Conduct and Competence Committee

The Conduct and Competence Committee is one of the four statutory committees, and with the Investigating and Health Committees, is one of the three "practice committees". The Committee is made up of Council members and one registered medical practitioner. The Health Professions Order says that, if an allegation against a registrant concerns the registrant's conduct (their behaviour, including any convictions) or their competence (their professional skills); the Conduct and Competence Committee may hold a hearing and decide whether it needs to take action in order to protect the public. It does this through panels. The panels are made up of registered health professionals and members of the public. The Committee meets to set the strategy and policy that determine how these panels run, and to assess their performance.

The Committee has met five times as a normal Committee meeting. The Committee reviewed the allegations heard by the Committee's panels during the previous 12 months, and the education, training, attendance and performance of its members and panel members. It has established a process by which it reviews the Standards of Conduct, Performance and Ethics each year, on behalf of the Council. It has also agreed that an audit process is required which tracks and assesses the overall effectiveness of the decision-making process currently undertaken by the fitness to practise panels.

The Committee considered the process by which panel chairmen are appointed and training is provided. As a result of this discussion, a proposal was put to the Council that Council members should no longer act in the capacity of panel Chairmen, to ensure a clear separation of function. The Committee began discussion of the competency framework by which fitness to practise panel chairmen's performance could be equitably assessed and suitable training provided.

The Committee discussed the use of preliminary meetings which can be held, if considered appropriate, before formal hearings. Initially, while the new fitness to practise procedures were first being implemented, these had been held before each hearing. The Committee, having sought the advice of its legal adviser, agreed that the Council would be recommended that this was now unnecessary and that such meetings should only be held in cases where there were procedural matters to be resolved. If a registrant asked for a preliminary meeting, they should be asked to give reasons.

The Committee revised the practice note given to fitness to practise panel members on sanctions. The Committee has also approved for recommendation to the Council, a practice note on the process which should be followed when an applicant applies for restoration to the register after being struck off.

As per Article 19(1) of the Health Professions Order 2001 ("the Order") *'the members of each Practice Committee shall include registered professionals and other members, of whom at least one shall be a registered medical practitioner.'* The Health Professions

Council has now formally appointed three registered medical practitioners, one for each of the practice committees. Dr Gopal Sharma was appointed to the Conduct and Competence Committee on the 1st February 2005, until 8th July 2005, when the term of current Council and Committees comes to an end. A new Council will then take office on 11th July 2005 and may be reappointed for two years as of that date.

Following the opening of the Operating Department Practitioner (ODP) Register on 18th October 2004 the Privy Council appointed a registrant and alternate ODP member and a lay member to Council. The lay member who was appointed to Council, Mrs May Clark-Glass had also been appointed to the Conduct and Competence Committee.

Sandy Yule   **Sophie Butcher (from September)**
Chairman   *Secretary*

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