

*To approve*

## Minutes of the Meeting on 25 September 2013<sup>1</sup>

### 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  
Paul Philip, Chief Operating Officer  
Paul Buckley, Director of Education and Standards  
Anthony Omo, Director of Fitness to Practise  
David Pearl, Chair of the Medical Practitioners Tribunal Service (item 7)  
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

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<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 It was noted that no apologies for absence had been received.
- 2 The Chair congratulated:
  - a Shree Datta on her appointment to a substantive consultant post.
  - b Deirdre Kelly on her appointment as Associate Non-Executive Director for the Royal Wolverhampton Trust, and for her inclusion on the Health Service Journal's inaugural Inspirational Women in Healthcare list.
  - c Hamish Wilson on his appointment as lay member on the Assembly of the Royal Pharmaceutical Society of Great Britain, from 23 July 2013.
  - d Ajay Kakkar on his appointment as Chairman of the House of Lords Appointments Commission, from 1 October 2013.
- 3 Council noted that it had agreed, on action taken between meetings:
  - a To appoint Elizabeth Butler as a co-opted external member of the Audit and Risk Committee for a four year term from 24 July 2013.
  - b To changes relating to the governance arrangements for the Medical Practitioners Tribunal Service, namely:
    - i A new Statement of Purpose of the Medical Practitioners Tribunal Service (MPTS) Advisory Committee.
    - ii New governance arrangements for the establishment of MPTS task and finish or working groups which, going forward, would be agreed by the Chair of the MPTS and authorised by the Chief Executive and Registrar.
    - iii That the Governance Handbook would be updated to reflect the agreed amendments.
- 4 Council noted that the recruitment campaign for three new MPTS Advisory Committee members was underway, with interviews due to be held in October 2013.
- 5 The Chair reported that no declarations of interest had been made.

## **Minutes of the Meeting on 22 May 2013**

- 6 Council approved the minutes of the meeting on 22 May 2013 as a true record.

## Chief Executive's Report

- 7** Council considered the Chief Executive's Report, noting developments in the external environment and progress on our strategy, and a summary of the work of the Strategy and Policy Board. During the discussion, it was noted that:
- a** We had been in on-going discussion with the Care Quality Commission (CQC) about the importance of ensuring that we could have confidence in its assurances about clinical governance and medical appraisal given our reliance on information provided for the purposes of revalidation and approved practice settings. This followed recent statements by the new Chair and Chief Executive about previous failures by CQC in relation to aspects of its regulatory oversight.
  - b** The CQC was in the process of significant reform to the way it regulates and inspects, and works with key partners, in order to address a number of concerns about the way it had previously operated, and that progress was being made. We had also implemented a new GMC/CQC Operational Protocol, to ensure more effective working arrangements between our organisations; and would be discussing setting up similar arrangements with the systems regulators in Northern Ireland, Scotland and Wales.
  - c** Our Employer Liaison Advisers played an important role in interacting with the CQC and in supporting Responsible Officers and employers, who also had a role to play in ensuring that information they provided to the GMC was quality assured and robust. It was noted that Responsible Officers had a statutory duty in relation to their responsibilities.
- 8** Council noted the positive assessment of the GMC in the Professional Standards Authority's (PSA) annual performance review report 2012-13. It was agreed that Council should have a briefing on PSA's role and relationship with the regulators.

## 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 summary of the work of the Performance and Resources Board.
  - d** A financial summary to 31 August 2013.

- e 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.
- f Summary information on current judicial reviews and appeals.

**10 Council:**

- a Noted the establishment of a Trust to handle death in service benefits in relation to the Aviva Group Personal Pension Scheme.
- b Agreed to authorise the Chief Executive and Registrar to affix the corporate seal to Deeds and other documents relating to pension and life assurance schemes and arrangements for current and former employees and officers of the GMC.
- c Agreed to amend the Governance Handbook and Schedule of Authority in the terms specified in the tabled addendum in relation to the application of the corporate seal and the authorities delegated to the Chief Executive and Registrar in connection with investments of the GMC, the acquisition and disposal and any dealings with or transactions involving land, and pension and life assurance schemes and arrangements for current and former employees and officers of the GMC.

**Professional Standards Authority Performance Review Report 2012-13**

- 11** Council received the Professional Standards Authority Performance Review Report 2012-13, noting the positive tone concerning our performance and the good practice of the GMC and other regulators highlighted in the report, and the areas of focus in the next review.

**Fitness to Practise Annual Statistics Report 2012**

- 12** Council approved the Fitness to Practise Annual Statistics Report 2012 to be laid before Parliament.

**Report of the Chair of the Medical Practitioners Tribunal Service**

- 13** Council considered a report of the Chair of the Medical Practitioners Tribunal Service (MPTS) on the work and performance of the MPTS since the previous report to Council in February 2013.

- 14** During the discussion, Council noted:

- a The enactment of changes to the Fitness to Practise Rules in May 2013 had led to significant improvements in the way hearings were run. The Department of Health (England) was expected to consult on further changes to the Medical Act 1983 as amended within the next 12 months.

- b** On-going work to improve procedures and processes, including the establishment of a Case Management Group which acted as a forum for discussion on these issues.
- c** That participating in hearings by video conference was becoming more common, not only in MPTS hearings but across the judicial system. Feedback received suggested that this had been a positive experience, with the technology being effective, as well as being cost effective, and convenient for witnesses. It was noted that another person may be permitted to be in the same room with a witness attending by video conference, but that this was subject to review and approval of the Panel hearing the case and according to the particular circumstances.
- d** Equality and Diversity training for new panellists was delivered by the GMC's Equality and Diversity team, and included training on the Human Rights Act. Panellists were also required to undertake annual refresher training. The training had received positive feedback from panellists.
- e** Recruitment for 65 new lay panellists would start in October 2013, to replace those demitting office between September 2013 and May 2014. Based on previous recruitment campaigns, around 1000 applications were expected.

### **Council Member Appraisal**

- 15** Council considered arrangements for member appraisal and proposals for amending the process and frequency of member appraisal, in the light of changes to members role and requirements following the reconstitution of Council.
- 16** Council:
- a** Noted plans to review the Competency Framework for Council member appraisal.
  - b** Agreed the proposed amendments to the process and frequency of Council member appraisal. Appraisal would be carried out on an annual basis, with one to one meetings with the Chair of Council, informed by self-assessment in Years 1 and 3 of a member's term, by self-assessment and 360 degree/multi-source feedback in Year 2, and by self-assessment with an option for 360 degree/multi-source feedback in Year 4.
  - c** Noted the proposed timetable for Council member appraisal in the 2013-2016 term.
  - d** Authorised the Chair of Council to agree consequential amendments in the light of its discussion to the description of the arrangements for Council member appraisal as set out in Annex C2 of the Governance Handbook.

**17** During the discussion, Council noted that:

- a** Moving to an annual appraisal system would bring Council members in line with the arrangements for appraisal of GMC staff, and with doctors.
- b** The process for receiving 360 degree feedback would be private, and involve a one-to-one meeting with the Chair of Council for the appraisal discussion.
- c** It would be helpful to engage members in the review of the Competency Framework, which would be supported by external advisers with expertise in this area, before it was brought back to Council for approval in 2014.

### **Any Other Business**

**18** Council noted that it would meet in seminar on 13 November 2013, and that the next meeting would be on 10 December 2013, which would be held in London.

Confirmed:

Peter Rubin, Chair

10 December 2013