

An Chomhairle um Ghairmithe
Sláinte agus Cúraim Shóisialaigh

Health and Social Care
Professionals Council

Annual Report 2007/2008

Health and Social Care Professionals Council

Annual Report 2007

Health and Social Care Professionals Council
An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh

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Chairperson's Foreword

It gives me great pleasure to present the first Annual Report of the Health and Social Care Professionals Council.

The first ever Health and Social Care Professionals Council was appointed by the Minister for Health and Children, Ms Mary Harney T.D. on 20 March 2007 with Mr Finbarr Flood as the first Chairperson. Finbarr provided leadership and direction to Council in the first six months of its development prior to resigning due to time pressures from his other commitments. The Council would like to take this opportunity to record its deep appreciation of Finbarr's contribution in that formative period and to wish him all the best in his future endeavours.

The work of Council to date has focused on exploring, in depth, the requirements of the Health and Social Care Professionals Act, 2005 under which it was established, determining what the practical implications are for Council in terms of achieving the object of the Act, namely to protect the public by promoting high standards of professional conduct and professional education, training and competence among registrants of the designated professions.

A number of sub-committees were established to advise Council in the key areas of Finance; Governance; Recruitment of a Chief Executive Officer; Registration; Education and Training; and Fitness to Practise.

The Chief Executive Officer's recruitment process is now complete and Ms Ginny Hanrahan has taken up the position of Chief Executive Officer. This effectively marks the beginning of the next phase of Council work. The Council would like to formally congratulate Ms Hanrahan on her appointment and looks forward to a long fruitful and successful working relationship with her. Council will now begin the work of determining priorities for the incoming Chief Executive Officer for the remainder of 2008.

I would like again to take this opportunity on my own behalf and that of Council to thank Finbarr Flood for his leadership and expertise in steering Council in its initial and critical months of operation and also to express, in particular, our gratitude for the support, the Department of Health and Children has given to Council in the important developmental stages in 2007.



Margaret Hayes
Chairperson

Section 1

1.0 Introduction

1.1 The Health and Social Care Professionals Act, 2005

The Health and Social Care Professionals Act was enacted primarily to enable health and social care professionals to practise in a regulated, controlled and safe environment and in a manner which will ensure the provision of high-quality interventions, meeting the challenges of increasingly complex and evolving care and therapeutic regimens for service users. The Act provides for a system whereby health and social care professionals can be facilitated in ensuring responsible and accountable practices whilst providing the highest level of patient care and service.

1.2 Provisions made in the Health and Social Care Professionals Act, 2005

The Act makes provision for the establishment of a Health and Social Care Professionals Council for the purpose of acting as the statutory regulator of designated health and social care professions including the following, which are specified in Section 4 of the Act:

- Clinical Biochemists,
- Dietitians,
- Medical Scientists,
- Occupational Therapists,
- Orthoptists,
- Physiotherapists,
- Podiatrists,
- Psychologists,
- Radiographers,
- Social Care Workers,
- Social Workers,
- Speech and Language Therapists.

1.3 The Functions of Council

The Council's principal functions under the Act are set out in Section 7 and can be briefly characterised as to:

- Protect patients and the public interest
- Maintain registers of health and social care professionals
- Draw up codes of conduct for health and social care professionals and oversee the quality assurance and application of best practice across the sector
- Promote and ensure high standards of education and training
- Conduct inquiries to determine "fitness to practise"
- Process complaints relating to health and social care professionals practice
- Act as the registration authority for health and social care professionals wishing to practise in Ireland who have obtained their qualification outside of Ireland
- Act as the competent authority for mutual recognition of qualifications from other EU countries

The Health and Social Care Professionals Act, 2005 is seen as an essential piece of legislation providing for the health, safety and welfare of patients, clients, users and the public.

Section 2

2.0 The Health and Social Care Professionals Council

The establishment of the Health and Social Care Professionals Council marks the first major step in the implementation of the Health and Social Care Professionals Act, 2005.

2.1 Membership of the Health and Social Care Professionals Council

The Act confers powers on the Minister for Health and Children to appoint a 25 member Council, which comprises a Chairperson and 24 Ordinary members. The Council has a lay majority. The appointment of the first Health and Social Care Professionals Council followed wide consultation with a number of different organisations and bodies, and having regard to nominations from professional organisations; the persons appointed were:

MEMBERSHIP OF THE HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

Chairperson

Mr Finbarr Flood*

One member from each of the 12 professions to be regulated

Dr John O'Mullane (*Clinical Biochemists*)

Ms Margaret Doyle (*Dietitians*)

Ms Jacqui Barry-O'Crowley (*Medical Scientists*)

Dr Elizabeth Anne McKay (*Occupational Therapists*)

Ms Nanno Fitzsimons (*Orthoptists*)

Ms Jill Long (*Physiotherapists*)

Ms Patricia Godwin (*Podiatrists*)

Dr Mitchel J Fleming (*Psychologists*)

Dr Mark McEntee (*Radiographers*)

Ms Monica Egan (*Social Workers*)

Mr David Power (*Social Care Workers*)

Ms Una O'Shiel (*Speech and Language Therapists*)

Three persons who have qualifications, interest and experience as in the opinion of the Minister, would be of value to the Council in performing its functions.

- Ms Joan Freeman
- Ms Bernie McNally
- Mr Tom Jordan

One representative of the management of the public health sector, the public social care sector or both sectors.

- Ms Elva Gannon

One representative of the management of a voluntary or private sector organisation concerned with health or social care.

- Mr Tony Darmody

One representative of third level educational establishments involved in the education and training of persons with respect to the practice of the designated professions and is nominated by the Minister for Education and Science.

- Professor James Browne

Six representatives of the interest of the general public and are appointed with the consent of the Minister for Enterprise, Trade and Employment.

- Mr Vincent McCabe
- Professor Denis A Cusack
- Mr Michael O'Halloran
- Mr Kevin F Jones
- Ms Caroline Casey**
- Mrs Joan Johnson

* Ms Margaret Hayes replaced Mr Finbarr Flood, who resigned as Chairperson, in November 2007.

** Ms Mary O'Donnell replaced Ms Caroline Casey who resigned in December 2007.

The current Council took up office in March 2007 and met seven times up to December 2007.

2.2 Functions of the Health and Social Care Professionals Council

The object and functions of Council are set out in Sections 7 and 8 of the Act as follows:

7. - The object of the Council is to protect the public by promoting high standards of professional conduct and professional education, training and competence among registrants of the designated professions.

8. - (1) The Council shall do all things necessary and reasonable to further its object and shall exercise its powers and perform its functions in the public interest.

(2) Without limiting the Council's responsibilities under subsection (1), its functions are to -

- *(a) oversee and co-ordinate the activities of registration boards,*
- *(b) provide administrative support and secretarial assistance to registration boards and their committees,*
- *(c) receive applications and make decisions under Part 4 concerning the refusal of registration boards to grant or restore registration,*
- *(d) enforce standards of practice for registrants of the designated professions, including the codes of professional conduct and ethics adopted by their registration boards,*
- *(e) establish committees of inquiry into complaints under Part 6 against registrants of the designated professions,*
- *(f) make decisions and give directions under Part 6 relating to the imposition of disciplinary sanctions on registrants of the designated professions,*
- *(g) advise the Minister, either on its own initiative or at the Minister's request, on all matters relating to the Council's functions under this Act,*
- *(h) encourage registration boards to collaborate with each other, where practicable, including in the professional education and training of registrants,*
- *(i) issue assessment guidelines for the purposes of section 91,*
and
- *(j) perform any function that may be assigned by the Minister to the Council and that relates to-*
 - (i) the registrants of any designated profession, their education and training and the practice of the profession,*
 - or*
 - (ii) the implementation of any directive or regulation of the Council of the European Union concerning the practice of, and persons engaged in, health care or social care.*

(3) The Council has power to do anything that appears to it to be requisite, advantageous or incidental to, or to facilitate, the performance of its functions under this Act.

