Unconfirmed

Notes of a special meeting of the Health Professions Council to discuss the structure of the register held at 11:15am on Tuesday 29 March 2005 in meeting room 1 at The Evangelical Alliance, 186 Kennington Park Road, London, SE11 4BT

PRESENT: Professor N Brook (President)
Mr R Clegg
Ms C Farrell
Mr P Frowen
Professor T Hazell
Professor R Klem
Miss M MacKellar (joined the meeting at lunchtime)
Dr J Old
Mr K Ross
Miss P Sabine
Mr D Whitmore
Mr N Willis
Dr S Yule
Mr S Wordsworth

IN ATTENDANCE:
Mr C Bendall, Secretary to Committees
Ms S Butcher, Secretary to Committees
Mr M Seale, Chief Executive and Registrar

Item 1.05/01   APOLOGIES FOR ABSENCE

1.2   Apologies for absence were received from the following Council members; Dr G Beastall, Mr J Camp, Mrs S Chaudhry, Mrs M Clark-Glass, Miss M Crawford, Dr A Van Der Gaag, Dr Rob Jones, Mr Colin Lea, Ms R Levenson, Miss M MacKellar, Mrs J Pearce, Mr K Ross, Mrs J Stark and Miss E Thornton.

Item 2.05/02   WELCOME AND INTRODUCTION

2.1   The President welcomed all members and non-members to the meeting. The President reported the situation to date: The Council had already identified five possible options for the re-structuring of the Register three of the options had been rejected at Councils last meeting: the Geographical Model, the single 'Big' Election and Momentum. The remaining two options: Electoral College/Congress and Groupings/Cohorts were identified as the most popular. The purpose of this meeting was to further discuss all of these options in light of their

strengths and weaknesses to select the most preferred for approval by Council at their next ordinary meeting on the 12th May 2005.

2.2   The Chief Executive reported that following Council's last meeting it was agreed that a working group comprised of Council members was set up to specifically discuss the structure of the Register. Therefore all interested Council members were invited to the meeting so a more thorough and varied debate could take place.

2.3   Council agreed that for the purposes of its current and future discussions it would be more relevant to refer to the Structure of the Council as these debates were informed by the membership requirements for a future Council and not by the Register itself.

Principles

1.8   The Council identified 5 key principles that underpinned the re-structuring of the Council. These were as follows:

(i)   To establish a small Council with balanced membership of registrant and lay members. The Council agreed that this should be kept to a minimum of 23 members in total 12 registrant and 11 lay members that was agreed to allow more flexibility.

(ii)   4 home country representation. The Council agreed that the U.K. membership of Council must be maintained.

(iii)   To have a structure which involved the participation and inclusion of the full range of professions covered by the HPC.

(iv)   One quarter of Council registrant members would change via an annual election.

(v)   To ensure adequate maintenance of good governance.

Processes and Principles for the Structure of Council

1st Route Annual Congress
20 regulated professions – election – annual congress 50/60 in attendance – HPC 12 Registrant and 11 Lay members. The Council agreed to change the title from Congress to Conference to make it more relevant for its purposes.

2nd Route Geographical Groups
20 regulated professions – election – geographical groups 3 x devolved & 7 Eng Regions – HPC 12 Registrant and 11 Lay members.

3rd Route Cohorts/Continuous Groups
20 regulated professions – Self select/designated – cohorts/continuous groups – election – HPC 12 Registrant and 11 Lay members.

2.3 The President reported that Professor Hazell had recently circulated a paper to all members of the working group on the most preferred option that had been identified to date: the Electoral College System. Apologies were given to those members that may have not received the paper as it was only circulated to those individuals that had been part of the original group. Professor Hazell reported that the purpose of the paper was to illustrate the various models that were currently in operation as a general over view. The Council members noted that all of the five options identified so far, apart from 'Momentum' and the 'Big Vote', were in fact examples of an Electoral College system. It was simply a mechanism for electing people and was therefore an operational practicality and not a matter of principle.

2.4 The Council members discussed the appropriateness of the title 'Electoral College System' for the purposes of the Health Professions Council. It was noted that at the Council 'Away Day' the Electoral College model was discussed as a Congress Model and was also found to not be reflective of the structure of the register that the HPC should wish to adopt. An Assembly Model was also noted to be too readily identifiable with the National Assembly for Wales. The Conference of Health Professionals was proposed as an alternative title and noted by all.

