

Council

**Public minutes of the 127th meeting of the Health and Care Professions
Council as follows:-**

Date: Wednesday 4 December 2019

Time: 1pm (preceded by a private session of Council at 10.30am)

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

Present: Christine Elliott (Chair)
Stephen Cohen
Maureen Drake
Kathryn Foreman
Gavin Scott
David Stirling
Kathryn Thirlaway
Stephen Wordsworth

In attendance:

Roz Allison, Head of Communications
Claire Amor, Secretary to Council
Sarah Atkinson, Kingsley Napley
John Barwick, Executive Director of Regulation
Olivia Bird, Policy Manager
Gordon Dixon, Interim Finance Director
Roy Dunn, Chief Information Security and Risk Officer
Brendon Edmonds, Head of Education
Guy Gaskins, Executive Director of IT and Resources
Helen Gough, Future Council Member
Claire Holt, Interim Director of HR & OD
Jacqueline Ladds, Executive Director of Policy and External Relations
Jasmin Leng, Policy Officer
Isabel Lucas, Professional Standards Authority
Margaret Osibowale, Head of Financial Accounting
James Penry-Davey, Capsticks LLP
Shaf Shafiq, Policy Officer
Kate Steele, Capsticks LLP
Robert Templeton, Former Council Member
Tian Tian, Director of Finance (keeping in touch day)
Katherine Timms, Head of Policy and Standards

Public Agenda

Item 1.19/170 Chair's welcome and introduction

- 1.1. The Chair welcomed Council members, the Executive and those seated in the public gallery to the 127th meeting of Council.
- 1.2. The Chair noted that Robert Templeton had demitted office from the Council on 2 December as a result of social worker regulation transferring to Social Work England. The Chair and the Council thanked Robert for this significant contribution to the work of the HCPC, his wise counsel and humour and his strong commitment to good regulation.

Item 2.19/171 Apologies for absence

- 2.1 Apologies were received from Sue Gallone, Sonya Lam and Eileen Mullan; all due to illness.

Item 3.19/172 Approval of Agenda

- 3.1 The Council approved the agenda.

Item 4.19/173 Declaration of Members' interests

- 4.1 No interests were declared.

Item 5.19/174 Minutes of the Council meeting of 25 September 2019

- 5.1 The Council agreed the minutes of the 126th meeting of the Health and Care Professions Council.

Item 6.19/175 Matters arising

- 6.1 The Council noted those matters arising from the meeting held on 25 September 2019.
- 6.2 The Council received a verbal update on the planned review of Partner fees. It was noted that few responses to the benchmarking survey had been received, and that work was needed to ensure 'like for like' work was benchmarked. The Council would receive the results of this work at their March 2020 meeting.
- 6.3 The Council noted that the development of a professional liaison team was ongoing. An update would be presented to Council early in 2020.

Standing items

Item 7.19/176 Chair's report

- 7.1 The Council noted a report from the Chair.
- 7.2 The Council noted that members Sonya Lam and David Stirling participated with the Chair in a meeting with Unison representatives in Scotland. The purpose of the meeting was to brief on developments on the proposed fee increase and the rationale for it. The HCPC's engagement on the issue had not been seen as adequate, and the officers proposed a partnership approach, common in Scottish decision-making across the health sector.

Item 8.19/177 Chief Executive's organisational performance report

- 8.1 The Council received a report from the Interim Chief Executive. The following points were noted:-
- internal communications and engagement had been a focus with the Interim Chief Executive and SMT holding team briefings and an all employee briefing. Regular meetings with the Employee Forum and the OMT continued as well as intranet updates, an interim CEO blog and answers to FAQs;
 - the KPI for the length of time from receipt of an allegation to ICP was not being met but had reduced and was on target for achieving 33 weeks within six months;
 - employee voluntary turnover had increased, largely as a result of uncertainty around the social work transfer and the number of fixed term roles leaving the organisation. Permanent roles for continuing resource need had been offered to mitigate this. Additionally employee engagement activity had increased and managing change resources had been introduced;
 - the SMT was taking forward the change plan, meeting twice weekly to achieve the vision approved by Council. To support this work, the 'change plan' map has been further developed with project management support;
 - business improvement workshops were underway for FTP. Other areas identified as priorities for workshops were communications, quality assurance and HR. To support this work a process improvement specialist had been appointed on a fixed term basis; and
 - the PWC financial baseline review had completed. A financial modeller had been appointed on a fixed term basis to support taking forward its recommendations.

