

## Work Plan 5.2

### A Round up of all of the issues outstanding from FWG meeting 1 to 3 Responses and alternative suggestions are invited on all issues

*Note – these issues are not in any particular order*

#### **1. Grandparenting**

##### A. Definition

An agreed definition of the term “Grand Parenting” has been suggested as being required and the following are definitions or descriptions which have been proposed by members;

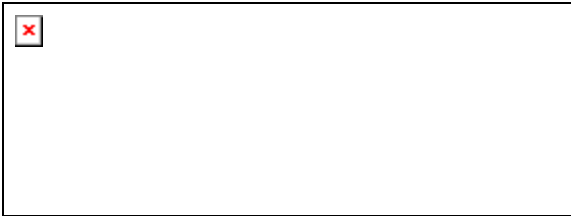
“The term *grandfather clause* in its current application refers to a legislative provision that permits an exemption based upon a pre-existing condition. For example, through the application of grandfather clauses, certain prerogatives are extended to those regularly engaged in a particular profession, occupation, or business that is regulated by statute or ordinance. Such a clause might allow an individual, who has been in continuous practice in a particular profession for a specific period, to circumvent certain licensing requirements.”

“Grandparenting is a process that allows practitioners who have been practising independently and unregulated for a certain number of years under the title of a specific CAM profession, and can show evidence of this, to be accepted on the register. They may need to fulfill some additional requirements, e.g. extra training, qualification, CPD, but their experience would be taken into account. “

“We need to set a standard and make it possible for practitioners who meet the standard (and show that they meet it) to be able to register without having to sit another exam or assessment. This would take into account experience (of working - not years since qualifying). We would also need to have a procedure whereby practitioners who couldn't show this standard, can achieve it by some other means. “

“For homeopaths we are currently making a difference for those who are currently registered with a professional organisation (and have therefore already gone through a registration and checking procedure) and will be requiring more from those practitioners who are practising without the support or membership of any professional organisation (which may suggest that they have not offered their practice up for review by any other party and perhaps are not as committed to the therapy as a profession).”

“There is a delicate balance to be held - especially with a voluntary register. I am sure we will have more long discussions about this. Encouraging practitioners onto a register (and making it attractive enough to them to pay money for it) and balancing the requirement for the register to uphold and set high standards to protect the public using the services of these practitioners - is not an easy balance - but achievable if we work together.”



Proposed – that a generic definition of Grand Parenting be agreed, based on one of the above or a combination.

## B. Grand Parenting Standards & Processes

It is likely that each profession will have different standards and processes relating to Grand Parenting that will need to be met by practitioners seeking to register, therefore,

Proposed;

- i) A minimum, generic standard for Grand Parenting be set by the FWG
- ii) Profession specific standards for Grand Parenting be set by the RWGs or PSBs and reviewed regularly by the PSBs in consultation with the professions.

Suggestions are requested for what FWG members would consider appropriate generic standards and processes for Grand Parenting.

Responses are also sought from FWG members on what would be considered an appropriate time bracket (in years) for the availability of Grand Parenting/APEL options. For example, these options remain available for a set period of three or five years or longer.

The issue of the process behind Grand Parenting/APEL i.e. who would do this work and how, is the subject of a separate work Plan, together with Accreditation.

## 2. Generic CPD

Each profession will have different requirements needing to be met by practitioners relating to profession specific CPD. Comment here is therefore sought on generic standards.

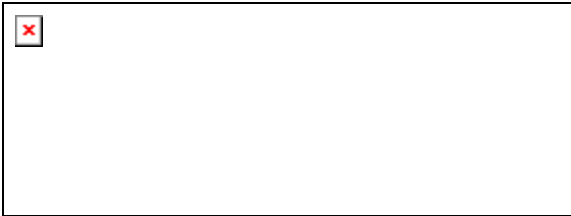
Suggestions are requested on what FWG members would consider appropriate minimum generic standards for CPD, together with suggestions on what CPD activities would be appropriate.

Consideration, for example, would include issues such as time scale (i.e. a certain number of CPD points over a one year period or a two year period etc), types of activities which would be acceptable (i.e. courses, self reflection, supervision etc) and what type of generic CPD might be acceptable, i.e. counseling skills, anatomy/physiology, business skills, Health & Safety etc.

With regard to validation of CPD requirements, it is proposed that accreditation of CPD providers and validation of CPD practices by practitioners would be too onerous a task to be feasible on an ongoing basis. Therefore,

Proposed – a small, random, set percentage of all renewal applications received from practitioners undergo an audit process whereby CPD activities or training etc are validated by the Regulatory Body.

Comments are sought on this suggestion and what an appropriate percentage might be



The audit process would likely be carried out by the full time staff of the Registrar and would be against the generic standards set by the FWG and also against the Profession Specific standards set by the RWGs/PSBs.

### **3. Generic Code of Ethics and Conduct**

It is proposed that a generic code of ethics and conduct be set by the FWG and comment is therefore sought on what these might be. FWG members can, if they wish, submit their respective RWG codes of ethics and conduct to the FWG Project Manager for consideration and collation of common elements.

### **4. Multi Disciplinary Practitioners**

Initially, it was proposed that MDPs needed separate attention from within a Regulatory Body, such as having their own MDP PSB for example. On reflection, it possibly is the case that no separate, special ongoing consideration needs to be given to MDPs. This is because each specific professional practice that falls within the practices offered by MDPs would be covered by the relevant PSB – this is of course relevant only to those professional practices falling within the Regulatory structure (i.e. at present, the 12 professions represented around the FWG table). For example, a MDP registering as a practitioner of say Reiki, Aromatherapy, Massage and Reflexology, would have each of those particular profession specific elements covered by the relevant PSB and any generic issues such as ethics etc, would be covered by the FRC or FRC Board. Any additional professional practices not currently falling within the Regulatory structure (for example. Crystal Healing) would not be within the remit of the Regulatory Body anyway.

It is possible that the only issue requiring specific consideration relating to MDPs is that of the registration fee for additional modalities. This has been considered initially by the FWG, although not decided upon definitely however, it will be decided by the FWG by the end of September 2007. As such, fee levels for additional modalities would not then be under consideration until any future review of the fee levels for registrants was undertaken. At that time, one possibility would be for an ad hoc FRC Board to be constituted to consider the MDP position, with members taken from the PSBs or suggested Professional Forums.

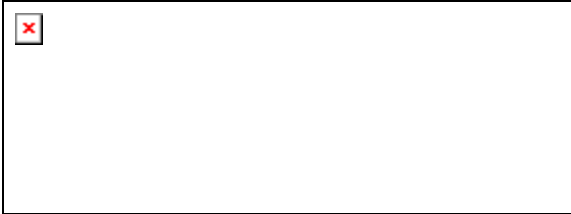
### **5. Legal**

Proposed – that all legal issues relating to the running and administration of the Regulatory Body be the responsibility of the Registrar and Registrar staff – i.e. HSE requirements, Insurance cover, Data Protection, Freedom of Information, Filing of Documents (dependant upon legal structure of Regulatory Body) etc.

Proposed – the Registrar have the power and ability, subject to either prior approval or ratification of the FRC, to obtain external, professional legal advice when appropriate. This would include possible legal advice or representation as part of a Complaints, Disciplinary, FTP and Appeals process. A necessary contingency concerning legal expenses would need to be input into budgetary considerations.

### **6. External Audit of FRC and FRC Boards**

As requested at an earlier meeting, an initial approach was made by the FIH to the CRHE as to whether the CHRE would be willing to provide this service. Unfortunately, the CHRE was not willing to provide this service at this time and therefore alternative options are being investigated, which will form part of a later Working Paper.



