

**Council**

**Minutes of the 114<sup>th</sup> meeting of the Health and Care Professions Council as follows:-**

**Date:** Wednesday 6 December 2017

**Time:** 2pm

**Venue:** Rooms D & G, Health and Care Professions Council, Park House,  
184 Kennington Park Road, London SE11 4BU

**Present:** Elaine Buckley (Chair)  
Stephen Cohen  
Maureen Drake  
Sue Gallone  
Sonya Lam  
Eileen Mullan  
Joanna Mussen  
Gavin Scott  
Robert Templeton  
Nicola Wood  
Stephen Wordsworth

**In attendance:**

Claire Amor, Secretary to Council  
John Barwick, Acting Director of Fitness to Practise  
Kayleigh Birtwistle, Quality Compliance Auditor  
Jonathan Bracken, Solicitor to Council  
Rebecca Bryan, FTP Quality Compliance Manager  
Ellis Christie, FTP Quality Compliance Officer  
Laura Coffey, Head of Case Reception and Triage  
Roy Dunn, Head of Business Process Improvement  
Guy Gaskins, Director of Information Technology  
Andy Gillies, Director of Finance  
Abigail Gorringer, Director of Education  
Kellie Green, Head of FTP Operations  
Michael Guthrie, Director of Policy and Standards  
Teresa Haskins, Director of Human Resources

Jacqueline Ladds, Director of Communications  
Louise Lake, Director of Council and Committee Services  
Matthew Nelson, Education Systems and Quality Manager  
Greg Ross-Sampson, Director of Operations  
Marc Seale, Chief Executive and Registrar  
John Tallis, Assurance and Development Officer  
John Witt, Capsticks Solicitors LLP

Draft

## Public Agenda

### **Item 1.17/165 Chair's welcome and introduction**

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 114<sup>th</sup> meeting of Council.

### **Item 2.17/166 Apologies for absence**

- 2.1 Apologies were received from Graham Towl.

### **Item 3.17/167 Approval of Agenda**

- 3.1 The Council approved the agenda.

### **Item 4.17/168 Declaration of Members' interests**

- 4.1 Nicola Wood declared a standing interest as a non-executive Director of the Board of the Information Commissioner's Office.

### **Item 5.17/169 Minutes of the Council meeting of 20 and 21 September 2017**

- 5.1 The Council considered the minutes of the 113<sup>th</sup> meeting of the Health and Care Professions Council.
- 5.2 The Council agreed the minutes.

### **Item 6.17/170 Matters arising**

- 6.1 The Council noted those matters arising from the meetings held on 20 and 21 September 2017.
- 6.2 The Council received a verbal update on matters arising item two, relating to the symbols used to represent the different HCPC professions. It was noted that the symbols have been in use since 2011 when the 'check the register' app was introduced. The symbols were tested with service user groups during the production of the guide 'What you should expect from your health and care professional'. No negative feedback has been received about the symbols, but these will be reviewed and tested with stakeholders as part of a planned HCPC visual identity review.
- 6.3 The Council noted the report.

### **Item 7.17/171 Chair's report**

- 7.1 The Council received a report from the Chair.

7.2 During discussion the following points were noted:-

- in October the HCPC undertook a number of well received stakeholder engagement meetings in Northern Ireland. In addition, Council and the Executive held a successful development session identifying the key priorities which will inform the corporate business plan;
- several HCPC colleagues including the Chair and two Council members attended and contributed to the annual Scottish regulatory conference on 30 October;
- the Chair and Chief Executive have recently met with a number of professional bodies. Effort has been made to connect with the smaller professional bodies as part of this cycle of meetings; and
- following the recent Council governance review, recruitment of independent members of committees has now concluded.

7.3 The Council noted that, following confirmation from the Privy Council, Kathryn Foreman will join the Council as a lay member from 1 January 2018. The Chair requested that members begin to include Kathryn in group email discussion between Council meetings.

7.4 The Chair noted that Council member Nicola Wood would end her term of office on 31 December 2017 and that this was her last Council meeting, The Chair thanked Nicola for her contribution to Council and Remuneration Committee.

