

The Health Professions Council

Chief Executive and Registrar: Mr Marc Seale
Park House
184 Kennington Park Road
London SE11 4BU
Telephone: +44 020 7840 9710
Fax: +44 020 7840 9807
e-mail: colin.bendall@hpc-uk.org

Minutes of the 38th meeting of the Education and Training Committee held on
Tuesday 2 December 2008 at Park House, 184 Kennington Park Road, London,
SE11 4BU.

Present: Ms E Thornton (Chairman)
Professor K Bryan
Ms H Davis
Ms C Farrell
Professor J Harper
Professor T Hazell
Dr S Hutchins
Professor C Lloyd
Professor J Lucas
Ms G Pearson
Ms P Sabine
Mrs B Stuart
Professor D Waller
Mr N Willis

In attendance:

Mr C Bendall, Secretary to the Committee
Mr J Bracken, HPC's Solicitor
Ms A Creighton, Director of Education
Mr M Guthrie, Head of Policy and Standards
Mr R Houghton, Head of Registration
Mr S Mars, Policy Officer
Mr P Robson, Lead Case Manager
Mr G Ross-Sampson, Director of Operations
Mrs T Samuel-Smith, Education Manager
Mr M J Seale, Chief Executive and Registrar
Ms E Seall, Head of Case Management

Ms C Urwin, Policy Officer
Dr A van der Gaag, President

Item 1.08/101 Apologies for absence

- 1.2 Apologies for absence were received from Mr J Donaghy, Mrs S Drayton, Mr A Mount and Mr J Seneviratne.

Item 2.08/102 Approval of agenda

- 2.1 The Committee approved the agenda, subject to the following amendments:
- item 12: an updated version of the health and character policy had been tabled;
 - the paper on integrating new professions into the HPC renewal cycle had been withdrawn;
 - the item on continuing professional development profiles would be discussed after the item on readmission to the Register following selection for audit of continuing professional development.

Item 3.08/103 Minutes of the Education and Training Committee meeting held on 25 September 2008

- 3.1 The Committee agreed that the minutes of the 37th meeting of the Education and Training Committee should be confirmed as a true record and signed by the Chairman.

Item 4.08/104 Matters arising

- 4.1 The Committee received a paper to note from the Executive.
- 4.2 The Committee noted the action list as agreed at the last meeting.
- 4.3 Item 26: Any other business
- 4.3.1 The Committee noted that at its last meeting it had been suggested that the Committee should consider whether the Register should annotated to show qualified podiatric surgeons. The Committee noted that a reference in the minutes to a decision by the Department of Health should have referred to a number of developments affecting podiatric surgery.
- 4.3.2 Ms Sabine declared an interest in the discussion as she was a consultant podiatric surgeon and head of a podiatry and podiatric surgery services at South East Essex Primary Care Trust.

- 4.3.3 The Committee noted that, although the Council for Professions Supplementary to Medicine (CPSM) had regulated podiatric surgeons, its powers under the Professions Supplementary to Medicine Act 1960 had been significantly different from the HPC's role under the Health Professions Order 2001.
- 4.3.4 The Committee noted that the Private and Voluntary Health Care (England) Amendment Regulations 2008 had provided that podiatric surgeons should be subject to inspection by the Healthcare Commission. The HPC would work with the Healthcare Commission as required.
- 4.3.5 The Committee noted that a number of medical insurance companies had indicated that they would no longer reimburse the cost of treatment by podiatric surgeons working outside the NHS. In addition, a number of primary care trusts had indicated that they would no longer be prepared to fund a number of treatments, including podiatric surgery. Further discussion on post-registration qualifications, including podiatric surgeons' qualifications, took place at item 8.

Item 5.08/105 Chairman's report

- 5.1 The Committee received a verbal report from the Chairman.
- 5.2 The Committee noted that the Chairman had attended the following meetings:
- a meeting with the Hearing Aid Council on 10 November 2008 to discuss the draft standards of proficiency and standard of education and training 1;
 - a member of the interview panel for the Secretary to the Council vacancy, on 12 November 2008. An appointment had been made and the new Secretary to the Council would take up the post on 26 January 2009.
- 5.3 The Committee noted that Miss E Ellis had resigned from the Council and from the Committee. The Secretary to the Committee had passed on the Committee's good wishes and thanks to Miss Ellis.
- 5.4 The Committee noted that Professor Hazell would be stepping down from the Council with effect from 31 December 2008. The Chairman thanked Professor Hazell for his significant contribution to the Committee's work and wished him well for the future.

