

Work Plan 6.3

**Criteria for appointment of PSB members. The Appointments Panel and remit.
The name for the Regulatory Body. The Legal structure.
Grand parenting definition. Generic CPD. Generic Code of Ethics**

Comment, response and alternative suggestions are sought on all issues.

A. Criteria for appointment of PSB members

Proposed

1. Member must be a current Registrant in good standing.
2. Member must be a current practitioner in one or more styles of the Profession which are specifically relevant to the PSB (hereafter “the Profession”).
3. Member must have good working knowledge of the Profession, including the various styles within the overall Profession, including knowledge of standards of education and training, practice methods and standards of conduct.
4. Member must have been a practitioner in the Profession, in good standing, for either **(suggested)**
 - i) *A consecutive period or*
 - ii) *A total period of;*
 - a) 3 years
 - b) 5 years
 - c) longerand must be able to demonstrate evidence of this.
5. Member must be wholly or mainly engaged in the practice and/or teaching/management of the Profession.
6. Member must be able to demonstrate, at interview or assessment, a personal knowledge of and experience in, the general practice of the Profession, taking into account the wider perspective of the different styles of practice within the Profession.
7. Member must be able to demonstrate any other such qualities, interests and experiences as, in the opinion of the Appointments Panel, are relevant to the Profession and/or work of the PSB.
8. Member must be in current good standing as a practitioner and not be the subject of any allegations, investigations or proceedings by any professional or regulatory body or any other body responsible for regulating a complementary healthcare practice.
9. Member must have good working knowledge of the role, responsibilities and processes of the PSB and the Regulatory Body (*although induction training will likely be provided*).
10. Member must be able to communicate clearly and effectively in meetings and be willing and able to have regard to and consider, without bias, the views and opinions of all styles of practice within the Profession.

11. Member must be able to contribute their knowledge, expertise and skills in a way that aids the effective work and decision making of the PSB.
12. Member must be able to maintain an unbiased overview of the whole of the Profession
13. Member must be, and continue to be, up to date with current developments within the Profession in relation to education, training and standards.
14. Member must be proficient in the English language.
15. Member must have a commitment to, and be supportive of, the objectives of the PSB and the Regulatory Body.
16. Member must be fully independent of any interests, professional, personal or commercial, which are in conflict or could be conflict to the their responsibilities as a member of the PSB.
17. Member must act as an officer of the Regulatory Body and abide by its codes of conduct.
18. Member must be able to provide two references, one of which is related to a current demonstration of the knowledge and experiences defined herein.

B. Appointment Panel

Discussion is ongoing with the Appointments Commission concerning the appointment process for the members of the FRC, FRC Boards and the PSBs, (based upon members being sourced by REACH).

The Appointments Commission has not yet confirmed if it will be able to fulfil this role however, it has stated that if it can, there will be a charge for its services. On the basis of the appointment of FRC, FRC Board and PSB members, and these members being appointed on a three year term, it is likely that the Commission will be appointing in excess of 100 members every three years, with all of the costs associated with this.

The Commission has said that it will not be able to appoint any staff for the Regulatory Body or the project manager.

As such, the FWG may wish to re-consider the option of the formation of an independent Appointments Panel certainly for the appointment of the Registrar and staff but also possibly, for the appointment of all members of the respective boards.

Proposed

1. That the FWG re-consider the formation of an independent Appointments Panel for the appointment of the Registrar and staff.
2. The FWG await the reply of the Appointment Commission on whether it can carry out member appointments. If it cannot (or if it can but the cost of the same is substantial), the FWG consider the possibility of the same independently formed Appointments Panel carrying out these appointments as well.
3. With regard to the appointment of a project manager, this will be the first appointment that will need to be made and this will need to be made before the end of this year. Thereafter, the appointment of Registrar, staff and Regulatory Board members will not need to be made until, it is envisaged, the second quarter of 2008. Therefore, the FWG may wish to give consideration to an early formation of an Appointments Panel to initially consider the position

of the Project Manager, with this Panel then being re-constituted next year for the remaining staff appointments (and Board appointments, if the Appointments Commission cannot do this).

If the FWG agree on the formation of an independent Appointment Panel, the previous FWG meeting reflected a preference towards any appointments being made by a completely external, independent Panel. Therefore one possibility is for REACH to be asked to source such an Appointments Panel, subject to criteria specified by the FWG.

