

The Hearing Aid Council
 Minutes of the 145th meeting of the Hearing Aid Council
 Held in CLOSED Session at
 70 St Mary Axe, London EC3A 8BD
 On Thursday 27th March 2008 at 10.30 am

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|----------------|--|--|
| Present: | Christopher Hughes | Chairman |
| | Denise Yates Christopher Raine Peter Ormerod Mark Georgevic Michael Bishop Huw Vaughan Thomas Professor Gerald Armstrong-Bednall Peter Ince | |
| Apologies: | John Oates Professor Deepak Prasher Tony Corcoran Professor Norma Brook CBE | |
| In Attendance: | Sandra Verkuyten Chris O'Leary Janet Hawthorne Justin Parfitt Stuart Holland Christine Suett Sarah Cottis Douglas Robinson | Chief Executive and Registrar Director of Policy & Communication Director of Legal Services Director of Resources Modernisation & Transfer Manager Operations Manager Executive Assistant (minute taker) Representative from Department of Business Enterprise & Regulatory Reform |

Council Meeting
27th March 2008

1. APOLOGIES FOR ABSENCE

1.1 The Chairman received apologies from Professor Deepak Prasher, Tony Corcoran, John Oates and Professor Norma Brook CBE.

2. MINUTES (CLOSED) OF THE LAST MEETING HELD ON 23rd JANUARY 2008

2.1 5.5 was amended to say "Gerald Armstrong - Bednall declared his interest as a HEI employee, as a Registered Hearing Aid Dispenser, his position as the director of a small hearing aid company and a meeting with BSHAA to discuss their Education and Training." Action
Agreed

2.2 A member requested for the word parity in 6.12 be changed to ensure the decision was clear. It was agreed to change the minute to read "CEO to restructure executive team. Allowing an additional £10,000 to resolve issues concerning the daily rates for CEO, DoPC, and DoR roles. CEO to present a report on costs and role to Remuneration Committee." Action
Agreed

2.3 The minutes of the 144th meeting of the Council in closed session held 23rd January 2008 were signed with the amendments as agreed in 3.1 and 3.2.

3. MINUTES (OPEN) OF THE LAST MEETING HELD ON 23rd JANUARY 2008

3.1 4.4 was amended to say "Gerald Armstrong - Bednall declared his interest as a HEI employee, as a Registered Hearing Aid Dispenser, his position as the director of a small hearing aid company and a meeting with BSHAA to discuss their Education and Training." Action
Agreed

3.2 A member requested the words "on the new committee" be added to the end of 7.5. Action
Agreed

3.3 A member requested that in the future, in the minutes under matters arising, details of the minute that is being discussed be noted to make it easier to read and understand the point.
Agreed

3.4 The minutes of the 144th meeting of the Council in open session held 23rd January 2008 were signed with the amendments as agreed in 4.1 and 4.2.

4. MATTERS ARISING

4.1 Council noted that subject to the points listed below, all matters arising from the last Council meeting had been actioned.

4.2 3.2 At its June meeting the Investigating Committee (IC) will consider whether and what IC action be taken with regards to the number of RHADs who did not inform the Council of changes in their circumstances in the 2008/09 retention process. Action