Item 6.08/106 Director of Education's report

- 6.1 The Committee received a report on the work of the Education Department.
- 6.2 The Committee noted that, due to available resources, the Department had prioritised operational processes and a progress report on projects would be made to the next meeting. The Committee noted that the Department was finalising the schedule of approval visits for the 2008-9 academic year and it was expected that there would be the same number of visits as in the previous academic year. The Committee noted that the annual monitoring process for the academic year had started.
- 6.3 The Committee noted that the Department had held a series of education seminars for education providers in October-December 2008. The seminars had been well-attended, with an overwhelmingly positive response from attendees. The seminars had included discussion about the review of the standards of education and training and how to involve service users in education programme design and review.
- 6.4 The Committee noted that a programme of refresher training for Visitors had taken place in September-October 2008, involving approximately half of the Visitors. The training had been well-received. The remaining Visitors would be trained in the 2009-10 financial year.

Item 7.08/107 Standards of proficiency and threshold level of qualification for entry to the Register for Hearing Aid Dispensers

- 7.1 The Committee received a paper for discussion/approval from the Executive.
- 7.2 The Committee noted that the Hearing Aid Council (HAC) and HPC had consulted jointly on the standards of proficiency and threshold level of qualification for entry to the Register for Hearing Aid Dispensers. The consultation had run between 15 July 2008 and 15 October 2008. The responses had been analysed by the HAC and had been considered at a recent meeting of the HAC's working group, STEP:UP. A member of the Executive attended meetings of the group. The Committee noted that the standards of proficiency and the threshold level of qualification for entry to the Register had been

approved by a meeting of the Hearing Aid Council on 10 November 2008.

- 7.3 The Committee noted that it was now expected that the register of Hearing Aid Dispensers would be transferred to HPC in March 2010, subject to the progress of the relevant legislation.
- 7.4 The Committee discussed whether it would be appropriate to set the threshold level of qualification for entry to the Register as a foundation degree in hearing aid audiology. The Committee noted that the threshold level of qualification was a minimum requirement and would enable individual audiologists to meet the proposed standards of proficiency.
- 7.5 The Committee noted that a small number of audiologists were completing training via the 'company based route' but the majority were now undertaking foundation degree programmes.
- 7.6 The Committee discussed whether it was appropriate for a profession to draft profession-specific standards of proficiency. The Committee noted that this approach had been taken in the past (for example, when drafting the standards of proficiency for operating department practitioners). The Committee noted that it was intended that the Policy and Standards Department workplan for 2009-10 would address the wider issues around preparation of standards.
- 7.7 The Committee agreed and recommended to the Council:
- (1) the text of the consultation responses document (subject to minor editing amendments);
 - (2) the text of the standards of proficiency in annex two of the paper (subject to minor editing amendments);
 - (3) that the threshold level of qualification for entry to the hearing aid dispensers part of the Register in the standards of education and training should be set at a foundation degree and read:

'Foundation degree for hearing aid dispensers'.

Action: MG (by 11 December 2008)

Item 8.08/108 Post-registration qualifications

- 8.1 The Committee received a paper for discussion/approval from the Executive.
- 8.2 The Committee noted that, at its meeting on 10 June 2008, it had considered a paper from the Executive that outlined the outcomes of a meeting held to discuss the topic of post-registration qualifications. The Committee had agreed that the Executive should undertake further work and that these issues should be considered in the light of the work of the Continuing Fitness to Practise Professional Liaison Group. The Committee noted that, at the meeting on 25 September 2008, the annotation of the Register to show qualified podiatric surgeons had also been raised.
- 8.3 The Committee noted that the Continuing Fitness to Practise Professional Liaison Group had reported to the Council on 1 October 2008 on the issues around revalidation of health professionals. The Group had concluded that additional regulation was not indicated at this time but had not made any specific recommendations which appeared to be of immediate relevance to post-registration qualifications.
- 8.4 The Committee noted that the Chief Executive and Registrar was a member of the Department of Health working group on extending professional regulation. The Committee noted that the working group was expected to report in 2009.
- 8.5 The Committee noted that the Department of Health was expected to commission the Council for Healthcare Regulatory Excellence to report on post-registration competence (including continuing professional development, revalidation and post-registration qualifications).
- 8.6 The Committee noted a suggestion that the Executive should consider whether work by the NHS Workforce Review Team would be relevant to this area.
- 8.7 The Committee noted that the annotation of the Register to show post-registration qualifications was only one way in which the HPC informed the public about regulation. The HPC was working to raise awareness of its work in a number of ways, including publicity campaigns undertaken with relevant stakeholders.

