

Council

Minutes of the meeting of the Health and Care Professions Council held in public as follows:

Date: Wednesday 20 March 2024

Time: 11am

Venue: HCPC Offices, Kennington, London

Present: Christine Elliott (Chair)
Rebekah Eglinton
Sue Gallone
Helen Gough
Geraldine Kinkead-Richards*
John McEvoy
Jordan McKenna*
Lianne Patterson
David Stirling
Valerie Webster

Apologies: Kathryn Thirlaway
Steven Vaughan

In attendance:

Fatma Ali, Head of HR and OD
Zoe Allan, Business Manager
Tehmina Ansari, Learning and Development Manager
Francesca Bramley, Governance Manager
Alastair Bridges, Executive Director of Resources
Laura Coffey, Executive Director of Fitness to Practise and Tribunal Services
Jennifer Evans, Luther Pendragon
Karen Flaherty, Head of Governance
Neville Hounsome, Independent Committee Member, People and Resources Committee and Remuneration Committee
Colette Higham, Professional Standards Authority
Anna Holdsworth, Capsticks LLP
Geoff Kirk, Head of IT and Digital Transformation
Bernie O'Reilly, Chief Executive and Registrar
Aditya Palai, HR Advisor
Matthew Peck, Head of Communications, Engagement and Public Affairs

* Council Apprentice

Andrew Smith, Executive Director of Education, Registration and Regulatory Standards and Deputy Chief Executive
Michael Wan, HR Apprentice

Unconfirmed

Public meeting

1 Chair's welcome and introduction

1.1 The Chair welcomed those present to the meeting of Council, including a number of observers who were individually welcomed by the Chair.

1(a) Apologies for absence

1.2 Apologies were received from Kathryn Thirlaway and Steven Vaughan.

1(b) Approval of agenda

1.3 The Council approved the agenda.

1(c) Declaration of members' interests in relation to agenda items

1.4 There were no interests to declare from Council members. It was noted that the Executive Director of Resources, the Executive Director of Fitness to Practise and Tribunal Services and the Executive Director of Education, Registration and Regulatory Standards and Deputy Chief Executive had an interest in relation to agenda item 17, which included a change to the pay policy affecting executive directors, other than the Chief Executive, however they would not be involved in the discussion or decision in relation to this item.

1(d) Minutes of the Council meeting on 15 February 2024

1.5 The Council approved the minutes as an accurate record of its meeting held in public on 15 February 2024.

1(e) Matters arising

1.6 The Council noted the updates on the matters arising from previous meetings held in public.

1.7 It was clarified that action number 5 from the previous meeting related to consideration of establishing a level of registration to enable international registrants leaving the register and no longer practising in the UK to maintain a connection with the HCPC and the UK. This could also be relevant to registered professionals moving into more senior management roles. The Executive Leadership Team (ELT) had considered this previously, however, this had not been taken forward due to the risk of public confusion about the status of professionals who were not registered to practise.

Action: The Executive Director of Education, Registration and Regulatory Standards would consider potential models for a non-practising register, particularly in the context of regulatory reform.

2 Chair's Report

- 2.1 The Council noted that the Chair of the Council had met with the Chief Allied Health Professions (AHPs) Officers for England and Northern Ireland and their discussions regarding the importance of AHPs in the health care system, the potential to expand the role and scope of practice of AHPs and ensuring protected time for continuing professional development.
- 2.2 The Chief AHP Adviser for Welsh Government had recently attended a Council of Deans of Health Wales meeting to discuss proposals for AHPs to be more integrated into primary care and the preventative health agenda.
- 2.3 It was noted that Lianne Patterson had been omitted from the list of Council members who chair registration appeal panels in section 8 of the report.

Performance reports

3 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 February 2024.
- 3.2 The Council noted the report and the following points.

The ongoing engagement with employees through individual 'Let's Talk' sessions with the Chief Executive, which had now taken place with over 100 colleagues, including all newly recruited employees.

The successful first in person Senior Leadership Group development event, which had taken place on 14 March 2024, focused on individual and collective leadership. Sir Robert Francis KC had facilitated a well-received session on the hallmarks of high-performing teams and had openly shared helpful and thought-provoking insights from his work.

The engagement activity with registrants and employers that would continue as described in the Corporate Plan for 2024-25.

- The second Professional Body Forum taking place on 25 March 2024 to engage on core regulatory review work such as the implementation of the Standards of conduct, performance and ethics (SCPEs) and pre-consultation engagement for the Standards of education and training (SETs).
- The completion of the Education Annual Report 2021-23, covering two academic years, which was due to be published in April 2024 and followed by further engagement to promote awareness.

