

Agenda item:	4
Report title:	Chief Operating Officer's Report
Report by:	Susan Goldsmith Chief Operating Officer SGoldsmith@gmc-uk.org , 020 7189 5124
Action:	To consider

Executive Summary

This report provides an update on our operational performance, including:

- All service targets were met in January and February 2015.
- We are proposing changes to GMC Associate fees and expenses in order to support a more consistent approach across the organisation and achieve savings.
- Updates to our Absence Management and (internal) Whistleblowing policies have been approved by the Performance and Resources Board.
- The Efficiency Sub-Group has identified potential projects to deliver savings approaching £2.6 million in 2015.
- We are making progress on our review of performance data reporting.

Recommendation

Council is asked to consider the Chief Operating Officer's Report.

Issue

- 1 This report provides an update on our operational performance ([Annex A](#)), including summary information on appeals and judicial reviews ([Annex B](#)) and an update on income and expenditure ([Annex C](#)).

Achievement of service targets

- 2 All service targets reported in [Annex A](#) were met during January and February 2015.

Associate fees and expenses

- 3 At its meeting on 3 March 2015 the Performance and Resources Board endorsed changes to the current fees and expenses arrangements for GMC Associates.
- 4 The changes will produce annual savings of up to £162,000, and cover a range of areas including expenses and fees relating to training.

Human Resources update

- 5 The Performance and Resources Board approved updates to our Absence Management and (internal) Whistleblowing policies at its meeting on 3 March 2015. The latter was updated to incorporate recommendations following an audit of our processes.
- 6 The Board also agreed to engage with staff on an amended overtime policy to reflect the wider employment market in terms of weekend working and contribute towards our savings target. The new policy would apply from 1 August 2015.

2015 efficiency target

- 7 The Efficiency Sub-Group has identified potential projects to deliver savings around £2.6 million across the organisation in 2015. Some of the measures proposed, such as deferring recruitment, will reduce costs in the short term but not in the longer term. Also, many of the projects identified are at an early stage of development and so there is a risk that the full level of targeted savings may not be delivered in 2015. We therefore continue to investigate the scope to deliver further opportunities over and above those already identified.
- 8 Key projects include a reduction in overtime costs, a reduction in fitness to practise bundling costs, a further review of transcript provision at Medical Practitioners Tribunal Service hearings, revision of our central events delivery, a review of temporary staffing, and consolidating project management resources in the Registration and Revalidation directorate.

Update on review of performance data

- 9 As reported in my report to Council on 10 December 2014, we have continued to make good progress on a review of our performance information. We presented initial ideas to Council in February 2015 and have since iterated the reports based on Council feedback and for further consideration. We hope to be able to update more fully in due course.

4 – Chief Operating Officer's Report

4 – Annex A

Performance against service targets and volumes of activity – fitness to practise, registration and revalidation

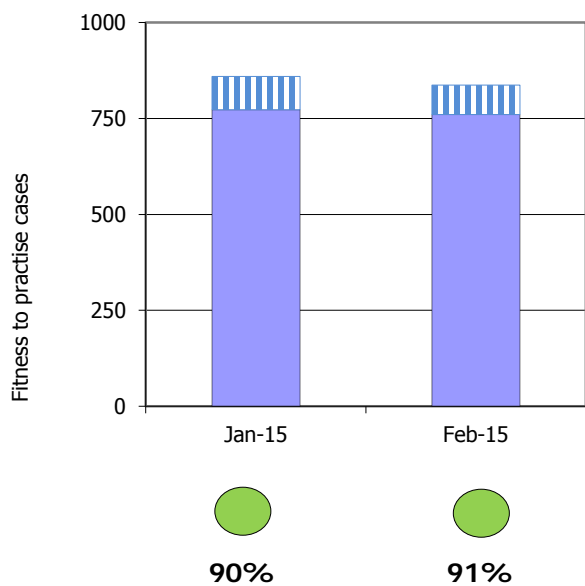
- 1 These graphs show our performance against our fitness to practise, MPTS, registration and revalidation service targets over the past two months, and the volume of activity we have undertaken. This includes the performance of our Contact Centre and registration services which support the whole organisation.
- 2 For the service targets, we illustrate the volume of activity and the proportion of total activity handled within and outside the target timeframe. The traffic lights show our monthly performance, and indicate whether or not we achieved our target.