- 4.3 6.2.6 Council noted the Operations Manager had actioned this report on support to HAC staff through the changes and a plan was included in the gantt chart for Strategy Executive Committee and Audit Committee. The Chief Executive & Registrar (CEO) reported that the issue had also been discussed with the Department of Business Enterprise and Regulatory Reform (BERR). Council noted progress made in relation to training for the administration team.
- 4.4 6.2.4 The Director of Policy and Communications (DoPC) reported that the Council had not received a response from the Medical Healthcare Regulatory Authority (MHRA) to his letter requesting advice on whether hearing amplifiers meet the definition of a hearing aid within the medical devices regulation. The DoPC reported he will contact the MHRA again. Action
- 4.5 6.4.2 The DoPC reported that following the IC conducting a market review of press information and adverts the Hearing Aid Council (HAC) and the Royal National Institute for the Deaf (RNID) will make a joint referral to the Advertising Standards Authority (ASA). Once the ASA have investigated the DoPC will look at the best way to distribute this information to the public and the industry. Action
- 5. DECLARATION OF INTEREST**
- 5.1 No interests were declared other than those on the register of interests.
- 6. CHAIRMAN/ CHIEF EXECUTIVE AND REGISTRAR BRIEFING**
- 6.1 The CEO reported that she currently sits on the Extending Professional Regulations Committee. The committee's work and how this can help the HAC was explained.
- 6.2 The Chairman reported a meeting with BSHAA was held after the last Council meeting.
- 6.2.1 The CEO reported how the HAC and BSHAA will be working together in the future to help take the industry forward.
- 6.3 The Chairman reported he had attended and spoke at the Association of Independent Hearing Healthcare Professionals (AIHHP) conference and there was a general desire to improve standards.
- 6.4 The DoPC reported a draft paper on how the Unfair Commercial Practices Directive (UCPD) will affect dispensing by unregistered persons has been written and is currently being reviewed by BERR. Once it has been returned the document will be circulated to Council members and then put on the HAC website. Action
- 6.5 The CEO reported how the process of transfer to the Health Profession Council had progressed.
- 6.6 The Modernisation and Transfer Manager (MATM) reported the current timetable the HAC and BERR are working towards.
- 6.7 The Executive Assistant gave a verbal report on the preparations for the July Council.

7. REPORTS FROM COMMITTEES

7.1 REMUNERATION COMMITTEE

7.1.1 The Chairman reported the Remuneration Committee met on the 13th March and agreed to restructure the executive team. The minutes of the meeting were tabled for the Council to ratify their decision.

7.1.2 The Council ratified the changes the Remuneration Committee had Agreed agreed to these were:

- Sandra Verkuyten will be Chief Executive Officer and Accounting Officer, gross salary will be set at £32,024 and will work 1.5 days a week.
- Christopher O'Leary will be Registrar and Director of Policy, salary will be £36,400 and will work 2 days a week.
- Justin Parfitt will be Managing Director and Director of Resources, salary will be set at £24,700 and will work 1 day a week.

The Council noted that an increase in the budget for wages of £6786 would be required and agreed to this.

7.2 STRATEGY EXECUTIVE COMMITTEE

7.2.1 Council received a verbal report from the Chair of the Strategy Executive Committee (SEC) of the meeting held on the 13th March 2008. The SEC reported it had focused on the transfer process, what work would need to be undertaken and the timetable for transfer.

7.2.2 The SEC reported it had also looked at the draft Corporate Plan and which areas of the Statement of Regulatory Intent to advance. The SEC agreed to focus on management responsibility and development of the professional body to ensure the industry is ready for the transfer.

7.2.3 The SEC reported they have instructed the Executive Team to re-organise how complaints are displayed on the website to make it easier for consumers to access, and make informed decisions. Action

7.2.4 Members were invited to comment on the draft corporate plan through contacting the MATM. Action

7.3 AUDIT COMMITTEE

7.3.1 Council received a verbal report from the Chair of the Audit Committee of the meeting held on the 13th March 2008. It was reported the internal audit report was not received in time for the Executive Team to review before the meeting and will be discussed at the next meeting. However the overall view from the report was there was a 'strong control environment' and the HAC staff were very helpful.

- 7.3.2 The Chair of the Audit Committee reported the NAO gave a verbal report stating that there was a 'high level of control' and they will not be issuing a management letter as there were no issues.
- 7.3.3 The Chair of the Audit Committee expressed his thanks to all of the HAC staff for their hard work during the year which resulted in positive audit reports.
- 7.3.4 The Audit Committee reported that they had received NAO training on the role and function of Audit Committees.

