

To approve

Minutes of the Meeting on 25 September 2014*

Members present

Peter Rubin, Chair

Shree Datta
Christine Eames
Michael Farthing
Helene Hayman
Ajay Kakkar
Deirdre Kelly

Suzi Leather
Jim McKillop
Denise Platt
Enid Rowlands
Hamish Wilson

Others present

Niall Dickson, Chief Executive and Registrar
Anthony Omo, Director of Fitness to Practise
Neil Roberts, Director of Resources and Quality Assurance

Vicky Elkin, acting Council Secretary
Paul Buckley, Director of Strategy and Communication
Una Lane, Director of Registration and Revalidation
Vicky Osgood, Assistant Director of Postgraduate Education

*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 It was noted that apologies for absence had been received from Judith Hulf, Director of Education and Standards, and Christine Payne, Council Secretary.
- 2 The Chair welcomed Deirdre Kelly, who had resumed her role as a Council member, having temporarily stood aside from Council in April 2014.

Minutes of the meeting on 21 May 2014

- 3 Council approved the minutes of the meeting on 21 May 2014 as a true record.

Chief Executive's Report

- 4 Council considered the Chief Executive's Report, noting developments in the external environment and progress on our strategy, and key outcomes of note from the Strategy and Policy Board meeting on 22 July 2014 and the Performance and Resources Board meetings on 23 June 2014 and 8 September 2014. Council noted:
 - a The commentary on significant issues potentially affecting operational performance.
 - b A summary of progress in delivery of our operational plans.
 - c A financial summary to 31 August 2014.
 - d Operational performance and volumes of activity for fitness to practise, registration and certification work, Professional and Linguistic Assessments Board tests, Contact Centre and reception services, and revalidation.
 - e Summary information on current judicial reviews and appeals.
- 5 Council agreed amendments to the Statement of Purpose of the Audit and Risk Committee and associated references in paragraph 29 of the GMC Financial Regulations, to reflect staffing changes and the appointment of an Assistant Director of Audit and Risk Assurance.
- 6 Council noted a correction to paragraph 77 of the Chief Executive's Report, which incorrectly stated that a Professional Standards Authority fees levy was expected to come into effect from 1 April 2014, rather than the correct date of 1 April 2015.
- 7 Council noted that a review of performance indicators was underway to make sure we were setting and reporting the correct measure, and the initial findings would be reported to Council at its meeting on 10 December 2014.

- 8** During the discussion, Council noted that:
- a** We had been experiencing challenges related to performance against service targets in the work of the Contact Centre, but that steps had been taken to address the issues and that performance had now improved and was back to previous high levels.
 - b** There had been pressure on fitness to practise processes due to an increase in Stream One investigation cases in the first quarter of 2014, and a higher than anticipated staff turnover experienced at the start of the year. This had resulted in a small fall in performance against our targets and some pressure for the Case Examiner team as our frontline decision makers. However, we had recruited and successfully trained additional Investigation Officers and Case Examiners, and provided volumes stabilise, it was hoped we would see our performance against targets improve over the coming months.

Review of the Professional Standard Authority's Performance Review Report 2013/14 findings

- 9** Council considered an update on the Professional Standards Authority's (PSA's) Performance Review Report 2013/14, and its findings on the performance of the GMC and the other regulators it oversees.
- 10** Council noted the areas of performance that the Report commended, the work that the PSA states it will revisit in the 2014/15 performance review, and the areas of good practice by other regulators from which we could seek to learn.
- 11** Council noted the PSA's recommendation for all regulators that their executive and Council should undertake a joint review of the performance management information that was routinely presented to its Council.
- 12** During the discussion, Council noted that:
- a** The Review Report was largely complimentary, identifying only a few areas for improvement.
 - b** We had engaged with the PSA on several occasions on its handling of the Review process, advising that it engaged external help to review its process, and that the discussions on this point remained ongoing. Council noted that the Chairs of the health regulators had written to the PSA expressing concerns about the conduct of performance reviews.
 - c** The PSA's strength should be its understanding of the complexities of overarching health regulation.

