

23 April 2015

Council

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To approve

Minutes of the Meeting on 24 February 2015*

Members present

Terence Stephenson, Chair

Shree Datta
Christine Eames
Michael Farthing
Helene Hayman
Ajay Kakkar

Suzi Leather
Julian Lee
Jim McKillop
Denise Platt
Enid Rowlands

Others present

Niall Dickson, Chief Executive and Registrar
Susan Goldsmith, Chief Operating Officer
Anthony Omo, Director of Fitness to Practise
Neil Roberts, Director of Resources and Quality Assurance
Christine Payne, Council Secretary

Paul Buckley, Director of Strategy and Communication
Una Lane, Director of Registration and Revalidation
Judith Hulf, Senior Medical Adviser and Responsible Officer
Vicky Osgood, Director of Education and Standards

*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 The Chair welcomed Julian Lee to his first Council meeting following appointment. Council noted his appointment as a member of the Audit and Risk Committee and that Council had also agreed, on action taken between meetings, his appointment as a member of the Investment Sub-Committee. It was noted that the Sub-Committee's Statement of Purpose would be updated to reflect the change in the number of Council members from three to four.
- 2 It was noted that apologies for absence had been received from Deirdre Kelly.

Minutes of the meeting on 10 December 2014

- 3 Council approved the minutes of the meeting on 10 December 2014 as a true record, subject to paragraph 2 being amended to note that apologies for absence had been received from Ajay Kakkar due to being appointed, rather than sworn in, as a Privy Counsellor.

Matters arising

- 4 Council noted, in relation to paragraph 21d of the minutes, that the new guidance from the Charity Commission on including information on the organisation's pay policy for staff would apply to the 2015 trustees annual report and accounts published in 2016, rather than the 2014 report which would be published in 2015.
- 5 Council noted, in relation to paragraph 33 of the minutes, that the item, *Publication of evidence on undergraduate medical education*, contained a factual and typographical error and that an amendment would be made to correct the published version, by amending paragraph 21e from:

'Reviewing the outcomes for graduation and for full registration currently in *Tomorrow's Doctors* and the outcomes for full registration in currently in *The Trainee Doctor*.'

to:

'Reviewing the outcomes for graduation and for provisional registration currently in *Tomorrow's Doctors* and the outcomes for full registration currently in *The Trainee Doctor*.'

Chief Executive's Report

- 6 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 meetings on 3 December 2014 and 3 February 2015.
- 7 Council noted that:
 - a The Morecambe Bay NHS Foundation Trust Investigation was expected to report on 3 March 2015, and that the GMC had provided written evidence to the Investigation.
 - b The Gosport War Memorial Hospital investigation would include a review of documentary evidence from organisations, and was expected to report at the end of 2017. The Chief Executive had met the Panel to discuss how the GMC could assist with information relevant to its review.

Chief Operating Officer's Report

- 8 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 delivery of the operational plans.
 - c Key outcomes of note from the Performance and Resources Board meeting on 20 January 2015.
 - 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.
- 9 During the discussion, Council noted:
 - a That the three service targets not met in December 2014 were subsequently met in January 2015:
 - i To conclude 90% of fitness to practise cases within 12 months.
 - ii To conclude or refer 95% of cases at the investigation stage within 12 months.

would need to consider its role in how succession planning and learning and development of the senior management team was being taken forward in accordance with the People Strategy and the planned annual programme of work to review key staff risks and long term skills requirements.

Amendment to the General Medical Council Registration Fees Regulations 2015

12 Council considered a report proposing amendments to the General Medical Council Registration Fees Regulations 2015 to minimise the impact on doctors, in line with the GMC's statutory obligations under the Equality Act 2010, following the introduction of a limit of three years and 30 days on the time that a doctor may hold provisional registration.

13 Council:

- a** Agreed to make the revised General Medical Council Registration Fees Regulations 2015, effective from 1 April 2015.
- b** Authorised the Chair of Council, and the Chief Executive, to apply the Corporate Seal to the Regulations.

Update on fitness to practise legislative change

14 Council considered an update on the progress of the Section 60 Order and plans to publicly consult between March and May 2015 on amendments to the GMC's Fitness to Practise and related Rules required to implement the Order.

15 Council:

- a** Approved the draft consultation document which proposed amendments to the GMC Fitness to Practise Rules 2004, the GMC Constitution of Panels and Investigation Committee Rules 2004, and the GMC Legal Assessors Rules 2004.
- b** Approved the Keeling Schedule.
- c** Approved the draft Amendment Order.
- d** Approved the draft Constitution of the Medical Practitioners Tribunal Service Rules.
- e** Agreed to delegate approval of the final version of the consultation document, the Keeling Schedule, draft Amendment Order, and draft Constitution of the Medical Practitioners Tribunal Service Rules, subject to minor amendments, to the Chair of Council.

16 During the discussion, Council noted that:

- a** The plans for proceeding with the consultation were contingent upon the Section 60 Order being made, which was currently due on 26 March 2015.
- b** The draft consultation document would be reviewed to check whether the term 'GMC' should be used as opposed to 'the General Council', and to ensure that the document was clear and easy to read.
- c** Consideration would be given to producing a short summary document, and a glossary of terms, to accompany the consultation.

Consultation on changes to the Indicative Sanctions Guidance and on the role of apologies and warnings

17 Council considered a report on the outcome of the consultation on proposed changes to the Indicative Sanctions Guidance, and the role of apologies and warnings, which concluded on 14 November 2014.

18 Council:

- a** Agreed the proposed amendments to the Indicative Sanctions Guidance, subject to reconsideration of the proposed approach in relation to taking into account personal consequences in determining an appropriate sanction to protect the public and maintain public confidence.
- b** Noted the outcome of the review of the role of apologies and warnings, following consultation.

19 During the discussion, Council noted:

- a** That the draft Guidance would be reviewed to ensure that there was a clarification of an apology not being an admission of liability.
- b** That clarification would be provided in the Guidance about the issues for consideration when action could be taken in relation to cases involving addiction and the use or misuse of alcohol and drugs and issues relating to a doctor's personal life which called their fitness to practise into question.

Council forward work programme 2015

20 Council considered and approved its proposed forward work programme for 2015.

21 During the discussion, Council noted that:

- a** It would be helpful for members to receive by email a key point summary of seminar discussions if unable to attend.
- b** It would be helpful to include key points for each item in future Council agendas when sent to members with papers for each meeting.
- c** Work was underway to consider options for reducing the length and revising the format of papers produced for Council and Boards, and to enhance accessibility and tools for navigation on electronic devices.

2016 meeting schedule

22 Council agreed the proposed 2016 schedule for Council, Committees and UK Advisory Forum meetings.

Implementing the revised recognition of professional qualifications Directive

23 Council received an update on work to prepare for implementation of the requirements of the revised recognition of professional qualifications Directive 2013/55/EU, adopted in November 2013.

24 Council noted:

- a** The impact of the recently adopted recognition of professional qualifications Directive on the GMC.
- b** Action taken so far to prepare for its implementation and to mitigate any risks identified in that process.
- c** The proposed next steps, including:
 - i** Work to prepare for UK implementation ahead of the January 2016 deadline.
 - ii** Work to engage with the EU to influence further initiatives that the European Commission will take forward via secondary legislation.

Any other business

25 Council noted that the next meeting would be on 23 April 2015, in London.

Confirmed:

Terence Stephenson, Chair

23 April 2015