

Council

**Public minutes of the 141st meeting of the Health and Care Professions
Council as follows:-**

Date: Thursday 3 February 2022

Time: 10.45am

Venue: Videoconference

Present: Christine Elliott (Chair)
Meera Burgess*
Stephen Cohen
Heeral Davda*
Maureen Drake
Rebekah Eglinton
Kathryn Foreman
Sue Gallone
Eileen Mullan
David Stirling
Kathryn Thirlaway
Valerie Webster

In attendance:

Claire Amor, Secretary to Council
Zoe Allan, Governance Officer
John Barwick, Chief Executive and Registrar
Laura Coffey, Head of Fitness to Practice
Alan Keshtmand, Head of Finance
Naomi Nicholson, Executive Director of Professional Practice and Insight
Margaret Osibowale, Financial Planning and Analysis Manager
Andrew Smith, Executive Director of Regulation
Alastair Bridges, Executive Director of Resources and Business Performance
Kathryn Flynn, Department of Health and Social Care
David Martin, Professional Standards Authority
*Council Apprentice

Public Agenda

Item 1. 22/1 Chair's welcome and introduction

- 1.1 The Chair welcomed those present to the 141st meeting of Council.
- 1.2 The Chair extended a special welcome to Valarie Webster and Rebekah Eglinton, who had joined the Council as new members in January 2022, and Meera Burgess and Heeral Davda, the HCPC's 2022 Council Apprentices. The Chair noted that new member Steven Vaughan had been unable to attend the meeting due to covid illness.
- 1.3 The Chair also welcomed David Martin, PSA, to his first meeting of the Council as an observer, and Kathryn Flynn Department of Health and Social Care.

Item 1.i. 22/2 Apologies for absence

- 1.i.1 Apologies for absence were received from Helen Gough and Steven Vaughan

Item 1.ii. 22/3 Approval of Agenda

- 1.ii.1 The Council approved the agenda.

Item 1.iii. 22/4 Declaration of Members' interests

- 1.iii.1 No interests were declared.

Item 1.iv. 22/5 Minutes of the Council meeting of 25 November 2021

- 1.iv.1 The Council approved the minutes of its meeting of 25 November 2021.

Item 1.v. 22/6 Matters arising

- 1.v.1 The Council noted those matters arising from previous meetings.

Standing reports

Item 2. 22/7 Chief Executive's performance report

- 2.1 The Council received a paper from the Chief Executive.
- 2.2 The Council noted the following points:-

- the Secretary of State for Health had announced his intention to launch a consultation to end mandatory covid vaccination for healthcare workers. The announcement had stated the important role of the professional regulators and guidance in ensuring registrants understood their responsibilities to service users and the public;
 - the HCPC's Standards of Proficiency required registrants to maintain safe environments and protective equipment. The Standards of Conduct Performance and Ethics required registrants to avoid posing any risk to service users. The HCPC was engaging with the Chief Allied Health Profession Officers on the announcement and any strengthening of guidance to registrants that may be required;
 - the review of the Standards of Proficiency was nearing its conclusion, the Education and Training Committee had discussed the consultation responses and resulting changes proposed to the standards at its workshop in January. The consultation response and proposed revised standards would be presented to Council for approval at its March 2022 meeting;
 - the development of online registration applications was progressing as expected. However the significant increase in international application volumes had continued to pose a challenge. As an interim measure, an external partner had been appointed to provide surge capacity and help return international applications to back within service standard;
 - the HCPC had been impacted by an increase in employee absence due to covid illness and, though covid restrictions had been lifted, the HCPC would continue to take a cautious approach to returning to office working to mitigate significant covid absences and the associated impact on productivity; and
 - a number of key roles had been filled, with the Executive Director of Resources and Business performance, Head of Finance and the Head of IT joining the HCPC since the last meeting of the Council.
- 2.3 The Council welcomed the appointment of a professional liaison consultant with a Scottish engagement focus. The Executive Director of Professional Practice and Insight confirmed that while the new consultant's location and focus was Scotland, they would be part of the wider Professional Liaison team and contribute to UK wide engagement.
- 2.4 The Council noted the need to ensure professional liaison engagement in Wales and Northern Ireland. The Chief Executive agreed, noting the close engagement with Chief Allied Health Profession Officers in the four counties.
- 2.5 The Council noted the need to ensure engagement with the Chief Scientific officers of the four nations alongside the Chief Allied Health Professions Officers.
- 2.6 The Council noted the launch of a development programme for senior women leaders and asked why this was gender specific. The Chief Executive advised

that it was part of the HCPC's succession planning and talent management and that specific support for women had been identified as a need.

- 2.7 The Council noted that international registrations in 2021 had been considerably higher than had been forecast. The Council asked if the Executive understood the reasons for this increase. The Chief Executive noted that this could be linked to the impact of Brexit closing the European equivalency route, as well as recruitment drives. The Executive had worked to improve its engagement with key stakeholders such as Health Education England to better inform future forecasting through information sharing on recruitment.
- 2.8 The Council welcomed the cautious approach to returning HCPC employees to office based working as covid restrictions were scaled back. The Council asked if there was any learning from the pandemic period to inform the HCPC's future office space requirements. The Chief Executive outlined the ongoing work on the HCPC's estates strategy which had been informed by experiences of pandemic working.

Item 3. 22/8 Finance Report

- 3.1 The Council received a paper from the Head of Finance .
- 3.2 The Council noted the following points:-
- the yearend financial position was forecasted to be a £1.4million deficit, which represented an improvement on the original budget which had been a £2.2 million deficit;
 - improvement had been a result of increased income through international registration applications as well as other areas of savings, such as estates and training;
 - running a deficit position was not desirable and the Executive was working on a long-term sustainability strategy;
 - a run rate forecast had indicated that the final year end position could improve to around £0.5 million deficit based on year-to-date trends, however a number of risk and opportunities would impact on this, including the possibility of bringing forward some expenditure to address operational challenges; and
 - the Head of Finance was leading work to improve the HCPC's financial forecasting capabilities.
- 3.3 The Chair noted that this was the first Council meeting for both the Executive Director of Resource and Business Performance and the Head of Finance. She commended the grip already demonstrated through the paper and welcomed the work to improve forecasting which would enable better sensitivity analysis.

- 3.4 The Council asked for clarity on the legal services spend within FtP. The Head of Finance agreed to review this and circulate a clarification outside of the meeting. **ACTION.**
- 3.5 The Council noted the risk table within the report and the risk of aligning the FtP budget and requirements. It was noted that the 2021-22 budget had been set as a stretch target and with hindsight the assumptions made centrally on savings were not achievable. The Executive Director of Resource and Business Performance assured the Council that the budget for 2022-23 was being built from the bottom up with extensive engagement with budget holders and realistic challenge on savings.
- 3.6 The Council noted that the People and Resource Committee would review the management accounts in more depth at its meeting on 4 February 2022.

Item 4. 22/9 Fitness to Practise Report

- 4.1 The Council received a paper from the Head of FtP. The paper presented an overview of the FtP Improvement Plan in 2021 and the demonstrable impact the Plan had had on key measures of quality and timeliness. The Head of FtP noted that whilst a significant amount had been achieved, the Executive recognised that improvement work needed to continue to be a focus in 2022 to ensure benefits were embedded.
- 4.2 The Council commended the report and the results it demonstrated. The reduction in FtP employee turnover was particularly welcomed as being a move towards stability.
- 4.3 The Council asked if FtP productivity data was available. The Executive Director of Regulation advised that this data was monitored by the Executive as an operational measure and that the focus of the Council data set was intended to be on the impact of improved productivity, through for example a decrease in the age of cases.
- 4.4 The Council noted the target of 70% of risk assessments meeting internal best practice standards. The Council asked what these standards consisted of and how compliance was monitored. The Head of FtP advised that the quality standards were in the form of guidance on how to complete a risk assessment and included process confirmation steps. These steps formed the basis of monthly quality dip sampling undertaken by FtP Managers. The HCPC's Quality Assurance team had provided support on the methodology for the quality checks as well as running workshops to ensure marking was calibrated.
- 4.5 The Council asked for clarity on figure 5 within the report noting that the graph was not easy to interpret. The Head of FtP advised that the graph represented the proportion of open caseload within the 33 week KPI and those cases outside this KPI. She agreed to review the graph to aid clarity. **ACTION.**
- 4.6 The Council noted that the target had been to meet the 70% meeting best practice standards by October and then to achieve 80-90% compliance

thereafter. The Council asked if there was any impact as a result of this slippage. The Head of FtP advised the 80-90% target had been a stretch target and further improvement was expected. The Quality Assurance team was assisting in providing feedback to FtP teams on risk assessments and monitoring the impact of the feedback. Targeted intervention would be the focus to ensure compliance with best practice continued to grow.

Items for discussion / decision

Item 5. 22/10 HCPC Code of Corporate Governance Revisions

- 5.1 The Council received a paper from the Head of Governance. The paper presented a number of changes to the composition of the Council's committees.
- 5.2 The paper proposed the following amendments:-
- amending the standing orders of the Remuneration Committee to make it a special meeting of the People and Resources Committee once a year to consider the annual pay award;
 - increasing the membership of the People and Resources Committee from 3 to 4, to include the independent member of the Remuneration Committee (to become the independent member of the People and Resources Committee); and
 - increasing the membership of the Education and Training Committee from 5 to 6, to add an additional member of Council.
- 5.3 The Council supported the proposed amendments, noting a typo in the paper that the People and Resources Committee membership was proposed to be 4 rather than 3 members.
- 5.4 The Council approved the proposed changes to the Code of Corporate Governance.

Items to note

The Council noted the following items:

Item 6. 22/11 Council decisions outside of meeting

Item 7. 22/12 Annual review of actions

Item 8. 22/13 Any other business

- 8.1 The Chair invited observer David Martin to provide his reflections on the meeting. David commented that the meeting papers had been easy to follow, and the meeting had a welcoming mix of informality and formality.

8.2 The Chair similarly asked new Council Apprentice Meera Burgess to provide her impressions. Meera shared her reflection on how best non-executives involved in healthcare governance could keep themselves accountable to those their decision impact.

Item 9. 22/14 Date and time of next meeting:

14.1 23 March 2022 - 10am

Item 10. 22/15 Resolution

The Council adopted 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;

- (a) information relating to a registrant, former registrant or application for registration;
- (b) information relating to an employee or office holder, former employee or applicant for any post or office;
- (c) 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;
- (d) negotiations or consultation concerning labour relations between the Council and its employees;
- (e) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
- (f) action being taken to prevent or detect crime to prosecute offenders;
- (g) the source of information given to the Council in confidence; or
- (h) 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
11	C
12	H
13	H
14	C
15	H

Chair:

Date: