

**Council**

**Public minutes of the 60<sup>th</sup> meeting of the Health Professions Council held as follows:-**

**Date:** Thursday 25 March 2010

**Time:** 10:30am

**Venue:** The Council Chamber, Health Professions Council, Park House, 184 Kennington Park Road, London SE11 4BU

**Present:**

Anna van der Gaag (Chair)  
Malcolm Cross  
John Donaghy  
Sheila Drayton (For items 1-22)  
Julia Drown  
Richard Kennett  
Morag Mackellar  
Arun Midha (For items 1-23)  
Keith Ross  
Deep Sagar  
Eileen Thornton  
Annie Turner  
Joy Tweed (For items 1-23)  
Diane Waller  
Neil Willis (For items 1-24)

Mr O Ammar, Acting Director of Education  
Mr J Bracken, Solicitor to HPC  
Mr G Butler, Director of Finance  
Mr N Cohen, Customer Services Manager (for item 19)  
Ms H Crease, Partner Team Administrator  
Ms C Evans, PA to Director of Operations  
Mr G Gaskins, Director of Information Technology  
Ms L Hart, Secretary to Council  
Ms T Haskins, Director of HR  
Ms Johnson, Director of Fitness to Practise  
Ms K Neuschafer, Partner Manager  
Mr S Rayner, Secretary to Committees

Mr G Ross-Sampson, Director of Operations  
Ms T Samuel-Smith, Acting Head of Education  
Mr M J Seale, Chief Executive and Registrar  
Ms C Urwin, Policy Manager

**Item 1.10/25 Chair's welcome and introduction**

- 1.1 The Chair welcomed all members and members of the public to the meeting.

**Item 2.10/26 Apologies for absence**

- 2.1 Apologies for absence were received from Patricia Blackburn, Mary Clark-Glass, John Harper, Jeff Lucas and Penny Renwick.

**Item 3.10/27 Approval of agenda**

- 3.1 The Council approved the agenda.
- 3.2 The Council noted the large agenda. This had arisen because only time critical papers were considered at the February meeting, as this meeting was timetabled as a strategy meeting of the Council. The Chair suggested that, in future, Council should meet over two days, with a strategy day be held the day before the Council meeting to allow more time for both. Members of the Council concurred with this suggestion.
- 3.3 The Council approved to the inclusion of an additional paper relating to 22-26 Stannary Street under "Any other business".

**Item 4.10/28 Declaration of Members' Interest**

- 4.1 Keith Ross declared an interest under items 11, 12 and 32 as his wife is a member of the CHRE.

**Item 5.10/29 Minutes of the Council meeting of 11 February 2010 (report ref:-HPC17/10)**

- 5.1 It was agreed that the minutes of the 59th meeting of the Health Professions Council be confirmed as a correct record and signed by the Chair.

**Item 6.10/30 Matters arising (report ref:-HPC18/10)**

- 6.1 The Council noted the action list as agreed at the last meeting.
- 6.2 The Council further noted that there would be 12 outstanding fitness to practise cases transferred over from the Hearing Aid Council to the HPC.

**Item 7.10/31 Chair's report (report ref:-HPC19/10)**

- 7.1 The Council received a paper from the Chair.
- 7.2 The Chair informed Council that the annual meetings between the HPC and the professional bodies were continuing to provide opportunities for constructive dialogue. There were an increasing number of requests for the Chair and Chief Executive to attend meetings of professional body Councils, which was welcomed as a good opportunity to meet a wider group of representatives from the member organisations.
- 7.3 The Council noted that the Chair had attended a CHRE symposium in early February, which had explored the importance of consistency and clarity across healthcare regulation. It was further noted that the Chair had attended the World Health Professions Conference on Regulation in Geneva where some 161 systems of regulation worldwide had been identified by one of the keynote papers – a significant challenge to achieving consistency.
- 7.4 The Council noted the report.

