

CONFIRMED

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MINUTES of the twenty first meeting of the Investigating Committee held at **11.00am on Tuesday 12 February 2008** in the Council Chamber at Park House, 184 Kennington Park Road, London SE11 4BU

Present:

Miss M MacKellar (Chairman)
Miss C Farrell
Dr N Callaghan

Professor D Waller
Mr M Woolcock
Mr R Clegg

In attendance:

Dr A van der Gaag, President
Ms K Johnson, Director of Fitness to Practise (Fitness to Practise)
Ms R Tripp, Director of Policy

Ms N O'Sullivan, Secretary to Council
Mr S Rayner Secretary to the Committee
Mrs A Abodarham, Hearings Manager
Mr R Brown, Hearings Manager

Item 1.08/01 Apologies for absence

- 1.1 Apologies were received from Mr W Munro and Mrs D Haggerty.
- 1.2 The Chairman welcomed Ms A Abodarham and Mr N Brown to their roles as Hearings Managers in Fitness to Practise and Mr S Rayner to his role of Secretary to the Committee.

Item 2.08/02 Approval of agenda

- 2.1 The Committee approved the agenda and agreed that item seven would be taken before item six.

Item 3.08/03 Minutes of the Investigating Committee of 12 September 2007

- 3.1 The minutes of the Investigating Committee of 12 September 2007 were confirmed as a true record and signed by the Chairman

Item 4.08/04 Matters arising

4.2 Item 4/07/19 Matters arising

The audit report from PKF Internal Auditors would be presented to the Committee at the April forum.

Action KJ: 10 April 2008

Item 5.08/05 Chairman's Report

- 5.1 The Chairman noted that the September 2007 Fitness to Practise forum had been a useful way of widening debate, and that the April 2008 forum would have a full agenda.

Item 6.08/06 Director of Fitness to Practise Report

- 6.1 The Committee received the Director of Fitness to Practise Report, noting that it was longer than normal as it combined the data from November and February reports. The Director updated the Committee on the following points:
- 6.2 The presentation of Fitness to Practise cases by case managers was reducing the reliance on Solicitors and so reducing costs. The Director of Fitness to Practise would seek feedback from panel members, panel Chairs and legal assessors on the impact of these changes on cases as part of the wider review of processes planned for 2008-2009.

Action KJ: Ongoing

- 6.3 Of two outstanding High Court appeals; one outcome was due on 18 February; the other was expected to be heard in October. The delay was because of a backlog of listed cases with the Court.
- 6.4 The Council for Healthcare Regulatory Excellence (CHRE) appeal was still waiting for a date.
- 6.5 Fitness to Practise was dealing with an information notice from the Information Commissioner that had implications for the disclosure process. The tribunal would take between 4 and 7 March 2008.

- 6.6 There were currently 192 cases at the investigation stage; 86 were at the case to answer stage.
- 6.7 The Director of Fitness to Practise updated the Committee on significant work planned and undertaken since the last meeting:
- An external review of complaints literature and processes was underway, and would report to the April forum.
 - Quarterly meetings had taken place with UNISON to update them on HPC work.
 - Employer events were due to take place in Belfast, Edinburgh and Cardiff.
 - Legal assessor and Panel Chairs were due to undertake training and a review shortly.
 - New Panel member training would take place on 17 and 18 March. Committee members were invited to attend if they wished.
- 6.9 The Committee noted that individual Union representatives do not deliver a consistent message about the work of HPC in their locally produced literature. The Committee would provide examples of this for the Director to discuss with UNISON.

Action MW: Ongoing

- 6.10 The Director of Fitness to Practise would welcome any input over subsequent two weeks from the Committee to the Fitness to Practise Annual Report.

Item 7.08/07 Update on Fitness to Practise Work Plan 2007-2008

- 7.1 The Committee received a paper from the Executive for discussion
- 7.2 The Committee noted that the Health Committee had discussed the display of completion dates on the spreadsheet.

Item 8.08/08 Fitness to Practise Work Plan 2008-2009

- 8.1 The Committee received the paper for discussion and approval
- 8.2 The Committee noted the key areas of work for the next year
- 8.3 The Committee commended the approach to working with professionals, particularly in the work being done to understand the issues of Psychologists relating to Fitness to Practise.

- 8.4 The Committee discussed the effectiveness of cases, and whether it would be possible to produce average costs in order to understand trends. A project was underway to update the financial system, which would provide the intelligence needed to make these measurements. The Committee were invited to discuss this further at the April Fitness to Practise Forum (the Forum)
- 8.5 The Committee agreed to the priorities, principles and project outlines laid out in the work plan. The Committee agreed to keep the work plan under review, and that the Executive should amend it accordingly.

Item 9.08/09 Committee self-evaluation

- 9.1 The Committee received a paper from the Executive for discussion.
- 9.2 The Committee noted that, the self evaluation process would be put to one side until the Council restructuring was complete.
- 9.3 The Committee noted that, whilst the self evaluation exercise provided a good baseline against which to measure performance, the structure of questions could be changed to improve the usability of data.
- 9.4 The Committee was invited to submit comments or suggestions on the improvement of the Committee self evaluation process to the Secretariat.

Item 10.08/10 Standards of Conduct, Performance and Ethics

- 10.1 The Committee received a paper from the Executive for discussion and approval.
- 10.2 The Committee noted that between 1 June and 7 September 2007 the Council had consulted on revised standards of conduct, performance and ethics. The responses to the consultation had been analysed and the standards updated.
- 10.3 It was proposed that the new standards should become effective from 1 July 2008. The standards would be publicised by:
- A letter to all registrants
 - A mail out of the new standards to professional bodies and any other relevant stakeholders
 - A press release and news item on the HPC website
 - Articles in the HPC newsletter

- 10.4 The Committee noted that the Health Committee had asked for a clarification of the definitions of responsibility and delegation and of the nature of consent to be included in the document.
- 10.5 The Committee asked for the implication that there exist different levels of confidentiality to be reconsidered on the grounds that there should only be one standard of confidentiality. Part of the announcement of the release of the Standards should refer to standards of confidentiality that are already in the public domain.
- 10.6 The Committee agreed the following:
- To recommend to Council the text of the consultation responses document
 - To approve the text of the revised standards pending editing necessary to achieve the Plain English Campaign Crystal Mark
 - That the revised standards should be effective from 1 July 2008

Action RT: 1 July 2008

Item 11.08/11 Any other business

11.1 There was no other business.

Item 12.08/12 Future dates of Investigating Committee

12.1 **Wednesday 23 April 2008** (1030-1300 Forum. 1330 Committee)

Wednesday 17 September 2008 (1030-1300 Forum. 1330 Committee)

Friday 14 November 2008 (1100 - 1300)

Thursday 12 February 2009 (1100 - 1300)

Friday 24 April 2009 (1030-1300 Forum. 1330 Committee)

Chair:

Date: