

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

Park House
 184 Kennington Park Road
 London SE11 4BU
 Telephone: +44 (0)20 7840 9711
 Fax: +44 (0)20 7840 9807
 e-mail: niamh.osullivan@hpc-uk.org

MINUTES of the thirty-fifth meeting of the Health Professions Council held at
12 noon on Wednesday 4 October 2006 at Tankersley Suite, Tankersley Manor,
 Church Lane, Tankersley, Barnsley, West Yorkshire.

PRESENT: Dr A van der Gaag (President)
 Mr P Acres
 Mr J Camp
 Mrs S Chaudhry
 Mrs M Clark-Glass
 Mr R Clegg
 Ms H Davis
 Mr M Davies
 Mrs S Drayton
 Miss E Ellis
 Dr C H Green
 Professor J Harper
 Professor T Hazell
 Professor J Lucas
 Miss M MacKellar
 Mr P McFadden
 Mrs J Pearce*
 Mr K Ross
 Miss P Sabine
 Mrs B Stuart
 Miss E Thornton*
 Mrs A Turner

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DD:	None	Public									

RD: None1

IN ATTENDANCE:**Alternate Council Members**

Mr O Altay
 Mrs P Blackburn
 Mrs S Griffiths
 Miss D Haggerty
 Professor C Lloyd
 Mr A Mount
 Mr D Proctor
 Mrs J Sheridan
 Mr M Woolcock

*There is currently a vacancy for a registrant Physiotherapist and Speech and Language Therapist member on the Council and therefore the alternate member attended the meeting in place of the registrant member.

HPC Executive Management Team

Mr R Dunn, Director, Corporate Services
 Miss L Foster, Human Resources Director
 Mr M Guthrie, Policy Officer
 Miss K Johnson, Director, Fitness to Practise
 Mrs J Ladds, Communications Director
 Mr S Leicester, Finance Manager
 Ms N O'Sullivan, Secretary to Council
 Mr G Ross-Sampson, Director of Operations
 Mr M Seale, Chief Executive and Registrar

Item 1.06/184 INTRODUCTION AND WELCOME

- 1.1 The President welcomed all Council members and members of the HPC Executive Management Team to the meeting and the away day.

Item 2.06/185 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from the following members; Miss C Farrell, Ms H Patey, Miss G Pearson, Mr W Munro, Mr S Taylor and Professor D Waller.

Item 3.06/196 APPROVAL OF AGENDA

- 3.1 The Council approved the agenda.

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RD: None2

Item 4.06/197 MINUTES

- 4.1 It was agreed that the minutes of the thirty-fourth meeting of the Health Professions Council be confirmed as a true record and signed by the President.

Item 5.06/198 MATTERS ARISING

- 5.1 There were no matters arising.

Item 6.06/199 PRESIDENT'S REPORT

- 6.1 The President reported that a number of meetings had been held with professional bodies. These had been productive. The President noted that both registrant and lay members were encouraged to attend these meetings.
- 6.2 The President also noted that she and members of the HPC Executive had attended a productive meeting with the Department of Health for England. A meeting with the Scottish Executive Health Department would take place shortly.
- 6.3 The President noted that the Appointments Commission was nearing completion of the process to recruit an additional lay member to the Council. The appointment would be considered by the Board of the Appointments Commission on 11 October 2006. An announcement would be made shortly after that date.
- 6.4 The President noted that the HPC had hosted a seminar of the Joint UK Regulators PPI Forum on working with 'hard to reach' groups. The seminar had been well attended and the feedback had been very good. It was planned that more work would be undertaken in this area.

Item 7.06/200 CHIEF EXECUTIVE'S REPORT

- 7.1 The Council noted that there would be no Chief Executive's Report at this meeting. The next report would be presented to the December meeting of the Council.

Item 8.06/201 DRAFT FIVE YEAR PLAN

- 8.1 The Council received a paper from the Executive for discussion/approval.

