

Date of meeting:	22 October 2009	Athens Meeting Room 2 nd Floor, 83 Victoria Street London SW1H 0HW
Time of meeting:	10:30 – 16:00	
Next meeting:	18 February 2010	

Minutes – Open Session

Present: Maggy Wallace (MW) (Chair), Angela Deacon (AD), Kay Dixon (KD), Maggie Dunn (MD) (CNHC Chief Executive), Jenny Gordon (JG), Gillian Jordan (GJ), Mike O’Farrell (MO), Anne Sultoon (AS), Dimitrios Varsamis (DV), Carol Jollie (CJ) (Secretary)

A closed session was held prior to the open session which dealt with commercial in confidence, staffing and ‘clients’ in confidence issues.

Action

- 1 **Welcome**
MW welcomed members to the open part of the meeting.
- 2 **Apologies for absence**
None
- 3 **Minutes of CNHCB Meeting held on 23 July 2009**
The minutes of the meeting held on 23 July 2009 were approved as an accurate record of the meeting.
- 4 **Matters arising**
 - 4.1 Registration of Nutritional Therapists (item 4.4)
MD reported that agreement had been reached with the Nutritional Therapy Council (NTC) on the process for verifying applications for registration from nutritional therapists. It was noted that approximately 400 practitioners will be transferring from the NTC’s register.
 - 4.2 Registration numbers (item 4.7)
It was noted that MW would find out whether the DH have a view about whether an event to celebrate the 2,000th registrant would help increase registrant numbers. MW
 - 4.3 Database of contacts (item 4.9)
MD reported that a database of contacts is in the process of being developed.
 - 4.4 Openness and Transparency (item 10.1)
 - 4.4.1 It was noted that no further correspondence had been received from individuals on issues relating to CNHC’s approach to openness and transparency. It was also noted that, although the Board had agreed that the performance indicators paper and Activities Report for May-July 2009 should be uploaded onto the website after the July Board meeting, this action had been delayed until work on restructuring the website had been completed. It was agreed that the performance indicators paper was now out-of-date and should not be uploaded until February when an updated paper was due to be considered by the Board, although it could be sent to those specifically requesting a copy. It was agreed that the Activities Report for July-October (see item 9.1) could be uploaded onto the website once the

restructuring was completed.

- 4.4.2 It was noted that one 'Freedom of Information' (Fol) request had been received for information about a meeting with the GCC and that MW had responded with information on who was present, what was on the agenda and a general summary of the outcome of the meeting. This was in line with the Board's stated intention to be as open and transparent as possible, even though CNHC was not required to meet FOI requirements.

5 Finance Committee (FC)

5.1 Report on meeting held on 6 October 2009

KD reported briefly on the outcome of the FC meeting held on 6 October. It was noted that FC members had recommended that further advice be sought from CNHC's auditors on CNHC's current VAT status and interpretation of the VAT regulations. It was also noted that the FC had looked at the current financial projections for 2010 which would be on the agenda for discussion with the DH on 26 October.

5.2 Financial Standing Orders (S/Os) – Revised (Paper CNHCB 2009-29)

- 5.2.1 Additional sections for the standing orders on fee setting and income recognition policies were considered. CJ reported on amendments to be made to these sections to make it clearer that there was no limit to the number of disciplines for which an individual registrant could be registered.
- 5.2.2 It was noted that the fees schedule would be reviewed on an annual basis by the Finance Committee in September/October, with a recommendation to the Board at its next meeting. No changes would therefore be made to the fee schedule until October 2010, for implementation in 2011, if necessary. MW
- 5.2.3 It was noted that the Board would need to consider which bodies it would wish to consult with on any proposed changes to the fee schedule. MW
- 5.2.4 It was noted that the auditors would be reviewing the Financial SOs, including the new section on fee setting and income recognition, as part of its audit in late 2009/early 2010.

6 Conduct and Competence Committee (CCC)

6.1 Minutes of meeting held on 15 September 2009

MW reported on a productive meeting which looked at a range of issues relating to the conduct and competence processes, including options for recording meetings, medical assessor and legal assessor appointments, press and media access to hearings and the committee's objectives for 2010. It was noted that although CCC members will contribute to meetings of Investigating Committees and Conduct and Competence panels, the CCC will not necessarily deal directly with complaints but will consider the process for dealing with complaints.

6.2 Report on training session with Profession Specific Board (PSB) members held on 15 September 2009

MD reported on a very successful training session for CCC and PSB members on the procedures for handling complaints which was hosted by Kingsley Napley. This followed an earlier introduction to the conduct and competence procedures for PSB members on 21 July.

