

Council

Minutes of the 97th meeting of the Health and Care Professions Council as follows:-

Date: Wednesday 25 March 2015

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 Buckley
Stephen Cohen
Sonya Lam
Joanna Mussen
Robert Templeton
Graham Towl
Joy Tweed
Nicola Wood
Stephen Wordsworth

In attendance:

Georgia Akuffo-Kumih, HR Business Partner
Claire Amor, Information Governance Manager (Items 1-11)
John Barwick, Acting Director of Fitness to Practise
Roy Dunn, Head of Business Process Improvement
Guy Gaskins, Director of Information Technology
Andy Gillies, Director of Finance
Abigail Gorringer, Director of Education
Michael Guthrie, Director of Policy and Standards
Jamie Hunt, Education Manager (From item 9)
Sharwath Jahan, Scheduling Officer
Jacqueline Ladds, Director of Communications
Louise Lake, Director of Council and Committee Services
Zoe Maguire, Head of Adjudication

Greg Ross-Sampson, Director of Operations
Marc Seale, Chief Executive and Registrar

Public Agenda – Part 1

Item 1.15/48 Chair's welcome and introduction

- 1.1 The Chair welcomed Council members and those seated in the public gallery to the 97th meeting of Council.

Item 2.15/49 Apologies for absence

- 2.1 Apologies for absence were received from Richard Kennett and Eileen Mullen

Item 3.15/50 Approval of Agenda

- 3.1 The Council approved the agenda.

Item 4.15/51 Declaration of Members' interests

- 4.1 There were no interests declared.

Item 5.15/52 Minutes of the Council meeting of 11 and 12 February 2015 (report ref:-HCPC25/15)

- 5.1 The Council considered the minutes of the 96th meeting of the Health and Care Professions Council.
- 5.2 With reference to minute 10.15/42 'Stakeholder perceptions and social media intelligence research report', the Council noted under paragraph 10.3, bullet 8, that Fitness to Practise was not a small part of the work of the HCPC but in fact only involved a small number of registrants. The Executive undertook to amend the minute accordingly.
- 5.3 The Council agreed the minutes, subject to the amendment detailed under paragraph 5.2.

Item 6.15/53 Matters Arising (report ref:-HCPC26/15)

- 6.1 The Council noted the matters arising from the meetings held on 11 and 12 February 2015.

Item 7.15/54 Chair's report (report ref:-HCPC27/15)

7.1 The Council received a report from the Chair.

7.2 During discussion, the following points were made:-

- The Chair was drafting a 'legacy' report which would include reflection on the work carried out on the international scene. However, in the meantime, a briefing would be arranged so that the Chair could explain in more detail the work carried out in Melbourne in early February;
- The feedback from the HCPC stakeholder event held on 12 February in relation to the research on 'Preventing small problems from becoming big problems in health and care: lessons from a UK regulator' had been very positive. The report was also presented at the 'Meet the HCPC' event in Leamington Spa and there was a good response from registrants;
- With reference to the recent GMC conference, the Council noted that the Chair had attended a workshop on revalidation and there seemed to be a strong sense that doctors had not been adequately trained in reflective practise and this regime appeared to be challenging for doctors across the whole age spectrum.

7.3 The Council noted the report.

Item 8.15/55 Chief Executive's report (report ref:-HCPC28/15)

8.1 The Council received a report from the Chief Executive.

8.2 During discussion, the following points were made:-

- The workplans were a good way of informing people about the work of the organisation. It was noted that in previous years, these had been presented as one document and Council may wish to revert to this format in future years;
- In response to a question about whether we engaged with OFSTED, the Council noted that we work with systems regulators, for example CQC, when we are required to engage regarding a particular issue.

8.3 The Council noted the report.

Items for discussion/approval

Strategy and Policy

Item 9.15/56 Independence in adjudication (report ref:-HCPC29/15)

- 9.1 The Council received a report from the Executive.
- 9.2 The Council noted that at their meeting on 25 September 2014, they endorsed the need for greater separation between the HCPC's investigative and adjudication functions and agreed that the option of establishing the Health and Care Professions Tribunal Service (HCPTS) should be pursued further.
- 9.3 This paper set out the proposed governance arrangements for the Health and Care Professions Tribunal Service and proposed operational arrangements.
- 9.4 During discussion, the following points were made:-
- Financial independence was also important so that good intent was not stifled by financial constraint;
 - The Council noted that this was the first step towards independence although much of the detail needed to be worked out;
 - There will be an operational framework agreement which will be used to manage the independence of the service;
 - That alternative methods to resolve dispute such as mediation and discontinuance will still be permitted under the HCPTS;
 - The HCPTS would have a separate workplan to the FtP department;
 - A Tribunal Advisory Committee (TAC) would be established **by** (not of) the Council and this Committee report to Council every 6 months;
 - Concern was expressed that the TAC may detract from Council's oversight role. In response the Council noted that the Director of Fitness to Practise would continue to report to Council;
 - The Council noted that a Chair would be appointed from the members of the TAC;
 - It was important that any learning from the Fitness to Practise process continues to shape the way in which we do things and so separation of function should not stop this important learning 'loop'.
- 9.5 The Council discussed and approved the paper.

Item 10.15/57 The costs of Fitness to Practise: A study of the Health and Care Professions Council (report ref:-HCPC30/15)

10.1 The Council received a report from the Chair.

10.2 The Council noted the research conducted by Dr Stuart Redding and Dr Catia Nicodemo at the Centre for Health Service Economics and Organisation. The research is aimed to generate descriptive statistics for different features of the HCPC's Fitness to Practise processes and to address some specific questions regarding the factors which impact on costs.

10.3 The Council noted the findings of the report, notably that the important factors that influence FtP costs are more about the case and the circumstances surrounding the case and less about the person. Furthermore, profession was not a clear predictor of cost.

10.4 During discussion, the following points were made:-

- The Council noted the intention to publish this as part of the wider research series. There would be a 'launch' event on 14 May and Dr Stuart Redding would present his research. The Chair welcomed any comments and feedback on the paper;
- With reference to page 12 (Table 1, Profession of the registrant), the suggestion was made that the normative practise would be to use the median figure (not the mean) and furthermore, to use less data and not use standard deviation with such a skewed deviation. It was suggested that only the 'N', 'Min' and 'Max' columns should be used;
- Concern was expressed that ODP's seemed to be the 'most expensive' profession in terms of FtP costs. In response, the Council noted that the cost is not determined by profession but by other factors such as source of complaint and location and it was hoped that this was explained sufficiently in the narrative of the paper;
- This research showed that there was no single causal relationship between the profession and the cost of FtP. It was noted that the PSA believed that the 'intensity' of the profession determines cost although this research did not support this view;
- There was a concern about the data used and whether an individual could be identified and in response, it was noted that appropriate data sets had been eliminated so no registrants could be identified;
- That this provided the evidence to support our position in terms of charging all registrants the same registration fee;
- There was some discussion about whether we highlight the findings within the report and it was agreed that the report should stay close to the data and not draw conclusions to avoid being provocative;

- It was agreed that the executive summary should be amended to refer to 'statistical information' rather than 'descriptive statistics' and that the dates over which the research was carried out should also be included in the Executive Summary;
- In response to a question about whether any of our processes would be redesigned as a result of this research, the Council noted that this would certainly feed into the work of the department;
- With reference to page 18, table 11, 'Operating department technician' needed to be changed to correctly reflect their title 'operating department practitioners';
- In response to a suggestion that 'fully-loaded' staff costs should be used within the report, the Council noted that this was arbitrary since this was a comparison across professions not across regulators and comparisons across regulators could not be made unless the same methodology was applied.

10.5 The Council discussed and approved the paper for publication subject to the amendments detailed under 10.4.

Item 11.15/58 Finance report (report ref:-HCPC31/15)

11.1 The Council received a paper from the Executive.

11.2 The Council noted the main activities of the Finance Department since the February 2015 meeting of Council.

11.3 During discussion, the following points were made:-

- The Finance Systems Upgrade Project (Sage and PRS) went live as planned;
- The public law tender was about to be signed and was the subject of a update paper in the private session;
- We were approaching year end and it was likely that we would make a small surplus for 2014/2015;
- We were starting 2015/16 in a good position;
- In response to a question, the Council noted that they were responsible for signing off the Chair's budget and for setting the daily attendance rate;
- The Council noted that there was a large variance in relation to the project budget. Projects budgets are set on a prudent basis at the scoping stage, including a 15% contingency. There were 15 major projects planned for

2014-15, of which 6 were the continuation of projects already started and 9 were new. The underspend was caused by a combination of reductions in scope, savings on initial cost estimates and slippage in timetables.

11.4 The Council discussed the paper and noted its contents.

Departmental Workplans

Item 12.15/59 Fitness to Practise workplan (report ref:-HCPC32/15)

- 12.1 The Council received a workplan for 2015-2016 for the Fitness to Practise department.
- 12.2 The Council noted the planned activities for 2015-2016 which related to process and policy development, service improvement, communication and information provision and resource management.
- 12.3 Following a brief discussion about how risks are calculated, it was agreed that the risk register would be considered at the next meeting of Council.
- 12.4 The Council agreed the Fitness to Practise workplan for 2015-2016.

Item 13.15/60 Operations workplan (report ref:-HCPC33/15)

- 13.1 The Council received a workplan for 2015-2016 for the Operations department.
- 13.2 The Council noted the planned activities for 2015-2016 for the four departments which come under the umbrella of 'operations', namely, project management, registration, facilities and business process improvement.
- 13.3 During discussion, the following points were made:-
- That whilst business continuity came within the operations directorate, the entire organisation was responsible for it;
 - In relation to paragraph 12.4.1. which outlines an objective to improve registration processes by requesting that all applicants from overseas attend the HCPC offices to verify their identity, the Council noted that we were still awaiting advice on whether we could implement this requirement;
- 13.4 The Council agreed the Operations workplan for 2015-2016.

Item 14.15/61 Education workplan (report ref:-HCPC34/15)

14.1 The Council received a workplan for 2015-2016 for the Education department.

14.2 The Council noted the planned activities for 2015-2016 which related to regulatory operations, policy and process development, service improvement service support, communications, work on systems, quality compliance and assurance and participation in major projects.

14.3 During discussion, the following points were made:-

- The department will look at evaluating the process for approval of social work programmes to see if there any learning points;
- The department are going to do some communications work in relation to major changes made to programmes in order to highlight the need for education providers to report appropriately.

14.4 The Council agreed the Education workplan for 2015-2016.

Item 15.15/62 Information Technology workplan (report ref:-HCPC35/15)

15.1 The Council received a workplan for 2015-2016 for the Information Technology department.

15.2 The Council noted the planned activities for 2015-2016 which are aligned to the IT objectives.

15.3 In response to a question about the migration from Lotus notes to Microsoft outlook, the Council noted that this was scheduled to take place over a weekend at the end of May. Given that the majority of employees are more familiar with Microsoft outlook, disruption would be minimised. There was a communication and training plan in place.

15.4 The Council agreed the Information Technology workplan for 2015-2016.

Item 16.15/63 Communications workplan (report ref:-HCPC36/15)

16.1 The Council received a workplan for 2015-2016 for the Communications department.

16.2 The Council noted the planned activities for 2015-2016 which related to general communication themes and issues for the coming year, delivering communications projects and events, providing expertise to HCPC departments, and ongoing communications work.

16.3 During discussion, the following points were made:-

- It was pleasing to see the work in relation to internal communications since this would always be a challenge as the organisation increases in size;
- It was important for employees to understand the role of Council.

16.4 The Council agreed the Communications workplan for 2015-2016.

Item 17.15/64 Finance workplan (report ref:-HCPC37/15)

17.1 The Council received a workplan for 2015-2016 for the Finance department.

17.2 The Council noted the planned activities for 2015-2016 which included the ongoing operational processes, implementing the upgraded finance systems, the introduction of a new travel management contract and delivering the PCI DSS project.

17.3 In response to a question, the Council noted that no formal benefits realisation process was carried out. However, in line with the Prince 2 methodology, a 'lessons learnt' review is carried out to ensure that the outcomes match the planned benefits. This exercise also includes an assessment of the project execution.

17.4 The Council agreed the Finance workplan for 2015-2016.

Item 18.15/65 Policy and Standards workplan (report ref:-HCPC38/15)

18.1 The Council received a workplan for 2015-2016 for the Policy and Standards department.

18.2 The Council noted the planned activities for 2015-2016 which related to developing and maintaining the existing business, external policy changes and ongoing activities.

18.3 During the course of discussion, the Council were provided with an update on the regulation of public health specialists. They noted that the legislation was laid in Parliament. However, it had to be withdrawn so that minor amendments could be made. This delay was not expected to affect the date by which the Register was going to open. However, this legislation would need to be approved by the incoming government who may not wish to support the proposal.

18.4 In response to a question about the research series on continuing fitness to practise, the Council noted that an update would be provided to the next meeting of Council.

18.5 The Council agreed the Policy and Standards workplan for 2015-2016.

Item 19.15/66 Human Resources workplan (report ref:-HCPC39/15)

- 19.1 The Council received a workplan for 2015-2016 for the Human Resources department.
- 19.2 The Council noted the planned activities for 2015-2016 which were aligned to the HR objectives for the year.
- 19.3 In response to a question, the Council noted that partners could only serve an eight year term. Therefore, any new partners would bring with them the profession-specific knowledge and the organisational knowledge could be gained through appropriate training.
- 19.4 The Council agreed the Human Resources workplan for 2015-2016.

Item 20.15/67 Secretariat workplan (report ref:-HCPC40/15)

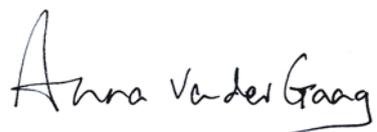
- 20.1 The Council received a workplan for 2015-2016 for the Secretariat department.
- 20.2 The Council noted the planned activities for 2015-2016 which included the recruitment of the Chair of Council and any associated recruitment, a review of the member appraisal system which could then feed into the reappointments process and an organisation-wide review of the implementation of the Data Protection and Freedom of Information Acts.
- 20.3 The Council agreed the Secretariat workplan for 2015-2016.

Item 21.15/68 Chief Executive's Summary of key issues

- 21.1 The Chief Executive emphasised the need for agility with any of these workplans so that priorities could be changed should the landscape require it. He welcomed feedback on the presentation, for example, if they would prefer to have sight of one complete 'pack' of workplans.

Item 22.15/69 Any other business

- 22.1 There were no additional items for consideration.

Chair: 

Date: 13 May 2015