

*To approve*

## Minutes of the Meeting on 23 April 2013<sup>1</sup>

### Members present

Peter Rubin, Chair

Shree Datta  
Christine Eames  
Michael Farthing  
Helene Hayman  
Suzi Leather

Jim McKillop  
Denise Platt  
Enid Rowlands  
Hamish Wilson

### Others present

Niall Dickson, Chief Executive and Registrar  
Paul Philip, Chief Operating Officer  
Paul Buckley, Director of Education and Standards  
Christine Payne, Council Secretary

Ben Jones, Director of Strategy and Communication  
Una Lane, Director of Registration and Revalidation  
Neil Roberts, Director of Resources and Quality Assurance

<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 Deirdre Kelly and Ajay Kakkar.
2. The Chair congratulated Suzi Leather on her appointment as Chair of the Fairness Commission, set up by Plymouth City Council to look at fairness and equalities in public services for the local community.
3. The Chair reported that the General Medical Council had been directed by the Court of Appeal, following a judicial review, to recognise the primary medical qualification which a Dr Sailesh Patel had obtained from the International University of Health Sciences, St Kitts and Nevis. It was noted that Council had responsibility for determining what constituted an acceptable overseas qualification under Section 21B(2) of the Medical Act 1983 as amended. Council agreed to accept Dr Patel's primary medical qualification for the purposes of the Medical Act as amended, so as to enable the GMC to comply with the Order of the Court.
4. The Chair reported that no declarations of interest had been made.

## **Minutes of the Meeting on 7 February 2013**

5. Council approved the minutes of the meeting on 7 February 2013 as a true record.

## **Matters arising**

6. Council noted that Aviva had been appointed as the provider for our new Defined Contribution Pension Scheme. The governance arrangements would be operated by the executive, with reports provided to the Performance and Resources Board which would report to Council.

## **Chief Executive's Report**

7. Council considered the Chief Executive's Report, noting that:
  - a. We had published our response to the Report of the Public Inquiry into Mid Staffordshire NHS Foundation Trust on 15 April 2013.
  - b. Niall Dickson, Chief Executive, had been invited to take part in a Key Partnerships Group set up to review the NHS complaints procedure, led by Ann Clwyd MP and Tricia Hart.
  - c. Ben Jones, Director of Strategy and Communication, had been asked to sit on the advisory group set up to review bureaucracy in the NHS, which is being chaired by Mike Farrar, Chief Executive of the NHS Confederation.
  - d. The Law Commission was working towards a draft Bill that was likely to go forward in the 2014-15 session. Ahead of this, the Department of Health had indicated that it would consider amending the regulations to time limit

provisional registration, and to introduce new provisions on indemnity and insurance for healthcare professionals. Discussions were still underway in relation to the draft Section 60 Order to establish the Medical Practitioners Tribunal Service, and the changes required to allow us a right of appeal against decisions made by MPTS Fitness to Practise panels.

e. The new edition of *Good medical practice* had been launched on 25 March 2013 and came into force on 22 April 2013. For the first time we had also developed a patients guide that would sit alongside this and help patients understand what to expect of their doctor.

f. The Strategy and Policy Board had met on 18 March 2013, and agreed to establish a working group on credentialing, and to establish an expert advisory group to support work to review standards for medical education and training as part of our comprehensive review of Quality Assurance. It had also agreed a proposed programme for standards work in 2013, recognising that the development of the next Corporate Strategy provided an opportunity to review our approach to guidance and embedding this in doctors' practice.

8. During the discussion, Council noted:

a. That a new independent commission into workplace whistle blowing had been established by Public Concern at Work. Council would be updated on how we intended to respond.

b. That the first meetings of the UK Advisory Fora in Wales, Scotland and Northern Ireland would be held in September 2013.

c. That the 2014 schedule of Council and Committee dates would be prepared for approval at the next Council meeting.