7 Professional Standards Committee (PSC)

- 7.1 Minutes of meeting held on 22 September 2009
MW reported on a productive meeting which had agreed its work programme for 2009-11 and the committee's objectives for 2010. It was noted that priority would be given in 2010 to agreeing criteria for professions wishing to register with the CNHC who do not have agreed national occupational standards (NOS). This will be followed by work on continuing professional development and re-validation in 2010/11 and accreditation in 2011. It was also noted that in parallel with this work, an Audit Sub Group would be established to consider the various aspects of audit which would underpin the work of the committee (eg looking at how Professional Associations (PAs) validate application for registration). It was agreed that AS should represent the Board on this Sub Group, and that MW should invite a PSB member with expertise in this area to join the group. Finally it was noted that the method of working would include PSC debate on a paper produced by one of CNHC's officers, agreement on the issues for consultation, consultation with PSBs more widely, consideration of responses by PSC and a recommendation to the Board. This approach had been used to agree the priorities and the order in which they should be addressed for the work programme. MW
- 7.2 Sports Therapy
The Board agreed the PSC's recommendation that the CNHC's register should be opened to those sports and remedial therapists who meet the NOS for Sports Therapy set by Skills Active, the sector skills council for active leisure and learning. It was noted that registration is seen as an urgent priority to prepare for the 2012 Olympics in London and that there are approximately 2,000 therapists who might wish to be registered, although many of them may already be on the register for massage therapy. MD reported that one of the PAs for Sports Therapy had approached the Health Professions Council. She also mentioned that PA representatives were currently looking into setting up a professional forum for sports therapy. MD
- 7.3 Resignation of PSC member
It was noted that one member had resigned from membership of PSC owing to pressure of work. It was agreed not to replace the member as this committee already had more members than other committees since it had resulted from an amalgamation of the Registration and Education and Standards Committees.
- 8 Profession Specific Boards (PSBs)**
- 8.1 It was noted that PSBs had now been established for Massage Therapy, Nutritional Therapy, Aromatherapy, Yoga, Shiatsu and Reflexology and that the first meeting of the PSB for Reflexology had taken place on 7 August. MD reported that the register opened for Reflexology on 24 August.
- 8.2 See paragraph 6.2 above for report on joint PSB training session with CCC members held on 15 September 2009.

9 Operational Activities

- 9.1 Activities Report for July-October 2009 (Paper CNHCB 2009-30)
- 9.1.1 The Activities Report was received for information. It was noted that the words 'the Hon' should be deleted in the final line of paragraph 23 and agreed that this was a useful paper and that it should be uploaded onto the website as soon as the website restructuring had been completed. CJ
- 9.1.2 MW reported that the working lunch at the House of Commons on 13 July provided an opportunity to discuss matters of mutual interest. It was noted that the Chair, David Tredinnik MP hosts a parliamentary group on complementary therapy. CJ
- 9.2 Press cuttings for July-September 2009 (Paper CNHCB 2009-31)
A report enclosing copies of press cuttings for the period July-September was received for information.
- 9.3 Schedule of Board and Committee meetings for 2010 (Paper CNHCB 2009-32)
The schedule of Board and Committee meetings was received for information. It was noted that from April 2010 onwards, Board meetings would take place on Tuesdays and not Thursdays. This change was to bring meeting dates in line with those for other committees. It was also noted that the PSBs had been grouped together and that joint meetings would be held, with extra time if required for individual groups to consider discipline-specific issues. This was considered to be a more productive and cost effective way of using the PSB's members' experience and managing PSB work than holding individual PSB meetings.
- 9.4 Office opening hours for CNHC over Christmas/New Year
MD reported that office would be closing at 1.00 pm on Christmas Eve and re-opening on Monday 4 January 2010.

10 Governance

- 10.1 Appointment of Board members
- 10.1.1 It was noted that the Board had now agreed a process for the appointment of a new Board to replace the Shadow Board appointed in 2008.
- 10.1.2 MW reported that, as agreed by the Board in July, a ballot had been carried out during the closed session of the meeting to decide the following issues:
- a) those members who would stand down from their Board membership in December 2009, but will be eligible to stand for re-appointment in open competition as part of a public appointment process for three places – AD, JG, GJ
 - b) those members who would stand down in December 2010 stand down but will be eligible for re-appointment in open competition as part of a public appointment process – MO'F, AS, DV
 - c) those members who would stand down in December 2011 but will be eligible for re-appointment in open competition for a further three years – KD, MD, MW
- 10.1.3 It was noted that time spent on the 'shadow' Board would count toward the total of nine years which is the absolute maximum term of service (with a compulsory one-term gap between the second and third terms).