## **7. Secretariat support for PSBs, FRC Boards and FRC**

Proposed;

- a) A member of the full time staff of the Registrar provide this support to the Boards and the Council, including secretariat support at the meetings and preparation of minutes. Note – it is not suggested that a separate member of staff be employed purely for this role but that an existing member of the Registrar staff perform these functions as part of a wider job description.
- b) Alternatively, that one individual (preferably the same one) be employed on a part time, contract basis, to fulfill this role.

## **8. Appointment panel, processes and criteria for Lay members and generic experts**

### **A. Responsibilities of the Appointments Panel (“the Panel”)**

Proposed – that the Panel be responsible for appointing either;

- i) The Lay members, Generic experts for the FRC and FRC Boards and the Lay Chairs for the PSBs only or
- ii) All of the above plus the staff for the Regulatory Body, including the interim project manager, the Registrar and the staff for the Registrars office.

### **B. Remuneration**

Proposed – that the Panel be remunerated on a per meeting basis, plus travel expenses

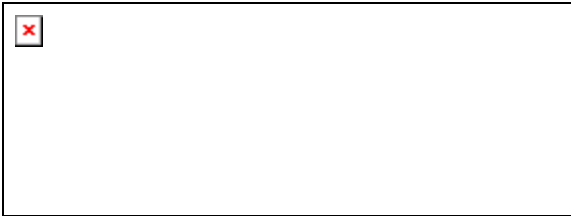
### **C. Constitution of the Panel**

The possibility of using the services of the Appointments Commission was investigated however, as the Commission only deals with Public appointments and as the legal standing of the Regulatory body has yet to be defined, this possibility has been left a reserve option.

Alternative proposal

#### **1. An independent Appointments panel be constituted by the FWG. Possible choices;**

- a) An Appointments panel made up of the current Lay members of the FWG (subject to agreement of these people), including Lay chair, the two Lay members and the Educational expert plus maybe one new Lay member (to make up uneven numbers)
- b) An Appointments panel constituted of three or five of the Trustees of the Prince’s Foundation for Integrated Health



#### D. Source of Lay Members and Independent Generic Experts

Proposed – that REACH be requested to source all candidates for Lay member and independent generic expert positions.

REACH is a charity specifically formed to provide a free service for the sourcing and recruitment of volunteers with managerial, professional, business and technical expertise. Each year, it has around 2,500 new volunteers offering their services. REACH also has a corporate partnership programme where it works closely with a number of corporate clients including Barclays Bank, to help their employees or retirees find interesting and challenging volunteering opportunities.

Advantages of this include a large database of volunteers already in place and established criteria and processes in place for initial selection of candidates. This is a free service and also, the people volunteering are offering their skills and time without charge, aside from expenses. This reduces both the costs of appointment and the ongoing remuneration costs for the Regulatory Body.

Specifically with regard to generic experts, it is proposed that REACH be provided with specific criteria for these positions and be requested to provide candidates who would then be assessed and appointed by the Appointments Panel.

#### E. Criteria for appointments for FRC members, Lay Chairs and FRC Board members

These are the basic criteria proposed for lay members appointed to the FRC, who, it has been proposed, would also serve as Chairs of FRC Boards. The criteria can also apply to those lay members serving as Lay chairs on the PSBs.

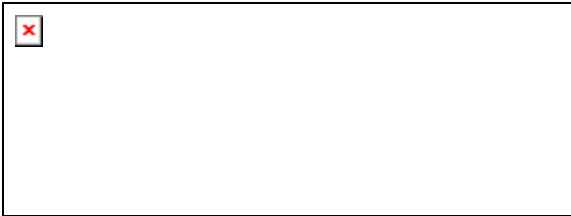
For lay members not serving as Chairs, it is possible that slightly lesser standard can be set. For the Lay members referred to in previous working papers as “Generic experts” it is proposed that additional criteria, relevant to “expertise” be defined and input on this is sought from FWG members.

