

# Board meeting

Minutes of meeting

14 September 2016

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## Minutes of Board meeting, 14 September 2016

### Present

George Jenkins (Chair)  
Harry Cayton (CE)  
Renata Drinkwater  
Ian Hamer  
Andrew Hind  
Antony Townsend  
Stuart MacDonnell

### In Attendance

John McDermott  
Mark Stobbs  
Elizabeth Taheri  
Douglas Bilton  
Teena Chowdhury  
Graham Mockler (item 11)  
Marija Hume  
Majida Serroukh (secretariat)

### Apologies

Jayne Scott  
Christine Braithwaite

### Observers

Elaine Buckley (Chair, HCPC)  
Mike Andrews (NMC)

## 1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone to the meeting.
- 1.2 The Chair welcomed John McDermott as the new Director of Governance and Operations at the Authority, and put on record his thanks to Linda Allan for all her work at the Authority.

## 2. Apologies

- 2.1 There were apologies from Jayne Scott and Christine Braithwaite.

## 3. Minutes of meeting held on 20 July 2016

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

## 4. Matters arising from meeting held on 20 July 2016

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

## 5. Chair's report

- 5.1 The Chair thanked Board members who had agreed to assist by being on the panel for the new Board member appointments. The dates for shortlisting and interviews have now been confirmed.
- 5.2 The Chair continues to meet with the Chairs of the regulators to build on good working relationships.

- 5.3 The Chair will be visiting the Nursing and Midwifery Council offices in November 2016.
- 5.4 The Chair had recently returned from Stormont where he attended an event being hosted by the Northern Irish Health Minister. The Chair also met with colleagues from various health and social care backgrounds, and also visited PSNI.

## **6. Executive report**

### **Section 29 and Section 40**

- 6.1 It has been a very busy summer and the team continues to deal with a high number of cases.
- 6.2 The team have also been considering MPTS decisions which the GMC is appealing to decide whether to join the appeal as a party, pursuant to section 40B.
- 6.3 A paper will be going to the Scrutiny Committee on the test for deciding whether to hold a section 29 case meeting in October 2016.

### **Communications**

- 6.4 The Welsh Government is consulting on the Welsh Language Standards. A member of the Board confirmed that part of the proposals is to require health practitioners to provide Welsh facilities at service user level. We will write to explain that we are not a body that has direct contact with patients or service users.
- 6.5 The Chief Executive notified the Board that the Scheme of Delegations had been extended to include Assistant Directors in the absence of Directors.

## **7. Finance Report**

- 7.1 We have not yet received the subvention for the Accredited Registers programme from the Department of Health (DH).
- 7.2 We currently have a small overspend; the main driver is section 29 legal costs. The number of case meetings continues to be high but the Director of Scrutiny and Quality and the team have been considering ways to control costs and will be presenting a paper to the Scrutiny Committee for consideration.
- 7.3 The Board will receive an update on the subvention and the proposals for managing section 29 costs at its meeting in November 2016.

## **8. Audit and Risk Committee update**

### **Internal Audit**

- 8.1 The Audit and Risk Committee met on 7 September 2016. Due to the tight turnaround the minutes of the meeting were not circulated to the Board. It was agreed the Executive Assistant would circulate the minutes after the Board meeting.

### **Action: MS**

- 8.2 Grant Thornton presented its first report for the financial year, this focused on core financial controls. The conclusion has been reached that the Authority is functioning in a stable and controlled financial environment.
- 8.3 A challenge facing any small organisation is the segregation of duties and this is identified in the report. The Authority is successfully and robustly responding to this risk and managing to segregate duties and workstreams.

### **Accredited Registers programme**

- 8.4 There was a detailed discussion at the Audit and Risk Committee meeting regarding the financial position of the Accredited Registers programme.
- 8.5 The Authority and DH have always intended the Accredited Registers programme to become self-funding in time but that until this time the DH would cover the gap in funding. The DH have agreed a subvention for 2016/17, which is less than needed. This money has not yet been paid.
- 8.6 The Authority continues to work with colleagues at DH to discuss the best way moving forwards with the programme.

### **Data incidents**

- 8.7 Two data incidents had been reported to the Audit & Risk Committee chair. He had agreed that they were not serious.
- 8.8 The Committee noted the incidents and all agreed that the errors did not have serious implications and were not typical behaviour. The Committee felt that the action taken by Authority staff to rectify the situation was proportionate and demonstrates how seriously the Authority takes all such incidents.

