

THE HEALTH PROFESSIONS COUNCIL

Chief Executive and Registrar: Mr Marc Seale

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MINUTES of the sixteenth meeting of the Investigating Committee held at **11:00a.m. on Monday 23rd January 2006** at Park House, 184 Kennington Park Road, London, SE11 4BU.

Miss M MacKellar (Chairman)
 Dr N Callaghan
 Mr R Clegg
 Mrs D Haggerty
 Mr W Munro
 Professor D Waller

IN ATTENDANCE:

Mr J Bracken, Parliamentary Agent, Bircham Dyson Bell
 Professor N Brook, President
 Ms S Butcher, Secretary to Committees
 Miss K Johnson, Director, Fitness to Practise
 Ms L McKell, Partners Manager
 Mr M Seale, Chief Executive and Registrar

Item 1.06/01 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from the following Committee members; Mrs S Chaudhry, Ms C Farrell and Mr S Taylor.

Item 2.06/02 APPROVAL OF AGENDA

- 2.1 The Investigating Committee approved the agenda.

Item 3.06/03 NOTES OF THE INVESTIGATING COMMITTEE MEETING HELD ON FRIDAY 11TH NOVEMBER 2005

- 3.1 It was agreed that the notes of the fifteenth meeting of the Investigating Committee be confirmed as a true record and signed by the Chairman.

Item 4.06/04 MINUTES OF THE INVESTIGATING COMMITTEE MEETING HELD ON TUESDAY 6TH DECEMBER 2006

- 4.1 It was agreed that the minutes of the sixteenth meeting of the Investigating Committee be confirmed as a true record and signed by the Chairman.

Item 5.06/05 MATTERS ARISING

- 5.1 Item 5.2 – Matters Arising – Council/Committee members attending Panel Member Training Days

The Committee noted that the Director of Fitness to Practise would forward the dates of forthcoming panel member training days via e-mail to all Investigating Committee members. The Committee noted that they may also attend one or two fitness to practise hearings when in public session which they may find useful. Dates of forthcoming cases could be found on the HPC website.

Action: KJ

Item 6.06/06 CHAIRMAN'S REPORT

- 6.1 The Chairman reported that a meeting had been scheduled between the Chairmen and Deputy-Chairmen of the Fitness to Practise Committees on Friday 3rd March 2006.

Item 7.06/07 DIRECTOR OF FITNESS TO PRACTISE REPORT

- 7.1 The Director of Fitness to Practise reported that the current case to answer referral rate was high at 56%. The Committee noted that one case had been handed down from the High Court and was now in the remit of a Conduct and Competence panel. The Conduct and Competence Committee were to review the information relating to this case and discuss any potential policy issues which may arise at its forthcoming meeting.

- 7.3 The Committee noted that an additional Hearing Officer and Case Manager would be appointed to the fitness to practise department following the departure of Mr M Guthrie to the Policy department and the growth of its work as whole.

Item 8.06/08 STRATEGIC INTENT

- 8.1 The Investigating Committee received a paper from the Chief Executive for discussion/approval.
- 8.2 The Committee noted that the Chief Executive was presenting the strategic intent document to both the statutory and non-statutory committees for

their review and input. It was the third strategic intent document which the HPC had produced and was in the public domain. Its purpose was to explain and illustrate HPC's work in progress both in the short and long term.

- 8.3 The Committee agreed to review section 6 'Issues to Resolve' as it was of the most relevance and the Chief Executive gave an appraisal of the key themes. The Committee noted that the final report from the Foster and Donaldson review was now to be released in June 2006. The report would recommend fundamental changes, and were to be slowly implemented over an 18 month – 2 year time span.
- 8.4 The Equality and Diversity scheme was a large scale long term project to be implemented over the next five years. The schemes basic plans and objectives would go to Council's next meeting in March 2006 for their approval.
- 8.5 The grandparenting process had been flagged for review with the recommendation to replace the current distributed system of assessment with a more centralised process.
- 8.6 In addition to the ISO process HPC was now looking to seek accreditation in 'Investors in People'. The Committee discussed the pros and cons of seeking such accreditation, whilst acknowledging that it provided recognition of good practice it was perceived as an often costly process monetarily and the benefit it would afford for HPC registrants was perceived as minimal. The Chief Executive reported that it was a project which had only recently been initiated and asked Committee members to forward any comments to the Human Resources Manager. The Committee were in agreement that if this was to be incorporated into the HPC's strategic intent more information was required for Council's review.
- 8.7 The Committee noted there was a drive to establish common platforms in educational qualifications as achieved by health professionals across Europe. The establishment of commonly recognised qualifications across the health professions was of high interest to all professional bodies but was perceived as a complex task to implement satisfactorily.
- 8.8 The Committee noted that the number of fitness to practise hearings continued to increase and HPC needed to look at ways to effectively manage this growth.
- 8.9 The Committee noted that one of HPC's intents was to consider whether students should be added to a form of register before they joined the HPC register. By doing so a students standards of conduct, performance and ethics could be monitored.

