

Board meeting
Public minutes of the meeting
14 September 2022



Approved Minutes of the Board meeting, 14 September 2022

Present

Caroline Corby (Chair)
Alan Clamp (Chief Executive)
Renata Drinkwater (RD)
Frances Done (FD)
Moi Ali (MA)
Antony Townsend (AT)
Marcus Longley (ML)
Tom Frawley (TF)
Amrat Khorana (AK)

In Attendance

Christine Braithwaite
Mark Stobbs
Jane Carey
Graham Mockler
Douglas Bilton
Suzanne Dodds
Natasha Batki
Dan Scott
Melanie Venables
Daisy Blench
Rebecca Moore
Steve Wright
Louise Appleby
Melanie Hueser (Secretariat)

Observers

See below

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone to the Board meeting which included members of staff and external observers: Anisa Chowdhury (GMC), Silvia Dominici (NMC), Aveen Croash (HCPC), Anna Raftery (HCPC), Nasia Nicou-Panayiotou (HCPC), and Janet Collins (GPhC).
- 1.2 As the meeting took place during the national mourning period a minutes' silence was observed at the start.

2. Apologies

- 2.1 There were no apologies.

3. Minutes of meeting held on 20 July 2022

- 3.1 The minutes of the last Board meeting held on 20 July 2022 were accepted as a true and correct record and approved.

4. Actions and Matters Arising from the meeting on 20 July 2022

- 4.1 All actions were complete or not yet due.

5. Chair's report

- 5.1 The Chair gave a verbal update. The 'Safer Care for All' Parliamentary launch took place on 6 September. The event was a success and well attended. Feedback on the report had been very positive so far. The Chair thanked the team for the work on the report and event. Due to the national mourning period the dissemination of the report to stakeholders was halted and will resume after that period ends.
- 5.2 For the recruitment of the two new Board members 70 applications had been received. The shortlisting will take place soon, with interviews scheduled for early October. Efforts were made to advertise widely and attract diverse candidates. An analysis will be undertaken after the recruitment concludes.
- 5.3 The Chair, Chief Executive and Board member for Wales Marcus Longley met with Baroness Eluned Morgan, Welsh Minister for Health and Social Services, before the Board meeting. The meeting had been very positive. Information will be provided for the Minister to consider a letter of support for the Accredited Registers programme.
- 5.4 The Chair and Finance Committee had agreed that the Finance Committee will cease operating at the end of the 2022/23 business year. The Chair will send more information on how the work of the Finance Committee will be managed by the Board in 2023/24 and beyond.
- 5.5 The Chair will organise a meeting with the regulator Chairs to discuss how collectively the case for regulatory reform could best be made, how to move forward on some of the recommendations from the 'Safer Care for All' report and how to embed EDI better in all areas of work.
- 5.6 The Chair will write a letter to the new Minister for Health once the appointment has been confirmed.

6. Executive report

- 6.1 The Chief Executive introduced the paper. The online 'Safer Care for All' conference will take place on 9 November. Details will be shared soon. The Chief Investigator of the Healthcare Safety Investigation Branch and the CEO of the Parliamentary and Health Service Ombudsman will present at the conference on the topic of safer spaces. There had been some media coverage from trade journals on the Parliamentary report launch. An evaluation of the launch event and media coverage will take place.
- 6.2 The Board queried how the recommendations from the 'Safer Care for All' will be taken forward. It was confirmed that the team will now begin to plan the next phase, including project plans. The Board will be kept up to date on the proposed work and will be involved along the way.
Action: CB to bring a detailed plan for 'Safer Care for All' next steps to the November Board meeting.
- 6.3 A Board business planning meeting was in the diary for Thursday, 15 September and strategic planning for 2023-26 will begin in October.
- 6.4 The new office was now under offer, further updates will be shared at the November Board meeting.

- 6.5 Additional support for the Accredited Registers programme will be suggested at the Board business planning meeting.
- 6.6 The Board effectiveness review will take place over the next few months, with the report to come to the January Board meeting.
- 6.7 The Board discussed the hiring of an EDI Manager, emphasising that this work should be embedded internally over the longer term. It was confirmed that this would happen after the next 12-month appointment of a dedicated external EDI expert.
- 6.8 The Board commended the Accredited Registers team for their work on encouraging new applications and improving the buy-in from the NHS for the programme.
- 6.9 The Board commended the progress made on stakeholder engagement. It was confirmed that the Stakeholder Relationship Management system was still in the pipeline and is likely to be implemented when the Head of Stakeholder Engagement starts in post.
- 6.10 The Board welcomed the more detailed project dashboard as a useful addition to the report.
- 6.11 It was requested that the website usage had comparators from equivalent previous periods. This will be amended from the next report. The Board suggested a review of the accessibility and inclusivity of the Authority's social media activity. It was confirmed that the brand review currently underway would cover this.

Action: CB to amend the website usage for the Executive report from November.

- 6.12 It was confirmed that a meeting with the Welsh Language Commissioner was in the diary for October. The Board also queried whether work could be done on getting information on registrants who speak Welsh included on their registration. It was confirmed that this would be considered for Welsh and other native languages in the countries.

Action: CB and MS to consider work that could be done around including language proficiencies for registrants on the regulators' registers and similar work for the Accredited Registers.

7. Finance report

- 7.1 The Director of Corporate Services introduced the report. The deficit currently shown was being managed and plans were in place to reduce it significantly over the next few months.
- 7.2 The Board **noted** the report.