7.5 The Council noted the report.

#### **Item 8.17/172 Chief Executive's report**

8.1 The Council received a report from the Chief Executive.

8.2 The Chief Executive highlighted the following points from his report:-

- a further meeting with the Department of Health and Department for Education regarding the regulation of social workers in England took place on 25 October. Registration and education arrangements were discussed;
- the roles of Chief Executive and Chair of Social Work England are being advertised;
- on 30 November, the HCPC and GMC attended a roundtable meeting with Minister of State for Health, Philip Dunne, and the Royal Colleges. Those in attendance agreed that regulation of physician's associates is desirable;

- the Chief Executives and Chairs of the 9 healthcare professions regulators and the PSA met on 27 November to discuss regulatory reform. It was agreed that a common position should be sought on what the regulators are seeking from reform;
  - Government has recently published three relevant consultations, regulation of medical associate professions including physician associates, reform of professional regulation and regulation of nursing associates in England. In addition, the PSA has published its report 'Right touch reform';
  - on 15 November the HCPC held a joint research seminar with the Australian Health Practitioner Regulation Agency. The Director of Policy and Standards and Council member Stephen Wordsworth co-presented on the University of Surrey research; and
  - the HCPC has agreed to seek to extend its contract with Kingsley Napley for a further 12 months to 31 March 2019. This decision was agreed by the Director of Fitness to Practise, Chief Executive and Chair, and was made in light of the current uncertainty about the timetable for the transfer of the regulation of social workers in England. The contract will be re-tendered in 2019-20.
- 8.3 The Council discussed the rise in open pre investigating committee fitness to practise cases. It was noted that this rise could be attributed to the extra scrutiny and proactive investigation work applied following concerns raised by the PSA.
- 8.4 The Council requested that in future the graph of registrant numbers on page 50 of the report be presented both with and without social workers in preparation for the transfer.
- 8.5 The Council discussed the registration transformation project. It was noted that unexpected issues arose during the penetration testing phase and that these bugs required a fix before the system could go live. The Executive are requesting an early release from Microsoft of the fix for these issues which is currently due to roll out in January 2018.
- 8.6 The Council noted that employee turnover rate remains relatively high. The average length of service of a HCPC employee is 4 years 7 months, the median is 3 years 4 months. The Council noted that focused work on retention is ongoing. The Executive has converted many fixed term positions into permanent roles as discussed by Council in September 2017, however this is not yet reflected in the report.
- 8.7 The Council agreed that the Chief Executive would report to the Council on progress of the PSA performance report action plan at future meetings.
- 8.8 The Council noted the report.

## **Item 9.17/173 Social Work England**

9.1 The Chief Executive provided the Council with a verbal update on recent progress in the government's plans for a new regulator, Social Work England. The Council noted the following points:-

- the HCPC's input has been sought for a Cabinet Office infrastructure review of the current timetable for the project;
- the Executive is reviewing detailed income assumptions with a focus on timing. The Executive considers it vital to avoid a situation where registrants are charged registration fees twice, as occurred with the GSCC transfer; and
- no funding has been released to cover the HCPC's costs in preparing for the transfer. It is expected this will progress when secondary legislation is passed. It was noted that the current resource requirements are manageable.

9.2 The Council discussed the financial challenges posed by the loss of income post social worker transfer. The Council expressed the need for the Executive to alert the Council if and when action is needed in terms of a decision on fee levels. It was noted that analysis of the impact on income has been undertaken and discussed by Council but that this should continue and that the Council should reach a conclusion on fees before the new financial year due to the long lead times involved in achieving legislative agreement for any increase.

9.3 The Council did not consider that all possibilities for reducing costs had been explored and that this should continue.

9.4 The Council agreed that the HCPC's communication of what registrants get for their fees or making enhancements to this should also be explored if the Council agrees to pursue a rise in registration fee.

## **Item 10.17/174 Professional Standards Authority for Health and Social Care Performance Review Report 2016-17 and HCPC's future plan**

10.1 The Council received a report from the Executive.

10.2 The Council noted that the PSA published its annual performance review of the HCPC in October 2017. The PSA concluded that the HCPC met all of the standards relating to guidance and standards, education and training and registration. However, of the ten fitness to practise standards, six were not met.

