

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the thirty-fourth meeting of the Health Professions Council held at
10.30 a.m. on Tuesday 12 September 2006 at Park House, 184 Kennington Park Road,
London, SE11 4BU.

PRESENT: Dr A van der Gaag (President)
Mr P Acres
Mr J Camp
Mrs S Chaudhry (Item 1 - 9)
Mrs M Clark-Glass
Ms H Davis
Mr M Davies
Miss E Ellis
Ms C Farrell
Dr C H Green (From item 8)
Professor T Hazell
Professor J Lucas
Professor C Lloyd
Miss M MacKellar (From item 7)
Mr P McFadden
Mr K Ross
Mrs P Sabine
Mrs B Stuart
Professor D Waller

IN ATTENDANCE:

Mr R Dunn, Director of Information
Miss L Foster, Human Resources Director
Mr M Guthrie, Policy Officer
Ms Y Hussain, Partner Manager (part)
Miss K Johnson, Director, Fitness to Practise
Mrs J Ladds, Communications Director
Ms M McKinley-McNair, PA to Director, Fitness to Practise
Ms C Phillips, Project Manager
Ms N O'Sullivan, Secretary to Council
Mr G Ross-Sampson, Director of Operations
Ms C Savage, Aspirant Groups/CPD Manager
Ms R Tripp, Director of Policy and Standards
Mr M Seale, Chief Executive and Registrar
Mr R Welsby, Back Office Systems Administrator and Developer

Item 1.06/151 INTRODUCTION AND WELCOME

- 1.1 The President welcomed all members and non-members to the meeting. In particular Dr van der Gaag welcomed Mrs Ladds, Ms Phillips and Mrs McKinley-McNair to their first meeting of the Council.
- 1.2 The President noted that she wished to record her thanks and the thanks of the Council to Ms V Nash for her work as Acting Communications Director.

Item 2.06/152 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from the following Council members; Mr R Clegg, Mrs S Drayton, Professor J Harper, Mr W Munro (and alternate Mr O Altay), Mrs J Pearce, Mr S Taylor (and alternate Mr A Mount), Miss E Thornton and Mrs A Turner.

Item 3.06/153 APPROVAL OF AGENDA

- 3.1 The Council approved the agenda.

Item 4.06/154 MINUTES

- 4.1 It was agreed that the minutes of the thirty-second meeting of the Health Professions Council be confirmed as a true record and signed by the President.

Item 5.06/155 MATTERS ARISING

- 5.1 Item 18.5-Council Members' Performance and Development Review System
The Council noted that this item would be discussed at the December Council meeting.

Item 6.06/156 MINUTES

- 6.1 It was agreed that the minutes of the thirty-third meeting of the Health Professions Council be confirmed as a true record and signed by the President subject to the following amendment:
- 6.2 8.1 The Council received a paper which it had previously approved.
- 6.3 The Council noted that it would be helpful if members contacted the Secretariat in advance of the meeting to discuss proposed amendments to the minutes.

Item 7.06/157 MATTERS ARISING

- 7.1 5.4 – Appointment of Council Members to Committees
The Council noted that a paper regarding the future of the Approvals Committee would be considered at the September meeting of the Education and Training Committee. The final decision with regard to this matter would be taken by Council.

7.2 Minute 10.4 – Any Other Business

The Council noted that the NHS Appointments Commission would be undertaking the process of appointing an additional registrant Council member following the election of the registrant Speech and Language Therapy member as President.

Item 8.06/158 PRESIDENT’S REPORT

- 8.1 The Council received an oral report from the President.
- 8.2 The President noted that she and the Chief Executive had attended a meeting to launch the ‘Foster’ and ‘Donaldson’ reports. The launch of the reports had not met HPC’s expectations of providing a clear set of recommendations but had instead opened a three month period of consultation.
- 8.3 The President noted that she had attended a preliminary meeting of the Council for Regulatory Healthcare Excellence (CHRE) to discuss Foster and Donaldson. She would provide further feedback at the Council away day.
- 8.4 The President noted that she and the Chief Executive had been meeting with Professional Bodies of professions registered with the HPC. The presence of the relevant Council members at these meetings had been very useful and members were encouraged to attend. The Executive would ensure that lay members were informed of dates of upcoming meetings.

Action: MJS- September 2006

- 8.5 The President noted that following on from the recommendations of the Council workshop held on 7 February 2006 consideration had been given to including categories of items on Council agendas to assist members in discussions. These had been included in the current agenda and further work on Council processes would be undertaken in the future subject to Council approval.
- 8.6 The President noted that there would be a number of invited speakers at the October away day. These included Nick Clark from the Department of Health, Lesley Sterling Baxter from North Bradford NHS Trust, and Pam Garside who had acted as the facilitator at the Council Workshop in February 2006.

