

Council

Minutes of the 89th meeting of the Council held as follows:-

Date: Wednesday 26th 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 89th 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 88th 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:

Date:

Council

Minutes of the 89th meeting of the Council held as follows:-

Date: Thursday 27th March 2014

Time: 9:30am

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
Keith Ross
Robert Templeton
Graham Towl
Joy Tweed
Nicola Wood

In attendance:

Kayleigh Britwistle, Assurance and Development Officer
Liz Craig, PA to the Director of Education
Roy Dunn, Head of Business Process Improvement
Brendon Edmonds, Head of Educational Development
Selma Elgaziari, Policy Officer
Claire Gascoigne, Secretary to Council
Guy Gaskins, Director of Information Technology
Andy Gillies, Director of Finance
Abigail Gorringer, Director of Education
Michael Guthrie, Director of Policy and Standards
Teresa Haskins, Director of Human Resources
Kelly Holder, Director of Fitness to Practise
Sarita Khaira, Head of FtP Service Improvement
Jacqueline Ladds, Director of Communications
Ben Potter, Education Manager
Greg Ross-Sampson, Director of Operations
Tracey Samuel-Smith, Education Manager
Marc Seale, Chief Executive and Registrar
Edward Tynan, Policy Officer

Public Agenda - Part 2

Item 1.14/59 Chair's welcome and introduction

- 1.1 The Chair welcomed members to the second day of the 89th meeting of the Council.

Item 2.14/60 Apologies for absence

- 2.1 Apologies for absence were received from Sonya Lam.

Item 3.14/61 Approval of agenda

- 3.1 The Council approved the agenda, subject to the consideration of a tabled replacement cover sheet to the budget paper HCPC54/14.

Item 4.14/62 Declaration of Members' Interests

- 4.1 Keith Ross declared an interest since his wife is a Council member of the PSA.
- 4.2 Anna van der Gaag and Keith Ross declared an interest in item 15 'Tax status of HCPC Council Members' (report ref:- HCPC55/14).

Item 5.14/63 Reviews of social work education in England (report ref:- HCPC45/14)

- 5.1 The Council received a paper for discussion from the Executive.
- 5.2 The Council noted that, in February 2014, two independent reviews of social work education in England were published. Martin Narey was asked by the Department for Education to review education for children's social workers. David Croisdale-Appleby was asked by the Department of Health to review social work education.
- 5.3 The Council noted that it was important to reiterate that Northern Ireland, Scotland and Wales have alternative regulatory arrangements for Social Workers and that the two reports related to social work education in England.
- 5.4 The Council noted that the discussion paper focused on the six main themes emerging from the report. It was agreed to discuss each in turn.

Genericism versus specialisation

- 5.5 During discussion, the following points were made:-
 - the debate of whether social work should be a 'generic' profession at entry, or 'split' between children's and adult social services is reflected in both reports;

- Narey concludes that students should be able to specialise in work with children after the first year of undergraduate degree programmes whereas Croisdale-Appleby argues that it is important to maintain students' ability to work with all groups;
 - other professions regulated by the HCPC have had, and continue to have, similar internal debates about genericism versus specialisation. It was noted that psychology has divided itself with a development year following graduation; and
 - other factors beyond education, such as working conditions, should be taken into account when exploring the current workforce shortage within social work.
- 5.6 The Council discussed the evidence base of the reports. It was noted that in 2011, Professor Eileen Munro published the outcomes of her review of child protection. The Council agreed that it was regrettable that the significant contributions of Munro's work were not referenced in either report, as the social work profession welcomed these findings.
- 5.7 The Council discussed the recommendations made in the paper relating to genericism versus specialisation. It was noted that children's social work can often require a wider understanding of the issues faced by families as a whole. It was agreed that the issue could not be simplified to an either/or solution, and that it was necessary to look at variations of both models.

Responsibility for the regulation of social workers

- 5.8 During discussion, the following points were made:-
- Narey recommends that consideration should be given to transferring responsibility for the regulation of social workers to The College of Social Work (TCSW), while Croisdale-Appleby concludes that there is 'little support' for TCSW taking on a regulatory role;
 - the role of a professional body is to promote and develop the profession and the role of the professional regulator is to protect the public. Whilst the two organisations work together, their roles are normally considered to be separate; and
 - government policy over a number of years has been towards separating these roles to avoid any conflict of interest.
- 5.9 The Council discussed the observations made in the reports; it was felt that these lacked clarity. It was noted that the social work profession is no different than the other professions regulated by the HCPC in that the professional body provides enhancement and promotion.

