

Board meeting

Minutes of the meeting

15 November 2017

**Minutes of Board meeting, 15 November 2017****Present**

George Jenkins (Chair)
 Harry Cayton (CE)
 Moi Ali
 Frances Done
 Renata Drinkwater
 Tom Frawley
 Antony Townsend
 Marcus Longley

In Attendance

Christine Braithwaite
 John McDermott
 Mark Stobbs
 Louise Rigg (secretariat)
 David Gomez
 Marija Hume (Item 3)
 Douglas Bilton (Item 12)
 Philip Hallam (Item 10)
 Graham Mockler (Item 11)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone including the external observers, Jo Mussen, HCPC Council member and Mike Andrews, Assistant Director for Quality Improvement, NMC. Donna O'Boyle from the Scottish Government and Kieran McAteer, Department of Health NI, dialed in.
- 1.2 There were no new declarations of interest.

2. Apologies

- 2.1 There were no apologies.

3. Minutes of meeting held on 20 September 2017

- 3.1 The minutes were approved as an accurate record and signed by the Chair.

4. Matters arising from meeting held on 20 September 2017

- 4.1 There were no matters arising not on the agenda.

5. Chair's report

- 5.1 The Chair reported to the Board he had attended the *Untapped Resources: Accredited Registers in the Wider Workforce* launch hosted by the Authority, with the Royal Society of Medicine. This saw an announcement made by Philip Dunne MP Minister of State for Health to launch the Government's consultation on regulatory reform. The Chair wished to thank the Chief Executive and the wider team for the work. This was echoed by the Board.

6. Executive report

- 6.1 The Assistant Director of Scrutiny and Quality (legal) updated the Board on the number of appeals withdrawn by the GMC, and the outcomes of the GMC appeals that had been heard by the Court.
- 6.2 The Chief Executive reported that the Scottish Government Commission is underway and the Board will receive a draft for comment. The Authority is on track to meet the project deadline.
- 6.3 The Authority noted in a recent consultation published on the government's website, that Health Education England had used the Authority's *Right-touch Assurance* templates without first seeking copyright permission. The Board agreed for the Chair of the Authority to write to the Chair of the HEE to address the matter and concluded it would not be possible at the moment for the Authority to agree to any future use of the right-touch assurance model by HEE.
- Action:** The Chair of the Authority would write to the Chair of HEE.
- 6.4 The Authority is jointly hosting a seminar with the Welsh Government, on Regulatory developments and the Welsh context on Thursday 15th February 2018. The event will be opened by Vaughan Gething AM, Cabinet Secretary for Health and Social Services.
- 6.5 The Scottish Regulation Conference was recently attended by Authority staff. Sir Ian Kennedy gave the key note address presenting his ideas about regulatory reform, which the Chief Executive observed were in line with the Authority's views.

7. Finance Report

- 7.1 The Head of Finance reported to the Board that the Authority incurred net expenditure of £1.892m in the period to date, against the budget for the same period, of £1.972m.
- 7.2 Main drivers for the underspend in regulatory oversight and standards setting area are lower than expected s29 legal costs, income from a secondment and an underspend in the training budget.
- 7.3 The Authority has incurred capital expenditure of £14k in the period and expects to end the year within the annual budget of £75k.
- 7.4 The Chief Executive confirmed the Directors Group had met on several occasions to discuss and detail the project management of the new database project. The formal budget for the project is in place from April but the consultancy will be brought in early and will be paid for using some of the projected underspend.

8. Unconfirmed minutes of the Audit & Risk Committee held on the 8 June

- 8.1 The Chair of the Audit and Risk Committee asked for the minutes to be noted and made some further comments for the Board's attention.
- 8.2 The Department for Health had notified the Authority they would remove the reference to the Chief Executive as their accounting officer, that they will implement the account direction moving to the Privy Council and that they want

to develop an MoU to clarify the independence in the relationship between the Authority and DH.

