

Board meeting
Public minutes of the meeting
18 September 2019



Approved Minutes of the Board meeting, 18 September 2019

Present

George Jenkins (Chair)
Alan Clamp (Chief Executive)
Moi Ali (MA)
Frances Done (FD)
Renata Drinkwater (RD)
Tom Frawley (TF)
Marcus Longley (ML)
Antony Townsend (AT)

In Attendance

John McDermott
Mark Stobbs
Graham Mockler
Douglas Bilton
Roisin Fairfax
Marija Hume

Jessica Myint (Secretariat)

Observers:

Silvia Dominici (NMC)
Colum Conway (Social Work England)
Sarah Blackmore (Social Work England)
Jonathan Dillon (Social Work England)
Dinah Godfree (PSA)
Daisy Blench (PSA)
Priya Gungadin (PSA)
Isabel Lucas (PSA)
Rebecca Moore (PSA)
Alexandra Taylor (PSA)
Michael Humphries (PSA)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair opened the meeting at 10:30 am and welcomed everyone to the meeting including members of staff and observers.
- 1.2 Silvia Dominici (NMC), Colum Conway (Social Work England), Sarah Blackmore (Social Work England), Jonathan Dillon (Social Work England), Douglas Bilton (PSA), Roisin Fairfax (PSA), Marija Hume (PSA), Dinah Godfree (PSA), Daisy Blench (PSA), Priya Gungadin (PSA), Isabel Lucas (PSA),

Rebecca Moore (PSA), Alexandra Taylor (PSA) and Michael Humphries (PSA) attended as observers.

1.3 There were no declarations of interests.

2. Apologies

2.1 Apologies received from Christine Braithwaite.

3. Minutes of meeting held on 17 July 2019

3.1 The minutes of the last Board meeting held on 17 July 2019 (Paper 1) were confirmed and approved as true and correct records.

4. Matters arising from meeting held on 17 July 2019

4.1 **Item 5.12:** It was noted that the Accreditation Team have received the formal application for a Judicial Review claim, challenging the recent decision by the Authority to grant re-accreditation to the Society of Homeopaths. We have submitted 'draft grounds of resistance' on the Good Thinking Society's application for Judicial Review. Results are expected in October / November 2019. The Board will be updated on the status of the Judicial Review at the Board meeting in November 2019.

Action: The Accredited Registers Team to update the Board on the status of the Judicial Review at the November 2019 Board meeting.

4.2 **Item 6.15:** It was noted that the action for the Accredited Registers Team to submit the stakeholder engagement strategy for the Accredited Register Programme to the Board will be carried over to the November 2019 Board meeting.

4.3 **Action:** The Accredited Registers Team to submit the stakeholder engagement strategy for the Accredited Register Programme to the Board for comments and approval at 20 November 2019 Board meeting.

4.4 All matters arising and action points are covered in the agenda items below and the Action Log (Paper 1).

5. Chair's report

5.1 The Chair updated that on 24 July 2019 he and the Chief Executive had a positive meeting with the then Minister of State for Health, Stephen Hammond MP. Unfortunately, the Minister have now been removed from the post.

5.2 On 13 August 2019, the Chair along with the Chief Executive met with the Chair and Chief Executive of the Care Quality Commission (CQC) to establish an ongoing meaningful relationship and explore opportunities to work in collaborations. The meeting was very productive with mutual interests on both sides in collaborating on professional and system workstreams which the Chief Executive will take forward.

5.3 The Chair and the Chief Executive also met with the Chair and Chief Executive of the Nursing and Midwifery Council (NMC). The Chair noted that the Board has been concerned with NMC case handling system as context can become an issue before process. Hence he raised the matter with NMC, and a better understanding was received, where NMC explained that the review is to ensure a prima facie case is made against an individual. Their system will ensure to see if there was a case to answer to before proceeding.

6. Executive report

6.1 The Chief Executive highlighted the key areas of the Executive report (Paper 2). It was noted that together with the Authority Chair, the Chief Executive met the then Minister of State for Health, Stephen Hammond on 24 July 2019. Since then there has been change of two Ministers to the post.

6.2 The Chief Executive also met with Debbie Knight, Director at Her Majesty's Prison and Probation Service on 14 August 2019 to discuss possible regulation of probation officers in the future, which may develop into a possible consultation project.

6.3 MA updated that she represented that Authority and the Chief Executive at the Ministerial Short-life Working Group on Workplace Cultures on 31 July in Glasgow. The working group was set up by the Cabinet Secretary for Health and Sport, Jeane Freeman MSP, as part of the [Scottish Government response](#) to the Sturrock Review into the Cultural Issues related to allegations of Bullying and Harassment in NHS Highland. The Working Group was well represented, and the Working Group aim to meet every two months.

6.4 The Director of Scrutiny and Quality reported that there was no major addition to the updates in the Executive Report. It was noted that the development of S29 database is going well, The data migration test on 28-29 August 2019 was successful. The new S29 database is scheduled to go live on 30 September 2019.

6.5 The Assistant Director of Standards and Policy reported that in addition to the updates in the Executive Report, we have published Rosalind Searle's report on "Sexual misconduct in health and social care: understanding types of abuse and perpetrators' moral mindsets" on 05 September 2019.

6.6 It was noted that an invitation to submit an abstract or speaking proposal will be send out this week to all participants of the Academic and Research Conference, to be held at the Royal Society of Arts, Manufactures and Commerce (RSA) on 5 & 6 March 2020. The change of venue to central London is well received by colleagues.

6.7 The Director of Governance and Operations highlighted the Business Continuity Plan, which was scheduled for a full test with a provisional date of 18 October 2019, will now be postponed to November 2019, due to events such as Accredited Registers Conference taking place in October 2019.

6.8 The Board requested that the next Academic and Research Conference should schedule in sufficient time for discussion on the presentation topics so that effective contributions and feedback can be received.

Action: The Assistant Director of Standards and Policy to schedule in sufficient time for discussion the next Academic and Research Conference 5 & 6 March 2020.

- 6.9 It was noted that (Item 2.1, Executive report) the 2017/18 performance review for the General Optical Council (GOC) is published late as the previous year's review was also processed late combined with change in staff, the report is being published on a fifteen-month cycle. Next report will be published in the standard nine-month cycle. We are considering ways to publishing more current reports. However, it is difficult to schedule publication until we review data received from the regulators, as timing of processing and publication is dependent on if an audit is required to be carried out.
- 6.10 It was also noted that (Item 2.9, Executive report) till date the Authority yet to advise the Privy Council against a candidate's appointment. We routinely work with the regulator and the Privy Council at each stage of the appointment process; hence advice and recommendations are given along the appointment stages to ensure suitable and qualified candidates are appointed at the final recommended stage.
- 6.11 ML informed that in July 2019, the Welsh Government launched a consultation on the registration of further categories of the social care workforce – namely domiciliary care workers and care home services provided wholly or mainly for adults. It was agreed that the Authority will review the consultation to see if a response is required to be submitted. The consultation ends on 16 October 2019.

Action: The Research and Policy Team to consider the Welsh Government's consultation on a consultation on the registration of further categories of the social care workforce.

- 6.12 TF highlighted that the Regulation and Quality Improvement Authority (RQIA) is the independent body responsible for monitoring and inspecting the availability and quality of health and social care services in Northern Ireland. It is an equivalent organization to the CQC and similar relationships should be fostered in all four countries. The Chief Executive will look into ways of engaging within systems rather than just with organisations in all four Countries as part of the Stakeholder Engagement Strategy.

Action: The Chief Executive to consider engaging with RQIA and other similar organisations within systems of the four countries as part of the Stakeholder Engagement Strategy.

- 6.13 The Board requested presentations relating to Duty of Candour can be shared with the Board so that the Board is informed on the updated workstream.

Action: The Director of Standards and Policy to share the presentations on Duty of Candour with the Board.

- 6.14 **Annex A:** The Chief Executive highlighted the Performance against the Business Plan (Paper 2 Annex A). The narratives in the report explain the areas where there are opportunities to improve our performance.