- 8.10 The Chief Executive reported that the organisation had grown extensively over the last four years and anticipated as much growth to occur over the next four years. The Committee noted that a revised draft of the strategic intent would be presented to Council at its next meeting in March 2006.
- 8.11 The Committee considered the strategic intent document.

Item 9.06/09 HPC PERFORMANCE APPRAISAL SYSTEM FOR PANEL MEMBERS AND PANEL CHAIRMEN

- 9.1 The Investigating Committee received a paper from the Partners Manager for discussion/approval.
- 9.2 The Committee noted that the appraisal system for panel members and panel Chairmen had now been reviewed by the Health, Education and Training and Registration Committees and all feedback received would be incorporated before approval was sought by Council at its next meeting in March 2006. The appraisal forms had also been reviewed by HPC's public affairs Solicitor and Kingsley Napley HPC's Human Resources Solicitors. The appraisal forms were piloted by Registration and Visitor Assessors and positive feedback received. The Committee agreed that the appraisal forms were a good way in which to quantify standards and provided an opportunity to clarify procedures, it was also hoped to encourage more open communication between peers.
- 9.3 The Committee noted that panel members and panel Chairmen were only to be assessed when in public session. If an assessor was present when the panel were in private session they may unduly influence the outcome of the case and was in contravention of Article 6 of the Human Rights Act.
- 9.4 The Committee debated the appropriateness of discussing poor performance over the telephone with a panel member and or panel Chairman and agreed that this sort of information was best communicated in a one to one meeting. The Partners Manager reported that in her experience the instances in which such meetings would be required were minimal. The appraisal system was developed with the aim of providing a positive experience for both parties whilst also encouraging role advancement. The system would be continually monitored so that appropriate revisions could be incorporated where necessary.
- 9.5 The Committee approved the appraisal system and recommended that Council did the same.

Item 10.06/10 MAKING A COMPLAINT ABOUT A HEALTH PROFESSIONAL

- 10.1 The Investigating Committee received a paper from the Director for Fitness to Practise for discussion.
- 10.2 The Committee noted that both the Health and Conduct and Competence Committees had already reviewed the documentation and approved the work to be undertaken in developing the processes by which complaints were received by the HPC. The Committee noted that additionally the fitness to practise brochures would be reviewed in April as would all of the standard letters. One of the longer term objectives of the department was to develop a process for taking complaints over the telephone. A Committee member reported that she had received very positive feedback from a fellow work colleague on the fitness to practise teams effective dealing with a complaint and that they were to be commended for their clear communication of the processes.
- 10.3 The Committee noted the document making a complaint about a health professional.

Item 11.06/11 INTRODUCTION TO THE CASE MANAGEMENT STRATEGY

- 11.1 The Investigating Committee received a paper from the Director of Fitness to Practise for discussion/approval.
- 11.2 The Committee noted that part of the case management strategy involved the development of a fitness to practise benchbook which would also include standard directions. Once implemented it should assist in reducing the length of hearings and speed the exchange of information. The Committee noted that it was an evolving document and that much like the sanctions practise note, the case management strategy was to be continually reviewed for any necessary updates that were required for inclusion. The case management strategy was to be implemented as of April 2006.
- 11.3 The Committee approved the case management strategy document.

Item 12.06/12 ANY OTHER BUSINESS

- 12.1 There was one item of any other business.
- 12.2 The Committee noted that the most up to date draft of the fitness to practise annual report 2006 would be e-mailed to all members in advance of their meeting to give members an opportunity to review the information.

Action: KJ

Item 13.06/13 DATE AND TIME OF NEXT MEETING

- 13.1 The next meeting of the Investigating Committee would be on Wednesday 19th April 2006.

Unconfirmed

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2006-01-23	a	INV	MIN	Investigating Committee Minutes 23rd January 2006	Draft DD: None	Public RD: None

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