8.8 In discussion, the Committee agreed these broad principles on post-registration qualifications:

- any policy on post-registration qualifications should apply to all the professions currently regulated by the HPC and any professions which might become regulated in the future;
- the Register should only be annotated to show post-registration qualifications in exceptional circumstances, i.e. only where annotation would improve protection of the public and where a qualification permitted a registrant to significantly extend their scope of practice;
- the HPC should directly approve post-registration programmes which lead to annotation of the Register, although this would have financial and resource implications for the Education Department.

8.9 The Committee agreed that the Executive should develop a policy on the basis of the discussion above and prepare a paper for a future meeting. The Committee agreed that the Executive should take account of the report by the Department of Health working group on extending professional regulation.

Action: MG (ongoing to June 2009)

Item 9.08/109 Review of the generic standards of proficiency

9.1 The Committee received a paper for discussion/approval from the Executive.

9.2 The Committee noted that, at its meeting on 10 June 2008, it had considered a paper on reviewing the generic standards of proficiency. The Committee had agreed that a review should take place, owing to comments about the generic standards in more than one consultation and because of changes in the language used by professions and professionals more generally. The current paper set out the proposed workplan for the review.

9.3 The Committee:
(1) approved the workplan for reviewing the generic standards of proficiency;

Action: MG (ongoing to 2010)

(2) agreed that members of the Committee should be invited to express interest in a meeting in March or April 2009 to review

comments received on the standards and consider suggested standards put together by the Executive.

Action: CB (by 11 December 2008)

Item 10.08/110 Guidance on health and character

- 10.1 The Committee received a paper for discussion/approval from the Executive.
- 10.2 The Committee noted that, on 25 September 2008, it had considered draft guidance on the health and character process for applicants, education and training providers and registrants. The guidance had been revised following that meeting. A draft consultation document, including the revised guidance, was attached to the paper.
- 10.3 The Committee agreed the following amendments to the guidance:
 - in the section 'Guidance on how we may consider information about health', the reference to reasonable adjustments to working conditions should be amended to include reference to reasonable adjustments to practice placements;
 - the section 'Information for registrants' should stress the importance of registrants having insight and understanding into their fitness to practise, as they might not be eligible for registration.
- 10.4 Subject to the amendments above and minor editing changes, the Committee agreed and recommended the text of the consultation document to the Council.

Action: CU (by 11 December 2008)

Item 11.08/111 Guidance on conduct and ethics for students – consultation document

- 11.1 The Committee received a paper for discussion/approval from the Executive.
- 11.2 The Committee noted that, at its meeting on 25 September 2008, it had considered a paper containing draft guidance on conduct and ethics for students. The guidance had been revised following that meeting and student meetings organised by several professional bodies. A draft consultation document, including the revised guidance, was attached to the paper.

- 11.3 The Committee agreed that the draft consultation document should be amended so that, in the section 'Conduct outside your programme', the second paragraph should state that '...vulnerable people will expect you to meet high standards of conduct and ethics.'
- 11.4 The Committee agreed that the paper was of a very high standard and reflected a great deal of work by the Executive.
- 11.5 Subject to the amendment above and minor editing changes, the Committee agreed and recommended the text of the consultation document to the Council.

Action: CU (by 11 December 2008)

Item 12.08/112 Health and character policy

- 12.1 The Committee received a paper for discussion/approval from the Executive. A revised version of the health and character declarations policy was tabled.
- 12.2 The Committee noted that, at its meeting on 16 June 2005, it had approved the policy and procedure to consider health and character declarations made on admission, readmission, renewal and self-referrals. In these cases, a Registration Panel was asked to make a recommendation on whether the matter declared was relevant to the person's registration or, in the case of self referrals, whether the matter should be referred to the fitness to practice process.
- 12.3 The Committee noted that, at its meeting on 26 March 2008, it had considered a review of the health and character process and made a number of recommendations. One of these had been to produce a list of issues which did not need to be considered by a Registration Panel. The Executive had since analysed cases and identified the types of case where no panel had recommended that a person should not be registered, or had recommended that a person should be referred to the fitness to practise process, or where the recommendation had been overturned on appeal.
- 12.4 The Committee agreed that the proposed amendments to the health and character declarations policy were sensible and would allow HPC's resources to be allocated in proportion to the seriousness of health and character issues.
- 12.5 The Committee approved the revised health and character declarations policy.