5.10 The Council noted that the social work profession is undergoing a time of transformation and that lessons learnt by the HCPC in relation to the development its other professions could be beneficial to the social work profession.

5.11 The Council discussed the HCPC's relationship with TCSW. It was noted that the working relationship is complementary and that the HCPC will continue to build on this whilst reinforcing the message of the different roles of a regulator and professional body.

Standards

5.12 The Council discussed the conclusions of the reports relating to the standards of education and training. It was agreed that, as at the time of writing, the HCPC was part way through its programme of visiting transitionally approved social work programmes, the impact of the standards of education and training could not yet be assessed.

5.13 During discussion, the following points were made:-

- both reports are critical of the content of the existing standards of proficiency and education and training;
- the standards of proficiency for social workers in England were developed by a Professional Liaison Group (PLG), which included key stakeholders from the profession They were also subject to a public consultation;
- amongst the other professions regulated by the HCPC it is common for the professional body to have developed its own standards for education and practice which are often more aspirational in nature and focused on developing the profession further;
- the HCPC's recently published review of the first year of social work programme visits shows that none of the programmes visited to date were approved without conditions attached. An average of 6.9 conditions made per programme. This contrasts with the conclusion that the standards fail to be sufficiently challenging;
- the Executive suggests that the standards of proficiency for social workers should be reviewed once the visits of all transitionally approved social work programmes have concluded—from the end of the 2014-2015 academic year; and
- the standards of education and training were last published in 2009. The Executive intends to bring a discussion paper to the Education and Training Committee at its meeting in September

2014 looking at the content and scope for a future review of the standards.

5.14 The Council discussed the standards of TCSW and the HCPC. It was noted that since the original mapping, progress has been made and that the HCPC continues to be collaborative and willing to work with TCSW to clarify the mapping. It was agreed that a joint badged mapping document would be beneficial.

5.15 The Council discussed conclusion of Croisdale-Appleyby that there is little appetite amongst education providers for more standards. It was felt that the range of interviews that went into the reports were limited and that the methodology of the reports were not clear and showed a lack of understanding of wider issues involved in developing a curriculum.

Approval of education and training programmes

5.16 During discussion, the following points were made:-

- both reports are critical of the HCPC's and TCSW's processes for approving and endorsing education and training programmes against their standards;
- the quality and availability of practice placements has been a subject for debate in the social work profession for some time; and
- the HCPC holds joint approval visits with professional bodies, across all the professions, where an education provider has requested this.

5.17 The Council discussed education approvals. It was noted that education providers have a wide range of approvals processes to undertake as part of approval, apart from the regulatory requirements, and that effort is made not to duplicate these. It was agreed that the reports did not acknowledge this activity. It was felt that it was unfortunate the authors did not fact verify their observations with the HCPC on a number of points prior to publication.

5.18 The Council noted that since the HCPC assumed responsibility for social work programme approvals in England, approximately 60 programmes have been withdrawn by providers. The council agreed that this was a clear indication of the standards of the HCPC having effect.

5.19 The Council discussed practice placements. It was agreed that an information gathering exercise on placement quality should be undertaken to inform the future review of standards.

5.20 The Council agreed that the reports were a snapshot of system in transition and that it was unwise to enact further changes as this stage.

ASYE and licence to practise

5.21 During discussion, the following points were made:-

- the Croisdale-Appleby report recommends the creation of a probationary first year of qualification as a social worker. This probationary year would build on a strengthened version of the current Assessed and Supported Year in Employment (ASYE) programme undergone by some newly qualified social workers;
- for a probationary year to be introduced as a part of registration, a change in legislation would be required;
- amongst some of the other professions regulated by the HCPC similar arrangements to the ASYE exist, but these are profession or employer led; and
- the suggestion of a statutory link between the ASYE and registration was discussed by the SWRB. Concerns about a compulsory ASYE included funding, capacity and the assessment model that would be used.

5.22 The Council discussed the possible legislation changes required. It was noted that it is likely that the Law Commission bill will embed licence to practise, but that the secretary of state would need to enact it in each case.

5.23 The Council discussed the HCPC's relationship with the two chief social workers for England. It was noted that the Chair wrote to both upon their appointment, but that so far no response has been received from the Chief Social Worker for Children and Families. The Chair has recently requested a meeting again. A meeting was held with the Chief Social Worker for Adults following her appointment.

Revalidation

5.24 The Council discussed revalidation. It was noted that the Law Commission bill would provide for revalidation, but that the Secretary of State would be required to enact the requirement in each case. It was noted that the HCPC considers the process of revalidation complex and expensive and that the same outcome can be achieved using less costly alternative models.

5.25 During discussion, the following points were made:-

- Croisdale-Appleby's report recommends that social workers should have to revalidate every five years to demonstrate that

they are fit to practise. Social workers would need to pass revalidation in order to retain their licence to practise;

- the HCPC uses the alternative term 'continuing fitness to practise' because this is more outcomes-focused; and because 'revalidation' is poorly defined;
- Social Workers will be audited to check their compliance with HCPC's CPD standards for the first time from September 2014; and
- the HCPC will be commissioning two pieces of work in this area this year. One will look at the cost, benefits and outcomes of the CPD audits to date. The second will look at the views and experiences of stakeholders. This work will inform a review of the CPD process.

5.26 The Council noted that the Chair and Chief Executive had met with the Department for Education and Department of Health and emphasised that they have an obligation to report any concerns about education programmes directly to the HCPC.

5.27 The Council agreed the following points:-

- the issues faced by social work in transforming and defining itself as a profession are similar in nature to those faced by many HCPC professions;
- the importance of a broad understanding of the issues faced by both adults and children within families is important for public protection;
- the HCPC continues to be willing to engage over the issues raised in the reports;
- the HCPC recognises the importance of continuously reviewing standards and working with the relevant professional bodies to do this; and
- the HCPC, as a multi-profession regulator, is best placed to safeguard education standards.

2.28 The Council noted the report.

Item 6.14/64 'A Review of the NHS Hospitals Complaint System Putting Patients Back in the Picture' – HCPC Response (report ref:- HCPC46/14)

6.1 The Council received a paper for discussion/approval from the Executive.

- 6.2 The Council noted that the report of the 'Review of the NHS Hospitals Complaint System Putting Patients Back in the Picture' by the Right Honourable Ann Clwyd and Professor Tricia Hart was published in October 2013.
- 6.3 The Council noted that the Report makes recommendations which focus on four areas for change: improving the quality of care; improving the way complaints are handled; ensuring independence of the complaints procedures; and whistle-blowing.
- 6.4 During discussion the following points were made:-
- whilst the HCPC is not specifically mentioned in the Report's recommendations, a number of them are relevant to professional regulation and complaint handling more generally;
 - some of the reports recommendations can be used to consider further how the HCPC deal with complaints;
 - the FtP Department will look at ways to enhance feedback mechanisms as part of the department's work plan for 2014-15. This will include a registrant and complainant survey; and
 - the report will be relevant to the work of the Standards of Conduct and Performance (SCPE) PLG.
- 6.5 The Council discussed a current GMC pilot in which the regulator offers face-to-face meetings to complainants. The Council agreed that the results of this pilot would be reviewed with interest.
- 6.6 The Council discussed fitness to practise witness feedback. It was noted that currently around 10% of witnesses provide this feedback, but that recent changes in the way the forms are distributed is hoped to improve this.
- 6.7 The Council discussed how it reviewed organisational complaints. It was noted that the Council receive a review of feedback and complaints on a 6 monthly basis and the Executive review complaints monthly.
- 6.8 The Council agreed the action plan.

Item 7.14/65 Practice Notes (report ref:- HCPC47/14)

- 7.1 The Council received a paper for discussion/approval from the Executive.
- 7.2 The Council noted that a number of Practice Notes have been produced to aid panels that make decisions relating to fitness to practise cases. The Practice Notes are under regular review to ensure

that they take into account relevant case law, legislation and good practice. The Executive have identified the need for two new Practice Notes on child witnesses and special measures.

- 7.3 The Council discussed the Practice Note relating to child witnesses. The Council agreed that the terminology used should be amended to remove any inference that the aim of the note was to ensure evidence could be given effectively, rather than for the safeguarding of the child's wellbeing. Further consultation with experts in the field would be sought on this Practice Note to ensure nothing of significance had been overlooked.
- 7.4 The Council approved the Practice Notes on child witnesses and special measures.

