

Board meeting
Public minutes of the meeting
21 May 2020



Approved Minutes of the Board meeting, 21 May 2020

Present

Dame Glenys Stacey (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

Christine Braithwaite
Mark Stobbs
Graham Mockler
Marija Hume

Melanie Hueser (Secretariat)

Observers

Anna Lubasinska (GMC)
Melanie Venables (GMC)
Silvia Dominici (NMC)
Mike Andrews (NMC)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone to the meeting including members of staff and external observers Anna Lubasinska (GMC), Melanie Venables (GMC), Silvia Dominici (NMC) and Mike Andrews (NMC).
- 1.2 There were no declarations of interest.

2. Apologies

- 2.1 No apologies received.

3. Minutes of meeting held on 25 March 2020 and matters arising

- 3.1 The minutes of the last Board meeting held on 25 March 2020 (Paper 1) were accepted as a true and correct record and approved.
- 3.2 The Board agreed that all completed items could be taken off the Action Log.
- 3.3 **Correction to the Executive Report from 25 March 2020** - In the last executive report a briefing on safeguarding was mentioned as having been sent to the DHSC prior to the meeting; in fact it was sent shortly after that meeting.
- 3.4 **Item 8.2 (25 March 2020):** It was agreed that this item could be marked complete on the basis of being delegated to the new Finance Committee.

4. Chair's report

- 4.1 The Chair thanked everyone at the Authority for the warm welcome she had received after starting on 1 April. She acknowledged the unusual time in which she started her new role.
- 4.2 The Chair confirmed that she had met virtually with all staff except those who are currently absent from work and had met virtually (with AC) most but not yet all Chairs and Chief Executives of the regulators and with some of the Accredited Registers (with CB). Wider stakeholder engagement is now underway, following a first meeting with the chair of the Health and Social Care Committee, Jeremy Hunt.
- 4.3 The Chair acknowledged the useful discussions from the recent strategy workshops held internally and expressed her admiration for the intelligent and capable work of the Authority.
- 4.4 The Chair acknowledged the difficulties presented by the Covid-19 crisis and expressed her hope that the Authority will use this opportunity to ensure our work is proportionate, effective and efficient, just as we expect of the regulators and others we oversee.

5. Executive report (including a Covid-19 update)

- 5.1 The Chief Executive introduced the Executive Report (Paper 2), highlighting key areas for attention.
- 5.2 Performance reviews are now being planned and conducted in accordance with the principles recently agreed by the Board, albeit the Executive had in any event been exercising discretion sensibly, ahead of the Board's consideration. Regulators have now been informed by letter of the principles being applied. The Chair congratulated the team on keeping performance reviews to time over the course of the year.
- 5.3 The Director of Scrutiny and Quality confirmed that s29 case numbers are falling, as one would expect given Cd-19. Board members noted and appreciated individual case details and (in completed cases) outcomes in the report.
- 5.4 The Board asked when it could expect initial findings on the fitness to practise work of Social Work England. The Director of Scrutiny and Quality advised that early findings could be expected by the autumn.
- 5.5 The Director of Standards and Policy highlighted the main points from her directorate. She confirmed that the community research report had been received and will be with the Board shortly. It was requested that the Board would have an opportunity to discuss this research and similar projects and have the opportunity to comment on any reports before publication. This is a matter of governance: the CEO is in any event revising the Authority's governance framework and will note this request.
- 5.6 The CEO highlighted the slight changes to the Executive report format and invited the Board to forward any comments or suggestions about the format to him after the meeting. Risks will in future be dealt with as a separate item but for now the risks associated with Facebook engagement were discussed briefly.

Action: CB to provide MA with more details regarding the process and software used for Facebook engagement.

5.7 Turning to the performance report, the Board noted a reduction in visitor numbers for the Check a Practitioner website pages. This is assumed to be as being a result of the Covid-19 crisis.

5.8 The Board discussed how the member from Scotland could assist with speaking directly to MSPs to drive forward work on the Disclosure (Scotland) Bill.

Action: CB to liaise with MA on how best to facilitate these conversations.

5.9 The Chair requested to see comments to the Department of Health and Social Care (DHSC) on draft proposals and policy instructions to streamline international registration processes.

Action: CB to send the Authority's comments to Chair.

6. Risk management

6.1 The Director of Scrutiny and Quality presented the paper (Paper 3) summarising progress on developing the Authority's risk policy and register.

6.2 The paper asked the Board to endorse the consensus on risk appetite in a variety of areas, reached in a recent workshop. The Board did so, while clarifying some nuances around the risk of failure on individual s29 cases. Here, prospects of success were not the only consideration in individual cases.

6.3 In the area of finance, the Board confirmed a low risk appetite. The Chair proposed that the Board agree a figure under which the unrestricted reserves should not fall, save for exceptional reasons. A figure of £500,000 was **agreed**.

6.4 In the policy area, the Board confirmed a healthy appetite in relation to making controversial or unpopular proposals, assuming they were well grounded. While considerations from stakeholders would be relevant, the Authority is confident to make any proposals in line with its objectives and guiding principles.

6.5 The Chair requested that the Executive let the Board know of any need to consider risk appetite in other areas not yet brought to the Board for consideration.

6.6 Moving on from risk appetite, the Board considered that the design of the risk register is a matter predominantly for the Executive, as it a key tool for them. The Board offered a view, however: that a focus on risks, rather than both risk and opportunities would provide welcome clarity and focus.

6.7 The Board **agreed** that it was content with the approach suggested for the formal risk and reporting policy.

6.8 The Director of Scrutiny and Quality confirmed that he was happy to receive comments by email from the Board on the report's appendices.

7. Revised governance framework

7.1 The Chief Executive summarised the suggested changes to the governance framework and requested comments from the Board before it was finalised and ratified at the July meeting. Board members noted progress.

- 7.2 The Board considered draft terms of reference for the proposed Finance Committee. The Chair of the Audit and Risk Committee agreed that there was no overlap between the new committee and Audit and Risk Committee. It was suggested that the new committee should have three members of the Board rather than the proposed two and should meet four times a year rather than the proposed three.
- 7.3 The Chair will consider with the CEO the extent to which the new committee should embrace wider resource matters. Meanwhile, the Board **agreed** that the responsibilities of the current Remuneration Committee will be folded into the new Finance Committee.

Action: Chair and Chief Executive will discuss this proposal. Chief Executive to commence an Expressions of Interest exercise for the position of chair, Finance Committee. Decision to be made whether the new committee will deal with HR matters.

8. Audit and Risk Committee update

- 8.1 The Chair of the Audit and Risk Committee updated the Board on the internal and external audits.
- 8.2 The Chair of the Audit and Risk Committee mentioned that the internal auditors as well as the committee have given a rating of moderate assurance.
- 8.3 The Board agreed to delegate the approval of the annual accounts to the Audit and Risk Committee, in accordance with the current governance framework.

9. Any other business

- 9.1 The Board confirmed for the record that it had **agreed** proposed principles for performance reviews in the light of Cd-19, at its March strategy meeting.

10. Questions from members of the public

- 10.1 Mike Andrews (NMC) asked about the proposition to conduct work on lessons learned from Covid-19. The Chair confirmed that options will be discussed.
- 10.2 Melanie Venables (GMC) requested a conversation with the Director of Scrutiny and Quality on risk and risk appetite.

11. Private session of the Board

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



Signed by Chair

Date 15/07/20

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	6.20	The Accredited Register Team to submit feedback on the full website review and next stage of website development to the Board.	CB	20 November 2019	Some changes made to the website. Further changes to be made in autumn 2020 following the review of the AR programme.	In Progress
20 November 2019	4.1	To incorporate in the Stakeholder Engagement Strategy the engagements with RQIA and other similar organisations in the four countries.	CB	25 March 2020	Incorporated into the latest draft of Strategy (on the agenda for 15 July meeting).	In Progress
20 November 2019	9.1	To provide a report on review of criteria for recommendations and conditions for Accredited Registers to Scrutiny Committee	The Accreditation Team	18 June 2020	Covered by the scope of the review of the AR programme.	In Progress
25 March 2020	8.3	Paid events to be investigated as revenue stream.	CB	20 May 2020	To be considered as part of business planning 2021/22.	In Progress
25 March 2020	13.4	The Board will be informed when the planned lunchtime learning on cyber security is	SD	TBC		In Progress

		available. This will be available as a streaming event.				
25 March 2020	13.4	Cyber security review to be added to ARC agenda for October 2020	MH	October 2020		
21 May 2020	5.8	Liaise with Moi Ali on how to facilitate conversations with MSPs regarding the Disclosure (Scotland) Bill.	CB	15 July 2020		
21 May 2020	7.3	Chief Executive to commence an expressions of interest exercise for the position of chair, Finance Committee. Decision to be made whether the new committee will deal with HR matters.	AC/GS	15 July 2020	Expressions of interest exercise completed in early June 2020. The Finance Committee will deal with the remit of the Remuneration Committee. Other HR matters will come to the full Board in People Reports in March and September each year.	

Completed action points

Mtg. Date	Item No.	Action point	Owner	Date required	Action progress	Status
20 November 2019	11.2	To carry out the Board's recommendations, to draft a Stakeholder Engagement Strategy for discussion at a Board workshop in Q4 2019/20; and to take forward the full public perception audit of the AR Programme.	CB	25 March 2020	Complete.	

21 May 2021	5.6	Provide Moi Ali with more details regarding the process and software used to monitor and engage with Facebook discussions.	CB	15 July 2020	Completed	
21 May 2020	5.9	Send Chair the Authority's comments to DHSC on draft proposals and policy instructions to streamline international registration processes.	CB	ASAP	Complete.	