- d** It would be helpful to explore whether it would be possible to make use of and learn from the significant amount of information about all health regulators that was held by the PSA.
- e** We needed to retain the confidence of the profession that is subject to the Annual Retention Fee, the principle of which would also extend and apply to the PSA with the planned introduction of a fees levy in 2015.
- f** The issues with the PSA were of concern and would influence how we chose to manage our relationship with it, but that discussions on how it could be improved remained ongoing.

Report of the Review of the Professional and Linguistic Assessments Board test

- 13** The Chair welcomed Professor Ian Cumming OBE, Chair of the Professional and Linguistic Assessments Board test Review Working Group, who joined the meeting to present the outcome and recommendations of the review.
- 14** Council considered and accepted the recommendations of the Review of the Professional and Linguistic Assessments Board (PLAB) test.
- 15** During the discussion, Council noted:
 - a** Ian Cumming's thanks to Neil Jinks, Senior Policy Analyst, and the rest of the GMC team in their support of the Working Group and its Review.
 - b** Its thanks to Ian Cumming, the Working Group, and GMC staff for their efforts in undertaking the Review.
 - c** That Health Education England was recruiting into educational programmes for specific values and behaviours, and would share its outline of these requirements.
 - d** That the Working Group had extensively debated the issue of testing stations that resulted in an overall pass or fail for the test, but had concluded that there was no robust evidence to support this idea.
 - e** That it was a high priority to improve the reliability of results from part two of the PLAB test.
 - f** That there was a case for considering whether the resuscitation station could be substituted for a certificate competence from an external provider, which would result in a station being freed up for an alternative station.
 - g** Communication skills were tested in part two of the PLAB test, but results could be variable and impacted by such factors as the doctor's background and cultural views. This had been identified as an area potentially worthy of further work,

although experts consulted during the review were confident that it was possible to get a robust result due to the marking system that was used.

National Licensing Examination

16 Council considered proposals to start a project to evaluate the feasibility of a UK national licensing examination to be taken by all graduates and doctors wishing to join the UK medical register with a licence to practise.

17 Council:

- a** Agreed to support the principle of establishing a UK national licensing examination.
- b** Noted that a national licencing examination would be a means to:
 - i** Address concerns about variation in standards.
 - ii** Create a level playing field for all those seeking to join the register with a licence to practise.
 - iii** Enable the GMC to set a clear a unified standard for any doctor wishing to practise medicine in the UK.
- c** Noted that the decision to proceed with the implementation of a national licencing examination would be taken after a full evaluation of the proposal, consideration of research already commissioned, and further engagement with key interests.
- d** Agreed that it would consider the issue again in 2015 before a commitment was made to develop and launch a UK national licensing examination.

18 During the discussion, Council noted that:

- a** The aim would be for an examination which would apply to all doctors wishing to practise medicine in the UK. At present, the GMC did not have powers to assess the competency of doctors joining the register from the European Economic Area.
- b** It may be necessary to consider alignment with the requirements of revalidation as it develops.

Investment Policy

19 Council considered proposals for changes to the GMC's Investment Policy and associated governance arrangements.

- 20** Council approved the proposed Investment Policy and governance arrangements, including the creation of an Investment Sub-Committee, subject to:
- a** Consideration of reducing the frequency of meetings and the reports that the Investment Sub-Committee would make to Council.
 - b** Consideration of increasing the number of co-opted external members from one to two or three.
 - c** Council retaining responsibility for determining the amount needed to be held as working capital, rather than delegating this to the Investment Sub-Committee, as proposed.
- 21** During the discussion, Council noted that:
- a** It cannot manage in detail how an investment manager would work, but could take care to select a manager that shared in the GMC's values.
 - b** The amount to be held as working capital each year should be considered as part of the business planning and budgeting process.

Department of Health Section 60 Order consultation – GMC response

- 22** Council noted the response to the Department of Health's consultation on the Adjudication Section 60 Order, to establish the Medical Practitioners Tribunal Service in statute.

Any other business

- 23** Council noted that, following the 'no' vote in the Scottish referendum on independence, there would still need to be clarity about the future of UK medical regulation given the ongoing discussions about the future constitutional settlement of the UK.
- 24** Council noted that the next meeting would be on 10 December 2014, in London.

Confirmed:

Peter Rubin, Chair

10 December 2014