

Council

Public minutes of the 153rd meeting of the Health and Care Professions Council as follows:

Date: Thursday, 30 November 2023

Time: 10am

Venue: HCPC Offices, Kennington, London

Present: Christine Elliott (Chair)
Damien Baker*
Oli Davies*
Maureen Drake
Rebekah Eglinton (from item 5)
Kathryn Foreman
Sue Gallone
Helen Gough
John McEvoy
Lianne Patterson
Kathryn Thirlaway (from item 3)
Steven Vaughan
Valerie Webster

Apologies: David Stirling

In attendance:

Aihab Al Koubaisi, Financial Controller
Zoe Allan, Business Manager
Claire Amor, Executive Director of Corporate Affairs
Patrick Armsby, Professional Upstream Regulation Ops Manager (for item 5)
Alastair Bridges, Executive Director of Resources
Fiona Campbell, Professional Liaison Consultant
Cirene Chagas, Team Administrator
Alan Clamp, Professional Standards Authority
Laura Coffey, Executive Director of Fitness to Practise and Tribunal Services
Imogen Edge-Partington, Case Manager
Oore Fabunmi, Registration Advisor
Karen Flaherty, Head of Governance
Kate Fawcett, Professional Standards Authority
Kellie Green, Head of Professionalism and Upstream Regulation (for item 5)
Kate Steele, Capsticks LLP

* Council Apprentice

Alan Keshtmand, Head of Finance
Florence Milliken, Professional Liaison Consultant
Emily Milton, Named Professional, West of England Specialist Gender Identity Clinic
Razia Mohamed, Listings Officer
Elizabeth Ndiaye, Learning and Development Administrator
Bernie O'Reilly, Chief Executive and Registrar
Ewan Shears, Compliance Officer
Andrew Smith, Executive Director of Education, Registration and Regulatory
Standards and Deputy Chief Executive
Katarzyna Szklarska, Registration Advisor
Kim Tolley, Professional Liaison Project Lead
Hugh Tregoning, Professional Liaison Consultant

Unconfirmed

Public Agenda

Item 1. 23/123 Chair's welcome and introduction

- 1.1 The Chair welcomed those present to the 153rd meeting of Council, including a large number of observers who were individually welcomed by the Chair.
- 1.2 The Chair highlighted a number of farewells among Council members and attendees following the meeting.

Item 1.i. 23/124 Apologies for Absence

- 1.i.1 Apologies had been received from David Stirling, who had been delayed travelling to the meeting.

Item 1.ii. 23/125 Approval of agenda

- 1.ii.1 The Council approved the agenda.

Item 1.iii. 23/126 Declaration of Members' interests

- 1.iii.1 Members had no interests to declare.

Item 1.iv. 23/127 Minutes of the Council meeting of 5 October 2023

- 1.iv.1 The Council approved the minutes of its meeting of 5 October 2023, subject to the correction of a couple of typographical errors.

Item 1.v. 23/128 Matters arising

- 1.v.1 The Council noted the updates on the matters arising from previous meetings.

Standing reports

Item 2. 23/129 Chair's Report

- 2.1 The Council noted this item.

Item 3. 23/130 Chief Executive's Performance Report

- 3.1 The report from the Chief Executive highlighted key areas of development in the reporting period since the Council's last meeting in October 2023.
- 3.2 The Council noted the following points.

- The changes to the roles and responsibilities in the Executive Leadership Team, which took effect on 1 November 2023. The changes had been developed as a team and had taken particular account of the risk profile of areas within team members' portfolios and had been positively received within the organisation.
- Recruitment was under way for a number of leadership roles within Fitness to Practise (FTP), Education and Communications and Engagement, where temporary arrangements had been in place. There had been high levels of interest in the roles.
- The ongoing engagement with registrants and employers, recognising the limited involvement many may have with the HCPC through FTP which involve less than 0.5% of almost 340,000 registrants. These visits provided an opportunity to create a deeper connection with registrants and dispel some preconceptions as well as to better understand the impact of policy decisions.
- The spike in international applications to join the HCPC register experienced in July and August 2023 appeared to be reducing, although this was likely to increase the time it would take to reach an assessment decision while these applications were assessed.
- The increase in FTP referrals, in common with other regulators of healthcare professionals. An analysis of the new referrals was being undertaken to understand whether there were any trends based on profession, registration route or source of referral. The quality and timeliness of the management of cases would continue to be monitored to ensure that the progress made in this area was maintained.
- The successful implementation of the fee increase in November 2023 and there would be a paper presented to the Council at its next meeting in February 2024 to consider the framework for future fee reviews.

3.3 The Council discussed the mechanisms by which the HCPC was able to share insight and analysis based on the data it held about registrants and from education providers to support workforce planning in the NHS. The ways in which the data was currently shared and could be made available were noted and a more formal route for data sharing would be established as part of regulatory reform.

3.4 The resourcing to respond to increases in applications for registration and FTP referrals was explained. There was a three month lead time for recruitment for roles in the Registration department. In the FTP department, the teams were able to include the additional cases in forecasting and assess the impact on caseloads and, as high performing teams, they were in a good position to respond. A current recruitment campaign for case manager roles could be expanded to provide additional capacity in the teams.

- 3.5 Council members also highlighted the likely impact of the COVID-19 pandemic on registrants' preparedness for practice and this would be fed into the research commissioned by the HCPC by the University of Plymouth.
- 3.6 The Council also considered how research could support better forecasting of trends in applications, particularly from international registrants. The HCPC were discussing this regularly with NHS England and it was difficult to develop an accurate forecast to the HCPC needed to continue to be prudent in its planning given the potential impact of the volatility in applications on the financial health of the organisation.

