

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the fourth meeting of the Health Professions Council held at **12.00 noon on Thursday 18 July 2002** at Park House, Kennington Park Road, London, SE11 4BU

PRESENT:

Professor N Brook (President)
Mrs S Chaudhry
Mr R Clegg
Miss M Crawford
Ms C Farrell (Items 1-6)
Miss A Foster
Professor J Harper
Professor A Hazell
Dr R Jones
Professor Sir John Lilleyman
Miss M MacKellar
Mrs C McGartland
Dr J Old
Miss P Sabine
Mrs B Stuart
Dr Anna Van Der Gaag
Professor D Waller
Mr N Willis
Mr A Yule

IN ATTENDANCE:

Mrs J Arnott, Department of Health
Mr P Baker, Finance Director
Mrs A Barnes, Director of Legal Services
Mr T Berrie, Director
Mr J Bracken, Bircham Dyson Bell
Dr P Burley, Director of Education and Policy
Ms J Hipwell Staffordshire General Hospital
Miss L Mayers, Manager, International Registration
Mr G Milch, Director
Mr M Murray, Scottish Executive Health Department
Ms N O'Sullivan, Secretary to Council
Miss L Pilgrim, Director
Mr M Seale, Chief Executive and Registrar
Mr G Ross-Sampson, Project Manager

Item 1.02/82 INTRODUCTION

- 1.1 Professor Brook congratulated all those attending the meeting on their efforts in travelling to Park House despite a strike on London Underground. Professor Brook proposed that standing orders be suspended in case the meeting became inquorate during the day if members needed to leave early due to travel arrangements.
- 1.2 On the proposal of the President it was resolved that Standing Order number 11 should be suspended for the duration of the meeting in respect of competent quorum.
- 1.3 Professor Brook welcomed Ms J Hipwell, Staffordshire General Hospital, who was shadowing Mr Seale for the day and was therefore attending the meeting.
- 1.4 She also welcomed Mr M Murray from the Scottish Executive to his first meeting of Council and Mrs J Arnott from the Department of Health.
- 1.4 Professor Brook offered her congratulations and the congratulations of Council to Professor Sir John Lilleyman on his award of a knighthood in the Queen's Birthday Honours list.
- 1.5 Professor Sir John Lilleyman thanked Professor Brook and the Council for its good wishes and in turn asked Council to join with him in congratulating Professor Brook on being awarded honorary degrees from the University of East Anglia and the Robert Gordon University.

Item 2.02/83 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from the following Council members: Mr C Lea, Professor J Lucas, Ms J Manning (and alternate Mr M Collins), Mr W Munro (and alternate Mr I Massey), Mr K Ross, Mrs J Stark.
- 2.2 Apologies for absence were also received from Mrs M Gilbert, National Assembly for Wales (NAW), Mrs R Mead, Department of Health (DH) Mrs N McArdle, Northern Ireland Assembly (NIA) and Mrs A Imison, DH.

Item 3.02/84 APPROVAL OF AGENDA

The Council agreed the agenda but noted that the private agenda would be discussed before the Council agenda was considered and that the minutes of the Finance and Resources Committee would be included as part of the private agenda.

Item 4.02/85 MINUTES

It was agreed that the minutes of the third meeting of the Health Professions Council be confirmed as a true record and signed by the President subject to the following amendment:

Miss M Crawford should be listed as Miss with the initial M in the attendance list.

Item 5.02/86 MATTERS ARISING

5.1 Council Membership

- 5.1.1 The Council noted that the Privy Council had confirmed that Mr Ian Massey had been appointed as the Prosthetists and Orthotists alternate member on Council in place of Mr L Hughes who had resigned.

5.2 Proposal for a Directive of the European Parliament and of the Council on the Recognition of Professional Qualifications

- 5.2.1 The Council noted that Ms G Malcolm was on holiday and would therefore report back to Council on the above proposal at the September meeting of Council.

Action: GM

5.3 Minutes of the Finance and Resources Committee held on 30 May 2002

- 5.3.1 The Council noted that Mr P Baker, Secretary to the Finance and Resources Committee was in the process of distributing letters to all those members attending the meeting regarding their tax status and would post similar letters to all other members.

Action: PB

5.4 Date and Time of Next Meeting

- 5.4.1 The Council noted that the 11 December meeting would be held at 10.30 am.

Item 6. 02/87 PRESIDENT'S REPORT

- 6.1 Professor Brook reported that she had attended an International Conference of Medical Regulators in Toronto. Topics under discussion included issues common to regulators in all countries. She would be preparing a paper on the conference in due course which would be available to Council members.
- 6.2 Professor Brook noted that the Consultation exercise had been launched on 1 July on the HMS Belfast. Since that date she had attended a number of the events and felt very positive about the quality of the questions being asked by those attending the events.