10.3 The Executive accepts the areas of concern identified by the PSA and acknowledge that an extensive programme of activity is needed to ensure the required improvement. This includes both strategic and operational changes.

10.4 During discussion the following points were noted:-

- on receipt of the PSA's draft performance report for 2016-17, immediate steps were taken to evaluate whether the higher risk concerns remained current. Where this was the case, steps have been taken to manage the risk while a longer-term improvement plan was developed;
- the PSA has recognised the progress made on timeliness and risk assessment quality since the last performance report;
- the Executive has initiated an FTP Improvement project to address the areas of improvement identified. This will be managed as a major project. This will ensure regular reporting and oversight by the Executive and Council as well as the consideration of potential resource impacts and impact on other departments;
- the realignment of the fitness to practise department was implemented in December 2016. A detailed evaluation of the impact of the realignment is part of the current departmental work plan;
- the turnover of Case Managers poses a challenge as reliance on temporary resource can have an impact on quality. The other health care regulators face similar challenge in this area and the HCPC is working with the other regulators to identify ways to improve retention;
- provision for an additional seven posts to ensure the department has sufficient capacity to address the key concerns has already been secured and reflected in the month 6 budget reforecast. Recruitment to these posts has commenced; and
- refresher training on the case closure process has already completed. New interactive training delivery is being utilized.

10.5 The Council welcomed the response to the report and proposed improvement plan as thorough and honest. It acknowledged the ambitiousness of the plans set out and the challenges ahead in effecting change.

10.6 The Council questioned the likelihood that the HCPC would meet the 10 FTP standards in the next performance report. It was noted that improvements would take time due to the life cycle of FTP cases and that the performance review process for 2017-18 has already been initiated. The PSA will be reviewing cases already in the system that will not be impacted by improvement work already undertaken. The Executive stated that it hoped that progress in the areas of risk assessment and timeliness would be acknowledged by the PSA in the next report due to the focused efforts to improve these areas over the last year.

10.7 The Council discussed how it will measure performance improvement resulting from the improvement plan. It was noted that key evaluation

activities are built into the plan for this purpose. Regular updates on the action plan will be provided through the Chief Executive's report. It was suggested that the Audit Committee could have a role in monitoring progress and that the internal auditors, Grant Thornton, could be engaged to provide an external scrutiny and support.

- 10.8 The Council discussed the reputational impact of the report. It was noted that the report was not picked up by the professional press. The Chair and Chief Executive have included the performance report on the agenda for their current cycle of professional body meetings. It was agreed that consideration of how best to communicate the HCPC's FTP messages is required.
- 10.9 The Council discussed the HCPC's relationship with the PSA. The Council considered that this was a weakness previously not identified and addressed adequately. It was noted that the Director of Fitness to Practise now regularly meets with the PSA's Director of Scrutiny and Quality, ensuring that they are informed of improvement progress in their areas of concerns. The Chair and Chief Executive also continue to meet regularly with their counterparts at the PSA.
- 10.10 The Council discussed the nature of PSA standards and how these are met. It was agreed that there is a level of interpretation for each regulator to engage with. It was agreed that the HCPC can judge its performance by looking for improvements on previous year's performance.
- 10.11 The Council discussed the HCPC performance against the PSA standards historically. It was noted that the level of performance required to meet the standards has developed with time and the HCPC's perception of the standards thresholds may not have kept up with this.
- 10.11 The Council agreed that it would hold a session to explore what the Council and Executive consider good performance looks like within the PSA standards framework. It was agreed that this session will take place before the Council meeting in February 2018. It was noted that this understanding could be enhanced by stakeholder engagement.
- 10.12 The Council emphasised that the Executive should raise with it any concerns about resource at the earliest opportunity. It was noted that Council will discuss the Corporate Plan and KPIs in January 2018. FTP improvement will be a key area for KPI development.
- 10.13 The Council thanked the Director of Fitness to Practice and his colleagues for their openness in developing an improvement plan to address the concerns raised. The Council emphasised shared ownership of the issues raised is required and that the action plan should be seen as HCPC wide and not specifically focused on the Fitness to Practise Directorate.
- 10.12 The Council noted the contents of the paper.



