

**Standards of Conduct, Performance and Ethics
Professional Liaison Group (PLG)**

Public minutes of the 3rd meeting of the Standards of Conduct, Performance and Ethics Professional Liaison Group (PLG) held as follows:-

Date: Friday 19 September 2014

Time: 10.30am

Venue: HCPC, Park House, 184 Kennington Park Road, London, SE11 4BU

Present: Elaine Brookes (PLG Chair)
Mary Clark-Glass
Sheila Drayton
Anna Gupta
Steve McNeice
Dreengah Lyle
Henny Pearmain
Nanik Pursani
Joy Tweed
Caroline Waterfield
Steve Wordsworth

In attendance:

Claire Amor, Secretary to the Group
Nicole Casey, Policy Manager
Michael Guthrie, Director of Policy and Standards

Item 1. Welcome and Introductions

- 1.1 The Chair welcomed members to the third meeting of the Standards of Conduct, Performance and Ethics (SCPE) Professional Liaison Group (PLG).

Item 2. Apologies for absence

- 2.1 Apologies for absence were received from Helga Pile.

Item 3. Approval of agenda

- 3.1 The PLG approved the agenda.

Item 4. Minutes of the meeting of the Standards of Conduct, Performance and Ethics Professional Liaison Group held on 28 July 2014 (report ref:- PLG 15/14)

- 4.1 The PLG approved the minutes subject to the removal of Anna Gupta from the attendance list.

Item 5. Review of the standards of conduct, performance and ethics: Professional conduct (report ref:- PLG 16/14)

- 5.1 The PLG received a paper for discussion from the Policy Manager.
- 5.2 The PLG noted the following points:-
- the theme of professional conduct incorporates a wide range of topics such as honesty and integrity; maintaining public trust and professional attributes such as punctuality and organisation;
 - the relevant standards in the current SCPE are 3, 4 and 13. Standard 3 emphasises personal conduct as being of equal importance to professional conduct. Standard 4 emphasises the importance of behaving in accordance with the law. Standard 13 deals with honesty, integrity and public confidence;
 - standard 1, which requires registrants to act in the best interests of service users, states that Registrants must not abuse their relationship with a service user;
 - during the research phase, a need for clarity about the distinction between personal and professional conduct was highlighted. In addition, a number of stakeholders also suggested merging standards 3 and 13;
 - as the SCPE are intended to apply to all professions regulated by the HCPC, they do not cover every ethical situation a registrant may encounter. The HCPC expects registrants to be able to use

their professional judgement in applying and upholding the standards in their practice;

- the HCPC standards of proficiency also contains relevant statements. In particular, one of the generic standards requires registrants to 'be able to practise within the legal and ethical boundaries of their profession'; and
- professional bodies codes of conduct cover many of the principles set out in the SCPE in profession-specific detail.

- 5.3 The PLG discussed the wording of standard 4 of the SCPE. It was agreed that the wording 'we can take action' was too strong and that the emphasis should be on a positive reminder to registrants of their duty to inform the HCPC of issues related to conduct and competence.
- 5.4 With regards to standard 5 it was agreed that 'this is not a full list' should be amended to 'this is not an exhaustive list'. It was also agreed that the example list needed refreshing.
- 5.5 The PLG discussed standard 5 in relation to students. It was agreed that students needed to be aware that in accepting a caution, the HCPC would be informed of their conduct. It was agreed that this should be made more explicit in the standards.
- 5.6 The PLG agreed that the standards should require registrants to be open to constructive feedback and actively seek out feedback to improve their practise. It was suggested that this could be incorporated into the CPD process. The PLG agreed that the SCPE should encourage a culture of positive intervention and personal responsibility.
- 5.7 The PLG agreed with the executive recommendation that standards 3 and 13 should be combined, but that the standards should remain high level so as to be appropriate for all professions.
- 5.8 The PLG noted the paper.

