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MINUTES of the fourth meeting of the Registration Committee of the Health Professions Council held on Friday 14 June 2002 at Park House, 184 Kennington Park Road, London SW11 4BU.

PRESENT :

Prof. R. Klem – Chairman
Miss P. Sabine – Vice-Chairman (part)
Mr. P. Frowen
Mr. G. Sutehall (ex-officio)

IN ATTENDANCE :

Dr. P. Burley – Director of Education and Policy, HPC
Miss G. Malcolm – Director of Operations, HPC
Miss L. Pilgrim – Director, HPC, Secretary to the Registration Committee

ITEM 1 APOLOGIES

Apologies were received from : Prof. N. Brook, Miss M. Crawford, Dr. R.Jones, Mr. C. Lea, Mr. M. Seale, Miss E. Thornton, and Prof. D. Waller.

ITEM 2 MINUTES

It was **AGREED** that the minutes of the meeting held on 8 May 2002 be confirmed as a correct record and signed by the Chairman.

ITEM 3 MATTERS ARISING

Prof. Klem referred to item 3.2 of the minutes and queried the position in respect of the Standing Orders. It was confirmed that some changes had been made to the Standing Orders and that Council had agreed them at its meeting on 13 June. The Secretary confirmed that from the Council Standing Orders she would draft Standing Orders for the Committee. Prof. Klem also referred to item 6.1, in particular, with respect to the issue of competence in English.

- 3.1 Dr. Burley reported that the Council on 13 June 2002 had been particularly concerned that the proposal to allow registered members of regulated professions anywhere in the EEA to provide services (but not to seek establishment) in any other EEA state without the need to be registered in the host state for 16 weeks in any one year was inconsistent with public protection.

He clarified that the practitioner concerned did still have to be registered by the Competent/Designated Authority in their home state and complaints about conduct etc. could still be made there – however unsatisfactory that was.

He also clarified that a practitioner under the 16 week provision could only use their home state professional title, not a UK protected title in due course.

This had been discussed also at a regulatory seminar on 13 June 2002 where a DoH representative had stated it would not support recruiting staff into the NHS under this provision as a " quick fix " for waiting lists.

- 3.2 The position on competence in a host state's language was that the European Commission had already accepted that this was a part of clinical competence for health professions and this was made more explicit in the current proposals from the Commission.

- 3.3 Mr. P. Frowen referred to item 4.12. It was noted that since the last meeting of the Committee further discussion of this issue had taken place. Mr. J. Bracken had confirmed that Article 13 of the OIC would permit an applicant under either limb of the " grandparenting " provision to apply for admission on the very last day of the relevant period, namely two years after the register opened. Thus a currently unregistered practitioner could wait until the end of the relevant period to register but could not count the relevant period as qualifying experience.

Mr. Bracken cited an example where the register opened on 1 April 2003. This would give an applicant until 31 March 2005 in which to register under the " grandparenting " provisions but the applicant would need to have had 3 years' practising experience prior to 1 April 2003. On this basis only existing practitioners who already had 2 or more years' experience would be eligible to be " grandparented " under the first limb (Article 13 (2) (a)).

However, for applicants who were currently undertaking courses or who had only recently entered practice, the only " grandparenting " route open to them would be the second limb (Article 13 (2) (b)) under which they could be required to undertake additional training and experience before being registered. Candidates in that category could delay applying for registration in the hope that they could acquire practising experience but this of itself would not make them eligible for registration; at the time they applied to be registered they would still have to meet whatever training or experience requirements the Council imposed. Such requirements would be a condition of admission and therefore such candidates would not be eligible for registration until they had completed the requisite training and experience.

It was also noted that offences relating to misuse of a closed title did not apply during the relevant period to candidates eligible for " grandparenting ". If candidates under the second limb of Article 13 wished to remain in practice whilst working towards meeting any training or experience requirements imposed by the Council, they would be well advised to apply for registration as soon as possible.