Item 9.06/159 CHIEF EXECUTIVE’S REPORT

- 9.1 The Council received a paper from the Chief Executive.
- 9.2 The Council noted that the Registration Department had begun to notice a trend whereby graduates from UK approved programmes coming on to the register were only providing a home address. This would appear to suggest that an increasing number were not finding employment on completion of their degree programme. A reduction in the number of graduates registering

with the HPC would have implications for the HPC's five year plan. The President and members of the Executive would be meeting with the Department of Health on 27 September and this issue would be raised at that meeting. Professor Lucas agreed to provide information on the number of allied health professions programmes being commissioned to inform future discussions regarding this issue. The President invited all members to provide further relevant information on graduate activity from other sources to inform decision making in the future.

- 9.3 The Council noted that the HPC would be writing to all applicants for grandparenting, who had not provided all the information necessary to process their application, asking them to provide this information or be removed from the system. Applicants would be given 28 days to respond.

Strategy and Policy

Item 10.06/159 DEPARTMENT OF HEALTH REVIEW OF NON-MEDICAL REGULATION: A DISCUSSION PAPER

- 10.1 The Council received a paper from the Executive for discussion/approval.
- 10.2 The Council noted that the Department of Health had published its review of non-medical regulation, the 'Foster Review'. This was in the form of a consultation document. The consultation document contained many important recommendations that could significantly affect the way that HPC operated, most particularly on the issues of governance, revalidation, fitness to practise and post-registration qualifications.
- 10.3 The Council noted that the paper under consideration would also form the basis for further discussion on this issue at the Council away day in October.
- 10.4 The Council noted that it had not been informed of the timescale for the taking forward of the Council's recommendation to the Secretary of State that the majority of members should be appointed rather than elected.
- 10.5 The Council noted that the principles of mutuality, partnership and autonomy as articulated in the Donaldson report could form a useful background to the discussions at the away day.
- 10.6 The Council noted that the review was very focused on health professionals working in the NHS, which was not the case with all HPC registrants.
- 10.7 The Council noted that there was no legal definition of 'good character'. The HPC needed to consider whether it supported the adoption of a single definition of 'good character'.
- 10.8 The Council noted that separate consideration needed to be given to the fundamental issues of what revalidation meant, whether the Council supported

the principle of revalidation and the practicalities of the implementation of a revalidation system.

- 10.9 The Council noted that the discussion of post-registration qualifications contained in the Donaldson review was much more detailed than that contained in Foster. The draft discussion document under consideration attempted to set out what the criteria for marking the register should be.
- 10.10 The Council noted that the proposals in relation to fitness to practise required further discussion, particularly in relation to the role of the regulator in fitness to practise procedures, the composition of fitness to practise panels and the role of CHRE in training panel members.
- 10.11 The Council noted that the Department of Health had consulted on the regulation of support workers and, as a result of that consultation, had recommended that they should be regulated by HPC. The Foster Report now invited further discussion as to whether this approach should be adopted or whether employer led regulation was the most appropriate way forward. The results of the Scottish pilot scheme for the regulation of support workers would be useful in informing this discussion.
- 10.12 The Council noted that the chapter on new roles left many questions unanswered. The Council also noted only one new profession had joined the HPC since its inception in April 2001. The Department of Health needed to be clear about its priorities and timelines with regard to new professions coming into regulation.
- 10.13 The Council noted that it would need to consider its role in relation to the promotion of the profession.
- 10.14 The Council noted that consideration needed to be given to its response to the Donaldson review after a detailed response to the Foster review had been finalised.
- 10.15 The Council noted that it would discuss the issues raised above at the away day in October.

Item 11.06/160 POLICY AND STANDARDS WORKPLAN 2006/7

- 11.1 The Council received a paper from the Executive for discussion/approval.
- 11.2 The Council noted that the first version of the policy and standards workplan had been considered by the Council in April 2006. The updated document contained further work undertaken by the team, work agreed as part of the Education and Training Committee strategy and also external developments such as the publication of the 'Foster' and 'Donaldson' reviews.
- 11.3 The Council welcomed the updated document and noted that proposed outcomes and prioritisation would be a useful addition in the future.

- 11.4 The Council agreed the priorities, projects and principles outlined in the paper.
- 11.5 The Council agreed to continue to keep the document under review.