- 6.15 The Chief Executive explained that from August 2018 – July 2019 there has been 8 member of staff departures (20% of all staff). The Chartered Institute of Personnel and Development (CIPD) average is 18% for London. Hence, we are

still within the range and will monitor the rate. It was noted that Audit and Risk Committee (ARC) will conduct a deep dive on HR where staff turnover will be also be reviewed.

6.16 The Chief Executive also highlight that this issue of the report includes the data on Accredited Registers website usage as requested by the Board.

6.17 It was noted that method of reporting of KIPs on Performance Reviews and HR (staff turnover data) may need to be reviewed and adjusted to portray accuracy and transparency.

6.18 The Board requested for data on S29 case decisions to be included in the next Performance against the Business Plan report.

Action: S29 Team to incorporate S29 case data in the Performance against the Business Plan report.

6.19 The Board reviewed the Performance against the Business Plan report (Paper 2 Annex A). The Board acknowledged that there is a good balance between the KIPs and narratives as well as commented on the outstanding performance for the period.

6.20 **Annex B:** The Head of Accreditation highlighted the report on Accredited Registers (Paper 2 Annex B). It was noted that more information on communications and website usage data has been added to this issue of the report.

Note: Also see above items 4.1 and 4.3 on Accredited Registers.

6.21 The Board noted that a full website review has been completed and requested for feedback outcome received from the review.

Action: The Accredited Register Team to submit feedback outcome of the full website review and next stage of website development to the Board.

6.22 It was noted that the Accredited Register Team is processing one application for accreditation by the International Federation of Aromatherapists (IFA). We are also in discussion with several organisations who intend to apply for accreditation in the near future. We will report to the Board when formal applications are received.

6.23 TF highlighted the need for the safeguarding gaps in the Rehabilitation of Offenders Act 1976 and the Safeguarding Vulnerable Groups Act 2006 to be made clear and to pursue endorsement with political leaders and stakeholders for changes to be made in Northern Ireland. TF volunteered to represent the Authority and take part in engagement activities of Northern Ireland in relation to the safeguarding gaps.

6.24 The Board noted the report on Accredited Registers (Paper 2 Annex B).

7. Finance report

7.1 The Head of Finance reported on the 2019/20 budget position for the four months ending on 31 July 2019. It is shown as surplus of approx. £60K. Main variance in administrative costs include: lower than expected S29 direct legal

costs, higher than expected recruitment/temp staff costs, higher than expected ICT and S29 database non-capital costs. Underspend in communication and conferences is due to budget profiling and is expected to net off by the end of the financial year.

- 7.2 Accredited Registers budget underspent in staff costs is due to internal recharges on regulator audits. Lower than expected communications costs are offset with higher legal costs due to Judicial Review.
- 7.3 A separate paper on Accredited Registers Reserves is submitted to the Board (Paper 2 Annex B Appendix A).
- 7.4 The Board reviewed and noted the Finance report (Paper 3).

8. Risk Register

- 8.1 The Director of Governance and Operations reported on the Risk Register (Paper 4). It was noted that the Directors Group reviews fully the risk register each quarter. Since the last Board meeting, the risk register has been redrafted to take account of the discussions at the Audit and Risk Committee in June 2019 and new threats and opportunities have been added.
- 8.2 The Director of Governance and Operations highlighted the risks which Directors Group considered are changing rapidly – opportunities (Risk 1) and threats (Risk 2) in regulatory reform; threats in staff turnover (Risk 8); threats in s29 database replacement (Risk 12); threats on commencement of Social Work England (Risk 13); and threats on impact on HCPC (Risk 14).
- 8.3 The Chair of the Audit and Risk Committee updated that the Risk Register will be an agenda item at the next the Audit and Risk Committee on 3 October 2019.
- 8.4 The Chair of the Audit and Risk Committee highlighted that Risk 13 ‘Commencement of Social Work England’ and the Authority not having oversight of Social Work England cases along with Risk 15 ‘Gap in safeguarding legislation’ are major concerns and threat to public protection. The Board agreed that a strategy needs to be implemented to highlight these issues to key stakeholder and the incoming Minister of State at the Department of Health and Social Care.

