

# The Health Professions Council

## Investigating Committee

Thursday, 8<sup>th</sup> May 2003

11.00 a.m.

A meeting of the **Investigating Committee** of the Health Professions Council will be held at the following location:

The President's Room,  
Oval Cricket Ground,  
Kennington,  
London, SE11 5SS

**Mr. Marc Seale**  
**Chief Executive & Registrar**  
8<sup>th</sup> May 2003

Health Professions Council  
Park House  
184 Kennington Park Road  
London SE11 4BU

**Mrs. Anne Barnes**  
**Secretary to Investigating Committee**

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## AGENDA

### 1) **APOLOGIES FOR ABSENCE**

*If you are unable to attend, please inform Anne Barnes as soon as possible before the meeting.*

### 2) **MINUTES**

To confirm and sign the Minutes of the meeting held on 13<sup>th</sup> January 2003.

**ENCLOSURE 1**

### 3) **APPROVAL OF AGENDA**

To approve the agenda.

### 4) **MATTERS ARISING FROM THE MINUTES**

(Please advise Anne Barnes as soon as possible of any matter(s) you wish to raise otherwise it may not be possible to provide an answer at the meeting.)

To consider matters arising not shown elsewhere on the agenda.

### 5) **DATES OF FUTURE MEETINGS**

To note the dates of future Investigating Committee and Council meetings.

**ENCLOSURE 2**

### 6) **GENERAL ENQUIRIES**

To consider a procedure for dealing with general enquiries about the Standards of Conduct, Performance and Ethics and how HPC should provide that advice.

### 7) **PARTNERS**

To note the number of partners recruited for Investigating Panels, to date (by profession).

**ENCLOSURE 3**

### 8) **CASES PENDING INVESTIGATION**

To note the number of cases, by profession, pending consideration by the Investigating Committee.

**ENCLOSURE 4**

### 9) **CASES PENDING DISCIPLINARY HEARING**

To note the number of cases, by profession, pending a disciplinary hearing.

**ENCLOSURE 5**

10) **ANY OTHER BUSINESS**

11) **DATE OF NEXT MEETING**

The next meeting would be on Thursday, 31<sup>st</sup> July 2003, at 11.00 a.m.

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**Agenda Item 2, Enclosure 1**

Investigating Committee

8<sup>th</sup> May 2003

Minutes of meeting held on 13<sup>th</sup> January 2003

Prepared by A. Barnes, Secretary

**FOR INFORMATION**

**MINUTES** of the eighth meeting of the Investigating Implementation Working Party held at 11.00 a.m. on Monday, 13<sup>th</sup> January 2003 in the Council Chamber, Park House, 184 Kennington Park Road, London SE11 4BU.

Present: Mr.N.Willis (Chairman)  
Mr.M.Collins  
Ms.C.Farrell  
Mr.C.Lea  
Miss M.Mackellar  
Mr.W.Munro  
Mrs.J.Pearce  
Miss G.Pearson

In attendance: Mrs.L.A.Barnes – Director (Working Party Secretary)  
Mr.T.C.Berrie - Director  
Mr.G.Ross-Sampson – Project Manager  
Mr.M.Seale (Chief Executive & Registrar)  
Mr.Stephen Hill (Newchurch)

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**Item 1. 03/01 APOLOGIES FOR ABSENCE**

Received from Mr.M.Barham and Mr.P.Frowen.

**Item 2. 03/02 MINUTES**

The minutes of the meeting held on 1<sup>st</sup> October 2002 were approved and signed by the Chairman.

**Item 3. 03/03 APPROVAL OF AGENDA**

The agenda was approved.

**Item 4. 03/04 MATTERS ARISING FROM THE MINUTES**

There were no matters arising.

**Item 5. 03/05 COUNCIL PROCESSES**

The Working Party received a copy of the public leaflet for information. Steve Hill (Newchurch) stated that there had since been several amendments to the leaflet, having adjusted the tone and language used in it. Documents would be written in a simple style and an appropriate selection would be going to the Plain English Society for Crystal Mark Accreditation.

Some sample colour brochures were circulated for information. Three sizes of brochure would be produced – the small leaflet for the public; medium size for registrants and the large size for higher education institutions.

It was noted that some members of the Working Party were concerned about the readability of the brochures. An updated version would be produced by the end of the week and circulated to all the practice committees for comment.

It was noted that the Conduct & Competence Implementation Working Party would be meeting on 16<sup>th</sup> January 2003 to consider procedures and guidelines and that a joint meeting of the practice working parties had been arranged for 24<sup>th</sup> January 2003 when it was anticipated that all the common processes would be finalised. It was planned that the draft procedures would be tested by working through four or five case studies.

