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<b>Council</b>
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**Minutes of the 89<sup>th</sup> meeting of the Council held as follows:-**

**Date:** Wednesday 26<sup>th</sup> March 2014

**Time:** 2pm

**Venue:** The Council Chamber, Health and Care Professions Council, Park House,  
184 Kennington Park Road, London SE11 4BU

**Present:** Anna van der Gaag (Chair)  
Elaine Brookes  
Mary Clark-Glass  
John Donaghy  
Sheila Drayton  
Richard Kennett  
Sonya Lam  
Keith Ross  
Robert Templeton  
Graham Towl  
Joy Tweed  
Nicola Wood

**In attendance:**

Liz Craig, PA to the Director of Education  
Claire Gascoigne, Secretary to Council  
Guy Gaskins, Director of Information Technology  
Andy Gillies, Director of Finance  
Abigail Gorringe, Director of Education  
Michael Guthrie, Director of Policy and Standards  
Teresa Haskins, Director of Human Resources  
Kelly Holder, Director of Fitness to Practise  
Marina Jones, Hearings Officer  
Jacqueline Ladds, Director of Communications  
Zoe Maguire, Head of Adjudication  
Greg Ross-Sampson, Director of Operations  
Marc Seale, Chief Executive and Registrar

## Public Agenda – Part 1

### **Item 1.14/31 Chair's welcome and introduction**

- 1.1 The Chair welcomed members to the first day of the 89<sup>th</sup> meeting of the Council

### **Item 2.14/32 Apologies for absence**

- 2.1 There were no apologies for absence.

### **Item 3.14/33 Approval of agenda**

- 3.1 The Council approved the agenda.

### **Item 4.14/34 Declaration of Members' Interests**

- 4.1 Keith Ross declared an interest since his wife is a Council member of the PSA.

### **Item 5.14/35 Minutes of the Council meeting of 6 February 2014 (report ref:- HCPC22/14)**

- 5.1 The Council considered the minutes of the 88<sup>th</sup> meeting of the Health and Care Professions Council.
- 5.2 The Council agreed the minutes.

### **Item 6.14/36 Matters arising (report ref:- HCPC23/14)**

- 6.1 The Council noted the action list as agreed at the last meeting.

### **Item 7.14/37 Chair's report (report ref:- HCPC24/14)**

- 7.1 The Council received a report from the Chair.
- 7.2 During discussion, the following points were made:-
  - the Health Education England Strategic Advisory Forum involved a number of stakeholders and provided an insight into the organisations strategic direction, which appeared to be heavily focused on medical education;
  - the Chair, Chief Executive and Director of Education met with the Department of Education and the Department of Health to discuss the recent reports on Social Work education. The HCPC will continue to attend these meetings and the Council will be updated; and
  - the Council noted that the legal debrief meetings related to the

recent tender exercise for legal services.

- 7.3 The Council recorded its congratulations to the Chair on her recent honorary Doctorate from Birmingham City University.

**Item 8.14/38 Chief Executive's report (report ref:- HCPC25/14)**

- 8.1 The Council received a report from the Executive.

- 8.2 During discussion, the following points were made:-

- Tom Berrie, Information Services Manager, retired in February following 30 years' service at the CPSM, HPC and HCPC. The Council recorded its thanks to Tom for his long service;
- the Law Commissions' proposals and draft legislation are expected to be published on 2 April;
- the Executive has continued to meet with the other regulators and to respond to requests for information as part of the process which will transpose the revised Professional Qualifications Directive into UK law; and
- the Business plan will be presented to Council at its meeting tomorrow. The Budget is based on registrant forecasts and departmental workplans. The 5 year plan will be presented to Council later in 2014.

- 8.3 The Council noted the report.

**Item 9.14/39 Communications Report (report ref:- HCPC26/14)**

- 9.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Communications Department since the last meeting of Council.