2.3 2007 Programme of Activities

The Council has concentrated its efforts in the first six months of its existence exploring in depth the requirements of the Act, and teasing out the practical implications for the workings of Council in terms of achieving the object of the Act. Towards this end Council established a number of sub-groups composed of Council members with expertise in specific areas and incorporating external members with appropriate expertise focusing on the key areas of:

1. Governance
2. Finance
3. Recruitment of Chief Executive Officer
4. Registration
5. Education and Training
6. Fitness to Practise.

A summary of the work of these sub-groups is provided in Section 3. Prior to the establishment of the sub-groups the Chairperson met an extensive range of organisations from the professions coming within the remit of the Act including:

1. Association of Clinical Biochemists in Ireland (ACBI)
2. Irish Nutrition and Dietetics Institute (INDI)
3. Academy of Medical Laboratory Scientists (AMLS)
4. Association of Occupational Therapists in Ireland (AOTI)
5. British and Irish Orthoptic Society (BIOS)
6. Irish Society of Chartered Physiotherapists (ISCP)
7. Society of Chiropodists and Podiatrists of Ireland
8. Institute of Chiropodists and Podiatrists
9. Irish Chiropodists / Podiatrists Organisation
10. Irish Branch of the British Chiropody and Podiatry Association
11. Psychological Society of Ireland (PSI)
12. Irish Institute Radiographers and Radiation Therapists (IIRRT)
13. Irish Association of Social Care Workers (IASCW)
14. Irish Association of Social Workers (IASW)
15. Irish Association of Speech and Language Therapists (IASLT)
16. National Social Work Qualifications Board (NSWQB).

Section 3

3.0 Sub-groups of Council

3.1 Governance

3.1.1 *Terms of Reference for Governance Sub-group*

1. To identify the requirements under the Act
2. To identify relevant issues for the Council
3. To draw up a draft governance framework

3.1.2 *Membership of Governance Sub-group*

Council Membership

Mr Tom Jordan (Co-ordinator), Ms Elva Gannon, Professor Jim Browne, Mr Michael O'Halloran, Ms Patricia Godwin, Dr John O'Mullane, Ms Caroline Casey.

External Membership

Simonetta Ryan (Department of Health and Children), Sinead McEvoy (Department of Health and Children).

The Governance sub-group met on six occasions and prepared a draft "Governance Framework for the Health and Social Care Professionals Council (Code of Practice)" for consideration by Council.

3.2 Finance

3.2.1 *Terms of Reference for Finance Sub-group*

1. To identify any requirements under the Act
2. To estimate funding required and potential level of fees
3. To set out the financial structures (bank accounts/audit procedures)
4. To set out likely expenditure and process for drawdown of funds

3.2.2 *Membership of Finance Sub-group*

Council Membership

Mr Vincent McCabe (Co-ordinator), Mr Tony Darmody, Ms Bernie McNally, Mr Kevin F Jones, Ms Joan Freeman, Ms Joan Johnson, Dr Elizabeth-Anne McKay, Ms Nanno Fitzsimons, Ms Jacqui Barry-O'Crowley, Mr Mitchel Fleming.

External Membership

Ms Caroline Kelly (Department of Health and Children)

The Finance sub-group met on six occasions in 2007. They drew up estimates of expenditure for 2008 and advised Council also in relation to service planning, human resources and accommodation.

3.3 Recruitment of the Chief Executive Officer

3.3.1 *Terms of Reference for Post of the Chief Executive Officer Sub-group*

1. To prepare a person and job specification for the CEO
2. To propose a recruitment process and timeframe for completion

3.3.2 *Membership of Post of the Chief Executive Officer Sub-group*

Council Membership

Ms Elva Gannon (Co-ordinator), Ms Bernie McNally, Professor Denis A Cusack, Mr Kevin F Jones, Mr Tom Jordan, Mr Finbarr Flood.

The sub-group met on a number of occasions and prepared a proposed person specification, job description, recruitment process and timeframe for the recruitment of the Chief Executive Officer. The recommendations of the committee were considered and adopted by Council at the meeting in November 2007. The post was advertised before the end of that month and the recruitment process was managed by the Public Appointments Service (PAS).

3.4 Registration

3.4.1 *Terms of Reference of Registration Sub-group*

1. To describe the registration process as set out in the Act
2. To identify the relevant issues for the Council
3. To advise the Council on what needs to progress for registration to happen
4. To draw up a draft action plan to prepare for registration

3.4.2 *Membership of Registration Sub-group*

Council Membership

Dr Mark McEntee (Co-ordinator), Ms Margaret Doyle, Ms Nanno Fitzsimons, Dr Mitchel J Fleming, Ms Patricia Godwin, Ms Jill Long, Mr Vincent McCabe, Mr Michael O'Halloran, Mr David Power, Dr John O'Mullane, Ms Jacqui Barry O'Crowley.

External Membership

Ms Caroline Kelly (Department of Health and Children).

The sub group met on six occasions in 2007 and produced a draft application form for registration and accompanying guidance note for consideration by Council.

3.5 Education and Training

3.5.1 *Terms of Reference for Education and Training Sub-group*

1. To describe the requirements under the Act in relation to education and training
2. To identify the issues in relation to education for the purposes of registration including the validation of courses
3. To discuss with Council whether CPD should be a separate issue for another committee

3.5.2 *Membership of Education and Training Sub-group*

Council Membership

Dr Elizabeth-Anne McKay (Co-ordinator), Ms Joan Johnson, Ms Bernie McNally, Ms Monica Egan, Professor Jim Browne, Ms Margaret Doyle, Ms Una O'Shiel, Dr Mark McEntee.

External Membership

Ms Eilís Walsh (National Social Work Qualifications Board), Ms Sinead McEvoy (Department of Health and Children).

The sub-group met on six occasions in 2007 and produced draft standards for education and training and standards of proficiency for consideration by Council.

3.6 Fitness to Practise

3.6.1 *Terms of Reference for Fitness to Practise Sub-group*

1. To describe the Fitness to Practise framework as outlined in the Act
2. To identify the relevant issues for Council

3.6.2 *Membership of Council Membership Fitness to Practise Sub-group*

Ms Jill Long (Co-ordinator), Ms Joan Freeman, Mr David Power, Professor Denis A Cusack, Ms Monica Egan, Mr Tony Darmody, Ms Caroline Casey.

External Membership

Ms Simonetta Ryan (Department of Health and Children), Ms Caroline Kelly (Department of Health and Children), Ms Sinead McEvoy (Department of Health and Children).

The sub-group met on six occasions and has completed a draft Fitness to Practise Framework document and Generic Rules of Professional Conduct (Code of Ethics and Standards of Performance and Conduct).

ANNUAL FINANCIAL STATEMENTS

FOR
HEALTH AND SOCIAL CARE
PROFESSIONALS COUNCIL
FOR THE PERIOD FROM 20th MARCH 2007
TO 31ST DECEMBER 2007

Health and Social Care Professionals Council
An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

STATEMENT OF COUNCIL MEMBERS' RESPONSIBILITIES

PERIOD ENDED 31ST DECEMBER 2007

The Health and Social Care Professionals Council was established by the Minister for Health and Children under the Health and Social Care Professionals Act, 2005 on 20th March 2007.

The Health and Social Care Professionals Council is required to prepare financial statements for the period from the date of establishment to 31st December 2007 which give a true and fair view of the state of affairs of the Council and its income and expenditure for the period.

In preparing those statements the Council is required to

- select suitable accounting policies and then apply them consistently
- make judgements and estimates that are reasonable and prudent
- disclose and explain any material departures from applicable accounting standards, and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Health and Social Care Professionals Council will continue in existence.