### **Chief Operating Officer's Report**

9. Council considered the Chief Operating Officer's Report, noting:

a. The commentary on significant issues potentially affecting operational performance.

b. A summary of progress in each Directorate.

c. A financial summary to 31 March 2013.

d. Operational performance and volumes of activity for fitness to practise, registration and certification work, Professional Linguistic Assessments Board tests, contact centre and reception services, and revalidation.

e. Summary information on current judicial reviews and appeals.

10. Council noted that:
- a. The Home Office plans to abolish the Notifiable Occupations Scheme, which meant that routine disclosure to regulators would cease, with information being shared with employers instead, on a case by case assessment of public interest. We had written to the Home Office to express concern that this may result in risk to patient safety and to public confidence.
  - b. MPTS Rule changes had progressed through the Department of Health and were with the Privy Council for approval, with an implementation date currently expected to be 7 May 2013.
  - c. We had undertaken a first quarterly review of our new confidential helpline to consider what improvements could be made to the process.
  - d. Publication of our response to the Francis Report had taken place. Significant work had already been undertaken in considering the Report and its implications, and we were now taking forward actions in each area relevant to our work.
  - e. Work continued in delivering the efficiency programme that started in 2010. So far we had delivered total efficiency gains of £30 million, with our aim being to deliver ongoing efficiency gains equivalent to 3-5% of our annual budget.
11. During the discussion, Council:
- a. Noted ongoing work in our Promoting Professionalism agenda. This included the work of our Regional Liaison Service, which would be meeting over 20,000 doctors during 2013. It was recognised that there was a lot of pressure on resources in the system, and that we would need to ensure that we were responsive to this and to develop creative approaches to engagement and the promotion of professionalism. This included developing a range of approaches such as mobile apps and online resources.
  - b. Agreed that an important part of our response to the Francis Report was to ensure that doctors understand their responsibilities in raising concerns and to help foster a cultural change.
  - c. Noted that the implementation of revalidation was going well, with more than 100,000 licensed doctors transferring to new designated bodies due to the restructure of the NHS in England which took effect on 1 April 2013.
  - d. Noted that there would be an opportunity for Council to reflect on ways of working, including the level of detail in the information it receives through the Chief Executive's and Chief Operating Officer's reports, at its awayday in June 2013.

## **Amendments to the Governance Handbook**

12. Council considered proposals for amendments to the Governance Handbook following approval by Council on 7 February 2013 to a revised governance model and ways of working.
13. Council:
- a. Noted that alternative plans would be developed in relation to the English regions in the engagement model to that previously proposed, in place of an England Advisory Forum.
  - b. Approved the revised Governance Handbook, subject to:
    - i. Inclusion of a reference to Council's responsibility to ensure our aims are for public benefit.
    - ii. Inclusion of reference to Council members' responsibilities under the Bribery Act 2012.
    - iii. Inclusion of a diagram of the governance model.
    - iv. Inclusion of references to the reporting arrangements of the executive governance groups, which would report to Council through the reports of the Chief Executive and Chief Operating Officer.
    - v. An update to the quorum of the Audit and Risk Committee and the Remuneration Committee from two to three members.
  - e. Agreed to delegate to the Chair of Council authority to approve the final version of the revised Governance Handbook, following circulation to members of the further proposed amendments outlined in paragraph 13b. above, after the meeting.
14. During the discussion, the current levels of executive financial delegation were requested. It was agreed that details would be circulated to members after the meeting.

## **Changes to the Proposed Statutory basis for the Medical Practitioners Tribunal Service**

15. Council noted the proposed changes to the statutory basis for the Medical Practitioners Tribunal Service, which we would be seeking by an amendment to the draft Section 60 Order to vest the statutory basis for the MPTS in the MPTS Chair, in discussion with DH(E).

## **Any Other Business**

16. Council noted that the next meeting would be on 22 May 2013, which would be held in Manchester.

Confirmed:

Peter Rubin, Chair

22 May 2013