**Item 8.10/32 Chief Executive's report (report ref:-HPC20/10)**

- 8.1 The Council received a paper from the Chief Executive.
- 8.2 The Chief Executive informed Council that the online renewals system had successfully gone live on 10 February and registrant groups were being informed of the facility at the time of renewal. The Chief Executive stated that this achievement was very much a team effort although he wished to place on record his particular thanks to Claire Reed, Project Manager, for her efforts in ensuring the success of the project.
- 8.3 The Council noted that the Hearing Aid Council's Register would be transferred over to the HPC on 1 April and this was the first time that HPC had taken over regulation of a professional group from another statutory regulator.
- 8.4 The Chief Executive drew Council's attention to the first CPD annual report. The Council noted that once all the professions had gone

through the current CPD cycle, the statistics gathered would assist in identifying trends.

- 8.5 In response to a question, Council noted that the expertise of the Hearing Aid Council (HAC) would not be lost as some of its partners were seeking appointment as partners at HPC and also the two organisations used the same law firm. Furthermore, the Hearing Aid Council Executive had been involved in training some members of the Fitness to Practise department. It was further noted that TUPE arrangements did not apply on this occasion.
- 8.6 The Council noted the details provided on the establishment and role of the Office of the Health Professions Adjudicator (OHPA) and noted the concern that registrants' fees would have to increase were HPC required to transfer its adjudication function to OHPA. The Chief Executive assured Council that work was being undertaken to discuss the differences between HPC Fitness to Practise processes and those of other regulators whose adjudication function was being transferred to OHPA., and to carefully evaluate the transfer process and its implementation before moving forward.
- 8.7 In response to a question, the Executive undertook to convey some further information to a member regarding the Google adwords campaign.
- 8.8 Concern was expressed that the HPC were promoting one specific profession by collaborating with the Football Association on a campaign to highlight the importance of using a registered physiotherapist. Council noted that there seemed to be concerns with the number of unregistered physiotherapists in this area and that this campaign had received a positive response.
- 8.9 The Council noted that, with regards to the revalidation project, the HPC had recently commissioned researchers at the University of Durham looking at the link between pre-registration education and training and subsequent fitness to practise action. It was noted that studies carried out amongst medical practitioners in North America had identified a strong correlation and there was a need to explore this relationship in relation of HPC registered professions
- 8.10 The Council noted the report and the actions arising therein.

## Strategy and Policy

### **Item 9.10/33 Budget for year to 31 March 2011 (report ref:- HPC21/10)**

- 9.1 The Council received a paper for discussion/approval from the Executive.
- 9.2 The Council noted the budgetary planning process included a day long meeting of budget holders held each January. The Chair of Council and the Chair of Finance and Resources had attended the 2010 meeting.

During discussion, the following points were raised:-

- That reserves were required to ensure continued investment in the organisation;
  - That legal expenses were increasing as a result of the increase in the number of allegations considered by the Fitness to Practise Department, the complexity of the hearings and the increase in the number of appeals going to the High Court;
  - That the workplans detailed the strategic direction of each department in non-financial terms;
  - That any variations to the budget would be subject to Finance and Resources Committee approval;
  - That it would be useful to have some strategic level briefings on how departments carried out their financial planning and this could be discussed further at the October Away Day.
- 9.3 The Council approved the Annual budget for 2010-2011.

### **Item 10.10/34 Generic Standards of Proficiency Review Group (report ref:- HPC22/10)**

- 10.1 The Council received a paper for discussion/approval from the Executive.
- 10.2 The Council noted that the Review Group, which consisted of seven Council members, had met in September 2009 and January 2010 to review the generic standards of proficiency (SOP's) and to recommend to Council whether any changes were required.
- 10.3 During discussion, the following points were made:-

- That the review had arisen from a recognition that some of the language in the current SOP's needed to be revised in the light of new professions coming onto HPC's Register;
- That the review group was very well chaired and was a good methodology for working;
- That it still remained the case that the generic SOP's constituted approximately 80% of the standards, with profession specific standards making up the remaining 20%;
- Concern was expressed that the proposed new generic SOP's used language such as "be able to" which could be interpreted more like a competency than a proficiency. A suggestion was made that this be considered when finalising the language of the SOP's.

