

Board meeting
Public minutes of the meeting
18 January 2023



Approved Minutes of the Board meeting, 18 January 2023

Present

Caroline Corby (Chair)
Alan Clamp (Chief Executive)
Juliet Oliver (JO)
Frances Done (FD)
Moi Ali (MA)
Marcus Longley (ML)
Tom Frawley (TF)
Amrat Khorana (AK)

In Attendance

Christine Braithwaite
Mark Stobbs
Jane Carey
Graham Mockler
Douglas Bilton
Salma Rahman
Marija Hume
Rebecca Moore
Dan Scott
Archie Herrick
Daisy Blench
Suzanne Dodds
Joella Hazel
Dami Olatuyi
Melanie Hueser (Secretariat)

Observers

See below

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone to the Board meeting which included members of staff and external observers: Terry Korateng (NMC), Nasia Nicou-Panayiotou (HCPC), Jenna Lowry (HCPC) and Paul Hogg (Audit One)
- 1.2 The Chair welcomed Juliet Oliver, the new Board member, to her first meeting and asked the Directors and those staff speaking at the meeting to introduce themselves.
- 1.3 The Chair also welcomed Paul Hogg from Audit One, who was observing the meeting for the Board Effectiveness Review.
- 1.4 Frances Done declared her appointment as member of the Board of the Chartered Institute of Finance and Accountancy and Chair of Audit Committee.
- 1.5 Tom Frawley declared his appointment as Chair to the External Reference Group Public Inquiry Southern Health and Social Care Trust and Northern Ireland Representative on the Council of the Open University.

2. Apologies

- 2.1 There were no apologies.

3. Minutes of meeting held on 16 November 2022

- 3.1 The minutes of the last Board meeting held on 16 November 2022 were accepted as a true and correct record and approved.

4. Actions and Matters Arising from the meeting on 16 November 2022

- 4.1 All actions were on track.

5. Chair's report

- 5.1 The Chair congratulated Graham Mockler on his appointment as Director of Regulation and Accreditation from 1 April 2023.
- 5.2 Shortlisting for the second new Board member will take place on 20 January, with interviews scheduled for early February.
- 5.3 The Chair updated the Board on the outcomes from the Board mid-year appraisals, which had been very positive. There had been support for a review of the Section 29 process in the second half of 23-24.

Action: GM to bring a proposal for a Section 29 review to the July Board meeting.

6. Executive report and project dashboard

- 6.1 The Chief Executive introduced the paper. Joella Hazel had joined as the new EDI Manager and will focus on EIAs and then the EDI action plan for 23-24.
- 6.2 The consultation for the strategic plan would be live until 24 February.
- 6.3 At the meeting with the chief of staff of the Patient Safety Commissioner it was suggested that a Memorandum of Understanding would be agreed. This will be chased up. The role or function of the Patient Safety Commissioner was one of the central recommendations of the *Safer care for all* (SCFA) report. Work on this was underway in Scotland, too, but so far not in Wales or Northern Ireland. A more detailed item on the recommendations in SCFA will come to the March Board meeting.
- 6.4 The Section 29 team had dealt with a couple of cases where the registrant had been subject to a barring order by the Disclosure and Barring Service. Discussions were underway with the regulators to determine whether in those cases it was sensible to keep registrants on the register.
- 6.5 An appointments seminar had been held earlier in the week, which had been positively received. A Fitness to Practice backlog meeting was in the diary for later in the week.
- 6.6 A supplier had been selected for the work on patients' and public perception of discriminatory behaviour. The Board suggested that additional work could be added to the brief for the supplier on investigating the barriers to raising complaints. If this was not possible within the scope and budget for this work, it could be considered for 2023/24.
- 6.7 A response to the Welsh Language Commissioner on the Welsh language standards was being prepared, with a deadline of 22 March. If the impact of the

compliance with the standards turned out to be significant an item will be brought to the Board. The Board queried how the additional cost and operational impact of the translation requirements and the use of fees would be received by the regulators, in particular considering the potential of Scotland and Northern Ireland introducing similar standards. It was confirmed that this point will be considered and fed back to the Welsh Language Commissioner, and the Board will be updated in due course.

