

2003 No. 1209

**HEALTH CARE AND ASSOCIATED PROFESSIONS
HEALTH PROFESSIONS**

**The Health Professions Council (Practice Committees)
(Constitution) Rules Order of Council 2003**

Made - - - - - 1st May 2003

Laid before Parliament 2nd May 2003

Coming into force - - 23rd May 2003

At the Council Chamber, Whitehall, the 1st day of May 2003

By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in exercise of the powers conferred on it by paragraph 18 of Schedule 1 to the Health Professions Order 2001^(a), and of all other powers enabling it in that behalf, the Health Professions Council has made the Health Professions Council (Practice Committees) (Constitution) Rules 2003 as set out in the Schedule to this Order:

And whereas by articles 41(1) and 42 of the Health Professions Order 2001 such Rules shall not come into force until approved by order of the Privy Council:

Now, therefore, Their Lordships, having taken the Rules into consideration, are pleased to, and do hereby, approve them.

This Order may be cited as the Health Professions Council (Practice Committees) (Constitution) Rules Order of Council 2003 and shall come into force on 23rd May 2003.

A.K. Galloway
Clerk of the Council

^(a) S.I. 2002/254.

SCHEDULE

THE HEALTH PROFESSIONS COUNCIL (PRACTICE COMMITTEES) (CONSTITUTION) RULES 2003

The Health Professions Council, in exercise of its powers under paragraph 18 of Schedule 1 to the Health Professions Order 2001(a) and of all other powers enabling it in that behalf and after consulting in accordance with article 41(3) of that Order, hereby makes the following rules:

Citation and commencement

1. These Rules may be cited as the Health Professions Council (Practice Committees) (Constitution) Rules 2003 and shall come into force on 23rd May 2003.

Interpretation

2. In these Rules:

“the Order” means the Health Professions Order 2001; and

“second transitional period” means the second transitional period determined in accordance with paragraph 2 of Schedule 2 to the Order.

Membership

3. The members of a Practice Committee shall be appointed by the Council in accordance with paragraph 19 of Schedule 1 to the Order and a Practice Committee shall consist of not less than nine members.

Chairman

4. The Council shall appoint from among its members a Chairman for each Practice Committee, and may appoint another member of the Committee to be its Deputy Chairman to act as chairman in the Chairman’s absence.

Tenure

5.—(1) A member appointed to a Practice Committee before the end of the second transitional period shall serve until the end of that period.

(2) A member of a Practice Committee may resign at any time by notice in writing addressed to the Registrar.

(3) The Council may remove a person from office as a member of a Practice Committee—

- (a) for a serious and persistent deficiency in his attendance, conduct or performance at meetings of the Committee;
- (b) if he is a member of the Committee by virtue of his being a registered professional and he—
 - (i) ceases to be wholly or mainly engaged in the practice, teaching or management of the relevant profession or in research in those fields, or
 - (ii) ceases to be registered in the part of the register relating to that profession; or
- (c) if he is a member of the Committee by virtue of his being a registered medical practitioner and he ceases to be so registered.

Vacancies

6. Where a person ceases to be a member of a Practice Committee the Council may fill the vacancy and the person appointed shall serve for the remainder of the term of the member he has replaced.

Standards for members

7.—(1) A member of a Practice Committee shall—

- (a) attend all meetings of the Committee unless there is good reason for him being unable to do so;
- (b) prepare for any meeting of the Committee by reading the agenda and any papers issued by the Committee or the Council which are relevant to any subject to be considered at that meeting; and
- (c) if he will not be attending a meeting of the Committee, take all reasonable steps to give advance warning of his absence to the Chairman.

(a) S.I. 2002/254

(2) A member of a Practice Committee shall undertake education and training provided or organised by the Council from time to time so that he is properly informed about his responsibilities and, in particular, shall receive training in—

- (a) the functions of the Council, and the role of the Committee and its place in the work of the Council;
- (b) the effective conduct of proceedings by the Committee; and
- (c) the discharge by the Committee of its functions under Part V of the Order (fitness to practise) including the principles of natural justice, human rights and Community law.

Meetings

8.—(1) A Practice Committee shall meet at least four times each year at such places, times and dates as the Chairman may determine.

- (2) The quorum for a meeting of a Practice Committee shall be five.
- (3) At least once in every year a Practice Committee shall meet—
 - (a) to review the allegations heard by the Committee during the previous 12 months;
 - (b) to review the education, training, attendance and performance of its members during that period;
 - (c) to consider the education and training requirements for its members for the following 12 months and make recommendations to the Council; and
 - (d) in the case of the Conduct and Competence Committee, to review the standards of conduct, performance and ethics established by the Council under article 21(1)(a) of the Order.

(4) Subject to the provisions of the Order and these or any other rules made under it a Practice Committee may regulate its own procedure.

Sealed with the common seal of the Health Professions Council on 30th April 2003.



Norma Brook
President

Marc Seale
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under the Health Professions Order 2001, approves Rules made by the Health Professions Council in respect of the constitution and procedure of its Investigating Committee, the Conduct and Competence Committee and the Health Committee (the “Practice Committees”).

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