unconfirmed

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Minutes of the 37th meeting of the Education and Training Committee held on **Thursday 25 September 2008** at Park House, 184 Kennington Park Road, London, SE11 4BU.

Present:
Ms E Thornton (Chairman)
Professor K Bryan (items 1-13 and 15-26)
Ms H Davis
Mr J Donaghy
Mrs S Drayton
Ms C Farrell
Professor T Hazell (items 25-27)
Dr S Hutchins
Professor C Lloyd
Ms G Pearson
Ms P Sabine
Mr J Seneviratne
Mrs B Stuart
Professor D Waller
Mr N Willis (items 25-27)

In attendance:
Mr O Ammar, Education Manager
Mr C Bendall, Secretary to the Committee
Ms A Creighton, Head of Education
Mr M Guthrie, Head of Policy and Standards
Mr R Houghton, Head of Registration
Mr S Mars, Policy Officer
Ms N O'Sullivan, Secretary to Council
Mr S Rayner, Secretary to Committees
Mr P Robson, Case Manager
Mr G Ross-Sampson, Director of Operations

Mrs T Samuel-Smith, Education Manager
Ms E Seall, Head of Case Management
Ms C Urwin, Policy Officer
Dr A van der Gaag, President

Item 1.08/69 Apologies for absence

1.1 The Chairman welcomed Mr Seneviratne to his first meeting of the Committee and welcomed everyone present.

1.2 Apologies for absence were received from Ms E Ellis, Professor J Harper, Professor J Lucas and Mr A Mount. The Committee noted that Professor Hazell and Mr Willis had been delayed due to travel problems.

Item 2.08/70 Approval of agenda

2.1 The Committee approved the agenda.

Item 3.08/71 Minutes of the Education and Training Committee meeting held on 10 June 2008

3.1 The Committee agreed that the minutes of the 36th meeting of the Education and Training Committee should be confirmed as a true record and signed by the Chairman.

Item 4.08/72 Matters arising

4.1 The Committee received a paper to note from the Executive.

4.2 The Committee noted the action list as agreed at the last meeting.

Item 5.08/73 Chairman's report

5.1 The Committee received a verbal report from the Chairman.

5.2 The Committee noted that the Chairman had been involved in the first round of interviews for practitioner psychologist Partners (registration assessors and Visitors). The posts would be offered to candidates once it was clear if the HPC would regulate the profession and the modalities had been confirmed.

Item 6.08/74 Head of Education's report

6.1 The Committee received a report on the work of the Education - Approvals and Monitoring Department.

6.2 The Committee noted that the Department had finalised the majority of work from approval visits for the 2007-8 academic year. 80 programmes had been visited during the academic year and the majority would have been approved before the start of the 2008-9 academic year.

6.3 The Committee noted that the Department had scheduled 27 visits for the 2008-9 academic year and was preparing for the next round of annual monitoring.

6.4 The Committee noted that the Department had begun work on updating the publications 'Approval process – supplementary information for education providers' and 'Annual monitoring process – supplementary information for education providers'. Initial work had begun on the third annual report on the approvals and monitoring process, for the 2007-8 academic year.

6.5 The Committee noted that the annual presentations to education providers would take place in October-December 2008 and further details were available on the HPC website. Committee members were invited to express interest in attending the presentations.

6.6 The Committee noted that Visitors from several professions had been recruited and trained during the summer. A programme of refresher training for all existing Visitors had begun in September and verbal feedback to date had been very positive.

6.7 The Committee noted progress on the projects in the Department's workplan.

6.8 The Committee thanked the Department for its work.

Item 7.08/75 Fees consultation – Key decisions

7.1 The Committee received a paper for discussion/approval from the Executive.

7.2 The Committee noted that the Council had consulted on its proposals on fees between 14 April 2008 and 14 July 2008. The paper included

a document summarising responses received, the HPC's responses and decisions in relation to each question in the consultation document.