10.4 The Council agreed:-

- (i) the recommendations of the Generic Standards of Proficiency Review Group as follows:-
  - (1) That generic standards of proficiency should be retained;
  - (2) That a broader review was needed to look at the overall structure of the standards of proficiency;
  - (3) That the structure of the standards of proficiency be changed to a set of overarching generic standards applicable to all professions, together with profession specific sub standards; and
- (ii) the workplan for the revised review of the generic standards of proficiency.

**Item 11.10/35 CHRE Fitness to Practise Audit report: Audit of health professions regulatory bodies' initial decisions (report ref:- HPC23/10)**

- 11.1 The Council received a paper for discussion/approval from the Executive.
- 11.2 The Council noted that the CHRE had carried out an audit of the initial stages of the fitness to practise processes of the nine regulatory bodies during 2009, with HPC's audit having taken place in December 2009.
- 11.3 During the course of discussion, the following points were made:-

- That the HPC had not taken part in the CHRE's mystery shopping exercise since the HPC did not believe the methodology to be followed was entirely ethical in this context as it created 'false' complaints;
- In response to a question about whether there was an established process to bring certain complaints to the attention of Council, the Director of Fitness to Practise advised that a paper had been approved by the Fitness to Practise Committee in February, identifying mechanisms by which decisions would be reviewed by the Fitness to Practise Committee and Council;
- The Chair of the Fitness to Practise Committee noted that there needed to be clear separation between the strategy and policy of Council and the role of the Fitness to Practise panels and problems arose when strategy and policy were raised in individual cases;
- Concern was raised that more could be done to mitigate against the risks associated with occasional and temporary registration and the difficulty of investigating such workers. The Director of Fitness to Practise responded by pointing out that the issues concerned individuals working in a range of different employment settings for short periods of time and was therefore very complex. However, some of the risk could be mitigated through robust record keeping and at HPC all complaints were kept on file for three years. If a new complaint was made against an individual, the Investigating Committee would be provided the information and would therefore be able to see if a pattern of behaviour became evident and required action.
- It was suggested that the issue of temporary and occasional workers could be discussed by the Allied Health Professions Forum at their conference.

#### 11.4 The Council agreed:-

- (i) to instruct the Executive to proceed with the recommendations outlined in the HPC's response to the CHRE report as follows:-
  - i. review the approach on how HPC deals with allegations where a registrant has been convicted of drink or drug related offences;
  - ii. review the template and guidance that is available to those who make a decision as to whether there is a 'case to answer';
  - iii. focus on decision making at refresher training for panel members;

- iv. continue to take forward work aimed at improving employer understanding about the purpose of the HPC's fitness to practice processes;
  - v. produce operating guidance for the Fitness to Practise department on when and how to seek expert or clinical advice;
  - vi. further develop templates for investigative reports and risk assessments;
  - vii. develop audit mechanisms to review the quality of correspondence that has been produced as part of a fitness to practise investigation;
  - viii. take forward with CHRE the wider implications resulting from the CHRE review of the paramedic case;
  - ix. undertake further exploration of the meaning of impairment in the context of regulation;
- (ii) to instruct the Executive to provide progress reports to future meetings of the Fitness to Practise Committee and
  - (iii) to instruct the Executive to produce a report detailing the approach taken to deal with self-referral.

