

29 September 2016

**Council**

M2

*To approve*

**Minutes of the Meeting on 7 June 2016** \*

**Members present**

Terence Stephenson, Chair

Shree Datta

Suzi Leather

Christine Eames

Jim McKillop

Michael Farthing

Denise Platt

Helene Hayman

Enid Rowlands

Deirdre Kelly

**Others present**

Niall Dickson, Chief Executive and Registrar

Susan Goldsmith, Chief Operating Officer

Paul Buckley, Director of Strategy and Communication

Judith Hulf, interim Director of Education and Standards, Senior Medical Adviser and Responsible Officer

Una Lane, Director of Registration and Revalidation

Anthony Omo, General Counsel and Director of Fitness to Practise

Christine Payne, Council Secretary

David Pearl, Chair of the Medical Practitioners Tribunal Service (item 5)

Neil Roberts, Director of Resources and Quality Assurance

\* 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 Ajay Kakkar.
- 2 The Chair noted that Julian Lee had stood down as a Council member, effective from 1 June 2016. Council noted that the appointments campaign to find three new Council members was underway and that the closing date for applications was 11 July 2016.
- 3 Council noted that Denise Platt would be acting as deputy Chair during the Chair's planned absence between 8 and 31 July 2016.

## Minutes of the meeting on 19 April 2016

- 4 Council approved the minutes of the meeting on 19 April 2016 as a true record.

## Matters arising

- 5 Council approved an amendment to correct a typographical error in the minutes of the Council meeting on 25 February, which was identified following approval of the minutes at the meeting on 19 April 2016. Council noted that paragraph 18b would be amended to include the missing words 'agreed that' before 'Historical data from 1994-2005 would not be transferred to the online register'.
- 6 Council noted that, in relation to paragraph 13d of the minutes, the UK Accreditation Services did not have a role in relation to the GMC's plans for credentialing.

## Acting Chief Executive's Report

- 7 Council considered the acting 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 17 May 2016.
- 8 During the discussion, Council noted that:
  - a The British Medical Association was holding a referendum of doctors in training in England on the agreement which had been reached between the BMA and the UK Government to resolve the contractual dispute, the results of which were expected to be announced on 6 July 2016.
  - b As part of the agreement between the BMA and the Government on the contract for doctors in training, it had been announced that the GMC would lead a review of how doctors in training could be better supported to have greater flexibility in changing specialties and transferring relevant competencies from one area of

specialism to another. Plans for how to proceed with this would need to be taken in light of the outcome of the BMA's referendum.

- c** The emergency department at North Middlesex University Hospital NHS Trust remained of significant concern as a suitable environment for doctors in training. Council noted that the GMC continued to work closely with Health Education England, NHS England and NHS Improvement and other parties to make sure that patient safety issues were addressed in a sustainable way. The situation continued to be monitored closely and Council would be kept informed as to progress.
- d** The Department of Health in England planned to run a series of engagement events across the UK ahead of its planned consultation on the future of professional regulation in the autumn. The GMC would act as lead regulator at an engagement event in Glasgow, to be held in July 2016.
- e** Attendees at the event on 3 May 2016 to consider the regulation of Physician Associates and Physician Assistants had also included the Chief Medical Officer for Wales, in addition to those listed in paragraph 37 of the Report.

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

**9** Council considered the Chief Operating Officer's Report and noted:

- a** The commentary on operational performance.
- b** Operational performance against key performance indicators (KPI) and progress on Council's priorities, including that:
  - i** The operational KPI to 'respond to 90% of ethical/standards enquiries within 21 working days' was rated as red as at the end of March 2016 due to staff absence and the need to prioritise other work.
  - ii** All Council priority work was on track with a green rated status.
  - iii** Some operational KPIs were amber rated due to resource pressures.
- c** Income and expenditure to the end of March 2016, and that expenditure was 4% under budget at that time as headcount was less than expected. It was noted that income and expenditure variance had a red rated status, even though this represented a financial benefit to the GMC. Further work would be undertaken to review the way that the thresholds for projects and finance were set and to examine whether any changes could be made to enhance the way this information was rated and reported in the Council priority report.

- d** Summary information on current judicial reviews and appeals.
- f** That the implementation of the GMC Change Programme continued, following the conclusion of the consultation on the proposed staff and accommodation changes. It was noted that:
  - i** Approximately 50% of recruitment campaigns for roles arising from staff redundancy were underway.
  - ii** The first floor of the London office was on the commercial property rental market, and detailed plans for changes to reconfigure the Manchester office had been developed.
  - iii** The Audit and Risk Committee had received the first internal audit spot-check report on the Project Management Office, which was noted to be broadly positive. A full audit of programme risk management processes was underway.

### **Report of the Medical Practitioners Tribunal Service Committee**

- 10** Council considered the report of the Medical Practitioners Tribunal Service Committee, which outlined the progress of the MPTS since the last report in December 2015.
- 11** During the discussion, Council noted that:
  - a** The MPTS Committee had met twice since being established in statute on 1 January 2016. An appointments process was underway to fill the current vacancy on the Committee.
  - b** As of 1 May 2016 the MPTS had realised efficiency savings of £135,000, which was primarily due to the introduction of reviews on papers, legally qualified chairs (following a successful trial), and robust case management.
  - c** A reduction in average hearing length from 8.15 days in 2015 to 7.9 days in 2016 had been achieved.
  - d** Consideration would be given to the inclusion of information in future reports about the support that was in place for witnesses. Council noted that the needs of witnesses were taken into account as part of existing case management processes, including in training panellist Chairs and options such as enabling witnesses to attend a hearing by video link or behind a screen.
  - e** Consideration would be given to undertaking an assessment of the impact of the increased diversity of panellists; and an independent evaluation of the experience

of witnesses; and to including a trend analysis of statistics in future MPTS Committee reports.

## **Trustees' annual report and accounts 2015**

- 12** Council considered the Trustees' Annual Report and Accounts for the year ended 31 December 2015, noting that they had been reviewed by the Performance and Resources Board and the Audit and Risk Committee, and prepared in accordance with the Charities Act 2011 and the Charities Statement of Recommended Practice (FRS 102).
- 13** Council noted the statement of accounts, which represented a summary of financial activity for the year ended 31 December 2015, which had been reviewed by the external auditors Crowe Clark Whitehill, who were content that the financial statements represented a true and fair view of the GMC's financial position, and that there were no matters of exception which required reporting.
- 14** Council:
  - a** Approved the Trustees' Annual Report and Accounts for 2015.
  - b** Approved the Letter of Representation.
  - c** Authorised the Chair of Council to sign the Annual Report and Accounts for 2015, and the Letter of Representation, on its behalf.
- 15** During the discussion, Council noted that:
  - a** A separate Impact Report, which was being prepared for the first time, would provide further qualitative insight into the work of the GMC and the aim would be to publish this at the same time as the Annual Report and Accounts.
  - b** The draft Annual Report would be revised to ensure that patient safety and the GMC's work with patients and the public was drawn out more in the forewords and narrative section and that there were clearer links between the two sections of the Report.
  - c** Consideration would be given to the provision of greater explanation in future years in relation to patient-focussed statistics such as engagement in consultations, number of enquiries to the Contact Centre and information about the GMC's thresholds for complaints received about doctors and why not all complaints have met them.

- d** Overall, the GMC was in a good financial position. It was noted that although the GMC's free reserves were expected to reduce to £31 million by the end of 2016 they remained within the target range of £25 million to £45 million and were expected to rise once again due to the impact of the Change Programme.

### **Fitness to Practise Statistics Report 2015**

- 16** Council considered the Annual Fitness to Practise statistics report 2015.
- 17** Council:
  - a** Noted the key figures and trends identified in fitness to practise activity in 2015.
  - b** Approved the submission of the Fitness to Practise Annual Statistics Report 2015 to the Privy Council to be laid before the Houses of Parliament alongside the Trustees' Annual Report and Accounts 2015 before the summer recess.
- 18** During the discussion, Council noted that consideration would be given to developing a companion report in future years to examine the qualitative data of the statistics presented.

### **Report of the Audit and Risk Committee**

- 19** Council considered the report of the Audit and Risk Committee's activities since its last report on 10 December 2015.
- 20** During the discussion, Council noted:
  - a** That the Committee had held a seminar on the Change Programme on 27 January 2016, which had been helpful in understanding the scope of work for the GMC and the role of the Audit and Risk Committee in providing assurance to Council.
  - b** The Committee's thanks to the Assistant Director of Audit and Risk Assurance for their work.

### **Any other business**

- 21** Council noted that its awayday would be held on 6 and 7 July 2016, and the next Council meeting would be on 29 September 2016, in London.

Confirmed:

Terence Stephenson, Chair

29 September 2016