

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the nineteenth meeting of the Investigating Committee held at **11:00am on Tuesday 23 January 2007** at The Brit Oval, Kennington, London, SE11 5SS.

Miss M MacKellar (Chairman)
 Dr N Callaghan
 Mr R Clegg
 Ms C Farrell
 Mrs D Haggerty
 Mr W Munro
 Mr M Woolcock

IN ATTENDANCE:

Miss S Butcher, Secretary to Committees
 Mr M Guthrie, Policy Officer
 Miss K Johnson, Director of Fitness to Practise
 Ms N O'Sullivan, Secretary to Council
 Mrs J Ladds, Director of Communications
 Mr M Seale, Chief Executive and Registrar

Item 1.07/01 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from the following Committee members; Mrs S Chaudhry, Mr S Taylor and Prof D Waller.
- 1.2 The Chairman welcomed Mr Woolcock to his first meeting as a new member of the Investigating Committee.

Item 2.07/02 APPROVAL OF AGENDA

- 2.1 The Investigating Committee approved the agenda.

Item 3.07/03 MINUTES OF THE INVESTIGATING COMMITTEE MEETING HELD ON THURSDAY 16 NOVEMBER 2006

- 3.1 It was agreed that the minutes of the nineteenth meeting of the Investigating Committee be confirmed as a true record and be signed by the Chairman.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-01-25	a	SEC	MIN	Investigating Committee Minutes 23 January 2007	Final DD: None	Public RD: None

Item 4.07/04 MATTERS ARISING

- 4.1 Item 9.4 & 9.9 Matters Arising – The Standards of Conduct, Performance and Ethics (SCPE)
The Committee noted that the final draft of the SCPE was on the agenda of today's meeting where the amendments recommended at the last meeting could be discussed.
- 4.2 Matters Arising – Strategy Discussion
The Committee noted that the strategy discussion notes taken at the meeting on 16 November 2006 were attached to the back of the papers at enclosure 4.

Item 5.07/05 CHAIRMAN'S REPORT

- 5.1 The Chairman reported that she had been taking part in the appointment process for the tendering of legal services to the Health Professions Council (HPC). 6 law firms have been short listed to tender for the provision of legal advice to the Council and 6 law firms had been short listed to tender for the provision of legal advice in fitness to practise cases. The Chief Executive, the Director of Fitness to Practise, the three Chairmen of the Fitness to Practise Committees and the President are all involved in the selection process due to be completed by the end of March.

Item 6.07/06 DIRECTOR OF FITNESS TO PRACTISE REPORT

- 6.1 The Committee received the Director of Fitness to Practise report.
- 6.2 The Committee noted that the current case to answer rate was 60%
- 6.3 The Committee noted that PKF (Pannell Kerr Forster) had now completed their audit of the fitness to practise (ftp) department
- 6.4 The Committee noted that the department was currently recruiting two case managers and one cases officer.
- 6.5 The Committee noted that 19 hearings were due to be held away from Park House and discussed the cost of room hire at external venues. The Health Professions Order 2001 (HPO) required that ftp cases were held in a registrant's home country. Other factors taken into account when deciding whether to hold a hearing away from Park House were numbers of witnesses and whether they were vulnerable.
- 6.6 The Committee noted that there had been an increase in the number of employer and police complaints received by the HPC.

- 6.7 The Committee agreed that it would be useful if a breakdown by profession of number and type of allegations received could be provided every 6 months to the Committee for their review so to assist in the identification of trends.

Action: KJ – by Thursday 15 November 2007

- 6.8 The Committee noted that the ftp annual report 2007 was to be reviewed at their next meeting in April. The Committee agreed that it should use this opportunity to identify what ftp statistics should be monitored on a regular basis as part of the Committees review function.

Item 7.07/07 FITNESS TO PRACTISE WORKPLAN AND PROCESS DOCUMENT

- 7.1 The Committee received a paper from the Director of Fitness to Practise for discussion. They also discussed their strategy paper.
- 7.2 The Committee identified the following priorities from their strategy discussions:
- Monitoring and reviewing of ftp trends from April 2007.
 - A review of the prosecutions policy was due to begin in July 2007. It was hoped that the preliminary work in this area would be provided to the Committee in September.

Action: KJ – by Wednesday 12 September 2007

- The establishment and set up of an annual ftp workshop meeting (comprised of the Health, Investigating and Conduct and Competence Committee) with this meeting replacing one of the four scheduled meetings of the committee. The Chairman would take this proposal to the next ftp Chairs meeting for consideration.
 - The need to establish a formal link with the work currently being undertaken by the Communications Committee. A widening distribution of the HPC newsletter combined with more Listening Events was also identified as a means by which registrants could be informed of HPC's work.
- 7.3 The Committee agreed that the strategy and priorities of the investigating committee linked with the ftp work plan. The work plan was an illustration of ftp's operational systems that in turn supported and assisted the strategy to be employed by the Committee.
- 7.4 The Committee noted the ftp department's priorities for the remainder of the financial year:

- Completion of the ftp tracking system (APU)
- Development of resource forecasting
- FTP employee training
- FTP Annual Report. A draft report would be provided for the Committees review in April 2007
- Accessibility/Information provision – the Standards of Acceptance of Allegations was approved by Council in December 2006
- The Committee noted that a review of the health and character policy would begin in June 2007.

7.5 The Chairman requested that the Committee submitted any comments regarding items for the Ftp Annual Report to the Director of Fitness to Practise prior to the Ftp Chairmen and Deputy Chairmen’s meeting that was to be held on the 12 February 2007. This was recommended as the Committee was to review a final draft at its next meeting in April 2007.

Action: The Committee – by Monday 12 February 2007

Item 8.07/08 WEBSITE INFORMATION

- 8.1 The Committee received a paper for discussion/approval by the Director of Fitness to Practise.
- 8.2 The Committee noted that it was to consider the scope and nature of ftp information posted online. It had been highlighted that publicly available information should not always be regarded as synonymous with publication of information. The Committee was asked to discuss the following options:
1. Remove all cases where a hearing has not been fixed from the website;
 2. All cases where a hearing has been fixed placed on line as soon as the date is for hearing is fixed; or
 3. Hearing dates to be placed on line four weeks in advance of the date fixed for hearings.
- 8.3 After a full discussion the Committee could not reach a consensus on the most appropriate option to adopt and agreed to wait for the decision reached by the Conduct and Competence Committee. The Committee noted that the Health Committee had also reached the same conclusion. All of the feedback obtained from the ftp meetings would be collated and presented to Council’s March meeting for their discussion/approval.

Action: KJ – Thursday 29 March 2007

- 8.3 The Fitness to Practise Director would address this issue at the Council for Healthcare Regulatory Excellence (CHRE) ftp forum meeting in February.

- 8.4 The Committee agreed to the proposal that the transcripts should no longer be posted online and all historical transcripts removed. This recommendation would be put to Council at their next meeting in March 2007.

Action: KJ – Thursday 29 March 2007

Item 9.07/09 DRAFT STANDARDS OF CONDUCT, PERFORMANCE AND ETHICS (SCPE)

- 9.1 The Committee received a paper from the Policy Officer for discussion/approval.
- 9.2 The Committee noted that this was the final draft of the Standards of Conduct, Performance and Ethics (SCPE). Approval would be sought from Council via the Education and Training Committee. The Standards would then be subject to a consultation period and publication of the Standards was anticipated in 2008.
- 9.3 The Committee made a minor amendment at P8 – amend ‘...then they are very unlikely not to meet our standards’ as it was a double negative. The Committee noted that the Health Committee had had a full discussion about Standard 8 which related to the appropriateness of the term ‘to delegate’ and whether ‘referral’ was more relevant in an increasingly multi-disciplinary healthcare environment where there was equal delegation within teams. The Committee was in agreement that a consultation question should be included on this matter.
- 9.4 The Committee noted that the production of supplementary guidance to the SCPE was to be considered by the Conduct and Competence Committee at their meeting in January in addition to formal guidance on confidentiality and consent. Approval would be sought at Council’s next meeting in March. A paper to note on this matter would be presented at the Investigating Committee’s next meeting in April 2007.

Action: MG – Thursday 29 March 2007 & Thursday 19 April 2007

Item 10.07/10 APPOINTMENT OF NEW MEMBER TO THE INVESTIGATING COMMITTEE

- 10.1 The Committee received a paper from the Secretary to the Committee to note.
- 10.2 The Committee noted that Mr Mark Woolcock, following the disbandment of the Approvals Committee had been appointed by Council to the Investigating Committee for a period of two years.

Item 11.07/11 CEPLIS STATEMENT OF COMMON VALUES OF THE REGULATED PROFESSIONS OF THE EUROPEAN UNION

11.1 The Committee received a paper from the Policy Officer to note.

Item 12.07/12 ANY OTHER BUSINESS

12.1 There was no other business.

Item 13.07/13 DATE AND TIME OF NEXT MEETING

13.1 The next meeting of the Investigating Committee would be on Thursday 19 April 2007 at 11:00am at Park House.