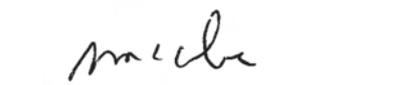
The Health and Social Care Professionals Council is responsible for keeping proper accounting records which disclose with reasonable accuracy at any time its financial position and enable it to ensure that the financial statements comply with the Health and Social Care Professionals Act, 2005 and with generally accepted accounting principles. The Council is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

On behalf of the Council

Chairperson



Council Member



HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL**REPORT OF THE COMPTROLLER AND AUDITOR GENERAL FOR PRESENTATION TO THE HOUSES OF THE OIREACHTAS.**

I have audited the financial statements of the Health and Social Care Professionals Council for the period ended 31 December 2007 under the Health and Social Care Professionals Act 2005.

The financial statements, which have been prepared under the accounting policies set out therein, comprise the Statement of Accounting Policies, the Income and Expenditure account, the Balance Sheet and the related notes.

RESPECTIVE RESPONSIBILITIES OF THE COUNCIL AND THE COMPTROLLER AND AUDITOR GENERAL

The Council is responsible for preparing the financial statements in accordance with the Health and Social Care Professionals Act 2005 and for ensuring the regularity of transactions. The Council prepares the financial statements in accordance with Generally Accepted Accounting Practice in Ireland. The accounting responsibilities of the Members of the Council are set out in the Statement of Council Members' Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report my opinion as to whether the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland. I also report whether in my opinion proper books of account have been kept. In addition, I state whether the financial statements are in agreement with the books of account.

I report any material instance where moneys have not been applied for the purposes intended or where the transactions do not conform to the authorities governing them.

I also report if I have not obtained all the information and explanations necessary for the purposes of my audit.

I review whether the Statement on Internal Financial Control reflects the Council's compliance with the Code of Practice for the Governance of State Bodies and report any material instance where it does not do so, or if the statement is misleading or inconsistent with other information of which I am aware from my audit of the financial statements. I am not required to consider whether the Statement on Internal Financial Control covers all financial risks and controls, or to form an opinion on the effectiveness of the risk and control procedures.

BASIS OF AUDIT OPINION

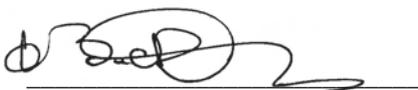
In the exercise of my function as Comptroller and Auditor General, I conducted my audit of the financial statements in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board and by reference to the special considerations which attach to State bodies in relation to their management and operation. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures and regularity of the financial transactions included in the financial statements. It also includes an assessment of the significant estimates and judgements made in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Council's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations that I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

OPINION

In my opinion, the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the state of the Council's affairs at 31 December 2007 and of its income and expenditure for the period then ended.

In my opinion, proper books of account have been kept by the Council. The financial statements are in agreement with the books of account.



John Buckley
Comptroller and Auditor General
1 May 2009

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL**STATEMENT OF INTERNAL FINANCIAL CONTROL****RESPONSIBILITY FOR THE SYSTEM OF INTERNAL FINANCIAL CONTROLS**

On behalf of the Health and Social Care Professionals Council, I acknowledge our responsibility for ensuring that an effective system of internal financial control is maintained and operated.

The system could only provide reasonable and not absolute assurance that assets were safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely period.

The period to 31st December 2007 was a start-up phase in which there were a limited number of transactions. The Council relied on the Department of Health and Children for the processing of financial transactions.

The Chairperson and Council members took steps to ensure that there was an effective system of financial control in place, by implementing a system of internal control based on regular information on expenditure being supplied to management, administrative procedures including segregation of duties, and a system of delegation of responsibility. The key procedures included

- I. An annual estimate of the financial requirements was provided by the parent department, the Department of Health and Children.
- II. All expenditure was recorded in the Departments general ledger accounting system.
- III. Segregation of duties existed between the preparation, authorisation and execution of payments.

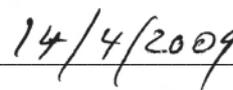
REVIEW OF THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL FINANCIAL CONTROLS

Having regard to the size of the organisation, and the limited number of transactions in the period, no formal review of internal financial control was considered necessary in respect of 2007.

Signed:


Chairperson

Date:



HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

STATEMENT OF ACCOUNTING POLICIES

General

The Health and Social Care Professionals Council was established on 20th March 2007 under the Health and Social Care Professionals Act, 2005. The Council was established to regulate designated health and social care professions. The Act also provides for the transfer of the staff, assets and liabilities of the National Social Work Qualifications Board which will be implemented on a future date determined by the Minister for Health and Children.

1. Accounting Convention

The financial statements are prepared in accordance with generally accepted accounting principles and under the historical cost convention. Financial reporting standards recommended by the recognised accountancy bodies are adopted as they become operative.

2. Period of Financial Statements

The financial statements relate to the period of account from 20th March 2007, the date of establishment of the Health and Social Care Professionals Council to the 31st December 2007.

3. Oireachtas Grant

Grant Income recognised in the financial statements represents the total amount paid on behalf of the Health and Social Care Professionals Council during the period, by the Department of Health and Children.

4. Expenditure

Expenditure is recognised on an accruals basis.

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31st DECEMBER 2007

	Notes	2007 €
<u>Income</u>		
Oireachtas Grant	1	57,650
	-	57,650
<u>Expenditure</u>		
Council Costs		
Room Hire		14,559
Travel and Subsistence		4,660
Executive Fees		16,940
Office Administration		
Staff Recruitment		30,110
Audit Fee		2,000
Total Expenditure		68,269
Surplus / (Deficit) for the period		(10,619)

All recognised gains and losses for the period ended 31st December 2007 have been dealt with through the Income and Expenditure Account.

The Statement of Accounting Policies and Notes 1 to 6 form part of these financial statements.

On behalf of the Health and Social Care Professionals Council:

Signed: 
Chairperson

Signed: 
CEO

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

BALANCE SHEET AS AT 31st DECEMBER 2007

	Notes	31/12/2007 €
<u>Fixed Assets</u>		
Tangible Assets	2	
<u>Current Assets</u>		
Cash at Bank or in Hand	3	-
<u>Current Liabilities</u>		
Creditors	4	(10,619)
		=====
Total Assets less Current Liabilities	4	(10,619)
		=====
<u>Capital and Reserves</u>		
Income and Expenditure Account Surplus / (Deficit)		(10,619)
		=====
		(10,619)
		=====

The Statement of Accounting Policies and Notes 1 to 6 form part of these financial statements.

On Behalf of the Health and Social Care Professionals Council:

Signed: Margaret Bergin
Chairperson

Signed: Marcia Virgimillo
CEO

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST DECEMBER 2007

1. OIREACHTAS GRANT	2007
	€
Department of Health and Children	57,650

Grant Income represents the amount discharged by the Department of Health and Children to meet expenditure incurred by the Health and Social Care Professionals Council for the period ended 31st December 2007.

2. ADMINISTRATION

There were no staff employed by the Council in the period to 31st December 2007. The Department of Health and Children provided all other administrative support to the Council.

3. BANK and CASH IN HAND

In the period to 31st December 2007 all financial and banking arrangements were provided by the Department of Health and Children. There were no cash balances in hand pertaining to the Council at the 31st December 2007.

4. CREDITORS (amounts falling due within one year)	2007
	€
Non-Pay	10,619

5. CAPITAL AND OTHER COMMITMENTS

The Health and Social Care Professionals Council had no capital commitments at 31st December 2007.

6. DISCLOSURE OF MEMBERS INTERESTS

The Health and Social Care Professionals Council has adopted procedures in accordance with guidelines issued by the Department of Finance in relation to the disclosure of interests by Health and Social Care Professionals Council members and these procedures were adhered during the period. There were no transactions in the year in relation to the Health and Social Care Professionals Council activities in which the Health and Social Care Professionals Council's members had any beneficial interest.

2008

Health and Social Care Professionals Council

Annual Report 2008

Health and Social Care Professionals Council
An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh

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1. Foreword

It gives me great pleasure, on behalf of the Health and Social Care Professionals Council, to present the Council's Second Annual Report.

