

Minutes of the Meeting on 17 February 2011¹

Present

Professor Sir Peter Rubin, Chair

Professor Jane Dacre
Dr Sue Davison
Dr Sam Everington
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
Mr Stephen Whittle
Dr Hamish Wilson

Mr Niall Dickson
Chief Executive and Registrar

¹ 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 Ms Anne Weyman.
2. The Chair:
 - a. Congratulated Professor Jim McKillop on being awarded an honorary doctorate by the University of Orebro, Sweden.
 - b. Congratulated Dr Mairi Scott on her appointment as Reader at the School of Medicine, University of Dundee.
 - c. Congratulated Dr Hamish Wilson on his appointment as a Lay Member of the Scottish Dental Practice Board for three years from 1 April 2011.
 - d. Advised that his programme of visits around the UK to meet with doctors continued, and that members were welcome to join them.

Minutes of the Meeting on 8 December 2010

3. Council:
 - a. Noted that the draft minutes circulated to members in advance of the meeting had been updated to incorporate suggested amendments to paragraphs 8h, 16b, 37e and 37h.
 - b. Approved the minutes of the meeting on 8 December 2010 as a true record.

Chief Executive's Report and Review of 2010

4. Council considered the Chief Executive's review of 2010, setting out the main achievements and outcomes for the year, mapped against the key strategic aims in the 2010 Business Plan; and an outline of key organisational priorities for 2011.
5. Council noted:
 - a. Progress made during 2010 in taking forward plans to introduce revalidation, with the Statement of Intent published in October 2010 signalling a move into the implementation phase.

b. Ongoing work to reform the GMC's fitness to practise procedures to make them more streamlined, including building on learning taken from planning for the transfer of the adjudication function to the Office of the Health Professions Adjudicator (OHPA), and consultation in 2011 on proposals for repositioning and modernising adjudication within the GMC following the Government's decision not to proceed with the establishment of OHPA.

c. The successful implementation of the merger of the Postgraduate Medical Education and Training Board with the GMC on 1 April 2010, which brought together the regulation of all stages of medical education into one organisation. The financial benefits of the merger had been realised more quickly than anticipated, enabling the decision not to claim the £1.36 million earmarked as gap funding.

d. Ongoing work to raise the profile of patient safety concerns in Europe, including influencing the debates over language assessments for doctors from the European Economic Area, and the mutual recognition of qualifications Directive.

e. Continuing good overall standards of delivery against performance targets in registration and fitness to practise, against increasing levels of activity.

6. During discussion, it was agreed that information on the pass and failure rates of applicants taking the Professional and Linguistic Assessments Board (PLAB) tests would be included in future reports. It was noted that the forthcoming review of the PLAB test would include consideration of research on the experiences of non-UK qualified doctors in the UK workplace.

7. Council noted that due to the number of consultations that would be issued in early 2011, the Chief Executive would write to key interests to give them advance notice and to inform them of the wider context of each consultation in an effort to encourage a good response.

Draft Consultation on the Future of Fitness to Practise Adjudication and the establishment of the Medical Practitioners Tribunal Service

8. Council considered the draft consultation on reforms to fitness to practise adjudication and the establishment of the Medical Practitioners Tribunal Service. This followed the Government's decision to abolish the Office of the Health Professions Adjudicator. The consultation included proposals for repositioning the adjudication function within the GMC and for modernising and streamlining the existing procedures.

9. Council:
 - a. Approved the draft consultation paper on the future of fitness to practise adjudication and the establishment of the Medical Practitioners Tribunal Service, subject to a number of redrafting proposals made during the discussion.
 - b. Authorised the Chair of Council and the Chair of the Fitness to Practise Committee to approve the final version of the consultation document for publication.
10. The response to the consultation would be discussed by Council at either its June or July 2011 meeting, depending on the volume and complexity of responses.

New Guidance *Good Management Practice: Guidance for all Doctors*

11. Council considered draft guidance on *Good Management Practice: guidance for all doctors*, and draft supplementary guidance, *Raising and acting on concerns about patient safety* and *Writing references*, which had been prepared for consultation following a review conducted by the *Management for Doctors Working Group*.
12. Council:
 - a. Agreed that the draft guidance, *Good Management Practice: guidance for all doctors*; and the supplementary guidance, *Raising and acting on concerns about patient safety* and *Writing References* be issued for public consultation, subject to a number of redrafting proposals made during the discussion.
 - b. Noted the plans for the public consultation on the draft guidance, which would be launched in early March 2011.
13. During the discussion, members suggested that the draft guidance should be amended to:
 - a. Make clear that the reference to responsibilities for raising concerns extends to concerns about the conduct of teams as well as individual doctors and health professionals.
 - b. To make clear that doctors with management responsibility have a duty to ensure that induction is offered and appropriate supervision is provided for all staff they manage as an overriding duty or principle.
 - c. Ensure that the advice relevant to commissioning took into account any differences across the four UK countries.

14. Council noted that the provision of learning materials and case studies was an integral part of the guidance project, and that learning materials would be developed in support of the guidance.

