

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the forty-second meeting of the Health Professions Council held at **12.30 noon on Wednesday 3 October 2007** at The Vale Hotel, Hensol Park, Hensol, Vale of Glamorgan CF72 8JY.

Present: Dr A van der Gaag (President)
Mr P Acres
Professor K Bryan
Mrs M Clark-Glass
Mr R Clegg
Ms H Davis
Mr J Donaghy
Mr P Douglas
Mrs S Drayton
Miss E Ellis
Ms C Farrell
Professor J Harper
Professor T Hazell
Professor J Lucas
Miss M MacKellar
Mr W Munro
Mr K Ross
Professor G Smith
Mrs Barbara Stuart
Professor A Turner
Professor D Waller
Mr N Willis

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-09-20	a	SEC	MIN	October 3 Council Meeting minutes	Final DD: None	Internal RD: None

In attendance:

Alternate members

Mrs P Blackburn
Professor S Griffiths
Mrs D Haggerty
Professor C Lloyd
Mr D Proctor
Mrs J Sheridan
Miss E Thornton
Mr M Woolcock

Executive Management Team

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

Item 1.07/155 President's welcome and introduction

- 1.1 The President welcomed members to the Council meeting and away day.

Item 2.07/156 Apologies for absence

- 2.1 Apologies for absence were received from the following Council members; Mr A Mount, Ms H Patey (alternate for Professor Waller), Mrs J Pearce (alternate for Professor Bryan), Miss G Pearson (alternate for Miss MacKellar) and Miss P Sabine.

Item 3.07/157 Approval of agenda

- 3.1 The Council approved the agenda and noted the following tabled papers:
(i) Applied psychologists threshold level of qualification for entry to the register – updated consultation paper
(ii) Revised standing orders for the education and training committee.

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The Council agreed that these two papers should be considered one after another.

Item 4.07/158 Minutes of the Council meeting held on 11 September 2007

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

Item 5.07/159 Matters arising

- 5.1 The Council received a paper to note from the Executive.
- 5.2 The Council noted the action list agreed at the last meeting.

Strategy and policy

Item 6.07/160 Revised standards of proficiency for operating department practitioners

- 6.1 The Council received a paper from the Executive for discussion/approval.
- 6.2 The Council noted that on 19 June 2007 a meeting was held to review the profession-specific standards of proficiency for operating department practitioners. The consultation document incorporated the amended draft of the standards.
- 6.3 The Council noted that the Education and Training Committee had agreed the draft consultation document at its meeting on 27 September 2007.
- 6.4 The Council agreed the following;
- that a consultation should be held on proposed new profession-specific standards for operating department practitioners; and
 - the text of the consultation document.
- 6.5 The Council noted that the consultation would be held between November 2007 and January 2008. The consultation would seek the views of operating department practitioner stakeholders, including relevant professional bodies and education providers.

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Item 7.07/161 Revised Standing Orders for the Education and Training Committee

- 7.1 The Council received a paper from the Executive for discussion/approval.
- 7.2 The Council noted that the current standing orders for the Education and Training Committee stated that the quorum for an ordinary or special meeting shall be 'not less than half of the members of the Committee for the time being and of the members which constitute that quorum at least three must be lay members'.
- 7.3 The meeting of the Education and Training Committee held on 27 September 2007 had been in-quorate because fewer than three lay members were present. As a result of this the Committee had been unable to make any decisions at the meeting. Decisions were circulated for electronic approval after the meeting.
- 7.4 At the meeting it was suggested that the quorum should be amended and that the requirement for a minimum number of lay members to be present at the meeting should be deleted.
- 7.5 The Council agreed that SO 12(i) should be amended as follows
 - 12. The quorum at a meeting of the Committee shall be:
 - (1) at an Ordinary Meeting or Special meeting, not less than half the members of the Committee for the time being.

Item 8.07/162 Applied psychologists threshold level of qualification for entry to the Register – Updated consultation document

- 8.1 The Council received a paper from the Executive for discussion/approval.
- 8.2 The Council noted that at its meeting on 27 September 2007, the Education and Training Committee had considered a paper from the Executive on the proposals for the threshold level of qualification for entry to the applied psychologists part of the Register.
- 8.3 At its meeting the Committee decided that it would be appropriate to consult with stakeholders on a wide range of options and to

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make no specific recommendations at this time. The Committee was not quorate on this date and members had ratified this recommendation to the Council by electronic sign off.

- 8.4 The draft consultation document included in the Council papers had been updated in light of the Education and Training Committee's recommendations and had been tabled.
- 8.5 The Council agreed the draft document for consultation.
- 8.6 The Council noted that the British Psychological Society had recently agreed that two of its representatives should become members of the Professional Liaison Group which was currently working on draft standards of proficiency for Applied Psychologists.