**Item 12.10/36 CHRE report – Handling Complaints: Sharing the registrant's response with the complainant (report ref:- HPC24/10)**

- 12.1 The Council received a paper for discussion/approval from the Executive.
- 12.2 The Council noted that this report was commissioned by the CHRE following the 2008/2009 performance review, as a result of the variations between the regulators in a specific part of the fitness to practise process. This paper had been debated by the Fitness to Practise Committee in February.
- 12.3 During the course of discussion, the following points were made:-
  - That given HPC's commitment to being a transparent and open organisation, the registrant's response should be shared as a matter of routine with the complainant;
  - The Chair of the Fitness to Practise Committee noted that this area would be under constant review however at this point, the Fitness to Practise Committee did not feel that there was a strong enough case to change the current policy;



- That it could be perceived as unfair to potentially extend the Fitness to Practise process by a further 28 days in order to share the registrant's response with the complainant;
- 12.4 The Council agreed that, with regard to the fitness to practise process, the HPC should not routinely share the registrant's response with the complainant.

**Item 13.10/37 The HPC approach to justice and impairment (report ref:- HPC25/10)**

- 13.1 The Council received a paper for discussion/approval from the Executive.
- 13.2 The Council noted that, following consideration by the Fitness to Practise Committee in February 2010 of a paper on not well founded cases, together with the papers relating to "Sharing the registrant's response" and the IPSOS Mori work on the expectations of complainants, there was a need for the HPC to consider further the meaning of "fitness to practise" and "impairment" in the context of professional regulation.
- 13.3 During the course of discussion, the following points were made:-
- That this was a very well written paper that should be circulated to all professional bodies and education providers;
  - A suggestion was made that the statement "whether the dishonesty or abuse indicative of future behaviour" on page eight should be reworded if this document was intended for wider circulation;
  - Council noted that the language of the report would need to be revisited were this document to be circulated more widely;
  - That the work in relation to alternative dispute resolution procedures might well have an impact on this area of work.
- 13.4 The Council agreed the content of the paper and noted that there needed to be some amendments to the language and content in advance of its wider circulation.

**Item 14.10/38 Practise Note "Standard of acceptance of allegations" (report ref:- HPC26/10)**

- 14.1 The Council received a paper for discussion/approval from the Executive.

14.2 The Council noted that the Fitness to Practise department were looking into introducing 'sifting' tools to identify cases where there was a low incidence of case to answer or impairment being found. This paper was seeking approval of the process for dealing with such cases.

14.3 Concern was expressed over the area of the practise note relating to use of internet social networks, in particular the reference to "letting off steam" and the final bullet point of the practise note which referred to the complainant's participation in such sites. Council agreed that the impact of social networking on professional practise was relatively new and, whilst there should be continuing commitment to the principle of free speech, there was a need to ensure that the document was "future-proofed", and appropriate to the social context. After discussion, it was agreed that the final bullet point contained within the section relating to "internet social networking" be deleted and the penultimate bullet point to read as follows:-

- the complaint may relate to comments which are taken out of context and may not be a balanced reflection of the views expressed by the person concerned. In context, the comments may be jocular, have been qualified in some way or withdrawn'.

14.4 The Council :-

- (i) approved the Standard of acceptance of allegations practise note, subject to the amendment detailed above; and
- (ii) agreed that as and when further trends emerge, the Executive will revise the practise note accordingly for approval by Council.

**Item 15.10/39 Psychotherapists and Counsellors Workplan (report ref:- HPC27/10)**

15.1 The Council received a paper for discussion/approval from the Executive.

15.2 The Council noted that at its meeting on 10 December 2009, consideration was given to the outcomes of a consultation on the report of the Psychotherapists and Counsellors Professional Liaison Group (PLG) and this paper outlined the approach for continuing work in this area.

15.3 During the course of discussion the following points were made:-

- That the invitations to present at the PLG would be extended to those stakeholders not already represented on the PLG who could provide additional expertise to the group;

- That the presentations need to be manageable in terms of their number and it was therefore not possible for every interested party to present to the PLG;
  - That the stakeholder engagement events would be an opportunity for participants to hear about the work of the HPC, the progress of the project to date and further planned work as well as an opportunity to ask questions about the regulatory process
- 15.4 The Council agreed the outline timetable and indicative plan of activities in respect of the work on psychotherapists and counsellors.