### **Item 11.17/175 Internal Quality Assurance**

- 11.1 The Council received a report from the Executive.
- 11.2 The Council received an overview of current internal quality assurance activity.
- 11.3 It was noted that the Executive are reviewing arrangements in order to raise the profile of internal quality assurance. The Executive is working with internal auditors, Grant Thornton, to develop a brief for consultancy advice. It will focus on assurance on the quality of judgements that are made in the core regulatory processes, including the best way to organise and deliver this quality assurance activity and resource.
- 11.4 The Council noted that the Director of Policy and Standards will assume an oversight role for internal quality assurance. He will provide 'external' challenge to annual quality assurance work plans and receive and consider copies of audit reports. He will also look at developing improved reporting to the Chief Executive and Executive Management Team.
- 11.5 The Council noted the report.

### **Item 12.17/176 Resolution**

#### **Resolution**

The Council is invited to adopt the following:

'The Council hereby resolves that the remainder of the meeting shall be held in private, because the matters being discussed relate to the following;

- (a) information relating to a registrant, former registrant or application for registration;
- (b) information relating to an employee or office holder, former employee or applicant for any post or office;
- (c) the terms of, or expenditure under, a tender or contract for the purchase or supply of goods or services or the acquisition or disposal of property;
- (d) negotiations or consultation concerning labour relations between the Council and its employees;
- (e) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
- (f) action being taken to prevent or detect crime to prosecute offenders; the source of information given to the Council in confidence; or
- (h) any other matter which, in the opinion of the Chair, is confidential or the public disclosure of which would prejudice the effective discharge of the Council's functions.'

<b>Item</b>	<b>Reason for Exclusion</b>
13	a, b, c, g, h
14	b
15	b

Summary of matters discussed in private session;

- The Council considered the private minutes of its meeting held on 20 and 21 September 2017
- The Council confirmed the membership of the Education and Training Committee
- The Council, Chief Executive and Director of Human Resources discussed future leadership at the HCPC

Chair: .....

Date: .....

Draft

## Council

### Minutes of the 114<sup>th</sup> meeting of the Health and Care Professions Council as follows:-

**Date:** Thursday 7 December 2017

**Time:** 10am

**Venue:** Rooms D & G, Health and Care Professions Council, Park House,  
184 Kennington Park Road, London SE11 4BU

**Present:** Elaine Buckley (Chair)  
Maureen Drake  
Sue Gallone  
Sonya Lam  
Joanna Mussen  
Gavin Scott  
Robert Templeton  
Nicola Wood  
Stephen Wordsworth

**In attendance:**

Claire Amor, Secretary to Council  
Kayleigh Birtwistle, Quality Compliance Auditor  
John Barwick, Acting Director of Fitness to Practise  
Jonathan Bracken, Solicitor to Council  
Roy Dunn, Head of Business Process Improvement  
Guy Gaskins, Director of Information Technology  
Abigail Gorringe, Director of Education  
Michael Guthrie, Director of Policy and Standards  
Teresa Haskins, Director of Human Resources (from item 8)  
Michael Humphreys, Professional Standards Authority  
Grant Imlach, Media and PR Manager  
Louise Lake, Director of Council and Committee Services  
Jacqueline Ladds, Director of Communications  
Antonio Pinheiro, Finance and Procurement Officer  
Sarah Ritchie, Policy Officer  
Greg Ross-Sampson, Director of Operations  
Marc Seale, Chief Executive and Registrar (until item 11)  
Tian Tian, Head of Financial Accounting

## Public Agenda

### **Item 1.17/181 Chair's welcome and introduction**

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 114<sup>th</sup> meeting of Council.

### **Item 2.17/182 Apologies for absence**

- 2.1 Apologies were received from Stephen Cohen, Eileen Mullan and Graham Towl.

### **Item 3.17/183 Approval of Agenda**

- 3.1 The Council approved the agenda.

