

SECRETARIAT DEPARTMENT 2012-2013 WORK PLAN

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Introduction

The Health Professions Council (HPC) Secretariat was established in January 2004. Its role is to support the Council, Committees and Professional Liaison Groups of the HPC so that they carry out their governance role effectively. The Secretariat works closely with the Chair of the Council and Committees and members of Council and the Executive in providing this support.

This document

The Secretariat work plan details the main areas of work for the financial year April 2012-2013, and provides a basis against which the work of the Secretariat can be planned and measured.

This work plan shows how the standard operational work together with the planned projects can be delivered within existing resources. The work plan is underpinned by the Council's Strategic Intent and demonstrates how the work of the department will continue to contribute towards the objectives of Council.

The Council's Strategic Intent

The Council's current Strategic Intent, which was agreed by Council at their meeting in March 2012, identifies the organisation's vision and key strategic objectives for 2012 to 2015¹. The strategic objectives particularly relevant to the work of the Secretariat are:-

- **To maintain, review and develop good corporate governance**
 - Continue to invest in training of employees and Council members to develop skills;
 - Continue to operate the annual performance review of Council members and Chair.

- **To maintain and develop efficient business processes throughout the organisation**
 - Maintain, review and develop standards and processes as required across the functions;
 - Ensure continued compliance with external quality assurance frameworks;
 - Maintain, review and develop organisation-wide policies including equality and diversity and corporate social responsibility policies.

- **To increase understanding and awareness of regulation amongst all stakeholders**
 - Extend engagement with the public through improved access to information about the HPC.

¹ <http://www.hpc-uk.org/aboutus/aimsandvision/>

Secretariat Department

The Secretariat's main areas of responsibility are:

- (i) Provision of support, and implementation of best practice in relation to support, of Council and Committees;
- (ii) Implementation of governance processes and procedures which have been agreed by Council;
- (iii) Work with Council and Committees in reviewing and updating of standing orders and related documents;
- (iv) Organisation of induction and on-going training of members as agreed with the Chair and members;
- (v) Provision of information for members in the form of the members' extranet;
- (vi) Design of members' self-assessment system for agreement by Council, organisation of members performance reviews and implementation of required follow-up;
- (vii) Work with the Appointments Commission in the management of the recruitment process and reappointment process of the Chair, the Council members and the non-council Committee members;
- (viii) Organisation of annual meeting and Council away day;
- (ix) Preparation of timetable for, and drafting content of, annual report;
- (X) Drafting of policies and procedures in relation to the Freedom of Information Act (FOIA) and Data Protection Act (DPA).

Resources

Human Resources

The Secretariat consists of three employees as follows:-

Louise Hart: Secretary to Council

Colin Bendall: Secretary to Committees

Steve Rayner: Secretary to Committees

Financial Resources

The Secretariat manages both the departmental budget together with the Council and Committee budgets. The Secretariat budget, which stands at approximately £285,000 for 2012/13 represents an increase of £35,000 in operating expenditure on the previous financial year. This is largely as a result of secretariat now holding the entire budget in relation to FOIA/DPA legal advice whereas previously, part of this budget was held by the Fitness to Practise Department.

The Council and Committee budgets total almost £345,000 and largely consist of provisions for member attendance and subsistence at Committee and Council meetings and also a provision to cover member training and attendance at conferences. This figure for 2012/13 represents a 1.5% increase on the 2011/12 budget and this is owing to an increased allocation to cover anticipated meetings of professional liaison groups.

Responsibilities

The Secretary to Council is responsible for the overall management of the department, the development and implementation of the work plan and the development and management of new projects.

The two committee secretaries support the Committees and undertake work in relation to the appraisals of Council and Committee members, co-ordinating the FOIA/DP requests, co-ordinating the production of the annual report and member training and development. In addition, the Committee secretaries assist in dealing with Council meetings, members' expenses claims, the Council away day and the annual meeting.

Risk management

The Secretariat Department manages a number of risks in relation to its functions and those of Council and Committees. The key areas of risk are associated with the meetings of Council and Committee and ensuring that the meetings are quorate and well-informed decisions are made and the performance of Council and Committee members.

As you will see from the extract of the risk register appended to this work plan, the Secretariat ensure that appropriate measures are in place to mitigate against these risks and, in addition, ensure that the mitigations are continually kept under review.

Equality and Diversity

Council and Committee meetings

The Secretariat will ensure that meetings held at Park House and elsewhere are accessible to those with disabilities.

Council and Committee recruitment

The Secretariat will work with the Appointments Commission to ensure that candidates from a diverse range of backgrounds are targeted in any recruitment exercises carried out.

Members' Training

The Secretariat will ensure ongoing training of members in this regard.