7.4 EDUCATION & TRAINING AND EXAMINING BODY COMMITTEE

- 7.4.1 Council received a verbal report from the Chair of the Education & Training and Examining Body (ETEB) Committee of the meeting held on the 21st February 2008. It was reported the committee looked at 3 topics:
- Foundation Degree
 - Exams
 - Continual Professional Development (CPD)
- 7.4.2 It was reported the take up of the foundation degree was slow. It was reported that Aston University has been approved and 2 other Higher Education Institutes (HEIs) have conditional approval.
- 7.4.3 It was reported the exam fee for 2008 (2) was set at £1030 per exam, this figure was based on an estimate of the number of candidates. The Council noted the number of candidates for the 2008 (1) was down compared to previous years.
- 7.4.4 The Council noted that if the numbers for 2008 (2) exams do not reach the estimate then there is a risk that the cost of exams may not break even. However all possible cost savings will be made to minimise the risk of this happening.
- 7.4.5 The Council noted the ETEB committee had agreed to allow dispensers a 3 month 'grace' period to enable them to complete any outstanding CPD for re-registration. The Council noted a random audit will be conducted later in the year.

7.5 INVESTIGATING COMMITTEE

- 7.5.1 The Council received a verbal report from the Chair of the Investigating Committee (IC) of the meeting held on the 11th March 2008. It was reported that the IC had looked at 41 cases:
- none of the cases were referred to a full Disciplinary Committee (DC)
 - 15 cases were sent to a Disciplinary Committee under the fast track process
 - 26 cases were closed
 - 6 were referred from Training Companies
 - 7 were from independent companies
 - 2 were repeat offenders

7.5.2 The IC reported the committee is beginning work on how the process will work up to and on transfer to the HPC. The MATM will investigate and report back to the IC. Action

8. MANAGEMENT ACCOUNTS

8.1 The Council received the Month 10 accounts.

8.2 The Council noted the fall in the deficit was due to a fall in the 2007 (2) exams cost and no DC's before the end of the financial year as planned.

9. DRAFT BUDGET 08/09

9.1 The Council received the Draft Budget, noted and approved the changes. Agreed

9.2 The Director of Resources (DoR) reported where reductions in costs have been made to ensure the budget is at a break even position.

9.3 The DoR highlighted the possible risks which may cause a deficit in the budget during the year. The risks were as follows:

- A fall in exam candidates and a fall in candidates on the foundation degree will result in a fall in the number of new registrants coming on to the register, therefore there will be reduced income.
- A fall in the number of exam candidates for the 2008 (2) exams may mean the 2008 (2) exams may not break even.
- An increase in the number of complaints will increase the legal costs of the HAC

