

**Council**

**Minutes of the 72<sup>nd</sup> meeting of the Health Professions Council held as follows:-**

**Date:** Tuesday 6 December 2011

**Time:** 10.30am

**Venue:** The Council Chamber, Health Professions Council, Park House, 184  
Kennington Park Road, London SE11 4BU

**Present:** Anna van der Gaag (Chair)

Pradeep Agrawal  
Jennifer Beaumont  
Mary Clark-Glass  
Malcolm Cross  
John Donaghy  
Sheila Drayton  
Julia Drown  
Richard Kennett  
Jeff Lucas  
Morag MacKellar  
Arun Midha  
Penelope Renwick  
Keith Ross  
Eileen Thornton  
Annie Turner  
Joy Tweed  
Diane Waller

**In attendance:**

Gary Butler, Director of Finance  
Ruth Cooper, PA to the Director of Operations  
Alison Croad, Policy Officer  
Guy Gaskins, Director of IT  
Michael Guthrie, Director of Policy and Standards  
Steve Hall, Head of Facilities  
Louise Hart, Secretary to Council  
Teresa Haskins, Director of HR  
Kelly Johnson, Director of Fitness to Practise

Jacqueline Ladds, Director of Communications  
Steve Rayner, Secretary to Committees  
Greg Ross-Sampson, Director of Operations  
Tracey Samuel-Smith, Education manager  
Marc Seale, Chief Executive and Registrar  
Charlotte Urwin, Policy Manager

#### **Item 1.11/204 Chair's welcome and introduction**

- 1.1 The Chair welcomed all members and observers to the meeting. Particular welcome was given to Ann Curno and Andrew Hind, members of CHRE Council.

#### **Item 2.11/205 Apologies for absence**

- 2.1 Apologies for absence were received from John Harper and Deep Sagar.

#### **Item 3.11/206 Approval of agenda**

- 3.1 The Council approved the agenda subject to the consideration of the paper relating to "Board size" to be considered under "Any other business."

#### **Item 4.11/207 Declaration of Members' Interests**

- 4.1 Keith Ross declared an interest under item 13 as his wife is a Council member of CHRE.
- 4.2 Julia Drown declared an interest under item 13 as Chair of the Audit Committee at the NMC.

#### **Item 5.11/208 Minutes of the Council meeting of 20 October 2011 (report ref:-HPC 139/11)**

- 5.1 The Council considered the minutes of the 71st meeting of the Health Professions Council as circulated.
- 5.2 It was noted that, with regards to page 6 of the minutes, item 10, a suggestion had been made that powers to request any back log in fees should be explored in relation to registration appeal cases. It was agreed to amend the minutes to incorporate this reference.
- 5.3 The Secretary to Council noted that a page reference was missing under minute 9.3 and this would be corrected for the formal record.

5.4 It was agreed that, subject to the amendments detailed above, the minutes of the 71st meeting of the Health Professions Council be confirmed as a correct record and signed by the Chair.

**Item 6.11/209 Matters arising (report ref:-HPC 140/11)**

6.1 The Council noted the action list as agreed at the last meeting.

**Item 7.11/210 Chair's report (report ref:-HPC 141/11)**

7.1 The Council received a paper from the Chair.

7.2 During discussion, the following points were made:-

- That the meeting scheduled with the Care Quality Commission on 28 November had been cancelled and the launch of the College of Social Work had been postponed until 4 January 2012;
- That the Professionalism event held on 7 November at Park House was well attended by stakeholders including professional bodies and the Department of Health. The event was aimed at disseminating the preliminary findings of the qualitative study regarding perceptions of professionalism. The key message that emerged was the importance of embedding a dialogue regarding professionalism from undergraduate level onwards;
- It was noted that the Chair and Chief Executive attended the Allied Health Professions Summit on 9 November. Attendees included lead AHP's, professional bodies and officials from the Department of Health. Key messages included the need to work together to understand the impact of the economy on AHP services, and the importance of leadership skills;
- Council noted that the Education and Training Committee had held an "away day," the focus of which was governance. Deanna Williams, former Registrar of the Ontario College of Pharmacists, had been invited to talk to the Committee;
- That the Chair had been invited to present to the Commons Health Select Committee on 29 November. The focus was on education and training and workforce planning with three areas explored, namely, the role of regulatory bodies in the new landscape, the importance of engaging our professions in the new infrastructure and the concerns regarding post graduate funding for CPD;

- The suggestion was made that it would be useful for Council to receive a briefing on these areas including commissioning, HEI's and workforce planning, with a focus on the different systems operating through the four countries. It was agreed that a briefing would be provided at a future meeting.