Action: MG – October 2007

Item 9.07/163 Indicative Sanctions Practice Note

- 9.1 The Council received a paper from the Executive for discussion/approval.
- 9.2 The Council noted that Article 29 of the Health Professions Order 2001 (the 2001 Order) set out the orders that can be imposed by panels of the Health and Conduct and Competence Committees when they have determined that an allegation is well-founded. The Executive undertakes a review of the indicative sanctions practice note once a year so as to ensure that it continues to reflect current practice and any changes in regulatory case law and legislation.
- 9.3 The Council agreed the revised practice note subject to the following amendment;

‘The primary purpose of fitness to practise proceedings was to identify and secure measures to protect the public through proportionate action rather than to punish’.

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Item 10.07/164 Prosecutions

- 10.1 The Council received a paper from the Executive for discussion/approval.
- 10.2 The Council noted that the prosecutions policy had been approved in March 2005.
- 10.4 The Council noted that members of the Executive had met with representatives of the Yellow pages to discuss the use of protected titles in their media.
- 10.3 The Council noted that since 2005 the HPC had received over 700 complaints regarding the use of a protected title and that the updated policy strengthened HPC's processes for responding to such complaints.
- 10.5 The Council approved the updated prosecutions policy and noted that the new policy would be actively communicated to stakeholders.
- 10.6 The Council noted that it was unclear if a protected title which included the word trainee was to be a protected title however it was generally accepted that a trainee practised under supervision.

Item 11.07/165 Standards for advocates

- 11.1 The Council received a paper from the Executive for discussion/approval.
- 11.2 The Council noted that in line with the policy of reducing reliance on lawyers where appropriate (such as vulnerable witness assessments and witness statements) HPC case managers would act as presenting officers in some Article 30 review cases of incorrect or fraudulent entry. They would also act in applications to have a witness assessed as vulnerable and in applications to dispose of cases via consent.
- 11.3 The Council agreed that the title of the document should be changed to code of practice for advocates. The content of the document was agreed without amendment.

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Corporate governance

Item 12.07/166 President's Fees

- 12.1 The Council received a paper from the Executive for discussion/approval.
- 12.2 The President declared an interest in the paper and left the room for the duration of the discussion. In the absence of the President Mr Clegg chaired the meeting.
- 12.3 The Council noted that the following had been agreed at the March 2007 Council meeting;
- (1) the President should receive an additional daily fee of £300 per day for up to 30 days per year (i.e. a maximum of £9,000 per year), for work such as appraisals of Council members and the Chief Executive, meetings with governments and other stakeholders, the Partners conference, planning the Council Awayday and presentations and other speaking engagements.
- (2) payment should be backdated to the appointment of the current President on 9 July 2006; and
- (3) that the arrangements should be reviewed in six months' time (i.e. August 2007)
- 12.4 The arrangement had been reviewed by the Finance and Resources Committee at its meeting on 18 September 2007 and the Committee had agreed to recommend to the Council that the arrangement should continue.
- 12.5 The Council agreed the recommendation of the Finance and Resources Committee. The Council agreed that if the amount of time the President was giving to Council business changed the arrangement should be reviewed.

Item 13.07/167 Council Membership of an external body

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

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- 13.2 The Council agreed that Mr M Woolcock (alternate paramedic member of Council) should be nominated to represent Council on the Joint Royal Colleges Ambulance Liaison Committee in place of Mr McFadden, who was no longer a member of the Council.

Action: NO'S – October 2007

Item 14.07/168 Committee Membership

- 14.1 The Council received a paper from the Executive for discussion/approval.
- 14.2 The Council agreed that Mrs Haggerty should be appointed to the Education and Training Committee subject to her completing the agreed appointments process and until the governance changes proposed in the White Paper came into effect.

Item 15.07/169 Minutes of the Audit Committee meeting held on 26 June 2007

- 15.1 The Council received the minutes of the Audit Committee held on 26 June 2007

The Council noted the following items;

Item 16.07/170 Professional qualification directive – temporary registration guidance notes

The Council received the following items for information;

Item 17.07/171 Council 'away day' programme

Item 18.07/172 Review of member self-appraisal system

Item 19.07/173 Committee self-evaluation

Item 20.07/174 Meetings' format

Item 21.07/175 Background papers for recruitment and appointments

Item 22.07/176 Any other business

- 22.1 There was no other business.

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Item 22.07/177 Date & time of next meeting

10.30am on Thursday 13 December 2007

Subsequent meetings at 10.30am on the following dates;

Thursday 27 March 2008

Thursday 29 May 2008

Thursday 3 July 2008

President:

Date:

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