- The review of English language proficiency requirements for international applicants following the consultation that had concluded in January 2024. Following an initial discussion at the Education and Training Committee (ETC) meeting on 6 March 2024, a full analysis of the responses and proposals would be submitted to the Council at its meeting in May 2024.
- 3.3 The Council expressed its thanks to all those who had contributed to the Education Annual Report. The Chair of the ETC highlighted that the ETC had been impressed with the thoroughness and quality of the report, noting that the data illustrated the positive impact of the introduction of new quality assurance processes.
- 3.4 The Council discussed the reduced score for colleagues feeling informed about what was happening in the HCPC in the latest quarterly employee pulse survey. The response rate of 50% indicated a good level of engagement and attendance at the all employee monthly briefings remained consistently high at around 200-250 employees. The results would continue to be reviewed and, if a trend developed, further work could be undertaken through the Employee Forum to identify any underlying causes.
- 3.5 The Executive Director of Resources advised that the first stage of implementing the Business Central finance system had been successful. The Head of Business Change and the Head of IT and Digital Transformation had worked with KPMG LLP, the HCPC's implementation partner, to complete the initial implementation between 8-10 March 2024 and there had been no observable impact for external stakeholders.

4 Finance Report

- 4.1 The Council noted the report from the Executive Director of Resources, outlining the HCPC's financial position as at January 2024. It was clarified that the totals for the full year in table 4 on page 11 of the report should have been a forecast of £999,450, a budget of £575,000 and variance of (£424,450).
- 4.2 The Council noted the following points.
- The forecast year-end surplus remained at £1.3 million and the position continued to remain fairly stable approaching the financial year end.
 - A moderate increase in the level of international applications, although this continued to be lower than the previous peaks.
 - The slightly higher than expected Fitness to Practise (FTP) legal costs in January 2024, reflecting higher case volumes, had been offset by fewer cases being referred in February.
 - The £112,000 increase in investment income was a result of favourable rates on the HCPC's rolling deposit account.

- The forecast year-end capital expenditure was £999,450 against a budget of £575,000.
- The forecast total reserves as at 31 March 2024 were £3.2 million and forecast realisable net assets were £133,000, which was compliant with the HCPC's reserves policy.

4.3 The Council recognised the impact of international applications on the HCPC's financial position and discussed what might be driving the increase in international applications and the likely future trajectory in view of the NHS Long Term Workforce Plan and plans in the other nations of the UK. The source of international applications was being closely monitored and medium-term scenarios had been included in the 2024-25 budget to model the financial impact of different levels of international applications. It would be important to continue to monitor the NHS position on international recruitment to inform future forecasting and data analysis.

Items for discussion/decision

5 Reserves policy

5.1 The Council reviewed the updated Reserves policy, which had last been updated in March 2020. This had been reviewed by the People and Resources Committee (PRC) at its meeting on 28 February 2024 and by the Audit and Risk Assurance Committee (ARAC) at its meeting on 13 March 2024 and reflected the feedback from both committees.

5.2 The Council noted the following points.

- The HCPC was compliant with the existing Reserves policy, which required positive realisable net assets after deducting intangible assets. The latest forecast total reserves as reported in the finance report were equivalent to just over one day of operating expenditure.
- As balanced budgets had been set and in view of the recent fee increase, the HCPC was seeking to move to a more sustainable financial position.
- The updated policy included an aspiration to maintain reserves at three months of operating expenditure, which would be equivalent to approximately £10 million. This would be more in line with other health care professions regulators and organisations in the wider economy. However, it would be difficult to set a clear timetable for when the HCPC could achieve reserves at this level.
- A higher level of reserves would help the HCPC to mitigate risks to its financial viability and its ability to fulfil its statutory responsibilities as a result.

- The draft budget for 2024-25 and medium-term plans to be considered by the Council later in the meeting provided information about the HCPC's medium-term financial position under various scenarios.

5.3 The Council expressed their support for the policy's balance of short-term pragmatism with the longer-term ambition to increase reserves and welcomed the recognition of the need to seek to increase the HCPC's reserves.

5.4 The Council approved the revised Reserves policy.

6 Standing orders of the People and Resources Committee, Education and Training Committee and Audit and Risk Assurance Committee

6.1 The Council noted the proposed changes to the standing orders of the PRC, the ETC and the ARAC. The proposed changes had resulted from a review of the standing orders by each committee in conjunction with a review of each committee's effectiveness.

6.2 The Council noted the following points.

- Changes had been proposed to reflect current practice in relation to approving and circulating the minutes of each meeting and reporting to the Council. The changes reflected that the minutes of each meeting would no longer be signed by the chair of the committee.
- The review of competency frameworks for partner roles had been removed from the standing orders of the PRC as this was felt to be more appropriately carried out by executive management.
- The review of the effectiveness of internal and external audit periodically and their terms of engagement had been added to the standing orders of the ARAC, although these had previously been completed in practice.
- The standing orders for Education and Training Panels (ETPs) had been set out as a separate annex to the standing orders of the ETC and reflected changes to the administration of the ETPs agreed by the ETC in 2023.