### **Item 4.17/184 Declaration of Members' interests**

- 4.1 Nicola Wood declared a standing interest as a non-executive Director of the Board of the Information Commissioner's Office.

### **Item 5.17/185 Consultation on the regulation of medical associate professions**

- 5.1 The Council received a paper from the Executive.
- 5.2 During the discussion the following points were made:-
  - the Department of Health is consulting on the regulation of medical associate professions in the UK;
  - the consultation has been promoted via the HCPC website, social media, issues brief, the 'In Focus' newsletter and a stakeholder email; and
  - the Chief Executive and Chair are scheduled to meet with the President of the Faculty of Physician Associates of the Royal College of Physicians on 14 December.
- 5.3 The Council discussed the consultation question on the level of professional assurance appropriate for Surgical Care Practitioners and Advanced Critical Care Practitioners. It was agreed that the HCPC's response was a sound application of the PSA criteria for regulation. The possibility of an annotation for these groups was discussed. It was noted that the HCPC register already allows for sub-specialisms for example with psychologists.
- 5.4 The Council agreed that physician's associates need to be a distinct profession for public understanding of their role, and care is needed that they are not mistaken to be doctors by members of public.

5.5 The Council agreed the text of the consultation response

**Item 6.i.17/186 Minutes of the Audit Committee meeting held on 21 November 2017**

- 6.i.1 The Council received the minutes of the Audit Committee held on 21 November 2017.
- 6.i.2 Sue Gallone provided the Council with a verbal overview of the business considered by the Committee. It was noted that the Committee intends to hold a strategic risk workshop facilitated by the internal and external auditors. The timing of the workshop will be aligned with the Council's plans for the corporate plan.
- 6.i.3 The Council noted the minutes.

**Item 6.ii.17/187 2018-19 budget update**

- 6.ii.1 The Council received a paper from the Executive.
- 6.ii.2 The Council noted that the 2017-18 expenditure forecast and the 2018-19 income forecast were reviewed by the Audit Committee at its November meeting. It was noted that there is limited scope to allocate new resources within the expected budget.
- 6.ii.3 The Council welcomed the reduction in the PSA levy for the coming year.
- 6.ii.4 The Council discussed the presentation of the annual budget. It was agreed that cost headings, without the detailed internal division of resource determined by the Executive, would be more suited for Council's oversight role. The Council requested that cost lines were presented across the HCPC rather than each department specific.
- 6.ii.5 The Council noted the paper.

**Item 6.iii.17/188 Review of procurement policy and financial regulations**

- 6.iii.1 The Council received a paper from the Executive.
- 6.iii.2 The Council noted that the Audit Committee considered a revised draft procurement policy in September 2017. In discussion, the Committee agreed that the thresholds for approval of contracts should be different depending on whether the contract is specified within the annual budget or was not anticipated within the budget. The Committee agreed to recommend a revised procurement policy taking this change into account at its meeting in November 2017.

- 6.iii.3 The Council agreed that the wording of the policy would be amended to 'up to and including' for clarity process for contracts valued at £250k specifically.
- 6.iii.4 The Council approved the revised procurement policy and financial regulations.

**Item 6.iv.17/189 New Bank Account**

- 6.iv.1 The Council received a paper from the Executive.
- 6.iv.2 The Council noted that the Executive proposes to open a new deposit account with Nationwide in order to widen the HCPC options. Nationwide has a credit rating of A from Standard and Poor's and Aa3 from Moody's in keeping with the HCPC's investment policy, and currently offers competitive interest rates.
- 6.iv.3 The Council agreed that future papers relating to bank accounts will be considered in private session to minimise the risk of fraud.
- 6.iv.4 The Council agreed to open a deposit account with Nationwide.

**Item 7.17/190 Minutes of the Education and Training Committee meeting held on 11 October 2017 and 23 November 2017**

- 7.1 The Council received the minutes of the Education and Training Committee held on 11 October and 23 November 2017. The Chair of the Education and Training Committee provided a summary of the business considered.
- 7.2 The Council noted that the Education and Training Committee would revisit and clarify its previous discussion on its role in the HCPC's consultation process.
- 7.3 The Council noted the minutes.