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- 8.2 The Council noted that the five year plan had been last updated in September 2005. The plan set out a number of scenarios with regard to the proposed fee rise. The plan had been reviewed at a meeting of the Finance and Resources Committee on 18 September 2006 and at a meeting of the Education and Training Committee on 26 September 2006 and the 'central case' forecasts outlined in the document had been approved. The 'central case' was based on what the Executive believed to be the most likely outcome if the proposed fee increase for July 2007 was implemented. An extract from the minutes of the Finance and Resources Committee meeting was tabled.
- 8.3 The Council noted that the paper included a number of further scenarios to show the impact of possible changes in registration application numbers, including a 10% and 20% drop in registrant numbers.
- 8.4 The Council also noted the key assumptions, financial overview, operational overview, financial information, operational information and ratios in the paper.
- 8.5 The Council agreed to the central case scenario as set out in the HPC's five year plan.

Item 9.06/202 FEE CHANGE OUTCOME

- 9.1 The Council received a paper from the Executive for discussion/approval.
- 9.2 The Council noted that the paper proposed that the revised fees should take effect from 1 July 2007, subject to the outcome of the consultation process and obtaining Privy Council approval for the proposed rise.
- 9.3 The Council noted that if the proposed fee rise was implemented further rises would need to be considered on a biennial basis.
- 9.4 The Council noted that the Finance and Resources Committee had considered two alternative proposals for proposed fee rises. The 'central case' scenario considered by the Committee had proposed that renewal fees should be increased to £66. The Committee had been concerned as to whether the HPC would be able to support its operational costs (particularly in connection with Fitness to Practise cases) on the basis of a £66 renewal fee. As a result of this concern the Committee had agreed that the consultation should propose that the renewal fees should be increased to £70.
- 9.5 The Council noted that the model for the fee rise included a possible reduction in registrant numbers. Given the likelihood of a continued rise in fitness to practise cases it was unlikely that this would be accompanied by any significant reduction in costs. The Council noted that benchmarking HPC's costs against those of other regulators, in

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order to ensure continued cost efficiency, could be considered in the future. However it was noted that comparative information regarding costs could be difficult to obtain.

- 9.6 The Council noted that the Education and Training Committee had supported the principle that there should be no significant cross-subsidisation across different chargeable services. However there had been concern among Committee members regarding the rate of increase of the initial registration fee for new graduates from UK approved programmes.
- 9.7 The Council also expressed concern regarding the rate of increase of the initial registration fee for new graduates. The Council noted that new graduates who were not yet employed could face difficulties in funding the cost of initial registration.
- 9.8 The Council noted that the HPC's internal auditors PKF (UK) LLP, had developed a costing model which assigned HPC direct costs to a chargeable service as defined under the Health Professions Council (Registration and Fees) Rules Order of Council 2003. In the costing model 80% of the Approvals and Monitoring cost and the associated overhead costs were allocated to UK registration chargeable service. The rationale was that, of the fees for which HPC was permitted to charge, the cost of approving and monitoring programmes most closely aligned with the UK registration chargeable service.
- 9.9 The Council noted that it should be made clear to registrants that they could offset their registration fee against their income tax payments.
- 9.10 The Council noted that if it changed its proposals to the Privy Council regarding the fee rise, as a result of the feedback from the consultation, it would not have to consult again on the amended proposal.
- 9.11 The Council agreed to consult on the central case scenario for the proposed fee rise.
- 9.12 The Council agreed that the allocation of costs particularly in relation to initial registration should be considered at the next meeting of the Finance and Resources Committee.

Action: SL – 20 November 2006

Item 10.06/203 DRAFT FEE RISE CONSULTATION DOCUMENT

- 10.1 The Council received a paper from the Executive for discussion/approval.
- 10.2 The Council noted that an amended draft fee rise consultation document had been tabled and also the proposed regulatory impact

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assessment and the proposed draft Health Professions Council (Registration and Fees) (Amendment) Rules 2007.