Last year Council completed an extensive consultation and planning process and embarked on the first phase of implementation of the Health and Social Care Professionals Act, 2005 under which the Council was appointed. A series of Working Groups had been established, comprising of individual council members, to provide advice and guidance to Council on key organisational issues which would have to be addressed to facilitate effective implementation of the Act. These Groups have been working closely with our Chief Executive Ms Ginny Hanrahan, since she took up her appointment in May 2008, supporting her in creating the organisational framework through which Council plans to deliver its statutory functions.

Council is delighted to report that the goals set by Council in its 2008 Business Plan have been achieved. The 2009 Business Plan, as recently approved by Council, has taken on board decisions announced by the Minister for Finance in his October 2008 and April 2009 Budget Statements, in so far as they relate to the activities of Council and we are currently progressing in accordance with that Plan. A number of tender competitions have already been completed including those for legal advisory services, IT analysis and corporate branding, in preparation for the opening of Registers.

As a result of the level of progress achieved to date, Council was in a position to advise the Minister for Health and Children of our readiness to facilitate appointment of the first two of twelve Registration Boards required under the Act. The appointment of Registration Boards will effectively mark the move to the next step in the process of opening Registers to the relevant professions.

A number of Council changes took place during 2008. In February Ms Mary O'Donnell replaced Ms Caroline Casey; in May, Mr Pat Quinlan replaced Mr Kevin Jones and in June and November respectively Prof James Browne resigned, on his appointment as President of University College Galway, and Ms Bernie McNally on her appointment to a senior position in the Office of the Ombudsman.

On behalf of Council, I wish to thank all our outgoing members for their valuable contribution, and in particular for the time and effort they contributed to the development of the organisational framework of the Council.

Council staff members are currently being accommodated at the Baggot Street Offices of the National Social Work Qualifications Board (NSWQB) who in due course will be formally merging with the Council in accordance with the provisions of the Act. I would like to take this opportunity to thank the Board and their Staff for the assistance, co-operation and courtesy they have shown to Council in our start-up phase.

I would also like to record, on behalf of Council, our gratitude and appreciation of the encouragement and support afforded right throughout 2008 by the Minister for Health and Children and her Department, in

particular the Health Reform, ICT and Pensions Policy Units. We would especially like to thank Ms Sinead McEvoy, Therapy Advisor and Ms Simonetta Ryan, Principal Officer who both moved on from their roles in the Department in 2008 and to also thank Mr Bernard Carey, Assistant Secretary General, Ms Deirdre Walsh, Principal Officer and Mr Paul Flanagan, Assistant Principal Officer who continue to be of invaluable assistance and ongoing support to Council.



Margaret Hayes
Chairperson
October 2009

2. Introduction

Role of the Council

- 2.1 The Health and Social Care Professionals Act, 2005 was enacted to protect the public, by enabling health and social care professionals to practise in a: regulated, controlled and safe environment; and in a manner that ensures provision of high quality interventions, while at the same time meeting the challenges of increasingly complex and evolving care and therapeutic regimens for service users. The Act provides for a system whereby health and social care professionals should be facilitated in ensuring responsible and accountable practices whilst they seek to provide the highest level of patient care and service.
- 2.2 The Act provides for a Council to act as the statutory regulator of designated health and social care professions including the following, which are specified in Section 4 of the Act:

Clinical Biochemists	Physiotherapists
Dietitians	Psychologists
Medical Scientists	Radiographers
Occupational Therapists	Social Care Workers
Orthoptists	Social Workers
Podiatrists	Speech and Language Therapists

as well as any further professions that may be scheduled by the Minister for Health and Children in the future under the Act. Following Budget Statements in October 2008 and April 2009, the Pre-Hospital Emergency Care Council (PHECC) who regulates Emergency Medical Technicians, Paramedics and Advanced Paramedics, and the Opticians Board, who regulates Optometrists and Dispensing Opticians, are now scheduled to merge with the Council in 2011. The National Social Work Qualifications Board is already scheduled under the 2005 Act to merge with the Council as soon as the required legal framework is put in place and work on this is already underway within the Department.

- 2.3 The Council has been given the following statutory object:
“To protect the public by promoting high standards of professional conduct and professional education, training and competence among registrants of the designated professions”
(Section 7 of the Act).

Membership of the Health and Social Care Professionals Council

2.4 The Minister for Health and Children appointed a 25 member Council, comprising Chairperson and 24 members, in March 2007, marking the first major step in the implementation of the Act. The composition of the Council for the period covered by this Report was as follows:

Chairperson

- Ms Margaret Hayes

One member from each of the 12 professions to be regulated

- Dr John O'Mullane (*Clinical Biochemist*)
- Margaret Doyle (*Dietitian*)
- Jacqui Barry O'Crowley – (*Medical Scientist*)
- Dr Elizabeth Anne McKay (*Occupational Therapist*)
- Ms Nanno Fitzsimmons (*Orthoptist*)
- Ms Jill Long (*Physiotherapist*)
- Ms Patricia Godwin (*Podiatrist*)
- Dr Mitchel J Fleming (*Psychologist*)
- Dr Mark McEntee (*Radiographer*)
- Ms Monica Egan (*Social Worker*)
- Mr David Power (*Social Care Worker*)
- Ms Una O'Sheil (*Speech and Language Therapist*)

One representative of the management of the public health sector, the public social care sector or both sectors.

- Ms Elva Gannon

One representative of the management of a voluntary or private sector organisation concerned with health or social care.

- Mr Tony Darmody

One representative of third level educational establishments involved in the education and training of persons with respect to the practice of the designated professions and is nominated by the Minister for Education and Science.

- Professor James Browne (resigned June 08, not replaced)

Six representatives of the interest of the general public and are appointed with the consent of the Minister for Enterprise, Trade and Employment.

- Mr Vincent McCabe
- Professor Denis A Cusack
- Mr Michael O'Halloran
- Mr Pat Quinlan (commenced June 08 replacing Mr Kevin Jones)
- Ms Mary O'Donnell (commenced February 08 replacing Ms Caroline Casey)
- Mrs Joan Johnson

3 persons who have qualifications, interest and experience as in the opinion of the Minister, would be of value to the Council in performing its functions.

- Ms Joan Freeman
- Ms Bernie McNally (resigned November 08, not replaced)
- Mr Tom Jordan



Chairperson
Ms Margaret Hayes



Chief Executive Officer
Ms Ginny Hanrahan

Council Members



Dr John O'Mullane



Ms Margaret Doyle



Ms Jacqui Barry-O'Crowley



Ms Jill Long



Dr Elizabeth Anne McKay



Ms Nanno Fitzsimons



Ms Patricia Godwin



Dr Mitchel J Fleming



Ms Monica Egan



Mr David Power



Dr Mark McEntee



Ms Una O'Shiel

Council Members



Ms Joan Freeman



Mr Tom Jordan



Mr Tony Darmody



Professor James Browne



Mr Vincent McCabe



Professor Denis A Cusack



Mrs Joan Johnson



Mr Pat Quinlan

Ms Bernie McNally

Ms Mary O'Donnell

Mr Michael O'Halloran

Ms Elva Gannon

2.5 The Council met on seven occasions in 2008, with most members also serving on Council Working Groups (see Appendix 1, for more details). Dr John O'Mullane agreed to act as the Council's nominee to the Irish Medical Council with effect from April 2008.

