

Board meeting

Minutes of meeting

15 March 2017 10.30



Minutes of Board meeting, 15 March 2017

Present

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

In Attendance

John McDermott
Mark Stobbs
Christine Braithwaite
Graham Mockler
Philip Hallam
David Gomez
Marija Hume
Jane John-Charles (secretariat)

Observers

Silvia Dominici (NMC)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone to the meeting.
- 1.2 There were no declarations of interest.

2. Apologies

- 2.1 There were no apologies for the meeting.

3. Minutes of meeting held on 18 January 2017

- 3.1 The minutes were approved as an accurate record of the meeting subject to two amendments.

4. Matters arising from meeting held on 18 January 2017

- 4.1 There were no matters arising.

5. Chair's report

- 5.1 The Chair reported that plans to appoint a new Board member from Wales were progressing. He thanked Ian Hamer for continuing until a new appointment had been made.
- 5.2 The Chair noted the success of the Authority's research conference 'Building Trust in People and Places' held on 9 & 10 March. It had the largest attendance to date with a waiting list, demonstrating the high level of interest in sharing and learning from research. Participants from six different countries, 16 regulators

and researchers from various academic institutes had attended. The staff team were congratulated on the organisation of the conference.

- 5.3 It was also noted by the Board that the Symposium, held on the 9 February was also a well organized and interesting event.

6. Executive report

Scrutiny and Quality

- 6.1 The Director for Scrutiny and Quality reported that this year has seen the highest case numbers to date, approaching 4200 - an increase of more than 10% on the previous year.
- 6.2 The Authority's appeal in the Judge case was heard on 7 March 2017 and was upheld by the Court. The Court had awarded the Authority a significant proportion of its costs in bringing the appeal.
- 6.3 The number of appeals under s.40A of the Medical Act 1983 notified to the Authority by the GMC had now risen to eight. In addition to the Jagivan case, the Authority had now notified the GMC of its intention to become a party to the Nwachuku case. The Authority had taken this decision because the legal arguments likely to be raised in the case had potential implications for the extent of the Authority's jurisdiction under s.29 of the NHS Reform and Health Care Professions Act 2002 (as amended).
- 6.4 It was noted by a member of the Board that the Fitness to Practise Chairs event was very well received. It was agreed that it would be useful to consider holding future events.

Standards and policy

- 6.5 .
- 6.6 The Board noted the number of consultations to which the Authority had responded. Their attention was drawn to the General Pharmaceutical Council's consultation on values and beliefs. The Board noted that the Authority's responses are published on its website and asked to be alerted to responses to significant consultations.
- 6.7 A member of the Board asked whether the Authority regularly surveyed stakeholder's perceptions of its performance. The Director of Standards and Policy informed the Board that it had carried out a perception audit and agreed to consider whether repeated surveys would be useful. .

Governance and operations

- 6.8 The Director of Governance and Operations reported that the Privy Council had issued its final determination on the Authority's budget for 2017-18 and that payment had subsequently been received from the regulators.
- 6.9 The Board noted that the Authority had received a clear external audit from the National Audit Office at month 9.

7. Finance Report

- 7.1 The Director of Governance and Operations reported that following management intervention, the projected overspend was now expected to be significantly lower than previously reported.
- 7.2 The Board noted that the Finance team had demonstrated good performance and great financial control.
- 7.3 It was also noted that the Authority was still awaiting part of the agreed subvention for the Accredited Registers programme from the Department of Health, and that if we did not hold reserves, the programme would not be able to operate.

8. Scrutiny Committee update

- 8.1 The Chair of the Scrutiny Committee reported on the meeting held on 8 March 2017
- 8.2 The Committee had adopted a different approach to sampling s29 case decisions. The Committee had reviewed 14 decisions made by the executive not to refer a case to a Section 29 Case Meeting. Committee members had considered six cases each. Two of these cases were considered by all Committee members, with the remaining four being different. This approach meant that all the decisions made by the executive at this particular decision making stage had been considered by the Committee, and ensured that there was an element of consistency to the review.
- 8.3 For each case, Committee members had received the determination made by the Panel; the detailed case review; the decision made by the executive; and any learning points sent to the regulator. The Committee had been impressed with the thoroughness of the detailed case reviews, and was pleased to see concerns raised being fed through to the learning points sent to the regulator. The Committee considered that the learning points remained a useful tool in improving the quality of regulatory decision making.
- 8.4 The Committee was satisfied overall that sound judgements were being made and that the Section 29 review process was robust. The Chair asked that the Committee's comments on the detailed case reviews should be fed back to the relevant staff.
- 8.5 It was agreed that it would be helpful to new Board members to receive specific training with regards to the Authority's Section 29 jurisdiction, and it was suggested that a training session similar to the one provided last year, would be useful. It was suggested that new Board members could also observe a case meeting should they wish.

9. Performance Review

- 9.1 Seven out of the nine annual performance review reports have been published and the final two are in the preparation stage for publishing.
- 9.2 The performance review (PR) data set had been discussed by the performance review team to check whether the data set items remain useful, and whether and how the dataset could be amended in the future,

9.3 .As the first cycle comes to an end the PR process continues to be developed using learning from the last 12 months. To date, feedback from the regulators was generally positive, with there being a view that the revised process was more proportionate, transparent, and that communication with the regulators was better.

10. Revision of the Standards of Good Regulation

10.1 The Board received an update paper on the review of the Standards of Good Regulation., The Board discussed how matters relating to governance and equality and diversity might be considered through any revised Standards. The Director of Scrutiny and Quality said that further work is continuing and it is anticipated that the Board will be presented with a draft consultation paper at its meeting in May. The Board welcome the progress being made and the thoughtful work done so for.

11. Government consultation on regulatory reform

11.1 The Chief Executive reported that there was nothing to report regarding Government plans on regulatory reform. The consultation paper had not been published and it now seemed possible that the government would drop plans for a Bill entirely. After seven years of pushing for reform this would be very disappointing. It was however noted by the Chair and the Chief Executive, that the process thus far has affected a change in regulatory conversations and engagement between the regulators. This momentum needs to be supported and maintained.

12. Any other business

12.1 There was no other business to report.

13. Questions from members of the public/observers

13.1 There were no questions from observers.

14. Private session of the Board

14.1 The Board went into the private session of the meeting.

Signed by Chair.....



Date.....

30/03/2017

