

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the tenth meeting of the Health Professions Council held at **11.00am on Friday 7 March 2003** at Park House, Kennington Park Road, London, SE11 4BU

PRESENT: Professor Norma Brook (President)
Mrs S Chaudhry
Miss M Crawford
Miss A Foster
Professor J Harper
Professor A Hazell
Mr C Lea
Professor Sir John Lilleyman
Professor J Lucas
Miss M MacKellar
Mrs C McGartland
Ms J Manning
Mr W Munro
Dr J Old
Mr K Ross
Miss P Sabine
Mrs J Stark
Mrs B Stuart
Mr N Willis
Mr A Yule

IN ATTENDANCE:

Mr P Baker, Finance Director
Mrs A Barnes, Director of Legal Services
Mr T Berrie, Director
Dr P Burley, Director of Education and Policy (Part)
Mr S Hill, Newchurch Healthcare
Ms N O'Sullivan, Secretary to Council
Mr C Middleton, Director of Communications
Mr G Milch, Director
Miss C Savage, Director
Mr M Seale, Chief Executive and Registrar
Miss D Thompson, Human Resources Director (Part)
Miss J Tuxford, PA to Chief Executive and Registrar

Item 1.03/22 INTRODUCTION AND WELCOME

Professor Brook welcomed Ms D Beaven, Miss D Canning, Ms T Chudleigh, Mrs M Gilbert, Ms C Holmes, Mr P Lawson, Miss T Owen, Mrs R Mead, Miss P Saunders, Mr M Smith, Ms S Stirling, Miss G Woods, non-Council members, who were attending the meeting.

Item 2.03/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Council members: Miss C Farrell, Dr R Jones, Professor A Van Der Gaag, Professor D Waller

Item 3.03/24 APPROVAL OF AGENDA

The Council agreed that item 19 on the agenda 'Commencement Order' should be discussed after item 9 'Standards of Proficiency and Renewal of Registration'.

Item 4.03/25 MINUTES

It was agreed that the minutes of the ninth meeting of the Health Professions Council be confirmed as a true record and signed by the President subject to the correction of the spelling of Prosthetists and Orthotists in item 6.10 of the minutes.

Item 5.03/26 MATTERS ARISING

- 5.1 Item 5 - Minutes of the Finance and Resources Committee
 - 5.1.1 Professor Brook noted that the finance training day for Council members and senior staff at the HPC had been extremely useful. There was a possibility that further training days would be organised in the future or that training sessions would be organised after Council meetings.
 - 5.2 Item 5 – Council Members Performance and Development Review System
 - 5.2.1 Miss Thompson, Human Resources Director, would be arranging meetings between Council members and the President to discuss members performance and development.
- Action: DT**
- 5.3 Item 5 – Minutes of the Communications Committee held on 18 November 2002
 - 5.3.1 A 'listening event' would be held at the King's Hall Conference Centre, Belfast on 19 June 2003.

- 5.3.2 The Council noted that Ms Manning had accepted the invitation to become a member of the Communications Committee.
- 5.3.3 Working was ongoing on a booklet which would contain the standing orders of all non-statutory committees.
Action LP
- 5.4 Item 6.12 – Continuing Professional Development
- 5.4.1 The Professional Liaison Group on CPD would meet in the near future.
- 5.5 Item 8 - Chief Executive's Report
- 5.5.1 Dates for interviews of applicants under the partner initiative had been finalised for most professions. Council would be informed when the appointments had been completed. Visits would continue under the current arrangements until the Rules were approved by the Privy Council.
- 5.6 Item 14 - Partnership Working Arrangements (England)
- 5.6.1 The joint letter on Partnership Working Arrangements had been signed by the President.
- 5.7 Item 20.7 Any Other Business
The Secretary would circulate a list of which directors dealt with which professions shortly. This information would also be passed to the Professional Bodies.
Action: NO'S

Item 6.03/27 PRESIDENT'S REPORT

- 6.1 Professor Brook noted that a number of documents were being developed in preparation for the re-launch of the HPC in Edinburgh on 9 April 2003.
- 6.2 Meetings were ongoing with professions wishing to be regulated by the HPC.
- 6.3 Professor Brook had attended a conference on the recruitment and retention of healthcare professionals. There was a concern that internationally trained healthcare professionals would understand that they had an automatic right to registration with the HPC by virtue of the fact that they had been recruited to a position in the NHS. There was a need to alert these new recruits that that they had to register with the HPC and that registration was not automatic.
- 6.4 Following the success of the prototype reviews the Department of Health had set up a working party on the approval, monitoring and reapproval of courses. Professor Brook had been invited to act as Chair. The Working Party would consider a proposal for the development of a process for approval and reapproval of courses that would involve the HPC, the Professional Bodies and bodies such as the

Workforce Development Confederations. The first meeting was scheduled for 20 March and it was planned that a report would be published in September of this year. The Professional Bodies would be invited to send representatives to future meetings of the Working Party.

