

**Health Professions Council
Council – 11 May 2006**

PARTNER RE-APPOINTMENTS PROCESS

Executive Summary and Recommendations

Introduction

By July 2006, a total of 296 Partner contracts will come to an end. This will affect all Partner roles across 13 of the regulated professions, in addition to Lay Partners.

Further to internal meetings with the relevant Managers to discuss Partner numbers in relation to forecast business needs, it has become clear that it will not be necessary to renew all of the contracts. For details of the number of Partners affected by this, please see Appendix 1.

It will however, be necessary to renew a number of contracts to ensure that the operational needs of Fitness to Practise, Education and International departments are met. It is clearly important that a fair and transparent method is used to select those Partners who will be re-appointed, in addition to ensuring that all legal requirements are met. Legal advice on this matter, details of which can be found at Appendix 2, has been sought from Kingsley Napley, HPC's Human Resource Lawyers.

It is essential that the HPC retain as many experienced Partners as possible to ensure minimum disruption to the organisation. In order to ensure that this is the case, The Executive recommend that all Partners due for contract renewal are written to and invited to apply for re-appointment by providing a written statement to the HPC, detailing their relevant experience to date. While it is likely that priority will be given to those who have had previous experience of working with the HPC, any other relevant experience will be taken into consideration, for example similar work undertaken with other regulators or Health Authorities.

As all Partners have already undergone a lengthy recruitment process, including the provision of two references and Council approval, it is recommended that this is a paper exercise only and that the relevant Head of Department and Partner Manager make the final decision as to who is re-appointed. Alternatively Council may wish to assemble a 'Panel' for each profession, to look at the submitted statements in order to decide who will be re-appointed. There would be an average cost of £520 per day, per panel, which would translate to a minimum £6,760 for the re-appointments process.

The proposed re-appointment letter to Partners can be found at Appendix 3 and an example of the draft re-appointment assessment forms at Appendix 4.

Date
2006-04-06

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Dept/Cmte
HRD

Doc Type
COR

Title
May 11 Council - Re-appointments
Process

Status
Final
DD: None

Int. Aud.
Internal
RD: None

Decision

Council are asked to approve:

- That all Partners with contracts expiring by end July 2006 are written to and given an opportunity to re-apply.
- That priority for re-appointment is given to those Partners who have already been used, as advised by Kingsley Napley.
- That the re-appointments exercise is paper based only and that no short listing or interviews will take place.

Background Information

In early 2005, it became apparent that the Partner Programme was over-subscribed and that many Partners had never been called upon to fulfil the duties associated with their role. Some had received Partner training but had never been called upon by the HPC, while others were appointed but never offered training due to the high volume of people recruited and limited resources.

This has generated a large volume of complaints from Partners who feel frustrated at not being used after participating in a lengthy recruitment process. In addition, many Partners have voiced concern over the prospect of being called upon, if they have rarely practised the skills associated with their Partner role since training.

The HPC would greatly benefit from a smaller more experienced group of Partners. This would assist operationally, allow us to have a more practised and experienced group, in addition to helping with performance appraisal, re-training and general communication.

Resource Implications

Partner Manager and Relevant Head of Department time.

Partner Administrator time for mail outs and processing paperwork.

Financial Implications

2006/7 budget Mail outs to all Partners affected.

Appendices

- Appendix 1 Number of Partners Affected by the Re-appointments process
- Appendix 2 Legal Advice from Kingsley Napley.
- Appendix 3 Draft re-appointment letter to Partners.
- Appendix 4 Draft re-appointment assessment forms.

