

**HEALTH AND SOCIAL CARE PROFESSIONALS
COUNCIL**

ANNUAL REPORT 2009

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Glossary

In this Annual Report, the following expressions shall, unless context otherwise requires, have the following meaning:

“Act”	means the Health and Social Care Professionals Act 2005 establishing the Health and Social Care Professionals Council.
“Council”	means the Health and Social Care Professionals Council.
“Registration Boards”	means the individual registration boards for each of the professions to be registered under the Act.
“Chief Executive Officer” or “CEO”	means a person appointed to the post of Chief Executive Officer/ Registrar of Council.
“Minister”	means the Minister for Health and Children.
“DOHC/ Department”	means the Department of Health and Children.

1. Chairperson's Foreword

It gives me great pleasure on behalf of the Health and Social Care Professionals Council, to present our Third Annual Report covering our activities during the twelve month period up to the end of December 2009.

The year saw the end of the term of the First Council and the appointment of the Second Council by the Minister for Health and Children in accordance with the provisions of the Health and Social Care Professionals Act, 2005. While each member of Council is appointed for a four year term, the Act requires that half the members of Council as initially appointed, change after two years. Therefore, it was agreed at the very first meeting of Council held in March 2007, that members to retire after the first two years be randomly selected by lot. In March 2009, the following members duly retired from Council:

Dr Elizabeth Anne McKay, Ms Una O'Shiel, Ms Nanno Fitzsimons, Ms Joan Freeman, Ms Elva Gannon, Mr Vincent McCabe, Prof Denis A Cusack, Mr Michael O'Halloran. Ms Mary O'Donnell, and Mrs Joan Johnson.

I would like to thank them again most sincerely for their outstanding service to Council and on my own behalf, and on that of the Health and Social Care Professionals Council, to take this opportunity to record our deep appreciation of the contribution made by each and every one of them.

As a result of the efforts of Council, Sub-committees and Working Groups in which Council members generously agreed to participate, working closely with our Chief Executive Officer, Ms Ginny Harahan and her team, sufficient progress had been made to recommend to the Minister for Health and Children that she could now commence a number of further parts of the Act and proceed with appointing the first of the Registration Boards.

Pending completion of this work by the Minister and her Department, the newly appointed Second Council has meanwhile proceeded with preparations for the roll-out of registers as determined by Registration Boards as soon as they are appointed. These preparations included the seeking of approval for, and recruitment of Heads of Legal Affairs, and of Registration and Education, namely Ms Sinead Boyle and Ms Mary Griffin, both of whom took up appointment in August 2009. The Second Council also oversaw, in the course of 2009:

- Completion of an Information and Communication Technology Review of the requirements for the Council by Price Waterhouse Cooper, completed by March 2009;
- Completion of a comprehensive Business Process Mapping exercise, conducted with the assistance of PA Consulting, and completed at the end of November;
- Establishment of a Communications Strategy Process with the assistance of consultants, The Communications Clinic;
- Conduct of a Fee Analysis with the assistance of EPS Consulting in November;
- Completion, in conjunction with the Business Mapping Process, of a separate Analysis of Information Technology models, in December, with the assistance of PA Consulting, and
- Implementation of a Legal Support Framework.

All external consultants who assisted in the above tasks, were selected and recruited in accordance with public procurement rules, including EU tender procedures.

The output from all the forgoing activity has now been considered by the relevant Council Sub-committees and Working Groups, and by Council itself. This has been done with a view to putting in place modern, efficient, and effective systems of registration. Council has submitted to the Department for approval, a detailed Five Year Plan, for the period 2010 – 2014, incorporating a recommended sequence for the roll-out of registers; projected income and expenditure levels; and a proposed staffing structure. Council has also submitted detailed proposals for approval relating to the delivery of our IT system, based on the business process selected by Council, which will meet the requirements of Council and the Registration Boards for the foreseeable future.

In the interim, Council Executive has embarked on a joint planning with regard to the processes with the National Social Work Qualifications Board (NSWQB), the Opticians Board and the Pre-Hospital Emergency Care Council, who are due to join Council in 2011.

The Executive continues to be accommodated at the Baggot Street Offices of the NSWQB, to whom I would like to take this opportunity to express Council's appreciation for the assistance, co-operation and courtesy the Board and their staff continue to show to Council, our Chief Executive Officer and her team.

Similarly, I would like to record, on behalf of Council, our gratitude and appreciation of the encouragement and support afforded right throughout 2009 by the Minister for Health and Children and her Department, especially Bernard Carey, Assistant Secretary General, Deirdre Walsh, and Paul Flanagan, who continue to be of invaluable assistance and ongoing support to Council.

Margaret Hayes
Chairperson

2. Introduction

2.1 The Health and Social Care Professionals Act was enacted to protect the public, by enabling health and social care professionals to practise in a regulated, controlled and safe environment; and in a manner that ensures provision of high-quality interventions, while meeting the challenges of increasingly complex and evolving care and therapeutic regimens for service users. The Act provides for a system whereby health and social care professionals will be facilitated in ensuring responsible and accountable practices whilst they seek to provide the highest level of patient care and service.

