
Council

Minutes of the 91st meeting of the Council held as follows:-

Date: Tuesday 1 July 2014

Time: 14.00pm

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

Present: Anna van der Gaag (Chair)
Elaine Brookes
Mary Clark-Glass
John Donaghy
Sonya Lam
Keith Ross
Robert Templeton
Graham Towl
Joy Tweed
Nicola Wood

In attendance:

Claire Amor, Secretary to Council
Liz Craig, PA to the Director of Education
Brendon Edmonds, Head of Educational Development
Guy Gaskins, Director of Information Technology
Andy Gillies, Director of Finance
Michael Guthrie, Director of Policy and Standards
Teresa Haskins, Director of Human Resources
Kelly Holder, Director of Fitness to Practise
Grant Imlach, Media and PR manager
Brian James, Head of Assurance and Development
Jonathan Jones, Stakeholder Communications Manager
Jacqueline Ladds, Director of Communications
Francine Leach, PA to the Director of Fitness to Practise
Greg Ross-Sampson, Director of Operations
Marc Seale, Chief Executive and Registrar

Public Agenda – Part 1

Item 1. Chair's welcome and introduction

- 1.1 The Chair welcomed members to the second day of the 91st meeting of the Council

Item 2.14/116 Apologies for absence

- 2.1 Apologies for absence were received from Richard Kennett

Item 3.14/117 Approval of agenda

- 3.1 The Council approved the agenda.

Item 4.14/118 Declaration of Members' Interests

- 4.1 Keith Ross declared an interest since his wife is a Council member of the PSA.

Item 5.14/119 Minutes of the Council meeting of 14 and 15 May 2014 (report ref:- HCPC83/14)

- 5.1 The Council considered the minutes of the 91st meeting of the Health and Care Professions Council.
- 5.2 The Council agreed that a review of the remuneration of Council members and Partners should be included in the matters arising. It was also agreed that a review of the expense policy and any exclusions or inclusions should be included in the matters arising.
- 5.3 The Council agreed the minutes.

Item 6.14/120 Matters arising (report ref:- HCPC84/14)

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

Item 7.14/121 Chair's report (report ref:- HCPC85/14)

- 7.1 The Council received a report from the Chair.
- 7.2 During discussion, the following points were made:-
- the Chair met with Professor Zubin Austin to discuss progress on the disengagement research brief. Zubin Austin has agreed to carry out the literature review for the research;
 - the Chair and Chief Executive met with Professor Martin Green, the CEO of Care England. The HCPC's proposals for the

regulation of the adult care workforce were discussed, in what was a positive meeting;

- the first meeting of the Standards of Conduct, Performance and Ethics Professional Liaison Group was positive, with a variety of views and clear enthusiasm from members for the task at hand;
- the Chair observed an approval visit of a Social Work programme at London Metropolitan University. Sir Martin Narey and Annie Hudson, Chief Executive of the College of Social Work also observed the visit; and
- the Chair, Chief Executive and members of the Executive attended 'Orchestrating Winning Performance' task based training programme run by the business school IMD. The programme was extremely worthwhile and wide ranging and an attendance report will be brought to the September Council meeting.

7.3 The Council noted the report.

Item 8.14/122 Chief Executive's report (report ref:- HCPC86/14)

8.1 The Council received a report from the Executive.

8.2 During discussion, the following points were made:-

- the PSA's annual performance review of the HCPC was published on 27 June. An analysis paper will be presented at the September Council meeting;
- during the reporting period, the HCPC has held several Professional Body annual meetings;
- on 18 June the Health Select Committee published its report on the HCPC's first accountably hearing. This report is on the Council's agenda for 2 July 2014;
- a meeting with Isabelle Trowler, Chief Social Worker for Children and Families, has been scheduled for 10 July; and
- in response to a question it was noted that the meeting with the Gibraltar Health Authority was to discuss a possible reciprocal agreement, similar to that between the HCPC and the Isle of Man Government.

8.3 The Council noted that social workers in England enter their renewal period in September 2014. Previously, the GSCC did not remove social workers from the register for non-renewal, so this HCPC process may

be unfamiliar to some social workers. A comprehensive communications plan has been developed, and the social worker member of Council was involved in this.

8.4 The Council noted the report.

Item 9.14/123 Human Resources Report (report ref:- HCPC87/14)

9.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Human Resources and Partners Departments since the last meeting of Council.

