
Council

Minutes of the 90th meeting of the Council held as follows:-

Date: Wednesday 14th May 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
Richard Kennett
Sonya Lam
Keith Ross
Robert Templeton
Graham Towl
Joy Tweed
Nicola Wood

In attendance:

Claire Amor, Secretary to Council
Nicole Casey, Policy Manager
Ruth Cooper, Service and Complaints Manager
Guy Gaskins, Director of Information Technology
Andy Gillies, Director of Finance
Abigail Gorringer, Director of Education
Tony Glazier, Web and Digital Manager
Michael Guthrie, Director of Policy and Standards
Teresa Haskins, Director of Human Resources
Kelly Holder, Director of Fitness to Practise
Jonathan Jones, Stakeholder Communications Manager
Jacqueline Ladds, Director of Communications
Greg Ross-Sampson, Director of Operations
Marc Seale, Chief Executive and Registrar

Public Agenda – Part 1

Item 1.14/83 Chair's welcome and introduction

- 1.1 The Chair welcomed members to the first day of the 90th meeting of the Council

Item 2.14/84 Apologies for absence

- 2.1 Apologies for absence were received from Sheila Drayton.

Item 3.14/85 Approval of agenda

- 3.1 The Council approved the agenda.

Item 4.14/86 Declaration of Members' Interests

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

Item 5.14/87 Minutes of the Council meeting of 26 and 27 March (report ref:- HCPC61/14)

- 5.1 The Council considered the minutes of the 88th and 89th meeting of the Health and Care Professions Council.
- 5.2 The Council agreed the minutes.

Item 6.14/88 Matters arising (report ref:- HCPC62/14)

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

Item 7.14/89 Chair's report (report ref:- HCPC63/14)

- 7.1 The Council received a report from the Chair.
- 7.2 During discussion, the following points were made:-
- the Chair, with the GMC, provided the opening address for the Professional Standards Authority research symposium. The Chair also chaired a session on professionalism;
 - the Narey and Croisdale-Appleby reports were discussed at the meeting with The College of Social Work on 1 April; and
 - a series of meetings have been held regarding podiatric surgery, whilst the meetings were constructive it is clear a difference of opinion remains over issues of parity.

7.3 The Council noted the report.

Item 8.14/90 Chief Executive's report (report ref:- HCPC264/14)

8.1 The Council received a report from the Executive.

8.2 During discussion, the following points were made:-

- the PSA's annual performance review of the HCPC is being finalised and is due to be published in early July.
- following the Panorama programme detailing abuse in care homes, a letter from the Chief Executive calling for standards and the negative registration of care workers was published in the Independent newspaper. A debate will also be held in the House of Lords; and
- in response to a question it was noted that the 'Orchestrating Winning Performance' is a task based training programme run by the business school IMD which will be attended by some members of the Executive team.

8.3 The Council noted the report.

Item 9.14/91 Finance Report (report ref:- HCPC65/14)

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 Finance Department since the last meeting of Council.

9.2 During discussion, the following points were made:-

- the Department are currently preparing the draft 2013-14 Annual Report and Accounts which will be presented to the Council at its July meeting;
- operating surplus for the year 2013-15 was £2,170k. After depreciation, the impairment charge on freehold land and buildings, and investment income, the surplus was £725k.
- actual income of £25,151k was slightly ahead of budget (£24,708k). The main cause of the surplus was the net underspend on the operating expenditure budget of which £701k is in the Fitness to Practise department.
- the Finance Systems Upgrade project (Sage and PRS) is entering the start-up phase and the Direct Debit review project will shortly begin;

- the Department is currently progressing with procurement processes for secure printing services, recording and transcription services and the HR partners system; and
 - the tender for the mechanical and electrical consultant for the 186 KPR project is being re-run following an unsatisfactory response to the first tender.
- 9.3 The Council discussed the impairment charge of £882k, based on a professional revaluation of freehold land and buildings. It was agreed that the Director of Finance would consider the option of classing part of this amount as depreciation with the NAO.
- 9.4 The Council noted the report.