- 9.2 During discussion, the following points were made:-

- two 'Meet the HCPC' events have been held since the last meeting of the Council. The Preston event was available to watch online and questions to the panel were accepted via twitter. In addition, two further Employer events and two seminars were held;
- the Department continue to receive a high volume of requests for CPD talks. Recent talks have included a talk to over 100 social workers at Hampshire County Council;

- fitness to practise continues to dominate media coverage, with January seeing a particularly high profile case about an ODP making inappropriate comments on Twitter;
  - the HCPC issued responses to both the Sir Martin Narey report “Making the education of social workers consistently effective”, published 13 February and the Professor David Croisdale-Appleby OBE report “Re-visioning social work education: an independent review”, published 27 February;
  - the Department monitored coverage of the reports for reaction and commentary. This was mainly in the professional press, with some national coverage;
  - the HCPC have provided a written submission to the Health Select Committee, as part of their on-going enquiry in to complaints handling and raising concerns;
  - the Department ran an event on “Exploring competency and public protection” with Professor Zubin Austin on 6 February. There were 35 attendees from professional bodies and regulators. A summary is available on the HCPC YouTube link. The HCPC received excellent feedback about the day;
  - the Registrant app is now in the build phase of the project and testing will take place towards the end of March.
- 9.3 The Council discussed the HCPC’s approach to social media, which it considered to be measured and appropriate. It was noted that the Department plan to review its approach in the coming year.
- 9.4 The Council discussed the gathering interest in the issue of conversion therapy and the regulation of counsellors and psychotherapists. It was noted that the subject has been raised twice recently in written parliamentary questions. The HCPC will continue to monitor this.
- 9.5 The Council noted the report.

**Item 10.14/40 Communications workplan 2014-15 (report ref:- HCPC27/14)**

- 10.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Communications Department for 2014-15.
- 10.2 During discussion, the following points were made:-

- the Department's main activities in 2014-15 will be focused on developing existing communications activities, specifically events, media and public relations stakeholder liaison, publications, web and digital and internal communications;
- events will organise eight 'Meet the HCPC' events across the UK as well as employer events. In addition to this, the team will seek to develop new events;
- a particular focus of media and public relations activities this year will be the development of relationships with professional journals and consumer media as well as specific pieces of work designed to raise awareness with public and professional audiences;
- the Department will complete its work on stakeholder mapping and analysis and use this information to begin to develop appropriate engagement strategies; and
- internal communications will focus on the development of the network of internal communications champions, The Chain, and the development of a team briefing mechanism supported by communications specific training for managers and team leaders.

10.3 The Council approved the Communications workplan for 2014-15.

**Item 11.14/41 Policy and Standards Report (report ref:- HCPC28/14)**

11.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Policy and Standards Department since the last meeting of Council.

11.2 During discussion, the following points were made:-

- the amendment Rules necessary to implement the increase to the HCPC's fees have now been laid in Westminster and the Scottish Parliament. The Rules are due to come into force on 1 April 2014. The renewal fee will increase to £80 per year;
- with regards to professional indemnity insurance, the executive understands that the intention is to publish the legislation in spring 2014, with the legislation planned to be in force by October 2014. Once the legislative requirement is in force, the HCPC will publish the guidance previously agreed by the Council;

- the Chair and members of the Executive recently met the PSA as part of the annual performance review process. The final performance review report is due to be published in July 2014;
- the House of Lords Committee's report looking at the implementation of the Mental Capacity Act 2005 has now been published. There are no specific recommendations for the HCPC;
- the GMC and the NMC have convened a cross-regulatory group to look at incorporating the principles of a 'duty of candour' into the regulatory bodies' guidance and standards. The PSA has been commissioned by the Department of Health to report on the regulators' progress in this area; and
- the forthcoming PLG on reviewing the standards of conduct, performance and ethics will include the consideration of what changes might be required in order to strengthen the principles of candour in the standards.

11.3 The Council noted the report.

**Item 12.14/42 Policy and Standards workplan 2014-15 (report ref:- HCPC29/14)**

12.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Policy and Standards Department for 2014-15

12.2 During discussion, the following points were made:-

- the Departments work will consist of both planned projects and work which arises as a result of external factors, such as changes in government policy and other developments that can be unpredictable;
- the department will work on any policy and consultation implications as a result of the legislation arising from the Law Commissions' review of the regulators' legislation; and
- in 2014-2015, the Department will review the feedback received across a number of consultations and use this to identify whether any further changes to process or approach are required.