Item 6. Review of the standards of conduct, performance and ethics: Infection and risk control (report ref:- PLG 17/14)

- 6.1 The PLG received a paper for discussion from the Policy Manager.
- 6.2 The PLG noted the following points:-
- standard 11 of the SCPE is a dedicated standard on infection and risk control, its current wording incorporates a number of discrete principles including protecting service users and non-discrimination;

- standard 15 of the standards of proficiency states that registrants must 'understand the need to establish and maintain a safe practice environment'. A further profession-specific standard requires registrants to 'be able to establish safe environments for practice, which minimise risks to service users, those treating them and others, including the use of hazard control and particularly infection control';
- the HCPC has produced guidance on health and character, which includes statements about what a registrant is expected to do if they have a health condition which may pose a risk to service users;
- previous discussion at the PLG and comments from stakeholders have reflected that the current standard 11 is seen as an out-dated reference to the risks of HIV/AIDS infection and reflects approaches prevalent during the 1980s and 1990s;
- a growing understanding of the low risk of HIV transmission from healthcare professionals has changed Department of Health policy and guidance in this area; and
- stakeholders have suggested that the standard should be broadened to take account of other conditions or to include a more general statement about dealing with risks in the workplace, in order to ensure it is relevant to all professions.

6.3 The PLG discussed standard 11. It was agreed that the dedicated standard should be removed, but that issues around antibiotic resistance meant that the issue remained relevant and that the HCPC should require registrants to take responsibility in controlling the risk of and spread of infection. It was agreed that standards 1 or 12 could be enhanced to cover the principles of standard 11

6.4 The PLG agreed that this personal responsibility should be to colleagues as well as service users and carers.

6.5 The PLG agreed that the anti-discrimination emphasis of standard 11 was important to include elsewhere.

6.6 The PLG noted the paper.

Item 7. First working draft of revised standards of conduct, performance and ethics (report ref:- PLG 18/14)

7.1 The PLG received a paper for discussion from the Director of Policy and Standards

7.2 The PLG noted the following points:-

- further drafts of the SCPE will be presented at the PLG's meetings in November and December 2014;
- the changes made the standards so far have focused on the standards and themes which the PLG have already discussed, these are standards one, three, four and eight;
- the wording of standard one has been amended to reflect discussions around the meaning of 'best interests' in social work. Treating service users and carers as individuals and the need to empower service users to maintain health and wellbeing have also been included;
- standard three in the draft is a new standard which incorporates the principles of reporting, escalating concerns and dealing with mistakes;
- standard four now combines standards three and 13; and
- standard eight's applicability has been widened beyond service users and other practitioners. The standards now includes a new sub-standard to capture the PLG's recommendations about the use of social media.

7.3 The PLG discussed the use of the phrase 'service user and carer'. It was noted that this was not always appropriate for example in standard 1.5. It was agreed that a reference table would be produced to explain the rationale where carers are not referred to. In addition it was agreed that a definition of carers formal and informal was required.

7.4 The PLG agreed the following amendments:-

- standard 1.4 would be amended to read '...or other services to be provided.' This would encompass referrals;
- standard 1.6 should be expanded in light of the PLG's discussion on the current standard 11. It was agreed that whilst risk management was important, the wording of this requirement should not prevent innovation;
- standard 3.5 should be reworded to include the use of the carer in communicating with service users where this is required, it was suggested that 'those' in place of 'person' could achieve this;
- standards 3.3 and 3.5 were very similar and could be combined or the order of 3.4 and 3.5 should be swapped;

- standard 4 should include a requirement around constructive feedback;
- standard 4.3 should be reworded as advertising does not sufficiently capture all media;
- the term 'electronic communication' in standard 8.4 implies email, and that this required revision to include all social media and virtual interfaces; and
- standard 8.1 should refer to 'service users and carers'.

7.5 The PLG requested that the draft revised standards be mapped to the current standards for ease of comparison.

7.6 The PLG noted the paper.

The PLG noted the following items;

Item 8. Fitness to practise survey on the standards of conduct, performance and ethics (report ref:- PLG 19/14)

Item 9. Existing standards of conduct, performance and ethics (report ref:- PLG 20/14)

Item 10. Review of Recommendations (report ref:- PLG 21/14)

Item 11. Professional Liaison Group work plan update (report ref:- PLG 22/14)

Item 12. Any other business

13.1 There was no further business

Item 14. Dates of subsequent meetings

14.1 7 November 2014 and 16 December 2014. All meetings to start at 10:30am and to be held at HCPC, Park House, 184 Kennington Park Road, London, SE11 4BU.

Chair

Date