

# Board meeting

Public minutes of the meeting

17 May 2018



## Minutes of the Board meeting, 17 May 2018

### Present

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

### In Attendance

Christine Braithwaite  
John McDermott  
Mark Stobbs  
Louise Rigg (Secretariat)

## 1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone including observer, Mike Andrews, Assistant Director of Quality Improvement from the NMC and Donna O'Boyle from the Scottish Government, on the phone.
- 1.2 There were no new declarations of interest.

## 2. Apologies

- 2.1 Frances Done, Board member and David Gomez, Assistant Director of Scrutiny and Quality (Legal).

## 3. Minutes of meeting held on 17 January 2018

- 3.1 Antony Townsend proposed a revision to the revision of the Standards of Good Regulation, paragraph 8.2 of the minutes as two words were repeated. The updated paragraph should read; 'It was agreed that the regulators' performance against each standard must be clearly defined as 'met' or 'not met' ('fully met' was not a helpful category)'.
- 3.2 The Board approved the revised minute and subject to amendment, approved the minutes as an accurate record.

## 4. Matters arising from meeting held on 21 March 2018

- 4.1 There were no matters new arising from the meeting held on 21 March 2018.

## 5. Chair's report

- 5.1 The Chair reported there had been several challenges faced by regulators recently and he had been supporting the Chairs of the regulators in understanding the best approach to address these.

## 6. Executive report

- 6.1 Work had started on the Inquiry under the Health Professions Act of BC, in Vancouver from 5-15 May.
- 6.2 The report for the Engineers and Geoscientists of BC is in the final stage of preparation. They had been complimentary of the work by Mike Humphries during his recent visit.
- 6.3 The Chief Executive reported that the Sir Norman Williams's review of gross negligence manslaughter in healthcare had not yet been published.  
**Action:** Director of Scrutiny and Quality to share the Williams Report with the Board once available.
- 6.4 The Director of Scrutiny and Quality reported no changes to performance reviews or Section 29 referrals since the Executive Report. Dr. Bawa-Garba has now been given permission to appeal against the Order of the Divisional Court, upholding the GMC's S40A appeal and following which she was erased from the register. It was also reported that the consultation on the Standards of Good Regulation would be published shortly when it had been translated into Welsh.
- 6.5 The Director of Governance and Operations reported the Authority were prepared for the General Data Protection Regulations (GDPR) which come into force on 25 May 2018. It was also reported that there would be a test of the Business Continuity Plan technical solution on Friday 25 May, followed by a full re-test the Business Continuity Plan during July 2018.
- 6.6 The Director of Standards and Policy drew the Board's attention to the completed commissioned work from Dr. Simon Christmas on sexual behaviour between colleagues who noted there had been positive feedback to the report.

## 7. Audit and Risk Committee verbal update

- 7.1 In the absence of the Chair of the Audit and Risk Committee, members of the Audit and Risk Committee and the Director of Governance and Operations, provided a verbal update.
- 7.2 The main points discussed at the Audit and Risk meeting were the draft annual report and accounts, specifically the elements which provide assurance to the Audit and Risk and Board around the governance statements in the annual report. The Committee were content and noted both the draft report and accounts along with the Assurance Framework.
- 7.3 The Board were also content to note that the annual internal audit confirmed that the Authority has adhered to its business principles and reserves policy..

## 8. Finance report format

- 8.1 The Board agreed that the item should be tabled for the July Board meeting in the absence of the Chair of the Audit and Risk Committee who had requested changes to the format of the finance report.
- 8.2 The Board agreed that narrative was helpful but it should be able to challenge the Executive on the numbers. There should be an explanation of the rationale for changing the current format.

**Action:** Revised finance report to be tabled for July 2018.

## 9. Risk Register

- 9.1 The Board reviewed the risk register and discussed all the categories. It was established that the Chief Executive's departure is a significant threat but equally there would be opportunities when the next Chief Executive is appointed as they would have their own expertise.
- 9.2 The setting up of Social Work England (SWE) was discussed. A staff lead would need to be established now that the Policy Manager was on maternity leave. The Chief Executive advised the Board that Lord Patel would be visiting the Authority for a full day in June and reported on successful engagement with SWE to date.
- 9.3 The Board noted the NMC Review had been covered in the risk register.

## 10. NMC Lessons Learned Review

- 10.1 The NMC Lessons Learned Review had been published on the 16 May. The Chief Executive reported there had been substantial media interest, especially in light of the NMC Chief Executive's resignation which came two days before.
- 10.2 The Chief Executive reported that since the publication of the report, the NMC had shared the Kark Review with families, along with redacted emails as recommended in the Report
- 10.3 The Chair had met with Philip Graf, NMC Chair, who accepts the findings of the report and has positively engaged with the Authority.
- 10.4 The Chair invited observer, Mike Andrews, to comment at this point of the meeting if he wanted to. Mike Andrews stated the following: 'Our approach to the Morecambe Bay cases, in particular the way we communicated with the families, was unacceptable and we're very sorry for this. We have made significant progress in recent years but we know there is more to do. We want to reassure the families that we take the findings of this review seriously. We know that we let the families down. Our Council are absolutely committed to putting right the mistakes of the past and we will be urgently taking forward the recommendations of the report.'
- 10.5 The Director of Scrutiny and Quality said the NMC has improved performance significantly and will fail on just one standard in their performance review.
- 10.6 The Board thanked the Chief Executive, the Directors of Standards and Policy and Scrutiny and Quality, along with all other staff who had spent time on the NMC Lessons Learned Review.

**11. Update on Accredited Registers**

- 11.1 The Director of Standards and Policy provided an update. The accreditation fee model had been implemented with no issues to date. The Authority had received verbal agreement for the Department of Health and Social Care that future funding for the programme will be provided.
- 11.2 The Director of Standards and Policy reported to Board on the programme's approach to the use by some members of the Society of Homeopaths of CEASE (Complete Elimination of Autistic Spectrum Expression) therapy. The Authority issued a Condition on the Society's accreditation requiring the Society to develop a position statement on the use of CEASE therapy by its registrants and monitor this to ensure registrants do not breach this or the Society's Code of Ethics. The position statement is clear that registrants cannot claim to cure autism and that they cannot provide advice on the use of supplements. Within the Condition, the Authority also required the Society to clarify the risks related to CEASE and to ensure its registrants follow the position statement. The Accreditation team will review the Society's monitoring of its registrants as part of the next annual assessment.
- 11.3 A Board member commented that [www.checkapractitioner.com](http://www.checkapractitioner.com) is extremely useful. The Director of Standards and Policy stated that further campaigns and use of social media would be used to communicate and engage with the public.

**12. Any other business – July Board meeting venue**

- 13.1 The Director of Governance and Operations reported that an external venue had to be sourced for the July Board meeting. It would be at the Grosvenor Hotel London. The NAO had recently changed its approach to room bookings disadvantaging the Authority. Discussion is underway with the NAO regarding a better booking process for Board meetings for 2019.

**Action:** The Director of Governance and Operations would provide an update on sourcing room bookings for 2019.

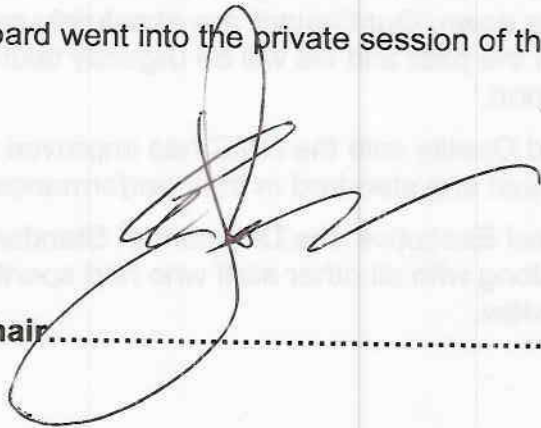
**Action:** The Secretariat would reserve rooms once a resolution had been reached.

**14. Questions from observers**

- 14.1 There were no questions from the observers.

**15. Private session of the Board**

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



Signed by Chair..... Date 18 July 2018