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MINUTES of the eighteenth meeting of the Registration Committee of the Health Professions Council held on Tuesday 20 July 2004 at Park House, 184 Kennington Park Road, London SE11 4BU.

PRESENT :

Professor R. Klem (Chairman)
Miss P. Sabine
Mrs S. Chaudhry
Mr G. Sutehall
Miss E. Thornton

IN ATTENDANCE :

Miss L. Pilgrim, Secretary to the Committee
Mr M. Calligy, Fitness to Practise Department
Miss S. Dawson, Grandparenting and International Registration Manager
Mrs S. Gillick, Acting UK Registration Manager
Miss K. Johnson, Fitness to Practise Director
Mr M. Seale, Chief Executive and Registrar
Miss E. Seall, Fitness to Practise Department
Ms R. Tripp, Communications Officer

ITEM 1 APOLOGIES FOR ABSENCE

- 1.1 Apologies were received from Professor N. Brook, Miss M. Crawford, Mr P. Frowen, Dr R. Jones. Mr I. Massey, Dr A. Van Der Gaag.

The Chairman noted the appointment of Mrs. Chaudhry to the Committee and welcomed her to the meeting.

ITEM 2 APPROVAL OF THE AGENDA

- 2.1 The Committee approved the Agenda

ITEM 3 NOTES OF THE MEETING HELD ON 14 MAY 2004

- 3.1 The notes of the meeting were agreed as a correct record and signed by the Chairman.

ITEM 4 MATTERS ARISING

- 4.1 Ms Sabine had queried the number of HPC assessors, the attrition rate on a profession by profession basis and the frequency with which those appointed were used to assess applications. The Chief Executive reminded the Committee of the distinction between the role of the Council and that of the Executive. It was the role of Council to consider matters of a strategic nature; the role of the Executive was to implement strategy and to run processes. He said Ms Sabine's query concerned the overall issue of partners. At its next meeting the Executive would provide the Committee with details of the number of assessors.

ACTION: SD

4.2 Language Competence

- 4.2.1 The Secretary reported that the article had been reviewed by the Communications Department which would place it in the HR Bulletin and forward it to Professional bodies and to the Departments of Health in Scotland, Northern Ireland and Wales.

ACTION: RT

- 4.2.2 The Chief Executive reported that at a recent meeting with the Department of Health (DH) he had confirmed to the DH that the Council had no reason to change the level of English Language competence that it required of international applicants seeking registration.

4.3 Chairman's Report

- 4.3.1 The Chief Executive had previously reported on the situation where radiographers called themselves sonographers. He had reported that where they could be registered with HPC they should be so registered. He had reported that the content of a letter drafted by the DH had been legally incorrect and had to be redrafted. He confirmed that there was nothing further to report at this stage.

- 4.3.2 The Committee noted the position with respect to the issue of health professionals employed in posts, where to apply for the post they had to be from a specific health profession, but where the job title was not profession-specific. The Chief Executive confirmed that the HPC had no direct role in these situations. The issue was one of protection of title rather than protection of function. The HPC protected specific titles; it could seek to regulate additional titles, for example, in cases where there was significant use of a new title or where a group called themselves a title in order to avoid being registered. The Chief Executive said that the DH was aware of the situation. He had discussed it with the DH at a recent meeting. The DH was giving consideration to issuing a circular. The Chief Executive confirmed that there was nothing further that HPC could do at present.

- 4.3.3 The Committee queried whether the issue had been raised with the Allied Health Professions Federation. The Chief Executive was of the view that it would be better to meet with each of the professional bodies. He reported that he and the President were in the process of meeting with all of the professional bodies.

ACTION: MJS

4.4 Engagement with Stakeholders

- 4.4.1 The Chief Executive reported that this project had not yet commenced but would be an issue for the Director of Education and Policy to deal with.

ACTION: FN

4.5 Review of the Registration Process

- 4.5.1 The Committee had noted some inaccuracies in the Registration report put to it at the last meeting. It appeared that the information being provided by the IT system was inaccurate. The International and Grandparenting Registration Manager reported that the IT Director was investigating the problem.

ACTION: RD

- 4.5.2 The International and Grandparenting Registration Manager reported that she had commenced a series of meetings with professional bodies to inform and update them regarding Registration matters. She had met with representatives of the College of Occupational Therapists (COT) to date.

ACTION: SD

- 4.5.3 The Committee discussed the issue of the length of time a referee was required to know an applicant before providing a reference. The Committee was told that the Council's legal adviser had confirmed that the relevant period was 3 years and not 3 academic years. The Committee requested that the Education and Training Committee be notified.

ACTION: LP

ITEM 5 **CHAIRMAN'S REPORT**

- 5.1 The Chairman had no specific matters to report.

ITEM 6 **REPORT FROM THE REGISTRATION DEPARTMENTS**

The Committee received a paper from the Executive. The International and Grandparenting Registration Manager said that the part of the report detailing 'Applications by Month July 2003 – June 2004' was inaccurate and would be withdrawn from the Committee. She reported that there had been a significant increase in International Applications. The situation would be investigated, analysed and a report presented to the Committee at its next meeting.

ACTION: SD

- 6.2 The Acting UK Registration Manager reported that there were no specific UK registration issues to bring to the Committee's attention. Both the UK and International and Grandparenting Registration departments viewed as a priority the issue of the number of calls being answered. It was an operational issue to be dealt with by the Executive but both managers were aware that the issue could generate a great deal of aggravation.

ACTION: SG/SD

ITEM 7 REPORT FROM THE FITNESS TO PRACTISE DEPARTMENT

- 7.1 The Committee received a paper from the Executive. The Committee noted that Ms Johnson was now the Fitness to Practise Director rather than the Acting Director. The Director explained the Registration Appeals process and the composition of the Appeal Panel. She reported that registration appeals were made for a variety of reasons. Applicants had an automatic right of appeal against rejection and consequently the number of appeals was high. The Executive was considering ways in which the disposal of appeals could be speeded up.

ACTION: KJ

ITEM 8 APPROVED QUALIFICATIONS - ARTICLE 12

- 8.1 The Committee received a paper from the Executive. The Chairman emphasised that the Committee would be considering and setting out the criteria by which overseas programmes could be identified as being comparable or equivalent to UK programmes.
- 8.2 After discussion, it was agreed that 2 New Zealand physiotherapy programmes would be used as the basis for the initial collation of the relevant information. The 2 institutions and programmes were Auckland University of Technology, BSc Health Science (Physiotherapy) and Otago Institute of Technology, BSc Physiotherapy.
- 8.3 From the information obtained the Executive would formulate a process and a set of criteria, which could be used to determine the equivalence of the above qualifications to a UK qualification. The Committee noted that some of the information and knowledge required was with the professional bodies. It was suggested that the HPC Executive liaise with the professional bodies.

ACTION: SD

- 8.4 Once the process had been considered and the criteria set out, a paper would be presented to the Education and Training Committee for it to consider and if applicable, approve the process and criteria. The Chairman emphasised that the criteria needed to be clear so that the ETC could see clearly how the list of equivalent qualifications would be compiled. After consideration by the ETC the matter would be referred back to the Committee in order for it to continue the compilation of the list.
- 8.5 The Committee noted that there did not appear to be any Honours degrees in the list of overseas programmes before it. The position would need to be clarified. It was suggested that the relevant professional body might be able to assist in clarifying the point.

ACTION: SD

- 8.6 The Chief Executive confirmed that there was a requirement under the Health Professions Order 2001 to publish the list of qualifications which were identified as being of a comparable standard.

ITEM 9 HEALTH DISABILITY AND REGISTRATION

- 9.1 The Committee received a paper from the Executive. Ms Tripp explained that the attached paper was the first draft of the guidance on health, disability and registration. She pointed out the courses of action the Committee was being asked to approve: (a) that the guidance be supplemented with additional information for employers; (b) that there be a definition of 'scope of practice'; and (c) that the guidance and additional information form one document. There would be a 3 month consultation period.

- 9.2 The Committee confirmed its agreement to the courses of action as detailed. Any Committee members who had comments on the text of the guidance were asked to forward these to Ms Tripp by Friday 23 July 2004. Mr Sutehall said that the document should be cross-referred to the issue of Continuing Professional Development (CPD) and how this related to managing one's own practice.
- 9.3 Ms Tripp would draft the additional information for employers and also the definition of 'scope of practice'. As Ms Tripp would shortly be on leave, it was agreed that if there was time before her leave, the document would go to ETC on 1 September 2004 and be circulated to the Committee by email. Failing that, the documents would come back to the Committee on 13 September 2004.

ACTION: RT

ITEM 10 INTERNATIONAL REGISTRATION PROCESS -STANDARD LETTERS

- 10.1 The Committee received a paper from the Executive. The International and Grandparenting Registration Manager explained that amendments to the current standard letters were sought in order to improve efficiency. The Committee queried whether the letters had been 'crystal marked' as there were some ambiguities. The International and Grandparenting Registration Manager said that none of the current letters had been crystal marked.
- 10.2 The Committee considered the first letter and agreed the principle. The Committee had suggestions for changes to the text of the letter. These would be given to the International and Grandparenting Registration Manager at the end of the meeting for her to consider in redrafting the letter.

