

Council, 26 March 2014

Policy and Standards report

Executive summary and recommendations

Introduction

The report provides an update about the activities of the Policy and Standards Department.

Decision

The Council is requested to discuss the report.

Background information

None

Resource implications

None

Financial implications

None

Appendices

None

Date of paper

17 March 2014

Policy and Standards Department – Council meeting, 26 March 2014

The following provides an update about some of the work of the Department.

Registration fees

- The amendment Rules necessary to implement the increase to the HCPC's fees have now been laid in Westminster and the Scottish Parliament. The Rules are due to come into force on 1 April 2014. The renewal fee will increase to £80 per year.

Professional indemnity

- We have recently learnt that the intention is to publish the legislation to introduce the requirement for registrants (not social workers in England) to have professional indemnity in spring 2014, with the legislation planned to be in force by October 2014.
- Once the legislative requirement is in force, we will publish the guidance previously agreed by the Council. We do not have an indication yet of when it might be possible to progress the amendments to the HCPC's rules required to implement the legislation fully.

Standards of proficiency review

- In addition to the papers on the agenda at this meeting of the Council, the following are upcoming milestones for this project.
 - The standards for hearing aid dispensers are subject to public consultation until 4 April 2014. The consultation analysis is due to be considered by the Education and Training Committee and the Council at their meetings in June and July 2014.
 - The consultation on standards for paramedics recently closed. The consultation analysis is due to be considered by the Education and Training Committee and the Council at their meetings in June and July 2014.
 - Proposals for changes to the standards for practitioner psychologists are being reviewed with the intention of presenting proposals for consultation to the Education and Training Committee and the Council at their meetings in June and July 2014.

Professional Standards Authority

- The Chair and members of the Executive recently met the PSA as part of the annual performance review process and provided further information on request to the PSA. The final performance review report is due to be published in July 2014.
- The PSA has been commissioned by the Department of Health to look at agreeing and publishing guidance across the regulators on when all regulated health and care professionals can rely on implied consent to share personal confidential data for direct care of patients and service users. The Executive has had an initial meeting with the PSA and will update the Council at a future point about how the PSA intends to deliver this commission.

Mental Capacity Act

- In October 2013, the Chief Executive and registrar gave evidence to the House of Lords Committee looking at the implementation of the Mental Capacity Act 2005. The Act provides a legal framework for acting and making decisions on behalf of adults who lack the capacity to make particular decisions for themselves.
- The Committee's report has now been published. There are no specific recommendations for the HCPC. However, the report makes the following recommendation: 'We recommend the Government work with professional regulators and the medical Royal Colleges to ensure that the Act is given a higher profile.' (Recommendation 6.)

Duty of candour

- The GMC and the NMC have convened a cross-regulatory group to explore issues around incorporating the principles of a 'duty of candour' into the regulatory bodies' guidance and standards.
- The PSA has recently been commissioned by the Department of Health to report throughout the year on the regulators' progress in this area.
- The HCPC has already amended its indicative sanctions policy. The work of the forthcoming PLG on reviewing the standards of conduct, performance and ethics will include considering what changes might be required in order to strengthen the principles of candour in the standards.