

Date: Wednesday 7 November 2001
Venue: Committee Room 3, National Assembly for Wales
Title: Response to Consultation on Composition of Health Professions Council

Purpose

1. To inform members of the Health and Social Services Committee of progress with the Orders for the Health Professions Council

Summary

2. This paper is a follow up to two papers presented to the Committee on 24 January 2001 ([HSS-02-01 \(p.6\)](#)) and on 16 May 2001 ([HSS-08-01\(p.5\)](#)) which presented a summary of proposals for the new Health Professions Council and the results of the two consultation events held in Wales.

Timing

3. Final Orders will be laid before Parliament during the coming session. They need to be approved in order to have the new Council in place on 1 April 2002.

Background

4. Previous papers have brought to your attention proposals to set up a new Health Professions Council (HPC) which will replace the Council for Professions Supplementary to Medicine in the regulation of 12 health care professions (arts therapists, chiropodists, clinical scientists, dieticians, medical laboratory technicians, occupational therapists, orthoptists, paramedics, physiotherapists, prosthetists and orthotists, radiographers, and speech and language therapists.)

5. Two consultations exercises have taken place in Wales - the first on the initial proposals and the second on the draft orders. In general, participants, drawn from professional groups, service providers and user groups, have welcomed the proposed changes to the regulatory structure. However concerns have been expressed on the issue of professional membership on the HPC.

6. The proposed membership of the Council is 12 professional members (one from each of the professions) and 11 lay members. The Privy Council, following consultation with "such members, as it considers appropriate" will appoint lay members. This method of appointment is similar to that adopted by CPSM and each of the devolved administrations has been consulted on appointments. Of the 12 professional members on the Council there will be one from each of the professions. The Orders state

that "at least one of the professional members and alternates is to come from each UK country".

7. Participants' concerns centred on two key issues. Firstly, the feasibility of one person being able to represent their profession on a UK basis and all professions on a Welsh basis. Secondly, a system of election is to be introduced to ensure representation from each of the four constituent countries. The system is not described and thus it is difficult to envisage how representation for Wales could be assured if elections were held on a UK wide basis.

8. Concerns raised over professional representation have been forwarded to DoH officials. The Human Resources Director for NHS Wales has also written directly to his counterpart in England. DoH officials have acknowledged these representations.

9. The latest draft orders, which are due to be laid before Parliament shortly, do not contain any amendments on professional representation. Given the strength of feeling from health professionals in Wales, I have recently written to the Minister of State for Health, John Hutton, asking him to reconsider his position on this important point of principle regarding Welsh representation.

10. It should be borne in mind that this is a non-devolved matter and that the final decision will rest with the DoH Minister. Whatever the outcome we will be seeking to ensure that robust mechanisms for communication between the National Assembly for Wales and members who represent Wales on the HPC will be in place before 1 April 2002 when the HPC will formally come into being.

11. A Shadow HPC was put in place in May 2001 and membership from Wales does exceed the minimum of one lay member and one professional member.

Compliance

12. Authority for regulation of health professions has not been devolved to the National Assembly. The assembly can comment on the Health Professions Council using section 33 of the Government of Wales Act 1998.

Cross-cutting themes

13. No cross cutting themes have been identified.

Action for Subject Committee

14. This is a paper to note.

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