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Visitors (* indicates a deficit in numbers, to be recruited for after July 2006)

| Profession | Current Nos. | Contracts due to expire | Total Needed by Education Dept. |
|----------------------|--------------|-------------------------|---------------------------------|
| Arts Therapists | 24 | 12 | 10 |
| Biomedical Sc. | 12 | 2 | 16* |
| Chiropodists | 24 | 16 | 8 |
| Clinical Sc | 43 | 14 | 4 |
| Dietitian | 14 | 14 | 8 |
| Lay | 24 | 24 | 6 |
| ODP | 15 | 0 | 20* |
| Orthoptist | 12 | 5 | 4 |
| Occupational Therap. | 22 | 13 | 16 |
| Paramedics | 24 | 7 | 15 |
| Physiotherapists | 20 | 9 | 16 |
| Prosth & Orth | 2 | 2 | 4 |
| Radiographers | 33 | 24 | 16 |
| SLTs | 25 | 21 | 8 |
| Total | 294 | 163 | 151 |

Panel Members

| Profession | Current Nos. | Contracts due to expire | Total Needed by Fitness to Prac. |
|----------------------|--------------|-------------------------|----------------------------------|
| Arts Therapists | 8 | 7 | 8 |
| Biomedical Sc. | 26 | 12 | 15 |
| Chiropodists | 13 | 6 | 10 |
| Clinical Sc | 51 | 16 | 30 |
| Dietitian | 14 | 14 | 10 |
| Lay | 65 | 65 | 40 |
| Legal Assess | 14 | 8 | 14 |
| ODP | 11 | 0 | 11 |
| Orthoptist | 8 | 3 | 5 |
| Occupational Therap. | 13 | 5 | 10 |
| Paramedics | 16 | 7 | 16 |
| Physiotherapists | 40 | 20 | 25 |
| Prosth & Orth | 6 | 3 | 6 |
| Radiographers | 22 | 13 | 12 |
| SLTs | 13 | 10 | 13 |
| Total | 320 | 189 | 225 |

Registration Assessors

| Profession | Current Nos. | Contracts due to expire | Total Needed by Education Dept. |
|----------------------|--------------|-------------------------|---------------------------------|
| Arts Therapists | 9 | 8 | 9 |
| Biomedical Sc. | 19 | 5 | 16 |
| Chiropodists | 16 | 12 | 6 |
| Clinical Sc | 49 | 15 | 33 |
| Dietitian | 12 | 12 | 8 |
| Lay | 0 | 0 | 0 |
| ODP | 6 | 0 | 4 |
| Orthoptist | 8 | 4 | 3 |
| Occupational Therap. | 14 | 7 | 12 |
| Paramedics | 18 | 8 | 6 |
| Physiotherapists | 32 | 16 | 18 |
| Prosth & Orth | 3 | 3 | 3 |
| Radiographers | 21 | 14 | 18 |
| SLTs | 15 | 12 | 12 |
| Total | 222 | 116 | 148 |

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Hi Liz

Thank you for your email of 21 March, received yesterday on my return to the office.

As the Partners are self-employed, the HPC can elect not to renew contracts upon expiry without providing a reason for non-renewal, but I suspect that some non-renewed Partners will seek an explanation from the HPC as to why they are no longer required. For this reason I believe it is to the HPC's advantage that some Partners have not received training and/or have not been allocated work as this indicates the HPC appointed more Partners than it actually needs - an excellent (and reasonable) reason for non-renewal.

Although it would be preferable for all Partners to be invited to re-apply for their positions (to avoid allegations of unfairness etc), it is likely that there will be natural wastage and those who have not been utilised to date might not re-apply, particularly if the explanation put forward is that the HPC needed a three year period in which it to assess the requirements for Partners allocated to the various health professions. It is clear that some professions have proved busier than others, which highlighted over-subscription in certain areas. This over-subscription is now being addressed by non-renewal of those surplus Partners.

I appreciate the need for the HPC to act fairly, but those Partners who have received training, been allocated work and who have proved their suitability, should be retained. They should be identified at an early stage, well ahead of expiry of their contracts, to organise renewals.

In respect of your two proposals, although administratively burdensome, it would appear a fairer process if all Partners whose contracts are due to expire were given an opportunity to re-apply. A standard letter would be useful, as it could make clear that not all contracts will be renewed due to over-subscription of Partners for certain health professions and a need to reduce Partners numbers now that Committee workloads have been assessed. Including such explanation would help to manage expectations - those Partners who have not yet been trained and/or allocated work would then hopefully not expect renewal as a matter of course.

The HPC cannot be criticised for retaining Partners who are qualified, have the right experience, have undertaken HPC work, and maintained a good working relationship with the HPC. The HPC has a duty to ensure that the Partners it appoints perform the functions of their role to an acceptable standard, such standard being indicated by the above criteria.