7.3 The Council noted the report and agreed the detail of a briefing to be provided at a future meeting.

**Item 8.11/211 Chief Executive's report (report ref:-HPC 142/11)**

8.1 The Council received a paper from the Chief Executive.

8.2 During discussion, the following points were made:-

- That a meeting had been held on 21 November between HPC, the Departments of Health and the professional bodies regarding the Modernising Scientific Careers (MSC) agenda. This was an opportunity to discuss plans for the statutory regulation of those graduates completing the new programmes. In addition, the standards of proficiency (SOPS) for biomedical scientists and clinical scientists were discussed. It was noted that whilst the SOPS were a decision of Council, it may be possible to make minor amendments to the SOPS for Biomedical Scientists to incorporate geneticists although it was unlikely that the SOPS could be amended to the extent required to include the other divisions which fell under the healthcare science practitioner training programmes. However, it appeared that there was greater flexibility within the SOPS for Clinical Scientists to be able to make amendments to incorporate a wider profession. Council noted that a meeting was scheduled for January and a briefing would be submitted to the next meeting of the Council. In addition, the minutes of the meeting would be placed on the members' extranet;
- With regards to pages 4b and 4c, it was noted that actual income was in line with budgeted income and actual expenditure was in line with actual expenditure for 2011/12;
- Current registrant figures were almost 220,000;
- As the figures currently stood, there was no requirement to increase the registration fees;
- The implementation of the FtP case management system was making steady progress;
- In relation to the MSC agenda, it was noted that the IBMS had published an article stating that the Science Council were

opening new registers. In response, it was noted that this was almost certainly a register for chartered status rather than statutory regulation;

- The Council noted that a briefing had been distributed to 150 peers in advance of the second reading of the Health and Social Care Bill. It was further noted that the Chair and Chief Executive had held face to face meetings with Lord Hunt and Baroness Northover. However, only one peer spoke on Part 7 of the Bill during the Second Reading debate in the Lords, namely Baroness Pitkeathly. No further amendments were made to Part 7;
- It was noted that some members of aspirant professions had been actively lobbying Ministers and so there may be debate going forward about the decision not to regulate these groups;
- In response to a question as to why there had been a sharp increase in the number of agency days (HR information page 8), the Council noted that specialist contractors had been employed to carry out some project work. This was not as a result of employment implications relating to the transfer of the regulation of the social worker to the HPC;
- The Council noted that there had been a decrease in the number of international applications. However, it was important to look at figures over a longer period to identify trends. The Council noted that this decline had not had an impact on revenue generation since for budgeting purposes, a conservative view of international applications had been taken;
- An observation was made that it was possible that international applications had declined as a result of the change in visa arrangements which mean that students can no longer remain in Britain once their course had concluded.

8.3 The Council noted the report.

## Strategy and Policy

### **Item 9.11/212 Outcomes of the consultation on the proposals for post-registration qualifications (report ref:-HPC 143/11)**

- 9.1 The Council received a paper for discussion/approval from the Executive.
- 9.2 The Council noted that HPC had consulted between 1 November 2010 and 1 February 2011 on proposals related to post-registration qualifications. The aim of the consultation was to help HPC to develop

a clearly articulated policy on annotation of the Register and post-registration qualifications. The consultation had been divided into two parts. The first part proposed some draft criteria that HPC would use to make decisions about whether or not to annotate a post-registration qualification on the Register. The second part asked stakeholders for their views on potentially annotating qualifications in neuropsychology and podiatric surgery on the Register.

- 9.3 The Council noted that the paper included the outcome of the consultation and a draft policy statement setting out HPC's approach to annotation of the Register. These papers had been discussed by the Education and Training Committee at its meeting in November and had been recommended to Council.
- 9.4 The Council agreed that, with regards to paragraph 6.25, expectations needed to be set and so a timeframe should be incorporated into the paragraph.
- 9.5 The Council agreed:
- (1) the text of the consultation responses document (subject to minor editing amendments); and
  - (2) the text of the policy statement.