**Item 8.i.17/191 Minutes of the Tribunal Advisory Committee meeting held on 16 November 2017**

- 8.i.1 The Council received the minutes of the Tribunal Advisory Committee held on 16 November 2017. The Executive provided a summary of the business considered.
- 8.i.2 The Council considered that the Tribunal Advisory Committee strategy should be referred to as a plan to avoid the perception that the Committee is a decision making body.
- 8.i.2 The Council noted the minutes.

### **Item 8.ii.17/192 Competency Framework for panel members**

- 8.ii.1 The Council received a paper from the Executive.
- 8.ii.2 The Council noted that the Tribunal Advisory Committee has undertaken a review of the competency framework for HCPC panel members and panel chairs and a new framework for HCPC legal assessors has been developed. The new frameworks were agreed for recommendation to Council by the TAC at its meeting in November 2017.
- 8.ii.3 The new competency frameworks are in line with current best practice and will provide a robust and practical foundation for panellist recruitment, feedback, learning and self-assessment for reappointment. The frameworks are informed by the Judicial Skills and Abilities Framework 2014 produced by the Courts and Tribunals Judiciary.
- 8.ii.4 The Council expressed its thanks to the Tribunal Advisory Committee for the considerable amount of work put into the revised competency framework
- 8.ii.5 The Council agreed that the framework should be applied to Registration Appeal Chairs.
- 8.ii.6 The Council approved the new competency framework for HCPC panel members, panel chairs and legal assessors.

### **Item 9.17/193 Fitness to Practise Publication Policy**

- 9.1 The Council received a report from the Executive.
- 9.2 The Council noted that the Solicitor to Council has undertaken a review of the HCPC fitness to practise publication policy in response to the establishment of the HPCTS. This review was completed following difficulties the HCPTS were having explaining the policy to registrant's queries about publications on the HPCTS website despite the policy remaining under the HCPC.
- 9.3 The Council noted that amendments have been made to the Consent Orders section, emphasising that hearings will be published in the same way as other fitness to practise decisions.
- 9.4 The Council noted that the length of time decisions are published was agreed in consultation with the professional bodies and trade unions. The Council agreed that the publication policies of the other regulators should be considered when significantly amending the HCPC's policy.
- 9.5 The Council approved the amended fitness to practice publication policy.

### **Item 10.i.17/194 Minutes of the Remuneration Committee meeting held on 9 October 2017**

- 10.i.1 The Council received the public minutes of the Remuneration Committee held on 9 October 2017.
- 10.i.2 The Council noted the minutes.

### **Item 10.ii.17/195 Remuneration Committee Terms of Reference**

- 10.ii.1 The Council received a paper from the Executive.
- 10.ii.2 The Council noted that the Remuneration Committee discussed their terms of reference at their meeting of 9 October 2017 and agreed to propose a minor amendment relating to benefits.
- 10.ii.3 The Council approved the revised terms of reference for the Remuneration Committee.

### **Item 11.17/196 Any other business**

- 11.1 There was no further business.

### **Item 12.17/197 Future agenda items**

- 12.1 The Council noted that a meeting will be held on 18 January to consider the HCPC's response to the regulation reform consultation only. A session on the corporate plan will also held.
- 12.2 The Council agreed that its meeting in February 2018 will take place on one day. The following items will be considered
  - Workshop on PSA standards
  - Fee increase analysis
  - Draft corporate plan
  - Strategic risk workshop verbal update
- 12.3 The Council requested that a live agenda plan be maintained on member's iPads.

### **Item 13.17/198 Meeting evaluation**

- 13.1 The Council agreed that the level of detail within some finance papers is challenging to analyse and requested that the Executive provide more narrative summary of the key issues.
- 13.2 The Council requested that the Executive alert members to any paper updates when they happen.