2.5 The President reported that following the last meeting of Council a representative from the Department of Health indicated that there maybe significant difficulties with an Electoral College System. The Council noted the fact that the Department of Health would have to consult on the various options proposed by the Health Professions Council and that the strengths of these options would inevitably influence the outcome of any consultation undertaken. The Council therefore agreed that it must proceed with identifying at least three options in order of the most preferred detailing both those models it had rejected and those it favoured so to illustrate that an informed considered debate had been undertaken in the realisation of the most ideal model for the re-structuring of the Register. The Council agreed that complex models should be avoided as this would not be advantageous to the HPC or to the Privy Council. The Council were also in agreement that four home country representation was

an implicit requirement so to ensure representation of all and be built into whichever models were devised.

2.6   The Council agreed that they needed to identify a finite number of Council members to ensure the maintenance and continuation of good corporate governance. The Council discussed the need to reinforce the different roles of the Council to that of the professional bodies this would reinforce the regulatory nature of the Health Professions Council as opposed to an assumption of profession led representation. The Council were in agreement that in order for the HPC to carry out its regulation effectively an expert body of knowledge was required in the form of its Council members. If new professions were excluded from the Council body a mechanism was needed whereby participation could be offered on another level. It was noted that there had been few instances to date whereby Council had been required to call upon professional expertise in the carrying out of its work and this knowledge was occasionally sought on a Committee level.

2.7   Council discussed the potential problem whereby larger professional groups would be elected in favour of the smaller groups by virtue of their size and what mechanisms could be put in place to ensure the filtration of knowledge and key skills. Professor Hazell reported that he had undertaken a brief analysis of a population based election and found that there would in fact be greater representation derived from the smaller professional groups than the larger groups as originally anticipated. Council therefore noted that it had to be mindful of any assumptions made.

2.8   The Council discussed the alternate membership that was currently in place for each registrant member and its relevance for the structure of the Council. The Council noted that local authorities used 'substitute members'. The Council unanimously agreed that it was advantageous to have a large pool of knowledge acquired from both a professional and non-professional background. The Council noted that the original principle which underpinned the necessity for having alternate members was to ensure that enough professional members were involved with the business of the HPC and that representation was ubiquitously sought. The Council noted that this could be achieved by adopting the Annual Conference model where each member of the professions acquired a position and therefore secured a level of participation in Council on a rotational basis. Council were in agreement that if quoracy could be established in this way then alternates were not necessarily needed. The President reported that the feedback obtained from the current alternates at their performance and development reviews was that they frequently felt they had little to contribute to major discussions at meetings as they had not been included in the previous debates. This was due to the ad hoc

nature of alternate members' attendance when the registrant member was not able to attend.

2.9 The Council noted that currently alternates were used to populate the statutory committee; Education and Training Committee, Conduct and Competence Committee, Investigating Committee and Health Committee. These all require a specific ratio of registrant to lay members for quoracy to be achieved. The Council therefore proposed that further research needed to be undertaken in the form of computer modelling to establish if and what additional support systems were required for the membership criteria as currently specified in "the Order 2001".

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2.10 The Council noted that the Electoral Reform Services would continue to manage the elections on behalf of the Health Professions Council.

2.11 After a full discussion Council agreed that the geographical model would be implicitly made part of the annual conference model so to ensure that a varied representation was achieved. Council noted that the annual conference model was not a corporate body but was part of a process and that the HPC must therefore be mindful of the terminologies that it adopted. The Council agreed that it needed to make sure that all of the people elected to an annual conference were utilised and that the procedures identified were future proof. The Council proposed that Council members would also be elected to sit on the various Committees as with the current process.

2.12 **The Council noted that the Executive would provide a detailed paper on the Structure of Council and would also need to respond to the consultation process that was undertaken last year. After which Council would then make a recommendation to the Privy Council for its approval. It was agreed that a draft paper would be provided at Council's next meeting on Thursday 12th May 2005 and that the paper be allocated a set time period of 30 minutes for its discussion. It was agreed that the Chief Executive would forward the draft paper to Professor Hazell for his comments so that any salient points maybe incorporated prior to its presentation to Council. Council agreed that the strengths and weaknesses of each of the options would be illustrated so to show the varied representation of the different view points. It was agreed that the minutes of this meeting would be circulated to all via e-mail by Tuesday 5th April 2005 and that the draft paper sent by Tuesday 12th April 2005 to all for comment.**

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PRESIDENT

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