Proposed criteria for lay members;

- people of an independent mind, able and determined to safeguard the interests of the public
- from a range of different backgrounds
- competent to represent the views of the public
- able to contribute constructively to the work of the Board
- willing to work within the specified remit and procedures of the Board
- committed to fulfill the required time and work commitment
- able to stay abreast of all issues and to be able to contribute wholly to decision-making processes.
- able to provide two independent references

Proposed additional criteria for Lay Chairs. Able to;

- facilitate and support the work of the Board



- chair the quarterly (or otherwise) meetings (likely to take place in London)
- ensure any aims and objectives of the Board are achieved within any set timeframes
- guide, motivate and oversee the work of the Board
- communicate the work of the Board to appropriate audiences, as necessary
- facilitate co-operation between the individuals represented on the Board and act as mediator in any potential areas of dispute
- ensure that decisions taken at meetings are implemented

#### F. Appointment and training process (to be adopted by independent appointment panel)

##### Appointments

###### Proposed;

- An open and transparent system of appointment, demonstrating impartiality and selection based on merit.
- Advertisements etc placed seeking initial expressions of interest
- Independent appointment panel to be first point of contact
- Respondents provided with an initial briefing sheet outlining the role, and lay person specification
- Expressions of interest requested via a CV and cover letter
- Appointment panel makes initial selection and invites those with relevant interests, skills and experience to attend interviews for further assessment of general suitability
- Suitable candidates are then chosen and notified
- A letter of appointment is drawn up, laying out the role/duties of the lay person, how many days/hours/meetings they are expected to attend, terms for removal, the level of honorarium and whether expenses are paid separately etc. An equal opportunities form is included when drawing up the agreement.
- Two references requested from unrelated individuals and checked
- On receipt of acceptable references, the appointment is confirmed

##### Training

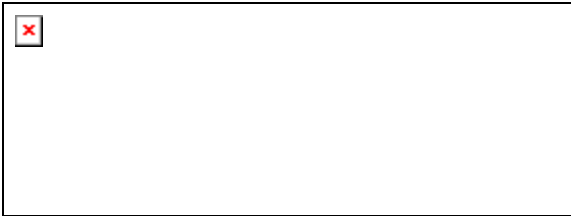
###### Proposed

A short induction programme (and ongoing support), possibly involving one or more Lay chairs from RWGs/FWG etc, at which attendance is required. This would provide basic background, training and awareness etc of role.

## 10. CRB checks

Investigation was requested on whether the Regulatory Body could request CRB checks on behalf of Registrants. The current legislation does not allow self employed or individuals to apply for the check on themselves however, agencies can (and this might apply to Regulatory Bodies). This issue is still under consideration and when further information is received, will be referred to the FWG for further consideration.

## 11. Insurance



The issue of whether “minimum” or “adequate” practitioner insurance levels could be set as a requirement for practitioner registration was discussed at previous meetings, without decision. Some members felt that it should not be for the FWG to set a minimum, generic level and others thought that there were issues concerning wording. As such, responses, suggestions and reasons are requested as to what FWG members consider appropriate in relation to the following:

- a) Should a minimum/adequate generic insurance level be a requirement of Registration
- b) If so, what are the suggested levels (possibly based upon current levels required by the respective profession associations as criteria for membership)
- c) Should a different minimum/adequate generic insurance level be a requirement of Registration specifically for MDPs and, if so, what should be the level

## **12. Specifics of FRC Boards and maximum number of members**

### **A. Registration & Validation of Evidence Board**

Envisaged general role – to maintain an overview of generic registration and validation of evidence requirements and processes, liaise with PSBs on profession specific issues of registration and validation of evidence, conduct regular review of requirements and processes with a view to improving the same, make recommendations to the FRC on any recommended changes (see note below), consider the proposed quarterly report on registration and validation of evidence from the Registrar’s office, prepare an annual report for the FRC, liaise with the Registrar’s office.

In relation to conducting regular reviews of requirements and processes with a view to improving the same and making recommendations to the FRC on any recommended changes, it is proposed that these are done with full consultation with the PSBs. Also, it is proposed that any recommended changes to profession specific registration or validation of evidence requirements/processes be subject to previously proposed safeguards, such as requiring two thirds agreement from the PSBs or the profession specific practitioners or both.

#### **Member criteria**

Although the FWG decided upon lay members only for the FRC and Lay chairs for the FRC Boards, it is not clear if the FWG decided it wanted solely lay membership (including generic experts) or combined lay and practitioner membership for the FRC Boards.

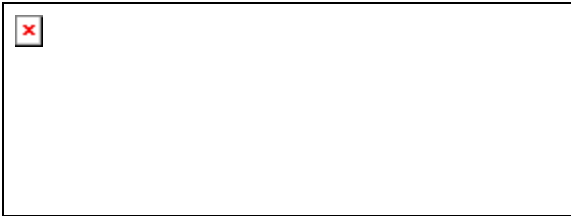
Therefore;

Proposed;

- i) FRC Board constituted of a Lay chair (possibly a lay member of the FRC serving as the Lay Chair of the FRC Board), two lay members (preferably one of which at least with expertise/experience in the relevant area), one PSB practitioner Registrant member (sourced from a general pool of all the PSB members) and one practitioner member (sourced directly from Registrant practitioners) or
- ii) constituted entirely of lay members, (some with expertise/experience in the relevant area)

### **B. Education & Training**

Envisaged general role – to maintain an overview of generic education and training requirements and processes, liaison with PSBs on profession specific issues of education and training, conduct regular review



of requirements and processes with a view to improving the same, make recommendations to the FRC on any recommended changes (see note below), consider the proposed quarterly report on education and training from the Registrar's office, prepare an annual report for the FRC, liaise with the Registrar's office.

In relation to conducting regular reviews of requirements and processes with a view to improving the same and making recommendations to the FRC on any recommended changes, it is proposed that these are done with full consultation with the PSBs. Also, it is proposed that any recommended changes to profession specific education and training requirements/processes be subject to previously proposed safeguards, such as requiring two thirds agreement from the PSBs or the profession specific practitioners or both.

Member criteria

Proposed;

- i) FRC Board constituted of a Lay chair (possibly a lay member of the FRC serving as the Lay Chair of the FRC Board), two lay members (preferably one of which at least with expertise/experience in the relevant area), one PSB practitioner Registrant member (sourced from a general pool of all the PSB members) and one practitioner member (sourced directly from Registrant practitioners) or
- ii) constituted entirely of lay members, (some with expertise/experience in the relevant area)

C. Complaints, Disciplinary, FTP and Appeals – this will form the subject of a separate Work Paper, together with Accreditation.

D. Accreditation – as above

E. Quality Assurance, Audit and Standards

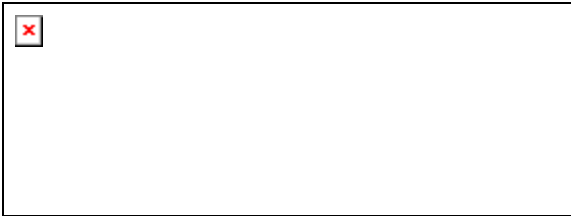
Envisaged general role – to maintain an overview of generic QA, Audit and Standards requirements and processes, liaison with PSBs on profession specific issues of QA, Audit and Standards, conduct regular review of requirements and processes with a view to improving the same, make recommendations to the FRC on any recommended changes (see note below), consider the proposed quarterly report on QA, Audits and Standards from the Registrar's office, prepare an annual report for the FRC, liaise with the Registrar's office. In relation to conducting regular reviews of requirements and processes with a view to improving the same and making recommendations to the FRC on any recommended changes, it is proposed that these are done with full consultation with the PSBs. Also, it is proposed that any recommended changes to profession specific requirements/processes in this area be subject to previously proposed safeguards, such as requiring two thirds agreement from the PSBs or the profession specific practitioners or both.