12.3 The Council discussed potential research work into the HCPC's CPD system. It was noted that the Department of Health's Policy Research Programme has shown interest in this proposal.

12.4 The Council approved the Policy and Standards workplan for 2014-15.

**Item 13.14/43 Operations Report (report ref:- HCPC30/14)**

13.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Operations Department since the last meeting of Council.

13.2 During discussion, the following points were made:-

- during the period from 1 January to 28 February 2014 the Registrations Department received a total of 24,474 telephone calls, 3,898 more calls when compared to the same period two years ago and a 19% increase in call volumes. The team responded to an average of 175 emails per day;
- in the same period 1,746 new applications were received. A total of 16,560 UK applications have been registered this financial year which exceeds the forecasted end of year figure of 14,181;
- the percentage of registrants renewing online this financial year is 89.6% rather than 80% as forecast;
- a new role of Quality Compliance Auditor will be recruited for as soon as possible within Business Process Improvement. A Business Analyst will be recruited into the Operations area in the new financial year;
- a risk assessment of listed assets will be carried out as part of the ISO27001 project. An Information Security Management System (ISMS) is under construction; and
- of the six current projects four are progressing well and are on course to meet their schedules. Two projects are reporting as red and will not meet their schedules as a result of external factors. One project is undergoing initiation.

13.3 The Council discussed the Health and Safety section of the report. It was noted that the terminology 'accidents' was misleading and that it should refer to incidents. Council noted that an annual Health and Safety Report would be presented to Council at its next meeting in May.

13.4 The Council noted the report.

**Item 14.14/44 Operations workplan 2014-15 (report ref:- HCPC31/14)**

- 14.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Operations Department for 2014-15.
- 14.2 The Council discussed plans for the Registrations Department undertaking further work to investigate the possibility of requesting applicants from overseas to attend HCPC's offices with original identity and qualification documents. It was noted that this visit would be following confirmation of eligibility join the register.
- 14.3 The Council discussed the risk around recruiting and retaining employees. It was noted that many registrations employees progress their careers through internal promotion to other departments.
- 14.4 The Council approved the Operations workplan for 2014-15.

**Item 15.14/45 Human Resources Report (report ref:- HCPC32/14)**

- 15.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Human Resources and Partners Departments since the last meeting of Council.
- 15.2 During discussion, the following points were made:-
  - during the reporting period, recruitment, training, management development and managing the annual pay review and appraisal processes have been the main areas of activity for the HR team, in addition to the major IT project;
  - work on analysing the results of the all employee attitude survey has progressed;
  - the HR and Partners Systems and Process review project is progressing well in spite of the procurement stage taking longer than was originally planned;
  - maternity/paternity leave: the level of employees on maternity or paternity leave has increased to 13 in the past month which is 6.3% of all employees; and
  - employee turnover has shown signs of slowing down during the first quarter of 2014.
- 15.3 The Council discussed the OJEU procurement requirements and their impact on the HCPC. It was noted that the organisation is increasing its experience of the system by each tender that is undertaken, and that external expertise is sought when appropriate.
- 15.4 The Council noted the report.



**Item 16.14/46 Human Resources workplan 2014-15 (report ref:- HCPC33/14)**

- 16.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Human Resources Department for 2014-15.
- 16.2 During discussion, the following points were made:-
- the most significant area of work for HR in 2014-15 will be the major project to purchase and build new HR and partners information technology systems;
  - employee numbers are projected to rise by around 10% or 21 new posts from 204 to 225;
  - 90 recruitment campaigns are forecasted for 2014-15; and
  - a review of Partner fees will be conducted as the current fee levels have been in place since April 2009.
- 16.3 The Council discussed the planned review of Partner fees. It was noted that the review would extend to Legal Assessors and Council Members, including the Chair.
- 16.4 The Council discussed apprenticeships. It was noted that plans are in development for a second or third year university summer placement with the Policy and Standards Department. This placement would be remunerated.
- 16.5 The Council approved the Human Resources workplan for 2014-15.

