

Council

Minutes of the 114th meeting of the Health and Care Professions Council as follows:-

Date: Thursday 7 December 2017

Time: 10am

Venue: Rooms D & G, Health and Care Professions Council, Park House,
184 Kennington Park Road, London SE11 4BU

Present: Elaine Buckley (Chair)
Maureen Drake
Sue Gallone
Sonya Lam
Joanna Mussen
Gavin Scott
Robert Templeton
Nicola Wood
Stephen Wordsworth

In attendance:

Claire Amor, Secretary to Council
Kayleigh Birtwistle, Quality Compliance Auditor
John Barwick, Acting Director of Fitness to Practise
Jonathan Bracken, Solicitor to Council
Roy Dunn, Head of Business Process Improvement
Guy Gaskins, Director of Information Technology
Abigail Gorringe, Director of Education
Michael Guthrie, Director of Policy and Standards
Teresa Haskins, Director of Human Resources (from item 8)
Michael Humphreys, Professional Standards Authority
Grant Imlach, Media and PR Manager
Louise Lake, Director of Council and Committee Services
Jacqueline Ladds, Director of Communications
Antonio Pinheiro, Finance and Procurement Officer
Sarah Ritchie, Policy Officer
Greg Ross-Sampson, Director of Operations
Marc Seale, Chief Executive and Registrar (until item 11)
Tian Tian, Head of Financial Accounting

Public Agenda

Item 1.17/181 Chair's welcome and introduction

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 114th meeting of Council.

Item 2.17/182 Apologies for absence

- 2.1 Apologies were received from Stephen Cohen, Eileen Mullan and Graham Towl.

Item 3.17/183 Approval of Agenda

- 3.1 The Council approved the agenda.

Item 4.17/184 Declaration of Members' interests

- 4.1 Nicola Wood declared a standing interest as a non-executive Director of the Board of the Information Commissioner's Office.

Item 5.17/185 Consultation on the regulation of medical associate professions

- 5.1 The Council received a paper from the Executive.
- 5.2 During the discussion the following points were made:-
 - the Department of Health is consulting on the regulation of medical associate professions in the UK;
 - the consultation has been promoted via the HCPC website, social media, issues brief, the 'In Focus' newsletter and a stakeholder email; and
 - the Chief Executive and Chair are scheduled to meet with the President of the Faculty of Physician Associates of the Royal College of Physicians on 14 December.
- 5.3 The Council discussed the consultation question on the level of professional assurance appropriate for Surgical Care Practitioners and Advanced Critical Care Practitioners. It was agreed that the HCPC's response was a sound application of the PSA criteria for regulation. The possibility of an annotation for these groups was discussed. It was noted that the HCPC register already allows for sub-specialisms for example with psychologists.
- 5.4 The Council agreed that physician's associates need to be a distinct profession for public understanding of their role, and care is needed that they are not mistaken to be doctors by members of public.

5.5 The Council agreed the text of the consultation response

Item 6.i.17/186 Minutes of the Audit Committee meeting held on 21 November 2017

6.i.1 The Council received the minutes of the Audit Committee held on 21 November 2017.

6.i.2 Sue Gallone provided the Council with a verbal overview of the business considered by the Committee. It was noted that the Committee intends to hold a strategic risk workshop facilitated by the internal and external auditors. The timing of the workshop will be aligned with the Council's plans for the corporate plan.

6.i.3 The Council noted the minutes.

Item 6.ii.17/187 2018-19 budget update

6.ii.1 The Council received a paper from the Executive.

6.ii.2 The Council noted that the 2017-18 expenditure forecast and the 2018-19 income forecast were reviewed by the Audit Committee at its November meeting. It was noted that there is limited scope to allocate new resources within the expected budget.

6.ii.3 The Council welcomed the reduction in the PSA levy for the coming year.

6.ii.4 The Council discussed the presentation of the annual budget. It was agreed that cost headings, without the detailed internal division of resource determined by the Executive, would be more suited for Council's oversight role. The Council requested that cost lines were presented across the HCPC rather than each department specific.

6.ii.5 The Council noted the paper.

Item 6.iii.17/188 Review of procurement policy and financial regulations

6.iii.1 The Council received a paper from the Executive.

6.iii.2 The Council noted that the Audit Committee considered a revised draft procurement policy in September 2017. In discussion, the Committee agreed that the thresholds for approval of contracts should be different depending on whether the contract is specified within the annual budget or was not anticipated within the budget. The Committee agreed to recommend a revised procurement policy taking this change into account at its meeting in November 2017.

- 6.iii.3 The Council agreed that the wording of the policy would be amended to 'up to and including' for clarity process for contracts valued at £250k specifically.
- 6.iii.4 The Council approved the revised procurement policy and financial regulations.

