

May 2004

Dear Colleague

### **Consultation on the Health Professions Council Election Rules**

The Health Professions Council would like to seek your views on the proposed Rules for its election scheme which will come into effect with the election of the Council in July 2005.

The Health Professions Order 2001 (the Order) is very specific about the composition of the Council and the criteria for candidates putting themselves forward for election to the Council. These can only be altered by Parliament.

(The relevant provisions of the Order are set out in Schedule I to the Order, a copy of which is attached at appendix A).

However the Order allows the Council to develop its own rules regarding the following;

- (1) Nomination procedure for candidates
- (2) Voting method to be used
- (3) Means by which the Council will ensure that at least one member from each home country will be appointed.

As a result of the 2002 consultation the Council took the following decisions with regard to the Council Election Rules.

- (1) Each candidate to have at least six nominators from the same part of the Register
- (2) Candidates will be able to stand for election either as Registrant Members or Alternate Members but not both
- (3) The election scheme will be 'first past the post'
- (4) The Council will ask the Electoral Reform Services to run elections on its behalf
- (5) Method for dealing with the home country representation requirement
- (6) In the rolling annual elections to Council post 2005 professions should be grouped together such that each year, the total electorate is roughly the same size (when the three electorates voting are added together).

Since that date the Council has given further consideration to the Rules and wishes to consult on the following three issues;

### **Electronic Ballot**

The Council has agreed to include provision for electronic ballots in the Rules on the grounds that this would have the following benefits;

- (1) Voters can vote from anywhere with an internet connection
- (2) Votes can be cast 24 hours a day, 7 days a week
- (3) The risk of spoiled votes is lessened
- (4) There is improved access to voting, which encourages increased participation.

Our voting system would aim to eliminate multiple voting and “hacking”.

Q 1: What are your views on the move to electronic voting as set out in the Rules?

### **Meeting the Home Country Requirement in the Order**

The Order lays down a requirement that at least one registrant member or one alternate member shall be appointed from each of the countries of the United Kingdom and that member shall live or work wholly or mainly in the country concerned.

The Council proposals to deal with that requirement are set out in 11(3) and 11 (4) of the Rules.

Q2: What are your views on the mechanism for meeting the home country requirement as set out in the Rules?

Q3: What other steps, if any, can the Council take to reduce the likelihood of a conflict between its duties to hold free and fair elections and to ensure country representation among elected members?

### **Council Elections Post 2005**

The Health Professions Order requires a rolling election cycle. After the first election in July 2005, which will see all members stand down, every year one quarter of Council will stand down and there will be an election for the registrant and alternate members and appointment for lay members. As a result of the 2002 consultation the Council decided to group professions together such that each year the total electorate is roughly the same size (when the three electorates voting are added together).

However further advice has been taken on this issue as a result of which Council took the decision to group similar sized professions together. The Council will decide at a later date the order in which the elections will be held.

Q4: What are your views on the Council’s decision to group similar sized professions together?

## **Consultation Process**

The Council is conducting a 6 week consultation concluding on Monday 5 July 2004. The period of the consultation has been reduced from the usual 3 months because, as stated above, the Council previously consulted on the draft Rules in 2002. Our consultation will put the Council's proposals before a wide range of stakeholders including bodies representing currently regulated professionals, aspirant professions, other professional bodies, and government departments (See Appendix B). If you wish to suggest other interested parties to whom this consultation document should be sent please use the email address below.

All interested parties are invited to give their views and to respond to this consultation document, further copies of which can be obtained from the Council website at [www.hpc-uk.org](http://www.hpc-uk.org). Your response may be public, but if you prefer it not to be attributed please make this clear when replying.

Following the consultation period all written responses will be analysed and the Council will publish a document summarising the views it received. The target date for this is August 2004. This will be available on the HPC website or at the address below.

The decision of Council will be published in September 2004.