7.3 The Committee noted that the consultation document had been sent to more than 300 organisations, including employers, trade unions and professional bodies. The document had also been made available to download from the HPC website and in hard copy on request. The consultation had been publicised in the 'HPC In Focus' newsletter. 49 responses had been received, 16 of which were from organisations and 33 from individuals.

7.4 The Committee noted that the Finance and Resources Committee on 18 September 2008 had discussed the key decisions document and had recommended a series of amendments.

7.5 In discussion, the Committee agreed the following amendments to the key decisions document:

- the number of responses from individuals should be placed in context, by mentioning the total number of registrants;
- the criticisms of HPC made by respondents should be rebutted, with explanations of how the HPC was working to improve its services;
- it should be pointed out that there had been majority support for the proposals on the readmission fee, restoration fee, scrutiny fee for international and European Economic Area applications and grandparenting scrutiny fee.

7.6 The Committee:

(1) approved the decisions outlined in the key decisions document;
(2) approved the text of the key decisions document, subject to the amendments at paragraph 7.5;
(3) recommended approval of the document to the Council.

Action: MG (by 1 October 2008)

Item 8.08/76 Council for Healthcare Regulatory Excellence (CHRE) report on Nursing and Midwifery Council: Actions for HPC

8.1 The Committee received a paper for discussion/approval from the Executive. The Committee noted that some members were concerned that the paper had been substantial, without drawing attention to the most relevant issues. The Committee noted that the Executive had

felt that it was best to include the whole report so that the Committee was fully informed of the situation at the Nursing and Midwifery Council.

8.2 The Committee noted that at the Council meeting on 3 July 2008, it had been agreed that the CHRE report on the performance of the Nursing and Midwifery Council should be considered at the next meeting of all HPC's committees. The Council had agreed that each committee should consider what actions the Executive needed to take forward as a result of the report. The Council had also agreed that a list of the actions would be brought back to the Council to agree how they should be prioritised.

8.3 The Committee noted that, since the Council meeting on 3 July 2008, CHRE had produced its performance review of all the health professions regulators for 2007-8. The review had identified three priorities for the HPC, which were being addressed by the Executive:

- systems for the assessment, appraisal and reappointment of fitness to practise panel members;
- updating the Register so that conditions of practice were attached to an individual registrant's entry on the Register; and
- processes for 'ensuring that patients' views were taken account of in assessments of education providers.'

8.4 The Committee noted that HPC now used the term 'service users' (anyone using, or affected by, the services of registrants) instead of 'patients'. The Committee noted that the HPC assessed individual programmes of education rather than education providers. The Committee noted that the CHRE recommendation seemed to suggest that HPC should take the views of patients into account when deciding whether to approve a programme, either by seeing patients as part of an approval visit or by patients contributing to the Visitors' deliberation to decide whether to recommend a programme for approval. The Committee felt that HPC needed to ensure that programmes considered the views of all service users. The Committee felt that HPC should ensure through its standards that service users' views contributed to the design of programmes, rather than just being considered as part of the approval process.

8.5 The Committee noted that the guidance on the standards of education and training made reference to service users and this might be strengthened in the light of responses to the consultation on the guidance. The Committee noted that the Executive had begun seeking Visitors' views on how to take account of service users' views in the approval and monitoring processes. The Executive would also

raise awareness of the issue through the annual presentations to education providers and hoped to discuss and gain feedback from education providers on how service user involvement was currently considered in programme design and review. The Executive intended to then use this information to propose changes to the HPC's standards and processes, so that HPC was confident that any changes were not burdensome on education providers. The Committee suggested that the Executive should review what other regulators and stakeholders in higher education did in this area and should consider whether a revised process should be piloted.

8.6 The Committee noted that CHRE had concluded that the HPC was 'an effective, publicly accountable regulator' which was well-organised and clearly committed to constantly improving the efficiency of its performance. The Committee agreed that this was particularly significant, in the light of HPC's relatively recent establishment compared to the other health regulators.