- 6.4.1 The HPC had decided to set up a Professional Liaison Group (PLG) to establish future approval procedures. The PLG would consider the report of the above working party when making its recommendations. In the meantime arrangements for approval would remain as at present.
- 6.5 Meetings were being held with representatives of the Professional Bodies to share information and to clarify issues over which there was the possibility of misunderstanding. All were welcome to attend Council and committee meetings.

Item 7.03/28 CHIEF EXECUTIVE'S REPORT

- 7.1 The Council received the March 2003 Chief Executive Operational Report.
- 7.2 Marc Seale noted that, subject to any changes in the Parliamentary timetable, the Rules would be laid before Parliament on 8 April 2003 and should come into force on 1 May 2003. The HPC launch would take place, as planned, on 9 April in Edinburgh. The HPC would continue to operate CPSM systems until the Rules came into force. The Rules would be publicly available once they had been approved.
- 7.3 After 1 May the wide range of individuals who undertook work on behalf of the HPC would be known as 'partners'. These were currently being appointed using the Commission for Public Appointments guidance on selection and recruitment.
- 7.4 Various venues were being investigated in the four home countries in which to hold Conduct and Competence and Health Panels after 1 May 2003.
- 7.5 A detailed letter would be sent to all registrants explaining the new Rules and procedures once these had been agreed and information would be sent to the Professional Bodies and would be published on the HPC website.

Item 8.03/29 DRAFT RULES

- 8.1 The Council received an oral report from Mr Jonathan Bracken, Bircham, Dyson Bell.
- 8.2 Mr Bracken noted that the Rules were undergoing a number of final amendments before being signed off by the Privy Council. After this they would be publicly available.

Item 9.03/30 REGULATION OF NEW PROFESSIONS BY THE HPC

- 9.1 The Council received a paper from the Executive.
- 9.2 The Executive had drafted an application form and guidance notes for use by professions seeking to be regulated by the HPC. This had been given to a number of professions seeking regulation on a trial basis.
- 9.3 The Council noted the eleven criteria which professions wishing to apply for regulation by the HPC would be expected to meet. However the HPC could make a recommendation to the Secretary of State if a profession did not meet the eleven criteria but the HPC felt that it was in the public interest that the profession be regulated.
- 9.4 The Council noted that representatives of occupations considering applying for regulation should be encouraged to contact the HPC informally for advice before making a formal application.
- 9.5 It would be useful to have a sample completed application form. It was envisaged that this would be produced once the first applications had been received.
- 9.6 The Council noted that the application process included a period during which the Department of Health would hold a public consultation on whether an occupation should be admitted to the register.
- 9.7 The Council approved the application form and the guidance notes subject to a number of minor amendments. The Secretariat would circulate the final draft of the application form to Council members for final approval.

Action: CS

Item 10.03/31 STANDARDS OF PROFICIENCY AND RENEWAL OF REGISTRATION

- 10.1 The Council received a paper from the Mr Bracken, Bircham, Dyson, Bell.
- 10.2 The Council noted that the purpose of the paper was to clarify a comment in a paper on the same subject which was presented to the January 2003 meeting of Council.
- 10.3 The Council referred the paper to the newly formed Professional Liaison Group on CPD.

Item 11.03/32 HPC AND MEDIATION

- 11.1 The Council received a paper from the Executive.
- 11.2 The Council noted that there was a requirement in the Health Professions Order 2001 that the Council should put a mediation scheme in place.
- 11.3 Council was requested to decide:
- (i) Whether to institute its own mediation scheme without any further external input. The Executive would need to identify the resources (financial and personnel) required, personnel training and appraisal, CPD and success criteria. The Executive noted that mediation was a specialist field in which expert knowledge and skills were crucial. Should Council choose to pursue this option, recruitment of individuals with such knowledge and skills might well be necessary.
 - (ii) Whether to outsource its mediation scheme, either partly or wholly as discussed above, to a third party. The Executive would need to draft selection criteria against which to select an organization. Council would enter into a contract with the approved organization. The contract would be drafted with legal assistance and presented to Council for its approval at the next meeting. The organization would provide regular (perhaps bi-yearly) updates to Council about the scheme.
- 11.4 The Council agreed that more information was required regarding the costs of this service before a decision could be taken. The Executive should approach other organisations which use mediation to seek information regarding their experiences.

Action: CS

Item 12.03/33 CONSULTATION PAPERS RECEIVED SINCE THE LAST MEETING

- 12.1 The Council received a paper from the Executive.
- 12.2 The Council noted the proposed expansion in the number of work focused foundation degrees which would be used as an entry point for courses leading to regulation by the HPC. A number of such degrees were already in existence.