**Item 10.11/213 Consultation on the registration cycle for social workers in England (report ref:- HPC 144/11)**

- 10.1 The Council received a paper for discussion/approval from the Executive.
- 10.2 The Council noted that HPC would seek the views of stakeholders on setting the registration cycle for social workers in England as part of preparatory work before opening the Register for the profession. The consultation results would then feed into the work of the Department of Health who planned to include the registration cycle in the consequential amendments order.
- 10.3 The Council noted that it was proposed that, dependent upon the passage and timing of the necessary legislation, the end date of the renewal cycle for social workers in England should be 30 November in even numbered years. It was proposed that the consultation on the registration and fees rules should take place between December 2011 and February 2012.
- 10.4 The Council noted that the regulation of social workers in England was dependent upon the legislative timetable. Therefore the timescales outlined in the paper were subject to change.
- 10.5 During the course of discussion, the following points were made:-

- The suggestion was made that a narrative be included in the consultation regarding the fees charged by HPC. The Council noted that since this was a technical consultation, it was not the appropriate place to include a narrative. However, there was a communications plan in place with regards to communication with social workers on fees. In addition, there was an agreed statement between HPC and the GSCC regarding fees;
- A suggestion was made that the question under 7.1 needed to be reworded since HPC could find itself in a difficult position if every respondent responded “no!” After discussion it was suggested that this question could be removed so paragraph 7.1 finished with the statement “Please provide reasons alongside your answers where possible.”
- Concern was expressed that paragraph 6.1 required further clarification. However, it was suggested instead that paragraph 4.5 start with the phrase “The reason why we are consulting on this is because...” and then section 4 be reordered so paragraphs 4.5 and 4.6 were moved to after paragraph 4.1;
- The Council noted that HPC operated a two year renewal cycle as opposed to an anniversary system.

10.6 The Council:

- (1) agreed to consult on a proposal that the Health Professions Council (Registration and Fees) Rules Order of Council 2003 be amended to provide for the registration cycle for social workers in England; and
- (2) approved the text of the consultation document, subject to the amendments as detailed above.

**Item 11.11/214 Revalidation: Service user involvement (report ref:- HPC 145/11)**

- 11.1 The Council received a paper for discussion/approval from the Executive.
- 11.2 The Council noted that, the Council, as part of its programme of work on revalidation, had agreed to undertake a piece of work to look at tools already developed to gain the feedback of service users. This piece of work had been delivered by the Picker Institute Europe following a competitive tendering process (12 proposals had been received). The research aims were as follows:

- to identify different tools developed for obtaining the feedback of service users in order to contribute to improved professional practice;
- to consider the (perceived) benefits, applicability and utility of these tools broadly, and specifically across the professions regulated by the HPC;
- to contribute towards future consideration of whether or how the use of such tools might be integrated in the HPC's processes.

11.3 The Council discussed the paper. In discussion, the following points were made:-

- The paper clearly articulates the complexities of the issue of revalidation;
- That it would be useful to produce a summary of the report for dissemination to registrants;
- The Council noted the Delphi consultation set out on page 50 of the paper which warned of using service user feedback in isolation;
- Concern was expressed that revalidation could be a useful feedback tool from the point of view of the employer but not from a regulatory perspective;
- That the GDC had carried out a literature review and the findings were that CPD did not demonstrate a link with being a better practitioner;
- That the research commissioned by the GMC on service user feedback published in the BMJ and was very cautionary in its conclusions;
- This was a small part of the ongoing work on revalidation and it was important to look at the evidence base in its totality;
- That service user feedback may not work in the same way for professions such as biomedical scientists who may not have service-users in the sense of "patients;"
- That increasingly patients want a voice and so it was important to consider mechanisms to enable this.

11.4 Council noted the contents of the report and agreed that a summary paper outlining the key findings of the research should be disseminated to registrants.