Main operational processes

There are 7 main processes which generate the majority of the department's work and these are detailed below. In each area of work, the Secretariat will continue to review, refine and improve existing processes.

- 1. Council/Committee meetings and Professional Liaison Groups**
The organisation of the calendar of meetings and the provision of support of Council and Committee meetings and professional liaison groups. This includes, the timely preparation of papers for the meetings, the production of the minutes and the procedural advice during the course of the meeting to the Chairs.

- 2. Freedom of Information/Data Protection**
Co-ordination of the Freedom of Information system, ensuring that legislation is adhered to across the organisation and responses to FOI and subject access requests are logged, responded to within the prescribed timeframe and are in accordance with the FOIA/DPA.

- 3. Member Training**
The organisation of induction programmes for newly-appointed members and the provision of on-going training of members as agreed with the Chair and members, through internal training and attendance at conferences together with council-wide training.

- 4. Members' self-assessment**
Each year, members undertake a self-assessment which is combined with the appraisal of the Chair, with a report outlining feedback received submitted to a meeting of Council for information. The self-assessment process is organised and run by the Secretariat, with the report drafted in conjunction with the Chair.

- 5. Council Away Day**
Organise the annual council away day, rotating each year between England, Northern Ireland, Scotland and Wales.

- 6. Annual report**
Co-ordinate and oversee the production of the annual report in accordance with the Health Professions Order 2001.

- 7. Annual meeting**
Organise the annual meeting, rotating each year between England, Northern Ireland, Scotland and Wales.

Projects 2012-2013

There are six planned projects for the 2012-2013 financial year, some of which are statutory and others which are enhancement focused and aim to develop our work at an operational level and improve our communication and relationship building with stakeholders. A small number of these projects will involve collaboration with other Departments.

1. Social Worker: Legislation

In July 2010, the Department of Health published their report 'Liberating the NHS: Report of the arm's-length bodies review' which outlined the Governments' intention to abolish the General Social Care Council and move the regulation of social workers to the Health Professions Council.

Once the primary legislation required for these changes is published and is progressing in accordance with the legislative timetable, the Secretariat will ensure those associated Rule changes required for the opening of the Register to Social Workers in August 2012 are made in accordance with the prescribed process.

2. Recruitment of ETC members

The Education and Training Committee Rules require that the committee is made up of at least one registrant member from each of the relevant professions. Since the HPC are due to open the register to Social Workers on 1 August 2012, it is necessary to recruit a Social Worker member of the Education and Training Committee. In addition, we will require an occupational therapist member and a hearing aid dispenser member of ETC. These recruitment processes will run concurrently.

The Secretariat will undertake the recruitment exercise which will result in the name of the successful candidates being submitted to Council for approval.

3. Memorandum of Understanding

As part of the work to regulate social workers in England from August 2012, it is necessary to draw up a memorandum of understanding between HPC and the Care Councils in Wales, Scotland and Northern Ireland in relation to the regulation of social workers and students, should the decision be taken to regulate social work students. This will detail the reciprocal arrangements for recognition and reciprocity of training and registration in England, Scotland, Wales and Northern Ireland.

4. Appointments/Reappointments process

In July 2010, the Department of Health published their report 'Liberating the NHS: Report of the arm's-length bodies review' which outlined the

Governments' intention to abolish, amongst other organisations, the Appointments Commission in 2012.

As a result, regulators will be responsible for managing the recruitment process for appointments to Council, with CHRE (to be known as the Professional Standards Authority for Health and Social Care) advising the Privy Council that the process adopted by the regulators in these appointments is robust thus allowing the Privy Council to sign off the appointments.

During the course of 2012/13, the Secretariat will develop the process for the appointment/reappointment of both members and the Chair, ensuring that any process adheres to the principles for a good appointments process to be set down by the Professional Standards Authority for Health and Social Care.

5. Restructure of Council and consequential governance changes

In December 2011, the Department of Health (DH) issued a letter to regulators following CHRE's interim report on board size and effectiveness. The DH considered that the advice provided by CHRE made a compelling case for a move to both a smaller Council and appointed Chairs (*HPC has had an appointed Chair since 2009*). The letter stated that they expected to issue legislation in relation to HPC in Summer 2013.

During the course of 2012-2013, we will respond to the consultation to be issued by the DH and implement the new legislation in relation to the constitution of Council. This includes a complete review of the governance structure and the Code of Corporate Governance.

6. Professional Indemnity Insurance

A review was carried out in 2010 by Finlay Scott, former CE of the GMC, to determine whether making insurance or indemnity a condition of registration is the most cost effective and proportionate means of achieving the policy objective that all registered healthcare professionals must have cover. He concluded that a statutory condition of registration is the most cost effective and proportionate means of achieving this policy.