- 6.8 There were two live consultations for the Accredited Registers programme on EDI and safeguarding respectively.
- 6.9 The fit-out of the new office had started this week. JC will attend the new office for update meetings once a fortnight. The move will take place on 18 or 25 March, with staff working from home for some days before and after the move.
- 6.10 The Head of Stakeholder Engagement recruitment had concluded, and final details were being worked out for the Communications Officer appointment.

7. Finance report

- 7.1 The Director of Corporate Services introduced the report. The financial position in the paper was up to the end of October. The updated figures from the end of December now forecast the deficit as £63,000.

Action: JC to share the updated Finance report with the Board.

- 7.2 The Board expressed its approval of the fact that double rent on the offices will only have to be paid for one month.
- 7.3 The Board requested an explanation on the underspend on training. It was confirmed that the biggest contributor to this development was the fact that much of the training was now undertaken online, which made it cheaper. A lot of group training had been delivered recently, which was also keeping cost down. It was explained that ongoing encouragement of staff and managers to identify and request training was given.
- 7.4 The Board expressed concern that online training, which does not afford the same opportunities of networking as face-to-face training, was making up the majority of the training opportunities and requested that the Directors Group review opportunities for in-person training where it is available.
- 7.5 It was agreed that going forward the budget would be reviewed more frequently throughout the year to enable more accurate forecasts in-year. This will be a task for the sub-committee that will meet in August for the purpose of reviewing the budget.

8. Scrutiny Committee report

- 8.1 The Director of Scrutiny and Quality highlighted that the Committee remained very focused on the Fitness to Practice (FtP) delays.
- 8.2 The Chair of the Scrutiny Committee confirmed that everything was covered in the report.
- 8.3 The Board asked the Chair for details on the regulator Chairs' reaction to the FtP backlog letter that was sent to the Secretary of State in November. The regulator Chairs shared information with the Chair ahead of the letter being

written, some of which was incorporated. The final letter was also shared with all of the regulator Chairs.

8.4 The Board **noted** the report.

9. Research conference autumn 2023

9.1 The Assistant Director of Standards and Policy introduced the paper. This one-day conference was proposed to be structured around SCFA as a theme, with all contributions focusing on the contribution of research to how regulation and registration can be improved, and how the proposals from the SCFA report could be realised.

9.2 The conference will be an opportunity for the identification of shared research interests among the regulators and the Authority.

9.3 DB confirmed that the cross-regulator research group would be involved in the planning of the event.

9.4 The Board expressed its appreciation for the proposal, which had taken previous Board feedback on board.

9.5 The Board referred back to previous discussions about charging attendees for events.

Action: DB and JC to consider the previous discussions on charging for the event to decide on the benefits of doing so for this conference.

9.6 The Board asked for confirmation about how the themes would be presented to potential speakers. DB confirmed that in writing to potential contributors, the themes would be set out with explanation as to the underlying issues. It was hoped that this would bring in as wide a range of proposals as possible, that could then be used to create the programme for the day.

9.7 The Board suggested that there was a danger that the programme was too ambitious and warned about making the one-day conference too full.

9.8 The Board requested that guidance to speakers will emphasise that suggested sessions should aim to propose ways to help the achievement of SCFA. It was confirmed that this was the intention

9.9 It was also confirmed that proposals of interest that cannot be included in the conference programme will be considered for other showcase opportunities (e.g., lunchtime learning sessions).

9.10 The Board requested that the date for the conference be confirmed as soon as possible.

10. Governance and assurance framework review

10.1 The Director of Corporate Services introduced the paper, which showed the changes requested by the Board in track changes.

10.2 The Board **approved** the changes.

11. May Board meeting in Northern Ireland

- 11.1 The Chief Executive introduced the item. The proposal suggested that the meeting in Belfast have a similar format as those in Wales and Scotland, with a stakeholder meeting following the Board meetings and opportunities for the Chair, Chief Executive and Board member from Northern Ireland to meet with the Minister for Health and/or Permanent Secretary.
- 11.2 The order of the private and public Board meeting will be changed so that stakeholders who wish to do so can attend the public Board meeting.
- 11.3 The Board suggested considering a separate meeting with the six health and social care trusts, and potentially with the Health Committee.
- 11.4 The Board requested that the format of the stakeholder event be reviewed with a view to making it more interactive and social.
- 11.5 The Board requested that a short briefing be prepared for the Board members for the stakeholder event.

