

INFORMATION AND IT MATTERS REPORT

The Committee is asked to consider the appended paper:

**Freedom of Information Act 2000
HEALTH PROFESSIONS COUNCIL PUBLICATION SCHEME**

HEALTH PROFESSIONS COUNCIL PUBLICATION SCHEME

PART 1: INTRODUCTION

Under the Freedom of Information Act 2000 (“the FOI Act”), we will adopt and maintain a ‘publication scheme’ (“the Scheme”) so that information can be made available to the public. The Scheme has been approved by the Information Commissioner and follows the standard format used by health regulatory bodies in the United Kingdom. The Scheme will be regularly reviewed.

The Health Professions Council

The Health Professions Council (HPC) is a new, independent, UK-wide statutory regulatory body that has been setup to regulate 12 health professions established by the Health Professions Order 2001.

The HPC regulates arts, music and drama therapists, chiropodists & podiatrists, clinical scientists, dietitians, medical laboratory technicians (MLTs), occupational therapists, orthoptists, prosthetists & orthotists, paramedics, physiotherapists, radiographers and speech & language therapists.

Its main duties:

The HPC’s role is to safeguard the health and well-being of the public using the services of the 12 professions it regulates. It is responsible for setting and maintaining standards of professional training, performance and conduct. The HPC will also ensure that registration of professionals is linked to continuing professional development.

Freedom of Information

The Freedom of Information Act was passed on 30 November 2000. It created a general right of access to all types of recorded information held by public authorities. It also sets out exemptions from that right and places a number of obligations on public authorities.

The Information Commissioner has a duty to promote best practice under the FOI Act and to ensure compliance. The Commissioner’s address is:

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

www.informationcommissioner.gov.uk

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Your rights to information under the FOI Act will come into force on **1 January 2005**. From that date, with certain exemptions, the HPC will be required to:

- Let you know in writing if we hold the information you have asked for; and
- Provide any information we have to you within 20 working days

We will also have a duty to provide advice or assistance to you or to anyone seeking information (e.g. to explain what information is available or to clarify what you want to know).

Purpose and Structure of the Scheme

The purpose of the Scheme is to let you know what information is readily available from us. By 'readily available' we mean information that is on our website, or that can be obtained from us by letter, fax or e-mail.

In creating and reviewing this Scheme, we have to consider the public interest when:

- Allowing public access to the information we hold; and
- Publicising the reasons for decisions that we make.

By law, our Scheme must:

- Set out the classes of information that we publish or intend to publish;
- Say how we will publish the information in each class; and
- Say if we will provide the information free or charge for it.

The Scheme is in three parts:

- Part 1 tells you about the Scheme
- Part 2 sets out the classes or types of information that we publish or intend to publish. It also contains a list of classes of information that will generally not be made available.
- Part 3 is the Publications List, which tells you what information is published, how it can be obtained and whether it is free of charge

The Scheme is available on the HPC website (www.hpc-uk.org) or from the HPC offices.

The purpose of the Scheme is to make information available before you need to ask for it.

Obtaining Information under the Scheme

The HPC routinely publishes large volumes of information on its website. Most information provided in the scheme will be freely available for downloading from the website. Other information listed in this Scheme, which is not available from the website, will be available when requested in writing from the HPC offices.

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Information listed under the Scheme may be requested by letter, fax or e-mail. A form for requesting information is also available on the website or from the HPC offices.

You should send your request for information contained in the Scheme to:

FOI Act Information Requests
Health Professions Council
Park House
184 Kennington Park Road
London SE11 4BU

Fax: 020 7820 9684

E-mail: foirequests@hpc-uk.org

We are committed to make this information available to all sections of the community. Copies of this Scheme (Parts 1 and 2) will be available in the following languages:

- English
- Welsh

Most documents in our Publications List are only available in English. Where available in other languages this will be indicated. We may also provide some information in alternative formats (large print, audiotape or Braille) on request.

Like most organisations, the HPC makes use of abbreviations on its documents and other records. We try to make sure such abbreviations are kept to a minimum. If necessary, we will provide an explanation of any abbreviations used.

Exempted Information

The FOI Act provides exemptions for certain classes of information. If the exemptions apply to the information you have requested you will be informed in writing. However, the HPC will not necessarily confirm or deny if such information is held.

Responsibility for the HPC Scheme

Overall responsibility for the Scheme resides with the HPC Council. Day to day responsibility for the Scheme rests with the HPC Information Controller, Roy Dunn (Director of Information). His contact details are:

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Roy Dunn
Director of Information
Health Professions Council
Park House
184 Kennington Park Road
London SE11 4BU

Tel: 020 7840 9739
Fax: 020 7820 9684
E-mail: roy.dunn@hpc-uk.org

Charging for Information in the Scheme

Generally, access to information held by the HPC will be free of charge. Single copies of any publication listed in our publication list will normally be available free of charge from our website or from the Information Controller.

Charges may be imposed for:

- Producing multiple copies of specified information in paper or other format
- Specified hard copy publications

Charges will reflect the staff time necessary to produce the information and any copying and postage. We will let you know these charges when you request the information and we will require payment in advance.

Charging Regimes

In the Publications List we indicate which of the following charging regimes could apply:

Free on Website (FOW)

There is no charge made by us for downloading the information from the website, although the user will have to meet any charges made by the Internet Service Provider and/or telephone company as well as any personal costs for printing, etc.

Free of Charge Hard Copy (FOCHC)

Indicates that information will be provided in a hard copy format from the HPC office free of charge. Note multiple copies of single hard copy publications may be chargeable.

Chargeable Hard Copy (CHC)

Indicates information that is available from the HPC offices on payment of a charge.

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Copyright

Material made available through our scheme is subject to HPC or third party copyright. HPC Information may be reproduced for personal or professional use only, in accordance with normal Copyright Licensing Agency guidelines. Where data are reproduced they must not be altered in any substantive way and full acknowledgement must be made.

Permission to reproduce material does not extend to any material accessed through the Scheme that is in the copyright of third parties. You must obtain permission to reproduce such information from the copyright holder concerned.

Information made available under this Scheme must NOT be reproduced, copied or otherwise used for any commercial purposes.

Reviewing and Updating the Scheme

We will review our Scheme annually. New material will be added to the Publications List monthly and brought to the attention of users through the website.

Tell us what you think

We are committed to expanding the amount of information in this Scheme and ensuring that you can find, request and receive the information easily. New information will be placed on the Scheme regularly. You will appreciate that reviewing and publishing material is in some cases a costly process and may take some time.

However, we are determined that our Scheme should contain information that is of use to everyone interested in understanding more about the activities of the HPC. If you have any comments on this Scheme please write to the HPC Information Controller at the address given above.

Complaints against the Scheme

If you have a complaint against the operation of the Scheme:

- Write to the Chief Executive and Registrar, at the HPC offices seeking resolution of your complaint
- If you are not satisfied with the response that you receive, you may write to the Information Commissioner, who is appointed to consider such complaints at the address shown above.

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Requests for Personal Information

Under the Data Protection Act 1998 (“the DPA”), you already have a statutory right to have access to personal data we hold about you on computer or in a structured manual file (i.e. on paper). You also have the right to expect the HPC, as the Data Controller, to ensure that data is:

- Processed fairly and lawfully
- Obtained for specific and lawful purposes
- Adequate, relevant and not excessive for that purpose
- Accurate and, where necessary, kept up to date
- Not kept for longer than is necessary
- Processed in accordance with your rights as the data subject
- Kept secure
- Not transferred abroad unless to countries with adequate data protection laws

For the purposes of the DPA:

- “Personal data” is information that relates to a living identifiable person
- “The Data Controller” is the person or organisation that controls the purpose and manner in which data is processed, the Health Professions Council.
- “The Data Subject” is the person to whom the data relates

Where we are the data controller, you are entitled to be told whether we hold data about you and, if so:

- To be given a description of the data in question
- To be told for what purposes the data is processed
- To be told the recipients, or classes of recipients, to whom the data is or may be enclosed
- To be given a copy of any data held with any unintelligible terms, acronyms or codes explained
- To be given any information available to us as to the source of the data

A form for applying for access to your personal data is available from the website or on request from the HPC offices. A fee of £10 must accompany your request for personal data under the DPA. You will be required to supply adequate proof of your identity. You may also be required to provide us with further information in order to allow us to locate the information that you seek. A request for access to personal data will be dealt with promptly and in any event within 40 days of receipt of the request and payment of the fee.