Fitness to practise

Service targets

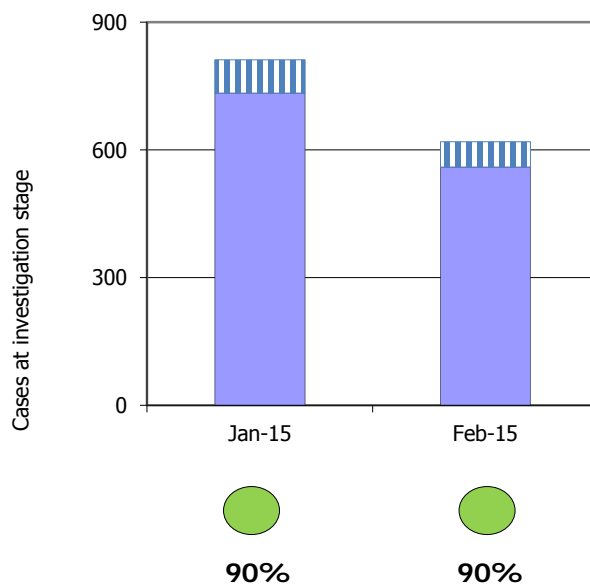


To conclude 90% of fitness to practise cases within 12 months¹



Commentary: Service target achieved.

To conclude or refer 90% of cases at investigation stage within 6 months²

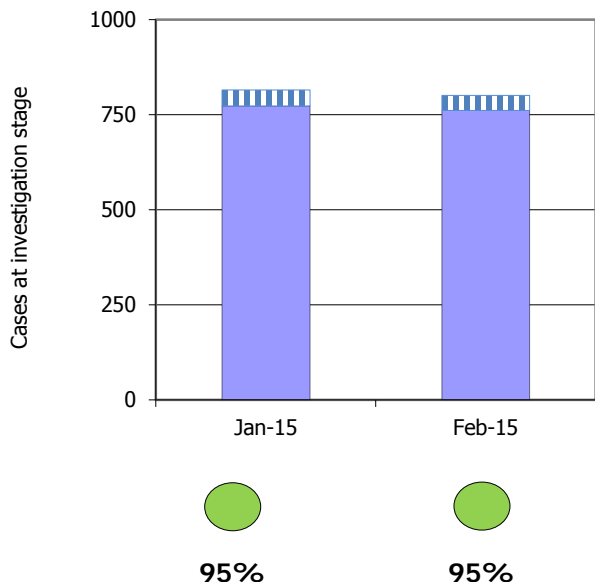


Commentary: Service target achieved.

¹ This target measures all fitness to practise enquiries received by the GMC that result in a stream 1 investigation, Notify Responsible Officer (RO)/Employers or immediate closure and excludes cases that are criminal convictions, statutory inquiries, determinations and restoration applications. Each bar (by month) shows the number of cases that were opened 12 months before.

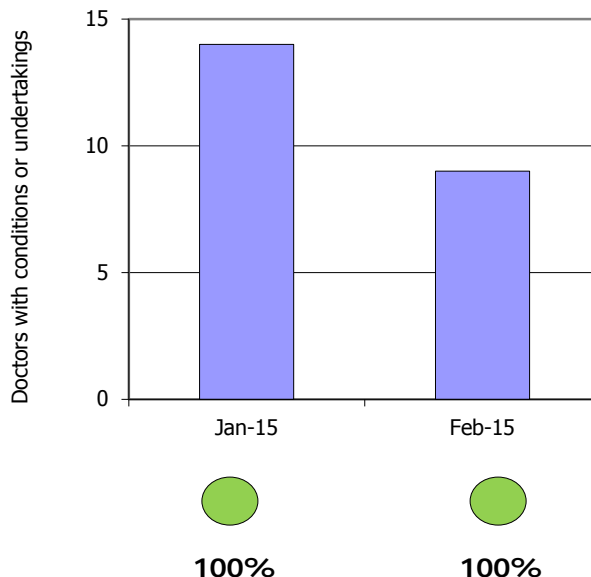
² This target measures all fitness to practise enquiries received by the GMC that result in a stream 1 investigation, Notify RO /Employers or immediate closure including cases that require health assessments, performance assessments and those that are considered by the Investigation Committee. It excludes from consideration cases that are criminal convictions, statutory inquiries, determinations and restoration applications. Each bar (by month) shows the number of cases that entered the investigation stage six months before.

