

To consider

Chief Executive's report

Issue

1. This report sets out progress on our strategic aims and significant changes in our external environment since Council last met:

- Section one: outlines developments in our external environment.
- Section two: reports on progress on our strategy.

Recommendation

2. Council is asked to consider the Chief Executive's report.

Section one — Developments in our external environment

Major events affecting our strategic priorities

3. The Government published its initial response to the Public Inquiry into Mid Staffordshire NHS Foundation Trust on 28 March 2013. It calls for faster and more proactive professional regulation but acknowledges our work on revalidation, the development of a stronger local presence through our Liaison Service, the establishment of the MPTS as well as the need for legislative reform through the Law Commission's work. We published our response on 15 April 2013 which sets out how we intend to take forward the recommendations that relate to us.

4. The Government has also announced a number of reviews linked to their response to the Public Inquiry. We have been invited to contribute to two of these. Mike Farrar, the Chief Executive of the NHS Confederation, has been asked to lead a review of bureaucracy in the NHS — Ben Jones will sit on the advisory group for us. The review is expected to complete in September 2013.

5. I have been invited to take part in a Key Partnerships Group that Ann Clwyd MP and Tricia Hart are establishing as part of their review of the NHS complaints procedure. The review aims to develop practical recommendations for best practice in complaint handling and using complaint data as a quality improvement tool.

6. Sir Bruce Keogh has also been commissioned to review the quality of care and treatment being provided at 14 Trusts identified as outliers using Hospital Standardised Mortality Rates. We have shared data arising from our education work and fitness to practise procedures to help inform the review.

7. I have commissioned an independent data review by Professor Aneez Esmail into the pass rates for different groups of medical graduates taking assessments for the Membership of the Royal College of General Practitioners exams. He is due to report at the end of June 2013. The review which has been welcomed by the College follows concerns about failure rates expressed by groups representing doctors qualifying outside the UK or Europe. Concerns have also been raised about failure rates affecting black and minority ethnic UK trained doctors. The review is a first step to understanding what factors might be influencing the differences in outcomes.

Government and Parliamentary activity which may impact on our work

8. We have sent our response to the Health Select Committee following our Accountability Hearing last year. Our response welcomes the Law Commission's work on the regulation of health and social care. We also outlined what we are already doing to reduce the time taken to deal with cases and have committed to report back to the Committee on progress made.

9. Sir Bruce Keogh's review of the regulation of cosmetic interventions is reaching conclusion and we expect it to report at the end of April. Richard Marchant and I gave oral evidence to the review and following this we have been advising on professional regulation issues.

Key engagements

10. Paul Buckley, Richard Marchant and I met with Jennifer Dixon the Chief Executive of the Nuffield Trust to discuss the review of ratings in the NHS which the Secretary of State commissioned from the Trust on 15 February 2013. The report has now been published.

11. The Chair and I have had a number of meetings with the minister of health Dan Poulter MP to discuss widening access to the medical profession, oversubscription to Foundation Year 1 posts and the review of the regulation of cosmetic surgery.

12. I met with Baroness Neuberger on 11 March 2013 to discuss her review of the Liverpool Care Pathway. The review now expects to report in the Autumn and we have been asked to make a formal submission.

Other points of interest in the external environment

13. The transition to the new NHS structure in England took effect on 1 April 2013 and the NHS Commissioning Board has rebranded as 'NHS England'.

14. The NHS Leadership Academy is undertaking a large scale leadership development programme and I have agreed to become a member of the programme's Steering Group.

15. Public Concern at Work has established a new independent commission to gather information about the effectiveness of existing arrangements for workplace whistleblowing and make recommendations for change.

16. The Northern Ireland Charity Commission is consulting on registration of charities which operate in Northern Ireland but have their main base elsewhere. We will respond, asking for clarification of specific registration requirements.

Section two – Progress on our strategy

Strategy and Policy Board

17. The Strategy and Policy Board met on 18 March 2013. The Board agreed to:
- a. establish a working group of key interests with an external Chair to take forward the development of credentialing. The working group will report back to the Strategy and Policy Board in due course. The working group is expected conclude its work within 12 months.
 - b. review the standards for medical education and training as part of the second phase of our comprehensive review of Quality Assurance. An expert advisory group will be established to support the process, chaired by a member of the Education and Standards Directorate senior team and made up of individuals with relevant expertise and experience.

c. a proposed work programme for our standards team in 2013. The Board also agreed that, in the context of developing the next Corporate Strategy, we should take the opportunity to look at our objectives in producing guidance and its purpose, form and style.

Legislative reform

18. The Law Commissions have published their analysis of responses to their consultation and are now working towards a draft Bill. The Department of Health (England) has indicated that the Bill is likely to go forward in the 2014–15 session although no firm commitment is likely before the Queen's Speech next year.

19. In its response to the Health Select Committee Accountability Hearing, The Government has indicated its intention to amend the Medical Act to enable us to undertake checks on a doctor's ability to communicate in English where concerns arise during the registration process. It is also planning to create a new category of impairment arising out of deficient language skills. The government will consult on these proposals in the Summer.

20. The Government also confirmed in its response that proposals to give us a right of appeal against decisions made by MPTS panels are being taken forward via a section 60 Order in discussion with the Professional Standards Authority.

21. The Department has indicated it will consider amending the regulations to time limit provisional registration and introduce new provisions around indemnity and insurance for healthcare professionals at the same time. We expect public consultations on these changes to take place in the Autumn and will bring any changes to the regulations to Council for approval at the appropriate time.

Developing our governance model

22. I have sent letters of invitation to the prospective members of the Education and Training Advisory Board. We have agreed that the first meeting of the UK Advisory Forums in Wales, Scotland and Northern Ireland will be in September and I will be sending the invitation letters for those meetings shortly.

IAMRA 2014 conference

23. Preparations are underway for the IAMRA 2014 conference which we are hosting in London. I am chairing a Programme Planning Committee which had its first virtual meeting on 27 February 2013. The Performance and Resources Board will consider a paper on costs at its next meeting.

Good medical practice

24. The revised version of *Good medical practice* was launched on 25 March 2013 and came into force on 22 April 2013. We will be promoting the guidance through our Liaison Service across the UK as well as advertising in the trade press, using

social media and a UK media brief. We have also developed a guide for patients to sit alongside *Good medical practice*.

Supporting information

- Patients First and Foremost: The Initial Government Response to the Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/170701/Patients_First_and_Foremost.pdf
- The Government response to the House of Commons Health Committee Report of Session 2012-13: 2012 accountability hearing with the General Medical Council:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/156351/130102-Command-Paper.pdf
- Details of the review of bureaucracy in the NHS:
<http://www.nhsconfed.org/priorities/latestnews/Pages/NHS-Confed-to-lead-review-of-bureaucracy-in-NHS-announces-health-secretary.aspx>
- Details of the review of NHS complaints:
<https://www.gov.uk/government/news/review-of-nhs-complaints-system>
- Details of the review of the Liverpool Care Pathway:
<http://www.dh.gov.uk/health/2013/01/review-lcp/>
- The terms of reference of the cosmetic interventions review:
<http://www.dh.gov.uk/health/2012/12/responses-cosmetic-surgery/>
- The Law Commission's analysis of consultation responses:
http://lawcommission.justice.gov.uk/areas/Healthcare_professions.htm
- Details of the Independent Commission on whistleblowing:
<http://www.pcaw.org.uk/whistleblowing-commission>
- Updated guidance documents following publication:
<http://www.gmc-uk.org/guidance/index.asp>

If you have any questions about this paper please contact:

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