9.2 During discussion, the following points were made:-

- a market benchmarking survey of pay rates and time commitments for partner roles and Council members has been commissioned. As some organisations have been slower to respond than anticipated, it is expected that a paper will be presented at the October Council meeting;
- the annual Learning and Development Plan is currently being finalised. The plan is based on analysis of training needs from APDRS and from discussions with Directors;
- modules for the new Management Development course in May and June were attended by over 30 managers and aspiring managers;
- employee turnover has slowed, with no leavers in April and one leaver in May;
- the HR and Partners Systems and Process review project is progressing well, with three responses to the invitation to tender received. Supplier presentations are scheduled for early August; and
- in response to a question, it was noted that there had been an increase in the number of agency days used, as the Registrations Department are currently trialling a temporary to permanent recruitment approach.

9.3 The Council discussed recent Partner recruitment exercises. It was noted that several Council members were involved in the process and that they found this helpful in understanding the volumes of work behind the statistics.

9.4 The Council noted the report.

Item 10.14/124 Operations Report (report ref:- HCPC88/14)

10.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Operations Department since the last meeting of Council.

10.2 During discussion, the following points were made:-

- Registrations received a total of 23,297 telephone calls, a 3 % increase in call volumes when compared to the same period two years ago. 1,059 UK applications were processed, an 8% decrease when compared to the same period last year;
- Registrations responded to 197 emails per day which is a 38% increase when compared to the same period two years ago;
- a BSI audit took place in May and covered International Registrations, Workplace and Infrastructure and the Quality Management System. No non-conformance was found; and
- an Information Security Management System is currently being developed as part of ISO27001 accreditation.

10.3 The Council discussed international emails. It agreed that it would be useful to see the percentages of responses within and outside service standards rather than an average response time.

10.4 The Council discussed temporary registration. It was noted that the revised EU Directive may impact on the HCPC's processes in this area. The Council agreed to receive a paper to note providing background on the legislation at its September Council meeting. The Education and Training Committee and Council will receive further papers in the future as the HCPC start to implement the new directive.

ACTION – Executive to include a paper on the EU Qualifications Directive on the agenda for the Council meeting of 25 September.

10.5 The Council noted the report.

Item 11.14/125 Communications Report (report ref:- HCPC89/14)

11.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Communications Department since the last meeting of Council

11.2 During discussion, the following points were made:-

- on 5 June 2014 the first CPD webinar was held, with 280 registrants watching. The aim of the event was to give

registrants information on CPD and the audit process. Two more webinars are planned for September to tie in with social worker renewals;

- the HCPC issued a comment and sent letters to several national newspapers in response to BBC's Panorama expose on care homes. The Independent published the letter;
- the HCPC's comment on negative registers was included in the Sunday Express' 'Care home crusade';
- Baroness Cumberlege spoke in support of the HCPC's proposals for a negative register for adult social care workers during a recent House of Lords debate on elderly abuse. The HCPC wrote to a number of Lords who raised the issue of elderly abuse in other debates about proposals for a negative register for adult social care workers; and
- the first and second training session for the managers' communications toolkit were held in May and June.

11.3 The Council noted the report.

Item 12.14/126 Information Technology Report (report ref:- HCPC90/14)

12.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Information Technology Department since the last meeting of Council.

12.2 During discussion, the following points were made:-

- re-testing of the remote working application has reaffirmed the vulnerability originally identified. The supplier was informed and a fix will be included in the next software release. The application will then be re-tested;
- the replacement of the data line supplier has been successfully completed with little disruption to services. The new service has provided a tenfold increase in capacity and speed to the internet;
- initial analysis for the migration of the email server has completed and targeted workshops have been planned in July to build an initial cost model; and
- the deployment of Microsoft Office 2013 began in June with half of all devices now upgraded. The upgrade is planned to complete by the end of July.

12.3 The Council noted the report.

Item 13.14/127 Education Report (report ref:- HCPC91/14)

13.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Education Department since the last meeting of Council.

13.2 During discussion, the following points were made:-

- in total, 78 visits across 172 programmes had been arranged during the 2013-14 academic year. This is an increase of 73% on the previous academic year. So far 39 visits across 71 programmes have been arranged for the 2014-15 academic year;
- the Department have been working with education providers and visitors to prepare for the introduction of the new standard of education and training (SET 3.17) on service user and carer involvement from September 2014; and
- 103 applications were received for the lay visitor role, following interviews 17 new visitors were appointed. Training will take place on 8 and 9 July 2014, with lay visitors included on all panels as of September 2014.

13.3 The Council discussed the role brief of a lay visitor. It was noted that the Education and Training Committee thoroughly considered the role and decided that former registrants should not be excluded when the role was first approved in September 2013. This was because there may be circumstances where an individual may be deemed suitable for a lay visitor role, even if they had practised as a health professional at some previous point in their career

13.4 The Council discussed the definition of lay used by the HCPC. It was noted that the HCPC's legislation is very specific on the definition of lay for fitness to practise panel members, and that the lay visitor role is a separate role with its own definition. The Council agreed that the background to the lay visitor role would be included in a review of historic decisions of the council at the October away day.

