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| Date of meeting: | Wednesday 27 July 2016 | Lenta Business Centre 46 – 48 East Smithfield London E1W 1AW |
| Time of meeting: | 13:00 – 16:00 | |
| Next meeting: | Wednesday 26 October 2016 | |

Minutes – Open Session

Present: Michael Watson (MW) (Chair), Sheila Inglis (SI) (Vice Chair), Margaret Coats (MC) (Chief Executive), Nicola Bastin (NB) John Lawrence (JL), George Lewith (GL), Patricia Mowll (PM), Laura Quartermain (LQ), Hazel Russo (HR) (Secretary)

- 1 Welcome to Open Session**
MW opened the meeting and welcomed members.
- 2 Apologies for Absence**
Apologies had been received from Lynne Gray (LG). A signed Proxy Form had been received from LG.
- 3 Declaration of interests**
MW invited members to declare any interests in relation to any item on the agenda. There were no declarations.
- 4 Minutes of CNHCB – Open session held on 27 April 2016**
The minutes were approved as an accurate record.
- 5 Matters arising**
Nothing to report
- 6 Governance**
 - 6.1 Amendment to para 14.7 of Detailed Procedures for Dealing with Complaints
 - 6.1.1 Members were referred to paper CNHCB 2016-45 which proposed a minor but important amendment to ensure that registrants have sufficient time to seek legal advice before making any written representations at the investigation stage of a complaint.
 - 6.1.2 **Decision**
Members agreed to the amendment suggested, to increase from 14 to 28, the number of days a registrant has to submit written representations upon the complaint, following notification.
 - 6.2 Timescales for publication of decisions on sanctions
 - 6.2.1 MC confirmed that paper CNHCB 2016-46 was a follow-up from the 27 April 2016 Board meeting.
 - 6.2.2 She informed members that the logic for suggesting that cautions are published for only one year is that more serious sanctions might be applicable for only that period of time.
 - 6.2.3 **Decision**
Members agreed to the proposed timescales for publication of sanctions imposed by the Conduct & Competence and Health Panels on CNHC's website and annotated on the public register,

namely:

- Caution One year
- Restriction of Practice Order For the period specified in the Order
(which must be for not less than one year and not more than three)
- Suspension Order For the period specified in the Order
(for a period not exceeding two years)

6.3 Public or private hearings of Conduct and Competence Panel and details to be included in Notice of Hearing

- 6.3.1 MC introduced the paper stating that in the interests of proportionality, fairness and cost effectiveness, paper CNHCB 2016-47 suggests a number of changes to the CNHC's current procedures for dealing with complaint.
- 6.3.2 MC informed members that the Professional Standards Authority (PSA) and CNHC's Verifying Organisations favour private, rather than public hearings of Panels. Members noted the point made at section 2.3 (v) of paper CNHCB 2016-47 that PSA research shows that patients are amenable to proportionate approaches that reduce stress on all parties involved.
- 6.3.3 MC informed members that private hearings would make it less likely that potential complainants would be deterred, or having made a complaint would refuse to give evidence.
- 6.3.4 MC also informed members that there is a strong argument on the grounds of fairness for not publishing the allegations prior to the hearing, though this does not require any change to the Detailed Procedures.
- 6.3.5 MC also stated that consensual disposal, in appropriate cases, would be cost effective, though registrants would need to show considerable insight in order to make the necessary admissions and propose appropriate remedial action for consideration by CNHC and the Conduct and Competence Panel.
- 6.3.6 **Decision**
Members agreed the following:
- a) All hearings of the Conduct and Competence Panel and the Health Panel will be held in private.
 - b) The allegations will not be included in the published Notice of Hearing.
 - c) Further consideration will be given as to whether the published Notice of Hearing should include name of the registrant, or only the hearing date.
 - d) Provision will be made for consideration of consensual disposal (resolution without a hearing of a complaint referred by Case Examiners).

Nothing to report

8 Professional Standards Issues

Nothing to report

9 Complaints9.1 Current Position

Members noted that there are currently no complaints under consideration.

10 Professional Issues10.1 Random sampling

10.1.1 MC informed members that in May 2016, a random sample of 5% of practitioners who had been registered for more than a year were required to provide a copy of their insurance certificate and completed CPD log.

10.1.2 Members noted that eight practitioners had subsequently been removed from this year's sample because of extenuating circumstances and two were removed from the Register.

11 Operational Activities11.1 Activities Report

Members noted the contents of the Activities Report.

12 Wider regulatory mattersUpdate on Notice of Change to PSA regarding complaints not to be dealt with in future

12.1 MC confirmed that members had been updated by email at the time CNHC had received confirmation from PSA that the changes had been agreed. She confirmed that paper CNHCB 2016-40 + 40a had been included to ensure a complete audit trail on this important issue.

13 Engagement with the wider health and care agenda13.1 Update on NICE guidelines

13.1.1 MW acknowledged that members are aware that NICE has decided to retain the current guideline on palliative and supportive care, which include reference to the use of complementary therapies.

13.1.2 MC informed members that CNHC's post on the Facebook page about this had reached almost 76,000 people.

14 Any other business

Nothing to report

15 Dates/Times of Future Meetings

Wednesday 26 October 2016.