**Item 12.11/215 Social workers – recognition and reciprocity (report ref:- HPC 146/11)**

- 12.1 The Council received a paper for discussion/approval from the Executive.
- 12.2 The Council noted that there were currently recognition arrangements in place between the GSCC and the other three UK care councils. This meant, for example, that someone qualified in Scotland was eligible to register in England, and vice versa. The Health and Social Care Bill 2011, which was before Parliament, would make a number of amendments to the Health Professions Order 2001 to enable recognition of social work training undertaken elsewhere in the UK.
- 12.3 The Council noted that the paper set out proposed arrangements for recognition and reciprocity which were in line with the provisions included within the Bill. The policy intent was to ensure that from the opening of the HPC Register, social workers qualified or registered elsewhere in the UK were eligible to apply for registration in England without unnecessary barriers. The Council was invited to agree to introduce arrangements for recognition and reciprocity of training and registration in Scotland, Wales and Northern Ireland at the point the HPC Register of social workers in England opens, subject to ongoing review and a formal review exercise planned to commence within five years.
- 12.4 The Council noted that the paper had been considered by the Education and Training Committee at its meeting on 17 November 2011. The decisions outlined had been agreed and recommended to the Council subject to minor amendments which had been reflected in the paper.
- 12.5 The Council ratified the decisions of the Education and Training Committee and agreed the following from the point the Register of social workers in England opens:
- (1) that it was unnecessary to seek to directly approve programmes delivered in Scotland, Wales and Northern Ireland;
  - (2) to recognise programmes approved by the Scottish Social Services Council (SSSC), the Care Council for Wales (CCW) and the Northern Ireland Social Care Council (NISCC) as conferring eligibility to apply for registration with the HPC;
  - (3) to recognise registration with the SSSC, CCW and NISCC as conferring eligibility to apply for registration with the HPC;
  - (4) to agree the points above subject to ongoing review and a formal review planned to commence within five years of the opening of the

Register of social workers in England. A periodic review could be brought forward if ongoing review indicated that this was necessary.

**Item 13.11/216 Council for Healthcare Regulatory Excellence audit of the initial stages of the Nursing and Midwifery Council's fitness to practise process (report ref:- HPC 147/11)**

- 13.1 The Council received a paper for discussion/approval from the Executive.
- 13.2 The Council noted that in November 2011, the Council for Healthcare Regulatory Excellence (CHRE) had published its report on its audit of the Nursing and Midwifery Council's (NMC) initial stage fitness to practise process. It was HPC's practice to look at possible learning points from CHRE's audits of other health regulators as part of its commitment to continuous business improvement and internal quality assurance scrutiny. The paper looked at the recommendations made by the CHRE with regards to the work of the NMC and made proposals as to how HPC could ensure its fitness to practise processes remained robust, efficient, effective and fit for purpose.
- 13.3 During the course of discussion, the following points were made:-
- The Council noted that there were no fundamental concerns with the Fitness to Practise process as it currently stood and the actions listed in the paper were more about developing existing processes;
  - Concern was expressed that the actions set out in the paper would put additional burden on the department. In response, it was noted that some of the actions related to ongoing reviews and some actions had already been incorporated into next year's departmental workplan. However, the Executive had to balance the additional workload against the risk of taking no action;
  - The Council noted that the Fitness to Practise Committee was provided with updates at their Committee meetings on ongoing internal audits within the department which was part of the continuous improvement approach taken by the Executive. It was agreed that this important area of work needed to be appropriately resourced;
- 13.4 The Council agreed that the Executive should undertake the actions set out in the paper, as follows:-

- review the operating guidance for Case Managers on taking complaints over the phone and in person and incorporate this into the programme of workshops
- complete the review of all operating guidance to ensure compatibility with the new case management system
- provide bespoke customer service training to the whole department in 2012-13
- review a sample of cases to specifically assess the quality of the information provided by Case Managers on risk assessment forms to ensure consistency and quality
- review the content of the operating guidance provided to case managers on closing cases ensure it is sufficiently detailed
- review guidance and training provided to Case Managers on the use of Registrant Assessors
- review the induction and training programme in light of the new introduction of the new case management system and the anticipated increase in headcount
- review the current policy of not routinely requesting a Police National Computer check for other convictions
- review the standard letter requesting that the registrant provides detail of their current employer
- keep under review the ratio of cases per case manager when planning forecasts and preparing workloads
- review the case closure form completed by Case Manager
- provide further training and guidance to Case Managers on requesting further information on receipt of a registrant's response to the Investigating Committee Panel
- review and enhance the current quality assurance frameworks to improve existing audit processes
- review the practice note on concurrent proceedings
- complete the review of service level agreement with legal services providers; and
- review and enhance case handover documentation.

13.5 The Council agreed that the Executive should provide a report to the Fitness to Practise Committee in February 2012 to update on the progress made.

**Item 14.11/217 Cost powers (report ref:- HPC 148/11)**

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

14.2 The Council noted that, at its meeting in October 2011, it had discussed and considered the advice by the Council for Healthcare Regulatory Excellence (CHRE) on 'Modern and Efficient Adjudication'. In their advice, CHRE had referenced the suggestion by the Office of the Health Professions Adjudicator (OHPA) in relation to looking at how cost powers could be used by regulators in fitness to practise proceedings. The Council had asked for further information about the use of cost powers in fitness to practise proceedings

14.3 During the course of discussion, the following points were made:-

- That the use of cost powers would be one area considered by the Law Commission in their review of legislation;
- That in fact the General Pharmaceutical Council has powers to impose costs;
- The suggestion was made that consideration should be given to the use of powers to demand any back log of fees in certain registration appeals whereby the registrant had not paid their registration fees over consecutive years, although it was noted that all circumstances surrounding registration appeals were so different so it should not be explored further;
- That the introduction of a system to use cost powers would be disproportionate to the revenue generated;
- The only instances that HPC currently exercises the use of cost powers is in those cases whereby appeals are made to the High Court;
- Members expressed concern that this should not be pursued as it would result in inequity in the FtP process.

14.4 The Council agreed with the paper and that the HPC should not seek powers to impose costs in fitness to practise or registration appeal proceedings

**Item 15.11/218 Standard of acceptance for allegations (report ref:- HPC 149/11)**

- 15.1 The Council received a paper for discussion/approval from the Executive.
- 15.2 The Council noted that the Executive had reviewed practice notes and policy documents which provided guidance to panel members and others associated with the fitness to practise process. The review had been conducted to determine whether there was other guidance or practice notes required. The review had identified that the Standard of Acceptance for Allegations Practice Note should be formalised as policy, given it equivalent status as the Indicative Sanctions Policy. The practice note had previously reflected Council policy on the standard, but in turning it into policy (which would have higher status than guidance) the nature of that policy would be much clearer. At its meeting in October 2011, the Fitness to Practise Committee had recommended that the Council should approve that policy.
- 15.3 The Council approved the policy on the standard of acceptance for allegations.

**Item 16.11/219 Practice Note: Case to answer (report ref:- HP150/11)**

- 16.1 The Council received a paper for discussion/approval from the Executive.
- 16.2 The Council noted that as part of the work undertaken to review the number of not well founded decisions, the Executive had identified that further guidance was required on the role of the Investigating Committee in drafting allegations and on the issue of evidence conflicts. At its meeting in October, the Fitness to Practise Committee had recommended that the Council should approve the Practice Note - Case to Answer.
- 16.3 In response to a question, the Council noted that the investigating Committee panels were independent of the HPC.
- 16.4 The Council approved the Practice Note - Case to Answer.

**Item 17.11/220 Transfer of regulatory functions from General Social Care Council to HPC (report ref:- HPC151/11)**

- 17.1 The Council received a paper for discussion/approval from the Executive.
- 17.2 In accordance with the decision of Council to be kept informed of ongoing work relating to the transfer of regulatory functions from the GSCC to the HPC, a standard item had been put on the agenda of

every meeting of Council. However, it was noted that there was nothing to update the Council on in the public part of the meeting.

## Corporate Governance

### **Item 18.11/221 Succession planning for Chairs of Committees (report ref:- HPC152/11)**

- 18.1 The Committee received a paper for discussion/approval from the Executive.
- 18.2 The Council noted that at the Council away day on 19-20 October 2011, a workshop on governance had been held. One of the main issues arising from discussion was that HPC needed to have a policy in place for succession planning for Chairs of Committees. The paper set out a proposed policy to address this issue. The paper also proposed an additional step in the process for the election of Chairs. Committee members would be asked to express interest in becoming Chair of the relevant Committee, prior to the meeting where the nomination was on the agenda.
- 18.3 The Council noted that there were two stages in succession planning for Chairs of Committees:-
- (1) encouragement of open discussions between Council members and the Council Chair during the course of the appraisal process which happened in January of each year. This would be an opportunity for members of Council to indicate that they would be seeking a role as Chair in the future. Since training objectives were devised as part of the appraisal, this was an opportunity to document, if appropriate, that training relating to Chairing Skills was required to ensure that the member is equipped with the skills to fulfil the role of a committee chair. This would also be an opportunity for existing chairs to discuss their term as Chair and whether they would be seeking reappointment at the end of their two year term;
  - (2) encouragement of open discussions with colleagues, to alert them that a member was interested in taking up a role as Chair of a Committee in future. This could also include an informal discussion with the current chair who could advise on exactly what the role entails and their views on the member's suitability for the role. The process would be open and transparent and the decision relating to the appointment of Chairs would remain in the gift of Council who would continue to be asked to ratify the nomination of a Committee.
- 18.4 During the course of discussion, the following points were made:-