**Item 17.14/47 Information Technology Report (report ref:- HCPC34/14)**

- 17.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Information Technology Department since the last meeting of Council.
- 17.2 During discussion, the following points were made:-
- the new core switch is now installed and configured; the migration to the new switch was completed successfully;
  - due to damage to the British Telecom fibre network following an attempted theft of copper cabling, the HCPC recently experienced some telephone outages. The IT support team

redirected all calls through an alternative network provider enabling full functionality whilst BT completed the repairs; and

- a tender for a replacement data line supplier has been completed and a preferred supplier selected. It is expected that the switch over of services will happen in early May following the renewal of Physiotherapists.

17.3 The Council noted the report.

**Item 18.14/48 Information Technology workplan 2014-15 (report ref:- HCPC35/14)**

- 18.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Information Technology Department for 2014-15.
- 18.2 The Council discussed IT succession planning. It was noted that in 2014-15 a new entry level IT Infrastructure Support Engineer role will be created. This has proved a difficult area for recruitment historically.
- 18.3 The Council approved the IT workplan for 2014-15.

**Item 19.14/49 Finance Report (report ref:- HCPC36/14)**

- 19.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Finance Department since the last meeting of Council.
- 19.2 During discussion, the following points were made:-
- the February management accounts show an operating surplus for the year to date of £2,142k. After depreciation and investment income, the surplus is £1,686k. Income is slightly ahead of budget due to a net underspend on the operating expenditure budget;
  - the cash balance at the end of February was £13,964k, a decrease of £1,620k over the financial year so far. Deferred income was £13,582k, a decrease of £2,555k;
  - at the end of February 2014, we had total cash and deposits of £14m, of which £5.5m was held in short term accounts at Lloyds and NatWest, earning up to 1.25%;
  - the budget for financial year 2014-15 has been completed and is included on the Council's agenda;

- the legal services tender has been completed and the contract is in the process of being signed. The Department is currently progressing with procurement processes for printing services, recording and transcription services and the HR partners system; and
- the National Audit Office recently carried out an interim audit on the 2013-14 accounts, and Mazars conducted an internal audit on partner expenses. Both audits were successful.

19.3 The Council noted the report.

**Item 20.14/50 Finance workplan 2014-15 (report ref:- HCPC37/14)**

- 20.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Finance Department for 2014-15.
- 20.2 The Council noted that the Department plans to move to a business partner support model, with enhanced management accounting services.
- 20.3 The Council approved the Finance workplan for 2014-15.

**Item 21.14/51 Education Report (report ref:- HCPC38/14)**

- 21.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Education Department since the last meeting of Council.
- 21.2 During discussion, the following points were made:-
- since the last Council meeting, 16 visits covering 39 programmes have taken place. 79 visits across 177 programmes have been arranged from September 2013 - August 2014. The majority of these visits are to social worker programmes (66%) and AMHP programmes (10%);
  - the Department is now in the peak activity period for the annual monitoring process in the 2013–14 academic year;
  - the Department has been finalising work around approving independent prescribing (IP) and supplementary prescribing programmes. In total, 86 IP programmes have been approved. The Department intend to review this piece of work and feed back to the Education and Training Committee;

- final preparations are being made for the recruitment of approximately 15 lay visitors. Adverts will go out in April and training is planned for July 2014, so that they can sit on approval visit panels from September 2014 onwards.
- the Department is finalising the Education Annual Report 2013 following its consideration by the Education and Training Committee on 6 March 2014. It is anticipated that the report will be published in May 2014.

21.3 The Council noted the report.

**Item 22.14/52 Education workplan 2014-15 (report ref:- HCPC39/14)**

22.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Education Department for 2014-15.

22.2 During discussion, the following points were made:-

- the Department will continue to focus on the consequences of regulating social workers in England and the incorporation of AMHP programmes into the approval process;
- for nine professions, the on-going work will focus on ensuring the revised standards of proficiency are now embedded in their programmes through the annual monitoring process;
- for paramedic and operating department practitioner programmes, the on-going work will focus on responding to the significant changes to the curriculum guidance for these professions;
- the impact of social workers on the monitoring process will begin to be felt in this financial year, as those who were visited first are subject to annual monitoring; and
- the Education Systems Build project will continue to be a major area of work for the Department. This project is due conclude towards the end of this 2014–15.

