

Health Professions Council – 27 March 2008

Recommendations to the Department of Health relating to the new structure of Council agreed at 20 February 2008 Council meeting

Executive summary and recommendations

Introduction

Following the decisions taken at the additional Council meeting on 20 February 2008 the attached letter was sent to the Department of Health.

Decision

The Council is requested to note the document. No decision is required.

Background information

none

Resource implications

none

Financial implications

none

Appendices

none

Date of paper

17 March 2008

Mr S Griffiths
New Regulation Projects
Department of Health
Quarry House
Quarry Hill
LEEDS LS2 7UE

12 March 2008

Dear Stuart

The HPC Council met on 20 February to review the range of governance arrangements that could be included in the forthcoming Constitution Order.

I have attached a document detailing the recommendations to the Department of Health, together with a draft Constitution Order which reflects those recommendations.

The Department's proposed Section 60 programme indicates that by 2011 at least five additional professions are likely to be regulated by the Health Professions Council. Under existing arrangements the number of Council members would therefore need to increase from 27 to at least 47.

As you will see from the attached document, the Council has recommended that the number of Council members is reduced by 25% from 27 to 20. This will mean that many of the professions we regulate will not have a registrant on the Council.

However, as a multi-professional regulator, the Council wishes to emphasise that the smaller Council will retain a critical mass to enable it to perform its duties and will continue to deliver modern effective professional regulation.

If you have any questions or points of clarification, please do not hesitate to contact me.

Yours sincerely

Marc Seale
Chief Executive and Registrar
Encs

The Health Professions Council recommends that:

Size of Council

- 1 The number of Council members should be twenty.
- 2 The change to the size of the Council should be undertaken in one step.
- 3 There should be parity of registrant and lay Council members.

Home countries

- 4 There should be a minimum of two Council members (one lay and one registrant) from each of the four home countries.

Terms of office

- 5 Council members should be able to hold office for a maximum of two terms of up to four years per term.
- 6 In calculating the maximum term, any time served as a member of the existing Council should be disregarded.
- 7 To facilitate continuity, the first terms of office should be:

1/3 of the members appointed for two years;
1/3 appointed for three years; and
1/3 appointed for four years.
- 8 Except for the first term of office after the coming into force of the Constitution Order, all the terms of office should be for four years.

Appointment of chair

- 9 The chair of the Council should be appointed by the Appointments Commission before other members of the Council are appointed.
- 10 The first term of appointment for the chair should be four years.
- 11 The chair should remain a separate appointment made by the Appointments Commission every four years.

- 12 The maximum period for which a person may serve as chair of the Council should be the same as for other Council members (i.e. a maximum of eight years).

Deputising arrangements in respect of the Chair

- 13 The existing deputising arrangements provided for in the Council's Standing Order (for the members present to elect one of their number to preside if the chair is absent from, or otherwise unable or unwilling to preside at a meeting) should continue.

Quorum

- 14 The quorum should be not less than half the members of the Council but without any requirement for a minimum proportion of those members to be registrant members or lay members.

Cease, remove or suspend from office

- 15 The Constitution Order should reflect the existing arrangements under Schedule 1 to the Health Professions Order 2001 in respect of the removal of members but the power in Paragraph 9(2)(f) of that Schedule for the Council to remove a member because of a "serious and persistent deficiency in his attendance at meetings or in his conduct or performance at meetings" should be widened to conduct or performance generally.

Attendance

- 16 The Constitution Order should reflect the existing arrangements under the Health Professions Order 2001 and Standing Orders in respect of the attendance of members at meetings of the Council.

Council vacancies

- 17 Any vacancies among the members of the Council should be filled by the Appointments Commission following open competition.

Qualifications, competencies and experience

- 18 Specific qualifications, competencies and experience for members should not be included on the face of the Constitution Order but should be contained within Directions given by the Privy Council to the Appointments Commission. The Council has agreed to undertake further work in this area, in collaboration with the Appointments Commission.

Membership

- 19 There should be no more than one registrant from any of the HPC professions on the Council at the same time. This would extend to the Chair (where the Chair is a registrant).