2.6 Functions of Council

The Council's functions as set out in the Act require that it must:

- (a) *oversee and co-ordinate the activities of registration boards,*
- (b) *provide administrative support and secretarial assistance to registration boards and their committees,*
- (c) *receive applications and make decisions about registration concerning the refusal of registration boards to grant or restore registration,*
- (d) *enforce standards of practice for registrants of the designated professions, including the codes of professional conduct and ethics adopted by their registration boards,*
- (e) *oversee establish committees of inquiry into complaints, inquiries and discipline as outlined in Part 6 of the Act, against registrants of the designated professions,*
- (f) *make decisions and give directions under Part 6 relating to the imposition of disciplinary sanctions on registrants of the designated professions,*
- (g) *advise the Minister, either on its own initiative or at the Minister's request, on all matters relating to the Council's functions under this Act,*
- (h) *encourage registration boards to collaborate with each other, where practicable, including in the professional education and training of registrants,*
- (i) *issue assessment guidelines for the purposes of section 91 – initial registration of existing professions within the designated professions for the opening of the registers and during the transitional period and*
- (j) *perform any function that may be assigned by the Minister to the Council and that relates to the registrants of any designated profession, their education and training and the practice of the profession, or the implementation of any directive or regulation of the Council of the European Union concerning the practice of, and person engaged in, health care or social care,*
- (k) *The Council has power to do anything that appears to it to be requisite, advantageous or incidental to, or to facilitate, the performance of its functions under this Act.*

Role and Function of Registration Boards

2.7 The Act provides that Registration Boards be appointed for each of the professions designated under the legislation. Each Registration Board will be a body corporate with perpetual succession, a seal and may sue or be sued in its corporate name. The Act requires that each Board is to consist of thirteen members - six from the profession to be registered – one educator, two managers and three practitioners; and seven lay members including the chairperson and representatives from management of the public health/social care sector; management of voluntary/private sector health or social care; a third level representative and four to represent the general public, who are nominated by the Minister for Enterprise, Trade and Employment. The Registration Board functions are to:

- *establish and maintain a register of members of the designated profession,*
- *issue certificates of registration,*
- *give guidance to registrants concerning ethical conduct and give guidance and support to them*

- *concerning the practice of the designated profession and continuing professional development,*
 - *monitor, in accordance with the Act, the continuing suitability of programmes approved by the board for the education and training of applicants for registration, and*
 - *make recommendations under Part 6 of the Act "Complaints, Inquiries and Discipline" with respect to sanctions to be imposed on registrants of the designated profession.*
- (Section 27 (3) of the Act)*

2.8 Council advised the Minister earlier this year that arrangements had been put in place to facilitate appointing the first two Registration Boards, and recommended that those be for the professions of Social Worker and Physiotherapist. The Department is now completing a consultation process with the relevant bodies regarding nominees for the Minister to consider for appointment. It is anticipated that the Registration Boards will be in place later in 2009, marking the beginning of the next phase in the implementation of the Act.

2.9 A Registration Board, once appointed, has power to do anything that appears to it to be requisite, advantageous or incidental to, or to facilitate, the performance of its functions under this Act and it may, with the Council's approval

- (a) engage in research into education and training relating to the practice of the designated profession, including the formulation of experimental curricula and the evaluation of existing programmes and examination and assessment procedures, and*
- (b) maintain statistical records and make those records available for research and planning.*

2.10 Boards have a statutory responsibility under Section 27 of the Act:

"to protect the public by fostering high standards of professional conduct and professional education, training and competence among registrants of that profession"

and to do

"all things necessary and reasonable to further its object and shall exercise its powers and perform its functions in the public interest".

3. Council's Programme of Activities during 2008

3.1 Council established a total of six Working Groups, to provide advice and guidance on how best to deal with the following aspects of developing an organisational framework that enables Council to most effectively and efficiently implement its functions under the Act:

- 1) Governance
- 2) Finance
- 3) Post of Chief Executive Officer
- 4) Registration
- 5) Education and Training
- 6) Fitness to Practise.

Last year's programme of activities focused in the main on the work of these Groups and their reports provide a template for our Executive as we advance with implementation of the Act. The Groups' work, in particular that relating to Registration, Education and Training, and that dealing with Fitness to Practise, will also be a unique source of assistance to Registration Boards once they are appointed.

Council Working Groups

GOVERNANCE

3.1 This Group's terms of reference were to:

- Identify governance issues as required under the Act
- Identify relevant issues to be addressed by the Council
- Draw up a draft governance framework

Members were - Mr Tom Jordan (Co-ordinator), Ms Elva Gannon, Mr Michael O'Halloran, Ms Patricia Godwin, and Dr John O'Mullane.

The Working Group met on six occasions during the year and prepared a working draft entitled a "Governance Framework for the Health and Social Care Professionals Council (Code of Practice)". Following receipt of feedback from the CEO, Chairperson and Council members, the Group is now completing their final draft and hope to have the finalised version ready for consideration by the Council before end 2009.

FINANCE

3.2 This Group's terms of reference were to:

- Identify any specific requirements under the Act
- Estimate funding required and potential fee levels
- Set out the financial structures (bank accounts/audit procedures) required for operational purposes
- Set out likely expenditure and process for drawdown of funds

The members were: Mr Vincent McCabe (Co-ordinator), Mr Tony Darmody, Ms Bernie McNally (until Nov 08), Mr Pat Quinlan (since June 2008) Dr Elizabeth-Anne McKay, Ms Nanno Fitzsimons, Ms Jacqui Barry-O’Crowley and Dr Mitchel J. Fleming.

The Group met on five occasions in 2008 and worked very closely with the CEO from her appointment in May 2008.

The CEO began organising the tender processes for legal advisory services and corporate branding in the latter half of 2008, after Council had considered and decided on specific recommendations from this Group. The Group also made recommendations to Council, which were taken into account when determining the 2008 Business Plan and for the Budget and Service Plan for 2009.

POST OF CHIEF EXECUTIVE OFFICER

3.3 This Group was given terms of reference to:

- Prepare a person and job specification for the CEO
- Propose a recruitment process and timeframe for completion

Members were: Ms Elva Gannon (Co-ordinator), Ms Bernie McNally, Professor Denis A Cusack, Mr Tom Jordan, and Ms Margaret Hayes.

Following submissions of the Working Group’s conclusions, Council decided to ask the Public Appointment Service to conduct the recruitment process and the post was advertised in November 2007. Interviews were held during the last week in January 2008. Ms Virginia (Ginny) Hanrahan was offered and accepted the post. She took up her post on 12th May 2008.

REGISTRATION

3.4. This Working Group was given the following terms of reference:

- Identify the relevant issues for Council
- Advise Council on what steps needs to be taken for registration to happen
- Draw up a draft action plan to prepare for registration.

The members of this Group: Dr Mark McEntee (Co-ordinator), Ms Margaret Doyle, Ms Nanno Fitzsimons, Dr Mitchel J Fleming, Ms Patricia Godwin, Ms Jill Long, Mr Vincent McCabe, Mr Michael O’Halloran, Mr David Power, Dr John O’Mullane, and Ms Jacqui Barry O’Crowley.

The Working Group met on seven occasions in 2008 and submitted an outline Application Form for registrants and related guidance note for consideration by Council. These documents have since been reviewed by legal advisors appointed by Council especially for that purpose, namely the firm of Dominic Dowling Solicitors, and will now provide the back-drop to the executive’s work on their Process Mapping IT plan for Council.

Since then, this particular Working Group has prepared, for consideration by Council, tender proposals for essential IT analysis and for Business Process Mapping. It is intended that both of these exercises will inform the IT tender required to purchase a system that will administer the registration processes and link with the corporate/finance, Fitness to Practise and the Education requirements of Council.

EDUCATION AND TRAINING

3.5 This Group's terms of reference were:

- Outline specific requirements under the Act in relation to education and training
- Identify the issues in relation to education for the purposes of registration including validation of courses
- Advise Council on the manner in which the issue of Continuing Professional Development (CPD) should be handled.

The members were: Dr Elizabeth-Anne McKay (Co-ordinator), Ms Joan Johnson, Ms Bernie McNally, Ms Monica Egan, Ms Margaret Doyle, Ms Una O'Shiel, and Dr Mark McEntee. The Working Group was also greatly assisted by the participation of Ms Eilís Walsh (National Social Work Qualifications Board), and Ms Sinead McEvoy (Department of Health and Children- resigned in October 2008).

