

Board meeting

Minutes of meeting

17 September 2015



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Present

Jill Pitkeathley (Chair)
Harry Cayton (CE)
Renata Drinkwater
Ian Hamer
Andrew Hind
Antony Townsend
Jayne Scott
Stuart MacDonell

In Attendance

Linda Allan
Christine Braithwaite
Rosalyn Hayles
Douglas Bilton
Philip Hallam (items 11 and 17)
Dinah Godfree (item 12)
Majida Serroukh (secretariat)

Observers

There were no observers at the meeting

1. Welcome and Introductions & Declarations of Interest

1.1 The chair welcomed everyone to the meeting.

2. Apologies

2.1 There were no apologies for the meeting.

2.2 The Chief Executive confirmed that as of November 2015, he would be appointed Chair of the Comic Relief Grants Committee.

3. Minutes of meeting held on 17 September 2015

3.1 The minutes were approved as an accurate record of the meeting.

4. Matters arising from meeting held on 17 September 2015

4.1 There were no matters arising not otherwise on the agenda.

5. Chair's report

5.1 The Chair and Chief Executive met with Ministers, Ben Gummer MP and Lord Prior on 16 September 2015. It was a very productive meeting and the Ministers were expressed interest with the recent Authority policy paper, 'Rethinking Regulation'.

6. Chief Executive's report

- 6.1 The Chief Executive confirmed that the summer period had been a very busy time for staff; work on fees and budgets, and recruitment for key posts have been worked on by the Governance and Operations team.
- 6.2 In the Standards and Policy team, there has been work on Rethinking Regulation and the revision of Right-touch regulation, as well as responding to consultations.
- 6.3 In the Scrutiny and Quality team, work has continued on the revision of the performance review and the GDC report.

Legislative reforms

- 6.4 Para 3.1 – we are currently in discussions with the Department of Health (DH) and the Department for Business Innovation and Skills (BIS) about whether we should be covered by the BIS Business Impact Target. We still have no update on this.

Section 29

- 6.5 Our Counsel has advised that we should pursue our appeal in the Doree case. This matter will be listed for hearing in February 2016 (permission only). The Board confirmed that they were happy for the Executive to continue on these grounds.

International activity

- 6.6 The Authority has been commissioned to carry out two pieces of international work.
- 6.7 The first is a performance review commissioned by the College of Registered Nurses of British Columbia (CRNBC). This is going well and feedback from CRNBC about our staff team has been very positive.
- 6.8 The second is a competitive tender we won, which was issued by the Ministry of Health and Long-Term Care in Ontario, Canada to carry out a gap analysis the personal Support Worker Registry. The project starts in September 2015 and the final report is expected by 8 January 2016.

Governance and Operations

There has been a lot of interest in the Assistant Director roles in the Scrutiny and Quality team, and applications have been of a very high calibre. Interviews will be taking place next week. The Chief Executive thanked Antony Townsend for his assistance with shortlisting and interviews.

7. Finance Report

- 7.1 We are in a positive position regarding our finances.
- 7.2 We have a net underspend as the timetable for staff recruitment has slipped.
- 7.3 There have also been fewer s29 cases than we had originally been told to expect by some of the regulators.

- 7.4 It was confirmed by the Director of Governance and Operations that the fee proposal submitted to the Privy Council was less than the figure proposed in the consultation.
- 7.5 A question was asked as to whether the Authority could update the year to date budget figures to take account of the changed overall budget. The Director of Governance and Operations agreed she would discuss this with our Accountant.

Action: LA

8. Audit and Risk Committee update

Unconfirmed minutes of Audit and Risk Committee meeting on 3 June 2015

- 8.1 The Chair of the Audit and Risk Committee wanted to draw the Boards attention to Para 6.1 – there has been some disappointment with our internal auditors and the delivery of the work the Committee has expected, in particular the final Audit Plan for 2015/16, which we expected to be brought to the September meeting but was not provided. The Chair of the Audit and Risk Committee and the Director of Governance and Operations will be looking to meet with the Senior Partner responsible for our relationship to discuss the matter.
- 8.2 Grant Thornton have also been asked about the prospect of carry out work in relation to the performance review changes, outside if the audit plan.
- 8.3 The Committee have also had some ideas for mitigating risks related to cash flow. This was covered in further detail under item 9.
- 8.4 The minutes were noted by the Board.

