

Board meeting

Minutes of meeting

20 May 2015



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Present

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

In Attendance

Linda Allan
Christine Braithwaite
Rosalyn Hayles
Majida Serroukh (secretariat)

Observers

Saeed Walji, Senior Policy Analyst, College of Early Childhood Educators, Ontario
Darren Wheatley, Head of Services Delivery, NMC
Frances Naylor, Service Quality Manager, NMC
Roger Goss, Patient Concern
Teena Chowdhury, Scrutiny Manager
Ryan Davison, Operations Support Officer
David Clarke, Policy Officer, Scottish Government (by phone)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The chair welcomed everyone to the meeting.
- 1.2 Jayne Scott confirmed that she had been appointed a Board member of the Private Healthcare Information Network.

2. Apologies

- 2.1 There were no apologies from members of the Board.

3. Minutes of meeting held on 18 March 2015

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

4. Matters arising from meeting held on 18 March 2015

- 4.1 Para 8.1 – The date for the Accredited Registers event has changed and will be on Wednesday 1 July, this will now be a roundtable event.
- 4.2 Para 11.2 – It was confirmed that the Board Planning Day will be held at Cumberland Lodge on 17/18 September 2015.

5. Chair's report

- 5.1 The chair has almost completed appraisals with Board members. One of the key themes that has emerged in all of the Board appraisals is the great appreciation to all Authority staff in what has been a difficult time. The quality of work has continued to be exceptional during a time of increased workloads. The Board wanted to put on record their thanks to staff.
- 5.2 Ben Gummer MP has been announced as Parliamentary Under-Secretary of State for Care Quality and will hold the brief for health professional regulation. We will be writing to the Minister to ask for a meeting with the Chair and Chief Executive.
- 5.3 Former Chair of the CQC, David Prior has been appointed as a new Health Minister in the House of Lords. Our Chair has already offered congratulations, but both our Chair and Chief Executive will be writing to him to offer congratulations.
- 5.4 The Chair and Chief Executive recently met with the Chair and Chief Executive of the Nursing and Midwifery Council (NMC), it was a very productive and useful meeting.

6. Chief Executive's report

Performance review

- 6.1 Final comments are being received from the regulators regarding their individual reports and the overview section of the performance review, this is discussed in more detail in the private session of the meeting.

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- 6.2 Para 2.4 – we have now received a decision regarding an appeal against a GMC case. The Authority was successful in its appeal and the Judge imposed a warning.

Future funding/fee arrangements

It was confirmed that the Department of Health (DH) will be liaising directly with the regulators regarding the statutory fee order. The consultation on the Authorities financial requirements for 2015/16 is continuing.

International activity

- 6.3 There has been a significant amount of international activity and interest in the Authority's work. The Chief Executive was invited to Australia to speak and run workshops in Brisbane and Melbourne. He met with the new Health Ombudsman in Queensland, the executive team of AHPRA, the chairs of national boards and the independent reviewer of the National Registration and Accreditation Scheme. He also did a webinar for Asia-Pacific World Health Organisation on right touch regulation, which had a higher sign up then of any of their previous webinars.
- 6.4 On 28 April 2015 Professor McPherson, Chair of the Taskforce on the Prevention of Sexual Abuse of Patients in Ontario met with members of staff at the Authority.

- 6.5 The Deputy Minister from Ontario visited the Authority and met with the Chief Executive and members of the Policy team. The minister was very interested in the UK model of health regulation and how it might help the Ontario government.
- 6.6 The Authority has received a formal commission from the College of Registered Nurses of British Columbia (CRNBC) to carry out a performance review on their behalf.
- 6.7 Harry has been invited by the College and Association of Registered Nurses of Alberta (CARNA) to speak and carry out workshops with regulators in Alberta on Right touch regulation.
- 6.8 A question was raised about the current pressures on staff regarding workloads and matters arising in relation to staff retention and whether some work could be prioritised over others. As most of the work carried out by the Authority is statutory and set to deadlines outside of the Authority's control, there is no flexibility with regards to when the work is carried out.

