

THE HEALTH PROFESSIONS COUNCIL

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MINUTES of the eighteenth meeting of the Investigating Committee held at **10:30a.m. on Thursday 14 September 2006** at Park House, 184 Kennington Park Road, London, SE11 4BU.

Miss M MacKellar (Chairman)
 Dr N Callagan
 Ms C Farrell (1.1- 6.1)
 Mrs D Haggerty
 Mr W Munro
 Mr S Taylor

IN ATTENDANCE:

Miss S Butcher, Secretary to Committees
 Mr M Guthrie, Policy Officer
 Miss K Johnson, Director, Fitness to Practise
 Miss M McNair McKinley, P.A. to the Director of Fitness to Practise
 Miss E Seall, Manager, Fitness to Practise
 Dr A van der Gaag, President

Item 1.06/01 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from the following Committee members; Mrs S Chaudhry, Mr R Clegg and Professor D Waller.

Item 2.06/02 APPROVAL OF AGENDA

- 2.1 The Investigating Committee approved the agenda subject to an alteration of the ordering of papers so that item 7 could be taken before item 6, opening the meeting with a broad discussion about the Committees strategic role.

Item 3.06/03 MINUTES OF THE INVESTIGATING COMMITTEE MEETING HELD ON WEDNESDAY 19 APRIL 2006

- 3.1 It was agreed that the minutes of the seventeenth meeting of the Investigating Committee be confirmed as a true record subject to the

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2006-09-13	a	INV	MIN	Investigating Committee Minutes 14 September 2006	Final DD: None	Public RD: None

following correction at 3.06 so that it read 23 January 2006 and the word comparative replaced with comparison at 6.3 and be signed by the Chairman.

Item 4.06/04 MATTERS ARISING

- 4.1 The Committee noted that the review of fitness to practise trends and patterns would be undertaken shortly with the assistance of the ftp database.

Item 5.06/05 CHAIRMAN'S REPORT

- 5.1 The Chairman reported that she had been involved in the review of the Standards of Conduct, Performance and Ethics. The Chairman had also met with the Director of Fitness to Practise regarding the direction of the Committee and its forthcoming workload.

Item 6.0.6/06 INVESTIGATING COMMITTEE STRATEGY

- 6.1 The Committee discussed the Committee's strategy, identifying its short and long term objectives. (Please see notes attached).

Item 7.06/07 DIRECTOR OF FITNESS TO PRACTISE REPORT

- 7.1 The Committee received the Director of Fitness to Practise report.
- 7.2 The Committee noted that there had been a high number of cases where a striking off order was applied, notably within the paramedic profession. The Committee discussed the statistics that could be produced by the FTP database. The committee agreed it would be helpful to have statistics on the percentage of allegations compared to the total number on the relevant part of the register.

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- 7.3 The Committee noted that some allegations received had not been well founded and identified this as a potential area where the Committee could review the process by which the decision was taken to refer a case. The Committee also discussed the types of cases where an interim order was applied for. It was noted that the Director of Fitness to Practise would bring to Committee a paper with suggestions on the types of cases where an interim order should be applied for. A record number of allegations had been received in the month of August whilst the case to answer figures had also increased.

- 7.4 The Director of Fitness to Practise had been involved in a range of meetings with varying stakeholders. Currently meetings were being held with the ambulance trusts to discuss best practice for exchange of information.
- 7.5 The Committee noted that it would be helpful if a brief note was put against each of the cases and or meetings listed in the Director's report regarding who and what they concerned.

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Item 8.06/08 FITNESS TO PRACTISE WORKPLAN AND PROCESS DOCUMENT

- 8.1 The Committee received a paper from the Director of Fitness to Practise for discussion.
- 8.2 The Committee noted the Health Committee's recommendation to prioritise the key areas of the workplan.
- 8.3 The Committee noted that the focus to date in the FTP department had been the visible end of the process. Focus was now being moved to other areas of work. The development and training of ftp staff was an integral part of the workplan.
- 8.4 The ftp database was now functioning and linked a number of other HPC systems – including the partner database. There was now functionality for the random electronic selection of panel members. All ftp documentation could now be scanned to the database, aiding in disaster recovery planning. The ftp department was also due to be reviewed by the internal auditors.
- 8.5 The Committee discussed how the ftp statistics now needed to be translated into meaningful information and communicated to HPC's stakeholders. It was discussed whether the information on the website in relation to FTP cases was useful and appropriate. The workplan also included ensuring the FTP processes were clear and accessible.
- 8.6 The workplan highlighted the need to undertake a risk assessment of cases. This included allocation of cases to the appropriate case manager.
- 8.7 The Committee noted that the ftp budget had increased by 28% in 2006/2007. It also noted the agreement that was in place with Kingsley Napley in relation to costs of cases.

- 8.8 It was also noted that the workplan included reviewing the prosecutions policy, the health and character process and ensuring that the department was fully compliant with Data Protection and Freedom of Information Act requirements.
- 8.9 The Committee agreed the workplan needed timescales and priorities. This would be useful for the Committee's governance function.
- 8.10 The Committee agreed that part of its remit should be to review the terminology used in case transcripts of not well founded cases.
- 8.11 The Committee agreed that it should also review its communication strategy for the effective relay of ftp statistics into meaningful information for HPC's stakeholders.

**Item 9.06/09 STANDARDS OF CONDUCT, PERFORMANCE AND ETHICS
REVIEW**

- 9.1 The Committee received a paper from the Policy Officer for discussion/approval.
- 9.2 The Committee noted that whilst all of the fitness to practise committees would feed into the review of the Standards of Conduct, Performance and Ethics (SCPE), the Conduct and Competence Committee had final approval before being recommended to Council.
- 9.3 The standards were set at a minimum threshold which catered for a wide range of registrants, taking into account the possibility of future changes in the law, technology and working practices.
- 9.4 Following a review of changes in current legislation it was found that no significant alterations were warranted to be made to the Standards. The existing standards were consistent with the principles agreed by the regulators in 2001. The overarching consensus was that the standards should be clearly defined with more detailed guidance provided in separate publications.
- 9.5 The Committee noted that the Conduct and Competence Committee would review the standards scope of use. The Standards of Proficiency (SOPs) already provided guidance on how changes in scope of practice and extended scopes were accommodated. The Committee was in agreement that the SCPE introduction should be written so that it was consistent with the SOPs introduction which clarified the way in which the standards could be met in line with those set out by the professional bodies.

- 9.6 The Committee noted that queries had been received regarding standard 4 of the current SCPE, in particular what was defined by a minor motoring offence and if it was an appropriate reference for inclusion.
- 9.7 The frequency and usage of the standards was analysed based on a number of misconduct cases as heard by the Conduct and Competence Committee. It was found that the standards were well used by panel members and supported by Panel Chairmen in the formulation of their final decision and Order and that no changes were proposed from this overview.
- 9.8 The Committee noted that the workplan had been revised to incorporate additional meetings at which the standards could be reviewed as the original number planned was quite limiting to allow for a full review to take place and incorporate all necessary updates.
- 9.9 The standards would be provided at the next meeting of the Investigating Committee with the comments as received by professional bodies and other stakeholders with their potential recommendations for change.

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Item 10.06/10 WITNESS QUESTIONNAIRE AND SERVICE LEVEL STANDARDS

- 10.1 The Committee received a paper from the Director of Fitness to Practise for information.
- 10.2 The Committee noted that the fitness to practise department were currently engaged in reviewing the information that was provided to witnesses.
- 10.3 Furthermore, service level standards had been drafted to aid in ensuring effective communication.

Item 11.06/11 ANY OTHER BUSINESS

- 11.1 The President reported that a ‘Hard to Reach Seminar’ was being held on Friday 22 September 2006 and recommended that a member of the fitness to practise department attended.

Action: KJ – 22 September 2006

Item 12.06/12 DATE AND TIME OF NEXT MEETING

- 12.1 The next meeting of the Investigating Committee would be on Thursday 16 November 2006 at 11:00am.