2.2 The Act provides for a Council to act as the statutory regulator of designated health and social care professions including the following, which are specified in Section 4 of the Act:

Clinical Biochemists	Physiotherapists
Dietitians	Psychologists
Medical Scientists	Radiographers
Occupational Therapists	Social Care Workers
Orthoptists	Social Workers
Podiatrists	Speech and Language Therapists

and any further professions scheduled by the Minister for Health and Children under the Act. Following Budget Statements in October 2008 and April 2009, the Pre-Hospital Emergency Care Council (PHECC) who regulates the Emergency Medical Technicians, Paramedics and Advanced Paramedics, and the Opticians Board, who regulate Optometrists and Dispensing Opticians, are now scheduled to merge with Council in 2011. The National Social Work Qualifications Board is already scheduled under the 2005 Act to merge with Council as soon as the required legal framework is put in place and work on this is already underway within the Department. It is intended to plan for transfer in May 2010.

2.3 Council has been given the following statutory object

"To protect the public by promoting high standards of professional conduct and professional education, training and competence among registrants of the designated professions."
(Section 7 of the Act)

2.4 Council completed the first two years of office in March 2009. The Minister for Health and Children appointed the Second Council as follows:

MEMBERSHIP OF THE HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

Chairperson

Ms Margaret Hayes

One member from each of the 12 professions to be regulated

Ms Margaret Doyle (Dietitians)

Ms Jacqui Barry-O'Crowley (Medical Scientists)

Ms Patricia Godwin (Podiatrists)

Mr Mitchel J Fleming (Psychologists)
Mr Mark McEntee (Radiographers)
Ms Monica Egan (Social Workers)

Three persons who have qualifications, interest and experience as in the opinion of the Minister, would be of value to Council in performing its functions

Mr Tom Jordan
Ms Fionnuala Cook
Ms Patricia O'Connor

One representative of the management of the public health sector, the public social care sector or both sectors

Ms Jackie Reed

One representative of the management of a voluntary or private sector organisation concerned with health or social care

Mr Tony Darmody

One representative of third level education establishments involved in the education and training of persons with respect to the practice of the designated professions and is nominated by the Minister for Education and Science

Dr Ann Taylor

Six representatives of the interest of the general public and are appointed with the consent of the Minister for Education and Science

Mr Pat Quinlan
Ms Bernie Eustace
Ms Sharon Foley
Mr Michael Ronayne
Ms Stephen McMahon
Ms Julie Ling

The formal appointment to Council of a further six nominees is currently pending an amendment to the Act. At present, the nominees have observer status

Ms Jill Long (Physiotherapists)
Ms Mary Barrett (Occupational Therapists)
Ms Libby Delap (Orthoptists)
Mr David Power (Social Care Workers)
Ms Maeve Murphy (Speech and Language Therapists)
Dr John O Mullane (Clinical Biochemists)

** Bold – new appointees*

Completed Terms of Office as members of Council during 2009

Professional Representatives

Dr Elizabeth Anne McKay (Occupational Therapists)
Ms Una O'Shiel (Speech & Language Therapists)
Ms Nanno Fitzsimons (Orthoptists)

Ministerial Nominees

Ms Joan Freeman
Vacant

Public and Private/Voluntary Health Management Representative

Ms Elva Gannon

Educational Representative

Vacant

General Public Representatives

Mr Vincent McCabe
Prof Denis A Cusack
Mr Michael O'Halloran
Ms Mary O'Donnell
Mrs Joan Johnson

2.5 Meetings

Council met on five occasions in 2009, with most members also serving on Council Working Groups (see page 10 for more details). Dr John O'Mullane continued to act as Council's nominee to the Irish Medical Council following legal clarification.

2.6 Appointment of the Second Council

Under the Act, the Minister for Health and Children appointed the First Council for a four year period. The legislation however requires that half of the First Council change after two years through lots, to allow a rolling system of Council members. Those due to retire after the first two years were accordingly selected at the first meeting of Council in March 2007.

The Second Council was appointed in accordance with the Act. Each Council member is appointed for a four year term. However, an issue has arisen within the legislative framework, which is currently being addressed in order to permit the Minister to formally appoint the final six nominees to Council. These nominees currently have full observer status and attend all meetings of Council pending the amendment to the Act.

2.7 Induction for Council

Formal induction and training for Council members took place on the 1st December on topics including Corporate Governance, Implementing the Act – legal issues; Approval of the Educational courses, Registration and Fitness to Practise.

2.8 Registration Boards

The Act provides that Registration Boards be appointed for each of the professions designated under the legislation. Each Registration Board will be a body corporate with perpetual succession, a seal, and may sue or be sued in its corporate name. The Act requires that each Board is to consist of 13 members - six from the profession to be registered – one educator, two managers and three practitioners; and seven lay members - representatives from management of the public health/social care sector; management of voluntary/private sector health or social care; a third level representative and four to represent the general public, who are nominated by the Minister for Enterprise, Trade and Employment. The Board will then duly elect the Chairperson.

