending the event was known.
- 5.3 Communications Manager
- 5.3.1 The Council noted that Mr C Middleton had been appointed to the post of Communications Manager.
- 5.4 Change Management Group (Wales)
- 5.4.1 Mrs Gilbert reported the name of the new body had been agreed by the first minister and would be announced shortly. The function of the new body was to oversee non-regulatory work for nurses and allied health professionals.
- 5.5 Meeting with non-registrant Chiropody and Podiatry Institutions
- 5.5.1 Professor Brook reported that the next meeting would take place on 15 May 2002.
- 5.6 Consultation Event on Professional Advisory Panels
- 5.6.1 A report on the matters discussed at the consultation event on 31 January 2002 together with a covering letter from Professor Brook had been sent to all attendees. Newchurch Healthcare, the facilitators for the event, were working on a detailed analysis of the views expressed at the meeting which would be included in the consultation document. The Professional Advisory Panel Working Group would meet to discuss the report.

#### **Item 6.02/151 PRESIDENT'S REPORT**

- 6.1 The President stated that due to her recent illness she would not be giving a report.

#### **Item 7.02/152 CHIEF EXECUTIVE DESIGNATE REPORT**

- 7.1 The Council received a report from the Chief Executive Designate as attached. (Annex 1)
- 7.2 The Council noted that Ms Anna Bradley, Director of the National Consumer Council (NCC) would be attending the June meeting of the HPC to give a presentation.
- 7.3 Two documents had been circulated to Council for comment. These documents were provisionally entitled 'Background Information on the Health Professions Council for the Media' and 'Patient/Public Leaflet on the HPC. Members were asked to make comments bearing in mind

that these documents were aimed at the public many of whom would have little knowledge of the professions described and no prior knowledge of the statutory regulatory body covering those professions.

- 7.4 The Council agreed that the final decision regarding the inclusion of comments on the documents be made by the Executive.
- 7.5 The documents would be translated into Braille and languages other than English and would be circulated in all possible formats. Consideration would be given to the publication of individual versions for Scotland, Wales and Northern Ireland.
- 7.6 A question and answer document would be circulated to Council members shortly. This aimed to assist members when answering general questions regarding the HPC.
- 7.7 Council members noted that Professor Brook, Mr Seale and Mr Middleton were the official spokespersons for the HPC. Mr Middleton would be named on all press releases as the contact for those wishing for further information. It was also noted that all articles prepared for the press should be submitted to Mr Middleton before publication. Only those members who had undertaken media training should talk to the press in their capacity as members, but members should not purport to speak on behalf of HPC unless specifically authorised to do so.
- 7.8 Transitional Arrangements
- 7.8.1 The Council noted that a letter had been sent to all current Board members and alternates asking them to assist the HPC during the transitional period (1 April 2002 – 1 April 2003). To date 156 positive responses had been received.
- 7.9 Office Manager
- 7.9.1 Interviews had taken place for the post of Office Manager and a job offer had been made.
- 7.10 Exceptional Legal Expenses Insurance
- 7.10.1 Mrs Stark noted that a number of NHS Trusts had undertaken similar research regarding this matter.
- 7.10.2 It was agreed that Mrs Stark and Mr Seale should discuss this matter further.

**Action: MS & JS**

## **Item 8.02/153 STATUTORY COMMITTEES**

- 8.1 The Council received a presentation from Mr Michael Caplan, Solicitor.

8.2 Mr Caplan divided the future into three distinct periods (i) Pre 1 April 2002 (ii) 1 April 2002 – 1 April 2003 (iii) the period beyond April 2003.

8.3 Pre 1 April 2002

8.3.1 CPSM and the Privy Council would continue to carry out their functions under the Professions Supplementary to Medicine Act 1960.

8.3.2 The Investigating and Disciplinary Committees would continue to operate under the Professions Supplementary to Medicine Rules Order of Council 1964.

8.4 1 April 2002 – 1 April 2003

8.4.1 On 1 April 2002 the Professions Supplementary to Medicine Act 1960 would be repealed. However Schedule 2 to the Health Professions Order 2001 would impose the 1960 Act on HPC. The HPC would take over the functions of the CPSM and would continue to operate under CPSM rules for the first year. A single Investigating Committee and Disciplinary Committee would be established which would retain the powers to strike a registrant off the register, retain on the register or postpone the case, as per the 1960 Act. The Investigating and Disciplinary Committees would be completely separate with a separate pool of individuals who would serve on each. The Order of Council to be approved by the Privy Council would extend the membership of the committees and would remove specific qualification requirements. This would make the composition of the committees less restrictive. There would be no requirement that a member of the profession under consideration would sit on a committee but from a practical point of view this would be desirable. There was a requirement that a Council member should Chair each committee.

8.4.2 At the first meeting of the Health Professions Council on 2 April 2002, the Council would be required to undertake the following: -

- receive a list of outstanding disciplinary cases
- receive a list of cases being referred to the Investigating Committees
- resolve that cases be referred to the appropriate Disciplinary and Investigating Committees
- appoint members of each committee – from the pool available
- make any changes to the Standing Orders of the Investigating Committees

8.4.3 The Health Committee, Conduct and Competence Committee and the Investigating Committee of the Health Professions Council would operate as Working Parties until the end of the first transitional period. There was no requirement that the membership of these committees should be completely separate however it was advisable.

**Item 9.02/154 COUNCIL PROCESSES**

Mr Willis, Chairman of the Investigating Committee, Mr Yule, Chairman, Conduct and Competence Committee and Mr Lea on behalf of the Health Committee reported that the Committees were on schedule to approve the documentation of their process, rules and criteria ready for inclusion in documents to be prepared for public consultation.