Action: ES (ongoing)

Item 13.08/113 Disability Rights Commission report ‘Maintaining Standards: Promoting Equality’

- 13.1 The Committee received a paper for discussion/approval from the Executive.
- 13.2 The Committee noted that the Disability Rights Commission (DRC) had conducted a formal investigation examining the barriers that disabled people and people with long-term health conditions faced when entering statutorily regulated professions. The DRC had published a report ‘Maintaining Standards: Promoting Equality’ in 2007, as its final act before its role and function had been taken over by the Equality and Human Rights Commission.
- 13.3 The Committee noted that the paper summarised the report and its recommendations and outlined HPC’s current position on the health requirements and equality and diversity. The Committee noted that the HPC was taking action to address all of the recommendations, except the recommendation that all requirements for good health or physical and mental fitness. The Committee noted that this would require amendments to the Health Professions Order 2001 and the Registration and Fees Rules. The Committee noted that the Department of Health was considering whether to amend the health requirements of all the healthcare regulators, although the timetable for any amendment was uncertain. The Committee noted that the HPC had the power to amend its rules, subject to the relevant consultative and legal processes.
- 13.4 The Committee noted that the responsibility for managing a condition or a health issue lay primarily with an individual professional and their own insight and understanding, although employers might also be aware of particular issues. The Committee noted that registrants in private practice would not be subject to management by an employer. The Committee noted that the HPC issued clear guidance to registrants on managing their fitness to practise.
- 13.5 The Committee agreed that the Executive should prepare a further paper on the role of the health reference as a requirement for entry to the register. The Committee agreed that any paper should also review the requirements in the Standards of Education and Training in relation to the health of individuals enrolling on programmes.

Action: SM (by May 2009)

Item 14.08/114 Open-ended approval

- 14.1 The Committee received a paper for discussion/approval from the Executive.
- 14.2 The Committee noted that the HPC approval process had been running for four academic years. The approval and monitoring processes were based on the principle of open-ended approval. This meant that, once a programme had been approved, the only mechanism for removal of approval was by a decision of the Education and Training Committee.
- 14.3 The Committee noted that there had been an increase in the number of visits to approved programmes which had undergone major change and an increase in the number of visits to education providers outside the higher education sector. This had tested the model of open-ended approval and highlighted areas for development in the approval process. For example, some education providers had cancelled visits, or requested a longer time period to meet conditions, or re-negotiated dates for an approval process.
- 14.4 The Committee noted that the paper proposed a number of operational enhancements to the approval process.
- 14.5 The Committee agreed:
- (1) to allow the Executive and Education and Training Panels to vary the notice periods given to education providers for approval visits to approved programmes, which were triggered as a result of the monitoring processes;
 - (2) that requests to cancel some approval visits to approved programmes should be agreed by an Education and Training Panel;
 - (3) that the implications of non-submission of documentation prior to an approval visit to approved programmes should be agreed by an Education and Training Panel;
 - (4) the broad guidelines to be used by the Executive and Education and Training Panels when deciding to arrange, or rearrange an approval visit to an approved programme;
 - (5) to allow Education and Training Panels to vary the due date for conditions from approval visits to approved programmes, which were triggered as a result of the monitoring processes, in exceptional circumstances;
 - (6) to update the information given to education providers accordingly; and

(7) to approve the operational enhancements to the approval process taking effect from 2 December 2008.