Council advised the Minister in October 2008 that arrangements were now in place to facilitate appointing the first two Registration Boards, and recommended that those be for the professions of Social Worker and Physiotherapist. The Department completed a consultation process with the relevant bodies regarding nominees for the Minister to consider for appointment. It is understood that the need for the aforementioned amendment of the Act has led to some unavoidable delays in completing this process.

3. Programme of Activities 2009

3.1 Council adjusted the working groups and committees arrangements to reflect the phase of development of the organisation and currently has the following two Council committees and four Council Working Groups in Place

- 1) Finance and Remuneration Committee
- 2) Audit, Risk and Governance Committee
- 3) Registration Working Group
- 4) Education and Training Working Group
- 5) Fitness to Practise Working Group
- 6) Strategy Development Working Group

This year, work has focussed on the establishment of processes and procedures in relation to the establishment of the system of registration.

Council Committees/Working Groups

FINANCE AND REMUNERATION COMMITTEE

3.2 Reporting to Council, the role of the Finance and Remuneration Committee is to oversee the financial management of the HSCPC, including the collection, investment, borrowing and outlay of all monies received. Key responsibilities of the Finance and Remuneration Committee as determined by Council are:

- To monitor approved budget income / expenditure of the HSCPC and report to Council on such matters, highlighting and commenting on variances and corrective action required as appropriate;
- To approve delegated areas of expenditure at limits approved by Council and in line with overall Council approved budget;
- To review Capital Expenditure proposals from the Chief Executive and to make recommendations to Council;
- To review budget proposals from the Chief Executive in a timely manner, to consider and make recommendations for approval to Council prior to submission of same to Department of Health and Children;
- To review proposals from the Chief Executive, the draft business plans in line with allocated budget and to make recommendations to Council;
- To review and to make recommendations to update operating financial procedures / processes of the HSCPC where appropriate and necessary, in accordance with changes in funding and legislative requirements and best practice;
- To carry out other assigned functions as prescribed by Council from time to time.

The current members are: Mr Pat Quinlan (Chair), Mr Tony Darmody, Ms Jacqui Barry-O’Crowley, and Dr Mitchel J. Fleming.

Outgoing members who completed their term of office in March 2009 were: Mr Vincent McCabe (Co-ordinator until March 2009), Dr Elizabeth-Anne McKay, and Ms Nanno Fitzsimons.

The committee met on three occasions in 2009 advising Council and executive on matters such as budget management, accommodation, procurement, the Business Process Mapping project. The committee also made recommendations to Council on the 2009 Business Plan and for the Budget and Service Plan for 2009.

The Finance and Remuneration committee also took the lead on ensuring the completeness of the review of the fee analysis report by EPS Consulting and subsequently made their recommendations to Council.

AUDIT, RISK AND GOVERNANCE COMMITTEE

3.3 Reporting to Council the Committee's Terms of Reference were drawn up and subsequently approved by Council.

Objectives

To be responsible, on behalf of Council, for:

- 1 The review of the reliability and integrity of financial systems, systems of internal control and operational information and reporting thereof**
 - i) Reviewing and approving purchasing procedures and protocols for the transfer and disposal of assets;
 - ii) Overseeing the process for safeguarding assets and, as appropriate, verifying the existence of such assets;
 - iii) Ensuring that adequate attention is paid to value for money auditing;
 - iv) Through the Internal Audit section, appraising the economy, efficiency and effectiveness with which resources are employed.

- 2 The review of governance processes**

Reviewing the Corporate Governance system in place and ensuring that the Code of Corporate Governance reflects the changing requirements.

- 3 The review of systems of risk identification and management**

- 4 The review and consideration of any report received from the Comptroller and Auditor General and to liaise with that office as necessary; to consider findings of internal audits and investigations, and management's response;**
 - i) To consider and advise Council on the appointment of terms of engagement of the Internal Audit Service, the provision of any non-audit services by the Internal Auditors and any questions of resignation;
 - ii) To ensure that the resources made available for Internal Audit are sufficient to meet Council's needs or to make recommendations to Council as appropriate.

- 5 To review annual financial statements and submit a recommendation to Council focusing, particularly on**
 - i) Any changes in accounting policies and practices;
 - ii) Major judgemental areas;
 - iii) Significant adjustments resulting from the audit;
 - iv) The going concern assumption;
 - v) Compliance with accounting standards;
 - vii) Ensuring compliance with legal requirements.

6 To consider any topics as requested by Council

Membership

The members of the Committee are: Ms. Sharon Foley (Chair), Mr. Tim Dalton (ex Secretary General Department of Justice), Mr. Vincent McCabe (Financial Controller Irish Heart Foundation) and Mr Stephen McMahon (Council Member).

The Audit Committee shall consist of not less than three members, at least two of whom should be Council members. The Chairperson of Council shall not be a member of the Committee. At least one member of the Audit Committee shall have recent and relevant financial experience. A quorum shall be two members. Audit Committee members may not serve on the Finance Committee.