Item 7.02/88 CHIEF EXECUTIVE REPORT

- 7.1 The Council received a report from the Chief Executive as attached (Annex 1).
- 7.2 Mr M Seale noted since the launch of the Consultation process on 1 July he had attended consultation events in Birmingham, Cardiff, Llandrindod Wells, Salisbury and Exeter. Further events were planned throughout August and September. On average over 100 people attended each meeting and the questions asked were in-depth and probing. The discussion and feedback would be essential in planning the future of the HPC. Mr Seale thanked all members and staff who had been involved in the organisation of the events or who had participated at meetings. Finally he noted venues changes for meetings in Edinburgh, Brighton and London.
- 7.3 Ms Foster congratulated all those involved on the success of the consultation events but noted that, as anticipated, the vast majority of attendees belonged to the professions regulated by the Health Professions Council (HPC). The HPC had a responsibility to ensure that it was able to take account of public views by other means. This matter would be addressed at the next meeting of the Consultation Steering Group.

Item 8.02/98 THE ROLE OF COUNCIL MEMBERS

- 8.1 The Council received a paper from Mr J Bracken on the role of members of the Health Professions Council.
- 8.2 Mr Bracken noted that a number of Council members had raised questions about how a balance was struck between the lay and professional interests which they represented and the need for the four home countries of the United Kingdom to be represented on the Council.
- 8.3 The Health Professions Order 2001 made no distinction between the roles of the lay and registrant Council members on the Council and all were expected to participate in and work towards fulfilling the Council functions.
- 8.4 The purpose of the home country representation requirement was to ensure that the Council was a truly UK-wide body but members from each of the home countries were not there simply to look out or speak for the interests of that country. Members were appointed to participate in the Council's UK-wide remit and also to bring local knowledge into the decision making process.
- 8.5 During the transitional period (i.e. the period until April 2003) the Privy Council was obliged to appoint at least one of the practitioner/

alternate member and one lay member from each home country, however if a member resigned the Privy Council did not have to appoint another person from the same home country. After the transitional period, once the election scheme was in place, resigning members – whether elected or appointed – would have to be replaced by a person from the same home country.

- 8.6 The Council noted that following Mr L Hughes' resignation as alternate Prosthetists and Orthotists member on Council, the home country representation from Northern Ireland had been reduced to one registrant member and one lay member. This was in keeping with the minimum representation requirements during the transitional period however it had caused much concern among registrant members in Northern Ireland.
- 8.7 The Council noted that during the transitional period the appointment of replacement members to Council was made by the Privy Council. In the case of registrant members the relevant professional body was asked to make a nomination and was encouraged to nominate individuals from all of the four home countries.
- 8.8 Following the transitional period, when the election scheme was in place, it was important that registrant members from Northern Ireland put themselves forward for election to the HPC.

Item 9.02/99 THE COUNCIL PROCESSES

- 9.1 The Council received a paper from the Chief Executive regarding the Council processes.
- 9.2 Mr Seale noted that with the start of the Consultation process on 1 July 2002 the next stage of preparing for the introduction of the HPC rules had commenced. However two further documents needed to be produced. These were operating manuals and brochures.
- 9.3 The operating manuals, which would be written primarily for HPC employees, would describe in detail exactly how HPC's internal procedures and processes worked. The process manuals would map the flow of information and set information requirements to be received and sent to outside agencies. This project would work hand-in-hand with the design of the new IT Registration System.
- 9.4 The brochures would be written for members of the general public, registrants and partners who wished to find out in relatively less detail how HPC worked.
- 9.5 The Council noted that the Communications Committee had an important role to play in taking an overview on the accessibility and readability of the brochure on the complaints procedure and other brochures.

- 9.6 The Council noted that the Executive would work on producing draft manuals and brochures and would circulate them to members of the relevant committees.
- 9.7 The Council agreed that the Committees should report back to the 18 September meeting of the HPC on their requirement for process manuals and brochures.
Action: All committees

Item 10.02/100CONSULTATION PAPERS RECEIVED AT (CPSM) AND HPC TO DATE

- 10.1 The Council received a paper from the Executive which listed the consultations received by the CPSM/HPC and the action taken or recommended.
- 10.2 Dr Burley noted that none of the papers which had been received to date touched fully on the remit of the HPC however there were a number of proposed consultations which would require full discussion by the Council in the near future.