The Group met on three occasions in 2008 and brought draft standards for education and training and for proficiency to Council in May 2008. Council referred the document for review by our legal advisors for this purpose, namely Dominic Dowling Solicitors, and the Group's document is now in readiness for submission to the individual Registration Boards for their consideration, in the context of the circumstances of each profession, as soon as these Boards are established.

FITNESS TO PRACTISE

3.6 This Group had terms of reference to:

- Outline the elements of the Fitness to Practise framework, as provided for in the Act
- Identify the relevant issues for Council

The members: Ms Jill Long (Co-ordinator), Ms Joan Freeman, Mr David Power, Professor Denis A Cusack, Ms Monica Egan, and Mr Tony Darmody.

The Fitness to Practise committee met twice in 2008 and completed a draft fitness to practise framework document and proposed generic rules of professional conduct (Code of Ethics and Standards of Performance and Conduct), which were referred by the Council in May 2008 for review, again by the aforementioned legal advisors.

Council and Working Group member, Ms Long, and the CEO, visited the Health Professionals Council, UK (HPC) in December 2008, as part of the Group's work programme, for the purpose of acquainting themselves with systems and processes in operation in that jurisdiction and reporting back to the Group.

4. Establishment of the Council Executive

- 4.1 Margaret Hayes agreed to act as Executive Chairperson from November, 2007 and oversaw the CEO recruitment process, run in accordance with the recommendations of the Council Working Group as adopted by Council. Council welcomed the selection as Chief Executive Officer of Ms Virginia (Ginny) Hanrahan, by the Public Appointments Service and decided to offer her the position. She was formally appointed and took up the post on 12th May 2008. She was joined on June 30th, by Office Manager Ms Gail Ferguson.
- 4.2 Preparations for tendering for various advisory services – legal advisory services, branding and IT analysis were conducted throughout 2008, facilitating the completion of the relevant competitions in the first half of 2009.
- 4.3 Meanwhile following consultation with the Department of Health and Children, and the Public Authority Pension Services, HSCPC Pension Scheme proposals were submitted to the Department of Finance for approval. The HSCPC scheme has since been listed on the public service transfer list and is now ready for listing on the local government transfer scheme and for registration with the Pensions Board.
- 4.4 Finally, The National Social Work Qualifications Board, have agreed to share their existing accommodation with the Council who wish to formally record their grateful appreciation to the Board and especially to Ms Eilís Walsh, Director and her staff for the friendly and hospitable manner in which they have accommodated Council staff.

Establishing Links with other Health Regulators

- 4.5 The new CEO began, immediately on appointment, establishing working links with the other Health and Social Care Regulators in Ireland – Bord Altranais, Irish Medical Council, and the Pharmaceutical Society of Ireland. Strong links have also been forged with the Health Professionals Council UK who regulate 9 of the 12 professions designated in the Act of 2005, with the 10th due to join in 2009 (Psychology). The CEO also quickly established links with the Northern Ireland Social Care Council, who is currently responsible for the registration of Social Workers and Social Care Workers in the North. Council would also like to acknowledge in our Annual Report the assistance and support that these and all the statutory regulators, with whom we have made contact with, have afforded to us. They have been most generous in sharing with Council and our executive their knowledge, information and expertise.
- 4.6 Our CEO was invited to join the established Health and Social Care Regulators' Forum, established in 2008, currently chaired by Dr Tracey Cooper, CEO HIQA (Health Informatics and Quality Assurance). There are 14 members including Bord Altranais, Irish Medical Council, Pharmaceutical Society of Ireland, Pre-Hospital Emergency Care Council (PHECC), Opticians Board, the Dental Council, HIQA, Health and Safety Authority, Veterinary Council Ireland, Food Safety Authority of Ireland, Mental Health Commission, Institute of Radiation Protection of Ireland, Irish Medicine's Board and the Health

and Social Care Professionals Council. The Forum currently has a number of working parties looking at how the regulators can work closer together for the betterment of public protection.

Council nominated Mr David Power onto a review of Social Care courses standards for training, being conducted by HETAC (Higher Education & Training Awards Council) to develop national standards across the country.

- 2008
- 4.7 The CEO embarked, again immediately on appointment, on a series of meetings with organisations representing the designated professions under the Act, to better inform them of developments. She plans to continue with this series in 2009.
 - 4.8 The Council was listed in April 2008 under the Ethics in Public Office Act, 1995 and 2001. Council met all their requirements under the Act in 2008.

5. Commission for Patient Safety and Quality

- 5.1. The Commission's Report entitled **"Building a Culture of Patient Safety"** came out in July 2008. Dr Deirdre Madden UCC Law Lecturer and current chair of the Standards in Practice sub-committee, Medical Council, chaired the committee. The terms of reference included:
- *"a system of leadership for clinicians and managers which would underpin robust corporate accountability for institutional and clinical performance*
 - *a statutory system of licensing for public and private healthcare providers and services*
 - *the process of quality assurance of clinical services (with an emphasis on clinical outcomes) for public and private healthcare providers and services*
 - *procedures for healthcare professionals and managers to anticipate risks and promote good performance through effective risk identification, near-miss and adverse event reporting*
 - *the participation of patients and carers and support staff in engaging with healthcare providers on health services planning and the quality of care received*
 - *the participation by all healthcare staff in audit programmes which will aim to ensure quality improvement and that trends in adverse clinical events, complaints, adverse drug reactions and adverse events with medical devices are effectively analysed and disseminated*
 - *the means to ensure that evidence-based practice is supported and applied routinely in everyday practice*
 - *the governance of regulatory bodies in the health system and ways in which effective integration can be enabled between the various bodies. "*

For the Council, the direct changes arise from the recommendations in relation to the regulatory system for all health and social care professional providers. The recommendations that will impact on how the Council will work in the future include:

- *"Collaboration by health professional regulators on areas of common interest*
- *developing a shared understanding of professional standards common to each body*
- *supporting education & training appropriate to professionals operating in multi-disciplinary teams"*

The report charges the regulators of the health and social care professionals to:

- Develop first point of contact for patient (service users) concerns regarding (clinical) care
- Handle the initial investigation of complaints – use a common framework to deal with & audit cases to assure performance
- Fitness to Practise processes – to be reviewed – but must have greater separation between investigation & adjudication function
- Independently appointed and trained panels for Fitness to Practise
- Healthcare providers not currently covered should also be identified and considered for regulation under the Health and Social Care Professionals Council

- Non-medically trained practitioners in alternative medicine whose treatments may be unsafe or potentially hazardous to patients should be considered by DOHC for some type of regulation
- Single database with health professional's qualifications, registration status, and track record
- Alert notices to be issued between employers where employee poses potential risk to patients
- Implementation Steering Group (ISG) reporting to Minister on 134 recommendations
- Five sub-groups with stakeholder participation: Advocacy, Professional Regulatory Bodies, Adverse Event Reporting, Audit and Credentialing
- Consideration by Government October 2008
- Timeframe for ISG and sub-groups 12 to 18 months.

The Council will be working with the Department of Health and Children on this matter. Dr Tony Holohan, Chief Medical Officer will be leading the ISG and the process.

ANNUAL FINANCIAL STATEMENTS

FOR
HEALTH AND SOCIAL CARE
PROFESSIONALS COUNCIL
FOR THE YEAR ENDED 31ST DECEMBER 2008

Health and Social Care Professionals Council
An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh

2008

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HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

REPORT OF THE COMPTROLLER AND AUDITOR GENERAL FOR PRESENTATION TO THE HOUSES OF THE OIREACHTAS.

I have audited the financial statements of the Health and Social Care Professionals Council for the period ended 31 December 2008 under the Health and Social Care Professionals Act 2005.

The financial statements, which have been prepared under the accounting policies set out therein, comprise the Statement of Accounting Policies, the Income and Expenditure account, the Balance Sheet and the related notes.