### **Risk Register**

- 8.9 The Audit and Risk Committee had asked the executive to review the inherent risks and how the mitigation impacts on the residual risk. The Directors had undertaken this task and had fully reviewed the register. This was put to the Committee for consideration and noting.
- 8.10 A few of risks have come off the register as they have been green for longer than two quarters and we do not envisage them coming back onto the register. The Chair and Committee thanked the executive for thoroughly amending the risk register to reflect current and live risks.

## **9. Proposals for the revision of the Standards of Good Regulation**

- 9.1 A paper was presented to the Board laying out proposals for the revision of the Standards of Good Regulation.
- 9.2 The paper presented two main questions; first, whether or not work should begin to review and revise the Standards of Good Regulation (the Standards). Second, whether the review should be limited to simple changes only or whether it should involve a much broader scope for the development of the Standards.
- 9.3 All nine regulators have been consistently meeting some Standards for several years. This may suggest that the Standards in their current form have driven

improvements in some areas but are now no longer targeted at the areas of greatest risk. Some standards (for example about making information available) now look quite basic.

- 9.4 The performance review process has also changed. The Standards and the associated Evidence Framework and Casework Framework, in their current form, were drafted with a self-assessment approach in mind. A review of the Standards should enable us to enhance the effectiveness of the performance review process by concentrating on the significant issues.
- 9.5 In addition, the landscape in respect of regulation had changed: there had been significant developments since the Standards were introduced and concepts such as Outcomes Focused Regulation and Principles-based regulation were now relevant and could inform new standards and make the system more flexible. This pointed to a wider review.
- 9.6 The Board agreed that work should begin to review the Standards, but that before work begins a scoping document should be presented to the Scrutiny Committee for consideration to determine the scope of the work to be undertaken.

**Action: TC**

## **10. Performance Review update**

- 10.1 The GPhC performance review was published on 13 September 2016, and it was determined that all of the standards are met.
- 10.2 Generally it is felt that the process is working well and is a much more engaged process which allows particular areas to be focused on and therefore feels much more proportionate.

## **11. Accredited Registers update**

- 11.1 The Board received the update paper.
- 11.2 The programme is developing additional promotional materials including leaflets and videos.
- 11.3 Staff will be attending the Royal College of General Practitioners (RCGP) Conference in Harrogate on 5-7 October as part of our communications strategy to increase the understanding of the programme among GPs. Suspension and Appeal
- 11.4 On 4 August 2016, we suspended Treatments You Can Trust (TYCT), following its accreditation on 29 July 2016. TYCT had previously reassured the Authority that identified inaccuracies had been rectified. The Accreditation team investigated and verified these concerns, and an Accreditation Panel imposed suspension due to the number of inaccuracies and the previous reassurance provided by TYCT.
- 11.5 An Appeal was received and considered by an appeal panel in line with the Accredited Register appeal procedure as contained within the Accreditation Guide. The Appeal Panel dismissed the appeal at its meeting on 17 August 2016.

- 11.6 Separate to the Appeal, TYCT met the conditions of its suspension, which were to take action to ensure its register is accurate and provide a report on how the inaccuracies occurred, including reassurance that this will not reoccur. TYCT's suspension was lifted on 19 August 2016 with an additional two-part condition to maintain the accuracy of its register.
- 11.7 We have received an application from the Healthcare and Assistive Technology Society which the team is now reviewing.
- 11.8 We are currently assessing one application for initial accreditation; The UK Board of Healthcare Chaplaincy.
- 11.9 Accredited registers due for renewal continue to apply on time.

## **12. Any other business**

- 12.1 There was no other business to report.

## **13. Questions from members of the public**

- 13.1 The Chair of the HCPC welcomed the work around publicising the Accredited Registers programme, but felt it is important for the Authority to be clear about the benefits and the limitations of the ARs, and welcomes a collaborative working with the Authority.
- 13.2 A query was raised regarding the amount the Authority would be seeking from regulators in its fee consultation for 2017/18. It was confirmed that the fee consultation would be issued shortly but it was expected that the requirement would be similar to this year.

## **14. Private session of Board**

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

**Approved by the Board at its meeting on 16 November 2016.**