The Chairperson of the Audit Committee shall be appointed by Council.

Meetings

The Chief Executive and the Internal Audit Manager (when appointed) should attend all meetings.

Other Council members shall also have the right of attendance.

The Audit Committee should have a discussion with the Office of the Comptroller and Auditor General at least once a year, without employees of Council present, to ensure that there are no unresolved issues of concern.

Due to a number of issues, the committee commenced their work in February 2010 which included drafting Terms of Reference, subsequently approved by Council, and finalising The Corporate Governance Framework, subsequently approved by Council.

GOVERNANCE (Subsumed into the Audit, Risk & Governance Committee at the end of 2009)

3.4 This Group's terms of reference as determined by Council were to:

- Identify governance issues as required under the Act;
- Identify relevant issues to be addressed by Council;
- Draw up a draft governance framework.

Members of this committee were: Mr Tom Jordan (Co-ordinator), Ms Elva Gannon, Mr Michael O'Halloran, Ms Patricia Godwin, and Dr John O'Mullane.

Due to Dr John O Mullane's role on the Medical Council and the onerous requirements, Dr O'Mullane was excused from Committee work. It was agreed by Council that the issue of Governance would be better served by integrating it with Audit and Risk, which occurred at the end of 2009, resulting in the disbandment of this working group.

REGISTRATION WORKING GROUP

3.5 This Group has been given the following terms of reference by Council:

- Identify the relevant issues for Council;
- Advise Council on what steps needs to be taken for registration to happen;
- Draw up a draft action plan to prepare for registration.

The current members of this Group are: Dr Mark McEntee (Co-ordinator), Ms Margaret Doyle, Dr Mitchel J Fleming, , Ms Jill Long, Mr David Power, and Ms Jacqui Barry O’Crowley.

Outgoing Members who have completed their terms of office in March 2009 were: Ms Nanno Fitzsimons, Dr Vincent McCabe, Mr Michael O’Halloran, Dr John O’Mullane, and Ms Patricia Godwin.

The Working Group met on four occasions in 2009. This working group worked closely with the executive in relation to completion of reports - ICT analysis, the business process mapping, and outsourcing.

EDUCATION AND TRAINING WORKING GROUP

3.6 This Group were given the following terms of reference by Council :

- Outline specific requirements under the Act in relation to education and training;
- Identify the issues in relation to education for the purposes of registration including validation of courses;
- Advice Council on the manner in which the issue of Continuing Professional Development (CPD) should be handled.

The current members are: Dr Ann Taylor,(Co-ordinator) Ms Monica Egan, Ms Margaret Doyle, Dr Mark McEntee, and Ms Jackie Reed.

Outgoing Members who completed their terms of office in March 2009 were: Dr Elizabeth-Anne McKay, Ms Joan Johnson, Ms Una O’ Sheil.

The group oversaw the process of updating the draft standards for education, training and proficiency and following legal scrutiny and Council approval, are to go to wider consultation with the educators, professionals, employers and service users to ensure that Council Guidelines to the Registration Boards meet all requirements. The documents will then be ready to give the individual Registration Boards for their consideration, in the context of the circumstances of each profession, as soon as these Boards are established.

The New committee is now beginning work on establishing systems of Approval for Education Courses, and reviewing Non-National qualifications. .

FITNESS TO PRACTISE WORKING GROUP

3.7 This Group had the following terms of reference:

- Outline the elements of the Fitness to Practise framework, as provided for in the Act;
- Influence the standards that are being set, to ensure that they reflect the requirements of a fair Fitness to Practise system;
- Identify the relevant issues for Council.

The current members are: Ms Monica Egan (Co-ordinator) Ms Jill Long, Mr David Power, Ms Monica Egan, and Ms Patricia Godwin

Members who completed their terms of office in March 2009 were: Ms Joan Freeman, Prof Denis A Cusack, Mr Tony Darmody.

The draft Fitness to Practise Framework document and Generic Rules of Professional Conduct (Code of Ethics and Standards of Performance and Conduct) were agreed in 2008. These documents will form the basis for all Registration Boards by laws on their professions' Code of Conduct, Ethics and Performance. In relation to the Code of Conducts, Ethics and Performance, It was agreed that Council commenced consultation with the professions, representatives of patients/service user groups, the Competition Authority and Data Protection. Two workshops took place, one in November 2009 and the second took place in early 2010. The Code of Conduct, Ethics and Performance Guidelines were subsequently approved by Council in February 2010. (see 4.3, Page 16 for more details)

STRATEGIC DEVELOPMENT WORKING GROUP

3.8 Work on the Strategic Plan for 2010 to 2014 commenced with members of Council in December 2009. Sharon Foley, Fionnuala Cook and the executive worked on preliminary work in developing the Strategic Plan. In 2010, the plan will be finalised and will be signed off by Council.

4. Establishment of the Executive

4.1 Staffing

The year was a challenging year for the national economy and this has impacted on the pace of the development of this new body. Thanks to the support of the DOHC and the work of the Public Appointments Service, Council were able to appoint two senior members of staff in August:

- Ms Mary Griffin, Head of Registration and Education, and
- Ms Sinéad Boyle, Head of Legal Affairs.

Both Mary and Sinéad bring a breadth of relevant experience to Council - Mary previously worked in private industry, the Institute of Public Administration and local government; Sinéad is a qualified solicitor who joined Council following time in Philip Lee and McCann FitzGerald Solicitors, as well as having worked in the Departments of Justice and Finance previously. Ms Gail Ferguson was appointed to a permanent post as Office Manager.

The Business Process Mapping exercise provides Council with an outline of the staffing requirements for the Five Year Business Plan, taking into account the amalgamation of staff and posts from the other agencies. The plan has been subsequently forwarded to the Department.

4.2 Preparing for Registration

The Executive as a priority has been progressing preparations for the systems to support the establishment of the Registration Boards and registration. This includes establishing standards for registration – methods of applications and processes to enable respective registration boards to satisfy themselves that applicants meet all of the requirements of the Act – that all people on the register will be “Fit and Proper”. Guidelines to the Registration Boards will ensure there is consistency between registration boards with procedures, processes and regulations prepared and submitted for Council approval. The objective is to have guidelines for the opening of the first registration boards. These guidelines will cover such matters as Method of Assessment including:

- Approval and validation of qualifications;
- Proof of identity;
- Health and Character clearance;
- Evidence of Experience where applicable.

Other issues that have been commenced but will need a lot of further work include:

Legal -	Content of statutory rules, bye laws and notifications to the DOHC on the commencement of sections of the Act and subsequent necessary enactments;
Education and Training -	Establishing standards for education and training and proficiency;
Fitness to Practise –	The nature of standards against which fitness to practise will be measured.

Codes of Conduct, Ethics and Performance – Work progressed on developing a guideline document from Council which incorporated the principles required in the above code. This document will be used by the Registration Boards as a start to allow them to develop their legally binding codes.

4.3 Framework for a Common Code of Professional Conduct and Ethics

Consultations were held on a draft Framework for a Common Code of Professional Conduct and Ethics drafted by Council.

Two consultation workshops were held on 25 November 2009 and 21 January 2010 with Council members and nominated professionals from the 12 designated professions and nominees from the Pre-Hospital Emergency Care Council and the Opticians Board.

The first workshop was well attended (26 professionals) and well received. There was a broad level of support for the common code. However, the wording of some principles required reworking. Some suggestions for rewording came out of the focussed working groups and the draft code was amended and re-circulated to reflect this.

Professional groups were asked to consult their professional bodies on the revised code in advance of the next workshop and to feedback any comments in advance of the meeting. The revised text was also sent to the competition authority and the Office of the Data Protection Commissioner. Comments received were logged and circulated to participants at the second workshop. 22 responses were received.

The second workshop was attended by 28 participants. Over three sessions, the groups considered the ethics, performance and conduct sections of the draft code. The final session identified priority areas for the groups. Feedback was collected from each session.

Feedback was considered by the Fitness to Practise Working Group of Council and a final text was agreed for recommendation to Council.

At its meeting on 11 February 2010, Council resolved to adopt the Framework for a Common Code of Ethics and Conduct as a guideline in accordance with section 31(7) of the Health and Social Care Professionals Act, 2005. The agreed text will act as a guideline for registration boards, when appointed, to prepare their Code of Professional Conduct and Ethics.

4.4 Procurement for Advisory Services

Council approved and the executive ran competitions, meeting the requirements of the public procurement processes. Guidance to Council was provided by Achilles Procurement specialists.

The outcome of which were:

- Legal advisory services** – EU tender resulting in a two framework agreements:
- Regulatory matters – McDowell Purcell, Dominic Dowling, Arthur Cox;
 - Corporate matters – Landwells, Byrne Wallace (formerly BCM Hanby Wallace), Philip Lee;

- ICT analysis -** Completed in March 2009 by Price Waterhouse Cooper, following tender competition and formed the basis for the next steps in establishing the organisation;
- Business Process Mapping –** E-tender for this service – PA Consulting won the competition. This report was completed in the latter half of the year;
- Fees Analysis –** Was tendered and won by EPS Consulting. Report was completed at the end of 2009 and is due to be reviewed by Council in February 2010.

The latter three documents helped to form the basis of the Five Year Business Plan 2010 to 2014. This identified the resources required to provide this service and the basis of a submission to the DOHC.

- Communication Strategy –** Following a competition, Communications Clinic commenced to assist us in devising this strategy to ensure that we communicate in a correct and timely manner with our stakeholders;
- Website -** The website was designed and prepared for launch. The website was formally opened in the first quarter of 2010;
- “Coru” –** Council has decided to trade under the name “Coru”. This was devised following work with Creative Inc, in consultation with Council. The name is intended to reflect “Care”, “Council” and “regulation” and will be launched next year. Health and Social Care Professionals Council will remain the legal name for the organisation and will be on all communication materials.