Fraudulently attempting to obtain personal data under the Data Protection Act may render those applying liable to prosecution.

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Exempted Information

As with the FOI Act, the DPA provides some exemptions to disclosure in relation to certain classes of information. If the exemptions apply to the information you have requested you will be informed in writing. However, the HPC will not necessarily confirm or deny if such data is held about you.

Complaints

If you consider that a request by you for access to your personal data has not been dealt with properly you may:

- Write to the Chief Executive and Registrar, at the HPC offices seeking resolution of your complaint
- Write to the Information Commissioner, who is appointed to consider such complaints at the address shown above.

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PART 2: CLASSES OF INFORMATION

Introduction

This Scheme aims to make as much of our information as possible readily accessible to the public, on a continuous basis. We are committed to releasing more material in the future.

The HPC will make available information within the Information Classes described below. Information falling into the classes below will be retained in accordance with our Data and Documents Retention Policy.

The HPC has adopted a model Scheme developed nationally for all health regulatory bodies. The type of information provided through this Scheme by the HPC will be similar to that available from other health regulatory bodies.

Under each Information Class can be found brief descriptions of the information available within the class.

Under each publication listed in the Publications List can be found:

- The format in which the information is made available
- "Notes" containing any relevant additional information
- An indication as to any charge that may be made

Information Classes

We will publish information in the following classes, some of which may be chargeable (see Section 3):

Administration

- Information relating to the administrative structure of the organisation
- Information relating to finance and business planning
- Information relating to employment
- Information relating to the governance and work of the Council

Registration

- Information relating to the Register
- Information relating to requirements for registration

Education

- Information relating to standards in education
- Information relating to recognised qualifications

Fitness to Practice

- Information relating to standards of conduct and competence
- Information relating to investigations and Fitness to Practice proceedings

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Communications

- Publications produced by the organisation
- Press Statements

Other Information

- Any other information that does not relate to one of the other classes outlined above

Exempted Information

The following information will not normally be made available to the public.

Administration

- Sensitive personal information relating to members of staff, Members of Council, visitors or advisors, including specific terms and conditions of employment and remuneration
- Minutes of, and supporting papers relating to, matters discussed in closed sessions of Council, committee or working group meetings
- Financial information relating to specific contracts or other commercially sensitive matters

Registration

- Sensitive personal information relating to applicants and registrants, except where such disclosure is required by statute or has otherwise been previously notified to the data subject
- Any details of registrants where the HPC has reason to believe that such information may be used for commercial purposes

Education

- Documentation relating to the recognition/approval or otherwise of individual qualifications or educational institutions

Fitness to Practice

- Papers relating to preliminary investigations
- Personal data relating to complainants
- Any evidence adduced at a hearing before the Professional Conduct Committee or the Health Committee, except where such material appears in the transcripts of such proceedings

All Classes

- Any information subject to legal professional privilege, or other relevant privilege, for such period as the privilege remains active
- Any other information that may be subject to exemption under the provisions of the FOI Act, subject to case by case consideration of individual requests

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PART 3: PUBLICATIONS LIST

In this section are details of the information readily available from the HPC, together with an indication as to how such information may be obtained and whether there is any charge. Availability and costs will be indicated using the following codes:

Free on Website (FOW)

There is no charge made by us for downloading the information from the website, although the user will have to meet any charges made by the ISP and/or telephone company as well as any personal costs for printing, etc.

Free of Charge Hard Copy (FOCHC)

Indicates that information will be provided in a hard copy format from the HPC office free of charge.

Chargeable Hard Copy (CHC)

Indicates information that is available from the HPC offices on payment of a charge.

Class	Sub-class	Title/Description	Notes	Availability
<u>Administration</u>	Staff	Staff List	List of Key HPC staff and responsibilities. Registrar, Directors and Managers	FOW FOCHC
		Sample Employment Contract	Sample employment contract outlining standard terms and conditions	FOCHC
Finance	Annual Accounts	Annual Accounts	Audited annual accounts. Available after submission to Parliament. Included in Annual Report only.	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
		Business Plan	Extracts from the HPC's business plan in the form of Strategic Intent and Council Processes documents regularly updated.	FOW FOCHC
	Council	Members List	List of members of the Council	FOW FOCHC
		Open Minutes	Minutes of open sessions of meetings of the Council	FOW FOCHC
		Meeting timetable	Dates and venues of forthcoming Council meetings.	FOW FOCHC
		Register of Members' Interests	Register of the Direct, Indirect and Non-Pecuniary interests of members of Council. Regularly updated.	FOW FOCHC
	Annual Report	Annual Report	Annual report produced by the HPC. Contains details of audited accounts, together with reports from statutory committees.	FOW FOCHC
		An Introduction to the Health Professions Council	Overview of what HPC does	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
		An introduction to the statutory committees	Overview of each statutory committee	FOW FOCHC
		An introduction to the non-statutory committees	Overview of each non statutory committee	FOW FOCHC
<u>Registration</u>	Register	Published Register / Online Register	Published on line in real time on our website www.hpc-uk.org and contains details of all health professionals registered. Register can be searched by Name, Registration number, and Profession.	FOW
	Registration	How to register as a health professional with the HPC	Guidance on the procedure to register with HPC	FOW FOCHC
		Registration Information Pack UK approved institutions (Approved Qualifications)	Information pack for those health professionals with an approved qualification who wish to apply for registration. Contains Registration/Readmission forms and supporting information.	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
		Registration Information Pack International and Grandparenting applications (Non-approved Qualifications) Grandparenting Criteria	Information pack for those health professionals who do not possess a recognised qualification but who wish to apply for registration with the Health Professions Council. Contains registration forms and supporting information. Document detailing Grandparenting criteria.	FOW FOCHC
		An introduction to the Education and Training committee	Brochure covering the activities of the committee	FOW FOCHC
		Criteria for the approval of qualifications	The document outlined the requirements courses and institutions must meet in order to offer a recognised qualification.	FOW FOCHC
		Recognised List	List of those qualifications currently approved by the HPC.	FOW FOCHC
		Recognition Visit Reports	Final Reports relating to recognition visits undertaken by the HPC.	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
<u>Regulation</u>	Standards Conduct	& Standards Performance and Ethics	Mandatory Code of Practice for the regulated professions issued by the HPC in accordance with the provisions of Article 27 of the Health Professions Order 2001.	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
		Standards of Proficiency for the specific professions regulated by HPC	Mandatory Standards of Proficiency for the regulated professions issued by the HPC in accordance with the provisions of Article 15 of the Health Professions Order 2001.	FOW FOCHC
		Standards of Proficiency – Arts Therapists	Detailed list included to left.	
		Standards of Proficiency – Biomedical Scientists		
		Standards of Proficiency – Chiropodists		
		Standards of Proficiency – Clinical Scientists		
		Standards of Proficiency – Dieticians		
		Standards of Proficiency – Occupational Therapists		
		Standards of Proficiency – Paramedics		
		Standards of Proficiency – Physiotherapists		
		Standards of Proficiency – Prosthetists & Orthotists		
		Standards of Proficiency – Radiographers		
		Standards of Proficiency – Speech & Language		