13.5 The Council noted the report.

Item 14.14/128 Fitness to Practise Report (report ref:- HCPC92/14)

14.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Fitness to Practise Department since the last meeting of Council.

14.2 During discussion, the following points were made:-

- the average number of cases per case managers remains high due to vacancies and new starters. Temporary case management resources will be used to aid in the management of health and character declarations over the summer months;
- members of the Fitness to Practise Department made a second visit to the Medical Practitioners Tribunal Service in May. It is anticipated that Council will receive a full update on the work being undertaken in relation to independence in adjudication at its meeting in September 2014;
- the first meeting of the Partnership Forum with Professional Bodies and Trade Unions took place on 20 May. The next meeting is planned to take place in November 2014;
- FTP continue to work with Picker Europe on the research into the causes of disengagement and competency drift, and with CHSEO on an analysis of costs associated with fitness to practice cases;
- there have been scheduling difficulties in August, due to the availability of involved parties. The Executive are mindful of the Health Select Committee's recommendations on case progression and will review these in detail; and
- The Executive have recently completed a review of the Investigating Panel Process and have developed a work plan focusing on further enhancements and developments.

14.3 The council discussed the origin of cases. It was noted that the annual fitness to practise report for 2013-14 includes themed sections which will focus on the origin of cases amongst other variables.

14.4 The Council noted the report.

Item 15.14/129 Policy and Standards Report (report ref:- HCPC93/14)

15.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Policy and Standards Department since the last meeting of Council.

15.2 During discussion, the following points were made:-

- the Leadership Alliance for the Care of Dying People's response to the independent review into the operation of the Liverpool Care Pathway has now been published. The HCPC has made a

number of commitments about making sure standards are consistent with personalised care. These have been fed into the work of the PLG reviewing the standards of conduct, performance and ethics;

- the Department of Health intend to take forward the regulation of public health specialists from 'non-medical' backgrounds with the HCPC via a Section 60 Order under the Health Act 1999;
- HCPC anticipates that the Department of Health will begin consulting on the draft legislation before the summer recess 2014. It is currently expected that the HCPC Register will open to this profession by the end of 2015; and
- in response to a question it was noted that the proposed protected title will be 'public health specialist'. It was also noted that the profession was relatively small and it was not currently anticipated that a full PLG would be required to set the profession specific standards.

15.3 The Council noted the report.

Item 16.14/130 Finance Report (report ref:- HCPC94/14)

16.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Finance Department since the last meeting of Council.

16.2 During discussion, the following points were made:-

- the month 2 management accounts show an operating surplus of £103k. The budgeted position after 2 months was an operating deficit of £469k, so the actual operating result is £572k better than expected;
- the Fitness to Practise department's budget for 2014-15 is expected to be overspent by £230k, due to VAT considerations;
- the National Audit Office's final audit of the 2013-14 accounts is substantially complete and has been successful;
- tenders have been received and contracts are being finalised with the successful bidders for secure printing services, recording and transcription services and the M&E consultant for the 186 KPR project; and
- following a recruitment exercise a Management Accountant has been appointed to the post which had been filled on an agency basis since August 2013

16.3 The Council noted the report.

Item 17.14/131 Secretariat Report (report ref:- HCPC95/14)

- 17.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of Secretariat Department since the last meeting of Council.
- 17.2 The Council noted that interviews for the independent member of the Audit Committee took place on 6 June but the panel did not appoint. The role will be re-advertised from 7 July 2014, with interviews expected to take place on 3 September 2014.
- 17.3 The Council noted that the Chair's term of office comes to an end on 30 June 2015 and that the Department will begin planning for this recruitment exercise from the summer 2014. This is likely to include inviting the Council to review the competencies for the Chair at its meeting in September 2014. The Council requested that the Executive undertake to benchmark competencies' against those used by other regulators.

ACTION – Executive to include a review of the competencies of other regulators Chairs' in the paper it presents to Council on the Chairs competencies in September 2014.

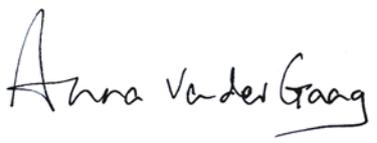
17.4 The Council noted the report.

The Council noted the following item:-

Item 18.14/132 Equality and Diversity Report 2014 (report ref:- HCPC96/14)

Item 19.14/133 Any other business

19.1 There were no further items for consideration.

Chair: 

Date:16.10.2014.....