

Council

Minutes of the 105th meeting of the Health and Care Professions Council as follows:-

Date: Thursday 19 May 2016

Time: 2pm

Venue: The Council Chamber, Health and Care Professions Council, Park House,
184 Kennington Park Road, London SE11 4BU

Present: Elaine Buckley (Chair)
Maureen Drake
Richard Kennett
Eileen Mullan
Joanna Mussen
Robert Templeton
Graham Towl
Joy Tweed
Nicola Wood
Stephen Wordsworth

In attendance:

Claire Amor, Information Governance Manager
Jonathan Bracken, Solicitor 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 HR
Kelly Holder, Director of Fitness to Practise, Secretary to Council
Jacqueline Ladds, Director of Communications
Greg Ross-Sampson, Director of Operations
Marc Seale, Chief Executive and Registrar

Public Agenda – Part 1

Item 1.16/47 Chair's welcome and introduction

- 1.1. The Chair welcomed Council members and those seated in the public gallery to the 105th meeting of Council.

Item 2.16/48 Apologies for absence

- 2.1 Stephen Cohen sent his apologies.

Item 3.16/49 Approval of Agenda

- 3.1 The Council approved the agenda.

Item 4.16/50 Declaration of Members' interests

- 4.1 Nicola Wood declared an interest as a non-executive Director of the Board of the Information Commissioner's Office.

Item 5.16/51 Minutes of the Council meeting of 22 and 23 March 2016

- 5.1 The Council considered the minutes of the 104th meeting of the Health and Care Professions Council.
- 5.2 The Council agreed the minutes.

Item 6.16/52 Matters arising

- 6.1 The Council noted those matters arising from the meetings held on 22 and 23 March 2016.
- 6.2 The Council noted the report.

Item 7.16/53 Chair's report

- 7.1 The Council received a report from the Chair.
- 7.2 During discussion, the following points were made:-
 - the Chair and Chief Executive met the new Chair of the PSA on 31 March. A productive discussion was held and a guided tour of the new tribunal suites was provided;

- on 6 April the Chair met with the Higher Education Academy to discuss the HCPC's approach to CPD and potential collaboration and joint events;
- the Chair will be a panel member at a forthcoming conference held by the Institute of Physics and Engineering in Medicine;
- discussion at a recent meeting with the Health Education England focused on the implications of the recently published consultation paper: Reforming healthcare education funding: creating a sustainable future workforce; and
- in response to a question it was noted that the rescheduled meeting with the new IBMS president was positive and discussion focused on CPD and the new SCPE standards.

7.3 The Council discussed a recent research appointment for the project 'understanding the prevalence of fitness to practise concerns about paramedics and social workers in England'. The Chair and a fellow Council member sat on the Panel for this selection along with an independent member and Executive team members. It was noted that a research team from the University of Surrey was appointed, this team is led by Dr Anna van der Gaag.

7.3 The Council welcomed the new format of the report and agreed that the Chief Executive's report should be similarly structured.

7.4 The Council noted the report.

Item 8.16/54 Chief Executive's report

8.1 The Council received a report from the Chief Executive.

8.2 During discussion, the following points were made:-

- the all employee awayday was well received. Joy Tweed noted how positive the nominations for employee of the year had been;
- the Chief Executive provided a presentation on the regulation of new groups at a roundtable event about the regulation of physician associates on 3 May;
- the Chief Executive appeared before a hearing of the Education Select Committee Social Work Reform Inquiry on 20 April. There was a general consensus amongst those responding that a period of stability is needed for the social work profession. Unfortunately questions about the regulation of social workers were limited but the HCPC were able to provide a written submission to the Committee before the hearing; and

- whilst proposals for a new regulatory body for social work were included in the Queen's speech on 18 May, details have not been provided.

8.3 The Council noted the report.

Item 9. 16/55 New Regulatory body for social work

9.1 The Council received a report from the Executive.

9.2 The Council were updated on developments following the announcement on 14 January 2016 by Rt. Hon. Nicky Morgan MP, Secretary of State for Education that a "new regulatory body for social work" would be setup.

9.3 During discussion, the following points were made:-

- the last meeting with government on this topic took place on 21 March 2016. Presentations were given on the HCPC's regulatory model and the fitness to practise process. Government cancelled a planned meeting on 25 April due to having no new information to share. The next scheduled meeting is on 20 June;
- the HCPC has been asked for data including cost data, for example the likely costs of establishing a new regulator and fitness to practise data;
- proposals for a new regulatory body for social workers were included in the Queen's speech on 18 May, however no detail was provided on the model or timescales;
- future meetings with government on this issue will be minuted as the HCPC requires clarity;
- the HCPC will be open and assist government with any proposals brought forward, however the HCPC has a commitment to its other 15 professions and so will be focused on maintaining its own standards;
- the HCPC does not have the spare resource to dedicate to a transfer project and registrants should not be asked to cover the cost of government policy;
- the Audit Committee would consider the wording of the annual report statement on going concern; and
- the Education Select Committee plans to publish the final report of its inquiry into social work reform in June 2016.