Item 11.02/101ASSESSMENT OF OVERSEAS OCCUPATIONAL THERAPY APPLICANTS

- 11.1 The Council received a paper from the Executive regarding the assessment of international occupational therapy applicants.
- 11.2 The Council approved the Registration Committee's recommendation that the contract with Oxford Brookes University to hold written examinations for international applicants should be maintained during the transitional period.
- 11.3 The Council also approved the Registration Committee's recommendation that those applying to be Occupational Therapy assessors should be interviewed by the relevant Occupational Therapy member and by the HPC Human Resources Director.
- 11.4 Finally the Council approved the Registration Committee's recommendation that any assessors who were appointed should receive training.

Item 12.02/102MINUTES OF THE REGISTRATION COMMITTEE HELD ON 14 JUNE 2002

The Council received the minutes of the Registration Committee held on 14 June 2002.

**Item 13.02/103 MINUTES OF THE CONSULTATION STEERING GROUP
HELD ON 10 JUNE 2002**

The Council received the minutes of the Consultation Steering Group held on 10 June 2002.

**Item 14.02/104 MINUTES OF THE FINANCE AND RESOURCES
COMMITTEE HELD ON 27 JUNE 2002**

The minutes of the Finance and Resources Committee held on 27 June 2002 were discussed as part of the private agenda.

**Item 15.02/105 MINUTES OF THE INVESTIGATING COMMITTEE HELD
ON 11 JUNE 2002**

The Council received the minutes of the Investigating Committee held on 11 June 2002.

**Item 16.02/106 MINUTES OF THE CONDUCT AND COMPETENCE
COMMITTEE HELD ON 13 JUNE 2002**

The Council received the minutes of the Conduct and Competence Committee held on 13 June 2002.

**Item 17.02/107 MINUTES OF THE EDUCATION AND TRAINING
COMMITTEE HELD ON 3 JULY 2002**

- 17.1 The Council received the minutes of the Education and Training Committee (ETC) held on 3 July 2002 noting the recommendations to the Privy Council to approve new courses.
- 17.2 The Council noted that following the resignation of Mr Hughes from Council and the appointment of Mr Massey, the Prosthetists and Orthotists vacancy on the ETC would be filled by Mr Massey. Mr Massey met the territorial conditions of being a Welsh member. The Northern Irish vacancy remained outstanding and the Committee had authorised the Chairman to approach suitable candidates in Northern Ireland with a view to Council making an external appointment by President's action before the next meeting.

Item 18.02/108 COUNCIL MEMBERSHIP

The Council received an update on Council membership.

Item 19.02/108 COUNCIL FOR THE REGULATION OF HEALTH CARE PROFESSIONALS

- 19.1 The Council received a paper setting out the background to the Council for the Regulation of Health Care Professionals, some of the intensions, powers, and procedures around it; ministers' and senior officials' speculation around it; and the HPC's possible work with its establishment in 2003.
- 19.2 The Council noted that the Department of Health would be in contact with the regulatory bodies about the next steps required, and in particular about arrangements for the regulatory bodies to nominate their member(s) to the Council.

Item 20.02/109HEALTH PROFESSIONS WALES

- 20.1 The Council received a paper from the Executive which described an event where members and an officer of the Health Professions Council met with the Health Professions Wales (HPW) and officers from the Nursing and Midwifery Council and jointly gave evidence to a pre-legislative enquiry into the Draft NHS (Wales) Bill by the House of Commons Welsh Affairs Committee.
- 20.2 Professor Hazell expressed his thanks to Dr Burley for representing the Council in an extremely professional manner at the event.

Item 21.02/110ANY OTHER BUSINESS

The Council noted that the December meeting of Council would begin at 10.30am and would be followed by Christmas lunch at the People's Palace restaurant at the Royal Festival Hall.

Item 22.02/111DATE AND TIME OF NEXT MEETING

- 22.1 The next meeting of the Council would be held at 12 noon on Thursday 18 September.
- 22.2 Further meetings would be held on the following dates:

Wednesday & Thursday 9 & 10 October
(Council 'away day' on 9 October starting at 12 noon)
*(venue Low Wood Hotel on Lake Windermere)

Wednesday 13 November (noon)

Wednesday 11 December (10.30 am)

*note: It was later agreed by President's action that Council would meet at 12.30 am on Wednesday 9 October. The Council 'away day' would start at 2pm on Wednesday October and continue all day on Thursday 10 October 2002.

22.3 The Council agreed that the Secretariat should contact members to agree dates for meeting in the new year and that a paper would be presented to the October meeting of the Council listing dates for the year from 1 April 2003.

Action: NO'S

The Council resolved that the remainder of the meeting should be held in private because publicity would be prejudicial to the public interest, by reason of the confidential nature of the business transacted.