- That the policy did not provide for a situation whereby no one wished to become chair of a particular Committee. In response, it was noted that it was hoped that this situation would become apparent as part of the appraisal discussions thus giving the Executive time to talk to Committee members;
  - That Chairs should be appointed against competencies rather than elected;
  - That Chairing skills should be a core competency for all Council members;
  - There should be an additional step within the process which allows for any member of a Committee to make an approach to a colleague suggesting that they should put their name forward to serve as Chair.
- 18.5 It was agreed that the policy as set out should be adopted in the short term and consideration given to the suggestions in the longer term particularly given the possible change in governance structure that may be introduced.
- 18.6 The Council agreed to adopt the policy in the paper, including the revision to the process for the election of Chairs of Committees.

**Item 19.11/222 Education and Training Committee's Standing Orders (report ref:- HPC 153/11)**

- 19.1 The Council received a paper for discussion/approval from the Executive.
- 19.2 The Council noted that, on 17 November 2011, the Education and Training Committee had agreed to recommend an amendment to the Committee's standing orders. The amendment would enable the Education and Training Panel to make decisions on whether to continue to approve or withdraw approval for programmes. The Panel would only make these decisions when it was satisfied that any course, qualification or institution no longer admitted or recruits students.
- 19.3 The Council noted that the more frequent number of Panel meetings would ensure that decisions under the proposed arrangements would be made more swiftly, leading to a more accurate register of approved programmes. The change would also reduce the number of decisions required of the full Committee allowing it more time to consider policy and strategic matters.
- 19.4 The Council agreed to amend paragraph 9(2) of the Education and Training Committee Standing Orders to include the additional power set out in italics:

“For the purpose of Standing Order 8(1) “Panel” means a Panel of the Education and Training Committee which has been convened to:

.... (d) *consider and, if thought fit, withdraw approval from any course, qualification or institution which the Panel is satisfied no longer admits or recruits students.*”

**Item 20.11/223 Nomination of Committee Chairs (report ref:- HPC 154/11)**

- 20.1 The Committee received a paper for discussion/approval from the Executive.
- 20.2 The Council noted that, in July 2005, it had agreed the process for election of Committee Chairs. On 22 September 2011, it had agreed that each committee should nominate a Chair at their first meeting after 22 September. The Communications Committee had been asked to nominate a Chair at its meeting on 8 November 2011 and had nominated Sheila Drayton as Chair. The Education and Training Committee had been asked to nominate a Chair at its meeting on 17 November 2011 and had nominated Eileen Thornton as Chair. The Finance and Resources Committee had been asked to nominate a Chair at its meeting on 24 November 2011 and had nominated Richard Kennett as Chair.
- 20.3 The Council agreed to:
- a) appoint Sheila Drayton as Chair of the Communications Committee for a term of two years;
  - b) appoint Eileen Thornton as Chair of the Education and Training Committee for a term of two years; and
  - c) appoint Richard Kennett as Chair of the Finance and Resources Committee for a term of two years.

**Item 21.11/224 Minutes of the Fitness to Practise Committee held on 13 October 2011 (report ref:- HPC155/11)**

- 21.1 The Council received a paper for approval from the Executive.
- 21.2 The Council noted the ongoing work in relation to the quality assurance of the Fitness to Practise process at the HPC.
- 21.3 The Council approved the recommendations therein.



**Item 22.11/224 Minutes of the Audit Committee held on 20 October 2011 (report ref:- HPC156/11)**

- 21.1 The Council received a paper for approval from the Executive.
- 21.2 The Council noted some minor amendments with regards to attendees which would be corrected in advance of the meeting of the Audit Committee at which they would agree the minutes as a correct record.
- 21.3 The Council approved the recommendations therein.

**Item 23.11/225 Minutes of the Communications Committee held on 8 November 2011 (report ref:- HPC157/11)**

- 22.1 The Council received a paper for approval from the Executive.
- 22.2 The Council noted that some members of the Communications Committee felt that HPC should be more proactive in communicating our position to aspirant groups and to government.
- 22.2 The Council approved the recommendations therein.