With respect to item 7.6 of the minutes the Committee noted that Appeals and any Rules relating thereto had been mentioned in the Consultation Document. However, the Document confirmed that these were not issues for consultation but had been included for information only. The Secretary said that she would check the position with respect to any procedures / Rules that had been drafted or were in the process of being drafted.

With respect to item 7.8 the Chairman confirmed that a meeting would be taking place following the Registration Committee meeting.

With respect to Item 8, Dr. Burley confirmed that there was a paragraph in the Consultation Document (para 12.51) that dealt with this issue. The status quo would be maintained; the Health Professions Council was committed to continuing the joint work with the Chartered Society of Physiotherapy (CSP); it would review with the Society arrangements for undertaking work to ensure that they were consistent with the role of the Council.

With respect to item 7.5 the Secretary gave the Committee an update. Mr. Bracken had prepared a draft letter and a Statement of Good Practice to be sent to assessors. Both these documents would be reviewed and any amendments made prior to them being sent to assessors.

ITEM 4 CERTIFICATE OF COMPETENCE IN THE ADMINISTRATION OF LOCAL ANAESTHETICS

After discussion the Committee agreed that for the moment the proposed Certificate of Competence would be used. However, it would be remitted to the JQAC for further advice

ITEM 5 ASSESSMENTS FOR OVERSEAS OCCUPATIONAL THERAPY APPLICANTS

The Committee considered and discussed Enclosure 3. It recommended that the status quo be maintained for the time being. The Committee recommended that the contract with Oxford Brookes University be taken over by HPC. Mr. Bracken, the Council's legal adviser, would be consulted on any amendments or mechanisms necessary to effect this. The Committee confirmed that this proposal would be for the transitional period only.

The Committee recommended that those applying to be Occupational Therapy assessors should be interviewed by the relevant Occupational Therapy Council member and by the HPC Human Resources Director. The Committee further recommended that training of assessors should proceed as requested and would form part of regular updates given to the Committee.

Mr. Seale would sign off a paper with these recommendations that would be put to Council at its next meeting.

ITEM 6 GENERAL ASSESSMENT OF OVERSEAS APPLICANTS (EEA & OTHER)

The Chairman said that the HPC was seeking to establish principles of common process for assessing overseas applicants and "grandparenting" applicants; such processes and procedures would apply across all the professions. Reference was made to this in the Consultation Document.

The Chairman said that the Committee had to make an urgent start on devising these procedures; she said that the form and content of any documents needed to be identified and the Committee would have to decide what information was required, both common and different across all professions. The Committee would have to look at what was going on to the Register and select from that what questions needed to be posed. The Chairman said the Committee would establish the procedures with reference to the Order in Council and therefore the new procedures would be quite different from any that were already in existence.

Dr. Burley said that Mr. Seale had asked him to tell the Committee that (1) the word "grandparent" would be used rather than "grandfather"; (2) any procedures driven by the needs of the IT system alone should be avoided; (3) no forms could be finalised until it was known which titles would be protected.

The Secretary said that she had e-mailed three colleagues who would form a group to begin work on this task.

ITEM 7 CONSULTATION DOCUMENT

The Chairman thanked everybody for their work. The Secretary confirmed that the Consultation Document would be going to the printers that day.

ITEM 8 ANY OTHER BUSINESS

8.1 The Chairman felt that a précis of relevant issues from the Education and Training Committee and from Council should be put before the Committee. It was noted that the minutes of the Registration Committee went to both the ETC and to Council.

8.2 The Secretary had tabled a letter from David Whitmore which he wanted to send to all relevant Chief Executives and Heads of Paramedic Training. The Committee felt it was an administrative matter and not for the Registration Committee. It should be referred to the Paramedic pre-registration Education and Training Working Group. That group might also consider the suitability of Edexcel under S 4(1)(c) of the PSM Act in the light of recent publicity.

ITEM 9 DATE AND TIME OF NEXT MEETING

The next meeting would be held on 19 July 2002 at 10.00 a.m. at HPC, Park House,
184 Kennington Park Road, London SE11 4BU.