Item 8.14/66 Communications Strategy (report ref:- HCPC48/14)

- 8.1 The Council received a paper for discussion/approval from the Executive.
- 8.2 The Council noted that the Communications Strategy was first developed in 2007 and is updated and approved annually.
- 8.3 The Council discussed how success in this area is measured and evaluated. It was noted that feedback is gathered at events and talks as well as web statistics, surveys and media coverage.
- 8.4 The Council discussed the HCPC's audiences. It was noted that the HCPC has a wide range of stakeholders and that a current mapping exercise would inform a more detailed stakeholder strategy. The Council agreed that it was important to maintain an awareness of possible unknown stakeholder groups and that these should be explored in the stakeholder mapping exercise.
- 8.5 The Council approved the Communications Strategy.

Item 9.14/67 Review of the standards of conduct, performance and ethics - PLG (report ref:- HCPC49/14)

- 9.1 The Council received a paper for discussion/approval from the Executive.
- 9.2 During discussion, the following points were made:-
 - the review of the standards of conduct, performance and ethics (SCPE) is formed of three phases: a period of research, a Professional Liasion Group (PLG) and a public consultation stage;

- the research phase is now ending. The Council agreed to establish a PLG to consider revisions to the SCPE based on this research at its meeting in July 2012;
 - membership of PLGs consist of Council members and a range of other stakeholders including professional bodies, education bodies, employers, trade unions and service users and carers; and
 - the proposed timetable allows for five meetings of the PLG.
- 9.3 The Council discussed the involvement of service users and carers in the PLG. It was noted that appropriate support mechanisms would be put in place.
- 9.4 The Council approved the SCPE PLG workplan.

Item 10.14/68 Review of the standards of conduct, performance and ethics - Research (report ref:- HCPC50/14)

- 10.1 The Council received a paper for discussion from the Executive.
- 10.2 The Council noted that the paper was formed two reports from externally commissioned research with service users and their carers.
- 10.3 During discussion, the following points were made:-
- the Focus Group were commissioned to carry out research with a range of registrants and service users about the use and accessibility of the standards in practice;
 - the charity Connect were commissioned to undertake a project to determine the expectations of service users and their carers and explore the accessibility of the standards;
 - Shaping Our Lives were commissioned to explore the understanding and accessibility of the standards in relation to the expectations of social care service users;
 - the HCPC has also worked with other charitable organisations to run joint workshops in order to engage with specific groups of service users and their carers. This has included working with Macmillan and Hearing Link; and
 - the Policy and Standards team have undertaken work around the codes and equivalent standards of other health and care regulators in the UK as well as undertaking an online survey aimed at HCPC panel chairs, case teams and other members of the fitness to practise department.

10.4 The Council discussed the research reports, which were considered to be valuable pieces of work involving an impressive spectrum of stakeholder input. It was noted that the reports would be published on the HCPC website.

10.5 The Council noted the paper.

Item 11.14/69 Consultation on changes to the profession-specific standards of proficiency for biomedical scientists (report ref:- HCPC51/14)

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

11.2 The Council noted that, following a review of the standards by the Institute of Biomedical Science and further input from two biomedical scientist visitor partners, the HCPC is ready to consult publicly on the draft standards of proficiency for biomedical scientists.

11.3 The Council noted that the consultation paper and draft standards for biomedical scientists were considered and recommended to Council for approval by the Education and Training Committee at its meeting in March 2014.

11.4 The Council approved the draft standards of proficiency for biomedical scientists and the text of the consultation paper (subject to minor editing changes and formal legal scrutiny).

Item 12.14/70 Consultation on changes to the profession-specific standards of proficiency for clinical scientists (report ref:- HCPC52/14)

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

12.2 The Council noted that at the start of the review of the profession-specific standards for clinical scientists, the HCPC contacted the Association of Clinical Scientists (ACS) and asked for their suggestions on any changes to the standards they considered necessary. As so few changes were suggested to the standards by the ACS, further advice on the changes from individual clinical scientists has not been sought at this stage.

12.3 The Council noted that this input may be sought from clinical scientist visitor partners following the results of the consultation if necessary.

12.4 The Council noted that the consultation document and draft standards of proficiency for clinical scientists were considered and recommended

to Council by the Education and Training Committee at its meeting in March 2014.

