

## **The Structure of the Register**

A draft consultation paper is attached. It seeks the views of organisations on how HPC should structure the Register and the changes to the number of Council members following a decision by the Secretary of State to regulate an Aspirant Group.

**The Council is requested to:**

- (i) Review the draft and provide feedback by 3<sup>rd</sup> October**
- (ii) Agree that the final draft will be represented to the Council meeting on 9<sup>th</sup> October**
- (iii) Instruct the Chief Executive and Registrar to publish the paper on 17<sup>th</sup> October**

October 2003

Dear

**Re: Structure of the HPC Register**

The Health Professions Council (HPC) would like to seek the views of (*insert name of organisation &/or party*) on how the HPC register should be structured and changes to the number of Council members following a decision by the Secretary of State to regulate a profession.

**The HPC Register**

The HPC currently regulates 12 professions. The Council has 25 members consisting of a President, 12 Registrants and 12 Lay members. There is a correlation between the size of the Council and the number of professions it regulates as each part of the register requires one Registrant and one Lay member to sit on the Council.

All the relevant parts of the Health Professions Order 2001 are attached as an appendix to this document.

Since the HPC was established in April 2003 we have received applications from (*two*) professions seeking regulation. They are the Operating Department Practitioners (ODP) and Applied Psychologists. The HPC has recommended to the Secretary of State for Health that they should be regulated. The next stage in the process is that the Department of Health will undertake a public consultation and then the legislation governing the HPC will be amended by Parliament. This process may take up to two years to complete.

To date the HPC has been approached by (*number*) Aspirant Groups.

The issue on how the HPC register should be structured and changes to the number of Council members following a decision by the Secretary of State to regulate a profession was consulted upon by the HPC in 2002. However, very few responses were received on the issue probably because of other concerns with other substantive issues concerning the establishment of the HPC. However, applications from Aspirant Groups and the recommendations that some should be regulated by the HPC have now triggered the need to resolve the issue. While not urgent the question must be resolved within a reasonable timeframe.

Therefore a special meeting attended by the council members was convened on 21<sup>st</sup> July to discuss the issue. Three options on how to structure the HPC register were reviewed. They are as follows:

**(I) The regulation of a new profession by the HPC should always result in the number of Council members increasing by two.**

This option was rejected because if the size of the Council was to be increased beyond approximately (30) members it would lead to a reduction in the quality of decision making and would not meet the requirement of good corporate governance.

In addition, some of the Aspirant Groups may have less than 250 potential registrants. The HPC decided in 2002 following a consultation process that a profession with a small number of potential registrants should not be a barrier to regulation. However, it was concluded that it was not equitable for very small professions to have a disproportionate number of Council members.

## **(II) Registrant Council members should not directly correlate to specific professions**

The Registrant Council members would be drawn from professions undertaking similar delivering treatments, for example, diagnostics, scientists, technologists and therapists. While this radical option had merit in reducing the size of the Council it would require a complete redrafting of the legislation governing the HPC and therefore was rejected.

## **(III) Gradual evolution of the structure of the register and number of members of council**

Each time it is agreed that an Aspirant Group is to be regulated by the HPC parts of the register should be either combined, closed or new subsections opened.

To aid debate a number of theoretical examples follow.

**Please note that the theoretical examples do not indicate that the Council has made a decision to regulate an Aspirant Group or to vary the Structure of the Register and the composition of the Council.**

The examples are:

- If regulated, Dance Movement Therapists could become a subsection of the Arts Therapist Part of the Register. No additional Council members would be appointed.
- If regulated, Sonographers could become a subsection of the Radiographer Register. No additional Council members would be appointed.
- A new Part of the Register could be opened for Health Care Scientists. The parts of the register for Biomedical Scientists and Clinical Scientists would then be closed. New subsections of the Register would be created to reflect different types of health care scientists, for example technologists, biomedical and physiological. The number of Council members would be reduced by one.
- A new part of the Register could be opened for Perioperatives. This could have three parts, namely ODPs, Clinical Perfusionists and Paramedics. The number of Council members would rise by one as the ODPs join the HPC and then fall if the Clinical Perfusionists and the Paramedics part of the register were subsequently combined.
- If HPC regulated Nutritionists, the Dietitians part of the Register could be Dietitians and Nutritionists. No additional Council members would be appointed.

- If regulated, Sports Therapists would be added to the Physiotherapists part of the Register thus becoming Physiotherapists and Sports Physiotherapists. No additional Council members would be appointed.
- If regulated, Psychotherapists part of the Register may include Healthcare Chaplains and Arts Therapists. No additional Council members would be appointed.

The meeting concluded that this was the best option.

### **Regulation of supervised registrants**

Currently all HPC registrants are independent practitioners and are not supervised. A number of other UK regulators of healthcare professionals are now extending their remit to regulate supervised practitioners. The meeting concluded that the issue of proposing to extend regulation to supervised practitioners should be resolved once the issues surrounding how the HPC Register should be structured and changes to the number of Council members following a decision by the Secretary of State to regulate a profession have been resolved.

Before reaching a definitive position, the HPC would therefore like to hear your views on the following questions:

1. **Should the regulation of a new profession by the HPC always result in the number of Council members increasing by two?**
2. **Should the number of Registrant Council members directly correlate to specific professions?**
3. **Should the structure of the Register and number of members of Council gradually evolve as new professions are regulated by the HPC?**
4. **If the Council uses option three, what principles should be used to amend the Register?**
5. **Concerns or principles for option three.**

### **Consultation Process**

The Council is conducting a ***(two)***-month consultation that began on 17<sup>th</sup> October 2003 and will be concluded on 17<sup>th</sup> December. This will put the Council's proposals before a wide range of stakeholders including ***(registrants)***, bodies representing health professionals and aspirant groups and patients, other professional bodies, educational institutions, government departments, and health professionals' employers.

All interested parties are invited to give their views and to respond to this consultation document, further copies of which can be obtained from the Council website at [www.hpc-uk.org](http://www.hpc-uk.org).

Following the consultation period all written responses will be analysed and the Council will publish a document summarising the views it received. The target date for this is February 2004.

The decision of the Council will be published by May 2004.

If you have any questions about the process please email our consultation team at [consultation@hpc-uk.org](mailto:consultation@hpc-uk.org), or contact:

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**Relevant sections of the Health Professions Order 2001**

**Part II Article 3.-(17) - page 5**

The Council may-

(a) make recommendations to the Secretary of State concerning any profession which in its opinion should be regulated pursuant to section 60(1)(b) of the Health Act 1999

**Part III Article 6.-(1) - page 6**

The register shall be divided into such parts as the Privy Council may by order determine, on a proposal by the Council or otherwise

**Number of Council Members**

**Schedule1 Part I 2.(2) (b) - page 33**

At least one registrant member and one alternate member shall be appointed from each part of the register and the number of members shall be equal

**Schedule1 Part I 5, - page 34**

On a proposal from the Council or otherwise the Privy Council may by order vary the size or composition of the Council