ACTION: SD

- 10.3 After considering the second letter it was agreed that it would be withdrawn from the Committee; it would be rewritten and circulated to the Committee by email.

ACTION: SD

- 10.4 The Committee requested an update on the Council's involvement in regulation at the EU level. The Chief Executive said this would be an issue for the Director of Education and Policy to deal with. He said that the issue was relevant to the Council's engagement with stakeholders. However, the Council had more pressing matters to deal with at this stage. The Chief Executive said he would be attending a meeting on 28 July 2004 at which the issue of regulation in the EU would be discussed. He would report back to the Committee at its next meeting.

ACTION: MJS

- 10.5 The Committee considered the third and final letter. The International and Grandparenting Registration Manager explained that applicants could not appeal against a Test of Competence (TOC). However, if they refused a TOC they would then be considered to have been rejected and could appeal such rejection. The Committee agreed the principle of the letter. The Committee had suggestions for changes to the text of the letter and these would be given to the International and Grandparenting Registration Manager at the end of the meeting for her to consider redrafting the letter.

ACTION: SD

- 10.6 The Chief Executive said that the HPC would get the letters crystal marked and rechecked by the Council's legal adviser. At that stage they would be brought back to the Committee. In the interim the letters would be used as drafted.

ACTION: SD

ITEM 11 ENGLISH LANGUAGE COMPETENCE – CRITERIA USED TO APPROVE TESTS

- 11.1 The Committee received a paper from the Executive. The Secretary reminded the Committee about the background to its decision to adopt various tests to be used in determining an applicant's English Language competence. She would incorporate some additional information into the paper presented to the Committee and this information would be reported to the Education and Training Committee (ETC) at its meeting on 1 September 2004.

ACTION: LP

ITEM 12 REGISTRATION ASSESSORS: GUIDANCE

- 12.1 The Committee received a paper from the Executive. It felt the guidance presented was useful. The Chief Executive said that assessors would be encouraged to review applications in a ten-day turnaround time. This was already a part of the Council's Service Level Agreement with assessors. The International and Grandparenting Registration Manager said that a further letter might be sent to assessors following recent registration appeals.
- 12.2 Mr Sutehall queried paragraph 3 of the guidance which confirmed that lack of knowledge by overseas applicants of relevant UK legislation was not a valid ground for rejection. He said that it was contrary to the spirit in which the SOPs had been written. This should be borne in mind when the SOPs were rewritten.

ITEM 13 REGISTRATION PROCESS: GLOSSARY OF TERMS

- 13.1 The Committee received a paper from the Executive. The Committee found the glossary helpful

ITEMS FOR INFORMATION

There were no items for information.

ITEM 14 ANY OTHER BUSINESS

- 14.1 The Committee discussed the fact that the Register did not show the length of time a registrant had been qualified.
- 14.2 The Chief Executive confirmed that Council had consulted on the issue of what the Register should record. He had met representatives of a private health insurer. The latter required a health professional to be a member of their relevant professional body in order for insurers to reimburse a patient in cases where a valid claim had been made by a patient. The insurers were moving to a position where instead of relying on the health professional's membership of their professional body, they would rely on a health professional being on the HPC register. The Chief Executive said that if a patient wanted to know how long a particular health professional had been in practice, this information could be obtained from the professional body.
- 14.3 The Register showed a registrant's date of registration as running from 9 July 2003. This was because the HPC Register opened on 9 July 2003. The Committee felt that an explanation should be put on the HPC website. The Chief executive said that he would discuss the matter with the Director of Communications. A paper would be prepared for the next Committee meeting on 13 September 2004

ACTION: MJS/CM

- 14.4 The Committee sought clarification of the process in cases where an International applicant applied for registration via the Grandparenting route. The Chief Executive said that if Committee members knew of specific cases they should notify the executive. In particular, any allegations of an incorrect entry on the Register should be made in writing to the Chief Executive. There were circumstances where it was open to an applicant to apply under both processes. The decision as to which was the correct route would be taken after consideration of the facts of each case.
- 14.5 The UK Registration Manager confirmed that certified copies of Local Anaesthetic (LA) and Prescription Only Medicines (POM) certificates were acceptable for the purposes of registration.
- 14.6 The Chief Executive confirmed that as the Registration Committee was a sub-committee of the ETC, the minutes of the former's meetings would go only to ETC and not to Council.

ITEM 15 DATE AND TIME OF NEXT MEETING

- 15.1 The next meeting would be held on Monday 13 September 2004 at 10 a.m.
- 15.2 Further meetings would be held on the following dates:

- I. Thursday 4 November 2004
- II. Tuesday 18 January 2005

CHAIRMAN