In line with Government policy Council has been exploring shared services with existing agencies, in particular back office functions. This has been complicated by the joining of three existing agencies to this new organisation. However, there has been some interesting work with a number of regulators, Council has since submitted proposals to the DOHC based on this work and it is hoped to produce tangible systems to forward Council’s work in 2010.

4.5 Finance

Grant Thornton was appointed to provide financial management services to the organisation. The payroll has also been outsourced. This will be reviewed in 2010.

4.6 Pension Scheme

Proposals for a HSCPC Pension Scheme were submitted to the Department of Finance in 2008 but await approval. The HSCPC scheme has since been listed on the public service transfer list and on the local government transfer scheme and for registration with the Pensions Board. Mr Damian Smith was re-appointed by Council as Pension Adviser for 2009/10.

4.7 Accommodation

Council executive continues to share the premises of the National Social Work Qualifications Board. Council wish to formally record their grateful appreciation to the Board and especially to Ms Eilís Walsh,

Director, and her staff for the friendly and hospitable manner in which they have accommodated Council staff.

During 2009, many venues were considered as possibilities for future offices for Council. At the end of 2009, Council was working closely with the DOHC and the OPW towards acquiring a premise. Following the Department's consideration of Council's five year plan, there should be a clearer picture of what size of building will be required. It is anticipated that the new accommodation will be available in the first half of 2010.

4.8 ICT Systems

The provision of an appropriate system will be a critical factor in the economical manner in which this organisation progresses. The Executive are keen to ensure acquiring the best value for money system to meet the needs of registration, finance and research in the immediate future with education review, fitness to practise systems requiring development. Council and the Department of Health and Children are working together on a number of proposals including shared services, to ensure that the capital funding to be spent will be done economically.

4.9 Links with other Health and Social Care Regulators/ Statutory Agencies

The Executive continued to strengthen working links with the other Health and Social Care Regulators in Ireland, in particular – An Bord Altranais, Irish Medical Council, the Pharmaceutical Society of Ireland and HIQA. Regulators in other areas of work have also provided great support in particular the Teachers' Council, and the Personal Injuries Assessment Board. Strong links have also been forged with the Health Professionals Council UK who regulate 10 of the 12 professions designated in the Act of 2005, and with the Northern Ireland Social Care Council, who is currently responsible for the registration of Social Workers and Social Care Workers in Northern Ireland.

Council would also like to acknowledge in our Annual Report the assistance and support that these and all the statutory regulators, with whom we have made contact with, have afforded to us. They have been most generous in sharing with Council, and our executive their knowledge, information and expertise.

Our CEO continued to work as part of the Health and Social Care Regulators' Forum for Chief Executives, established in 2008, currently chaired by Mr Eugene O'Donoghue (CEO, An Bord Altranais). There are 14 members including An Bord Altranais, Irish Medical Council, Pharmaceutical Society of Ireland, Pre-Hospital Emergency Care Council (PHECC), National Social Work Qualifications Board, Opticians Board, the Dental Council, HIQA, Health and Safety Authority, Veterinary Council Ireland, Food Safety Authority of Ireland, Mental Health Commission, Radiation Protection Institute of Ireland, Irish Medicine's Board and the Health and Social Care Professionals Council. The Forum currently has a number of working parties looking at how the regulators can work closer together for the betterment of public protection and to achieve better value for money.

The CEO continues as a member of ACESA – Association of Chief Executives of State Agencies - which has been a very useful networking group and has resulted in much assistance to many of the areas we are working towards establishing.

4.10 Involvement in Development of Professions preparing for Registration

The CEO has continued to attend meetings with the professionals who are to be regulated, to better inform them of developments through attending their conferences and making presentation on Council's work.

The CEO has worked closely with the HSE and the DOHC and the representatives of the three professional body for podiatrists and chiropodists namely the Society of Podiatrist and Chiropodists of Ireland; Institute of Chiropodists & Podiatrists and Irish Chiropodist/Podiatrists Organisation.

The group have been working towards establishing the Podiatrists and Chiropodist as the Designated Authority to advice the DOHC on non-national qualifications. This process has helped to focus the professionals on the important issues for development which will assist to the move towards registration. Most of the meetings have taken place in Galway, as key players in this exercise - School of Podiatry, National University of Ireland, Galway representatives of the three organisations and HSE looking after this issue are based in the West. This is a key step towards registration .

The CEO has been part of the consultative process by HETAC as they finalise the development of National Standards of Education for Social Care Workers. This has been in conjunction with the three groups involved are the Irish Association of Social Care Workers, Irish Association of Social Care Educators and the Residential Managers Association. It is also hoped in 2010 to work with the three professional groups, the HSE, the DOHC, Educators, Employers and non-national experts towards developing the role as Designated Authority in relation to non-national qualifications in a similar manner to the Podiatrists.

4.11 Council was listed in April 2008 under the Ethics in Public Office Act 1995 and 2001. Council met all their requirements under the Act in 2009.

