

MINUTES of the third meeting of the Investigating Committee held at 11.00 a.m. on Wednesday, 12th November 2003 at Park House, 184 Kennington Park Road, London, SE11 4BU.

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

In attendance: Mrs.L.A.Barnes – Director (Committee Secretary)
Mr.M.Seale (Chief Executive & Registrar)
Mr.P.Baker (Director of Finance)

1. APOLOGIES FOR ABSENCE

1.1 Apologies were received from Mr.M.Barham, Mr.M.Collins and Miss M.Mackellar.

2. MINUTES

2.1 The minutes of the meeting held on 31st July 2003 were approved and signed by the Chairman, having noted an amendment to Item 6, Process Review, paragraph 6.2 – ‘Mrs.Farrell wished her disagreement to this to be recorded’.

3. APPROVAL OF AGENDA

3.1 The agenda was approved.

4. MATTERS ARISING FROM THE MINUTES

4.2 General Enquiries

4.2.1 Mr.Seale clarified the position that general enquiries would not deal with complaints, only matters of a general nature about the Standards of Conduct, Performance and Ethics.

- 5.4 Preliminary meetings
- 5.4.1 Initial thoughts were that preliminary private meetings might not be necessary, but recent experience has shown that these meetings are helpful in most cases.
- 5.5 Consideration of Allegations
- 5.5.1 The Committee felt that the rota system for screening of allegations had worked well.
- 5.5.2 A query was raised in that different people held different values, e.g. regarding alcoholism, which could lead to disagreement between the screeners. It was **AGREED** that if there was disagreement, the allegation should be sent forward to the Investigating Panel for consideration.
- 5.5.3 Mr.Seale reported that HPC was currently in the process of setting up a non-Council Council meeting to discuss how it would set up a process for consideration of issues such as alcoholism and mental health. Mrs.Farrell was asked to put forward the names of any alcoholics' organisations who could be invited to the meeting which it was anticipated would take place towards the end of January/beginning of February 2004.
- 5.5.4 It was noted that the proforma used by the screeners had a section for additional comments and it was queried whether any comments made there were forwarded to the Investigating Panel when considering the allegation. Mr.Seale stated that he would check with the lawyers the extent to which further information in relation to an allegation could be sought.
- 5.5.5. A query was raised about previous allegations which were not referred on and the point at which they would be brought to the Investigating Committee's attention. Clarification would be sought from the lawyers as to whether, if kept, the previous allegation would be presented in the first instance to the screeners, or to the Investigating Panel.

5. ITEMS FOR DISCUSSION/APPROVAL

5.1 NOMINATIONS FOR CHAIRMAN AND DEPUTY CHAIRMAN

- 5.2 Neil Willis was proposed Chairman by Mrs.Farrell and seconded by Mrs.Pearce and Morag Mackellar was proposed Deputy Chairman by Miss Pearson and seconded by Mrs.Farrell. The proposals would be ratified by Council at its next meeting.

6. ANONYMOUS ALLEGATIONS

6.1 Mr.Berrie reported that the advice received from the lawyers was that anonymous allegations generally should not be considered except in rare circumstances where the allegation against a registrant was so serious and detailed that it warranted investigation.

6.2 It was recommended that a policy on anonymous allegations would need to be made, to be endorsed by the Investigating Committee and then approved by Council. The policy could then be made available on the HPC website.

7. COMMUNICATIONS

7.1 Mr.Willis reported that problems in terms of processes had been fed back to him at the Council Awayday.

7.2 Members of the Committee who had sat on Investigating Panels agreed that it would be helpful to have some feedback about the cases they had met to consider. They were advised that the transcript of the appropriate hearing would be available on the website and also a case summary prepared by the legal assessor for the hearing.

7.3 Committee members were reminded that they must attend the partner training sessions which were due to take place early in the New Year. The training sessions would be of two days' duration and would take place in Manchester. The dates would be confirmed in the near future. It was thought that training was necessary for those Committee members who had had no previous experience and who would be required to chair panels. Mr.Frowen flagged up that he had not yet been trained and would be chairing an Investigating Panel on 1st December 2003.

7.4 Under the Fitness to Practice Hearings list on the website, the word 'suspended' was thought to be confusing as it was believed that the hearing had been suspended. It was suggested that the wording be changed to read, 'registrant suspended'.

8. INVESTIGATING COMMITTEE MEETING DATES 2004

8.1 The Committee noted the Council meeting dates for 2004/5 and proposed the following provisional Investigating Committee dates for the same period:

15th April 2004
10th June 2004
23rd September 2004
11th November 2004
10th February 2005

9. ITEMS FOR INFORMATION

9.1 CASES PENDING INVESTIGATING

9.2 The number of cases pending investigation was noted.

10. CASES PENDING CONSIDERATION BY A PRACTICE COMMITTEE

10.1 The number of cases pending consideration by a practice committee was noted.

11. INTERIM SUSPENSION ORDERS

11.1 The Committee noted the number of interim suspension orders that had been issued to date.

11.2 A query was raised as to whether overseas regulators were advised of a registrant's suspension. Mr.Seale advised that it was very difficult to identify other regulators and the registrant members of the Committee were asked to notify HPC of any regulators they knew of through their profession. He also advised that it was HPC's intention to notify private hospitals and other organisations of a registrant's suspension and that it would be a criminal offence if that registrant continued to practise.

12. GMC CONSULTATION PAPER ON REGISTRATION AND LICENSURE

12.1 The Committee noted that individuals from abroad would be treated as individuals in the UK and would be required to be revalidated every five years.

13. ANY OTHER BUSINESS

13.1 Mediation

13.2 It was noted that there was to be a mediation meeting following the Investigating Committee meeting and that Mrs.Farrell and Mr.Willis would report back to the next meeting.

13.3 Conflict of interest

13.4 It was noted that there was the potential for conflict between professional bodies and the HPC. Professional bodies often have their own ethics and care would need to be taken by registrant members

when sitting on Investigating Panels. Where a conflict of interest arose, Panel members would be required to declare it.

14. DATE OF NEXT MEETING

- 14.1 The next meeting would be on Thursday, 5th February 2004 at 11.00 a.m. at Park House.

CHAIRMAN