8.7 The Committee agreed that:

(1) it should consider how HPC's standards could be modified to include service user involvement in education programmes and that this should be done when the outcome of the consultation on the standards of education and training was considered by the Committee;

(2) it should consider how HPC's processes could be modified to take service users' views into account (this would be a separate paper to be considered at the same meeting as action point 1)

Actions: AC (by 25 March 2009)

8.8 The Committee agreed that it was not necessary to recommend any further actions to the Council, in response to the CHRE report on the Nursing and Midwifery Council.

Item 9.08/77 Amendment to the standards of proficiency for radiographers – consultation responses

9.1 The Committee received a paper for discussion/approval from the Executive.

9.2 The Committee noted that a consultation on a proposed amendment to the standards of proficiency for radiographers had been held between 28 April 2008 and 1 August 2008. The paper included a document summarising the responses to the consultation. The proposal had been that standard 2b.4 should be amended to remove

the requirement that diagnostic radiographers should be able to perform standard first trimester ultrasound measurements, as this was not appropriate as a requirement for threshold safe and effective practice.

9.3 The Committee noted that there had been 17 responses to the consultation; six from organisations and 11 from individuals. 12 respondents had agreed with the proposed change and five had disagreed.

9.4 The Committee agreed and recommended to Council:

(1) the text of the consultation responses document and
(2) the text of the amended standard as set out in the consultation responses document.

Action: MG (by 1 October 2008)

Item 10.08/78 Information for registration panels

10.1 The Committee received a paper for discussion/approval from the Executive.

10.2 The Committee noted that, on 26 March 2008, it had considered a review of the health and character process. The Committee had agreed that formal information about the process should be produced and provided to Partners who sat on registration panels. The paper contained the draft information which had been produced. The Committee noted that the information would be included in training for panel members.

10.3 The Committee noted that the information incorrectly stated that decision templates were provided for the panel chair and that this would be deleted.

10.4 The Committee approved the information for registration panels, subject to the amendment at paragraph 10.3

Action: ES (ongoing)

Item 11.08/79 Draft guidance on health and character

11.1 The Committee received a paper for discussion/approval from the Executive.

11.2 The Committee noted that, at its meeting on 26 March 2008, it had considered a paper reviewing the health and character process. The Committee had agreed that guidance on health and character issues should be produced for applicants, education and training providers and registrants. The Committee noted that the revised guidance would be brought back to the next meeting.

11.3 The Committee noted that the HPC maintained a 'watch list' of individuals, which recorded information about health and character issues for individuals who were not on the Register. If one of these individuals applied for registration, the HPC would offer the individual an opportunity to explain the situation.

11.4 In discussion, the following amendments were suggested:

- in the section 'Who is this document for?', explain the intended audiences (any health professional and any potential registrant), before setting out the types of questions which individuals ask about the process;
- consider whether the lists in the document should be included, as they might be interpreted as a comprehensive list of issues;
- a clearer explanation of what was meant by the term 'health', including mental health issues;
- in the section 'Information for applicants', place the section on the health declaration before the section on the health reference;
- in the section 'Making admissions decisions about applicants with health conditions', state that it would be good practice for each education provider to consider whether to set up an advisory panel to consider applicants' health issues;
- in the section 'Driving offences', consider amending the sentence about the circumstances of driving offences, as sentencing varied in practice across the UK and reconsider the statement that speeding offences and parking tickets did not need to be declared, as speeding offences could be punished by convictions and cautions.

Action: CU (by 2 December 2008)

Item 12.08/80 Draft guidance on conduct and ethics for students

12.1 The Committee received a paper for discussion/approval from the Executive.

12.2 The Committee noted that, at its meeting on 10 June 2008, it had agreed that the Executive should produce guidance on ethics and conduct for students, based on the standards of conduct, performance and ethics (SCPEs). The Committee noted that the revised guidance would be brought back to the next meeting.

12.3 The Committee noted that the Executive was also seeking feedback from student representatives of several professional bodies. In addition, once the guidance had been issued for consultation, it would be publicised at several conferences during the consultation period.

12.4 In discussion, the following amendments were suggested:

- mention the need to follow the education and training provider's or placement provider's policies and procedures, as the first item in each section. This would avoid the need for HPC to produce guidance which was too lengthy and too prescriptive;
- although the guidance was based on the order of the SCPEs, consider whether the guidance could be re-ordered, so that the relationships between individuals' behaviour and registration was explained near the start of the document;

'You should respect the confidentiality of your service users'

- students should be able to explain to service users that material might not always be confidential (e.g. if a service user revealed that they intended to harm themselves);

'You should keep high standards of personal conduct'

- consider amending the word 'colleagues' to 'registrants';
- explain that students should be able to accept feedback, reflect on it and respond appropriately to it, in order to help them learn;
- explain that this standard included standards of presentation and appearance and awareness of personal relationships;

'You should keep your professional knowledge and skills up to date'

- explain that this included engaging with the programme;

'You should maintain proper and effective communications with your service users and practitioners'

- refer to the need for students to communicate properly and effectively with supervisors;

'You should keep accurate service user records'

- explain that records should be legible;

'You should behave with integrity and honesty'

- include advice on not accepting gifts and presents;

'You should make sure that your behaviour does not damage public confidence in health professionals'

- make it clear that behaviour both at college and outside college might affect trust in health professionals

Action: CU (by 2 December 2008)

Item 13.08/81 Position statement on age discrimination for education providers

13.1 The Committee received a paper for discussion/approval from the Executive.

13.2 The Committee noted that the paper provided information on the impact of the Employment Equality (Age) Regulations 2006 on education and training providers and programmes and also contained legal advice from Mr Jonathan Bracken of Bircham Dyson Bell, HPC's solicitor. The Committee noted that the regulations meant that education and training providers could not discriminate against applicants or students on the basis of age and could not include any entry requirements which were based on minimum age or on 'time served' criteria.

13.3 The Committee noted that the paper contained a statement of HPC's position on the issue, rather than formal guidance.

13.4 The Committee noted that there was a possibility that there were age restrictions on working with ionising radiation, for health and safety reasons. The Committee asked the Executive to check whether this was the case.

13.5 Subject to confirmation of any age restrictions on working with ionising radiation, the Committee agreed:
(1) the text of the proposed position statement on age discrimination which was attached to the paper;

(2) that the position statement should be published on the HPC website.
Action: CU (by 2 December 2008)

Item 14.08/82 Cancelled approval visit – South East Coast Ambulance Service NHS Trust

14.1 Professor Bryan declared an interest and left the room for this item.

14.2 The Committee received a paper for discussion/approval from the Executive.

14.3 The Committee noted that an approval visit had been scheduled to take place to the IHCD paramedic training programme delivered at South East Coast Ambulance Service. The education provider had agreed that the visit should be held on 29-30 July 2008. Prior to the visit, the Executive had not received a response to any correspondence until 11 June 2008. On that date, an e-mail had been received indicating that the trust considered the burden of producing and presenting the programme documentation to be too great within the time remaining. The trust had requested postponement of the visit.

14.4 The Committee noted that, under the approval process, an education provider had to submit documentation to the HPC eight weeks before the visit date. If the documentation was later than six weeks before the visit, the HPC would cancel the visit on the basis that there was insufficient evidence to conduct a rigorous review. Accordingly, the visit on 29-30 July 2008 had been cancelled.

14.5 The Committee noted that the education provider had submitted proposed dates for a new visit to take place on a range of possible dates from October 2008 to February 2009. The education provider had set out the circumstances which had led to the decision to cancel the approval visit, including:

- restructuring of the trust's education department;
- significant performance pressures on the trust, which had meant that members of the education team had been seconded to operations; and
- a 30% vacancy rate in the trust's education department.

14.6 The Committee noted that the HPC currently had no evidence that the programme was not meeting the standards of education and training, or that individuals who had completed the programme were a risk to the public.

14.7 The Committee noted that performance pressures and restructuring had also affected a number of other ambulance trusts, but this had

not caused delays in approval visits to programmes operated by those trusts.

14.8 The Committee noted that, given the timescales involved in the approval process, the most appropriate dates for a visit to be held were those provided in January 2009.