The only risk I can envisage with option 1) of your email is that Partners whose contracts were simply terminated or who were not given an opportunity to re-apply might cause difficulties. Option 2) does create a more administrative burden, but is less likely to be criticised because of the appearance of fairness (despite both options relying on the same criteria for re-appointment).

I hope the above assists.

Karen Hostick
Solicitor

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We are regulated by the Law Society. A list of partners is available at the above address.

| Date | Ver. | Dept/Cmte | Doc Type | Title | Status | Int. Aud. |
|------------|------|-----------|----------|--|-------------------|----------------------|
| 2006-04-06 | a | HRD | COR | May 11 Council - Re-appointments Process | Final DD: None | Internal RD: None |

Dear

Re: Health Professions Council (HPC) Partner Agreement

As you may be aware, your HPC Partner agreement for the role of **Panel Member** will end on **7th July 2006**. The HPC has now had an opportunity to assess the requirements for Partners allocated to various roles and it is clear that some professions have proved busier than others. As a result, many Partners are rarely called upon to fulfil the duties associated with the role of **Panel Member**, while others have never been called upon at all.

In my letter to all Partners of 4th April 2005, I explained that the HPC had oversubscribed in certain areas. This over-subscription is now being addressed by the non-renewal of those surplus Partners' agreements. As a result, all of the 296 Partners whose contract ends in 2006, will be asked to indicate whether they wish to have their appointment renewed for a further two years. For an indication of how many **Panel Members** will be required, please see the attached sheet.

It is vitally important to the HPC to ensure that all of the **Panel Members** retained are suitably qualified and experienced. While it is likely that priority will be given to those who have been trained and worked with the HPC, you may have other experience which is directly relevant and this will most certainly be taken into account.

In order to be considered for re-appointment, it is necessary to complete a supporting statement, details of which can be found on the attached form. Please also find enclosed the relevant Partner Role Brief. As all Partners have already submitted 2 satisfactory references and been approved by Council, only the supporting statement will be used to decide whether Partners are re-appointed.

If you undertake any other role for the HPC, you will be contacted about this separately. Please only submit your supporting statement with reference to your experience and suitability to the role of **Panel Member**. All supporting statements must be received by the HPC no later than **xxxxxx xxxxxxxxxxxxxxxx**.

I would like to take this opportunity to reassure you that the HPC values the contribution that Partners make to the overall success of the organisation and thank you for the commitment and hard work you have personally contributed. While we appreciate that this re-appointment exercise may come as a surprise, I am sure you will appreciate why it is necessary and hope you will contact me, in confidence, on 020 7840 9757 if you have any questions or concerns.