Proposed

4. That REACH be requested to source 3 members for an independent Appointments Panel.
5. That the FWG provide criteria for the Appointments Panel members
6. That the Appointments Panel be tasked initially with the appointment of the Project Manager for 2008 and the implementation and transitional stages.
7. The FWG consider whether it is appropriate to have one of the Lay members of the FWG as one of the members of the Appointments Panel (subject to willingness).
8. If the FWG decide on point 7 immediately above, then should the Panel be appointing Board members as well and should the Lay member wish to be considered for any Board positions, account should be taken of this prior to choosing a Lay member of the FWG to serve on the Panel.
9. That the FWG consider whether REACH both sources and chooses the members for the Appointments Panel or whether
10. A secondary panel is constituted to interview and choose the members, based upon candidates sourced by REACH.
11. If a secondary, Interview Panel, is desired, then this panel could be constituted from either, for example;
 - i) The Lay members of the FWG (subject to willingness and subject to point 8 above)
 - ii) The Trustees of the FIH
 - iii) The Lay Chairs of the Regulatory Working Groups
 - iv) Management from an organisation such as the Kings Fund
 - v) Members of an organisation such as the chartered Institute of Personnel & Development.
 - vi) A combination of the above

FWG members should take account of the fact that the appointments process for a project manager will need to happen within 2007 and therefore the preference would be for any members of an Interview Panel to serve on a voluntary basis, at least for the appointment in 2007 of the project manager. This is because the budget for the work of the FWG has no allowance or capacity for any extra costs.

C. The name for the Regulatory Body

Suggestions are sought for the final name for the;

1. Regulatory Body
2. The Federal Regulatory Council (if another name is deemed necessary)

3. The Profession Specific Boards (if another name is deemed necessary)
4. The Registrar (if another name is deemed necessary)

With regard to point 1, please have reference to the issue of the choice of a domain name for the eventual web site.

D. Legal Structure

These are the initial proposals for the legal structure of the Regulatory Body. A fuller paper, setting out the requirements and advantages of each form will follow shortly and prior to the 6th meeting. It is not proposed that a response, within a certain time limit before the next meeting, is necessary. The legal forms proposed will be part of the agenda for discussion and decision at the 6th meeting.

Overview

Any body needing to hold assets, negotiate leases, insurance, contracts etc or employ people will need a legal form. This also provides levels of protection from personal liability of its members for i.e. debts, breaches of contract etc.

Proposed

1. Community Interest Company
2. Charitable Incorporated Organisation
3. Charity
4. Limited company

E. Grand parenting definition

The simplified form of the definition of Grand Parenting proposed is;

“A provision which permits certain practitioners some exemptions from training and education standards specified for entry onto a Register or into a regulated profession. Grand Parenting exemptions are based upon levels of profession specific education, knowledge and training, gained over a certain period of time, which pre-existed the setting of entry standards for the Register or the regulated profession. These levels need to be evidenced and/or demonstrated, to a required standard, by a practitioner and there may be requirements for a practitioner to fulfil additional requirements such as extra training”.

F. Generic CPD

There has only been one response to this issue and the suggestions beyond those already proposed are as follows;

- computer literacy.
- financial accountability/courses
- learning to use Powerpoint
- researching a particular medical condition on the internet(e.g. to prepare for a new client)

- some courses (such as the workshop on Professional Boundaries organised by PFIH)
- personal treatments for practitioners
- visiting exhibitions/conferences

Please note – should anyone wish to add any further suggestions, they need to do so by the 22nd June for consideration at the meeting.

G. Generic code of Ethics & Conduct

The proposed generic code of ethics and conduct will follow as a separate paper prior to the meeting.

H. Further consideration of the fee levels for Registrants, plus budget

At the 6th meeting, there will be an update from George Gray on the budgetary forecasts, followed by further consideration (following previous discussion) of the necessary fee levels for registration of practitioners and the fees for Grand Parenting and APEL assessments.

I. Consideration of a change in the process relating to the FWG response to Work Papers

As the general agreement on issues of form, structure, roles and responsibilities etc, continues to grow, there is now more need for me to work on drafting procedures, rules and codes etc. This process is obviously more time consuming and it not going to be feasible for me to send out the Work Plans within time scales that allow for drafting, dissemination, consultation, response and collation of response on these types of issues.

What I therefore propose is that from the June FWG meeting, the Work Plans which relate to these types of issues are sent out by me on a general, rolling basis, as and when finalised. As the work will be focused more on drafting procedures and rules etc, I would hope that there would accordingly be a lesser requirement for the FWG members to consult extensively on such issues, with more reliance on the decision making authority of the FWG members.

I hope that this is considered acceptable by the FWG members. It is now a necessary process in view of the type of work needing to be done now and the time scale left for the work.