To conclude or refer 95% of cases at the investigation stage within 12 months³



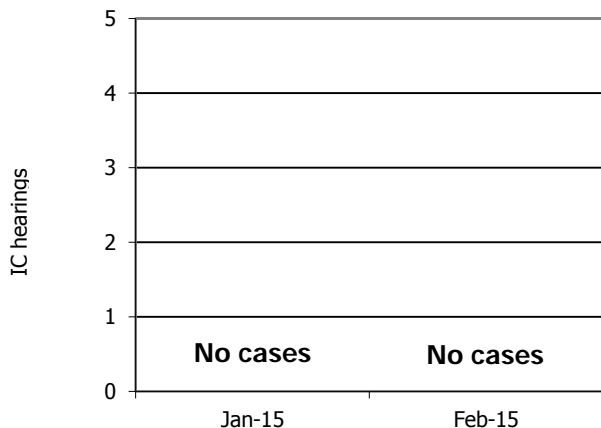
Commentary: See Paragraphs 8-10 of main report.

To review 100% of doctors with conditions or undertakings attached to their registration before being returned to unrestricted registration



Commentary: Service target achieved.

To commence 100% of IC hearings within 2 months of referral



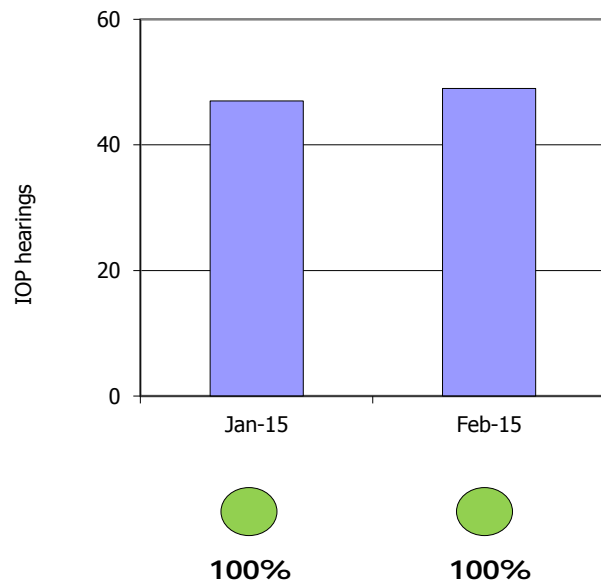
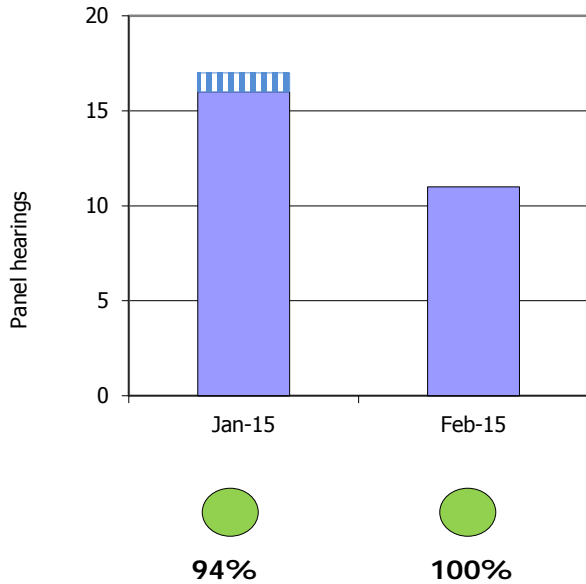
³ This target measures all fitness to practise enquiries received by the GMC that result in a stream 1 investigation, Notify RO/Employers or immediate closure including cases that require Health Assessments, Performance Assessments and those that are considered by the Investigation Committee. It excludes from consideration cases that are criminal convictions, statutory inquiries, determinations and restoration applications. Each bar (by month) shows the number of cases that entered the investigation stage 12 months before.

Medical Practitioners Tribunal Service

Service targets

To commence 90% of panel hearings within nine months of referral⁴

To commence 100% of IOP hearings within 3 weeks of referral⁵



Commentary: Service target achieved.

Commentary: Service target achieved.

⁴ This target excludes cases that have concluded prior to a FTP panel hearing within nine months of referral from investigation (i.e. referral cancellations, voluntary erasures etc). Each bar (by month) shows the number of referrals to a Fitness to Practise Panel nine months before.

