

**SHADOW HEALTH PROFESSIONS COUNCIL** Chief Executive &  
Registrar Designate  
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**MINUTES** of the third meeting of the Shadow Investigating Committee held at 11.00 a.m. on Friday, 8<sup>th</sup> March 2002 in Meeting Room 1, Park House, 184 Kennington Park Road, London SE11 4BU.

Present: Mr.N.Willis (Chairman)  
Ms.C.Farrell  
Dr.J.Old  
Mrs.J.Pearce

In attendance: Mrs.L.A.Barnes (Committee Secretary)  
Mr.T.Berrie  
Mr.G.Ross-Sampson  
Mr.M.Seale (Chief Executive Designate)

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**Item 1. 02/10 APOLOGIES FOR ABSENCE**

Received from Mr.M.Barham, Mr.M.Collins, Mr.P.Frowen, Mr.C.Lea, Miss M.Mackellar, Miss G.Pearson, Mr.W.Munro.

**Item 2. 02/11 MINUTES**

The minutes of the meeting held on 15<sup>th</sup> January 2002 were approved and signed by the Chairman.

**Item 3. 02/12 MATTERS ARISING FROM THE MINUTES**

12.1 Publicising the process and accessibility to the public

In order to publicise SHPC's processes, M.Seale suggested putting information on the website with an option to hold parts in private.

Meetings of the Investigating Committee to consider complaints would be held in private and Standing Orders should reflect that. Policy meetings only could be open to members of the public.

The chairman reminded the committee that the SHPC required the practice committees to provide a date for the completion of the documentation on process, rules and criteria for the SHPC meeting on 12<sup>th</sup> March.

**Item 4. 02/13 DRAFT RULES/STANDING ORDERS**

13.1 Part II – Initial consideration of complaints

13.1.1 Some discussion took place about the use of screeners. Screeners would have to operate by separate set rules and would be able to screen out trivial cases. It was emphasised that the procedure must be fair and above board. Screeners would be required to report back to the Investigating Committee with their reasons for referral/non-referral.

13.1.2 It was noted that there had been a meeting with lawyers on 27<sup>th</sup> February 2002 and that it had been suggested getting the Registrar to be a party to the process, i.e. the Registrar may make a complaint him/herself as a person acting in a public capacity. The lawyers suggested that the Investigating Committee allow this to happen. The Committee **AGREED** that specific reference to the Registrar should be in the rules.

13.2 Part III – the Investigating Committee

13.2.1 Further discussion about the process took place. It was suggested that Standing Orders could include for an analysis of cases, e.g. what type, profession, etc. The analysis would be included in the Registrar's annual report.

13.2.2 There would be a requirement to review the processes of all the practice committees.

13.2.3 It was noted that the lawyers had advised that a panel could undertake investigations on behalf of the Investigating Committee in the event of a backlog of cases. A panel would be considered as a sub-committee. People other than Investigating Committee members could sit on this sub-committee, e.g. members of Council, medical assessors, experts, etc.

13.2.4 On receiving a complaint about a registrant, some concern was expressed about whether previous complaints about that registrant should be brought to the Committee's attention and whether a time limit should be imposed on those previous complaints.

13.3 Part IV – Fraudulent Entries

13.3.1 It was queried whether paragraph 4 of the draft rules under the heading of ‘Case of Fraudulent Entry’ needed to be included. T.Berrie would seek advice from the lawyers.

13.4 Screeners

13.4.1 Further discussion took place about screeners. It was noted that a procedure may be set up for screening for use as and when necessary and that they might be required for minor or trivial cases. It would have to be a decision from the Council, however, the Committee thought that there would be a need for screeners and suggested that the chairs of the three practice committees should meet to discuss this.

13.4.2 It was noted that screeners could also carry out mediation.

13.4.3 It was confirmed that there would always be an audit trail.

**Item 5. 02/14 PROCEDURE ON COMPLAINTS**

14.1 The Committee discussed the requirement for a statutory declaration by a member of the general public when making a complaint. This was considered unnecessary and was not recommended. One suggestion was that a user friendly leaflet from the Registrar could be provided. When a complaint was received by the Registrar, a standard form could be sent to the complainant asking for details and stating a return by date.

**Item 6. 02/15 PROCESS FLOW CHART**

15.1 The Committee noted with interest the Gantt Chart presented by Greg Ross-Sampson.

**Item 7. 02/16 1<sup>ST</sup> APRIL 2002 – 31<sup>ST</sup> MARCH 2003**

16.1 It was noted that the HPC practice committees cannot take up their roles and functions formally until the end of the first transitional period, i.e. 1<sup>st</sup> April 2003. Therefore, this Shadow Committee would need to be referred to as a Working Party of the Council.

16.2 For this period, complaints would be dealt with by ad-hoc Investigating Committees using CPSM rules. It was **RECOMMENDED** to the Shadow Council that Shadow Committee members be invited to act on these committees to make use of their skills and give them experience in the

disciplinary and investigating process. All members present **AGREED** that they would wish to do so.

**Item 8. 02/17 ANY OTHER BUSINESS**

17.1 For clarification, it was **AGREED** that at the next meeting on 10<sup>th</sup> April 2002, the Committee would decide exactly how the Investigating Committee would work.

17.2 T.Berrie **AGREED** to make the necessary amendments to the draft rules and have ready for the next meeting.

**Item 9. 02/18 DATE OF NEXT MEETING**

18.1 It was **AGREED** that the next two meetings of the Investigating Committee would be at 11.00 a.m. on Thursday, 9<sup>th</sup> May 2002 and 11.00 a.m. on Tuesday, 11<sup>th</sup> June 2002.

**CHAIRMAN**