

To consider

OHPA Governance Arrangements

Issue

1. Ensuring the appropriate oversight and assurance arrangements for the transition of the adjudication function from the GMC to the Office of the Health Professions Adjudicator.

Recommendations

2.

a. To note the joint oversight arrangements for the OHPA transition programme (paragraphs 7-10 and Annex A).

b. To endorse the proposed terms of reference and GMC membership of the Joint Co-ordination Group (paragraphs 10-14 and Annex B).

Further information

3. If you require further information about this paper, please contact us by email: gmc@gmc-uk.org or tel. 0161 923 6602

Background

4. The effective transition of the adjudication function to OHPA is central to Strategic Aim Two of the 2010 Business Plan: to give all our key interest groups confidence that doctors are fit to practise. OHPA was established as a legal entity on 25 January 2010. The elements of the Health and Social Care Act 2008 which will transfer statutory responsibility for adjudication have, however, yet to be commenced. The previous government made a commitment to having OHPA fully operational in April 2011 when the GMC's adjudication function will be transferred across.

5. When we last updated Council on 16 February 2010, OHPA was still in an early stage of development focussing on implementing its own internal governance arrangements and making appointments to the Board and Transition Team. This phase concluded in March 2010 with the appointment of Stephen Shaw as Chief Executive and the appointment of the vast majority of the Transition Team.

6. The complete OHPA Board is now meeting routinely and at its meeting on 24 March 2010 made a number of decisions regarding the organisation's future location, approach to rules development and development of an IT system. Since that time OHPA's Transitional Directors have been developing the plans required to implement these decisions. Once fully developed these plans will need our agreement and ongoing co-operation if they are to be realised.

Discussion

7. As reported to Council previously, we have agreed with OHPA to set up joint oversight arrangements to support the transition programme. The proposals are based on the successful model used during the merger of PMETB with the GMC and will include a Joint Implementation Group (JIG) and a Joint Co-ordination Group (JCG).

Joint Implementation Group

8. The JIG will consider proposals for approaching the transition and will aim to agree a joint plan for the delivery of the overall programme. It will also meet to resolve issues as they arise during the transition period. The membership of the JIG is made up of executive members and comprises:

- a. The two Chief Executives.
- b. The two Resources Directors.
- c. The Policy/Operational Lead Director from each organisation.

9. The JIG's terms of reference are at Annex A. The first meeting of the JIG took place on 21 April 2010 and further meetings have been scheduled at roughly quarterly intervals.

Joint Co-ordination Group

10. To provide assurance to Council and to OHPA's Board we are proposing to establish a JCG comprising three non-executive members from each governing body with responsibility for ensuring that the risks are being managed, plans are being developed and resources are in place to ensure a successful transition. The Group will also identify and contribute to areas of joint working. The draft Terms of Reference are at Annex B.

Recommendation: To note the joint oversight arrangements for the OHPA transition programme.

11. We proposed that the GMC's membership be drawn from among the Fitness to Practise Reference Group, the Resources Committee and the Standards and Ethics Reference Group.

12. Members were invited to express interest in joining the Group. Expressions of interest have subsequently been received from: Mr Robin MacLeod, Dr Joan Martin, Mr Stephen Whittle and Dr Hamish Wilson.

13. Although it was originally envisaged that there would be three Council members on the JCG, we have agreed with OHPA that all four Council Members be invited to sit on the Group.

14. Subject to Council's and the OHPA Board's agreement we propose that the JCG meet two weeks before GMC Council meetings with the first meeting of the Group in mid-June 2010. The draft Terms of Reference (Annex B) will be formally approved by the Group at its first meeting.

Recommendation: To endorse the proposed terms of reference and GMC membership of the Joint Co-ordination Group.

Resource implications

15. There are no resource implications arising from this paper.

Equality

16. No additional equality and diversity issues have thus far been identified. OHPA are in the process of developing a full Equality Impact Assessment and we are providing support and information.