

**Notes of a special meeting of the Health Professions Council to discuss the structure of the register held at 11am on Tuesday 1 February 2005 at Park House, 184 Kennington Park Road, London, SE11 4BU**

**PRESENT:** Professor N Brook (President)

Mr M Barham  
Dr G Beastall  
Mr J Camp  
Mrs S Chaudhry  
Mrs M Clark-Glass  
Mr R Clegg (part)  
Miss H Davis  
Ms C Farrell  
Mr P Frowen  
Professor T Hazell  
Dr R Jones  
Mr C Lea  
Mrs R Levenson  
Professor C Lloyd  
Professor J Lucas  
Miss M MacKellar  
Mrs C McGartland  
Mr I Massey  
Mr A Mount  
Mr W Munro  
Dr J Old  
Mrs J Pearce  
Miss P Sabine  
Mrs B Stuart  
Mr G Sutehall  
Dr A van der Gaag  
Professor D Waller  
Mr D Whitmore  
Mr N Willis  
Mr S Wordsworth

**IN ATTENDANCE:**

Mr J Bracken, Solicitor and Parliamentary Agent, Bircham, Dyson, Bell  
Ms S Butcher, Secretary to Committees  
Ms P Cohen, Department of Work and Pensions  
Mr R Dunn, Director of Information  
Mr N Goodman, Electoral Reform Services  
Ms C Hannon, Electoral Reform Services  
Ms R Mead, Department of Health

Ms N O'Sullivan, Secretary to Council  
Mr M Seale, Chief Executive and Registrar  
Ms M White, Department of Work and Pensions

**Item 1.05/01 WELCOME**

- 1.1 The President welcomed all members and non-members to the meeting. In particular Professor Brook welcomed, Mr S Wordsworth, register ODP member, Mr A Mount, alternate ODP member and Mrs M Clark-Glass, lay member, who had been appointed to Council following the opening of the ODP part of the register on 18 October 2004.
- 1.2 The President also welcomed that Mr N Goodman, Electoral Reform Services, Ms R Mead, Department of Health, Ms P Cohen and Ms M White, Department of Work and Pensions to the meeting and noted that they could be called upon for advice as required.
- 1.3 The President noted that this was not an ordinary meeting of Council and that any decisions reached at the meeting regarding the structure of the register would be brought back to an ordinary meeting of Council for consideration and a decision. The meeting had been arranged following on from the discussions held at the Council away day in Scotland which had considered a number of options for the structure of the register in the future and how this would impact on the number of members on Council. It was important that the Council came up with a decision that was workable.

**Item 2.05/02 INTRODUCTION**

- 2.1 Mr Seale outlined the current situation and the four options which had been identified for the future. There were as follows;

- Options:

- (i) **Momentum**

No change the relationship between the number of professions regulated and the number of members of Council.

- (ii) **Groupings**

Group professions and limit number of members of Council from each group to less than the number of professions in each group. Groups could be made up according to the number of registrants, or similarity of profession, or randomly.

(iii) **Electoral College**

Establish an Electoral College comprising a uniform number of members from each regulated profession. The College would then meet to elect members of the Council. The resulting Council would have fewer members than the number of professions regulated.

(iv) **Voting**

Adopt an alternative method of voting from the existing First Past The Post for each profession. For example proportional voting by way of a Single Transferable Vote system.

2.2 Mr Seale noted that currently there were 27 members on Council (plus alternates). There appeared to be a general consensus that in order to ensure good governance by Council the membership should not be allowed to rise above 30 members.

2.3 Mr Seale noted that in the light of the growing number of professions who had expressed an interest in being regulated by the HPC any decision taken regarding the structure of the register would have to be implemented rapidly. Ideally a decision should be taken by Council before the end of the second transitional period on 8 July 2005 when the first Council would stand down.

2.4 Mr Seale noted that advice had been sought from the Department of Health regarding the option of the establishment of an electoral college. Concerns had been expressed regarding the emergence of electoral slates which would ensure some professions would consistently secure a seat on Council and other professions could be consistently excluded. There was also concern that the electoral college would not remain solely as a body formed with the purpose of electing the Council but would begin to develop a role beyond this and could eventually become a rival group to the Council. The Department of Health had stressed that any proposal should be workable however it had not made any decisions regarding any of the options being considered.

2.5 The Council noted these concerns and also noted that these could be dealt with by setting a specific role and constitution for the electoral college. While members of the electoral college could canvass for votes for election to the Council every effort would be made to avoid the formation of electoral slates. Any decision taken would have to take into account the representation of the four home countries and would have to be consulted upon.

2.6 The Council noted that, while there had been a long debate regarding the electoral college option at the Council away day, this had not been the only option considered and Council had not unanimous in its support of

this option. There was a need to continue the discussion regarding all options with the aim of coming up with a proposal that ensured the utmost protection of the public while not disenfranchising the professions.

- 2.7 The Council noted that although there was less potential for the formation of slates should the Council decide to pursue the option of one election from among all registrants for all seats on Council it was likely that the bigger professions could win all the seats and that the smaller professions would be disenfranchised. Also this option failed to address the home country representation issue.
- 2.8 The Council also noted that single transferable voting was a voting method which could be used as agreed by Council in relation to any of the options under consideration.
- 2.9 The Council Solicitor and Parliamentary Agent advised that Article 6 (1) of the Health Professions Order stated that 'the register shall be divided into such parts as the Privy Council may by order determine on a proposal by the Council or otherwise'. Any decision to break the link between the structure of the register and the membership of Council would require a change in the Health Professions Order. The Privy Council would not consult the Health Professions Council regarding a proposal put to them by the HPC however the Privy Council could reject a proposal which it felt to be unacceptable. If the Privy Council put forward their own proposal regarding this matter the HPC would be consulted.
- 2.10 **The Council agreed that further consideration needed to be given to the detail of all the proposals and that a working group of members willing to put themselves forward to undertake this task should meet to agree a way forward. This would be put to a future meeting of Council for a decision. The Council agreed that the Secretary should contact all members as soon as possible with a view to establishing their willingness to serve on this group and their availability to attend a meeting.**

NO'S  
February 2005



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