- 12.5 The Council approved the draft standards of proficiency for clinical scientists and the text of the consultation paper (subject to minor editing changes and formal legal scrutiny).

Item 13.14/71 Outcomes of the consultation on profession-specific standards of proficiency for operating department practitioners (report ref:- HCPC53/14)

- 12.1 The Council received a paper for discussion/approval from the Executive.
- 12.2 The Council noted that, following a review of the standards by the professional bodies for operating department practitioners, the HCPC publically consulted on the draft standards between 15 July and 18 October 2013.
- 12.3 The Council noted that the revision of the standards post-consultation was informed by an operating department practitioner and former member of the Education and Training Committee. The Education and Training Committee considered the consultation response analysis and revised draft standards at its meeting in March 2014.
- 12.4 The Council approved the revised standards of proficiency for operating department practitioners and the text of the consultation analysis document (subject to minor editing amendments and formal legal scrutiny).

Item 14.14/72 Budget 2014-15 (report ref:- HCPC54/14)

- 14.1 The Council received a paper for discussion/approval from the Executive.
- 14.2 During discussion, the following points were made:-
- budgeted income is £26.0m, which is a £1m (4%) increase on the 2013-14 forecast. £0.3m of the increase is attributable to fee rises and £0.5m is attributable to net growth in registrant numbers over the year;
 - the budget is drawn from the registrant numbers forecast, which stands at 321,000 at 1 April 2014 and is forecast to grow to 331,000 by 31 March 2015;
 - there is a 6% increase in operating costs, from £24m to £25.4m;
 - the total budget for 15 major projects is £3,322k;

- the overall position is a budgeted operating deficit for 2014-15 after depreciation of £95k; and
 - the budget includes a calculation of the target minimum level of reserves in accordance with the Reserves Policy.
- 14.3 The Council discussed the recent OJEU tender exercises. In response to a question it was noted that these processes and contingency costs have been included in the budget.
- 14.4 The Council discussed the reserves policy it was noted that a revised policy would be presented to Council at its May meeting.
- 14.5 The Council approved the budget for 2014-15.

Item 15.14/73 Tax status of HCPC Council Members (report ref:- HCPC55/14)

- 15.1 The Council received a paper for discussion from the Executive.
- 15.2 The Council noted that Mazars, the HCPC's Internal Auditors and tax advisers, have advised the HCPC that with the evolution of tax law and interpretation, Council members are 'office holders' of a 'constituted body' and as such the daily attendance fee must be paid through PAYE and be subject to tax and NI deductions. It was noted that the advice provides that payment of Council members' daily attendance fee to employers continue.
- 15.3 The Council noted that Partners, as self-employed contractors who undertake more occasional task-based work for the HCPC, are not 'office holders'. They can therefore continue to be paid their fees without tax or NI deducted.
- 15.4 The Council noted that the collection of tax through the PAYE system does not alter the position that Council members are not employees of HCPC and that the same arrangements will apply to the Independent member of the Audit Committee.
- 15.5 The Council noted the paper.

Item 16.14/74 Risk Register update (report ref:- HCPC56/14)

- 16.1 The Council received a paper for discussion from the Executive.
- 16.2 The Council noted that the Risk Register is published twice yearly, February and September, following a review by the Risk Owners. The Audit Committee receives the risk register for consideration as does the Council.

16.3 The Council noted that the Audit Committee considered the most recent iteration of the risk register at its meeting in March 2014. Following this meeting, two new risks around Partner expense abuse and the OJEU tendering process will be added to the register.

16.4 The Council discussed risk 1.5 'loss of reputation. It was agreed that the risk owners should be amended to the Chair and Chief Executive.

ACTION – Head of Business Process Improvement to amend the risk register as outlined in paragraph 16.4

16.5 The Council noted the report.

Item 17.14/75 FOI publication scheme: definition document (report ref:- HCPC57/14)

17.1 The Council received a paper for discussion from the Executive.

17.2 The Council noted that the Freedom of Information Act 2000 (FOIA) requires every public authority to have a publication scheme, approved by the ICO, and to publish information covered by the scheme. The ICO are currently updating all definition documents under the FOIA publication scheme