- 10.1.4 It was noted that the vacancies for Board members would be advertised in Guardian Online, the Foundation for Integrated Health's website and the CNHC website during w/c 2 November.
- 10.1.5 It was noted that the vacancies would also be highlighted at the meeting with Professional Associations on 17 November, although the positions were only open to lay applicants, ie those not qualified in complementary healthcare.
- 10.1.6 It was noted that those members who were standing down would remain as Board members until the new appointments had been made.
- 10.1.7 It was noted that interviews were planned for December with the appointments due to be confirmed in late December/early January and new Board members meeting for the first time in February 2010.
- 10.2 Business Plan 2010 (including updated risk register)
MW reported that the draft business plan had been agreed as part of the closed session of the Board meetings. In addition to an updated risk register, it included sections on CNHC's key achievements in 2009, planned activities in 2010, staffing, financial projections, the projected level of complaints and evaluating the work of the CNHC.
- 10.3 Annual Report 2008-2009: Table of contents and plan of action (Paper CNHCB 2009-33)
 - 10.3.1 There was some discussion about the target audience for the annual report.
 - 10.3.3 It was agreed that the annual report itself should be as concise as possible and be designed to meet legal requirements. MD
 - 10.3.2 It was agreed that a short Executive Summary-type brochure should be produced which included extracts from the annual report and various practitioner statements and case studies and which could be used to raise awareness of CNHC and assist in increasing registration numbers. It might also answer some of the questions raised by CNHC's detractors and help raise CNHC's profile with employers. MD
 - 10.3.4 It was agreed that both documents should be available on-line, although copies of the Executive Summary-type brochure could be printed for those requesting a copy. MD
- 11 Wider Regulatory Matters: Implications of extant reports on regulation matters (Paper CNHCB 2009-34)**
 - 11.1 MW reported that since end July, five significant reports have been published which have relevance to CNHC's work.
 - 11.2 DH: 'A Joint consultation on the report to Ministers from the DH Steering Group on the Statutory Regulation of Acupuncture, Herbal Medicine and Traditional Chinese medicine and other traditional medicine systems practised in the UK'
 - 11.1.1 It was noted that there had been several consultations on this topic.
 - 11.1.2 It was noted that the DH had received an overwhelming number of responses to this consultation document and that the date for publishing the results might need to be postponed and may not be ready before the next election. It was also noted that EU legislation made the regulation of herbal medicine and traditional Chinese medicine an urgent priority and that the DH was looking

- at licensing options as an alternative to statutory regulation.
- 11.1.3 MO'F reported that the British Acupuncture Council was in favour of regulation and that it would be applying for a Royal Charter in the near future.
- 11.1.4 It was noted that this report provided a selection of alternatives to statutory regulation which are open to consideration.
- 11.1.5 A draft response to the Department of Health was agreed, which included a statement that CNHC would be a suitable and viable regulatory body if the DH decided that statutory regulation was not the appropriate way forward for the professional groups which were the subject of this paper. MW
- 11.2 DH: 'Extending professional and occupational regulation: the report of the Working Group on Extending Professional Regulation'
- 11.2.1 It was noted that this report emanated from the White paper *Trust Assurance and Safety* (DH, 2007).
- 11.2.2 It was agreed that CNHC needs to monitor the response to the recommendations, particularly those relating to the proposed role of 'gatekeeper' for regulatory assurance. It was also agreed that CNHC should engage in discussions with key players as to the implications of the various proposals, particularly the Council for Healthcare Regulatory Excellence (CHRE), and share its experiences as a voluntary regulator with robust and comprehensive standards in place. MW
- 11.2.3 It was noted that MW/MD already have informal meetings with CHRE and agreed that MW should write formally to CHRE on behalf of the Board. MW
- 11.3 CHRE's Strategic Plan (Report 3 in Annex 1 to CNHCB 2009-34)
It was noted that AS had attended a briefing meeting for the public on 25 September. AS provided a helpful report on this meeting which had included a presentation on CHRE's commitment to patient and public involvement and CHRE's performance review procedures which were due to be modified to become more like OFSTED-type inspections, with self-assessment reports and feedback from third parties. The meeting also highlighted changes planned to CHRE's website to make it more user-friendly and to monitor how those accessing the website were using it and what type of information they were looking for. Finally AS mentioned that CHRE were currently consulting on 'Promoting improvement in regulation', with a deadline for responses of 2 November.
- 11.4 Nuffield Report on 'Parallel changes in organisational and professional regulation' (Report 4 in Annex 1 to CNHCB 2009-34)
DV reported that there was not yet any news on the publication date for this report.
- 11.5 King's Fund Report on 'Assessing complementary practice: Building consensus on appropriate research methods' (Report 5 in Annex 1 to CNHCB 2009-34) GJ reported that the report stressed the need for controlled trials, understanding how an intervention works, the value of placebos and the need for investment and creation of a sound evidence base. However it had not made any recommendations for making research training part of complementary therapy training or for mentoring and supporting research. GJ will forward a copy of the conference papers to Board members.

GJ



Complementary & Natural
Healthcare Council

Federal Regulatory Board (CNHCB)

12 Any Other Business

None

13 Dates/times of future meetings

10.30 to 16.30 on Thursday 18 February, Tuesday 13 April, 13 July, 19
October 2010, 11 January and 12 April 2011

CJ/MW/MD
17 November 2009