

*To approve*

**Minutes of the Meeting on 31 March 2010<sup>1</sup>**

**Present**

Professor Peter Rubin, Chair

Professor Jane Dacre  
Ms Sally Hawkins  
Dr John Jenkins  
Archy Kirkwood  
Ms Ros Levenson  
Professor Malcolm Lewis  
Mr Robin MacLeod  
Professor Rajan Madhok  
Dr Johann Malawana  
Dr Joan Martin

Mrs Suzanne McCarthy  
Professor Jim McKillop  
Professor Trudie Roberts  
Mrs Ann Robinson  
Mrs Enid Rowlands  
Dr Mairi Scott  
Professor Iqbal Singh  
Professor Terence Stephenson  
Ms Anne Weyman  
Dr Hamish Wilson

Mr Niall Dickson  
Chief Executive and Registrar

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<sup>1</sup> These Minutes should be read in conjunction with the Council papers for this meeting, which are available on our website at <http://www.gmc-uk.org>

## **Chair's Business**

1. Apologies for absence were noted from Dr Sam Everington and Mr Stephen Whittle.
2. The Chair:
  - a. Congratulated Mrs Suzanne McCarthy on her appointment as a non executive director at the Human Tissue Authority.
  - b. Congratulated Archy Kirkwood on gaining an award in pension trusteeship from the Pensions Management Institute.
  - c. Advised that his programme of visits around the UK to meet with doctors continued, with recent meetings held in Hereford and Tunbridge Wells.

## **Minutes of the Meeting held on 16 February 2010**

3. Council approved the minutes of the meeting on 16 February 2010 as a true record.

## **Chief Executive's Report**

4. Council considered the Chief Executive's report, noting its new format which included:
  - a. A commentary on progress with work programmes since the Council meeting on 16 February 2010.
  - b. An exception report on progress against the 2010 Business Plan.
  - c. A summary of progress against each of the activities in the 2010 Business Plan, and including information on operational performance and volumes of activity for Registration and Fitness to Practise activity in January and February 2010, and the financial summary.
5. Council noted:
  - a. The launch on 1 March 2010 of the consultation on revalidation, and the positive feedback received on the consultation document thus far, including from those who attended launch events held in each of the four UK countries.

b. Continuing work to highlight the GMC's inability to language and competency test EEA doctors applying for registration, and ongoing discussions with the Department of Health (England) and the European Commission to bring about legislative change.

c. Progress made during the final stage of the project to achieve the merger of the Postgraduate Medical Education and Training Board with the GMC on 1 April 2010. The Chief Executive thanked the staff involved from both organisations on their efforts to ensure a successful transition.

d. The continuing high referral rates of cases into the fitness to practise procedures, and the impact that this was having on delivery of service targets. In addition to ensuring that sufficient resource was made available and action taken to deal with the increased level of activity, further work would be undertaken better to understand the changing pattern of referrals and to take forward planned improvements to how cases are managed.

e. The positive outcome of the audit undertaken by the Council for Healthcare Regulatory Excellence in relation to how the GMC manages cases within the investigation stage of its fitness to practise procedures (*Fitness to Practise Audit Report: Audit of Health Professional Regulatory Bodies' Initial Decisions*, published February 2010).

f. That, as part of continuing efforts to use resources efficiently and effectively, a revised expenses policy for Council members, GMC associates and staff had been implemented. The policy on air fares would be considered by the Resources Committee on 20 April 2010. During the discussion, it was noted that the guidance could not cover every eventuality and that reasonable discretion would be exercised in exceptional circumstances, within the spirit of the approved guidance and requirements, as required.

g. An amendment to paragraph 21 of the report to refer to the vice president rather than the president of the French medical regulatory body, who attended a fact finding visit at the GMC.

6. During the discussion, members noted publication of the Inquiry Report into care provided by Mid Staffordshire NHS Foundation Trust, and that action was underway to follow-up on specific issues for consideration by the GMC. A further inquiry was expected to consider the role of commissioning, regulatory and supervisory bodies. Account would be taken of any implications arising in relation to the PMETB surveys of trainee doctors and trainers and future development work. More generally, it was suggested that it might be helpful to consider extending the scope of the surveys to other groups of doctors when they were next reviewed.

7. The Chief Executive welcomed any further feedback from members in relation to the revised format of the report.

## **Outcome of Consultation on the Review of the Future Regulation of Medical Education and Training**

8. The Chair welcomed Lord Naren Patel, Chair of the Policy Review, to the meeting.
9. Council:
  - a. Received a report on the outcome of the consultation on the draft review report on the future regulation of medical education and training.
  - b. Received a report from Lord Patel on the final review report, and recommendations and options for the future regulation of medical education and training.
  - c. Noted that further consideration would be given to how to take forward the recommendations in the report and developing the forward work programme. This would be undertaken in the light of the outcome of other reviews currently underway, including the reviews of the Foundation Programme in England and Scotland and the Review of the European Working Time Directive on the Quality of Postgraduate Training.
10. During the discussion, members recognised the important role that the GMC would have in leading the debate on the future regulation of education and training, including jointly working with those responsible for systems delivery to ensure a healthcare system that enhances the quality of patient care.
11. The Chair thanked Lord Patel and members of the review group for their work.