**Item 14.17/189 Date and time of next meeting**

14.1 Thursday 18 January at Park House, 184 Kennington Park Road, London SE11 4BU at 10:30am.

**Item 15.17/90 Resolution**

**Resolution**

The Council is invited to adopt the following:

‘The Council hereby resolves that the remainder of the meeting shall be held in private, because the matters being discussed relate to the following;

- (a) information relating to a registrant, former registrant or application for registration;
- (b) information relating to an employee or office holder, former employee or applicant for any post or office;
- (c) the terms of, or expenditure under, a tender or contract for the 60 purchase or supply of goods or services or the acquisition or disposal of property;
- (d) negotiations or consultation concerning labour relations between the Council and its employees;
- (e) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
- (f) action being taken to prevent or detect crime to prosecute offenders;
- (g) the source of information given to the Council in confidence; or
- (h) any other matter which, in the opinion of the Chair, is confidential or the public disclosure of which would prejudice the effective discharge of the Council’s functions.’

Item	Reason for Exclusion
16	a
17 i	c
17 ii	b, c
18	b, d

Summary of matters considered in private session:-

- The Council noted the private minutes of recent Audit, Education and Training and Remuneration Committee meetings.
- The Council approved the appointment of haysmacintyre as HCPC’s external auditors for a term of 5 years to start with the year ending March 2018.

Chair: .....

Date: .....

**Council**

**Minutes of the 115<sup>th</sup> meeting of the Health and Care Professions Council as follows:-**

**Date:** Thursday 18 January 2018

**Time:** 11.45am

**Venue:** Rooms D & G, Health and Care Professions Council, Park House,  
184 Kennington Park Road, London SE11 4BU

**Present:** Elaine Buckley (Chair)  
Stephen Cohen  
Maureen Drake  
Kathryn Foreman  
Sue Gallone  
Sonya Lam  
Joanna Mussen  
Eileen Mullan  
Gavin Scott  
Robert Templeton

**In attendance:**

Claire Amor, Secretary to Council  
John Barwick, Acting Director of Fitness to Practise  
Roy Dunn, Head of Business Process Improvement  
Guy Gaskins, Director of Information Technology  
Abigail Gorringe, Director of Education  
Michael Guthrie, Director of Policy and Standards  
Teresa Haskins, Director of Human Resources  
Jonathan Jones, Stakeholder Engagement Manager  
Louise Lake, Director of Council and Committee Services  
Jacqueline Ladds, Director of Communications  
Josh Niderost, Council of Deans of Health  
Greg Ross-Sampson, Director of Operations  
Harjit Sandhu, National Community Hearing Association  
Marc Seale, Chief Executive and Registrar

## Public Agenda

### **Item 1.18/1 Chair's welcome and introduction**

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 115<sup>th</sup> meeting of Council.
- 1.2. The Chair welcomed Kathryn Foreman to her first meeting of the Council, having been appointed as a Lay member of the Council on 1 January 2018.

### **Item 2.18/2 Apologies for absence**

- 2.1 Apologies were received from Graham Towl and Stephen Wordsworth.

### **Item 3.18/3 Approval of Agenda**

- 3.1 The Council approved the agenda. It was noted that the Chief Executive would provide a verbal update on recent activity.

### **Item 4.18/4 Declaration of Members' interests**

- 4.1 Members had no interests to declare.

### **Item 5.18/5 Chief Executive's update**

- 5.1 The Council received an overview of recent activity and engagement from the Chief Executive.
- 5.2 The Council noted the following points:-
  - in December, the Chief Executive and PSA Chief Executive Harry Cayton were invited to share views on regulatory reform at a meeting with Phillip Dunne, Minister for Health;
  - as a result of the recent cabinet reshuffle, Phillip Dunne is no longer Health Minister for regulation, his replacement has not been announced. Additionally, a new Minister with responsibility for children's social work is expected to be announced shortly. When these appointments are announced the HCPC will write to the new Ministers;
  - the Chair and Chief Executive recently met with the Scottish Minister for Health and Sport to discuss the regulation of Physicians Associates and regulatory reform. The HCPC's views on these issues were positively received. The Minister committed to writing to the Secretary of State for Health and Social Care to express the Scottish government's view on these matters. A meeting with the Welsh Minister is scheduled to take place shortly;

- a recent round table discussion with professional bodies on the regulatory reform agenda has been very successful with much commonality of views; and
  - negotiations with the GCC for lease of office space are expected to conclude shortly. The GCC are shortly due to hold a Council meeting at the HCPC offices and toured the building's facilities.
- 5.3 In response to a question, it was noted that the future financial challenges faced by the HCPC as a result of the transfer of social worker regulation in England were discussed with the Scottish Minister. The possibility of a fee rise in the future was discussed. The reasons it may be needed were understood, but there was a preference for any increases to be kept to a minimum. Possible fee increases were not discussed with the professional bodies at the recent round table meeting as it was felt this would detract from the regulatory reform focus of discussions.