9. Timetable for Consultation on Fees for 2016/17

Fees for 2015/16

- 9.1 Before looking at the fees for 2016/17, the Chief Executive and Chair wanted to provide the Board with an update regarding the fee setting for 2015/16. We are yet to receive a determination from the Privy Council (PC) regarding our fees/budget for 2015/16.
- 9.2 We sent our original submission to PC on 31 July. On 10 August we were asked by PC to provide answers to further questions they had raised. On 24 August we responded to PC's further questions, however we have yet to receive a response since this letter.
- 9.3 We believe the PC will go ahead with the budget amount we have proposed. All going well we then expect to issue invoices in October 2015 to receive money by mid-November 2015.

Fees for 2016/17

- 9.4 The timetable needs to facilitate the Authority being in receipt of funds from regulators by 1 April 2016. This means that all other steps need to have been completed and the Privy Council have to have determined the fees by 1 March 2016.

9.5 The timetable will be very tight as it is. In today's planning session the Board needs to agree the work programme with the Executive team for the year. Currently we plan to sign off the business plan and associated a budget for 2016/17 in the November Board meeting. The Board discussed whether given the already tight timeline, this could be agreed outside of the meeting in October. This was agreed by the Board.

Action: All

9.6 It was noted that the budget and timeline will be based on a lot of uncertainties, which are outlined in section three of the paper submitted to the Board.

9.7 The Board considered options of escalating concerns about timelines for the fee regulations with the DH.

9.8 We may also have to consider mitigating any financial risk or slippage of the timeline affecting our budget:

- The Chair of the Audit and Risk Committee notified the Board that the Director of Governance and Operations had been asked to hold discussions with banks to explore whether any would provide the Authority with a credit facility, and if so what conditions/security would be needed and what would the cost be.
- We will need consider the implications of any delays in receiving the fee income when formulating the Authority's policy on reserves.

10. Accredited Registers Update

10.1 A short film for the website has been produced to promote the Accredited Registers programme. This will be shared with the Board in due course.

10.2 We have had fewer applications for accreditation then we were expecting.

10.3 All current registers have reapplied, this is a positive sign that the current registers see the accreditation programme as valuable.

10.4 Communications are being brought in-house to save on costs.

10.5 We are meeting with Accredited Registers to look at whether we can streamline the process to make it less onerous on the ARs and our own staff team.

11. Revision of the Performance Review

11.1 The Board were presented with a paper which updated them on progress to date with the performance review consultation. We had a total of 14 responses, including all of the nine regulators.

11.2 A summary paper of all of the responses was presented to the Board.

11.3 The Board recognized that there was no clear consensus on some matters in the responses from the regulators and in light of this would have to reach a decision on the way forward in the private session of the meeting.

11.4 The Board wanted to put on record their thanks to Philip Hallam for all his hard work.

12. Right-touch regulation revisited

- 12.1 The revised version of Right-touch regulation (RTR) is the product of a review that has involved a call of views, research with patients and service users, a seminar on risk and applications of RTR, a review of the literature on risk and the development of case studies. We intend to publish information about all of these elements alongside the revised version of RTR.
- 12.2 In general, there has been broad support for RTR, and there have not been many significant changes to the substance.
- 12.3 The Board welcomed the new paper and approved it for publication with some small revisions for clarity.

Action: Policy team

13. Any other business

- 13.1 There was no other business to report.

14. Questions from members of the public

- 14.1 As there were no observers for the meeting, there were no questions from members of the public.

15. Private session of Board

- 15.1 The Board went into private session.

Signed by Chair..... Date.....