### **Joint Co-ordination Group: Final Report**

12. Council received a final report from the Joint Co-ordination Group on progress towards achieving the merger of PMETB with the GMC on 1 April 2010.
13. Council:
  - a. Noted continuing good progress on the final preparations necessary to achieve the merger, including on the funding arrangements, legislative process, and on integration activities including accommodation, finance, human resources, and other areas of joint work.
  - b. Endorsed the assurance provided by the Joint Co-ordination Group that the project to merge PMETB with the GMC is on track.

- c. Noted that detailed planning of the post-merger benefit realisation phase of the project is in progress, and that the Postgraduate Board would receive regular reports and in turn report to Council on this work.

### **Responsibilities and Delegations to the Postgraduate Board and Registrar following the Merger of PMETB with the GMC**

14. Council considered proposed delegations to the Postgraduate Board and to the Registrar, in consequence of the functions relating to postgraduate medical education and training that will be assigned to the General Council following the merger of PMETB with the GMC.

15. Council:

- a. Agreed to delegate to the Postgraduate Board the powers under sections 34H, 34I, 34K(2), 34M, and 34N(4) of the Medical Act 1983 as amended.
- b. Agreed to the further delegation of the powers under sections 34I(1), (2), (3), 34K(2) and 34M of the Medical Act 1983 as amended to the Registrar.
- c. Agreed that regulatory functions for foundation year two will be carried out by the Postgraduate Board.
- d. Agreed that the Governance Handbook will be amended to reflect the proposed delegations and responsibilities of the Registrar and Postgraduate Board after they take effect on 1 April 2010.

### **Arrangements for Approving PMETB's Annual Report and Accounts 2009/10**

16. Council considered the proposed arrangements for approving PMETB's annual report and accounts for the year ended 31 March 2010.

17. Council:

- a. Noted that *the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010*, which abolishes PMETB, requires the GMC as the successor body to prepare the Board's annual report and accounts for the year ended 31 March 2010.
- b. Noted that arrangements had been made for due consideration of PMETB's annual report and accounts for the year ended 31 March 2010 by the Resources Committee on 24 May 2010 and by the Audit and Risk Committee on 14 June 2010.

- c. Noted that the annual report and accounts for the year ended 31 March 2010 will have to be laid before Parliament on a date to be confirmed in early July 2010, and before the Council meeting on 13 July 2010.
- d. Authorised the Chair to sign, on behalf of Council, PMETB's annual report and accounts for the year ended 31 March 2010, and the Letter of Representation, subject to satisfactory completion of the external audits and due process.
- e. Noted that the outcome would be reported to Council on 13 July 2010.

### **Merger of PMETB with the GMC: Transfer of Assets and Liabilities**

18. Council received a report on the arrangements for the formal transfer of assets and liabilities from PMETB to the GMC required by the Section 60 Order which will merge PMETB with the GMC.

19. Council noted:

- a. The circulation to Council members on 1 March 2010 of the draft Postgraduate Medical Education and Training Board (Transfer of Property, Rights and Liabilities) Order of Council 2010 and supporting Schedule.
- b. That the Chair authorised agreement on behalf of Council to the proposed content of the draft Postgraduate Medical Education and Training Board (Transfer of Property, Rights and Liabilities) Order of Council 2010 and supporting Schedule, and noted that minor amendments of a technical nature had been incorporated as set out in the updated version tabled.
- c. That the Postgraduate Medical Education and Training Board (Transfer of Property, Rights and Liabilities) Order of Council 2010 will come into force on 1 April 2010.

### **Revalidation: Progress Report**

20. Council considered a report on the ongoing revalidation work programme, including progress on each of the 12 work streams.

21. Council:

- a. Noted the launch of the consultation on *Revalidation: The Way Ahead* on 1 March 2010, and early indications of a good response rate.

b. Noted the work of the UK Revalidation Programme Board, including an update on the issues considered at its meeting on 24 February 2010, including statements from all four Delivery Boards that they continued to be on track to achieve the state of readiness necessary for the implementation of revalidation.

c. Received an update on progress on projects and piloting underway in all four parts of the UK to prepare for the implementation of revalidation.

d. Noted that the legislation required for the introduction of Responsible Officers in England had been delayed and was expected to be laid before Parliament in June 2010, but that this was not seen as having any impact on timelines for having Responsible Officers in place later in 2010.

e. Noted that further work would be undertaken post consultation on developing the implementation plan.

22. It was agreed that information on risk management in relation to the revalidation work programme would be considered in informal session later in 2010.

#### **Disclosure of Warnings after Five Years and Interim Orders where there is no Substantive Fitness to Practise Finding**

23. Council agreed to defer consideration of this item to its meeting on 20 May 2010.

#### **Any Other Business**

24. Council noted the date of the next meeting on 20 May 2010.