Revalidation: *Good Medical Practice* Framework and Supporting Information

15. Council considered draft guidance on the *Good Medical Practice* Framework and supporting information for revalidation, which had been prepared following feedback from the revalidation consultation and further engagement with non-clinical and non-mainstream doctors. The Continued Practice Board had agreed the draft guidance at its meeting on 25 January 2011.

16. Council:

- a. Noted the proposed amendments to the *Good Medical Practice* Framework set out at Annex A.
- b. Agreed the *Good Medical Practice Framework for Appraisal and Revalidation* guidance.
- c. Agreed the *Supporting Information for Revalidation* guidance.
- d. Authorised the Chair of Council and the Chair of the Continued Practice, Revalidation and Registration Board to approve the final version of the guidance for publication.

Revalidation Programme Update Report

17. Council considered a report on the ongoing revalidation work programme, including progress on the five new workstreams agreed in December 2010 as part of the revised Programme Brief.

18. Council:

- a. Noted the work of the Continued Practice Board, UK Revalidation Programme Board and UK Revalidation Delivery Group in developing work required to support the programme.
- b. Noted that the Responsible Officer Regulations came into force on 1 January 2011 in England, Scotland and Wales.

Response to the Department of Health (England) Consultation on Future Arrangements for Medical Education and Training in England

19. Council considered the terms of the GMC's response to the Department of Health (England)'s consultation on proposals for the future arrangements for medical education and training in England, based on the establishment of a new framework for developing the healthcare workforce and the systems and processes that would support it.

20. Council:

- a. Agreed the terms of the response to the consultation on *Liberating the NHS: Developing the Healthcare Workforce*.
- b. Authorised the Chair of Council to finalise the consultation response in the light of redrafting proposals made during the discussion and any further comments from members following circulation of a revised draft.

21. During the discussion, it was noted that there were a number of key issues on which the GMC should seek to influence the DH(E)'s consideration of the future arrangements, including the importance of:

- a. The contribution of professional regulation and its role in ensuring high standards, and particularly in the context of the proposals set out in the Command Paper issued on 16 February 2011.
- b. Adequate governance of local healthcare provider skills networks, and the value of the functions currently carried out by postgraduate deaneries including in relation to quality management.
- c. Accountability for the quality of medical education and training at a local level from a named individual who would be accountable to the GMC.

22. During discussion, Council noted that there had been extensive discussion with key interests since the consultation paper was issued, and an acknowledgment that further work would be necessary to develop some of the ideas in more detail. It was agreed that the response should identify any gaps and suggest possible solutions, as well as outlining the importance of ensuring that transition risks were effectively managed and disruption minimised given the challenging timescale for proposed implementation.

Quality Assurance Programme 2011-2012

23. Council received and considered a paper on the approach to the quality assurance of medical education and training for 2011 to 2012, which outlined the plans for a Quality Improvement Framework which would co-ordinate quality assurance activities across all stages of medical education and training.

24. Council:

a. Endorsed the Quality Improvement Framework for Undergraduate and Postgraduate Medical Education.

b. Endorsed the proposed approach to the pilot quality assurance visit and review activity for 2011 to 2012.

Consultation on Amendments to the General Medical Council (Applications for General Practice and Specialist Registration) Regulations

25. Council considered proposed amendments to the General Medical Council (Applications for General Practice and Specialist Registration) Regulations which set out the requirements for UK, EEA and international medical graduates seeking to apply for inclusion in the GP register or the specialist register.

26. Council noted that DH(E) had advised that parts of the Applications for General Practice and Specialist Registration Regulations were regarded by the European Commission as incompatible with the Directive on the recognition of professional qualifications, and that the European Commission had threatened infraction proceedings if the regulations were not amended. While legal advice supported the view that the regulations were consistent with the Directive, the regulations could be amended in a way that would address the concerns of the European Commission and without compromising patient safety.

27. Council approved, as the basis for consultation, the draft General Medical Council (Applications for General Practice and Specialist Registration) (Amendment) Regulations. It was noted that the consultation would last for one month, and that the outcome would be reported to Council at the meeting on 7 April 2011.

Governance Handbook Update

28. Council considered revisions to the Governance Handbook, in the light of the changes to the governance arrangements agreed by Council at its meeting on 8 December 2010.

29. Council:

a. Noted that, in addition to the changes arising from the decisions agreed by Council in December 2010, minor changes were suggested in response to internal audit recommendations made following a review of governance arrangements.

b. Noted the proposed amendments to the members' interests and potential conflicts of interest guidance.

30. Council:

a. Approved the revised Governance Handbook.

b. Authorised the Chair of Council to finalise the Governance Handbook in the light of members' further comments.

31. During the discussion, it was noted that in the event of any issues arising under the process for dealing with complaints against members in relation to adverse health, due regard would be paid to the individual's circumstances and any necessary adjustments that could be made.

Review of Membership of Boards and Committees

32. Council considered the Chair of Council's proposals for membership and chairing arrangements of the Boards and Committees, following a mid-term review recommended by the report of the Governance Review Working Group.

33. Council agreed the proposed membership of the Boards and Committees.

Any Other Business

34. Council noted the date of the next meeting on 7 April 2011, which would be held in London.