

Council

Minutes of the 99th meeting of the Health and Care Professions Council as follows:-

Date: Tuesday 30 June 2015

Time: 9.30am

Venue: ETC Venues, 6 Avonmouth St, London SE1 6NX (Due to flooding in Kennington Park Road, the location of Council meeting was changed.)

Present: Anna van der Gaag (Chair)
Elaine Buckley
Stephen Cohen
Richard Kennett
Sonya Lam
Eileen Mullan
Joanna Mussen
Robert Templeton
Graham Towl
Joy Tweed
Nicola Wood
Stephen Wordsworth

In attendance:

Claire Amor, Information Governance Manager
Ruth Cooper, Service and Complaints Manager
Jonathan Dillon, Adjudications Manager
Andy Gillies, Director of Finance
Abigail Gorringe, Director of Education
Michael Guthrie, Director of Policy and Standards
Brian James, Head of Assurance and Development
Jacqueline Ladds, Director of Communications
Louise Lake, Director of Council and Committee Services
Marc Seale, Chief Executive and Registrar
Eve Seall, Head of Case Management

Public Agenda – Part 1

Item 1.15/155 Chair's welcome and introduction

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 99th meeting of Council.

Item 2.15/156 Apologies for absence

- 2.1 There were no apologies.

Item 3.15/157 Approval of Agenda

- 3.1 The Council approved the agenda subject to the consideration of the Audit Committee minutes of the meeting held on 17 June before consideration of items 5 and 6, 'the Annual report and Accounts 2014-2015' and the 'NAO report to those charged with governance' respectively. In addition, the Council agreed to consider item 5 after item 6.
- 3.2 Council noted that an addendum in relation to the paper on 'Review of the standards of education and training - Professional Liaison Group' had been circulated in advance of the meeting.

Item 4.15/158 Declaration of Members' interests

- 4.1 There were no interests declared.

Items for discussion/approval

Strategy and Policy

Item 5.15/159 Minutes of the Audit Committee meeting held on Wednesday 17 June 2015 (report ref:-HCPC92/15)

- 5.1 The Council received the minutes of the meeting of the Audit Committee held on 17 June 2015.
- 5.2 The Council noted that the Committee had agreed to endorse the Executive's view that the unadjusted misstatements should not be corrected as they were not considered material.
- 5.3 The Council noted that Mazars has concluded that the HCPC's governance, risk management and internal control arrangements are generally adequate and effective. Certain weaknesses and exceptions were highlighted in the audit, none of which were fundamental in nature.

5.4 The Council endorsed the recommendations contained within the minutes.

Item 6.15/160 NAO report to those charged with governance (report ref:- HCPC99/15)

6.1 The Council received a paper from the NAO.

6.2 The Council noted the NAO's audit completion report summarised the key matters from their audit of the 2014-2015 HCPC Financial Statements.

6.3 During discussion, the following points were made:-

- The Council noted that the NAO had recommended that we clarify our accounts direction with the Privy Council (PCO). In response to a question about how the other regulators were treated in relation to their accounts direction, the Council noted that other regulators were not subject to Cabinet Office spending controls;
- The Council noted that the NAO acknowledged that the PCO's accounts direction for HCPC was non-standard and were sympathetic with our view that since we are independent we should not be subject to Cabinet Office spending controls;
- The Council expressed surprise that this issue had suddenly come to light given that the NAO had audited our accounts since 2001.

6.4 The Council agreed that the uncorrected errors of the NAO's report should not be corrected.

Item 7.15/161 Annual report and accounts 2014-15 (report ref:-HCPC98/15)

7.1 The Council received a paper from the Executive.

7.2 The Council noted the NAO had almost completed their audit of the draft Annual Report and Accounts for the year ended 31 March 2015 and they were expected to give an unqualified audit report.

7.3 Some amendments had been made to the remuneration report set out on pages 22-23 of the report. These were tabled at the meeting.

7.4 During discussion, the following points were made:-

- The Council noted the tabled changes to the remuneration report. These were as a result of the change in tax treatment of expenses relating to travel to and from Park House which were now classed as 'benefits in kind';

- The Council expressed concern that the NAO were requesting to make changes to the annual report and accounts so late in the process.

7.5 The Council discussed and approved the Annual Report and Accounts 2014-2015.

Item 8.15/162 Review of the standards of education and training - Professional Liaison Group (report ref:-HCPC100/15)

8.1 The Council received a paper from the Executive together with an addendum which had been circulated in advance of the meeting and which set out the proposed Council membership of the group.

8.2 The Council noted the standards of education and training (SETs) and supporting guidance document are currently under review. A Professional Liaison Group is planned to convene in September 2015 to discuss potential changes to the standards and guidance.

8.3 During discussion, the following points were made:-

- The Council noted that the Education and Training Committee had recommended that the group be increased from ten people to twelve people;
- The Council noted the recommended Council membership, namely Steven Wordsworth to Chair the PLG with Joy Tweed and Sonya Lam as members.