- 8.2 The Council noted that the Executive continued to develop the performance report to include change plan progress. The Council agreed that the report provided a suitable level of detail. It was noted that a key element of the change plan was determining key data and metrics for monitoring performance and the Council would be consulted on the results of this work.
- 8.3 The Council agreed that KPIs required review for their current suitability.

Item 9.19/178 Transfer of Social Workers to Social Work England

- 9.1 The Council received a paper from the Interim Chief Executive.
- 9.2 The Council noted that the paper predated the transfer date of 2 December. All transfer activities went smoothly and the transfer to SWE was successful. Outstanding activity related to the transfer of pre-paid registration fees to SWE and the deletion of social worker data from HCPC systems.
- 9.3 The Interim Chief Executive thanked all HCPC employees involved in making the project a success.
- 9.4 The Council thanked the Executive for its hard work in delivering the successful transfer of social worker regulation. It was agreed that this was an example of successful inter-regulator collaboration. The Council looked forward to an ongoing positive relationship with SWE.

Items for discussion / approval

Item 10.19/179 Finance overview and 6&6 month financial reforecast

- 10.1 The Council received a paper from the Interim Director of Finance.
- 10.2 The Council considered the 6 & 6 month reforecast. It was noted that income was forecast to be £167k more than budget and expenditure to be £717k below budget. Including exceptional items as reported to Council, the reforecast result was £1,011k favourable to budget. The Council agreed the 6 & 6 month reforecast.
- 10.3 The Interim Director of Finance outlined the proposed approach to setting the budget for 2020-21. The following points were noted:-
- departmental quality and productivity improvement plans arising from business improvement workshops would document measureable benefits realisation timetables;
 - the draft budget for 2020-21 would be produced on from a zero base position taking into account improvement plan delivery;

- monthly management account reporting would link operational quality and productivity improvements with financial performance;
- budgeting principles and high level headlines for change would be presented to the Council at its 5 February 2020 meeting; and
- the first draft 2020-21 budget would be presented to the Audit Committee for discussion at its 4 March 2020 meeting. The final draft would be presented to Council at its 25 March 2020 meeting for approval.

10.4 The Council noted that there would be time for amendments to be made to the budget following Council's consideration in March. It was noted that a more agile approach to budget setting would be followed, enabling change through the year in response to changing needs.

10.5 The Council noted that it was proposed to replace the Lloyds Corporate credit card with purchasing cards which would enable increased controls as well as reduce reliance on individuals. The Council approved the use of purchasing cards.

Item 11.i.19/180 Unconfirmed minutes of the Education and Training Committee of 6 November 2019

11.i.1 The Council noted the unconfirmed minutes of the Education and Training Committee of 6 November 2019.

Item 11.ii.19/181 Advanced practice

11.ii.1 The Council received a paper from the Head of Policy and Standards

11.ii.2 The Council noted the following points:-

- Health Education England (HEE) had asked the HCPC for a view on regulation of advanced clinical practice roles. The number of enquiries regarding this area had also increased;
- a number of healthcare professions regulators met to discuss the area of advanced practice and to explore how it could be taken forward in a consistent manner;
- the HCPC could take a number of regulatory approaches, from the issuing of guidance to full annotation of the register;
- in order robustly to assess the patient safety risks associated with advanced practice roles, and the regulatory response required, key stakeholders would be engaged with through a targeted review. Workshops would be held in the four countries; and

- the Education and Training Committee had discussed the area of advanced practice in November 2019 noting the resource implications of annotating for advanced practice and welcomed the proposed collaboration with other regulators to establish a proportionate approach.
- 11.ii.3 The Council noted that a threshold model for standards may not be suitable for advanced practice.
- 11.ii.4 The Council noted that the NMC was keen to engage with the HCPC in its exploration of the area of advanced practice, but that the advanced practice was not currently an area of focus for the NMC, due to competing priorities.
- 11.ii.5 The Council considered that the HCPC should lead the development of advanced practice, including brokering partnerships with other stakeholders. It noted that there was a potential public protection risk which should be assessed to consider what regulatory response was required.
- 11.ii.6 The Council noted that advanced practice featured significantly in the NHS people plan and that as such the HCPC could advocate for government funding to support the development of advanced practice. The Council noted that the HCPC's response to the consultation on the people plan referenced advanced practice as an area for development.
- 11.ii.7 The Council supported the proposed stakeholder engagement plan and requested a timeline for the development of the HCPC's approach to advanced practice.

