

CONFIRMED

The Health Professions Council

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the twenty-third meeting of the Health Committee held at **11.00am on Thursday 5 February 2009** at Park House, 184 Kennington Park Road, London, SE11 4BU.

Present

Mrs Sheila Drayton (Chair)

Mr Ozan Altay

Mrs Patricia Blackburn

Mr Peter Douglas

Dr Shah H Khan

Mrs Jacki Pearce

In attendance:

Mr Steve Rayner, Secretary to the Committee

Dr Anna van der Gaag, President

Miss Kelly Johnson, Director of Fitness to Practise

Miss Louise Hart, Secretary to Council

Mr Marc Seale, Chief Executive and Registrar

Item 1.09/01 Election of Chair

- 1.1 The Committee received a paper for discussion and decision from the Executive inviting it to elect a new Chair of the Health Committee. The position of Chair had been vacant since Professor Tony Hazell had resigned from the Council on 11 December 2008.
- 1.2 The election was held according to the process for the election of Committee Chairs agreed by the Council on 12 July 2005 with Mrs Pearce, as Vice Chair to the Committee, in the Chair
- 1.3 Mrs Drayton received the only nomination, which was seconded. Mrs S Drayton was duly elected by the Health Committee to serve as Chair. The recommendation would be submitted to Council for ratification at the March meeting.

1.4 Mrs Drayton would serve as Chair for the remainder of the meeting.

ACTION: **Secretary to the Committee** to submit the nomination of Mrs Drayton as Chair of the Health Committee to the March meeting of Council.

Item 2.09/02 Apologies for absence

2.1 Apologies for absence were received from Mr N Willis and Professor A Turner.

Item 3.09/03 Approval of agenda

3.1 The Committee approved the agenda.

Item 4.09/04 Declarations of interest

4.1 The Committee declared no special interest in the matters to be discussed.

Item 5.09/05 Minutes of the Committee of 17 September 2008

5.1 It was agreed that the minutes of the 22nd meeting of the Committee should be confirmed as a true record and signed by the Chairman.

Item 6.09/06 Minutes of the private session of the Committee of 17 September 2008

6.1 It was agreed that the minutes of the private session of the 22nd meeting of the Committee should be confirmed as a true record and signed by the Chairman.

Item 7.09/07 Matters arising from previous meetings

7.1 The Committee received a paper to note from the Executive listing matters arising from previous meetings, and setting out actions taken against them.

7.2 The Committee requested that the outcome of action point three, regarding the transfer of powers to the Director of Fitness to Practise in relation to vexatious complainants, be changed from 'ongoing' to 'complete' to reflect the finite nature of the transfer of these powers. The powers themselves were ongoing.

7.3 The Committee requested that the outcome of action point five, in relation to the organising of the annual meeting of Fitness to Practise Chairs and

Deputy Chairs, be expanded to include more detailed information about the forthcoming meeting.

ACTION: **Secretary to the Committee** to make the changes outlined in 7.2-3.

Item 8.09/08 Director of Fitness to Practise report

- 8.1 The Committee received a paper to note from the Executive giving an overview of the work of the Fitness to Practise (FtP) Department. This included information on ongoing FtP cases, cases completed between September and December and statistical analysis from enquiries, allegations, pending cases and hearings from April 2007 to January 2008.
- 8.2 The Committee noted the increase in the number adjournments, and that this increase reflected the general increase in the number of cases. The Committee also noted the increase in the use of the power to strike off registrants whose registrations had been suspended for more than two years.
- 8.3 The Committee noted that there had been more hearings in the last year than in the preceding year. There was a corresponding increase, in the number of cases that concluded as 'not well founded', and in the number of cases resulting in registrants being struck from the register. The Committee noted that percentages for allegations remained consistent with the preceding year.
- 8.4 The Committee requested further information on the type of cases going to Health panels. It was not possible to provide this analysis on current cases because of the personal nature of the information. The FtP annual report included this type of information for closed cases over the preceding year.

Item 9.09/09 Fitness to Practise Department workplan 2009-2010

- 9.1 The Committee received a paper for discussion and decision from the Executive setting out the workplan for 2009-2010. The workplan set out the projected resources, responsibilities and priorities for the Fitness to Practise (FtP) Department over the next year. The Committee were invited to approve the workplan.
- 9.2 The Committee noted that the workplan reflected not only the work of the FtP Department in relation to the FtP Committees but also those areas of its work where oversight was the responsibility of ETC and Council.
- 9.3 The Committee noted that the proposed Council for Healthcare Regulatory Excellence (CHRE) audit into the initial stages of fitness to practise

processes suggested a change in direction for that body. Indications from CHRE suggested that the investigation was likely to focus on understanding business processes with a view to identifying and providing signposts towards areas of best practice.

- 9.4 The Committee noted that the Executive proposed to undertake a review of the Indicative Sanctions policy so as to ensure that the document continued to be fit for purpose.
- 9.5 The Committee noted that research was planned into the expectations of complainants. It was hoped that the research would feed into the development of the fitness to practise process in 2010-2011.
- 9.6 The Committee noted that the FtP Department had been planning for the impact of taking up cases from the professions due to begin regulation over the next year. A full assessment of the cases was not possible until they are transferred to HPC because of the status of the information under freedom of information and data protection legislation.
- 9.7 The Committee noted that steps had been taken to safeguard HPC staff and those taking part in hearings from physical assault. FtP undertook an impact assessment on all hearings and investigations which included an assessment of physical risk.
- 9.8 The Committee noted Appendix one to the workplan; the FtP activities table 2009-2010, which provided a map of activities against the Departmental objectives.
- 9.9 The Committee noted that development of the case management system mentioned on page 17 of the report was a long process, but that as a critical system it would be more efficient to spend more time in the initial development than it would be to plan to make major improvements or changes once up and running.
- 9.10 The Committee noted Appendix two to the workplan; the FtP forecasting model, which is designed to take account of and ultimately predict the impact of, all of the influences on the FtP process. The Director of FtP went through the model to outline the figures and explain how they are arrived at. The model enabled the Director to review and accurately forecast case load and plan resource levels.
- 9.11 The Committee noted that the model took account of the projected impact of the uptake of Practitioner Psychologist cases. The Committee also noted the efficiency gains made from the improvements to FtP processes. These gains were particularly apparent against the context of a consistent referral rate over the last five years.

- 9.12 The Committee approved the FtP workplan for 2009-2010.
- 9.13 The Committee commended the Director of FtP, and the Department as a whole, for the impressive quantity and quality of the Department's output, but also for the clear systems of support and guidance developed and maintained for employees.

Item 10.09/10 Fitness to Practise Department workplan 2008-2009 - update

- 10.1 The Committee received a paper to note from the Executive as Appendix three to the 2009-2010 workplan, setting out progress against activities in the 2008-2009 workplan.
- 10.2 The Committee noted the progress made against the workplan.

Item 11.09/11 Any other business

- 11.1 There was no further business.

Item 12.09/12 Dates of future Health Committee meetings

- 18.1 Friday 24 April 2009, 13.30pm (following the FtP Forum)
 Thursday 17 September 2009, 13.30pm (following the FtP Forum)
 Thursday 19 November 2009, 11.00am

Chair

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Date

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