It is government's intention that this requirement should be in place by October 2013. Over the course of 2012/2013, we shall initiate a project in order to implement the legislation. This will include the following:- introduction of new processes and technological changes to HPC's systems, draft guidance for registrants and meetings with professional bodies to see how the regulator and professional bodies could work together to deliver this requirement. Council will be kept updated and approvals sought where appropriate.

Appendix 1: Extract from the Risk Register

| Ref # | Description | Risk owner (primary person responsible for assessing and managing the ongoing risk) | Impact before mitigations January 2012 | Likelihood before mitigations January 2012 | Risk Score = Impact x Likelihood | Mitigation I | Mitigation II | Mitigation III | RISK score after Mitigation January 2012 | RISK score after Mitigation January 2012 |
|-------|--|---|--|--|----------------------------------|--|--|--|--|--|
| 4.1 | Council inability to make decisions Links to 4.4 | Secretary to Council | 3 | 1 | 3 | Regular meetings, agendas and clear lines of accountability between Council and committees | Well researched and drafted decision papers at meetings | Attendance by external professionals as required | Low | Low |
| 4.4 | Failure to meet Council/Committee quorums Links to 4.1 | Secretary to Council | 4 | 3 | 12 | Clear communication of expectations of Council members' duties upfront | Adequate processes notifying Council & committee members of forthcoming meetings prior to meeting including confirmation of attendance | Committee secretaries and chairmen advised that inordinate meetings must not proceed | Low | Low |
| 4.9 | Failure to insure the Health & Safety of Council Members Links to 6.3, 11.5 | Secretary to Council & Facilities Manager | 4 | 2 | 8 | Safety briefing at start of each Council or Committee meeting. | H&S information on Council Extranet | Personal Injury and Travel insurance | Low | Low |
| 4.11 | Expense claim abuse by members | Secretary to Council | 4 | 2 | 8 | Members Code of Conduct (public office) | Clear and comprehensive policies posted on the Council member Extranet and made clear during induction | Budget holder review and authorisation procedures | Low | Low |

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|-------|--|---------------------------|---|---|----|---|--|--|-----|-----|
| 4.13 | Failure to comply with DPA 1998 or FOIA 2000, leading to ICO action | Secretary to Council | 3 | 3 | 9 | Legal advice | Clear ISO processes | | Low | Low |
| 15.16 | Late submission of the Annual Report, beyond sector standards | Secretary to Council | 3 | 1 | 3 | Upfront agreement on the Year End and Annual Report reporting process dates. Committee approval of the Audit Plan(s). | Effective process management | - | Low | Low |
| 4.2 | Council members conflict of interest | Chair | 4 | 4 | 16 | Disclosure of members' interests to the Secretariat and ongoing Council & committee agenda item | Annual reminder to update Register of interests | Member induction and training | Low | Low |
| 4.3 | Poor decision-making eg conflicting advice or conflicting advice and decisions | Chair | 4 | 1 | 4 | Well-researched & drafted decision papers, Clear lines of accountability and scheme of delegation | Chair's involvement in the appointments process for lay members, induction and relevant training | Attendance by external professionals, as required. | Low | Low |
| 4.5 | Members' poor performance | Chair | 4 | 1 | 4 | Appointment against competencies | Annual appraisal of Council members | Removal under Sch 1, Para 9(1)(f) of the HPO 2001 | Low | Low |
| 4.6 | Poor performance by the Chair | Council | 5 | 1 | 5 | Appointment against competencies | Power to remove the Chair under Sch 1, Article 12(1) C of the HPO 2001 | - | Low | Low |
| 4.7 | Poor performance by Chief Executive | Chair | 5 | 1 | 5 | Performance reviews and regular "one to ones" with the Chair | Contract of Employment | - | Low | Low |
| 4.8 | Improper financial incentives offered to Council members/employees | Chair and Chief Executive | 4 | 2 | 8 | Gifts & Inducements policy | Council member code of conduct | Induction training re: adherence to Nolan principles | Low | Low |
| 4.10 | Member recruitment problem (with the requisite skills) Links to 6.1, 11.13 | Chair | 4 | 2 | 8 | Maintenance of a detailed role description for these positional applicants on to HPC or its committees | Use of the Appointments Commission or Commissioner to recruit new members | Use of the Office of Public Appointments for advice (on recruitment of | Low | Low |

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|------|---------------------------------------|---------|---|---|----|----------------------|-----|-----------------------|-----|-----|
| 4.12 | Operationalise Section 60 legislation | Council | 5 | 2 | 10 | Scheme of delegation | MIS | the requisite skills) | Low | Low |
|------|---------------------------------------|---------|---|---|----|----------------------|-----|-----------------------|-----|-----|