RESPECTIVE RESPONSIBILITIES OF THE COUNCIL AND THE COMPTROLLER AND AUDITOR GENERAL

The Council is responsible for preparing the financial statements in accordance with the Health and Social Care Professionals Act 2005 and for ensuring the regularity of transactions. The Council prepares the financial statements in accordance with Generally Accepted Accounting Practice in Ireland. The accounting responsibilities of the Members of the Council are set out in the Statement of Council Members' Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report my opinion as to whether the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland. I also report whether in my opinion proper books of account have been kept. In addition, I state whether the financial statements are in agreement with the books of account.

I report any material instance where moneys have not been applied for the purposes intended or where the transactions do not conform to the authorities governing them.

I also report if I have not obtained all the information and explanations necessary for the purposes of my audit.

I review whether the Statement on Internal Financial Control reflects the Council's compliance with the Code of Practice for the Governance of State Bodies and report any material instance where it does not do so, or if the statement is misleading or inconsistent with other information of which I am aware from my audit of the financial statements. I am not required to consider whether the Statement on Internal Financial Control covers all financial risks and controls, or to form an opinion on the effectiveness of the risk and control procedures.

BASIS OF AUDIT OPINION

In the exercise of my function as Comptroller and Auditor General, I conducted my audit of the financial statements in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board and by reference to the special considerations which attach to State bodies in relation to their management and operation. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures and regularity of the financial transactions included in the financial statements. It also includes an assessment of the significant estimates and judgements made in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Council's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations that I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming my opinion I also evaluated the overall adequacy of the presentation of information in the financial statements.

OPINION

In my opinion, the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the state of the Council's affairs at 31 December 2008 and of its income and expenditure for the period then ended.

In my opinion, proper books of account have been kept by the Council. The financial statements are in agreement with the books of account.



Gerard Smyth
For and on behalf of the
Comptroller and Auditor General
4 November 2009

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL**STATEMENT OF INTERNAL FINANCIAL CONTROL****YEAR ENDED 31 DECEMBER 2008**

1. On behalf of the members of the Council of the Health and Social Care Professionals Council, I acknowledge our responsibility for ensuring that an effective system of internal financial controls is maintained and operated. The system of internal financial controls can provide only reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely period.

2. Key Control Procedures

The Council has taken steps to ensure an appropriate control environment by:

- Clearly defining management responsibilities
- Adopting the principles of corporate governance contained in the Code of Practice for the Governance of State Bodies including:
 - Affirmation of compliance with procurement guidelines as set out in the Code
 - Affirmation of compliance with disposal of assets and access to assets by third parties as set out in the Code
 - Affirmation of implementation of Government policy on the remuneration of CEO
- Establishing formal procedures to monitor the activities and safeguard the assets of the organisation.

The finances of HSCPC were managed by the Department of Health and Children until July 2008, when the HSCPC opened its first bank account following its appointment of its full time Chief Executive Officer. The budget for 2008 was drawn up and approved by the Council on the recommendation of the Finance Committee in June 2008. On this basis, drawdown from the Department of Health and Children started in July 2008. The Council was given templates by the Department of Health and Children to allow financial systems to be established and external financial advice was provided for the final quarter of 2008.

Meanwhile payroll management was outsourced to external providers. Regular reports were given by staff to the Finance committee who made recommendations to the Council on the use of funds for approval.

An Audit Committee will be established in 2009. The Council's monitoring and review of the effectiveness of the system of internal financial control was carried out in the first instance by the Finance Committee with the assistance of an external firm of accountants, the Chief Executive of the Council who has responsibility for the development and maintenance of the financial controls framework, and comments made by the Comptroller and Auditor General in his report, as applicable. The Finance Committee was chaired in 2007 and 2008 by a Chartered Accountant.

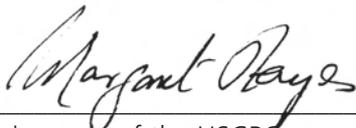
HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

STATEMENT OF INTERNAL FINANCIAL CONTROL (CONTINUED)

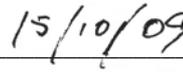
YEAR ENDED 31 DECEMBER 2008

3. Annual review of controls

I confirm that, for the period ended 31 December 2008, the Finance Committee, on behalf of the Council, conducted a review of the effectiveness of the system of internal financial control.



Chairperson of the HSCPC



Date

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

STATEMENT OF THE COUNCIL'S RESPONSIBILITIES

YEAR ENDED 31 DECEMBER 2008

The Health and Social Care Professionals Council was established on 20 March 2007 under the Health and Social Care Professionals Act 2005.

It is a statutory body charged with ensuring that health and social care professionals practice in a regulated, controlled and safe environment in a manner which will ensure the provision of high-quality health and social care services to the public.

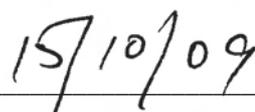
The Health and Social Care Professionals Act 2005, Part 1, Section 21 requires the Council to keep all proper and usual accounts of all monies received or expended by it including an income and expenditure account and balance sheet. In preparing those financial statements, the Council is required to:-

- Select suitable accounting policies and then apply them consistently
- Make judgements and estimates that are reasonable and prudent
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Council will continue in operation
- Disclose and explain any material departures from applicable Accounting Standards

The Council is responsible for keeping proper books of account, which disclose with reasonable accuracy at any time the financial position of the Council and which enable it to ensure that the financial statements comply with Part 1, Section 21 of the Health and Social Care Professionals Act 2005. The Council is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Chairperson 

CEO 

Date 

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

STATEMENT OF ACCOUNTING POLICIES

YEAR ENDED 31 DECEMBER 2008

The Health and Social Care Professionals Council was established on 20 March 2007 under the Health and Social Care Professionals Act 2005. The Council was established to regulate designated health and social care professions. The Act also provides for the transfer of the staff, assets and liabilities of the National Social Workers Qualification Board which will be implemented on a future date determined by the Minister for Health and Children.

1. Basis of Accounting

The financial statements are prepared under the accruals method of accounting, except as indicated below, in accordance with generally accepted accounting principles under the historical cost convention. Financial Reporting Standards recommended by the accountancy bodies are adopted as they become operative. The unit of currency is the Euro.

2. Oireachtas Grant

Grant income recognized in the financial statements represents:

- i. The total amount paid on behalf of the Health and Social Care Professionals Council during the period January to June 2008 by the Department of Health and Children and
- ii. From July 2008 the amount received from the Department of Health and Children.

3. Fixed Assets and Depreciation

- i. Fixed assets are stated at cost less accumulated depreciation.
- ii. Fixed assets are depreciated at annual rates on a straight line basis estimated to write off the assets over their useful lives. Depreciation is charged a full year in the year of purchase and disposal. Depreciation is at the following rates:

Furniture and fittings	20%
IT/Office equipment	33.3%

4. Capital account

The capital account represents the unamortized value of income used to finance fixed assets.

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

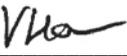
INCOME AND EXPENDITURE ACCOUNT AS AT 31 DECEMBER 2008

	Notes	Year ended 2008 €	Period ended 2007 €
Income			
Oireachtas Grant	1	<u>324,862</u>	<u>57,650</u>
		324,862	57,650
Transfer (to)/from Capital Account	7	<u>(13,777)</u>	<u>-</u>
		311,085	57,650
Expenditure			
Salaries	4	124,676	-
Travel		1,804	4,660
Accommodation expenses	2	30,235	30,110
Office administration	3	41,661	31,499
Office supplies		1,010	-
Publications		669	-
Professional fees		30,000	-
Audit fee		3,500	2,000
Accountancy fees		1,823	-
Legal tendering		8,955	-
Marketing		11,227	-
Pension services		8,773	-
Payroll services		425	-
Depreciation		<u>6,248</u>	<u>-</u>
		<u>271,006</u>	<u>68,269</u>
Surplus/(deficit) for the year		40,079	(10,619)
Surplus at beginning of year		<u>(10,619)</u>	<u>-</u>
Surplus at end of year		<u>29,460</u>	<u>(10,619)</u>

All losses and gains are recognized in the Income and Expenditure Account.