If you have any questions about the process please email HPC at [niamh.osullivan@hpc-uk.org](mailto:niamh.osullivan@hpc-uk.org) or contact:

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Yours sincerely

**Marc Seale**  
**Chief Executive and Registrar**

## Appendix A

The Order says:

### **Schedule 1 Part 1, 1 – (1) The Council shall consist of-**

- a) 12 members who are appointed by the Council on being elected under the election scheme made under paragraph 2 (referred to in this Order as “registrant members”);
  - b) 11 members who are appointed by the Privy Council (referred to in this Order as “lay members”; and
  - c) 12 members appointed by the Council on being elected under the election scheme made under paragraph 2 (referred to in this Order as “alternate members”).
- (1) The Council shall appoint an alternate member for each registrant member.
  - (2) An alternate member has the same functions as a registrant member but he may attend a Council meeting in his capacity as an alternate member and vote, only if his corresponding registrant member is unable to do so.
  - (3) The Council shall appoint an elected candidate to be a registrant member or alternate member in accordance with criteria set out in the election scheme made under paragraph 2.

2. –

- (1) The Council shall provide in rules for an election scheme to elect the registrant members and alternate members and may provide in the rules for by-elections.

The election scheme shall provide that –

- (a) a person seeking election -
  - (i) shall be registered in the past of the register for which he seeks election but no person may be elected for more than one part of the register at a time;
  - (ii) lives or works wholly or mainly in the United Kingdom;
  - (iii) is not the subject of any allegation, investigation or proceedings concerning his fitness to practise; and
  - (iv) is wholly or mainly engaged in the practice, teaching or management of the profession in respect of which he is registered and seeks election or in research in those fields;
- (b) at least one registrant member and one alternate member shall be appointed from each part of the register and the number of members from each part shall be equal;

- (c) of the registrant and alternate members, at least one member shall be elected from each of the countries of the United Kingdom and that member shall live or work wholly or mainly in the country concerned;
  - (d) a person may only vote -
    - (i) in respect of one part of the register;
    - (ii) for candidates who represent a part of the register in which he is registered at the time of the election;
  - (e) a person may vote even if he lives or works outside the United Kingdom;
  - (f) where someone ceases to be a registrant member or alternate member a replacement shall, subject to paragraph 8(3), be appointed by the Council.
- (3) The Council shall provide such information and advice for voters and candidates about the purpose and conduct of the election as it considers appropriate.

**List of those being consulted**

Allied Health Professions Federation  
Ambulance Service Association  
Artists in Mental Health  
Association for Dance Movement Therapy UK  
Association of Child Psychotherapists  
Association of Clinical Scientists  
Association of Operating Department Practitioners  
Association of Osteomyologists  
Association of Professional Music Therapists  
British Association for Behavioural & Cognitive Psychotherapies  
British Association for Counselling & Psychotherapy  
British Association for Sports Rehabilitators & Trainers  
British Association for Tissue Banking  
British Association of Art Therapists  
British Association of Dramatherapists  
British Association of Play Therapists  
British Association of Prosthetists & Orthotists  
British Chiropody & Podiatry Association  
British Confederation of Psychotherapists  
British Dietetic Association  
British Medical Ultrasound Society  
British Orthoptic Society  
British Paramedic Association  
British Psychological Society  
British Society of Echocardiography  
British Toxicology Society  
Chartered Society of Physiotherapy  
College of Occupational Therapists  
Council for the Regulation of Healthcare Professionals  
Craniosacral Therapy Association  
Department of Health  
Department of Health, Social Services & Public Safety (Northern Ireland)  
Federation of Holistic Therapists  
Hospital Play Staff Education Trust  
Institute for Arts in Therapy & Education  
Institute of Biology  
Institute of Biomedical Science  
Institute of Chiropodists & Podiatrists  
Institute of Maxillofacial Prosthetists & Technologists  
Institute of Medical Illustrators  
Institute of Physics & Engineering in Medicine  
National Assembly for Wales  
National Association of Hospital Play Staff  
National Sports Medicine Institute of the UK  
Nutrition Society

Play Therapy UK  
Privy Council Office  
Registration Council for Clinical Physiologists  
Royal College of Speech & Language Therapists  
Scottish Executive Health Department  
SMAE Institute  
Society for Vascular Technology of Great Britain & Ireland  
Society & College of Radiographers  
Society of Chiropodists & Podiatrists  
Society of Clinical Perfusion Scientists of Great Britain & Ireland  
Society of Sports Therapists  
UK Association of Sonographers  
UK Council for Psychotherapy  
UK Voluntary Register for Public Health Specialists  
Voluntary Register of Clinical Technologists