Item 10.14/92 Education Report (report ref:- HCPC66/14)

- 10.1 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.
- 10.2 During discussion, the following points were made:-
- since the last Council meeting, 19 approval visits covering 45 programmes have taken place;
 - the Department remains in the peak activity period for the annual monitoring process. Five assessment days took place in February and March 2014. Three further assessment days are planned for May, June and August 2014;
 - over 50% of existing visitors went through the reappointments process in the last few months. Approximately 90% of visitors renewed their contracts;
 - preparations are underway for the eight education seminars. The Department intend to run two seminars for social worker and AMHP education providers and six seminars on service user and carer involvement in education and training;
 - the Education annual report 2013 was published at the beginning of May. Various communications activities are underway to disseminate the report
- 10.3 The Council noted that the first Education and Training Committee stakeholder event was held on 30 April 2014. The aim of the event was to provide an update on governance, education, policy and standard

changes at the HCPC. The event was well received and feedback is being analysed .

- 10.4 The Council noted that there were over 100 applications for the new role of Lay Visitor. The breadth of experience of the applicants appears to be wide from the short-listing currently underway. The Council discussed the definition of Lay and Registrant roles and queried whether former registrants could apply to be lay visitors. It was noted that the Education and Training Committee had agreed the personal specifications for lay visitors last year and there was discussion at the time around this point. The Council requested clarification on whether former HCPC registrants could be considered for the lay visitor role.

ACTION – Director of Education to provide an update at the next Council meeting on whether former HCPC registrants could be considered for the lay visitor role.

- 10.5 The Council discussed the data that would be collected about the lay visitor applicants. It was noted that equality and diversity monitoring data is being collected and this data feeds into the annual equality and diversity report which is presented to Council later in the year.
- 10.6 The Council discussed a recent meeting between the Director of Education and the Higher Education Authority (HEA). It was noted that the meeting was to explore ways the HCPC and HEA could work together, the HCPC has committed to holding meetings with the HEA regularly in future.
- 10.7 The Council noted the report.

Item 11.14/93 Information Technology Report (report ref:- HCPC367/14)

- 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 Information Technology Department since the last meeting of Council.

11.2 During discussion, the following points were made:-

- a security test was carried out on the pilot remote access service. A medium severity risk was identified and the vendor is developing software to address the issue. Another security test is being scheduled to ensure the risk has been mitigated.
- internal penetration testing was undertaken for the first time on the 17 and 18 March. No formal report has yet been received but verbal feedback was positive; and
- issues were encountered with the HCPC's current data line supplier, in which a data line was mistakenly disabled. This issue has now been resolved.

11.3 The Council noted the report.

Item 12.14/94 Operations Report (report ref:- HCPC368/14)

12.1 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.

12.2 During discussion, the following points were made:-

- the Registrations Department received a total of 12,012 UK telephone calls which is 3,277 more calls when compared to the same period two years ago and represents a 38% increase in call volumes;
- the percentage of registrants renewing online this financial year is 89.6% rather than 80% as forecast;
- a total of 17,366 UK applications have been registered this financial year which exceeds the forecasted end of year figure of 14,181, indicated in the 'Registrant Number Forecast 2013 – 18, August 2013';
- at the start of February 2014 1,224 physiotherapists were selected for CPD audit. So far there have been 119 requests to defer the current audit with a further 34 physiotherapists selected for CPD audit requesting to deregister voluntarily;
- 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. One project is undergoing initiation;
- an Aspirant Professions process has been drafted for external use by the Chief Executive; and
- Kayleigh Birtwistle was selected from an internal pool of candidates to join the Business Process Improvement team in late May as Quality Compliance Auditor.

12.3 The Council discussed the deferral rate of the physiotherapist CPD audit. It was noted that this rate was normal, and that new professions have a higher initial rate for their first CPD audit. It was noted that a CPD review report would be presented to the Education and Training Committee in June 2014, which provides deeper analysis.

12.4 The Council noted the report.

Item 13.14/95 Fitness to Practise Report (report ref:- HCPC69/14)

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 Fitness to Practise Department since the last meeting of Council.