Item 12.06/161 EQUALITY AND DIVERSITY PROJECT

- 12.1 The Council received a paper from the Executive for discussion/approval.
- 12.2 The Council noted that the HPC was currently conducting a five year project to create an equality and diversity scheme. There would be two phases to the creation of the Scheme. A pilot would be conducted in the Fitness to Practise Department.
- 12.3 The Council noted the various steps in the creation of the Scheme. The Council noted that the 5 year timescale had been proposed after consideration of the impact the additional work which the scheme required from an organisation the size of HPC. The Council noted that the implementation of the Scheme would help the HPC to become a better regulator.
- 12.4 The Council agreed the project approach for the Equality and Diversity project, with further consideration required on the timescale for implementation.
- 12.5 The Council agreed the Executive would provide a project update to the Council meeting on 14 December 2006.

Action: CP – 14 December 2006

- 12.6 The Council agreed that the Executive should consider a process for monitoring whether the organisation was meeting its duties under current legislation and should report back to Council regarding this matter.

Action: MJS – 14 December 2006

Item 13.06/162 PROPOSED CONSULTATION PAPER ON REVISION OF GUIDANCE NOTES FOR ASPIRANT GROUPS

- 13.1 The Council received a paper from the Executive.
- 13.2 The Council noted the proposal to revise two of the criteria which aspirant groups seeking statutory regulation had to show they met in order for the Council to recommend them for regulation.
- 13.3 The Council agreed the following;
- (i) the proposed consultation timetable;
 - (ii) the wording of the draft consultation document;
 - (iii) that the changes would be effective from July 2007

Action: CS – consultation to start December 2006

Corporate Governance

Item 14.06/163 COMMITTEE MEMBERSHIP

- 14.1 The Council received a paper from the Executive for discussion/approval.
- 14.2 The Council ratified the President's decisions regarding the reallocation of members of the disbanded Registration Committee as outlined in the paper.

Item 15.06/164 MINUTES OF THE FINANCE AND RESOURCES COMMITTEE HELD ON 28 JULY 2006

- 15.1 The Council received the minutes of the Finance and Resources Committee held on 28 July 2006.
- 15.2 The Council noted that there were no decisions in the minutes which required Council ratification.

Item 16.06/165 REVIEW OF ASPIRANT GROUPS

- 16.1 The Council received a paper to note from the Executive.
- 16.2 The Council noted the number of aspirant groups who had contacted HPC with a view to statutory regulation.
- 16.3 The Council also noted the number of aspirant groups which Council had recommended for statutory regulation.

Item 17.06/166 HPC PERFORMANCE APPRAISAL SYSTEM FOR PARTNERS

- 17.1 The Council received a paper to note from the Executive.
- 17.2 The Council noted that a further update would be provided to Council in one year.

Action: YH – September 2007

Item 18.06/166 APPOINTMENT TO THE EDUCATION AND TRAINING COMMITTEE

- 18.1 The Council received a paper to note from the Executive.
- 18.2 The Council noted that it had agreed at 11 July 2006 Council meeting that Miss Ellis should be appointed to the Education and Training Committee subject to the provision of a statement from Miss Ellis explaining her

suitability for membership of the Committee. This statement would be reviewed by the President.

- 18.3 The Council noted that the President had considered the statement and had approved the appointment, with the agreement of the Chairman of the Education and Training Committee.

Item 19.06/167 REPORTS FROM COUNCIL REPRESENTATIVES AT EXTERNAL MEETINGS

- 19.1 The Council received a paper to note from the Executive.

Item 20.06/168 MINUTES OF THE HEALTH COMMITTEE HELD ON 12 APRIL 2006

- 20.1 The Council noted the confirmed minutes of the Health Committee held on 12 April 2006.

Item 21.06/169 MINUTES OF THE INVESTIGATING COMMITTEE HELD ON 19 April 2006

- 21.1 The Council noted the confirmed minutes of the Investigating Committee held on 19 April 2006.

Item 22.06/170 MINUTES OF THE CONDUCT AND COMPETENCE COMMITTEE HELD ON 20 April 2006

- 22.1 The Council noted the confirmed minutes of the Investigating Committee held on 20 April 2006.

Item 23.06/171 ANY OTHER BUSINESS

- 23.1 There was no other business.

Item 24.06/172 DATE AND TIME OF NEXT MEETING

- 24.1 The next meeting of the Council would be at 10.30 a.m. on Thursday 14 December 2006.

- 24.2 Further meetings would be held on the following dates;

Thursday 29 March 2007

Thursday 31 May 2007

Thursday 5 July 2007 – Council meeting

PRESIDENT:

DATE:

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2006-09-19	a	CNL	MIN	Sept122006Councilminutessecondmeetingofcouncil	Final DD: None	Public RD: None