17.3 During discussion the following points were made :-

- proposed amendments include increasing transparency in relation to financial information and inserting the new provisions on datasets;
- these changes are in line with the increasing trend towards Open Data. The government's White Paper Open Data: unleashing the potential sets out government policy in this area;
- the new proposals would require the HCPC to publish details of contracts that exceed £10k. Higher Education has successfully agreed a higher contract value (£25k);
- It is proposed that senior staff salaries should be disclosed in bands of 5k and that the individual posts should be clearly identified;
- some healthcare regulators are registered charities and as such are subject to the Charities Statement of Recommended Practice (SORP). These regulators may resist changes in the definition document which conflict with, or go beyond the Charities SORP; and

- an additional proposed requirement is for the HCPC to publish its Council members and Directors expenses on its website.
- 17.4 The Council discussed the HCPC's response to the consultation. It was noted that the Secretary to Committees had recently met with several other healthcare regulators to agree a joint response.
- 17.5 The Council noted the paper.

Item 18.14/76 Appointment of an independent member to the Audit Committee (report ref:- HCPC58/14)

- 18.1 The Council received a paper for discussion/approval from the Executive.
- 18.2 The Council noted that, at its meeting on 17 September 2013, it agreed the Code of Corporate Governance. This code requires that the Audit Committee should comprise of two members of the Council and one independent member.
- 18.3 The Council noted that the process to appoint the independent member will take place in a similar manner to the recent process to appoint members of the Council. The process will be managed by the Secretariat Department. The Council will be invited to confirm the decision of the selection panel at its meeting in July 2013.
- 18.4 The Council noted that the core competencies of the independent member role have been adapted from the core competencies used for the appointment of Council members. They have also been informed by a review of competencies used by similar organisations to appoint financially qualified members to their Audit Committees.
- 18.5 The Council agreed the core competencies for the independent member of the Audit Committee and agreed to commence the appointment process.

Item 19.14/77 Anti-Bribery Policy (report ref:- HCPC59/14)

- 19.1 The Council received a paper for discussion/approval from the Executive.
- 19.2 The Council noted that the proposed policy is a 'top level' policy to signify commitment and that the HCPC already has in place specific counter-bribery policies.
- 19.3 The Council discussed criminal records checks. It was noted that these checks are not carried out routinely on all posts within the HCPC. The Executive undertook to inform the Council which posts required such checks.

ACTION – Executive to report to the May meeting of Council on the roles which require criminal records checks within the HCPC.

19.4 The Council approved the policy.

Item 20.14/78 Any other business

20.1 There was no further business.

Item 21.14/78 Meeting evaluation

21.1 The Council noted that it had previously agreed to keep a note of comments made during the meeting evaluation item and review these on a 6 monthly basis.

21.2 During discussion the following points were made :-

- it was valuable to go through the workplans one by one; previously all workplans had been presented as one item. It was agreed that it would be appropriate to do this in future;
- it was agreed that the budget should be considered immediately following the workplans;
- some members felt the meeting room layout needed reviewing along the lines of an open horseshoe shape, with EMT in the public gallery; and
- the Council requested that paper numbering should be consistent with the iPad software.

Item 22.14/79 Date & time of next meeting:

Wednesday 14 May 2014 at 14.00pm and Thursday 15 May 2014 at 9:30am

Item 23.14/80 Resolution

23.1 The Council agreed to adopt the following resolution:-

'The Council hereby resolves that the remainder of the meeting shall be held in private, because the matters being discussed relate to the following;

- (a) information relating to a registrant, former registrant or application for registration;
- (b) information relating to an employee or office holder, former employee or applicant for any post or office;
- (c) the terms of, or expenditure under, a tender or contract for the purchase or supply of goods or services or the acquisition or disposal of property;

- (d) negotiations or consultation concerning labour relations between the Council and its employees;
- (e) any issue relating to legal proceedings which are being contemplated or instituted by or against the Council;
- (f) action being taken to prevent or detect crime to prosecute offenders;
- (g) the source of information given to the Council in confidence; or
- (h) any other matter which, in the opinion of the Chair, is confidential or the public disclosure of which would prejudice the effective discharge of the Council's functions.

Item	Reason for Exclusion
24	B, D

Private Agenda – Part 3

Item 24.14/81 Minutes of the Remuneration Committee held on 12 February 2014 (report ref:-HCPC60/14)

24.1 The Council considered and approved the recommendations contained within the minutes of the Remuneration Committee held on 12 February 2014.

Item 25.14/82 Any other business

25.1 There was no further business.

Chair:

Date:

Unconfirmed