7. Audit and Risk Committee update

- 7.1 At the Audit and Risk Committee meeting on 6 May 2015, the Committee had a detailed discussion with Omer Tauqir from Grant Thornton regarding the internal audits they had carried out for the Authority.
- 7.2 Grant Thornton carried out reviews for the Authority on Accredited Registers, Commercial Income, Business Development and IT resilience.
- 7.3 The Chair of the Audit and Risk Committee drew the Boards attention to two areas referred to in the minutes:
 - Para 6.15 of the minutes – it was felt that Grant Thornton had not properly documented the IT work that had been completed. They have been asked to complete a review and send this to the Authority.
 - Para 6.16 – the Committee expressed a concern about the negative assurance in the Internal Audit Opinion as it was felt it was an unusual form of wording and asked Omer Tauqir to consider rephrasing and to offer alternative wording.
- 7.4 It was confirmed that we are still awaiting a response from HMRC concerning the Authority's position regarding corporation tax.
- 7.5 The Chair on behalf of the Audit and Risk Committee, thanked the Director of Governance and Operations and the team for completing all the work to such a high standard and within the timetable.

8. Review of Risk Register

- 8.1 The main changes to the Risk Register since they were last put before the Board were outlined in the coversheet and talked through in the meeting. The Board considered and noted the changes.
- 8.2 In addition, the Board agreed an additional mitigation should be added to the risk pertaining to public perception regarding concerns raised to the Authority about regulators. It was agreed that as soon as the new Health Select

Committee is formed the Authority should make contact. This is picked up in the Assurance Framework but it was agreed that this should also be captured on the risk register.

9. Review of Assurance Framework

9.1 The Director of Governance and Operations presented the Assurance Framework to the Board which she confirmed had been reviewed by the Audit and Risk Committee at their meeting on the 6 May 2015.

9.2 The document details the objectives of the Authority set out in relation to the main risks that the Authority has been facing. These are grouped into the following categories:

- Governance
- Finance
- Delivery
- Reputation
- Information and Knowledge

9.3 The Board was asked to consider two suggested proposals for improvement actions suggested by the Audit and Risk Committee:

- It was suggested that as part of the internal audit we have an informal look at the workings of the new fee regulations at the end of the year to report on progress. This was discussed by the Board and it was agreed that it would be discussed with Grant Thornton to explore this as a possibility for a future audit.
- The Audit and Risk Committee suggested that the Board should identify further opportunities for Board members to interact with the Regulatory Bodies, Accredited Registers and other key stakeholders. It was agreed that an informal approach works better and we would consider this further.

9.4 A question was raised regarding consistency in relation to the categories of assurance level. It was agreed that if the assurance level was deemed medium or low, this should be accompanied by an improvement point.

9.5 With this in mind and after considering the categorisation, it was agreed that the overall assurance level for governance should be changed from medium to high.

9.6 The Board agreed that the Assurance Framework document was a very useful tool and reviewing it periodically was a valuable exercise and demonstrated best practice.

10. Update on Accredited Registers

10.1 Invitations to key stakeholders have been sent for the Accreditation Roundtable taking place on 1 July 2015. The event will take place at the Royal Institute of British Architects. Jeremy Taylor, National Voices, will be giving the keynote speech at the event.

- 10.2 The consultation for the Accreditation of Education Standard 9 is now live (both in English and Welsh). The closing date is 30 June 2015.
- 10.3 Work on reviewing Accredited Registers processes to identify areas for improvement will commence in the summer. We continue to receive renewals (as outlined in Annex A). All the registers reaching their one year renewal period have re-applied, this is a positive sign of the success of the programme so far, and demonstrates the value the registers place on their accreditation status.

11. Revision of the performance review

- 11.1 The performance review consultation has been launched and the closing date is 27 July 2015, this is available both in English and Welsh.
- 11.2 Planning has now also begun for staff training going forward.

12. Any other business

- 12.1 The minutes of the Scrutiny Committee were put before the Board for information. The Board noted the minutes of the meeting.

13. Questions from members of the public

- 13.1 A question was raised regarding the use of the term right-tight regulation and the perception that it is sometimes misquoted as light-touch regulation, and how this would be approached by the Authority. The Chief Executive pointed out that Right-touch Regulation referred to using the appropriate response to manage risk in order to achieve a desired outcome. The Chief Executive offered to provide a definition.

14. Private session of Board

- 14.1 The Board resolved to exclude the public and went into private session.
- 14.2 The Board agreed that Teena Chowdhury would be invited to join for item 18b on the agenda of the private session.

Approved by the Board on 22 July 2015.