Action: AC (ongoing)

Item 15.08/115 Readmission to the Register following selection for audit of continuing professional development

- 15.1 The Committee received a paper for discussion/approval from the Executive.
- 15.2 The Committee noted that the paper proposed a process to be followed for individuals applying for readmission to the Register following their selection for audit of their continuing professional development (CPD). The Committee noted that, on 12 June 2007, it had approved the process to be followed for individuals who wished to be readmitted following a lapse in their registration and where they had previously been randomly selected for audit of their CPD. Following the first round of CPD audits, it had become apparent that there needed to be a process for individuals who could not submit a CPD profile or who had not undertaken any or minimal CPD.
- 15.3 The Committee noted that the paper proposed that the individual would be asked to produce a plan of the CPD which they intended to undertake, if they were readmitted to the Register. The Committee noted that the individuals concerned would be automatically selected in the next round of CPD audits.
- 15.4 The Committee approved the new process as set out in the paper.
Action: RH (ongoing)

Item 16.08/116 Continuing Professional Development profiles

- 16.1 The Committee received a paper from the Executive on six continuing professional development profiles submitted by individual chiropodists/podiatrists. The profiles had contained substantial sections of text which were identical or very similar. Following legal advice, each of the six registrants had been asked to confirm that the profile was a true reflection of the CPD activities they had undertaken and to explain how the profile had been prepared. A CPD training provider had subsequently contacted HPC to explain that they had compiled the profiles on behalf of the registrants. HPC had obtained legal advice that the guidance for CPD should be revised to take account of the situation.

16.2 The Committee agreed to recommend to the Council that a consultation should be held on amending the standards of continuing professional development, to require that CPD profiles were prepared by the individual registrant without outside assistance.

Action: RH (by 11 December 2008)

16.3 The Committee agreed to authorise the Chairman to approve a consultation document on the proposed amendment to the standards of continuing professional development.

Action: Chairman (by 25 March 2009)

Item 17.08/117 Representative of Education and Training Committee on external group

17.1 The Committee received a paper for discussion/approval from the Executive.

17.2 The Committee noted that a major scoping project in Scotland aimed to reform nursing, midwifery and allied health professionals education programmes based on the idea of a common core curriculum. The project was a two-year project on behalf of Universities Scotland. The project wished to involve key stakeholders, including the HPC, which would be represented by the Director of Education and a member of the Committee. Professor Bryan had agreed to represent the Committee.

17.3 The Committee agreed that Professor Bryan should attend the stakeholder group for the project.

Action: Professor Bryan (ongoing to 2010)

Item 18.08/118 Education and Training Committee Scheme of Delegation: Amendments

18.1 The Committee received a paper for discussion/approval from the Executive.

18.2 The Committee noted that the Scheme of Delegation had been amended to make the following changes:

- to include delegated power for continuing professional development audits to be undertaken and registrants who fail to comply to be removed from the Register;
- to move responsibility for legal aspects of registration appeals to the Director of Fitness to Practise; and

- to move Visitor-related matters to the Director of Education.

18.3 The Committee approved the amendments to the Scheme of Delegation.

Action: CB (by 31 December 2008)

Item 19.08/119 Education and Training Committee: Future direction

19.1 The Committee noted that it had held strategic discussion sessions at some previous meetings. The Committee agreed to hold a strategic discussion session at its meeting on 25 March 2009, with other business on the agenda being limited to essential items only.

Action: CB (by 25 March 2009)

Item 20.08/120 Routes to registration for Biomedical Scientists

20.1 The Committee received a paper to note from the Executive.

20.2 The Committee noted that a further paper on routes to registration for biomedical scientists would be brought to the next meeting. The Committee noted that the consultation on Modernising Scientific Careers might have an impact in this area.

Item 21.08/121 Routes to registration for Clinical Scientists

21.1 The Committee received a paper to note from the Executive.

21.2 The Committee noted that a further paper on routes to registration for clinical scientists would be brought to the next meeting. The Committee noted that the consultation on Modernising Scientific Careers might have an impact in this area.

The Committee noted the following papers:

Item 22.08/122 Health and character declarations

Item 23.08/123 Dates of Committee and Panel meetings 2009-10

Item 24.08/124 Reports from Education and Training Committee representatives at external meetings

Item 25.08/125 Minutes of the Continuing Fitness to Practise Professional Liaison Group held on 4 September 2008

Item 26.08/126 Decisions of Education and Training Panels held on 25 September 2008 and 30 October 2008

Item 27.08/127 Any other business

28.1 There was no other business.

Item 28.08/128 Date and time of next meeting

28.1 The next meeting of the Committee would be held at 10.30 am on Wednesday 25 March 2009.

28.2 Subsequent meetings would be held at 10.30 am on:

Thursday 11 June 2009
Tuesday 22 September 2009
Wednesday 25 November 2009
Wednesday 10 March 2010
Tuesday 8 June 2010

Chairman

Date