**Item 16.10/40 Modernising Scientific Careers (Report ref:-HPC28/10)**

- 16.1 The Council received a paper for discussion/approval from the Executive.
- 16.2 The Council noted the background information relating to the review undertaken on how the careers of healthcare scientists working in the National Health Service could be modernised. Council further noted the timetable to date and the draft timetable going forward, with the Department of Health due to publish the draft standards for the two existing regulated professions on 28 April 2010.
- 16.3 The Council noted that the Department of Health were proposing to establish their own accrediting body for these professions. It was proposed that the Chief Scientific Officer be invited to a future meeting of the Council to answer questions on these and other related issues;
- 16.4 During the course of discussion, the following points were made:-
- That the biomedical scientists and clinical scientists were not in agreement with the proposals
  - That government may state that there is “broad support for the proposals” although recent correspondence on this issue suggests that there is very little support from the Institute of Biomedical Scientists and the Higher Education Institutes;
  - That the proposals for these professions need to be appropriate for the four UK countries, not just England;
  - That there has been no progress with regards to the Regulation of Clinical professions, despite clear public protection concerns; and

- That the delay to this project was unacceptable and whilst these professions currently work in managed environments, regulation is required.

16.5 The Council noted the report and requested the Executive to:-

- (i) report to the Council on developments with the draft standards of proficiency, protected titles, structure of the Register and the timetable for the project; and
- (ii) invite the Chief Scientific Officer to attend Council at her convenience to answer questions on the issues relating to Modernising Scientific Careers.

**Item 17.10/41 Consultation on amendment to the standards of proficiency for health psychologists (Report ref:-HPC 29/10)**

17.1 The Council received a paper for discussion/approval from the Executive.

17.2 The Council noted that since publication of the standards of proficiency for practitioner psychologists, feedback received suggests that the one of the domain specific standards for health psychologists may potentially be confusing and might not be a threshold standard.

17.3 The Council agreed:-

- (i) that a consultation should be held on a minor amendment to the standards of proficiency for health psychologists; and
- (ii) the text of consultation document.

**Item 18.10/42 Charitable Status and the HPC (Report ref:-HPC 30/10)**

18.1 The Council received a paper for discussion/approval from the Executive.

18.2 The Council noted that the Finance and Resources Committee had considered this paper at their meeting on 10 February and agreed that the issue should be considered by Council.

18.3 During discussion, the following points were made:-

- That the philosophical basis for pursuing charitable status was not clear.

- To establish the financial benefits would take a considerable amount of time and if the Council agreed that the HPC did not fulfil the charitable criteria for an organisation, this was not worth exploring;
- That there was a risk that the HPC would explore further the benefits of becoming a charity and then try to adapt itself in such a way to fulfil the charitable criteria;
- That there were disadvantages of becoming a charity that also needed careful consideration such as the change in status of members to trustees;
- That whilst some charities have tax relief on their business rates, this was considered on a case by case basis and so not necessarily guaranteed;
- That one of the charitable criteria related to the advancement of education which, it could be argued, is carried out by the HPC;
- That savings arising from establishing HPC as a charity could be passed onto registrants;
- That there was a wider issue around the reputation of the HPC if it were to establish a new identity as a charity.

18.4 The Council agreed that they were not comfortable with the principle of HPC establishing itself as a charity and this issue would therefore not be pursued further.

**Council broke for lunch at 13:30 hours and recommenced at 14:00hrs.**

**At 14:00 hrs, with the meeting having been convened for three hours in total, Council agreed to suspend Standing Order No. 13 in order that the rest of the business could be transacted that day.**

**Item 19.10/43 Review of the Health Professions Council Admission Forms (Report ref:-HPC 31/10)**

- 19.1 The Council received a paper for discussion/approval from the Executive.
- 19.2 The Council noted that the admission forms required updating in advance of the transfer of the statutory regulation of hearing aid dispensers on 1 April 2010 from the Hearing Aid Council to the HPC.

- 19.3 Concern was expressed that, within the admission forms, consent was requested to “processing data for any ‘marketing’ purposes” when in fact the only material sent to registrants was information from HPC. It was suggested that this needed to be clarified. In response, Council noted that the Information Commissioner considered mail shots from a regulator to be ‘marketing’ material and so the wording had to remain the same although the guidance did contain further clarification on the use of this term for registrants.
- 19.4 The Council approved the changes to the admission forms subject to some minor editing.

**Item 20.10/44 Expenses Policies (Report ref:-HPC 32/10)**

- 20.1 The Council received a paper for discussion/approval from the Executive.
- 20.2 The Council noted that a full review of the four expenses policies adopted across the organisation had been carried out.
- 20.3 The Council requested that the wording within the Council and Committee members relating to casual attendance at the HPC be reviewed and presented as a positive statement.
- 20.4 The Council approved the revised expenses policies in relation to Council and Committee members, Employees, Partners and Witnesses for implementation from 1 April 2010, subject to the amendment detailed under 20.3.

**Item 21.10/45 Home working Policy (report ref:-HPC33/10)**

- 21.1 The Council received a paper for discussion/approval from the Executive.
- 21.2 The Council noted that the objective of the policy was to ensure that the HPC is able to provide adequate support for a home worker allowing them to work effectively.
- 21.3 The Council further noted that this new policy would mean that the IT department had control over the broadband line thus ensuring that any problems could be more easily rectified directly with the internet service provider therefore minimising “down time” for those working at home.
- 21.4 The Council agreed the revised Home working policy.

### **Item 22.10/46 Policy and Standards Workplan (report ref:-HPC34/10)**

- 22.1 The Council received the workplan for discussion/approval from the Executive.
- 22.2 Members of the Council wished to place on record their congratulations to the department which they believed covered a significant range of work.
- 22.3 In response to a question regarding the project on professional indemnity (PI) insurance, members noted that the former Chief Executive of the GMC, Finlay Scott, was looking into this issue on behalf of the Department of Health. However, should a recommendation be made that all health professionals were required to have PI insurance, the impact may not be felt for a few years since a Section 60 would be required to introduce this requirement.
- 22.4 A Member noted that, whilst the workplan was designed to be flexible, it would be helpful if it gave a better sense of prioritisation. Concern was also expressed that some of the important projects associated with public protection such as the work on aspirant groups and the new professions process may not be given priority if the HPC was being reactive to ad hoc issues arising.
- 22.5 The Council approved the Policy and Standards departmental workplan and the Standards workplan.

## Corporate Governance

### **Item 23.10/47 Partner Appointments (report ref:-HPC35/10)**

- 23.1 The Council received a paper for discussion/approval from the Executive.
- 23.2 The Council noted that a review of contractual arrangements with regards to “partners” was currently being carried out which highlighted some variations in terms of the governance arrangements associated with some partner roles. It was noted that a new suite of contractual documents would be produced and issued.
- 23.3 The Council agreed:-
- (i) Amendments to the HPC’s Scheme of Delegation, as follows:-
    1. In Paragraph 4 (matters reserved to the Council), in paragraph 4.3, which sets out the matters for which the Council retains responsibility unless they are delegated by

means of a specific resolution, for sub-paragraph (i) substitute:

“(i) appointing members to any committee or sub-committee (other than the appointment of persons to a Practice Committee for the purpose of conducting fitness to practise proceedings);”

2. In Paragraph 6 (matters delegated to the Chief Executive), for paragraph 6.5, which sets out the partner appointments which may be made by the Chief Executive on behalf of the Council, substitute:

“6.5 Subject to any appointments procedure established by the Council, appointing:

- (a) Visitors under Article of the 2001 Order;
- (b) persons to a Practice Committee for the purpose of conducting fitness to practise proceedings under Part V of the 2001 Order; and
- (c) Legal Assessors, Registrant Assessors, and Medical Assessors under Articles 34 to 36 of the 2001 Order.