The Statement of Accounting Policies and Notes 1 to 8 form part of these Financial Statements.

Chairperson 

CEO 

Date 15/10/09

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

BALANCE SHEET AS AT 31 DECEMBER 2008

	Notes	2008 €	2007 €
Fixed assets	5	13,777	-
Current assets			
Cash at bank		67,928	-
Debtors and prepayments		<u>4,971</u>	<u>-</u>
		72,899	-
Current liabilities			
Creditors and accruals	6	43,439	10,619
Net current assets (liabilities)		<u>29,460</u>	<u>(10,619)</u>
Total assets		<u>43,237</u>	<u>(10,619)</u>
Represented by:			
Capital account	7	13,777	-
Income and expenditure account		<u>29,460</u>	<u>(10,619)</u>
		<u>43,237</u>	<u>(10,619)</u>

The Statement of Accounting Policies and Notes 1 to 8 form part of these
Financial Statements.

Chairperson 

CEO 

Date 15/10/09

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

NOTES TO THE FINANCIAL STATEMENTS FOR YEAR ENDED 31 DECEMBER 2008

	2008	2007
	€	€
1. Oireachtas Grant		
Department of Health and Children	<u>324,862</u>	<u>57,650</u>
	<u>324,862</u>	<u>57,650</u>

Grant income represents the amount discharged by the Department of Health and Children to meet expenditure incurred by the Health and Social Care Professionals Council for the period to June 2008. From 2008 grant income was drawn down directly by the Council from the Department of Health and Children.

Capital grants of €10,681 (2007: Nil) is included in the above figures.

	2008	2007
	€	€
2. Accommodation expenses		
Rent, rates, insurance and service charge	<u>30,235</u>	<u>30,110</u>
	<u>30,235</u>	<u>30,110</u>

Accommodation expenses include rent, rates, insurance and service charges incurred in relation to office space which the Council shares with the National Social Work Qualifications Board.

	2008	2007
	€	€
3. Office administration		
Telephone	1,619	-
IT tenders	198	-
IT hardware/software	41	-
Repairs	318	-
Stationery and office expenses	2,104	-
Staff recruitment	9,302	-
Staff training and conferences	5,410	-
Sub-committee expenses	1,134	-
Council meetings	6,283	14,559
Chairperson's fees	15,000	16,940
Petty cash	33	-
Bank charges	<u>219</u>	<u>-</u>
	<u>41,661</u>	<u>31,499</u>

- 4. Salaries**
The total number of staff employed by the Council in the year was 2, of which 1 is on secondment to the Council for a period of 2 years and 1 is on a fixed term 10 month contract. Salary costs amounted to €124,676, included in this is the recharge from Beaumont Hospital of the CEO's salary costs.

HEALTH AND SOCIAL CARE PROFESSIONALS COUNCIL

NOTES TO THE FINANCIAL STATEMENTS FOR YEAR ENDED 31 DECEMBER 2008

	Fixtures and Fittings €	IT/office equipment €	Total €
5. Fixed assets			
Cost at 1 June	-	-	-
Additions in year	3,160	16,865	20,025
Disposals in year	<u>-</u>	<u>-</u>	<u>-</u>
	<u>3,160</u>	<u>16,865</u>	<u>20,025</u>
Depreciation			
Accumulated depreciation at 1 June	-	-	-
Depreciation in year	532	5,716	6,248
Depreciation on disposals	<u>-</u>	<u>-</u>	<u>-</u>
Accumulated depreciation at 31 December	<u>532</u>	<u>5,716</u>	<u>6,248</u>
Net book value at 31 December 2008	<u>2,628</u>	<u>11,149</u>	<u>13,777</u>
Net book value at 1 June 2008	=	=	=
		2008	2007
6. Creditors and accruals		€	€
Accrual – payroll		14,564	-
Accrual – other		<u>28,875</u>	<u>1,061</u>
		<u>43,439</u>	<u>1,061</u>
		2008	2007
7. Capital account		€	€
Balance at 1 January		-	-
Transfer to income and expenditure account			
Funding to acquire fixed assets		20,025	-
Less: Amortisation in line with depreciation		<u>(6,248)</u>	<u>-</u>
		<u>13,777</u>	<u>-</u>
Balance at 31 December		<u>13,777</u>	<u>=</u>
8. Approval of financial statements			

The financial statements were approved by the Council on Tuesday, 6th October 2009.

APPENDIX 1

Council Meetings 2008 Attendance

X – attended N – not on Council

Dates of meeting

	7 th Feb	3 rd Apr	5 th Jun	4 th Sept	2 nd Oct	4 th Dec
Margaret Hayes Chair	X	X	X		X	X
Vincent McCabe	X	X	X			X
Bernie McNally**	X	X		X(C)	X	N
Joan Freeman		X		X		X
Joan Johnson			X	X	X	X
Denis Cusack	X			X	X	X
Michael O'Halloran	X		X			X
Mary O'Donnell	X			X	X	
James Browne*		X	N	N	N	N
Elva Gannon	X	X	X	X		
Tony Darmody	X	X	X	X	X	
Pat Quinlan+	N	N	X	X	X	
Kevin Jones	X		N	N	N	N
Tom Jordan	X			X	X	X
Una Shiels	X	X		X		
John O'Mullane	X	X	X	X	X	X
Margaret Doyle	X	X	X	X		X
Jacqui Barry-O'Crowley	X	X			X	X
Elizabeth Anne McKay	X	X	X	X	X	X
Nanno Fitzsimons	X	X	X		X	X
Jill Long	X	X	X	X	X	X
Patricia Godwin	X	X	X	X		X
Mitchel J. Fleming	X	X	X	X	X	X
Monica Egan	X	X	X	X		X
Mark McEntee	X	X		X		X
David Power	X	X	X	X	X	

** resigned in September 2008

*resigned in May 2008

+ replaced Kevin Jones

MEMBERSHIP OF COUNCIL WORKING GROUPS

Finance Committee

Vincent McCabe (*Chair/Co-ordinator*)

Elizabeth Anne McKay

Bernie McNally

Tony Darmody

Pat Quinlan (*replaced Kevin F. Jones*)

Mitchel Fleming

Jacqui Barry O’Crowley

Nanno Fitzsimons

CEO Recruitment

Elva Gannon

Bernie McNally

Denis A Cusack

Tom Jordan

Mark McEntee

Elizabeth Anne McKay

Fitness to Practise

Jill Long (*Co-ordinator*)

Joan Freeman

David Power

Denis A Cusack

Monica Egan

Tony Darmody

Simonetta Ryan (*Principal Officer, Health Reform Unit, DOHC until September 2008*)

Sinead McEvoy (*Senior Therapy Advisor, Therapy Advisory Unit, DOHC*)

Registration

Mark McEntee (*Co-ordinator*)

John O’Mullane

Jill Long

Patricia Godwin

David Power

Michael O’Halloran

Jacqui Barry O’Crowley

Margaret Doyle

Nanno Fitzsimons

Mitchel Fleming

Vincent McCabe

Education

Elizabeth Anne McKay (*Co-ordinator*)

Joan Johnson

Bernie McNally

Monica Egan

Mark McEntee

Margaret Doyle

Una O’Sheil

Sinead McEvoy (*Senior Therapy Advisor, DOHC*)

Eilís Walsh (*Director, National Social Work Qualifications Board*)

Governance

Tom Jordan (*Co-ordinator*)

Elva Gannon

Michael O’Halloran

Patricia Godwin

John O’Mullane

Health and Social Care Professionals Council
An Chomhairle um Ghairmithe Sláinte agus Cúraim Shóisialaigh

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