

Council

Minutes of the 98th meeting of the Health and Care Professions Council as follows:-

Date: Wednesday 13 May 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
Eileen Mullan
Joanna Mussen
Robert Templeton
Joy Tweed
Nicola Wood
Stephen Wordsworth
Richard Kennett

In attendance:

Georgia Akuffo-Kumih, HR Business Partner
John Barwick, Acting Director of Fitness to Practise
Edward Foster, Stakeholder Communications Officer
Guy Gaskins, Director of Information Technology
Andy Gillies, Director of Finance
Abigail Gorringe, Director of Education
Michael Guthrie, Director of Policy and Standards
Richard Houghton, Head of Registration (Item 1 only)
Hayley Jarvis, Media and PR Officer
Jonathan Jones, Stakeholder Communications Manager
Jacqueline Ladds, Director of Communications
Louise Lake, Director of Council and Committee Services
Jamie Phung, Apprentice Registration Advisor (Item 1 only)
Greg Ross-Sampson, Director of Operations
Marc Seale, Chief Executive and Registrar

Public Agenda – Part 1

Item 1.15/90 Chair's welcome and introduction

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 98th meeting of Council.
- 1.2. On behalf of the Council, the Chair congratulated Jamie Phung, Apprentice Registration Advisor, for achieving his NVQ level 3 earlier than anticipated and which was carried out alongside working at the HCPC.

Item 2.15/91 Apologies for absence

- 2.1 Apologies for absence were received from Graham Towl.

Item 3.15/92 Approval of Agenda

- 3.1 The Council approved the agenda.

Item 4.15/93 Declaration of Members' interests

- 4.1 There were no interests declared.

Item 5.15/94 Minutes of the Council meeting of 25 and 26 March 2015 (report ref:-HCPC54/15)

- 5.1 The Council considered the minutes of the 97th meeting of the Health and Care Professions Council.
- 5.2 The Council noted that a request for some information in relation to equality and diversity activity within the registrations department had been made and would be submitted to a future Council meeting. The Director of Council and Committee Services undertook to amend the minutes accordingly.
- 5.3 Further to minute 16.1, bullet three of the minutes of 26 March 2015: "Concern was expressed that Council is being asked to approve the work plans rather than to have regard to them in agreeing the related papers such as the annual budget and registrant forecast figures", it was agreed that this should be raised as part of a wider discussion on governance at the October away day.
- 5.4 The Council agreed the minutes, subject to the amendment detailed under 5.2.

Item 6.15/95 Matters Arising (report ref:-HCPC55/15)

6.1 The Council noted the matters arising from the meetings held on 25 and 26 March.

Item 7.15/96 Chair's report (report ref:-HCPC56/15)

7.1 The Council received a report from the Chair.

7.2 During discussion, the following points were made:-

- In relation to the meeting with the Commission on Education and Training for Patient Safety (CETPS), the Council noted that this group are looking at ways that education and training needs to change in order to raise awareness of patient safety. The group was comprised of mainly
- medical and nursing representatives. There was no representation from social work. The focus of the group currently was on finding ways of promoting 'human factors' i.e. professionalism in our context. The group had commissioned a literature review and were planning to produce a report and recommendations later this year
- In response to a question about whether there was ever any consideration of the 'airline industry model', the Council noted that there continued to be strong influence from this sector, led by Sir Liam Donaldson (former chief Medical Officer) who, amongst others, continues to drive this agenda. However, it was also noted that there were limits to its applicability in relation to health and social care particularly in terms of interpersonal and behavioural factors which impact on the delivery of care
- The Council noted that the meetings with Mike Durkin, Director of Patient safety at NHS England and Jennifer Dixon, CE of the Health Foundation, were in relation to our new research on 'preventing small problems becoming bigger problems';
- The meeting with the General Teaching Council for Scotland was at their request; they wished to observe a Fitness to Practise Hearing and understand more about our approach to independence in adjudication and the evolution of the HCPC including its governance;
- In relation to the recruitment of the Chair, the Council noted that a submission had been made to the PSA on 30 April at the same time as the recommendation of the Panel to the Privy Council;
- In response to a question about the impact of the General Election on HCPC, the Council noted that the direction of travel would be made clear after the Queen's Speech due to take place at the end of May.

7.3 The Council noted the report.

Item 8.15/97 Chief Executive's report (report ref:-HCPC57/15)

8.1 The Council received a report from the Chief Executive.

8.2 During discussion, the following points were made:-

- The process for finalising the PSA performance review had changed and now the Chair and Chief Executive meet with the Chief Executive of the PSA once the report has been drafted and finalised. This meeting was due to take place on the 19 May;
- The second stage audit for ISO27001 certification was due to take place 20-22 May;
- The Executive Management Team were due to meet with officials from the Department of Health on Monday 19 May. However, government policy was not likely to be known until after the Queen's Speech had taken place at the end of May.

8.3 The Council noted the report.

Items for discussion/approval

Departmental Reports

Item 9.15/98 Fitness to Practise report (report ref:-HCPC58/15)

9.1 The Council received a report from the Executive.

9.2 The Council noted the main activities of the Fitness to Practise department. The report includes statistical information relating to case management and adjudication activity in March 2015 as well as length of time analysis.

9.3 During discussion, the following points were made:-

- The length of time for cases to be heard was stable. However, this situation could quickly change and so work needed to be done around signposting since a number of queries received are not in fact fitness to practise queries. More information needs to be provided on the website about what constitutes an FtP query and where complainants need to direct their concerns if they don't relate to FtP;
- A case advancement team was in place to deal with more complex cases;

- There was an article in the 'Times' in which a senior judge was urging the use of mediation to resolve disputes in health care contexts
- In relation to mediation, the Council noted that this work was ongoing. However, the numbers of cases where mediation would be an appropriate mechanism to resolve a dispute had not been as high as anticipated. However, the evidence suggests that once a case has been pursued through the mediation route, there is a high success rate;
- The Fitness to Practise department were currently running a pilot 'experience' study which involved sending out feedback forms to registrants and complainants following an Investigating Committee Panel or final hearing decision. It was planned to evaluate the pilot shortly which could in turn lead to sending out feedback forms on a continual basis.

9.4 The Council discussed the paper and noted the contents.

Item 10.15/99 Policy and Standards report (report ref:-HCPC59/15)

10.1 The Council received a report from the executive

10.2 The Council noted the main activities of the Policy and Standards department.

10.3 During discussion, the following points were made:-

- Any decision on the Public Health Specialists would need to be made by the new government;
- Work was ongoing in relation to the Standards of Education and Training (SET) Review and Council would be asked to consider the Terms of Reference for the Professional Liaison Group at their meeting in June;
- The HCPC would be responsible for managing any change to SET 1 for paramedics, but, particularly given the normative nature of the standard, changes in the level of paramedic education and training would be driven by commissioners, service providers and education providers;
- That it was too early to say how proposals to replace the Human Rights Act with a Bill of Rights would impact on the work of the HCPC, if at all;
- That the decision whether to proceed with the regulation of herbal practitioners would be a decision of the new government.

10.4 The Council discussed the paper and noted the contents.

Item 11.15/100 Operations report (report ref:-HCPC60/15)

11.1 The Council received a paper from the Executive.

11.2 The Council noted the main activities of the Operations department.

11.3 During discussion, the following points were made:-

- The contract for 405 Kennington Road was signed on 5 May 2015;
- In response to a question about how many registration appeals are unsuccessful and how many registrants do not pass their CPD audit, the Council noted that consideration would be given to reporting on registration appeals should the function move across to the Registration department which was subject for consideration later in the agenda. In relation to CPD audits, the Council noted that this figure was provided through the CPD audit reports
- It was noted that the statistics set out on pages 6-8 needed highlighting and the Director undertook to look at how this could be done taking into consideration certain sensitivities.

11.4 The Council discussed the paper and noted the contents.

Item 12.15/101 Secretariat report (report ref:-HCPC61/15)

12.1 The Council received a paper from the Executive.

12.2 The Council noted the main activities of the Secretariat department.

12.3 During discussion, the following points were made:-

- The Council noted the training options provided to members and those that required prior approval, the criteria for which had been previously agreed by Council. A concern was expressed that the criteria was not always applied consistently and so the suggestion was made that this be considered at the October away day;
- The Council noted that a skills matrix was used in the appointment of Council members to ensure breadth of skills.

12.4 The Council discussed the paper and noted the contents.

Item 13.15/102 Education report (report ref:-HCPC62/15)

13.1 The Council received a paper from the Executive.

13.2 The Council noted the main activities of the Education Department in February, March and April 2015. The update included statistical information and highlighted key work undertaken.

13.3 During discussion, the following points were made:-

- The Council noted that a number of paramedic programmes appeared under pressure to increase the size and frequency of their cohorts to address workforce planning demands and consequently were proposing major changes and new pathways with minimal notice. As a result, this had increased the number of conditions placed against these programmes and recommendations for revisits;
- Concern was expressed that whilst programme providers may be looking to increase the size of cohorts, the resources were not in place to support this;
- A parallel was drawn between what had happened with social workers and what was currently happening with paramedics and concern was expressed that responses to a shortage of professionals over a long period can sometimes switch the focus from quality to quantity;
- The Council noted that the onus was on the education provider to inform HCPC if they wished to increase their cohort and this would be done through the major change process;
- There was a different approach to paramedic training in different parts of England with the Health Education England commissioning some training and ambulance trusts commissioning other training;
- We were due to conclude the social work programme approval process and then a review would be carried out alongside a separate review of the Standards of Proficiency.

13.4 The Council discussed the paper and noted the contents.

Item 14.15/103 Information Technology report (report ref:-HCPC63/15)

14.1 The Council received a paper from the Executive.

14.2 The Council noted the main activities of the information Technology department.

14.3 During discussion, the following points were made:-

- In response to a question about whether a benefits realisation review was carried out after projects concluded, the Council noted that 'lessons learnt' reviews were carried out but it was down to individual

departments and project leads to realise the benefits and match those against the business cases;

- There was some discussion about how the network would be extended to provide coverage for 405 Kennington Road and the Council noted that there would not be a physical cable joining properties.

14.4 The Council discussed the paper and noted the contents.

Item 15.15/104 Communications report (report ref:-HCPC64/15)

15.1 The Council received a paper from the Communications department.

15.2 The Council noted the main activities of the Communications Department since the last meeting of Council. It included statistical information and highlighted key work undertaken across the range of communication channels.

15.3 During discussion, the following points were made:-

- In response to a question about whether our communications are reactionary or proactive, the Council noted that generally we took a proactive approach with the exception of Fitness to Practise case queries where we took a reactive stance;
- In relation to the attendance at events by professions statistics detailed on page 10, the Council noted that these figures were as expected. However, the Communications team would continue to consider whether there were any professions that needed reaching out to;
- Feedback from recent events in Leamington Spa and Edinburgh had been very positive. Feedback would continue to be used to inform future events;
- Following discussion at the previous Council meeting in relation to signposting on the website, the Council noted that a new version of the site was about to be deployed.

15.4 The Council discussed the paper and noted the contents.

Item 16.15/105 Finance report (report ref:-HCPC65/15)

16.1 The Council received a paper from the Executive.

16.2 The Council noted the main activities of the Finance Department since the March 2015 meeting of Council. It included statistical information and highlighted key work undertaken.

16.3 During discussion, the following points were made:-

- The contract with Bircham Dyson Bell had now been signed;
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- A new Finance Business Partner would be starting in the Department in July. The role includes producing the monthly management accounts and supporting budget holders with financial analysis;
- The Council noted a 2014-2015 operating surplus of £331k subject to audit. The upward property revaluation was based on indexation and is subject to review by a professional surveyor;
- The cash balance at 31 March 2015 was £18M against a forecast figure of £14M. This was because the £18M actual balance included £3.9M of direct debit collections which were initiated before the year end, but the forecast had assumed that those receipts would be collected in April.;
- Concern was expressed in relation to a surplus being made for the financial year 2014-2015 against a backdrop of a fee rise. In response, the Council noted that even with a fee rise, there was a projected deficit in both 2015-2016 and 2016-2017 because the cost base was increasing.

16.4 The Council discussed the paper and noted the contents.

Item 17.15/106 Human Resources report (report ref:-HCPC66/15)

17.1 The Council received a paper from the Executive.

17.2 The Council noted the main activities of the Human Resources department.

17.3 The Council noted that it was pleasing to see a high number of partner applications both in terms of the popularity of working with HCPC and also in respect of the HCPC having a large pool from which to select good quality candidates

17.4 The Council discussed and approved the paper.

Item 18.15/107 Chief Executive's Summary of key issues

18.1 The Chief Executive noted that it does not take long for the number of Fitness to Practise cases per case manager to increase which, in turn, leads to an increase in the length of time for cases to be heard. However, the Executive were continually monitoring cases per case manager and other indicators and taking corrective action where necessary.

Items to Note

The Council noted the following reports:-

**Item 19.15/108 Report on regulation of herbal medicines and practitioners
(report ref:-HCPC67/15)**

**Item 20.15/109 Reports from Council representatives at external meetings
(report ref:-HCPC68/15)**

**Item 21.15/110 Minutes of the Education and Training Committee meeting held
on Thursday 5 March 2015 (report ref:-HCPC69/15)**

Item 22.15/111 Any other business

22.1 There were no additional items for consideration.

Chair: ...  .

Date: ...29.06.2015.....