

THE HEALTH PROFESSIONS COUNCIL

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CONDUCT AND COMPETENCE COMMITTEE

MINUTES of the eleventh meeting of the Conduct and Competence Committee held at **12:00pm on Tuesday 12 October 2004** at Park House, 184 Kennington Park Road, London, SE11 4BU.

PRESENT:

- Dr S Yule (Chairman)
- Mr K Ross (Deputy-Chairman)
- Ms H Davis
- Professor C Lloyd
- Mr G Sutehall

IN ATTENDANCE:

- Professor N Brook (President)
- Miss S Adams (Case Manager, Fitness to Practise)
- Miss S Butcher (Committee Secretary)
- Miss K Johnson (Director of Fitness to Practise)
- Miss N O’Sullivan (Secretary to Council)

Item 1.04/11 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from the following Conduct and Competence Committee members; Dr G Beastall, Mr R Clegg, Dr R Jones, Ms J Manning, Miss P Sabine and Mrs B Stuart.

Item 2.04/12 APPROVAL OF AGENDA

- 2.1 The Conduct and Competence Committee approved the agenda.

Item 3.04/13 MINUTES

- 3.1 It was agreed that the minutes of the tenth meeting of the Conduct and Competence Committee be confirmed as a true record and signed by the Chairman subject to the following amendments;

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DD:	None	Public						
RD:	None							

Item 3.1.1 7.1 Interim Orders

The Committee 'agreed' the practise note for ratification by Council

Item 3.1.2 10.1 Any Other Business

10.2 'The Committee agreed to recommend to Council that the Director of Fitness to Practise and all persons appointed as HPC Case Managers be appointed as authorised persons for the purpose of article 25(1) of the Health Professions Order 2001.'

Item 4.01/14 MATTERS ARISING**4.1.1 6.7. Project Plan**

Miss Johnson reported that a project plan was currently under development which would schedule the work of the Committee on an annual basis.

4.1.2 6.8 Review of Standards of Conduct, Performance and Ethics (SCPE)

The Committee noted that the review process of the Standards of Conduct, Performance and Ethics (SCPE) was an ongoing task.

4.1.3 6.13 Strategic Policy

The Committee noted a paper on 'Managing Your Fitness to Practise' would be presented at the next Education and Training Committee meeting on Wednesday 13 October 2004.

Item 5.04/15 CHAIRMAN'S REPORT

5.1.1 The Chairman reported that the Council 'Away Day' which had taken place in Scotland on the 6th and 7th October 2004 for Council members had been very useful and informative. The Committee noted that the Fitness to Practise Chairmen had given a presentation to Council on the functions of these committees, which had illustrated the inter-relationships between the three committees and the procedures followed. The presentations had been well received. The Committee agreed that the presentations be made available to all via the Councils members' section of the HPC website.

Action: SB

5.1.2 The Chairman reported that Ms J Stone, Deputy Director of 'The Council for Healthcare Regulatory Excellence' (CHRE formally known as CRHP) made a presentation at the Partners' Conference held in Manchester 23rd and 24th September 2004. The Committee noted that CHRE had referred a decision of an HPC Fitness to Practise panel to the High Court. The Committee also noted that this experience could provide useful feedback to the HPC.

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DD: NonePublic						
RD: None2						

Committee that instead of amending the sanctions document a practise note on conditions would be drafted for their approval at the next meeting.

Action: KJ

- 7.6 The Conduct and Competence Committee agreed that the practise note on sanctions guidance be approved and referred onto Council for final ratification.

Item 8.04/18 MANAGING YOUR FITNESS TO PRACTISE

- 8.1 The Committee received a paper to note. In the absence of the Communications Officer this was presented by the Fitness to Practise Director.
- 8.2 The Committee was advised that HPC’s disabilities, health and registration policy recommended that Council produced guidance for registrants on managing their fitness to practise. This had been expanded to cover areas beyond health and disability, by providing information for employers and a guide to ‘scope of practise’. The Committee noted that the paper would be taken to the Education and Training Committee who would be asked to agree to a consultation on this document.
- 8.3 The Committee noted that the paper was of interest and thanked Miss Johnson for reporting the matter in the absence of Miss Tripp who had overseen the project.

Item 9.04/19 CHRE – COUNCIL FOR HEALTHCARE REGULATORY EXCELLENCE

- 9.1 The Committee received a paper for note from the Fitness to Practise Director.
- 9.2 The Committee was advised of a recent high court judgement that highlighted the issues HPC might face if a case was found to be ‘under prosecuted’ and if a sanction was judged as ‘unduly lenient’ by ‘The Council for Healthcare Regulatory Excellence’ (CHRE formally known as CRHP). CHRE was set up in 2003 to promote best practise and consistency in the regulation of healthcare professions by 9 regulatory bodies.
- 9.3 The Committee was advised that 4 cases had been referred to the High Court under a section 29 order by CHRE. The Committee noted that the rationale behind a decision must be made very clear when it was published. The Committee noted that advice could be sought from the legal advisor who was present at a hearing.

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RD:	None						

Item 15.04/25 ANY OTHER BUSINESS

- 15.1 The Conduct and Competence Committee noted that part of its role under Article 21 was to review the Code of Conduct, Performance and Ethics that outlined the standards expected of the registrants. The Committee agreed that their function as a group was on a strategic level as opposed to an operational one. The Committee therefore agreed that the next meeting scheduled for Tuesday 16th November 2004 would be used as a brainstorming session, reviewing matters of strategy. Relevant issues would be discussed further at the February 2005 meeting of the Committee.

- 15.2 The President presented a booklet produced by the Nursing and Midwifery Council (NMC) ‘Guidelines for Records and Record Keeping’ and recommended that this was reviewed for further strategic ideas. The Committee agreed that similar publications from other healthcare regulators would be sought to assist in the production of this work.

Action: SB/KJ

Item 16.04/25 DATE & TIME OF NEXT MEETING

- 16.1 The next meeting of the Conduct and Competence Committee would be held at 11:00am on Tuesday 16th November 2004.

- 16.2 Further meetings would be held on the following date:

 Tuesday 15th February 2005

Date	Ver.	Dept/Cmt	Doc Type	Titl	2004-11-25	CNLMINconductminutes12october2004Final		
DD:	None	Public						
RD:	None							