Item 13.03/34 MINUTES OF THE REGISTRATION COMMITTEE HELD ON 29 JANUARY 2003

- 13.1 The Council received the minutes of the Registration Committee held on 29 January 2003.
- 13.2 The Council noted that a further meeting of the Registration Committee had taken place on 6 March 2003. The meeting had discussed the criteria for assessing applicants for entry to the register against the Standards of Proficiency. The Registration Committee had decided to set up working groups for each profession to develop the criteria.
- 13.3 The Registration Committee would hold a meeting of registrant members and alternates on Council to discuss and determine exactly what the groups would be asked to do. A date of 17 March was suggested for this meeting. Members were asked to inform the Secretariat regarding their availability.
Action: All registrant and alternate members

Item 14.03/35 MINUTES OF THE FINANCE AND RESOURCES COMMITTEE HELD ON 13 FEBRUARY 2003

- 14.1 The Council received the minutes of the Finance and Resources Committee held on 13 February 2003.
- 14.2 The Council noted that the HPC investment portfolio had fallen by less than the average fall in world markets and that the brokers handling HPC investments were judged to be doing so effectively.
- 14.3 The Council also noted that the delay in approving the Rules would cause a drop in anticipated funds for the 2003/2004 financial year.
- 14.4 The HPC staff pension fund appeared to be performing well. A presentation would be made to staff in the near future.
- 14.5 The Council noted thanks to the Department of Health for the additional start-up funds which had been provided.
- 14.6 The Council noted that any comments on the investment strategy should be passed to the Finance and Resources Committee for discussion.
- 14.7 The Finance and Resources Committee would discuss a document on risk assessment which would be presented to Council.

Item 15.03/36 THE COUNCIL FOR PROFESSIONALS SUPPLEMENTARY TO MEDICINE PENSION FUND.

- 15.1 The Council received a paper from the Executive.
- 15.2 **The Council ratified:**

(i) the appointment of new Trustees as follows, with effect from 30th April 2002:

Mr C C Lea
Mr M J Seale
FPS Trustee Company Limited

and

(ii) the transfer of rights, liabilities and obligations as principal employer shall pass from CPSM to HPC.

Item (ii) above required a Deed to be sealed and in authorising this item, the Council authorised the use of the Common Seal of the HPC.

Item 16.03/37 MINUTES OF THE COMMUNICATIONS COMMITTEE HELD ON 18 FEBRUARY 2003

- 16.1 The Council received the minutes of the Communications Committee held on 18 February 2003.
- 16.2 The Council noted that 1000 invitations to the relaunch event to be held in Edinburgh on 9 April had been sent out and that to date 113 acceptances had been received. The Health Minister Malcolm Chisholm had cancelled his appearance at the relaunch event due to the Scottish elections which were being held on 1 May 2003. A member of the Scottish Executive would appear instead.
- 16.3 To date 27 brochures had been completed and 4 had been submitted for a crystal mark. In most cases the brochures had been approved by committee chairmen. Small print runs of the brochures were planned for the launch on 9 April after which the brochures would be considered by the relevant committees and any necessary amendments could be made. Larger quantities of the brochures would be printed later this year.
- 16.4 The Council noted the importance of ensuring that the information and guidance contained within the brochures was correct. It was agreed that the Education and Training Committee should consider relevant brochures at the next meeting of the Committee on 26 March 2003. These brochures would only be published if they had been approved by the Committee.
- 16.5 The importance of sound judgement in communications between Council members and the Executive was emphasised.

Item 17.03/38 MINUTES OF THE INVESTIGATING IMPLEMENTATION WORKING PARTY HELD ON 13 JANUARY 2003

The Council received the minutes of the Investigating Implementation Working Party held on 13 January 2003.

Item 18.03/39 MINUTES OF THE EDUCATION AND TRAINING COMMITTEE HELD ON 12 FEBRUARY 2003

- 18.1 The Council received the minutes of the Education and Training Committee held on 12 February 2003.
- 18.2 The Council noted that only people approved by the HPC could be used in 'partner' capacities once the Rules had been approved by the Privy Council.
- 18.3 The Council noted the importance of communicating issues surrounding multi-professional and uni-professional standards of proficiency to registrants.

Item 19.03/40 MINUTES OF THE CONDUCT AND COMPETENCE COMMITTEE HELD ON 20 FEBRUARY 2003

- 18.1 The Council received the minutes of the Conduct and Competence Committee held on 20 February 2003.
- 18.2 The Council noted that advice was being sought from Mr Bracken regarding the nature of the relationship between panels and the Conduct and Competence Committee.
- 18.3 The Standards of Practice would be put before Council when the drafting process was finalised.

Item 20.03/41 COMMENCEMENT ORDER

The Council noted that the Department of Health had separated the implementation of the constitutional and the procedural rules of the practice committees and therefore as of 22 January 2003 the practice committees could make decisions on all matters except those relating to disciplinary cases.

Item 21.03.41 ANY OTHER BUSINESS

The Council noted that the Secretariat had produced an information pack for members. This contained practical information which would be of use to members and staff at the HPC. Copies would be posted to members in the days following the meeting.

Item 22.03/42 DATE AND TIME OF NEXT MEETING

- 21.1 The next meeting of the Council would be held at 11am on Wednesday 2 April 2003.

21.2 Further meetings would be held on the following dates:

Wednesday 4 June 2003 (11am)

Wednesday 17 September 2003 (11am)

**Wednesday 8 October 2003 and Thursday 9 October 2003 -
'away day' – (start time tba)**

Thursday 11 December 2003 (start time tba)

Tuesday 2 March 2004 (11am)