Item 6.iv.17/189 New Bank Account

- 6.iv.1 The Council received a paper from the Executive.
- 6.iv.2 The Council noted that the Executive proposes to open a new deposit account with Nationwide in order to widen the HCPC options. Nationwide has a credit rating of A from Standard and Poor's and Aa3 from Moody's in keeping with the HCPC's investment policy, and currently offers competitive interest rates.
- 6.iv.3 The Council agreed that future papers relating to bank accounts will be considered in private session to minimise the risk of fraud.
- 6.iv.4 The Council agreed to open a deposit account with Nationwide.

Item 7.17/190 Minutes of the Education and Training Committee meeting held on 11 October 2017 and 23 November 2017

- 7.1 The Council received the minutes of the Education and Training Committee held on 11 October and 23 November 2017. The Chair of the Education and Training Committee provided a summary of the business considered.
- 7.2 The Council noted that the Education and Training Committee would revisit and clarify its previous discussion on its role in the HCPC's consultation process.
- 7.3 The Council noted the minutes.

Item 8.i.17/191 Minutes of the Tribunal Advisory Committee meeting held on 16 November 2017

- 8.i.1 The Council received the minutes of the Tribunal Advisory Committee held on 16 November 2017. The Executive provided a summary of the business considered.
- 8.i.2 The Council considered that the Tribunal Advisory Committee strategy should be referred to as a plan to avoid the perception that the Committee is a decision making body.
- 8.i.2 The Council noted the minutes.

Item 8.ii.17/192 Competency Framework for panel members

- 8.ii.1 The Council received a paper from the Executive.
- 8.ii.2 The Council noted that the Tribunal Advisory Committee has undertaken a review of the competency framework for HCPC panel members and panel chairs and a new framework for HCPC legal assessors has been developed. The new frameworks were agreed for recommendation to Council by the TAC at its meeting in November 2017.
- 8.ii.3 The new competency frameworks are in line with current best practice and will provide a robust and practical foundation for panellist recruitment, feedback, learning and self-assessment for reappointment. The frameworks are informed by the Judicial Skills and Abilities Framework 2014 produced by the Courts and Tribunals Judiciary.
- 8.ii.4 The Council expressed its thanks to the Tribunal Advisory Committee for the considerable amount of work put into the revised competency framework
- 8.ii.5 The Council agreed that the framework should be applied to Registration Appeal Chairs.
- 8.ii.6 The Council approved the new competency framework for HCPC panel members, panel chairs and legal assessors.

Item 9.17/193 Fitness to Practise Publication Policy

- 9.1 The Council received a report from the Executive.
- 9.2 The Council noted that the Solicitor to Council has undertaken a review of the HCPC fitness to practise publication policy in response to the establishment of the HPCTS. This review was completed following difficulties the HCPTS were having explaining the policy to registrant's queries about publications on the HPCTS website despite the policy remaining under the HCPC.
- 9.3 The Council noted that amendments have been made to the Consent Orders section, emphasising that hearings will be published in the same way as other fitness to practise decisions.
- 9.4 The Council noted that the length of time decisions are published was agreed in consultation with the professional bodies and trade unions. The Council agreed that the publication policies of the other regulators should be considered when significantly amending the HCPC's policy.
- 9.5 The Council approved the amended fitness to practice publication policy.

Item 10.i.17/194 Minutes of the Remuneration Committee meeting held on 9 October 2017

10.i.1 The Council received the public minutes of the Remuneration Committee held on 9 October 2017.

10.i.2 The Council noted the minutes.

Item 10.ii.17/195 Remuneration Committee Terms of Reference

10.ii.1 The Council received a paper from the Executive.

10.ii.2 The Council noted that the Remuneration Committee discussed their terms of reference at their meeting of 9 October 2017 and agreed to propose a minor amendment relating to benefits.

10.ii.3 The Council approved the revised terms of reference for the Remuneration Committee.

Item 11.17/196 Any other business

11.1 There was no further business.

Item 12.17/197 Future agenda items

12.1 The Council noted that a meeting will be held on 18 January to consider the HCPC's response to the regulation reform consultation only. A session on the corporate plan will also held.

12.2 The Council agreed that its meeting in February 2018 will take place on one day. The following items will be considered

- Workshop on PSA standards
- Fee increase analysis
- Draft corporate plan
- Strategic risk workshop verbal update

12.3 The Council requested that a live agenda plan be maintained on member's iPads.

Item 13.17/198 Meeting evaluation

13.1 The Council agreed that the level of detail within some finance papers is challenging to analyse and requested that the Executive provide more narrative summary of the key issues.

13.2 The Council requested that the Executive alert members to any paper updates when they happen.

Item 14.17/189 Date and time of next meeting

14.1 Thursday 18 January at Park House, 184 Kennington Park Road, London SE11 4BU at 10:30am.

Item 15.17/90 Resolution

Resolution

The Council is invited to adopt the following:

'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 60 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
16	a
17 i	c
17 ii	b, c
18	b, d

Summary of matters considered in private session:-

- The Council noted the private minutes of recent Audit, Education and Training and Remuneration Committee meetings.
- The Council approved the appointment of haysmacintyre as HCPC's external auditors for a term of 5 years to start with the year ending March 2018.

Chair: Elaine Buckley

Date: 07/02/2018