Additionally,

Member criteria

Proposed;

- j) FRC Board constituted of a Lay chair (possibly a lay member of the FRC serving as the Lay Chair of the FRC Board), two lay members (preferably one of which at least with expertise/experience in the relevant area), one PSB practitioner Registrant member (sourced from a general pool of all the PSB members) and one practitioner member (sourced directly from Registrant practitioners) or
- ii) constituted entirely of lay members, (some with expertise/experience in the relevant area)



#### F. Finance

Envisaged general role – to maintain an overview of all finance issues and processes, including registration fees and the cost of the Registrars office. Conduct regular reviews of these issues with a view to improving the same. Make recommendations to the FRC on any recommended changes (see note below), consider the proposed quarterly report on finance from the Registrar’s office, prepare an annual report for the FRC, liaise with the Registrar’s office.

In relation to conducting regular reviews of requirements and processes with a view to improving the same and making recommendations to the FRC on any recommended changes, it is proposed that these are done with full consultation with the PSBs if related to Registrant fees and it is proposed that any recommended changes to fees be subject to previously proposed safeguards, such as requiring two thirds agreement from the PSBs or the profession specific practitioners or both.

#### Member criteria

Although the FWG decided upon lay members only for the FRC and Lay chairs for the FRC Boards, it is not clear if the FWG decided it wanted solely lay membership (including generic experts) or combined lay and practitioner membership for the FRC Boards.

Therefore;

Proposed;

- j) FRC Board constituted of a Lay chair (possibly a lay member of the FRC serving as the Lay Chair of the FRC Board), two lay members (preferably one of which at least with expertise/experience in the relevant area), one PSB practitioner Registrant member (sourced from a general pool of all the PSB members) and one practitioner member (sourced directly from Registrant practitioners) or
- ii) constituted entirely of lay members, (some with expertise/experience in the relevant area)

### 13. Specifics of FRC Board

#### A. Members

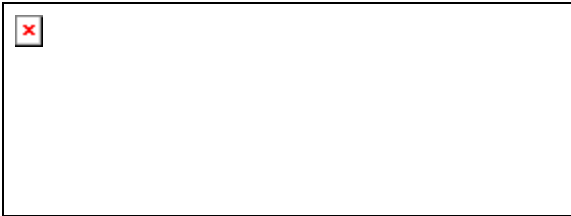
Proposed - That the lay members of the FRC also serve as the Lay chairs of the FRC Boards

#### B. Role

Proposed - The FRC, with appropriate processes, standing orders and rules in place, would have the general administrative functions of supervising and approving the activities and work of the FRC Boards, the Registrar and staff and the PSBs.

The FRC, together with its Boards, would provide the legal, administrative and financial framework within which the Regulatory structure would operate. The FRC would, for example;

- Consider and approve or action management reports from the Registrar which would include staffing and HR issues, diary management, administrative issues (including administration of the Register) etc.



- Consider and approve or action Financial Reports from the FRC Finance Board which would include budget reports, including financial issues relating to the Register and to the office and staff.
- Consider and approve or action regular reports from each of the FRC Boards.
- Consider and approve or action QA and Audit reports from an external assessor on the work of the FRC and the FRC Boards
- Prepare an annual report.

#### C. Numbers

Proposed – the FRC be constituted of either;

- i) Three members including Lay Chair
- ii) Five members including Lay Chair
- iii) Seven members including Lay Chair

plus

- iv) Quorum be a minimum of either;
  - a) three or
  - b) five

#### **14. Standing orders, rules and safeguard procedures for PSBs, FRC Boards and FRC**

A separate Work Plan is being developed on these issues.