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Class	Sub-class	Title/Description	Notes	Availability
	Complaints	Complaints Statistics	Statistics on the number of complaints received against HPC registrants and their disposal.	FOW FOCHC
	Professional Conduct Committee	Notices of Allegations (and Hearings) to be referred to the Investigating, Health, Conduct and Competence Committee	Notices of allegations to be considered by the Professional Conduct Committee in relation to specific complaints against individual HPC registrants. Published prior to any hearing or any meeting where the case will be considered on papers.	FOW FOCHC
		Notices of Findings	Notice of the decision of the Conduct and Competence Committee in relation to formal allegations, together with the Committees reasons and the sanction(s) applied.	FOW FOCHC
		Transcripts of Proceedings	Transcripts of public hearings before the Professional Conduct Committee.	CHC
	Appeal Tribunals	Notices of Hearing	Where a hearing is to be held in relation to an appeal against a decision of the Registrar, the HPC publishes a notice of the time, date and place of any hearing. Hearings are normally held in public but the appellant may elect that the hearing is held in private.	FOW FOCHC
		Notices of Decision	The HPC publishes all decisions of appeal tribunals.	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
		Transcripts of Proceedings	Where an appeal tribunal hearing is held in public, the transcript of those proceedings can be obtained.	CHC
Information Notes	Making a Complaint about a health professional		An information note for patients and the public on the process for making a complaint to the HPC.	FOW FOCHC
	The Register		Brochure concerning the structure of the register	FOW FOCHC
	The Role of a Council member		Brochure describing the expected activities of HPC Council members	FOW FOCHC
	The role of a legal assessor		Brochure describing the expected activities of HPC legal assessors	FOW FOCHC
	The role of a medical assessor		Brochure describing the expected activities of HPC medical assessors	FOW FOCHC
	The role of a panel member		Brochure describing the expected activities of HPC panel members	FOW FOCHC
	The role of a registrant assessor		Brochure describing the expected activities of HPC registrant assessors	FOW FOCHC

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Class	Sub-class	Title/Description	Notes	Availability
		The role of a screener	Brochure describing the expected activities of HPC screeners	FOW FOCHC
		The role of a visitor	Brochure describing the expected activities of HPC visitors	FOW FOCHC
		Publication Schedule	Schedule detailing the publication of various notices, etc. relating to proceedings before the Professional Conduct Committee and the Health Committee. Includes details of the period in which notices will appear on the HPC website.	FOW FOCHC
		An introduction to the Conducts and Competence Committee	Brochure providing an overview of the committee and its remit	FOW FOCHC
		An introduction to the Health Committee	Brochure providing an overview of the committee and its remit	FOW FOCHC
		An introduction to the Investigating committee	Brochure providing an overview of the committee and its remit	FOW FOCHC
		Information for Employers	Brochure concerning employment of health professionals	FOW

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Class	Sub-class	Title/Description	Notes	Availability
		Appeals	Brochure describing the HPC appeals process	FOW
		Health Professions Order 2001	Rules / Legislation governing the creation and operation of the Health Professions Council	FOW
		Health Professions Council (Conduct and Competence Committee) (Procedure) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Functions of Assessors) (Procedure) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Health Committee) (Procedure) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Investigating Committee) (Procedure) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW

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Class	Sub-class	Title/Description	Notes	Availability
		Health Professions Council (Practice Committees) (Procedure) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Registration and Fees) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Registration Appeals) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Screeners) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Legal Assessors) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW
		Health Professions Council (Parts of and Entries in the Register) Rules Order in Council 2003	Rules governing the operation of HPC processes	FOW

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Class	Sub-class	Title/Description	Notes	Availability
<u>Communications</u>	Publications	Annual Report	Annual report produced by the HPC. Contains details of audited accounts, together with reports from statutory committees.	FOW FOCHC
		Consultation - The future (mini prospectus)	Consultation in July 2002	FOW FOCHC
		Consultation - The future (Paper for Consultation)	Consultation document items for public discussion July 2002	FOW FOCHC
		Consultation Feedback - Your responses	Consultation responses from the public November 2002	FOW FOCHC
		Consultation Feedback - Key decisions	Consultation process decisions November 2002	FOW FOCHC
	Continuing Development	Professional Development	Brochure concerning health professionals on going training requirement April 2003	FOW FOCHC
	Press Statements	Press Statement List	List of statements / clarification notes issued to the press on a variety of topics.	FOW FOCHC
	Press Statements	Press Statements	Individual statements issued to the press.	FOW FOCHC