- 9.4 The Council expressed regret that social workers had not been consulted on proposed changes to the profession.
- 9.5 The Council agreed that in light of the proposals being included in the Queen's speech, the HCPC needed to be proactive in defending its reputation as an effective regulator.
- 9.6 The HCPC's response was discussed. It was agreed that the HCPC would issue a response when the report of the Education Select Committee inquiry was published.
- 9.7 The Council noted the contents of the report.

Item 10. 16/56 The future of regulation - Update on 10 May 2016 meeting with Department of Health, Update on Queens Speech 18 May 2016

- 10.1 The Council received a verbal update from the Chief Executive on recent developments to work on the Law Commissions review.
- 10.2 The Council noted that work on the Law Commissions review is progressing with an expected pre consultation meeting in July. The Health Minister is considering cost and efficiency in health regulation and a health regulation bill is expected in 2018.
- 10.3 The Council discussed section 60 orders. It was agreed that the HCPC should continue to pursue such an order to allow for undertakings similar to the section 60 orders obtained by other health profession regulators.

Item 11.i. 16/57 Policy and Standards report

- 11i.1 The Council received a report from the Executive.
- 11i.2 The Council noted the main activities of the Policy and Standards department.
- 11i.3 During the discussion the following points were made:-
- Edward Tynan and Laura Coveney, Policy Officers, have both left the HCPC for new roles elsewhere. Recruitment for replacement roles is underway;
 - as part of developing guidance on social media use, a new approach is being trialled using an online discussion forum to gather registrant feedback, so far over 200 registrants have participated. Draft guidance for public consultation will be brought to the Education and Training Committee and the Council at their meetings in September 2016; and

- a joint stakeholder roundtable meeting with the GMC took place on 3 May to discuss the issues around the possible regulation of physician associates. The HCPC provided a presentation on the regulation of new groups. There was a consensus that there is a case for regulation of this group but no preference on which regulator was most appropriate was voiced.

11i.4 The Council noted the contents of the report.

Item 11.ii. 16/58 Policy statement on regulation

11ii.1 The Council received a report from the Executive.

11ii.2 The Council noted that at its meeting on 10 February 2016, the Council agreed that a policy statement setting out the HCPC's position on the regulation of new professions should be produced.

11ii.3 The Council agreed that paragraph 3.6 should be amended to clarify that the aspirant groups / new professions process is closed and the HCPC will not continue to gather evidence.

11ii.4 The Council agreed that paragraph 4.6 should be amended to clarify that the HCPC does not intend to proactively lobby for the regulation of new groups.

11ii.5 The Council approved the policy statement on extending professional regulation subject to the amendments outlined in paragraphs 11ii.3 and 11ii.4.

Item 11.iii. 16/59 Continuing Fitness to Practise

11iii.1 The Council received a report from the Executive.

11iii.2 The Council noted that the paper summarises the background and context of the HCPC's existing model, previous and ongoing research work in this area and the approaches of other regulators.

11iii.3 During the discussion the following points were made:-

- the Newcastle study is due to report to the Department of Health in May 2016 and a paper presenting their findings will be presented to the Council at a future meeting. The outcomes of this work might potentially influence decisions in this area;
- recent market research on stakeholder perceptions and experiences indicated that most stakeholders are content with our existing approach to CPD;

- the Executive considers that the outcomes of research activities in this area do not immediately suggest the need for any significant changes to the HCPC's existing approach; and
- the NMC and GMC both require service user feedback in their system. The Council agreed that any future review of the HCPC's approach should include a consideration of this requirement. Any review should also aim to form stronger links to the SCPE.

11iii.4 The Council agreed with the Executive recommendation that amendments to the CPD guidance taking into account the findings of the perceptions and experiences study should be progressed. These amendments might usefully draw registrants' attention to the value of third party feedback and interactive activities such as peer review.

11iii.5 The Council agreed that commissioning analysis to inform a review of the HCPC's approach to auditing of CPD would not be beneficial at this stage and should not go ahead.

11iii.6 The Council noted the paper and agreed to progress amendments to the CPD guidance.

Item 11.iv. 16/60 Professionalism Research

11iv.1 The Council received a report from the Executive.

11iv.2 The Council noted that In 2010, Durham University were commissioned to undertake two studies looking at professionalism, the first of which concluded in 2011. The second study was a quantitative study which aimed to develop and pilot a tool to measure professionalism.

11iv.3 The Council noted that the research team were focused on the academic robustness of the tool rather than its usefulness in regulation. The Council agreed that the tool had most value in an education setting and that it should be published online with some targeted promotion.

11iv.4 The Council noted the report.

Item 11.v. 16/61 AHPRA/HCPC Exchanges

11v.1 The Council received a report from the Executive

11v.2 The Council noted that, in September 2014, the Australia Health Practitioner Regulation Agency (AHPRA) and the HCPC began a pilot exchange programme between the two organisations.

11v.3 During the discussion the following points were made:-

- employees in both organisations have participated in exchange visits;
- the overall objective of the exchanges was to assist in facilitating the sharing of information and expertise between the two organisations in order to learn from each other; and
- the HCPC has developed good working relationships with a number of other international regulators and will continue to build on these.

11v.4 The Council noted the proposal for a shorter period of exchange. The Council agreed with the Executive preference to include more employees in the programme across different bands and departments for a shorter individual time.

11v.5 The Council noted the report.

Item 11.vi. 16/62 Research 2012-2016

11vi.1 The Council noted this item.

Item 12. 16/63 Communications report

12.1 The Council received a report from the Executive.

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

12.3 During the discussion the following points were made:-

- the February edition of HCPC In Focus, which focused on the revised SCPE, was for the first time sent to all registrants that had indicated they were happy to receive communications on their registration. This increased the newsletter's circulation from 24,504 to 243,926;
- the Department has been busy promoting the new SCPE, this activity has included two tweetchats, a blog piece and a launch event with over 200 delegates which was also streamed online. The overall event was rated as excellent or good by 92% of delegates;
- the Department has represented the HCPC at several recent conferences including Naidex;
- preparation for the Chief Executive's oral evidence session with the Education Select Committee was a significant focus of activity during the period as well as several written parliamentary questions on social work reform; and
- the all employee event was well received and formal feedback is currently being requested.

- 12.4 The Council noted that following the Chief Executive's appearance at the Education Select Committee Social Work Reform Inquiry, Communications has worked with the News Editor at Community Care to amend two articles that appeared on their website.
- 12.5 In response to a question it was noted that the relationship with Community Care is currently positive, though previously the HCPC had received unfavorable coverage. The HCPC has proactively provided the magazine with content and worked with them to improve the relationship.
- 12.6 The Council thanked the Media and PR team for a very informative pre meeting briefing session.
- 12.7 The Council noted the contents of the report.

Item 13. 16/64 Education report

- 13.1 The Council received a report from the Executive.
- 13.2 The Council noted the main activities of the Education department.
- 13.3 The Council noted that the Department is currently at the peak of its annual operations work. The Department are continuing to receive a significantly higher number of major change notifications compared to the last academic year. This is in part due to the department being proactive in promoting this process and also the entrance of social worker and approved mental health practitioner programmes into the process.
- 13.4 The Council discussed the coming changes to education commissioning models. It was noted that resource within the department can be redeployed to respond to changing demands.
- 13.5 The Council noted the contents of the report.

Item 14. 16/65 Information and Technology report

- 14.1 The Council received a report from the Executive.
- 14.2 The Council noted the main activities of the Information and Technology department.
- 14.3 During the discussion the following points were made:-
- the secure telephone infrastructure was successfully moved to a new supplier in February, the new platform is more resilient;
 - there were outages on the NetRegulate system in March. This is due to the age of the system and the increasing size of the HCPC

register. The system was switched to run from the disaster recovery environment while the issue was investigated and addressed;

- in response to a question it was noted that the HCPC does block some websites and that a third party classifies sites as belonging to blocked categories. Inappropriate IT use is covered in the IT policy which is linked to the HR disciplinary process; and
- the IT team recently attended customer experience training with the same provider used by the Registrations team. This was well received.

14.4 The Council noted the contents of the report.

Item 15. 16/66 Operations report

15.1 The Council received a report from the Executive.

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

15.3 During the discussion the following points were made:-

- the email address for international applications was made more prominent on the HCPC website, this has led to a large increase in email volumes. International application emails are usually more complicated to resolve so this has an impact on resource. However this increase in contact in the early stages may reduce complications further down the application process;
- the Education project has declined since the last reporting period due to a dependency on a Net Regulate release which has been delayed; and
- the HCPC passed its ISO 9001 (Quality Management), ISO10002 (Complaints Management) and ISO27001 (Information Security) audits in March and April.

15.4 The Council noted the contents of the report.

Item 16. 16/67 Any other business

16.1 There were no additional items for consideration.

Item 17. 16/68 Resolution

The Council is invited to adopt the following:

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

Item	Reason for Exclusion
18	b

- (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 18.16/69 Minutes of the private Council meeting of 22 and 23 March 2016

- 18.1 The Council considered and approved the minutes of the private section of the 104th meeting of the Health and Care Professions Council.

Chair: Elaine Buckley

Date: 06.07.2016