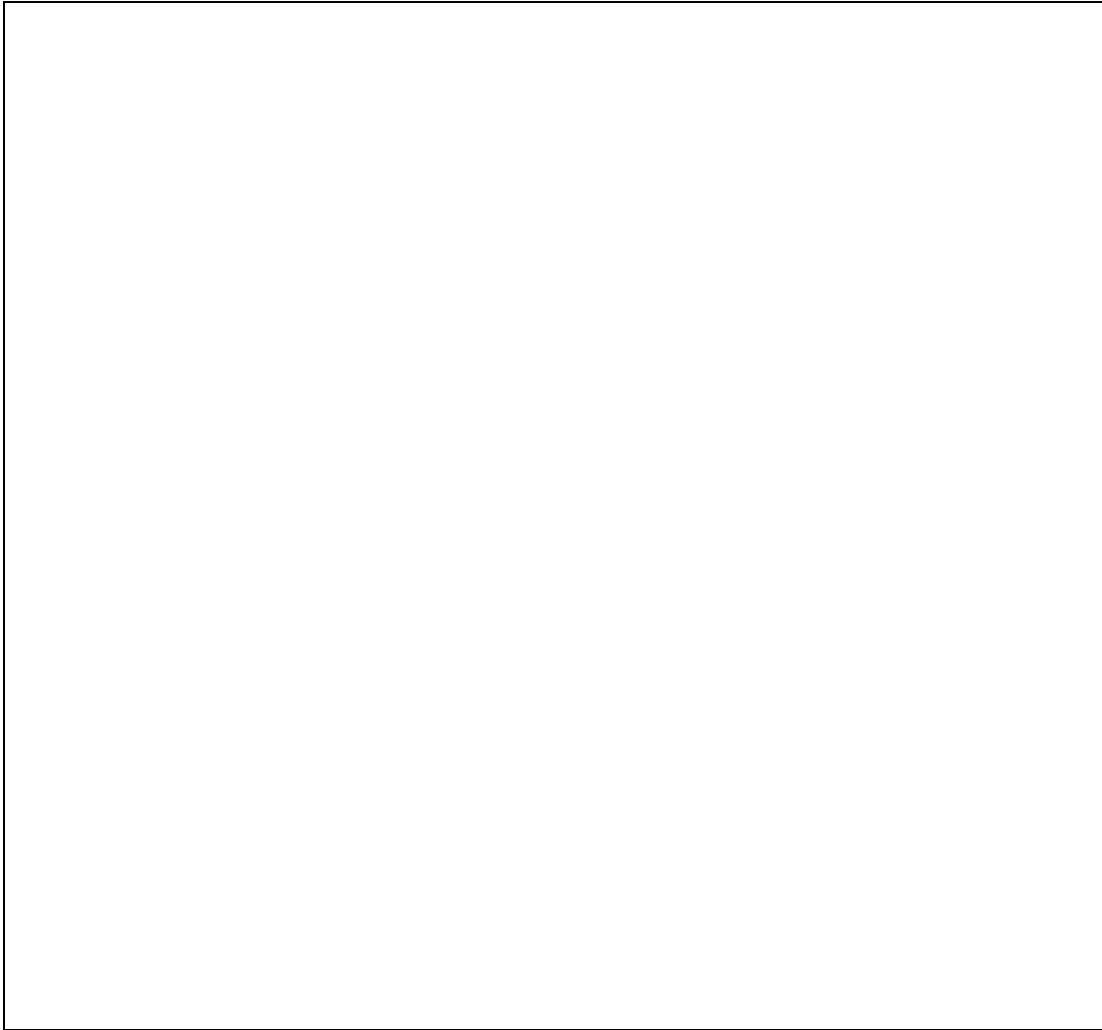
HPC Panel Member Re-Appointment

Name of Panel Member

Profession *(please specify modality / specialism if relevant. If you are not an HPC Registrant please put 'Lay')*
.....

Please use this form, and a continuation sheet if necessary to submit your supporting statement for re-appointment. Re-appointments will be made in consideration of the following criteria.

- An understanding of the importance of upholding public interest in all that the HPC undertakes is.
- Experience of working as a Panel Member with the HPC on Investigating, Health and/or Conduct and Competence panles.
- Experience of working as a Panel Member on Fitness to Practice Hearings with other organisations.
- Well developed communication skills
- Ability to devote the time, commitment and energy to support the development of the Health Professions Council
- Any other training or professional development since your initial application.
- Demonstrable experience in contributing to and encouraging open and pro-active accountability to the public and the professions.



Please sign and Return to: Partner Manager, The Health Professions Council, Park House
184 Kennington Park Road, London SE11 4BU by **xxxxxxdate**

Signature.....

Date.....

Date
2006-04-06

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HPC PANEL MEMBER RE-APPOINTMENT ASSESSMENT FORM

Name of Panel Member

Profession.....

| CRITERIA | FULLY MET | PARTLY MET | NOT MET | COMMENTS |
|--|--------------|---------------|------------|----------|
| An understanding of the importance of upholding public interest in all that the HPC undertakes. | | | | |
| Experience of working with the HPC on Investigating, Health and/or Conduct and Competence Hearings. | | | | |
| Experience of working on Fitness to Practice Hearings within other organisations. | | | | |
| Well developed communication skills | | | | |
| Devote the commitment and energy to support the development of the Health Professions Council | | | | |
| Any other training or professional development that would assist them as a Panel Member. | | | | |
| Demonstrable experience in contributing to and encouraging open and pro-active accountability to the public and the professions. | | | | |

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