5. Commission for Patient Safety and Quality

5.1 Work continues in the DOHC on implementing the recommendations of the Commission for Patient Safety and Quality report entitled "Building a Culture of Patient Safety". The DOHC has established the Implementation Steering Group to identify methods of implementation. This is chaired by Dr Tony Holohan, Chief Medical Officer and it is to report back to the Minister and the DOHC by December 2010.

Council's CEO is involved with the Health and Social Care Regulators Forum who work together towards delivering better regulation of professionals and services in the Health and Social Care services. Ms Hanrahan is leading the group's co-ordinated response to the report. The Forum are working with the different sub-groups, but in particular the Regulation Sub-group, chaired by William Kennedy, Medical Council and Credentialing and Licensing Sub-group chaired by Hugh Kane, Mental Health Commission. (see Appendix 4 for more details on the report)

APPENDIX 1

Attendance Council Meetings 2009

1st Council 2007-2009

Name	Dates	
	5 th Feb	19 th Mar
Margaret Hayes Chair	√	√
Vincent McCabe	√	√
MOHC nominee vacant		
Joan Freeman	√	√
Joan Johnson	√	√
Denis Cusack	√	
Michael O Halloran		N
Mary O Donnell		
Education Rep vacant		
Elva Gannon		√
Tony Darmody	√	√
Pat Quinlan		√
Tom Jordan	√	√
Una O' Shiel	√	
John O Mullane	√	√
Margaret Doyle	√	
Jacqui Barry-O Crowley	√	
Elizabeth Anne McKay		
Nanno Fitzsimons	√	√
Jill Long	√	√
Patricia Godwin	√	√
Mitchel J. Fleming	√	√
Monica Egan	√	√
Mark McEntee	√	
David Power	√	√

2nd Council appointed 2009 2011

Name	Dates		
	22 nd July	22 nd Oct	2 nd Dec
Margaret Hayes Chair	√	√	√
Tony Darmody	√	√	
Pat Quinlan	√	√	√
Tom Jordan	√	√	
Margaret Doyle	√	√	√
Jacqui Barry-O Crowley	√	√	√
Patricia Godwin	√	√	√
Mitchel J. Fleming	√	√	√
Monica Egan	√		√
Mark McEntee	√		
Sharon Foley	N	√	√
Ann Taylor	N		√
Fionnuala Cook	N		√
Jackie Reed	N	√	√
Stephen McMahon	N	√	√
Michael Ronayne	N	√	√
Bernie Eustace	N	√	
Julie Ling	N	√	
Patricia O Connor	N	√	
Speech & Language Therapy rep*			
Clinical Biochemist rep*			
Occupational Therapy rep*			
Orthoptics rep*			
Physiotherapy rep*			
Social Care Worker rep*			

* See section 2.6, Page 8 for details

√ – Attended
N – Not on Council

APPENDIX 2

MEMBERSHIP OF COMMITTEES AND WORKING GROUPS FOR COUNCIL (All retired during 2009)

First Council – until March 2009

Fitness to Practise

Ms Jill Long (*Co-ordinator*)
Joan Freeman
David Power
Denis Cusack
Monica Egan

Registration

Mark McEntee (*Co-ordinator*)
Jacqui Barry O Crowley
Margaret Doyle
Mitchel Fleming
Patricia Godwin
Nanno Fitzsimons
John O Mullane
Jill Long
David Power
Vincent McCabe
Michael O Halloran

Education

Elizabeth Anne McKay (*Co-ordinator*)
Joan Johnson
Bernie McNally
Monica Egan
Mark McEntee
Margaret Doyle
Una O Sheil

Governance

Tom Jordan (*Co-ordinator*)
Elva Gannon
Michael O Halloran
Patricia Godwin
John O Mullane

Finance Committee

Vincent McCabe (*Chair/Co-ordinator*)
Elizabeth Anne McKay
Bernie McNally
Tony Darmody
Pat Quinlan
Mitchel Fleming
Jacqui Barry O’Crowley
Nanno Fitzsimons

Second Council 2009-2011 (all appointed)

Fitness to Practise Working Group

Monica Egan (*Co-ordinator*)
Jill Long
David Power
Patricia Godwin

Registration Working Group

Mark McEntee (*Co-ordinator*)
Jill Long
Mitchel Fleming
Margaret Doyle
Jacqui Barry O’Crowley
David Power

Education Working Group

Ann Taylor
Monica Egan
Mark McEntee
Margaret Doyle
Jackie Reed

Strategy Working Group

Fionnuala Cook
Sharon Foley

Governance Working Group – it was agreed to amalgamate with the Audit Committee to form the Audit, Risk and Governance Committee.