6.3 The Council discussed the importance of the standing orders in providing a useful governance framework and structure for committee chairs and members and the business of the committee.

6.4 The Council approved the changes to the standing orders for each of the PRC, ETC and ARAC.

7 Reflections on HCPC mentoring schemes

7.1 The Learning and Development Manager presented reflections on the Beyond

Barriers and Reverse Mentoring schemes, both of which had commenced in September 2023 and were due to end in May 2024. The programmes formed a key part of the HCPC's People Strategy and Equality, Diversity and Inclusion (EDI) action plan.

- 7.2 The programmes supported personal development and career development with an emphasis on celebrating diversity and encouraging under-represented groups to progress, building a stronger and more inclusive culture.
- 7.3 The Beyond Barriers scheme provided learning opportunities in accordance with the participants' own career ambitions and learning needs. Within the Reverse Mentoring scheme, senior leaders were mentored by an employee who, from a diversity and inclusion perspective, was different to them in some way (age, gender, ethnicity or another protected characteristic). It was recognised that there were skills and knowledge gaps and opportunities to learn on both sides of the mentoring relationship.
- 7.4 Within the Reverse Mentoring scheme there were five mentors and five mentees and within the Beyond Barriers scheme there were eight mentors and nine mentees. Participants were drawn from across a range of departments across the HCPC.
- 7.5 The Learning and Development Manager shared a video in which mentees reflected on their experiences of the mentoring schemes. Council members who were mentors and mentees highlighted that their involvement had been worthwhile and had helped them to learn more about the HCPC.
- 7.6 The Council welcomed the Learning and Development Manager's suggestion to provide a further update the Council later in the year when the current programmes had concluded.
- 7.7 The Council expressed its thanks to the Learning and Development Manager, the Head of HR and OD and the mentors and mentees for their valuable contributions to the schemes. It was encouraging to know that there continued to be high levels of interest in participating in the schemes among employees.

Items for noting

8 Chair's report and draft minutes of the meeting of the People and Resources Committee held in public on 28 February 2024

- 8.1 The Council noted this item.

9 Chair's report and draft minutes of the meeting of the Education and Training Committee held in public on 6 March 2024

- 9.1 The Council noted this item. Rebekah Eglinton would be joining the Committee at its next meeting in June 2024 following her recent appointment as a member of the Committee.

10 Chair's report and draft minutes of the meeting of the Remuneration Committee held in public on 7 March 2024

10.1 The Council noted this item.

11 Chair's report of the meeting of the Audit and Risk Assurance Committee held in public on 13 March 2024

11.1 The Council received a verbal update from the Chair of the ARAC. The Committee had discussed a number of items including outline plans for external audit in 2024-25, an internal audit progress report for 2023-24 and a strategic risk deep dive on EDI practice facilitated by the EDI Strategic Lead. Helen Gough would be joining the Committee at its next meeting in June 2024 following her recent appointment as a member of the Committee.

12 Introduction to Council Apprentices

12.1 Each of the Council Apprentices shared some information about themselves, their career history and experience and explained what they hoped to gain from and contribute during their time as a Council Apprentice.

12.2 The Council acknowledged the value of the experience that the Council Apprentices brought to the Council and reflected on the breadth and depth of expertise registrants contributed to health and care services across a range of professions, and how this could be further utilised.

Action: The Council Chair suggested that the Council Apprentices should be given the opportunity to meet with previous Council Apprentices to share experiences and agree priorities for the current apprentices.

13 Council reflection

13.1 The independent committee member of the PRC and Remuneration provided his reflections on the meeting. The meeting had run in a timely manner with a clear agenda and the papers were well written and evidently well read by Council members. The Council had provided an appropriate level of challenge and demonstrated good governance and strong leadership. Some reports may have benefited from including a broader forward view and an indication of the issues of most concern to the ELT, while acknowledging this may be covered in the consideration of the annual budget and Corporate Plan for 2024-25 in the private session of the meeting. There could have been more follow-up by Council members to responses given by the ELT to probe areas further, however, there had been a good amount of discussion throughout the meeting.

Action: All independent committee members would be encouraged to observe a Council meeting to provide them with greater insight into the wider activities of the HCPC and the functions of the Council.

13.2 Others observing the meeting were also invited to provide their feedback on the meeting to the Chair or Chief Executive following the meeting.

14 Resolution

14.1 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
15	H
16	H
17	B, D and G
18	H
19	C and H
20	H
21	H
22	H
23	B, D G and H
24	H
25	H

The meeting was adjourned at 12.20pm.

Chair:

Date: