

Board Committee Annual Review



Name of Committee: Scrutiny Committee

Chair of Committee: Marcus Longley

1. Terms of reference

1.1 The Committee's role is to review, monitor and report on the operation of the PSA's work in scrutinising the work of the 10 health and care regulatory bodies, the processes for approving appointments to those bodies, and the Accredited Registers programme. The Committee oversees the work of the Regulation and Accreditation Directorate, which was created in April 2023 by bringing the Accredited Registers programme into the directorate responsible for oversight of the regulators.

2. Committee Membership

2.1 As well as the Chair, the Committee membership, since January 2023, includes Moi Ali and Juliet Oliver. The Committee's agenda is wide and the three Committee members bring an appropriate range of experience and expertise to the task.

2.2 The Committee is attended by the following members of the executive:

- Alan Clamp (CEO)
- Graham Mockler (Director of Regulation and Accreditation and lead executive for the Committee)
- Akua Dwomoh-Bonsu (Head of Performance Review)
- Melanie Venables (Head of Accreditation)
- Simon Wiklund (Head of Section 29)
- David Martin (Concerns and Appointments Officer)
- Melanie Hueser (Secretariat)

2.3 Other members of the Regulation and Accreditation Directorate also attend meetings.

3. Meetings

3.1 The Committee meets four times per year. Meetings last two hours and are usually held remotely.

- 3.2 Prior to 2022/23 the Committee met three times a year. At this point, it was identified that three meetings may not be sufficient for the Committee to carry out its scrutiny appropriately. The Committee discussed the frequency and scheduling of meetings this year and agreed to maintain four meetings in 2024/25, but to keep this under review.
- 3.3 The Director of Regulation and Accreditation is the lead executive. The Director and Chair meet approximately one month ahead of each meeting to discuss and agree the agenda. Papers are shared with the Committee one week ahead of the meeting and cover all the key issues.

4. Providing assurance to the Board

- 4.1 In addition to regular updates on the work of each team within the Directorate, the Committee focuses in detail on one or more areas at each meeting. This year, the areas reviewed by the Committee included:
- Timeliness of the fitness to practise processes of the regulators.
 - The introduction of the new performance review approach to assessing Standard 3 on equality, diversity and inclusion.
 - The evaluation of the first year of the new approach to performance review.
 - The introduction of a new approach to the quality assurance framework in Section 29. This has fed into the section 29 review.
 - Detailed consideration of what success might look like in section 29. This has also fed into the section 29 review.
 - The cost management approach applied in section 29.
 - Appointments and concerns processes, and how these interact with performance review.
 - The work undertaken in appointments processes in relation to equality, diversity and inclusion.
 - Work in relation to the issue of VAT exemptions for practitioners on Accredited Registers.
- 4.2 The Board receives a regular update on the Committee's work through a report at each public meeting following a Committee meeting.

5. Recommendation on Scheme of Delegation

- 5.1 At its February 2024 meeting, the Committee reviewed the requirement within the Scheme of Delegation for a Board member to sit on section 29 panels. The Board is asked to approve an amendment to the Scheme of Delegation, as outlined at appendix A

6. Conclusion on Committee Effectiveness

- 6.1 The Committee is working effectively. All Committee members and attendees fully participate in Committee discussions. The Committee challenges the executive on its work and this year has identified actions in relation to multiple

areas to obtain further assurance. This assurance has been provided on each occasion.

- 6.2 Minor changes to the Terms of Reference have been identified to reflect the changes in organisational structure that brought the work of the Committee under the Regulation and Accreditation Directorate.

7. **Appendix A: Recommendation for change to the Scheme of Delegation**

- 7.1 Currently, a Board member is required to sit on all section 29 panels. This is outlined both within the Scheme of Delegation and the section 29 Process and Guidelines document. The Scheme of Delegation states:
- 7.2 'The Board retain strategic accountability and responsibility for the Authority, and in particular: Representation at s29 discussions'.
- 7.3 While the wording is non-specific, it has been interpreted as section 29 case meetings. At its February 2024 meeting, the Committee reviewed a proposal from the executive to remove 'Representation at s29 discussions' from the items that the Board retains strategic accountability for within the Scheme of Delegation. The Committee noted that retaining Board representation on panels limits the ability to arrange panels and risks placing a large additional burden on Board members.
- 7.4 The Committee was particularly concerned that by having a requirement to sit on panels, Board members were involved in an operational process, which could potentially compromise the independence of the Scrutiny Committee's oversight.
- 7.5 The Committee was mindful that any loss of in-depth knowledge of processes that might occur through no longer sitting on section 29 panels was addressed through additional oversight measures for the Committee. The executive committed to ensuring the Committee continues to have sufficient oversight of section 29 decision-making.
- 7.6 The Board is asked to approve the removal of the requirement for Board member participation on section 29 decision-making panels from the Scheme of Delegation.