

MINUTES of the meeting of the Conduct and Competence Implementation Working Party of the Health Professions Council held at Park House, 184 Kennington Park Road, London SE11 4BU on 14th May 2002 at 9:45.

PRESENT

Dr. G Beastall,	Mr. K Ross,
Prof. N Brook,	Mrs. B Stuart,
Mr. R Clegg,	Mr. G Sutehall,
Miss M. Crawford	Miss E. Thornton
Miss H. Davis	

In Attendance: Mr T.C. Berrie, Secretary to the Working Party
Mr. J. Bracken, Bircham-Dyson-Bell
Mr. S. Hill, Consultant, Newchurch.

02/24 Membership

1. Apologies for Absence

An apology was received from Dr. Jones, Ms. Manning, Mr. Ross-Sampson, Ms. Sabine, Mr. Seale and Dr. Yule, and Mrs. Towey, Senior Consultant at Newchurch.

In the absence of Dr. Yule, it was **AGREED** that Mr. Clegg chair the meeting.

With Mr. Clegg in the chair.

2. New Members

Dr. R Jones and Ms P Sabine had replaced Prof. Lilleyman and Miss Crawford.

02/25 Minutes

1. Confirmation and Signature

It was **AGREED** that the Minutes of the meeting held on 12th March 2002 be confirmed as a correct record and signed by the Chairman.

2. Professional Codes of Conduct - 02/19

Mr. Berrie reported that he had received a copy each of the Codes of Conduct of most of the professional associations. It was **AGREED** that at an appropriate point a small working group be asked to examine them in details. Mr. Berrie reported that he understood that the Allied Health Professions Forum was considering the proposal that a single code of conduct be produced for all the health professions within the bounds of the Health Professions Order and agreed to contact the Forum's secretary to enquire as to progress and possible cooperation.

3. Use of Screeners - 02/22.3

The Investigating Implementation Working Party had produced some draft Rules relating to Screeners which Mr. Bracken was currently looking at for comment and suitable amendment.

02/26 Draft Rules (Reference Minute 02/18)

Mr. Bracken reported that he had received a copy of the draft Rules and would be making a number of recommended amendments. The revised draft would set out the Rules in as plain language as was compatible with the requirement to avoid legal ambiguity and would seek to avoid incorporating too much detail of process, whilst incorporating the fundamental features required by the Order and recommended by the Working Party. He expected to have finished the draft within the week. Mr. Berrie agreed to forward it to members by email and post. Mr. Bracken stated that Mr. Michael Caplan had indicated that, as he and his colleagues at Kingsley Napley would be involved in the process on the Council's behalf once the Rules were enacted, he did not wish to become involved in the Rule-making until the end of the process, when he would be willing to comment on final drafts.

02/27 Draft Statement of Good Character, Conduct and Health (Reference Minute 02/19)

The Working Party considered and approved Mr. Bracken's recommended changes to the draft, and Mr. Berrie agreed to arrange for the redrafted document to be forward to members by email and post. In particular, Mr. Bracken reported that he had recommended that reference to the Rehabilitation of Offenders Act be removed, at least for the time being, as that Act had not been amended to change the reference from the old Boards to the Health Professions Council. It was **AGREED** that reference to the rehabilitation of offenders etc. be withheld until the Government's intentions in this matter were known. Members discussed the question of "amnesties", particularly in relation to Northern Ireland. Mr. Bracken agreed to consider and advise the Working Party on this.

02/28 Policy on levels of sanction and sentencing (Reference Minute 02/20)

The Working Party concluded that providing detailed guidelines at this stage was not possible, due to the lack of any precedent specific to the Council, but this did not preclude the production of such guidelines later. It was therefore **AGREED** that for the purposes of the consultation process, a "statement of intent" would be produced, which would consist of a précis of the powers and responsibilities of the Conduct & Competence Committee in relation to sanctions, as set out in the Order. This would then act as the basis of a guideline document for members of hearing panels. Mr. Hill agreed to prepare this document.

02/29 The role and the function of the Working Party vis-à-vis the Consultation Process (Reference Minute 02/21)

Mr. Hill tabled the most recent draft of the sections of the consultation document pertaining to the Practice Committees. Members made some initial comments and agreed to email more detailed comments to Mr. Hill.

02/30 Date of Next Meeting

It was **AGREED** that the Working Party meet at 9:45 on the following dates:

Thursday 13 June 2002

Thursday 18 July 2002

Wednesday 18 September 2002

Wednesday 13 November 2002

Wednesday 11 December 2002

CHAIRMAN
13 June 2002