Action: The Chair and Chief Executive to incorporate highlighting public protection matters (e.g. oversight of Social Work England and safeguarding legislation gaps) to key stakeholders as part of the Stakeholder Engagement Strategy.

- 8.5 It was noted that the Stakeholder Engagement Strategy currently being developed will include an agenda for the devolved administrations (Risk 3). The Stakeholder engagement strategy is scheduled to be submitted to the Board in November 2019. The Board requested the draft strategy to be circulated for comments and contributions.

Action: The draft Stakeholder Engagement Strategy to be circulated for comments and contributions prior to the 20 November 2019 Board meeting with completed version to be submitted to the Board at 20 November 2019 Board meeting.

8.6 The Board requested the Risk Register to separate the controls and actions taken for ease of monitoring.

Action: The Chief Executive and the Directors Group to include controls and actions taken in the updated Risk Register.

8.7 The Board reviewed and noted the Risk Register (Paper 4).

9. Social Work England developments and updates

9.1 Colum Conway, the Chief Executive; Sarah Blackmore, the Executive Director of Standards and Jonathan Dillon, the Executive Director of Fitness to Practise from Social Work England attended the Board meeting to update on the Board on the development of the new regulator and explain the uniqueness of social work.

9.2 The below topics were covered in the presentation:

- Social Work in England: the context
- Social Work Reform
- Social Work England: the ambition
- Social Work England set up
- Working in the regions
- Professional standards
- Education and training standards 2020

10. Any other business

10.1 There was no other business discussed.

11. Questions from observers

11.1 There were no questions from the observers.

12. Conduct of meeting

12.1 Board members confirmed that the meeting was conducted in an open manner and that all members were invited to participate and contribute to discussions.

13. Private session of the Board

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



13.2 Signed by Chair

Date 18/03/20

Board meeting

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Action Log

In Progress Overdue Delayed Complete

Mtg. Date	Item No.	Action point	Owner	Date required	Action progress	Status
18 September 2019	4.1	The Accredited Registers Team to update the Board on the status of the Judicial Review at the November 2019 Board meeting.	AR Team	20 November 2019		In Progress
18 September 2019	4.2	The Accredited Registers Team to submit the stakeholder engagement strategy for the Accredited Register Programme to the Board for comments and approval.	AR Team	20 November 2019		In Progress
18 September 2019	6.8	The Assistant Director of Standards and Policy to schedule in sufficient time for discussion the next Academic and Research Conference 5 & 6 March 2020.	DB	5 & 6 March 2020		In Progress
18 September 2019	6.11	The Research and Policy Team to consider the Welsh Government's consultation on a consultation on the registration of further categories of the social care workforce – domiciliary care workers	DB Research and Policy Team	16 October 2019		In Progress
18 September 2019	6.12	The Chief Executive to consider engaging with RQIA and other similar organisations within systems of the four countries as part of the Stakeholder Engagement Strategy.	AC	20 November 2019		In Progress
18 September 2019	6.13	The Director of Standards and Policy to share the presentations on Duty of Candour with the Board.	CB	20 November 2019		In Progress

18 September 2019	6.18	S29 Team to incorporate S29 case data in the Performance against the Business Plan report.	MS/ S29 Team	20 November 2019		
18 September 2019	6.21	The Accredited Register Team to submit feedback outcome of the full website review and next stage of website development to the Board.	AR Team	20 November 2019		
18 September 2019	8.4	The Chair and Chief Executive to incorporate highlighting public protection matters (e.g. oversight of Social Work England and safeguarding legislation gaps) to key stakeholders as part of the Stakeholder Engagement Strategy.	AC/ Chair	20 November 2019		
18 September 2019	8.5	The draft Stakeholder Engagement Strategy to be circulated for comments and contributions prior to the 20 November 2019 Board meeting with completed version to be submitted to the Board at 20 November 2019 Board meeting.	AC	20 November 2019		
18 September 2019	8.6	The Chief Executive and the Directors Group to include controls and actions taken in the updated Risk Register.	AC/ Directors Group	20 November 2019		