9.4 The CEO reported that these risks will continue to be monitored and discussed at the Audit committee.

10. DRAFT ANNUAL REPORT

10.1 The Council received the draft annual report.

10.2 The MATM requested any comments or suggestions to be forwarded to him via email. Action

11. CLOSE OF THE MEETING

11.1 There being no further business to discuss, the Chairman closed the meeting.

Actions arising from the Council Meeting held in closed session 27.03.08

| ITEM | ACTION REQUIRED | PERSON RESPONSIBLE | DATE |
|------|--|---------------------------------------|----------------------------|
| 2.1 | 5.5 was amended to say "Gerald Armstrong - Bednall declared his interest as a HEI employee, as a Registered Hearing Aid Dispenser, his position as the director of a small hearing aid company and a meeting with BSHAA to discuss their Education and Training." | HAC Administration | ASAP |
| 2.2 | A member requested for the word parity in 6.12 be changed to ensure the decision was clear. It was agreed to change the minute to read "CEO to restructure executive team. Allowing an additional £10,000 to resolve issues concerning the daily rates for CEO, DoPC, and DoR roles. CEO to present a report on costs and role to Remuneration Committee." | HAC Administration | ASAP |
| 3.1 | 4.4 was amended to say "Gerald Armstrong - Bednall declared his interest as a HEI employee, as a Registered Hearing Aid Dispenser, his position as the director of a small hearing aid company and a meeting with BSHAA to discuss their Education and Training." | HAC Administration | ASAP |
| 3.2 | A member requested the words "on the new committee" be added to the end of 7.5. | HAC Administration | ASAP |
| 4.2 | 3.2 At its June meeting the Investigating Committee (IC) will consider whether and what IC action be taken with regards to the number of RHADs who did not inform the Council of changes in their circumstances in the 2008/09 retention process. | Director of Legal Services | 17 th June 2008 |
| 4.4 | 6.2.4 The Director of Policy and Communications (DoPC) reported that the Council had not received a response from the Medical Healthcare Regulatory Authority (MHRA) to his letter requesting advice on whether hearing amplifiers meet the definition of a hearing aid within the medical devices regulation. The DoPC reported he will contact the MHRA again. | Director of Policy and Communications | ASAP |
| 4.5 | 6.4.2 The DoPC reported that following the IC conducting a market review of press information and adverts the Hearing Aid Council (HAC) and the Royal National Institute for the Deaf (RNID) will make a joint referral to the Advertising Standards Authority (ASA). Once the ASA have investigated the DoPC will look at the best way to distribute this information to the public and the industry. | Director of Policy and Communications | ASAP |
| 6.4 | The DoPC reported a draft paper on how the Unfair Commercial Practices Directive (UCPD) will affect dispensing by unregistered persons has been written and is currently being reviewed by BERR. Once it has been returned the document will be circulated to Council members and then put on the HAC website. | Director of Policy and Communications | ASAP |

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|-------|---|---------------------------------------|-----------------------------|
| 7.2.3 | The SEC reported they have instructed the Executive Team to re-organise how complaints are displayed on the website to make it easier for consumers to access, and make informed decisions. | Director of Policy and Communications | ASAP |
| 7.2.4 | Members were invited to comment on the draft corporate plan through contacting the MATM. | Council Members | 15 th April 2008 |
| 7.5.2 | The IC reported the committee is beginning work on how the process will work up to and on transfer to the HPC. The MATM will investigate and report back to the IC. | Modernisation and Transfer Manager | 17 th June 2008 |
| 10.2 | The MATM requested any comments or suggestions to be forwarded to him via email. | Council Members | 30 th April 2008 |

DRAFT

**Agreements arising from the Council Meeting held in exempt session
23.01.08**

| ITEM | DECISIONS AGREED |
|-------|---|
| 2.1 | 5.5 was amended to say "Gerald Armstrong - Bednall declared his interest as a HEI employee, as a Registered Hearing Aid Dispenser, his position as the director of a small hearing aid company and a meeting with BSHAA to discuss their Education and Training." |
| 2.2 | A member requested for the word parity in 6.12 be changed to ensure the decision was clear. It was agreed to change the minute to read "CEO to restructure executive team. Allowing an additional £10,000 to resolve issues concerning the daily rates for CEO, DoPC, and DoR roles. CEO to present a report on costs and role to Remuneration Committee." |
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| 3.2 | A member requested the words "on the new committee" be added to the end of 7.5. |
| 3.3 | A member requested that in the future, in the minutes under matters arising, details of the minute that is being discussed be noted to make it easier to read and understand the point. |
| 7.1.2 | <p>The Council ratified the changes the Remuneration had agreed to these were:</p> <ul style="list-style-type: none"> • Sandra Verkuyten will be Chief Executive Officer and Accounting Officer, gross salary will be set at £32,024 and will work 1.5 days a week. • Christopher O'Leary will be Registrar and Director of Policy, salary will be £36,400 and will work 2 days a week. • Justin Parfitt will be Managing Director and Director of Resources, salary will be set at £24,700 and will work 1 day a week. <p>The Council noted that an increase in the budget for wages of £6786 would be required and agreed to this.</p> |
| 9.1 | The Council received the Draft Budget, noted and approved the changes. |