**Item 6.18/6 HCPC's draft consultation response on "Promoting professionalism, reforming regulation"**

- 6.1 The Council received a paper from the Executive.
- 6.2 The Council noted the following points:-
- the Department of Health and Social Care is consulting on behalf of the four UK governments on reforming the regulation of healthcare professions;
  - the HCPC's draft response to the consultation has been informed by the Council workshop held in December 2017;
  - the HCPC issued a statement when the consultation was launched. A further statement will be issued when the HCPC responds to the consultation; and
  - the Council is asked to agree the HCPC's response and any key messages for inclusion in the HCPC's statement.
- 6.3 The Council discussed previous commitments to commonality of message by the health professionals' regulators. It was noted that a meeting of the regulators' executive leads in this area took place recently. There were commonalities in responses to many of the questions and a draft narrative for potential inclusion in responses was circulated. At the time of the meeting, it was unclear whether regulators intended to use the narrative. To date, the narrative has not been used in the two draft responses the HCPC has had sight of. The Executive and Chair consider that the narrative is well reflected in the HCPC's response and that HCPC specific areas have been highlighted in the introduction.

- 6.4 The Council discussed and agreed the following amendments to the draft consultation response:-
- paragraph 1.2 of the response should be explicit on the HCPC's geographical responsibility;
  - more detail should be included on the possibility of joint working if legislative change is not forthcoming. This would reflect the HCPC's positivity towards exploring all opportunities for collaboration;
  - paragraph 3.3.8 should be amended to remove reference to disappointment;
  - paragraph 3.3.6 should be amended to remove the term 'on balance'; and
  - the benefits of being able to issue undertakings should be included when mediation is discussed.
- 6.5 The Council discussed the key messages to be communicated in the HCPC's statement on its response. The following points were agreed:-
- regulatory reform has the potential to strengthen the HCPC's public protection remit and public understanding of regulation;
  - the benefits of multi professional regulation and its potential to reduce costs in the regulatory sector should be highlighted; and
  - the Department of Health's recent name change to the Department of Health and Social Care signals the benefits of joining health and social care regulation. The HCPC is the only health professions regulator to currently do this.
- 6.6 The Council agreed the text of the consultation response, subject to the amendments outlined in paragraph 6.4 and any minor editing amendments.

#### **Item 7.18/7 Any other business**

- 7.1 Stephen Cohen provided a verbal update on the Audit Committee's recent meeting to review budgeting principles. It was noted that the Committee received an early draft of the budget for 2018-19. The focus of discussion was if the budget should aim to break even or create a surplus to build reserves in preparation for the expected reduction in income post social work transfer. The Council agreed to receive a paper at its February meeting on budgeting principles. The Council requested that a series of options be presented at a high level to illustrate the different approaches possible.

**Item 8.18/8 Future agenda items**

8.1 The Council agreed that its meeting in February 2018 will take place on one day. A workshop on the PSA standards will take place before the meeting. The following items will be considered

- Chief Executive update
- Chairs report
- Draft corporate plan
- Draft budget 2018-19
- Fee increase analysis
- Stakeholder market research
- Format of annual report and accounts
- Strategic risk workshop verbal update
- Committee minutes

**Item 9.18/9 Date and time of next meeting**

- 9.1 Wednesday 7<sup>th</sup> February at Park House, 184 Kennington Park Road, London SE11 4BU at 2pm.
- 9.2 The Council noted that an induction session will be held on Thursday 8<sup>th</sup> February for the recently appointed Council member and independent members of HCPC Committees

Chair: .....

Date: .....