Mediation - The Working Party noted that a mediation meeting had been arranged on 16<sup>th</sup> January 2003 with two expert bodies, i.e. CEDR (Centre for Dispute Resolution) and ADR (Association for Dispute Resolution) to find out how they work and whether they would be able to assist the HPC.

Partners - It was reported that 1,750 requests for application packs had been received and approximately 500 completed application forms had been returned. In accordance with the more formal 'Nolan' procedures now being used, former Board members and others who had been assisting the Council during the transitional period would be required to complete application forms in the same way as everyone else. All 'partners' would be required to undergo appropriate training.

Receipt of allegations - It was noted that at present, all allegations were forwarded by the Chief Executive & Registrar to Neil Willis in the first instance to determine whether or not the allegation should be referred to an Investigating Panel. There was considerable discussion over the most appropriate arrangements under the new Rules. It was suggested that with effect from 1<sup>st</sup> April 2003, each allegation be forwarded for determination to two members of the Committee. Each decision given would need to be in writing with clear reasons given for its onward referral, or otherwise. As agreed previously, Screeners would be appointed and trained but not used until the workload required it and when appointed would only determine whether or not a complaint was sufficient to proceed. The Investigating Committee would be notified of all decisions. In order to ensure consistency, the process would be reviewed by the Committee at its quarterly meetings. The Chief Executive & Registrar commented that in a very few cases, namely ones where the serious nature of the allegation necessitated immediate action, he would be referring them, on behalf of the Council, directly to the Conduct & Competence or Health Committee. However, he did not consider it within his authority to act as a substitute for the Investigating Committee and the overwhelming majority of allegations would be referred first to the Investigating Committee, which, itself, could issue an interim order. It was **AGREED** to defer this discussion until after the joint practice working party meeting on 24<sup>th</sup> January 2003 when it was anticipated that the process would be developed.

## **Item 6. 03/06 DATES OF FUTURE MEETINGS**

The Working Party received the dates of future meetings. However, it was noted that the date of the meeting arranged for 12<sup>th</sup> February 2004 clashed with the meeting of the Finance & Resources Committee. A new date would be sought.

**Item 7. 03/07 CASES PENDING INVESTIGATION**

The Working Party received for information a list of cases pending consideration by the Investigating Committee.

**Item 8. 03/08 CASES PENDING DISCIPLINARY HEARING**

The Working Party noted the large number of cases pending disciplinary hearings.

**Item 9. 03/09 ANY OTHER BUSINESS**

There was no other business.

**Item 10. DATE OF NEXT MEETING**

The next meeting would be on Thursday, 8<sup>th</sup> May 2003 at 11.00 am.  
The Working Party were asked to hold Wednesday, 26<sup>th</sup> February 2003 at 11.00 a.m. for an interim meeting should it be required.

It was noted that the Working Party would also need to meet as a Committee before 1<sup>st</sup> April 2003 to approve the rules, provided it had been formally enacted by the Secretary of State by then. The Chief Executive & Registrar reported that he had been assured by the Department of Health that this would take place very shortly.

**CHAIRMAN**

**Investigating Committee**

**8<sup>th</sup> May 2003**

**Dates of future Investigating Committee and Council  
meetings**

**FOR INFORMATION**



**Investigating Committee**

Monday, 13<sup>th</sup> January 2003

Thursday, 8<sup>th</sup> May 2003

Thursday, 31<sup>st</sup> July 2003

Wednesday, 12<sup>th</sup> November 2003

Thursday, 5<sup>th</sup> February 2004

**Council Meeting**

Friday, 7<sup>th</sup> March 2003

Wednesday, 4<sup>th</sup> June 2003

Wednesday, 17<sup>th</sup> September 2003

Thursday, 11<sup>th</sup> December 2003

Tuesday, 2<sup>nd</sup> March 2004

Investigating Committee

8<sup>th</sup> May 2003

**PARTNERS**

**FOR INFORMATION**

## **Member of Investigating Committee Panel**

|                                  |                      |
|----------------------------------|----------------------|
| <b>Lay (non registrants)</b>     | <b>96 applicants</b> |
| <b>Professions (registrants)</b> | <b>84 applicants</b> |

