

## STANDING ORDERS OF THE HEALTH AND CARE PROFESSIONS COUNCIL

### 1 Application and Interpretation

- 1.1 These Standing Orders establish the basic rules about how the Council conducts its proceedings.
- 1.2 They supplement and must be read with the Health and Social Work Professions Order 2001 and the Health and Care Professions Council (Constitution) Order 2009 (together, **the Orders**).
- 1.3 If a procedural point arises during a Council meeting which is not covered by these Standing Orders (or the Orders), the common law rules concerning the conduct of meetings apply.
- 1.4 The Chair is the final authority on the interpretation of these Standing Orders.
- 1.5 Unless the context otherwise requires, terms used in the Standing Orders have the same meaning as in the Orders.

### 2 Suspension of Standing Orders

The Council, by resolution, may suspend any Standing Order (other than one prescribed by or under the Orders).

### 3 Frequency of Meetings

- 3.1 The Council must meet in ordinary session (**Ordinary Meeting**) at least six times each year, at times decided by the Council.
- 3.2 In addition to Ordinary Meetings, a special session of the Council (**Special Meeting**) may be convened by the Secretary at the written request of the Chair or any four Council Members.
- 3.3 A request for a Special Meeting to be held must include details of the business to be transacted at that meeting.
- 3.4 A Special Meeting must take place within 14 days of the Secretary receiving the request for the meeting to be held.

### 4 Adjournment of Meeting

- 4.1 The Chair may, with the consent of the meeting, adjourn a meeting, but no business is to be transacted at an adjourned meeting other than the business which had not been disposed of when the adjournment took place.

- 4.2 If a meeting is adjourned for more than seven days (but not otherwise), notice of the meeting must be given as if it was an Ordinary Meeting.

## **5 Access to meetings**

- 5.1 All Council meetings must be open to the public unless the business under consideration concerns:
- 5.1.1 information relating to a registrant, former registrant or applicant for registration;
  - 5.1.2 information relating to an employee or office holder, former employee or office holder or an applicant for any post or office;
  - 5.1.3 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;
  - 5.1.4 negotiations or consultation concerning labour relations between the Council and its employees;
  - 5.1.5 any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
  - 5.1.6 action being taken to prevent or detect crime or to prosecute offenders;
  - 5.1.7 the source of information given to the Council in confidence; or
  - 5.1.8 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.

## **6 Notice of Meetings**

- 6.1 The Secretary must give Members at least seven days' notice of the time and place of a meeting.
- 6.2 If for any reason a meeting is convened at shorter notice, then the Secretary must give Members notice of the time and place of the meeting at the time that the meeting is convened.
- 6.3 Failure to send notice of a meeting to a Member does not invalidate the proceedings of that meeting.

## **7 Agenda**

- 7.1 The Secretary must issue an agenda for each meeting.
- 7.2 Except in cases of urgency or where circumstances make it impracticable to do so, the agenda for a meeting and any accompanying papers must be sent to Members at least seven days before the meeting.

## **8 Chair**

- 8.1 The Chair is to preside at any Council meeting.

- 8.2 If the Chair is absent from or unable to preside at a meeting, the Members present must nominate another Member to serve as chair at that meeting.
- 8.3 In these Standing Orders, references to the **Chair** include a Member presiding at a meeting in place of the Chair.

## **9 Quorum**

- 9.1 The quorum at any Council meeting is seven Members.
- 9.2 If a quorum is not present within 15 minutes of the time appointed for a meeting to commence, all business which should have been transacted at that meeting is to be held over until the next Ordinary Meeting, unless a Special Meeting is called in the meantime for the transaction of that business.
- 9.3 If, during a Council meeting, it appears to the Chair that a quorum has ceased to exist, business must be suspended and the number of Members present counted and, if:
  - 9.3.1 a quorum exists, the business may proceed;
  - 9.3.2 a quorum does not exist, the meeting must be dissolved and all remaining business adjourned to the next Ordinary Meeting.

## **10 Conduct of Meetings**

- 10.1 The order of business at a meeting must follow that set out in the agenda unless it is varied by the Chair with the consent of the meeting.
- 10.2 A Member may only initiate a debate or move a motion on a matter which is not on the agenda with the consent of the meeting.
- 10.3 All motions must relate to matters that are within or related to the functions of the Council.
- 10.4 Members must not use offensive or improper language or make derogatory personal references to any other Member or Council employee.
- 10.5 A Member must speak to the subject under discussion. The Chair may call attention to any irrelevance, repetition or other improper conduct on the part of a Member and, where the Member persists in that conduct, may direct that Member to cease speaking.
- 10.6 A ruling by the Chair on any question of order, whether or not provided for by the Standing Orders, is final and not open to debate.

## **11 Voting**

- 11.1 Except where the Orders specify a different requirement, any question at a meeting is to be decided by a majority of the Members present voting by a show of hands.
- 11.2 In the event of an equality of votes, the Chair is entitled to an additional casting vote.