This power may also be exercised by the Director of Human Resources.”

3. In Paragraph 8 (matters delegated to the Director of Fitness to Practise), for paragraphs 8.1 and 8.2 substitute:

“8.1 Appointing the members of any Panel which is to conduct fitness to practise proceedings or hear a registration appeal. Subject to any requirements of the 2001 Order concerning its composition, Panel members shall be selected by a random process.

“8.2 Appointing, by means of a random process, the Legal Assessor who is to be present at a fitness to practise or registration appeal hearing.”

4. In Paragraph 9 (matters delegated to the Director of Education) for paragraph 9.1 substitute:

“9.1 Appointing Visitors to conduct a visit or perform other functions under Part IV of the 2001 Order. Subject to any requirements of the 2001 Order, Visitors shall be selected by a random process.”

- (ii) the consequential changes to the partner appointment process be made in the “Partner Appointments and Selection Policy”;



**Item 24.10/48 The Health Professions Council (Education and Training) (Constitution) Rules 2010 (report ref:- HPC36/10)**

- 24.1 The Council received a paper for discussion/approval from the Executive.
- 24.2 The Council noted the requirement to update the Rules to reflect the opening of the Register to the Hearing Aid Dispensers on 1 April 2010 and, in addition, to revoke those Rules relating to the interim composition of the Committee which were introduced whilst the additional members were recruited.
- 24.3 The Council agreed:-
- (i) The Health Professions Council (Education and Training) (Constitution) Rules 2010; and
  - (ii) the amendment to the generic standing orders of Committees as follows:-
- 2. Composition of Committees**
- (1) The composition of the **Education and Training Committee** shall be determined by the Council in accordance with the Health Professions Council (Education and Training Committee) (Constitution) Rules 2009 2010.

**Item 25.10/49 Internal Audit Charter (report ref:-HPC3710)**

- 25.1 The Council received a paper for discussion/approval from the Executive.
- 25.2 The Council noted that the new government internal audit standards require the Health Professions Council to have an internal audit charter in place.
- 25.3 The Council noted the changes made to the second paragraph of the section "Head of Internal Audit" by the Audit Committee at their meeting on 29 September 2009 as follows:-
- 'The Head of Internal Audit's duties are performed with the authority of the Audit Committee and the Head of Internal Audit shall have unfettered access to the Accounting Officer, the Chair of the Audit Committee and the Chair of the Council'.
- 25.4 The Council approved the Internal Audit Charter as amended by the Audit Committee at their meeting on 29 September 2009.

**Item 26.10/50 Communications Committee Terms of Reference (report ref:-HPC38/10)**

- 26.1 The Council received a paper for discussion/approval from the Executive.
- 26.2 The Council noted that following clarification of the terms of reference for the Communications Committee, some minor amendments were made which required Council approval.
- 26.3 The Council approved the revised Communications Committee Terms of Reference as follows:-

'The Communications Committee shall:-

1. advise the Council on its overall communications strategy in pursuit of its aims and objectives;
2. consider the communications strategy in the light of ongoing developments and advise the Council on the communications strategy as appropriate;;
3. advise the Council on its priorities in relation to the Committee's strategies;
4. monitor the delivery and evaluate the outcomes of the communications strategy; and
5. recommend the procedures by which the Council can communicate its various processes.'

**Item 27.10/51 Public Minutes of the Finance and Resources Committee held on 5 10 February 2010 (report ref:-HPC39/10)**

- 27.1 The Council received a paper for discussion/approval from the Executive.
- 27.2 The Council approved the recommendations therein.

**Item 28.10/52 Public Minutes of the Communications Committee held on 18 February (report ref:-HPC40/10)**

- 28.1 The Council received a paper for discussion/approval from the Executive.