**Lay breakdown:** shortlist not complete-expected end of next week

**To date: Long list:**

**22 Yes**  
**11 possible**  
**51 No**  
**12 not sifted**

### **Professions breakdown:**

|                  |  |
|------------------|--|
| <b>Chiropody</b> | <b>6 applicants (2 P*)</b><br><b>5 interview (2 P)</b><br><b>* = Partner</b> |
|------------------|--|

|                         |   |
|-------------------------|---|
| <b>Clinical Science</b> | <b>15 applicants (1 P)</b><br><b>11 interview (1 P)</b> |
|-------------------------|---|

|                 |   |
|-----------------|---|
| <b>Dietetic</b> | <b>4 applicants (4 P)</b><br><b>3 interview (3 P)</b> |
|-----------------|---|

|             |  |
|-------------|--|
| <b>MLSO</b> | <b>12 applicants (6 P)</b><br><b>13 interview (3 P)</b><br><b>6 interview (3 P)</b><br><b>7 Visitors asked interview</b> |
|-------------|--|

|                                   |   |
|-----------------------------------|---|
| <b>Occupational Therapy</b>       | <b>1 applicant (P)</b><br><b>1 interview (P)</b>        |
| <b>Orthoptics</b>                 | <b>1 applicant (P)</b><br><b>1 interview (P)</b>        |
| <b>Paramedics</b>                 | <b>6 applicants (4 P)</b><br><b>6 interview (4 P)</b>   |
| <b>Physiotherapy</b>              | <b>15 applicants (4 P)</b><br><b>15 interview (4 P)</b> |
| <b>P and O</b>                    | <b>4 applicants (1 P)</b><br><b>4 interview (1 P)</b>   |
| <b>Radiography</b>                | <b>10 applicants (9 P)</b><br><b>9 interview (9 P)</b>  |
| <b>SLT</b>                        | <b>1 applicant</b><br><b>1 interview</b>                |
| <b>Art Therapy</b>                | <b>5 applicants ( 1 P)</b><br><b>5 interview (1 P)</b>  |
| <b>Total applicants:</b>          | <b>84 (inc 7 MLSO)</b>                                  |
| <b>Total Partners applicants:</b> | <b>34</b>   |
| <b>Total Interview:</b>           | <b>74 (inc 7 MSLO)</b>                                  |
| <b>Total Partner interview:</b>   | <b>30</b>   |

**Investigating Committee**

**8<sup>th</sup> May 2003**

**Number of cases pending consideration by the  
Investigating Committee**

**FOR INFORMATION**

**Cases pending consideration by the Investigating Committee (as at 22/4/03)**

| <u>Pending Investigation</u> | <u>Profession</u>               | <u>Date of meeting</u> |
|------------------------------|---------------------------------|------------------------|
| 2                            | Chiropodists                    | 27/5/03 & t.b.a.       |
| 1                            | Clinical Scientist              | t.b.a.                 |
| 1                            | Occupational Therapist          | 27/5/03                |
| 2                            | Paramedics                      | t.b.a.                 |
| 4                            | Physiotherapists                | t.b.a.                 |
| 1                            | Prosthetists & Orthotists       | t.b.a.                 |
| 4                            | Radiographers                   | 27/5/03 & t.b.a.       |
| 1                            | Speech & Language<br>Therapists | t.b.a.                 |

**Investigating Committee**

**8<sup>th</sup> May 2003**

**Cases pending Disciplinary Hearing**

**FOR INFORMATION**

**Cases pending disciplinary hearing (as at 22/4/03)**

| <u>Pending Hearing</u> | <u>Profession</u>              | <u>Date of Meeting</u>    |
|------------------------|--------------------------------|---------------------------|
| 2                      | Chiropodists                   | t.b.a.                    |
| 1                      | Dietitians                     | t.b.a.                    |
| 3                      | Medical Laboratory Technicians | 12/5/03, 26/6/03 & t.b.a. |
| 4                      | Occupational Therapists        | t.b.a.                    |
| 1                      | Paramedics                     | t.b.a.                    |
| 4                      | Physiotherapists               | t.b.a.                    |
| 2                      | Radiographers                  | 22/5/03 & t.b.a.          |
| 1                      | Speech & Language Therapists   | 19&20/5/03                |

**Judgement postponed six months**

|   |                              |         |
|---|------------------------------|---------|
| 1 | Speech & Language Therapists | 24/4/03 |
|---|------------------------------|---------|

**Judgement postponed for two years**

|   |                 |        |
|---|-----------------|--------|
| 1 | Physiotherapist | t.b.a. |
| 1 | Radiographer    | t.b.a. |
| 2 | Chiropodists    | t.b.a. |