Action: MH to liaise with the Policy team on a NI briefing for the May Board meeting.

12. SCFA evaluation

- 12.1 The Director of Standards and Policy introduced the paper. The evaluation covered the first stage of the project – SCFA report, launch and conference. A plan for the second stage of the project covering work to take forward the recommendations and commitments in the report will come to the March Board meeting. The report was a departure from the Authority’s usual reports, covering a broad area with complex challenges.
- 12.2 The reaction to the recommendation of a Health and Social Care Safety Commissioner had been mixed, the response from the DHSC still expected. It was noted that further work was likely to be needed on the regulatory strategy to outline its value to stakeholders.
- 12.3 The Board requested more detail on the comments around governance in the evaluation paper. It was explained that the original governance structure with the internal Steering Group responsible for overseeing management of the project did not entirely suit the nature of the project as it evolved and gained greater strategic significance for the organisation with a shift in focus from describing problems to also proposing solutions in the report. The use of the editorial group which was convened towards the end of the process with Board member involvement was ultimately successful in steering the report through the final stages. However, a learning point was felt to be that for future projects, regular checkpoints should also take into account whether the governance of a project was still appropriate or might need to be adjusted to take account of an expanded scope.
- 12.4 The Board expressed its disappointment with the number of attendees at the conference from Scotland. It was considered that this may have been because a session on SCFA was held at the Scotland regulatory conference on 22 October, or possibly that it was felt that the SCFA conference was not as relevant for Scotland but that it would be important to try to understand the reasons for this.

- 12.5 The Board noted the interplay between the SCFA success measures and the objectives for the Authority in the Strategic Plan and the need to make sure these were aligned.
- 12.6 The Board **agreed** with the recommendations to approve the draft success measures and to pause further substantive work on the Health and Social Care Safety Commissioner and regulatory strategy recommendations until the next business year.

13. Stakeholder engagement strategy

- 13.1 The Director of Standards and Policy introduced the paper. The purpose of this paper was to elicit feedback from the Board on the evaluation of the 2020-22 Stakeholder Engagement Strategy which will be used to inform the future strategy. The majority of actions had been completed and two internal audits had been carried out reviewing the Authority's approach. Key areas outstanding were reviewing the approach to engagement within the devolved administrations and with patients and the public and procuring a Stakeholder Relationship Management (SRM) system for the organisation.
- 13.2 It was noted that the Audit and Risk Committee would be doing a deep dive into stakeholder engagement in February. The new Head of Stakeholder Engagement will bring the strategy for future engagement to the Board.
- 13.3 The Board highlighted the importance of engagement with the with the devolved administrations and patients and the public.
- 13.4 The Board requested that impact measurement will be emphasised more strongly going forward.
- 13.5 The Board highlighted the need for regular communications between DA Board members and staff and requested greater clarity on the system in place for this purpose to ensure appropriate information sharing.

Action: MH to add 'Stakeholder engagement strategy' to the July Board meeting agenda for the new strategy to be brought to this meeting.

14. Any other business

- 14.1 There was no other business discussed.

15. Questions from Members of the Public

- 15.1 There were no questions.
- 15.2 The Chair thanked the observers for their interest in the Authority.

16. Private session of the Board

- 16.1 The Board went into the private session of the meeting.

Candice Cowby

Signed by Chair

Date 15/03/23

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Action Log

On track (including not started) Delayed (or medium risk of delay for projects) Overdue (or high risk of delay for projects) Complete

Mtg. Date	Item No.	Action point	Owner	Date required	Action progress	Status
16 November 2022	5.5	Add FtP backlogs to the May 2023 Board agenda.	GM	17 May		On track
18 January 2023	5.3	Bring a proposal for a Section 29 review to the July Board meeting.	GM	19 July		On track
18 January 2023	7.1	Share the updated Finance report with the Board.	JC	30 January	Complete	Complete
18 January 2023	9.5	Consider previous discussions on charging to decide on the benefits of doing so for the research conference.	DB/JC	15 March		On track
18 January 2023	11.6	Liaise with the Policy team on a NI briefing for the May Board meeting.	MH	17 May	Complete	Complete
18 January 2023	13.2	Add 'Stakeholder engagement strategy' to the July Board meeting agenda.	MH	19 July	Complete	Complete