Finance & Remuneration Committee

Pat Quinlan (*Chair*)
Tony Darmody
Mitchel Fleming
Jacqui Barry O Crowley

Audit, Risk and Governance Committee

Sharon Foley (*Chair*)
Tim Dalton
Vincent McCabe
Stephen McMahon

APPENDIX 3

DUTIES OF COUNCIL

Council's functions as set out in the Act require that it must:

- *(a) oversee and co-ordinate the activities of registration boards'*
- *(b) provide administrative support and secretarial assistance to registration boards and their committees,*
- *(c) receive applications and make decisions about registration concerning the refusal of registration boards to grant or restore registration,*
- *(d) enforce standards of practice for registrants of the designated professions, including the codes of professional conduct and ethics adopted by their registration boards,*
- *(e) oversee establish committees of inquiry into complaints, inquiries and discipline as outlined in Part 6 of the Act, against registrants of the designated professions,*
- *(f) make decisions and give directions under Part 6 relating to the imposition of disciplinary sanctions on registrants of the designated professions,*
- *(g) advise the Minister, either on its own initiative or at the Minister's request, on all matters relating to Council's functions under this Act,*
- *(h) encourage registration boards to collaborate with each other, where practicable, including in the professional education and training of registrants,*
 - (i) issue assessment guidelines for the purposes of section 91 – initial registration of existing professions within the designated professions for the opening of the registers and during the transitional period and*
- *(j) perform any function that may be assigned by the Minister to Council and that relates to— the registrants of any designated profession, their education and training and the practice of the profession, or the implementation of any directive or regulation of Council of the European Union concerning the practice of, and person engaged in, health care or social care.*
- *(k) Council has power to do anything that appears to it to be requisite, advantageous or incidental to, or to facilitate, the performance of its functions under this Act.*

“The object of Council is to protect the public by fostering high standards of professional conduct and professional education, training and competence among registrants of that profession” (Act Part 2, section 7)

APPENDIX 4

DUTIES OF THE REGISTRATION BOARDS

A Registration Board, once appointed, has power to do anything that appears to it to be requisite, advantageous or incidental to, or to facilitate, the performance of its functions under this Act and it may, with Council's approval

- *establish and maintain a register of members of the designated profession,*
- *issue certificates of registration,*
- *give guidance to registrants concerning ethical conduct and give guidance and support to them concerning the practice of the designated profession and continuing professional development,*
- *monitor, in accordance with the Act, the continuing suitability of programmes approved by the board for the education and training of applicants for registration, and*
- *make recommendations under Part 6 of the Act "Complaints, Inquiries and Discipline" with respect to sanctions to be imposed on registrants of the designated profession.*

(a) engage in research into education and training relating to the practice of the designated profession, including the formulation of experimental curricula and the evaluation of existing programmes and examination and assessment procedures, and

(b) maintain statistical records and make those records available for research and planning.

The object of the Registration Boards of a designated profession is

"to protect the public by fostering high standards of professional conduct and professional education, training and competence among registrants of that profession".
(Act Part 3, section 27)

APPENDIX 5

The Commission's Report entitled "**Building a Culture of Patient Safety**" came out in July 2008. Dr Deirdre Madden UCC Law Lecturer and current chair of the Standards in Practice sub-committee, Medical Council, chaired the committee. The terms of reference included:

"-a system of leadership for clinicians and managers which would underpin robust corporate accountability for institutional and clinical performance;
-a statutory system of licensing for public and private healthcare providers and Services;
-the process of quality assurance of clinical services (with an emphasis on clinical outcomes) for public and private healthcare providers and services;
-procedures for healthcare professionals and managers to anticipate risks and promote good performance through effective risk identification, near-miss and adverse event reporting;
-the participation of patients and carers and support staff in engaging with healthcare providers on health services planning and the quality of care received;
-the participation by all healthcare staff in audit programmes which will aim to ensure quality improvement and that trends in adverse clinical events, complaints, adverse drug reactions and adverse events with medical devices are effectively analysed and disseminated;
-the means to ensure that evidence-based practice is supported and applied routinely in everyday practice;
-the governance of regulatory bodies in the health system and ways in which effective integration can be enabled between the various bodies. "

Of particular interest to Council are the following recommendations;

"-Collaboration by health professional regulators on areas of common interest;
-developing a shared understanding of professional standards common to each body;
-supporting education & training appropriate to professionals operating in multi-disciplinary teams".

The report charges the regulators of the health and social care professionals to:

- Develop first point of contact for patient (service users) concerns regarding (clinical) care;
- Handle the initial investigation of complaints – use a common framework to deal with & audit cases to assure performance;
- Fitness to Practise processes – to be reviewed – but must have greater separation between investigation and adjudication function;
- Independently appointed and trained panels for fitness to practise;
- Healthcare providers not currently covered should also be identified and considered for regulation under Health and Social Care Professionals Council;

- Non-medically trained practitioners in alternative medicine whose treatments may be unsafe or potentially hazardous to patients should be considered by DOHC for some type of regulation. Single database with health professional's qualifications, registration status, and track record;
- Alert notices to be issued between employers where employee poses potential risk to patients.

Currently there is Implementation Steering Group (ISG) reporting to Minister on 134 recommendations in the Madden Report including:

- Five sub-groups with stakeholder participation: Advocacy, Professional Regulatory Bodies, Adverse Event Reporting, Audit and Credentialing;
- Consideration by Government October 2008.

The timeframe for ISG & sub-groups to report is 12 to 18 months and to complete their report by December 2011.