Item 11.iii.19/182 Policy and Standards research update

- 11.iii.1 The Council received a paper from the Policy Manager.
- 11.iii.2 The Council noted that there were several research projects underway including research on supervision, closed fitness to practise cases and registrant's health and wellbeing.
- 11.iii.3 The Council noted the Professionalism, patient safety and prevention research brief contained in appendix C for which the Executive sought approval to tender. This would be a large-scale piece of research which would inform the HCPC's future prevention work. The Council noted the importance of research in this area and approved the research brief for tender.
- 11.iii.4 The Council requested that the next research update be accompanied by an update on the HCPC's prevention liaison agenda development as the two areas would influence each other.

Item 12.19/183 How we work with professional bodies when approving education and training programmes

12.1 The Council received a paper from the Head of Education.

12.2 The Council noted the following points:-

- whilst it is common, it is not always the case that professional bodies perform an accreditation role, for programmes;
- professional bodies shape their profession's knowledge and skills. The standards of education and training (SETs) were designed to reflect the role of professional bodies, by specifically tying in with each profession's curriculum guidance or frameworks;
- in some areas professional bodies did not provide this function, or as professional body accreditation is voluntary, education providers may choose not to pursue this;
- the absence of professional body accreditation could sometimes cause concern to the professional bodies regarding the quality of the programmes;
- if programmes did not follow curriculum guidance, they were required to show how learners could still practise safely and effectively when they had finished the programme; and
- the HCPC Executive is clear with providers that joint visits are welcome and this was raised as part of the approval visit request process. Where a joint visit did take place the HCPC ensured that its visitors reached their own independent findings.

12.3 The Council agreed that the expertise of professional bodies added value to the approval process where it was available. The Council agreed that whilst independence should be maintained, the Executive should explore the benefits of professional body involvement with providers who had indicated they had not engaged with the relevant professional body. This should however remain optional.

12.4 The Council agreed that a position statement on professional body involvement in approval activity should be produced. It was noted that this would be presented to the Education and Training Committee for agreement.

Item 13.19/184 Equality, diversity and inclusion action plan

13.1 The Council received a paper from the Policy Officer.

13.2 The Council noted the following points:-

- the paper presented progress to the 2018 – 2019 EDI action plan and the proposed approach to the 2019-20 plan.;
 - the EDI plan was first introduced in January 2019. For this reason, some actions are still ongoing due to their developmental nature;
 - recent changes to the registration system had enabled the collection of registrant EDI data, this would enable a better understanding of the profile of the registrant population. Analysis of this data would improve in 2020; and
 - departments were encouraged to wholly embed EDI objectives into their work throughout the year and as such the EDI plan was not an exhaustive list or record of all EDI activities and projects undertaken in the year.
- 13.3 The Council noted progress in the introduction of EDI impact assessments. The Council requested that consideration was given to protected characteristics as part of the plan.
- 13.4 The Council noted that resource availability required prioritisation of new policy initiatives. However, improving the HCPC's ability to collect and learn from EDI data was a priority.
- 13.5 The Council requested that more SMART targets were included in the plan. The Council noted that there were good examples of EDI action plans in the wider public sector that could be learned from.
- 13.6 The Council agreed that a focused group of members would provide support to the Policy and Standards team in developing the plan.

Item 14.19/185 Fraud and Anti-bribery policies

- 14.1 The Council received a paper from the Interim Director of HR and OD and the Chief Information Security and Risk Officer.
- 14.2 The Council noted that in response to recommendations made in an Internal Audit fraud assessment, policies and procedures on Fraud and Anti-Bribery had been reviewed and extended.
- 14.3 The Council noted that training in this area would be provided for employees, Council and Committee members and partners on induction and as a mandatory requirement on an annual basis.
- 14.4 The Council approved the Fraud and Anti-Bribery policies.

To note

The Council noted the following papers:-

Item 15.19/186 Unconfirmed minutes of the Audit Committee meeting of 5 November 2019

Item 16. 19/187 Unconfirmed minutes of the Tribunal Advisory Committee meeting of 11 November 2019

Item 17.19/188 Council resolutions by correspondence

Item 18.19/189 PSA research - sexual misconduct in health and social care

Item 19.19/190 Public inquiries tracker

Item 20.19/191 Annual Welsh Language report

Item 21.19/192 Any other business

21.1 There was no further business discussed.

Item 22.19/193 Meeting evaluation

22.1 The Director of Finance, who was observing the meeting as part of her return following maternity leave shared her impression that the level of discussion of issues by Council had developed notably.

Item 23.19/194 Date and time of next meeting:

23.1 5 February 2020, at Park House, 184 Kennington Park Road, London SE11 4BU.

Chair:

Date: