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NOTES of a meeting of members of the Conduct and Competence Committee of the Health Professions Council held at **2:00 p.m. on 20th November 2003** at Park House, 184 Kennington Park Road, London SE11 4BU

PRESENT Dr. G Beastall,
Miss H. Davis,
Professor C Lloyd
Ms. J. Manning

IN ATTENDANCE

Mr T.C. Berrie, Secretary to the Committee

Note 1 Apologies for Absence

An apology was received from Professor N. Brook, Mr. R Clegg, Ms. P. Sabine, Mr. K Ross, Mrs. B Stuart, Mr. G Sutshall and Dr. A.Yule.

The Chairman had advised members immediately before the meeting, that the Finance and Resources Committee meeting, which a number of members were attending, including himself, would likely continue for some time after lunch. He had therefore recommended that the meeting begin without him and these members. Members waited half an hour until 2:30 and agreed to hold the meeting, albeit inquorate and that Dr. G Beastall act as chair.

With Dr. Beastall in the chair

Note 2 Approval of Agenda

It was agreed that the agenda be approved. Members discussed the use of folders in which the agendas had been inserted over the previous three meetings. They agreed that the use of folders was desirable, but Mr. Berrie agreed to look into smaller, more convenient ones.

Note 3 Minutes of the meeting held on 23rd September 2003 Matters Arising

Appointment of a registered medical practitioner to the Committee - 03/29.1

For information, it was confirmed that the action on this item agreed by Council was in progress.

Note 4 Secretary's Report

- Mr. Berrie reported that training for panel members was continuing and would now last two-days rather than one. Sessions were organized to take place in January and February. Members considered that it was also important for chairmen of panels to receive training on chairing panel meetings and hearings.
- He had given an address on the Council's practice committees and processes, to the PARN conference on complaints and disciplinary processes, on 12th November in London.
- He had filled in a questionnaire sent by the General Optical Council seeking comments on its draft Code of Professional Conduct, which he had not received in time for the previous meeting and the deadline for receipt of comments had been 14th October.
- He reminded the meeting of the requirements as set out in the Practice Committee Constitution Rules item 7(2) relating to ongoing training of its members and 8(3), relating to the yearly review of its work. These would be considered at the meeting in February 2004.

Note 5 Dates of meetings for 2004/2005

The Committee had agreed that its meetings be held on the afternoon of the same day as the meetings of the Finance & Resources Committee, as there was an overlap of membership. The Committee was asked whether it wished to continue this for the year 1st April 2004 to 31st March 2005. It was agreed that in future the meetings not be held on the same day as the Finance & Resources Committee, as the latter's meetings were likely to continue into the afternoon for the foreseeable future. Rather, it was agreed that they be held at the same time as Education & Training Committee, either the previous afternoon or the following morning, and that Mr. Berrie be left to arrange this with all the Committee members.

Note 6 Appointment of Chairman and Deputy Chairman of the Committee

The meeting noted that the Council had agreed at its most recent meeting that Dr. A. Yule and Mr. K. Ross continue as Chairman and Deputy Chairman, for the duration of the second transitional period.

Note 7 News Releases on Council's issue of first interim suspension order and first caution

The meeting received for information the above. It was noted that the panel in the second case had been chaired, in error, by a member of the Health Committee, which was incompatible with the requirements of the Health Professions Order, but that this was in the process of being remedied.

Note 8 General Osteopathic Council: Consultation Document “Revised Code of Practice”

A report which had been sent for consultation by the General Osteopathic Council had been attached to the agenda. The deadline for comments was 1st December. Members agreed that the General Osteopathic Council be commended for producing a clear and succinct document.

Note 9 General Medical Council: Consultation on Fitness to Practise, Proposed New Rules and Guidance

The Secretary reported that this document had not been sent to the Council for comment, but he had discovered it on the GMC's website on 28th October. The closing date for comments had been 31st October 2003 and he had been able to draw it to the attention of the Committee's Chairman and Deputy Chairman. He commented that its proposals were fairly radical. From an initial reading of the proposals, one of them appeared to be the abolition of all the GMC practice committees apart from the Investigation Committee, with all allegations being dealt with directly by Panels after referral from the Investigation Committee. Another was the delegation of most of the latter's powers of decision to “Case Examiners”, and the appointment of “Case Managers” for each allegation. A third was the powers to issue warnings without reference to a Panel hearing. A fourth in respect of competence or “professional performance” was that, after undergoing an assessment, the practitioner could give a “voluntary undertaking” to comply with recommendations laid down by the Investigating Committee or Case Examiner. It appeared that, if the latter are satisfied, no further action is taken. It was drawn to the Committee's attention, for information, as it gave an indication as to current thinking at the GMC on these matters. The outcome of the consultation and resulting legislation would be reported to the Committee when known

Note 10 Date of Next Meeting

Members were reminded that the next meeting would be held on 12th February 2004 at 2:00 p.m., preceded by lunch.

CHAIRMAN