**Item 10.02/155 PROJECT PLAN**

- 10.1 Mr Willis, Chairman of the Investigating Committee, Mr Yule, Chairman, Conduct and Competence Committee and Mr Lea on behalf of the Health Committee reported that the target dates set out in the project plan were achievable.
- 10.2 The Education and Training Committee would report back to Council after its meeting on 15 March 2002.

**Item 11.02/156 HEALTH PROFESSIONS COUNCIL – STRATEGIC INTENT**

- 11.1 The Council agreed that the Health Professions Council - Strategic Intent document would be amended and resubmitted to the 2 April 2002 meeting of Council.

**Item 12.02/157 TRANSITIONAL ARRANGEMENTS – PRESENTATION AND PAPER**

- 12.1 The Council received a presentation and paper regarding the transitional arrangements from Mr Seale and Mr Berrie.
- 12.2 Mr Berrie noted that the HPC would continue to register under existing CPSM rules during the transitional period. The grandparenting which was being carried out by CPSM would continue as at present.
- 12.3 The Health, Conduct and Competence and Investigating Committees would operate as working parties during the transitional period. There were no specific requirements that Council members limit their membership to one committee during the transitional period however it was desirable that membership was limited in this way.
- 12.4 The Council agreed that members should email the Secretariat indicating their preferences as regards membership of the statutory committees before the next Council meeting.

- 12.5 A paper listing membership of the Committees would be presented to the 2 April 2002 meeting of Council.

**Action: NO'S to prepare paper**

**Item 13.02/158 APPROVAL AND CONTINUED APPROVAL OF PRE-REGISTRATION EDUCATION AND TRAINING PROVISION IN THE FIRST TRANSITIONAL PERIOD**

- 13.1 Professor Waller reported that the Education and Training Committee was requesting Council to authorise the appointment of members to advisory teams to carry out the functions in section 4 and 5 of the PSM Act for the first transitional period.
- 13.2 The Council approved the recommendation in the report and authorised the President to make the necessary appointments.

**Action: NB**

- 13.3 The Council noted that work was underway to identify the training needs of Council and staff members.

**Item 14.02/159 MINUTES OF THE PROFESSIONAL ADVISORY PANEL WORKING GROUP HELD ON 14 FEBRUARY 2002**

- 14.1 Miss Sabine noted that there had been problems regarding the distribution of papers for the meeting which meant that two members were unaware that the meeting was taking place. Also Dr Jones and Dr Van Der Gaag apologies had not been noted in the minutes.
- 14.1 Miss Sabine drew members attention to the action list attached to the minutes. Newchurch Healthcare were drafting a document for inclusion in the consultation process. The Working Party would meet to discuss this document when it was available.

**Item 15.02/160 MINUTES OF THE CONDUCT AND COMPETENCE COMMITTEE HELD ON 14 FEBRUARY 2002**

- 15.1 The Council received the minutes of the Conduct and Competence Committee held on 14 February 2002.
- 15.2 The Council noted the issue of whether HEIs, under current powers, could ensure that an individual whose name was on their pass lists, and therefore was awarded a licence to practise, was of 'good character'. There was a current consultation exercise on these issues in medical schools specifically, but which would inform HPC.

- 15.3 It was important that information on the HE mechanisms and procedures with regard to 'good character' should be considered by visitors before an HEI and a course was approved.
- 15.4 The Council noted that this problem was generic to all healthcare regulators and could be considered by the proposed Council for the Regulation of Healthcare Professionals (CHRP).
- 15.5 The Council agreed that a paper regarding this matter should be prepared for consideration at the Education and Training Committee.
- 15.6 It was noted that the President and the Chairman of the ETC would be meeting Universities UK and the Standing Conference of Principals to discuss this and other issues.

**Action: Refer to Education Committee**

**Item 16.02/161 MINUTES OF THE EDUCATION AND TRAINING COMMITTEE HELD ON 13 FEBRUARY 2002**

The Council received the minutes of the Education and Training Committee held on 13 February 2002.

**Item 17.02/162 HR AUDIT – PRESENTATION AND PAPER**

- 17.1 The Council received a presentation from Mrs Jackie Hammond, SHPC Human Resources Consultant regarding the results of a human resources audit of CPSM which had been undertaken.
- 17.2 The object of the audit had been to ascertain whether CPSM human resources systems and policy, organisational structure and culture were of an appropriate standard for the new Health Professions Council.
- 17.3 There had been a 60% response to the survey. The aim was to repeat the survey each year.
- 17.4 Council noted the need for a solid framework on which to build change.
- 17.5 It was important to acknowledge the efforts of staff during this time of change and also to provide appropriate training.
- 17.6 It was agreed that Mr Seale and Mrs Hammond would draft a human resources strategy to be presented to the Finance and Resources Committee on 19 March 2002.

**Action: refer to Finance and Resources Committee**



**Item 18.02/163 DATES OF COUNCIL MEETINGS**

18.1 The Council noted that further meetings would be held on the following dates:

Tuesday 2 April 2002 at 12 noon

Tuesday 14 May 2002 (start time to be agreed)

Thursday 13 June 2002 (start time to be agreed)

Thursday 18 July (start time to be agreed)

Wednesday 18 September (start time to be agreed)

Wednesday & Thursday 9 & 10 October (start time to be agreed)

Wednesday 13 November (start time to be agreed)

Wednesday 11 December (start time to be agreed)

18.2 The President thanked members for attending the meeting.

**Item 19.02/164 ANY OTHER BUSINESS**

There was no other business.

**Item 20.02/165 DATE AND TIME OF NEXT MEETING**

The next meeting of the Council would be held at 12 noon on Tuesday 2 April 2002.

**CHAIRMAN:**

**DATE:**