28.2 The Council noted that the Communications Committee had debated at length the issue of practitioners of traditional Chinese medicine, following the press coverage about a court case.

28.3 The Council approved the recommendations therein.

**Item 29.10/53 Public Minutes of the Audit Committee held on 24 February (report ref:-HPC41/10)**

29.1 The Council received a paper for discussion/approval from the Executive.

29.2 The Council approved the recommendations therein.

**Item 30.10/54 Minutes of the private part of the Audit Committee held on 24 February (report ref:-HPC42/10)**

30.1 The Council received a paper for discussion/approval from the Executive.

30.2 The Council approved the recommendations therein.

**Item 31.10/55 Public Minutes of the Fitness to Practise Committee held on 25 February (report ref:-HPC43/10)**

31.1 The Council received a paper for discussion/approval from the Executive.

31.2 The Council approved the recommendations therein.

The Council noted the following papers:

**Item 32.10/56 CHRE Report: 'Protecting the public from unregistered practitioners: Tackling misuse of protected title.'(report ref:-HPC44/10)**

**Item 33.10/57 Reports from Council representatives at external meetings (report ref:-HPC45/10)**

**Item 34.10/58 Customer Service Feedback Report for February 2010 (report ref:-HPC46/10)**

**Item 35.10/59 Any other business**

## **22-26 Stannary Street Limited**

- 35.1 The Council received a paper for discussion/approval from the Executive.
- 35.2 The Council noted that in order to effect the transfer of the deeds of 22-26 Stannary Street to the HPC, approval was sought to the execution of the Deeds by Common Seal.
- 35.3 Council approved the execution by Common Seal of the Deeds to effect the necessary transfer of the property from 22-26 Stannary Street to the Health Professions Council.

## **Item 36.10/60 Date and time of next meeting**

36.1 Thursday 20 May 2010 at 10.30 am .

Wednesday 7 July 2010 at 10:30am

## **37. Resolution**

The Council agreed to adopt the following resolution:-

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

- (i) information relating to a registrant, former registrant or application for registration;
- (ii) information relating to an employee or office holder, former employee or applicant for any post or office;
- (iii) 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;
- (iv) negotiations or consultation concerning labour relations between the Council and its employees;
- (v) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
- (vi) action being taken to prevent or detect crime to prosecute offenders;
- (vii) the source of information given to the Council in confidence; or
- (viii) 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>
38	v
40	v
41	vii
42	iii, v
43	iv

**Summary of those matters considered whilst the public were excluded**

**Item 38.10/61 Minutes of the Private part of the Council meeting held on 11 February 2010 (report ref:-HPC47/10)**

38.1 The Council considered and approved the minutes of the private part of the Council meeting held on 11 February 2010.

**Item 39.10/62 Matters arising**

39.1 The Council noted that there were no matters arising from the private part of the Council minutes of 11 February 2010.

**Item 40.10/63 Judicial Review (report ref:-HPC48/10)**

40.1 The Council noted a report relating to a judicial review.

**Item 41.10/64 Licensing of Healthcare Support Workers (report ref:-HPC49/10)**

41.1 The Council agreed that consideration of a report relating to the Licensing of Healthcare Support Workers should be deferred until the next meeting of Council.

**Item 42.10/65 Minutes of the private part of the Finance and Resources Committee held on 10 February 2010 (report ref:-HPC50/10)**

42.1 The Council considered the private minutes of the Finance and Resources Committee held on 10 February 2010 and agreed the recommendations therein.

**Item 43.10/66 Minutes of the private part of the Finance and Resources Committee held on 4 March 2010 (report ref:-HPC51/10)**

43.1 The Council considered the private minutes of the Finance and Resources Committee held on 4 March 2010 and agreed the recommendations therein.

**Item 44.10/67 Any other business for consideration in private**

44.1 There were no items for consideration in private.

Chair: .....

Date: .....