14.9 The Committee agreed to allow the education provider the opportunity of an approval visit on one of the proposed dates in January, after which a decision on reconfirmation of approval could be made. The Committee agreed that the education provider should be informed that the re-arranged visit must take place, as another cancellation would result in the Committee commencing procedures for withdrawal of approval.

Action: OA (ongoing)

Item 15.08/83 Continuing Professional Development (CPD) progress review

15.1 The Committee received a paper to note from the Executive. An additional paper for information was tabled, giving a statistical report on the CPD audit sample for chiropodists/podiatrists.

15.2 The Committee noted that the paper reported progress on assessment of CPD. Chiropodists and podiatrists had been the first profession subject to audit and the paper summarised the outcome of the process.

15.3 The Committee noted that chiropodists and podiatrists selected for audit were widely distributed across the UK. However, about 78% of those selected for audit had applied to the Register via grandparenting route A, but they only represented 29% of the total number of chiropodists/podiatrists on the Register. The Committee noted that 62 registrants who had been selected for CPD audit had lapsed from the Register.

15.4 The Committee noted that chiropodists/podiatrists who had been selected for audit and then voluntarily deregistered or lapsed tended to be concentrated in the age groups from 50-54 years and upwards. It was possible that registrants nearing the end of their careers had decided to retire. Concern was expressed that registrants who deregistered or lapsed might continue to practise under another title and would be unregulated by the HPC.

15.5 The Committee noted that operating department practitioners would also be subject to CPD audit and, once the results were known, the HPC would review the planned sample sizes for audit of the other professions. The Committee noted that it was not possible to draw conclusions about the CPD process from the small amount of sampling to date. The Committee note that, if a significant number of registrants deregistered or lapsed as a result of failing to undertake CPD, this would have an impact on the HPC's income.

The Committee noted the following papers:

Item 16.08/84 Health and character declarations

Item 17.08/85 Committee membership

17.1 The Committee received a paper to note from the Executive.

17.2 The Committee noted that Professor Bryan had been re-appointed as the speech and language therapist registrant member of Council and as a member of the Committee.

Item 18.08/86 Standing orders

Item 19.08/87 Reports from Education and Training Committee representatives at external meetings

Item 20.08/88 Minutes of the Continuing Fitness to Practise Professional Liaison Group held on 13 May 2008

20.1 The Committee noted that the Professional Liaison Group had held its last meeting on 4 September 2008. The report of the Group was due to be considered by the Council on 1 October 2008. The Committee noted that the Group had recommended that it was not necessary to introduce a revalidation process at this stage, as the existing regulatory processes were robust. The Group had made a series of recommendations for further analysis and study. The Committee noted that the report was available as part of the Council papers on the HPC website.

The Committee noted the following papers:

Item 21.08/89 Minutes of Education and Training Panel held on 29 May 2008

Item 22.08/90 Minutes of Education and Training Panel held on 10 June 2008

Item 23.08/91 Minutes of Education and Training Panel held on 3 July 2008

Item 24.08/92 Minutes of Education and Training Panel held on 18 August 2008

Item 25.08/93 Health Professionals Crossing Borders – update

25.1 The Committee received a paper for information from the Executive on the work of Health Professionals Crossing Borders, an informal partnership of healthcare regulatory authorities in the European Union and the European Economic Area.

Item 26.08/94 Any other business

26.1 The Committee noted that the Council for Professions Supplementary to Medicine had maintained a register of qualified podiatric surgeons. The HPC did not maintain a similar register. The Department of Health had indicated that podiatric surgeons would not be able to tender for surgery unless their post-registration qualifications were recognised by the HPC.

26.2 The Committee agreed that a paper should be prepared for the next meeting. The Committee noted that it was due to consider a paper on the issue of annotating the Register to show post-registration qualifications at that meeting.

Action: MG (by 2 December 2008)

Item 27.08/95 Date and time of next meeting

27.1 The next meeting of the Committee would be held at 10.30 am on Tuesday 2 December 2008.

27.2 Subsequent meetings would be held at 10.30 am on:

Wednesday 25 March 2009
Thursday 11 June 2009

Chairman

Date