- 8.3 The Chair of the Audit and Risk Committee confirmed that as part of the HR strategy particular attention would be paid to wellbeing at work.
- 8.4 The Director of Governance and Operations confirmed that there was a confidential Employee Assistance Programme. Staff can gain confidential access to a wide range of support and in addition to various physical resources. A demonstration from the supplier of the service was recently given at an all staff meeting.

9. **Unconfirmed minutes of the Scrutiny Committee held on the 15 June**

- 9.1 The Chair of the Scrutiny Committee asked for the minutes to be noted and made some further comments for the Board's attention.
- 9.2 The Committee had considered proposed reductions to the dataset required for the performance review. It had noted these and decided to review these again in 12 months' time seeking to understand why each item was necessary.
- 9.3 The Committee had reviewed a selection of decisions made under the S29/s40 process and was satisfied with the process. At its next meeting, it would look at decisions involving difficult value judgements.
- 9.4 The Chair drew attention to excellent outreach work by the legal team with the regulators, particularly in respect of learning points, attendance at training sessions for decision-makers and proposals for consistent indicative sanctions guidance.
- 9.5 Members of the Committee had decided they would observe Accredited Registers panels to check that the process is appropriate.
- 9.6 The Chief Executive thanked Remi Gberbo, David Gomez and the team for organising a successful seminar for Directors of Fitness to Practice.

10. **Business Plan 2018/19**

- 10.1 The Board approved, subject to minor revisions, the Business Plan for 2018/19. It would be submitted to Privy Council as part of the fees determination process.

11. **Fees Consultation 2018/19**

- 11.1 The Board approved the Fee Consultation for 2018/19. It would be submitted to the Privy Council.

12. **Government Consultation; *Promoting Professionalism Reforming Regulation***

- 12.1 The Board all noted the document published by the Government which had been circulated ahead of the meeting.

Action: The draft response will be prepared for the January 2018 Board meeting.

Action: The Board agreed to extend the January 2018 Board meeting to discuss the consultation and future possible roles of the Authority.

13. Right-touch Reform

- 13.1 The Assistant Director of Standards and Policy presented the updated paper. Following the last Board meeting, the policy team held editorial meetings on each of the four main chapters of the report, to discuss in detail how to respond to the regulators' comments. Each section has been redrafted and a further short chapter on a single assurance body has been added.
- 13.2 The Board proposed a breakdown into chapters with summaries for each to make it accessible for a wider audience.

Action: The suggested changes would be made and the document would be published on the Authority's website.

14. Responses to the consultation on the Standards of Good Regulation

- 14.1 The Board agreed that more work should be undertaken on developing options for revised Standards. This should include informal consultations with the regulators with a view to providing options and recommendations for the Board to consider at the January meeting.

15. Update on Accredited Registers

- 15.1 The Authority successfully launched the joint report, *Untapped Resources: Accredited Registers in the Wider Workforce*, at a dinner event on 31 October. The Minister for Health, Philip Dunne MP attended to speak about the report and the Department's consultation.
- 15.2 The Authority have approved two notifications of change for the Academy for Healthcare Science; one to add clinical physiologists to its register, and one to develop a credentialing register for the life sciences industry.
- 15.3 The initial documentary review of the pilot process for the Hong Kong Accredited Registers Scheme has been completed. The Scheme had apparently made progress and was about to undertake its first pilot visit for Speech Therapists. The Chief Executive would travel to Hong Kong later in November to meet with a range of stakeholders. The Board wished to thank the Head of Accreditation for his excellent input into this work.

16. Any other business

- 16.1 The Director of Scrutiny and Quality wished to note that NMC Review timeline has been extended. The early draft will be ready by mid-January 2018.

17. Questions from observers

- 17.1 Donna O'Boyle on behalf of the Scottish Government stated she noted the letter being sent to HEE.
- 17.2 Jo Mussen, HCPC Council member, asked the Chair why the agendas of the private session of the meeting were not published. The Chief Executive said it was because they were private. Very few matters were considered in private, they might be confidential staffing matters or legal issues.

18. Private session of the Board

- 18.1 The Board went into the private session of the meeting

Signed by Chair.......... Date.....17/01/2018.....