8.4 The Council approved the terms of reference, membership and proposed timetable for the PLG.

Item 9.15/163 Outcomes of the consultation on revised guidance for disabled people wanting to become health and care professionals (report ref:- HCPC101/15)

9.1 The Council received a paper from the Executive.

9.2 The Council noted the guidance for disabled people interested in training to become health and care professionals was being reviewed. A public consultation for the draft guidance was published between 1 October 2014 and 16 January 2015. The guidance document had been updated, taking into consideration the responses received.

9.3 During discussion, the following points were made:-

- The Council noted that the next stage was to disseminate and promote the guide and this would be done using a wide range of stakeholders including education providers and service providers. Within the

dissemination plan was the proposal to have a short video signed in British Sign Language (BSL);

- The suggestion was made that next time the document was refreshed, a case study about an individual with mental health problems should be included;
- In response to a question about whether this document caused any controversy, the Council noted that there was strength of feeling in relation to mental health issues. Originally, there was a specific paragraph in relation to this although this had now been removed as we had received feedback that argued that a specific reference was unnecessary and would run counter to parity for physical and mental health.

9.4 The Council agreed:-

- (i) the revised guidance as set out in appendix one (subject to minor editing amendments and formal legal scrutiny); and
- (ii) the text of the consultation analysis document (subject to minor editing amendments and formal legal scrutiny).

Item 10.15/164 HCPC response to the Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry – Second update on commitments (report ref:- HCPC102/15)

10.1 The Council received a paper from the Executive.

10.2 The Council noted an update on the work undertaken in relation to the agreed commitments of the action plan provided to the Council in July 2014.

10.3 There was discussion about whether the actions should now be incorporated into the departmental work plans and it was agreed that there should be one further update to Council in 2016 and thereafter, any actions should be incorporated into departmental workplans.

10.4 The Council discussed and approved the paper.

Item 11.15/165 Investigating committee panel decisions audit report - 1 April 2014 to 31 March 2015 (report ref:-HCPC103/15)

11.1 The Council received a paper from the Executive.

11.2 The Council noted a summary report of the regular audit activity relating to the process of considering cases at the Investigating Committee Panel (ICP).

Also, a summary of decision making process and development work streams to support the core element of Fitness to Practise activity.

11.3 During the discussion the following points were made:-

- It would be helpful for the policy relating to the 'Standard of Acceptance for Allegations' to be explained at the start of the document;
- Any learning arising from this report is reviewed to see if there are any trends which can then be fed into training for panel members;
- There was discussion about how the sample was selected and it was agreed that this should be made explicit within the paper;
- In response to a question about whether this paper was shared, the Council noted that this work is part of the ongoing assurance and development work undertaken by the Department.

11.4 The Council discussed the paper and noted the contents.

Item 12.15/1665 Fitness to Practise final hearing audit report 1 September 2014 - 31 March 2015 (report ref:-HCPC104/15)

12.1 The Council received a paper from the Executive.

12.2 The Council noted that the report set out the findings of an audit of final fitness to practise hearing decisions, covering the period 1 September 2014 to 31 March 2015.

12.3 During the discussion the following points were made:-

- That whilst there was an improvement in the quality of the written decisions, there was an increase in the number of minor drafting errors. In response, the Council noted that this was as a result of the time pressures faced by Panels in issuing decision notices. However, we would be looking at some training for hearings officers in order that they could assist panel members in the quality assurance of decision notices;
- It was further noted that some of the language used in decision notices was not always appropriate.

12.4 The Council discussed and approved the paper.

Item 13.15/167 Customer Service Update (HCPC10515)

13.1 The Council received a paper from the Executive.

13.2 The Council noted a summary of the feedback received between 1 October 2014 and 31 March 2015 which outlined the feedback trends over the last six months and summarised the corrective action put in place as a result of stakeholder feedback. Logging and reviewing feedback is an ISO9001 requirement.

13.3 During the discussion the following points were made:-

- In response to a question about whether comparisons could be drawn with other regulators, the Council noted that this was not easy since either the information was not readily available or classifications as to whether something was a complaint or not were different across the regulators;
- The Council noted that it was hard to draw any conclusions in relation to the positive feedback because of the relatively small amount received. However, there was clearly a link in that a high number of communications events in any month saw an increase in positive feedback received;
- The Council noted the mechanisms for members of the public to make a complaint and noted that we do make an apology if we have made a mistake;
- In response to a question about the inclusion of feedback statistics within the annual report, the Council noted that the report to Council together with the monthly reports to EMT were in the public domain and so we felt this was sufficient;
- The Council noted that some of the actions arising as a result from feedback received were put on the website.

13.4 The Council discussed the paper and noted the contents.

Item 14.15.168 Any other business

14.1 The Council wished to place on record their sincere thanks to Dr Anna van der Gaag for her contribution to regulation and the HCPC as her nine year term of office as Chair was coming to an end.

Item 15.15/169 Meeting evaluation

15.1 The Council noted that the meeting was a little cramped although this was down to circumstances beyond our control.

15.2 The suggestion was made that Council on day two start a little later and it was agreed that this could be discussed at the away day in October.

Item 16.15/170 Date and time of next meeting

- 16.1 The next meeting of the Council would be held on Wednesday 23 September at 2pm and Thursday 24 September at 9:30am at Park House, 184 Kennington Park Road, London SE11 4BU.

Chair: Elaine Buckley

Date: 12.04.2016