- 10.3 The Council noted that the amended draft fee rise consultation document included a number of changes which had been made following further legal advice from HPC Solicitor and Parliamentary agent.
- 10.4 The Council noted that the document could not be given the Plain English crystal mark because of the inclusion of the draft rules.
- 10.5 The Council noted that the benefits of registration should be clearly highlighted in the document and also the fact that registration fees were tax deductible.
- 10.6 The Council noted that it accepted the need to increase the fees as set out in the document however it expressed concerns about the rate of increase for graduates from UK approved programmes.
- 10.7 The Council agreed to consult on the proposed increase in the registration and scrutiny fees.
- 10.8 The Council agreed the text of the consultation document subject to the amendments outlined above.
- 10.9 The Council agreed that any minor amendments to the consultation document could be agreed by the President.

Secretary's Note

- 10.10 Further formal discussion about the concerns regarding the rate of increase for graduates from UK approved programmes took place at the Council away day, after the Council meeting concluded. The Council noted that it was not in session but agreed to consider a proposal regarding the fee rise on the understanding that any agreement would be sent to members for electronic agreement. The new proposal took into account the Council's recognition that registrants might want to consider reducing the fees for graduates from UK approved programmes by spreading the costs of annual monitoring and review over all registration and renewal fees rather than allocating this to graduates fees alone.
- 10.11 The Council considered the following proposal;
- that the consultation document should be amended to provide options for the fees rise i.e.

Option 1. (No subsidisation) £70 registration fee and

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£170 for graduates from UK approved programmes (£100 handling fee plus £70 registration fee)

Option 2 (with subsidisation). £72 registration fee and a reduced fee of £100 (£35 year 1, £35 year 2 and £30 handling fee) for new graduates from UK approved programmes.

- 10.12 The Council agreed that the other proposals outlined in the consultation document should remain as agreed at the Council meeting.
- 10.13 The Council agreed that the draft consultation document should be amended to incorporate the above changes and that the amended document should be circulated by email to Council for electronic sign off.

MG/NO'S – as soon as possible

Item 11.06/204 PROCESS FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER TO COUNCIL IF THE PERSON ELECTED AS PRESIDENT IS A REGISTRANT.

- 11.1 The Council received a paper from the Executive for discussion/approval.
- 11.2 The Council agreed that the Appointments Commission should be asked to hold an open selection process for the appointment of the additional registrant speech and language therapist (SLT) member to fill the vacancy created by the election of the registrant SLT member as President.
- 11.3 The Council noted that the alternate SLT member on Council would be free to apply for this vacancy and if successful a by-election would be held for the vacancy this created.
- 11.4 The Council agreed that this issue should be considered further at the December meeting of Council.

Action: NO'S – 14 December 2006

Item 12.06/205 RATIFICATION OF NOMINATION TO THE NHS STANDARDS BOARD

- 12.1 The Council received a paper from the Executive for discussion/approval.
- 12.2 The Council ratified the appointment of Jacki Pearce as the HPC representative on the NHS Standards Board.

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Item 13.06/206 ANY OTHER BUSINESS

13.1 There was no other business.

Item 14.06/207 APPROVAL OF AGENDA OF PRIVATE PART OF COUNCIL MEETING

14.1 The Council noted that the agenda contained no matters of a private nature and that the items could be taken as part of the public meeting of the Council.

Item 15.06/208 MINUTES OF THE PRIVATE PART OF THE COUNCIL MEETING HELD ON 12 SEPTEMBER 2006

15.1 It was agreed that the minutes of the private part of the thirty-fourth meeting of the Health Professions Council be confirmed as a true record and signed by the President.

Item 16.06/209 MATTERS ARISING

16.1 There were no matters arising.

Item 17.06/210 DATE AND TIME OF NEXT MEETING

17.1 The next meeting of the Council would be at 10.30 a.m. on Thursday 14 December 2006

17.2 Further meetings would be held on the following dates;

Thursday 29 March 2007

Thursday 31 May 2007

Thursday 5 July 2007

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RD: None8