8. Scrutiny Committee report

- 8.1 The Chair of the Scrutiny Committee introduced the report. All substantive items were on the agenda for this Board meeting.
- 8.2 The Board **noted** the report.

9. Finance Committee report

- 9.1 The Chair of the Finance Committee gave a verbal update. The minutes of the last meeting will soon be circulated.
- 9.2 The budget, which will be discussed at the Board budget meeting on Thursday, 15 September was reviewed, with the largest new area of expenditure the 'Safer Care for All' report. Value for money was also discussed and will be included in the new budget plans.
- 9.3 The modelling for potential pay increases was discussed, with a view to review it by the end of the calendar year.
- 9.4 The Committee noted the progress that had been made on Committee-related EDI actions.
- 9.5 The office move had been delayed slightly. The expected cost for the new accommodation had been noted to have increased due to unforeseen VAT issues, but overall cost will still be significantly lower than the current office.
- 9.6 The Committee met with the pensions advisers. The pensions review was on track.
- 9.7 The Board **noted** the report.

10. Fitness to practice backlogs

- 10.1 The Director of Scrutiny and Quality introduced the paper, which covered the Fitness to practise (FtP) backlogs and the Section 29 caseload.
- 10.2 **FtP backlogs:** The smaller regulators were generally managing their caseloads well, while all of the bigger regulators now had unacceptably long timescales for their FtP work, combined with high backlogs. Even though the Authority had taken a more flexible approach in the light of the pandemic, none of the regulators with these concerns had been passed on the FtP standard since the start of the pandemic. Despite the regulators being aware of the issue and investing additional resources, the problems persisted. Their work was impeded by recruitment problems and the lingering impacts of the pandemic.
- 10.3 The Board was asked to decide whether to write to the Secretary of State with the ongoing backlog concerns, emphasising systemic problems as well as those faced by each regulator.
- 10.4 The Board agreed that the aim had to be to improve the regulators' performance beyond getting them back to acceptable pre-pandemic levels. It also considered that there was likely to be scope to increase our expectations as to an appropriate standard of performance.
- 10.5 The Board agreed that the Authority's role in this area was to raise standards overall and to make the case for a system-wide approach to tackling the issue. As well as the impacts on registrants, patients were seriously affected by delays.
- 10.6 The Board agreed that the Authority should be clear that (a) regulators needed to work urgently towards improving their performance; and (b) even timescales which may have been considered acceptable pre-pandemic were very long. The team should develop a clearer view of what a reasonable timeline for FtP case progression should look like.

- 10.7 The Board also agreed that the Secretary of State should be made aware of the concerns and, in particular, the matters which were outside the regulators' control and that the regulators themselves should be made aware of the Board's approach.

Action: MS to circulate suggested correspondence to the Secretary of State for the Board to review.

- 10.8 **Section 29 caseload:** Case numbers had been declining for the last four years and the Board had asked for a paper examining the reasons for this. The Board noted that the decline had been a result of (a) a reduction in case numbers at the NMC and (b) a decline in substantive hearings in 2020/21 followed by a similar decline in review hearings in 2021/2. The regulators' substantive case numbers were increasing, and it was likely that review hearings would follow. Therefore, it appeared likely that the number of cases in the s.29 process was likely to increase in the coming months.

11. EDI standards for Accredited Registers

- 11.1 Louise Appleby introduced the item. Since drafting the paper, the draft Standard on EDI had been shared with the Accredited Registers (ARs), who had been broadly supportive of the new Standard. There had been some concerns regarding additional costs of implementing the Standard, particularly given the potential impact on registrant numbers due to the recent cost of living increases.
- 11.2 The draft Standard had also been shared with the NHS England's EDI team, who were supportive. A public consultation was planned to start in October 2022.
- 11.3 It was confirmed that the AR team and the Performance Review team were collaborating to ensure the EDI standards for the ARs and for the regulators were in alignment.
- 11.4 The Board requested that the Welsh language standards be factored into the considerations.
- 11.5 The Board **approved** the consultation.

12. Any other business

- 12.1 There was no other business discussed.

13. Questions from Members of the Public

- 13.1 There were no questions from observers.
- 13.2 The Chair thanked the observers for their interest in the Authority.

14. Private session of the Board

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

Candice Cowby

Signed by Chair

Date 16/11/22

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Action Log

On track (including not started) Delayed (or medium risk of delay for projects) Overdue (or high risk of delay for projects) Complete

Mtg. Date	Item No.	Action point	Owner	Date required	Action progress	Status
20 July 2022	8.5	Add in-depth EDI action tracker discussion to November Board meeting agenda.	MS	16 November 2022	On agenda	
14 September 2022	6.2	Bring a detailed plan for 'Safer Care for All' next steps to the November Board meeting.	CB	16 November 2022	On agenda	
14 September 2022	6.11	Amend website usage data for the Executive report from November.	CB	16 November 2022	No comparable data for 2021/22 as different systems used; this will be available for 2023/24.	
14 September 2022	6.12	Consider work that could be done around including language proficiencies for registrants on the regulators' registers and similar work for the Accredited Registers.	CB/MS	16 November 2022	Complete – paper sent to Board on 1 November 2022	

14 September 2022	10.10	Circulate suggested correspondence to the Secretary of State for the Board to review.	MS	14 October 2022	Complete - postponed sending due to the appointment of the new SoS. Will be sent on 21 November 2022.	
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