The Council noted the following items:-

**Item 24.11/226 Voluntary registers (report ref:- HPC 158/11)**

**Item 25.11/227 Update on health and safety at the Health Professions Council (report ref:- HPC 159/11)**

**Item 26.11/228 Reports from Council representatives at external meetings (report ref:- HPC 160/11)**

**Item 27.11/229 Any other business: Proposed government response to CHRE's report "Board Size and Effectiveness"**

- 27.1 The Council considered a paper entitled "Proposed government response to CHRE's report 'Board Size and Effectiveness'" which had been circulated by e-mail and tabled.
- 27.2 The Council noted that the letter from the Department of Health (DH) set out the findings of the CHRE who had been tasked with looking at whether there was a case for moving to smaller councils for regulatory bodies as a way of delivering more board like and effective governance.
- 27.3 The Council noted that CHRE had concluded that "a council of around 8 to 12 members is likely to be most conducive to effectiveness." In

addition, they recommended that all Chairs should be appointed. The recommendation detailed within the letter was that the DH would focus on the GMC and GDC in the first instance with a view to introducing legislation to effect the changes at HPC in the summer of 2013.

27.4 During the course of discussion, the following points were made:-

- That it was not clear whether there would be one piece of legislation which would cover those changes to be made to the GMC, GDC and subsequently the HPC or whether it would be done using two section 60 orders;
- That HPC needed to take a strong position in relation to the four country representation;
- That HPC needed to approach this with great caution since the conclusions reached by the CHRE seemed muddled;
- That the letter assumes that there will be no resistance from HPC;
- If the decision was made to reduce the size of Council, this would have an impact on the diversity of the Council. Additionally, it would preclude many people from applying as the commitment would be greater;
- That a Director of Governance would be required should the Council be reduced in size;
- That should the size of Council be reduced, there was a preference for reducing to 12 as opposed to 8;
- This may be an opportunity to consider the composition of the Education and Training Committee;
- The suggestion was made that the review of Council member and partner expenses be postponed until such time as we had a greater understanding as to the changing landscape;
- That owing to the multi-professional nature of HPC, we should resist any reduction in the size of our Council;
- That the reduction in size of the Council was inevitable although we should try to avoid proliferation of other groups in an attempt to reinvent the structure that has been lost;
- That on the basis that HPC already has an appointed Chair, a case needed to be made for maintaining the Council at 20;

- That when the Council was reduced from 36 to 20, similar concerns were expressed.

27.5 In summary, the Council noted that it was important to think carefully about how it progressed these proposals and ensure that there was no loss of focus on the important ongoing work of the Council. Whilst there were concerns with the proposal, it was considered important to shape the proposal rather than to resist it. An options paper would be considered at the workshop in February and detailed consideration needed to be given to when this change would take place, the size of Council and the Committee structure.

27.6 The Council agreed:-

- (i) to discuss the proposals in detail at the next workshop scheduled for 8 February 2012; and
- (ii) postpone the review of Council member and partner expenses for the time being.

#### **Item 28.11/230 Date and time of next meeting**

28.1 The next meeting of the Council would be held at 10:30 am on Thursday 9 February 2012, with a strategy session to be held in private on Wednesday 8 February 2012.

#### **Item 29.11/231 Resolution**

The Council agreed to adopt the following resolution:-

“The Council hereby resolves that the remainder of the meeting shall be held in private, because the matters being discussed relate to the following;

- (i) information relating to a registrant, former registrant or application for registration;
- (ii) information relating to an employee or office holder, former employee or applicant for any post or office;
- (iii) the terms of, or expenditure under, a tender or contract for the purchase or supply of goods or services or the acquisition or disposal of property;
- (iv) negotiations or consultation concerning labour relations between the Council and its employees;
- (v) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
- (vi) action being taken to prevent or detect crime to prosecute offenders;
- (vii) the source of information given to the Council in confidence; or
- (viii) any other matter which, in the opinion of the Chair, is confidential or the public disclosure of which would prejudice the effective discharge of the Council's functions.

Item	Reason for Exclusion
30	iv

**Item 30.11/232 Transfer of regulatory functions from General Social Care Council to HPC (report ref:- HPC161/11)**

30.1 The Council discussed issues relating to the transfer of regulatory functions from the General Social Care Council to HPC.

**Item 31.11/233 Any other business for consideration in private**

31.1 There were no items for consideration in private.

Chair: .....

Date: .....

Unconfirmed