13.2 During discussion, the following points were made:-

- the Fitness to Practise Annual report is currently being finalised. The report is a statistical report analysing the arrangements that have been put in place to protect the public and analyses all phases of the process;
- the number of cases per case manager increased to above forecast levels in March. This is in part due to resignations in January and February. The vacant positions and new positions for 2014-15 have now been filled;
- at the end of March there were 5 open GSCC transfer cases pre ICP and 23 open post ICP. Further analysis of GSCC transfer cases will be undertaken as part of the annual report preparation;
- FTP is working with the professional bodies to set up a Partnership Forum. It is anticipated that the forum will meet every 6 months to discuss matters relating to HCPC's fitness to practise process;
- an external provider has been engaged to review the FTP forecast model to ensure that it is FAST compliant;
- the Centre for Health Service Economics and Organisation will undertake research into the economic costs of fitness to practise investigations and how these costs vary across registrants with different characteristics;
- the period for the mediation pilot has been extended by 6 months to ensure that the use and value to HCPC's regulatory regime is properly evaluated; and
- FTP have undertaken a review of the registration appeals process. This included a review of the use of case conferences and how bundles are prepared for hearing. The revised process was rolled out in early April 2014

13.3 The Council discussed complaints about FTP service. It was noted that these complaints are included in the monthly feedback report which is considered by EMT. A yearly review is also considered by the Council.

13.4 The Council discussed section 29 referrals. It was noted that this is the power the PSA has to refer a fitness to practise case to the High Court if it thinks that the HCPC had been unduly lenient or the case under prosecuted

13.5 The Council noted the report.

Item 14.14/96 Human Resources Report (report ref:- HCPC70/14)

14.1 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.

14.2 During discussion, the following points were made:-

- response rates to the third HCPC bi annual all employee survey were high at over 85%. Overall, the findings were positive and show that there are high degrees of satisfaction with significant areas of working life for HCPC employees. In a few areas results and comments suggest that further work or analysis could be considered;
- the HR and Partners Systems and Process review project is progressing well. A briefing session for tenderers was held on 2 May and the deadline for tender submissions is 27 May;
- employee turnover has continued to show signs of slowing down. There were no leavers in April;
- the employee recruitment function remains busy. Recruitment has commenced for a number of new roles approved in the 2014/15 budget; and
- the HR team is in the process of analysing training and development needs arising from Annual Performance Development Reviews and departmental workplans.

14.3 The Council noted the report.

Item 15.14/97 Policy and Standards Report (report ref:- HCPC371/14)

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 Policy and Standards Department since the last meeting of Council.

15.2 During discussion, the following points were made:-

- an update paper on the Professional Qualifications Directive is being prepared for the Education and Training Committee's meeting in June 2014;
- the Law Commissions' proposals and draft legislation have now been published. The government's plans are unknown;
- the Department of Health have indicated to the HCPC that the regulation of public health specialists remains a priority; and
- the Department of Health has indicated that the legislation necessary to introduce the requirement for registrants (not social workers in England) to have professional indemnity will be published in spring 2014, and effective from July 2014.

15.3 The Council noted the report.

Item 16.14/98 Communications Report (report ref:- HCPC472/14)

16.1 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

16.2 During discussion, the following points were made:-

- the HCPC exhibited at the Care Show in Bournemouth in March. The HCPC were also show partners at Naidex National, a 3-day event In April;
- recent HCPC events in Llandrindod Wells and Penzance were popular and fully booked;
- the first CPD webinar will take place on 5 June. The aim of the webinar is to provide an interactive guide to CPD and the audit process
- in response to the BBC Panorama programme, 'Behind Closed Doors: Elderly Care Exposed', the HCPC issued comment to the national media and wrote letters to a number of editors; and
- the Department have been working on a campaign to raise awareness amongst registrants of the tax relief available to them on their registration fees.

16.3 The Council noted the report.

Item 17.14/99 Secretariat Report (report ref:- HCPC73/14)

- 17.1 The Council received a paper for discussion from the Executive. The Council noted that the report set out the main activities of Secretariat Department since the last meeting of Council.
- 17.2 The Council noted that the process for appointing an independent member to the Audit Committee has commenced. Interviews will take place on 6 June 2014.
- 17.3 The Council noted that each year, the Council has an offsite away day and meeting which takes place on a rotational basis in each of the four countries. It was noted that the 2014 meeting will take place on 15 and 16 October in the Lake District.
- 17.4 The Council noted the report.

The Council noted the following item:-

Item 18.14/100 Health and Safety report (report ref:- HCPC74/14)

Item 19.14/101 Any other business

- 19.1 There were no further items for consideration.

Chair: ...  ...

Date: ...01.07.2014.....