22.3 The Council approved the Education workplan for 2014-15.

**Item 23.14/53 Fitness to Practise Report (report ref:- HCPC40/14)**

23.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of the Fitness to Practise Department since the last meeting of Council

23.2 During discussion, the following points were made:-

- 52% of the 1883 cases received so far this year are about social workers. 64 per cent of referrals from members of the public are about social workers;
- the case to answer percentage for all complainant types is currently 50 per cent. For complaints from members of the public it is 16 per cent and for employers it is 64 per cent;
- 297 non GSCC transfer cases were listed between April 2013 and February 2014 with 258 cases concluded. 19 cases were concluded via the consent process;
- the Department held its first Adjudication panel under the student suitability scheme in February;
- the Department plans to look at the mix of cases that each case manager is allocated and at alternative ways of case allocation and management;
- as of March there were 7 GSCC transfer cases open pre ICP and 36 open post ICP. It is anticipated those cases will conclude shortly. Further analysis of GSCC transfer cases will be undertaken as part of the annual report preparation;
- one case has been referred for mediation and the mediation is due to be held in April 2014; and
- the Department has recently issued a research brief entitled; 'Preventing small problems from becoming big problems: a study of competency drift and disengagement in health and care professionals'.

23.3 The Council noted the report.

**Item 24.14/54 Fitness to Practise workplan 2014-15 (report ref:- HCPC41/14)**

24.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Fitness to Practise Department for 2014-15.

24.2 During discussion, the following points were made:-

- It is forecasted that in 2014-15 there will be 2150 new cases with 1350 cases closed without referral to an investigating panel and 420 cases referred for final hearing;

- 7 new posts will be recruited for in 2014-15, this includes a dedicated FtP training role;
- an evaluation of the mediation pilot will be undertaken as well as a review of the use of technology in tribunals, a correspondence tone of voice review and the development of Guidance for Employers;
- the Patients Association will undertake a peer review of the fitness to practise process using the model designed for the Mid Staffordshire NHS Foundation Trust; and
- research into the causes of registrant disengagement and competency drift will be commissioned and undertaken.

24.3 The Council approved the Fitness to Practise workplan for 2014-15

**Item 25.14/55 Secretariat Report (report ref:- HCPC42/14)**

- 25.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of Secretariat Department since the last meeting of Council.
- 25.2 The Council noted that the terms of appointment of three lay and one registrant Council members will come to an end at the end of 2014. The Department will be planning for the next appointment round and at this stage it is intended to submit the required documentation to the PSA in May 2014, with the recruitment process commencing in June 2014.
- 25.3 The Council noted that the Information Commissioners Office has issued a consultation on proposed changes to the definition document for health regulators who are public authorities. A paper discussing the changes is included on the Council's agenda for 27 March 2014.
- 25.4 The Council noted the report.

**Item 26.14/56 Secretariat workplan 2014-15 (report ref:- HCPC43/14)**

- 26.1 The Council received a paper for discussion/approval from the Executive. The paper set out the workplan of the Secretariat Department for 2014-15.
- 26.2 During discussion, the following points were made:-

- the Department will support the PLG established to review the standards of conduct, performance and ethics;
- in 2014-2015, the Department will manage the process of appointing the independent member of the Audit Committee, three lay members and one registrant member of Council and a new Chair of Council (to commence from 1 July 2015);
- a review and development of the HCPC's customer service and feedback processes will take place; and
- due to an increase in the number of DPA and FOI requests received, the Secretariat will commence a review of its relevant documents, such as policies, procedures, standards and guidelines and implement any improvements.

26.3 The Council discussed the requirement for four country representation in the HCPC Council membership. It was noted that the HCPC had supported retaining this requirement in discussions with the Law Commission.

26.4 The Council approved the Secretariat workplan for 2014-15.

The Council noted the following item:-

**Item 27.14/57 Reports from Council representatives at external meetings (report ref:- HCPC44/14)**

**Item 28.14/58 Any other business**

28.1 There were no further items for consideration.

Chair: ...Anna van der Gaag

Date: ...14 May 2014