Item 4. 23/131 Fitness to Practise Performance Report

- 4.1 The Council received the report setting out on the progress of the FTP Improvement Programme, with a particular focus on phase two of the programme to develop and enrich the support the HCPC provided for those involved in the FTP process. The objectives of this phase were relevant to meeting standard 18 of the Professional Standards Authority (PSA) Standards of Good Regulation.
- 4.2 The Council noted the following points.
- The independent, targeted expert support services for participants in the FTP process, through a lay advocacy service for members of the public, an intermediary service to support parties with communication needs at hearings and a registrant support service.
 - The positive initial feedback from registrants' representatives following the launch of the new templates and other information for participants and the ongoing dialogue and engagement to understand the impact of these changes.
 - The more structured feedback from those involved in the FTP process through the new FTP survey launched in March 2023 and complaints. This included the themes highlighted and how the impact of changes made were being monitored through feedback.
 - The number of older cases in the FTP processes, which was provided to the PSA on a quarterly basis.
- 4.3 The Council noted the interconnection between customer service, tone of voice and quality of case management as early engagement helped with the provision of information and, in turn, improved the quality of evidence and the overall investigation.
- 4.4 The Council discussed the uptake of the support services, which was relatively low in the first year, although other regulators had had a similar experience on introducing these services. For the HCPC, this was likely to improve as teams became better at identifying and promoting the services to those who may benefit from these.

- 4.5 It was clarified that training for staff and managers was provided to reduce the impact of wellbeing, with team managers trained to debrief staff involved in difficult cases.
- 4.6 No trajectory had been set for the reduction of longstanding cases other than to reduce the overall number of cases given that the reasons for delays often related to third party involvement. The support services were also available to participants in older cases and were being promoted through intermediaries.

Items for discussion/decision

Item 5. 23/132 Update from Professionalism and Upstream Regulation

- 5.1 Members of the Professionalism and Upstream Regulation team joined the meeting, including the Professional Liaison Consultant from each of the four nations of the UK.
- 5.2 The team updated the Council about:
- the progress in developing an upstream approach to regulation at the HCPC, which began in December 2018;
 - the vision and strategic priorities for moving to an upstream approach focusing on professionalism and prevention;
 - engagement with stakeholders across the UK through a range of programmes directed at students and education providers as well as registrants, professional bodies and employers, tailored to the different challenges and experiences in each of the four nations;
 - the impact of the team in gathering intelligence and sharing this with other departments within the HCPC as well improving the understanding and influence of the HCPC as a regulator with stakeholders and awareness of its standards; and
 - future plans and priorities including delivering the becoming a health and care professional programme to students at a much larger scale, influencing the development of a more just and supportive culture in the workplace, encouraging preceptorship, tackling sexual misconduct and the impact and harm caused by this behaviour and equipping registrants to challenge poor behavior and raise concerns more generally.
- 5.3 The Chair thanked the team for its work and, in particular, Kim Tolley, the Professional Liaison Project Lead, who was returning to the General Medical Council following three years at the HCPC, during which she had contributed her experience and enthusiasm to the role and the organisation.

Item 6. 23/133 Appointment of Secretary to the Council

- 6.1 The Council agreed the appointment by the Registrar of Karen Flaherty, the Head of Governance, as the Secretary to Council, starting on 5 December 2023 until 1 January 2025.

Public items to note

Item 7. 23/134 Unconfirmed minutes of the Education and Training Committee of 8 November 2023

- 7.1 The Council noted this item.
- 7.2 The Chair of the Education and Training Committee highlighted that the Council would hear more about the research into registrants' preparedness for practice at its next meeting in February 2024.

Item 8. 23/135 Unconfirmed minutes of the Remuneration Committee of 9 November 2023

- 8.1 The Council noted this item.

Item 9. 23/136 Unconfirmed minutes of the People and Resources Committee of 9 November 2023

- 9.1 The Council noted this item.
- 9.2 The Chair of the People and Resources Committee drew attention to the update that had been provided to the Committee about the about the progress of the digital transformation strategy presented to the Council in December 2022, which had identified the challenges and opportunities in harnessing innovations and deploying to benefit the organisation and its registrants.

Item 10. 23/137 Unconfirmed minutes of the Audit and Risk Assurance Committee of 15 November 2023

- 10.1 The Council noted this item.
- 10.2 An update was provided about the progress of the finalisation of the annual report and accounts for 2022-23, which were due to be signed the following week following the conclusion of the external audit work and the issue of the report by the National Audit Office. The annual report and accounts were scheduled to be laid before the UK and Scottish Parliaments on 13 December 2023.

Item 11. 23/138 Council reflection

- 11.1 Alan Clamp, the Chief Executive of the PSA, was requested to provide his reflections on the meeting. He considered the ways in which the organisational values of the HCPC had been demonstrated during the meeting in the openness shown through the information presented in the papers and the curiosity exhibited by Council members in discussions and through their questions. He encouraged Council members to challenge items included on the agenda for the private session of the meeting where they felt these could appropriately be considered in the public session of the meeting.
- 11.2 Staff observing the meeting were also invited to provide their feedback on the meeting to the Chair or Secretary following the meeting.

Item 12. 23/139 Resolution

- 12.1 The Council resolved that the remainder of the meeting would be held in private, because the matters being discussed related to the following:
- (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	Reason for Exclusion
13	H
14	H
15	C and H
16	H
17	H
18	H
19	H
20	H
21	H
22	H

The meeting was adjourned at 12.15pm.

Chair:

Date:

Unconfirmed