## **12 Minutes of Council meetings**

- 12.1 The Secretary must keep minutes of each meeting which shall include a record of the Members present at that meeting.
- 12.2 At each meeting, the minutes of the preceding meeting must be confirmed (or confirmed as amended) and signed by the Chair as a true record of that meeting.
- 12.3 The signed minutes of a meeting, unless the contrary is proved, are conclusive proof of the proceedings of that meeting.

## **13 Duration**

Subject to Standing Order 9.2, a meeting must start at the time set out in the notice of meeting and may continue until all of the business on the agenda has been disposed of, but the duration of a meeting may only exceed three hours with the consent of the meeting.

## **14 Disorder**

- 14.1 If, in the Chair's opinion, a Member has persistently disregarded the ruling of the Chair or behaved in a manner which is obstructing the business of the meeting, the Chair may order that Member to withdraw from the whole or part of the remainder of the meeting.
- 14.2 In the event of a disturbance which, in the Chair's opinion, prevents the orderly conduct of business, the Chair may adjourn the meeting for such period as the Chair considers appropriate.
- 14.3 If a person other than a Member interrupts the proceedings at any meeting, the Chair may order that person to be removed from the meeting or may order the part of the room which is open to the public to be cleared.

## **15 Members' interests**

- 15.1 Members must make a declaration of their personal interests in the form required by the Council (which must be published in the Council's Register of Members' Interests) and must ensure that their interests as set out in that Register are accurate and up to date.
- 15.2 The agenda for every meeting must include as an item of business the declaration of interests. A member who has a personal interest in any matter under consideration at that meeting, whether or not declared in the Register of Members' Interests, must promptly disclose that interest to the meeting. If the interest is a prejudicial interest, the member must withdraw from the meeting during the Council's consideration of that matter.

## **16 Code of conduct**

Members must comply with the Code of Conduct adopted by the Council.

## **17 Members' education, training and performance**

- 17.1 The Council must establish standards of education and training for Members and, as part of those standards, must arrange for Members to undergo training to assist them in their performance of their duties.
- 17.2 The Council must establish standards of attendance and performance for members, including a system of annual performance appraisal.
- 17.3 Members must comply with the standards established by the Council under this Standing Order and must not, without reasonable excuse, refuse to participate in the training or appraisal processes.

## **18 Provisional suspension of Members**

- 18.1 If circumstances arise which may result in a Member being suspended or removed from office by the Privy Council under the Orders, the Council may resolve that the Member is to be provisionally suspended from office until the Privy Council has reached a decision on whether to suspend or remove the Member.
- 18.2 A Member who is provisionally suspended is not entitled to participate in Council meetings or to exercise any other functions of a Member.

## **19 Approval of resolutions without meeting**

A resolution which, with the Chair's consent, is circulated to, and approved in writing or electronic form by at least three quarters of the Members entitled to receive notice of and attend a Council meeting is as valid as if it had been passed at such a meeting.

## **20 Emergency Action**

- 20.1 In an emergency, where a decision must be made by the Council before its next meeting, the powers and duties of the Council may be exercised by the Chair (**Emergency Action**).
- 20.2 For this purpose an **emergency** means circumstances in which:
  - 20.2.1 the HCPC will be unable to discharge its statutory functions or be exposed to a significant level of risk if urgent action is not taken; or
  - 20.2.2 urgent action must be taken to prevent loss, damage or significant disadvantage to the HCPC.
- 20.3 Before taking any Emergency Action, the Chair must consult the Registrar.
- 20.4 The Registrar must make reasonable efforts to inform Members of the proposed Emergency Action or, where it is impracticable to do so, must inform them as soon as possible after Emergency Action has been taken, but failure to do either does not invalidate any Emergency Action.
- 20.5 The Emergency Action functions of the Chair and Registrar may be exercised by any other persons that the Chair and Registrar may respectively nominate in writing.

## **21 The Secretary**

- 21.1 The Registrar is to be the secretary to the Council.
- 21.2 The Registrar, with the Council's consent, may appoint another person to act as secretary to the Council.
- 21.3 In these Standing Orders, references to the **Secretary** mean the Registrar or any person appointed under Standing Order 21.2.

## **22 The Registrar, Secretary and advisers**

- 21.1 The Registrar is entitled to attend and speak at Council meetings.
- 21.2 The Secretary or any other person advising on the business before a Council meeting (including advising the Chair on issues of order) may attend and, with the Chair's consent, speak at that meeting.

## **23 Common Seal**

- 23.1 The Common Seal of the Council must be kept in safe custody by the Registrar or a person appointed by the Registrar.
- 23.2 The Common Seal may only be affixed to a document with the consent of the Council or of a Committee to which that power has been delegated and where the seal is affixed to a document, it must also be signed by a Council Member and the Registrar.

## **24 Adoption**

These Standing Orders were adopted by the Council on 20th September 2017 and supersede all previous versions. They apply to any Council meeting held on or after [date].