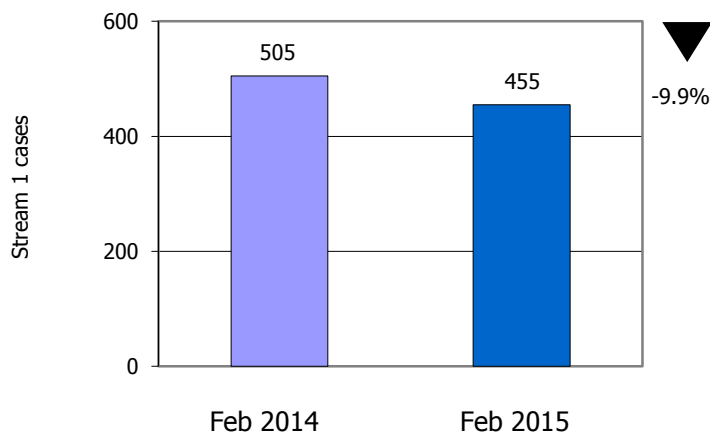
⁵ Each bar (by month) shows the number of referrals to an Interim Orders Panel three weeks before.

Fitness to practise

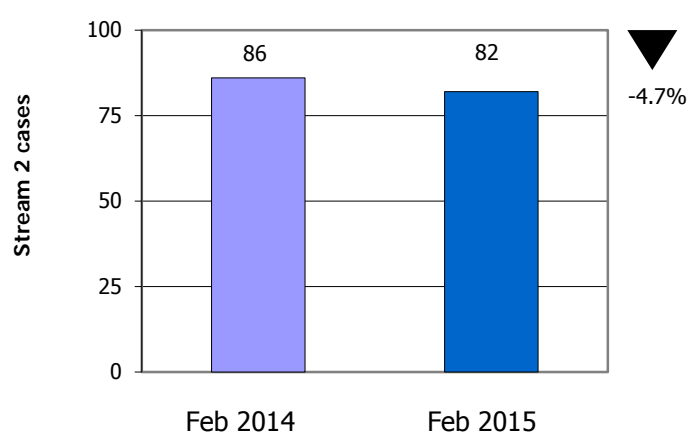
Case intake

3 These graphs show our cumulative case intake levels to the end of February 2014, compared with the cumulative levels to the end of February 2015, and indicate the percentage change.

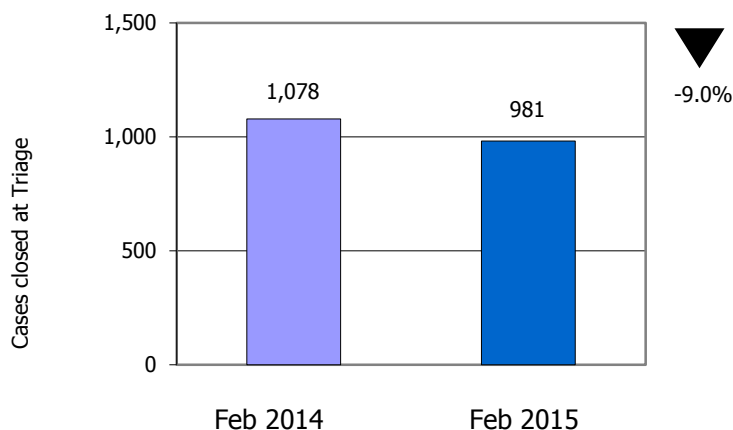
Year to date (YTD) Stream 1 case intake: accumulated to February 2014 and February 2015



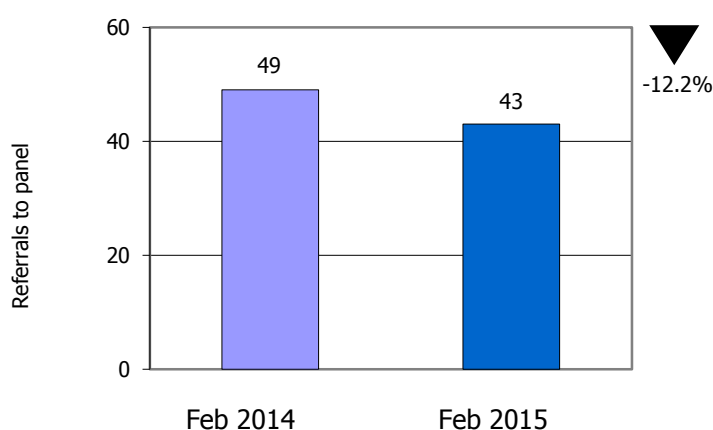
YTD Notify RO/Employers intake: accumulated to February 2014 and February 2015⁶



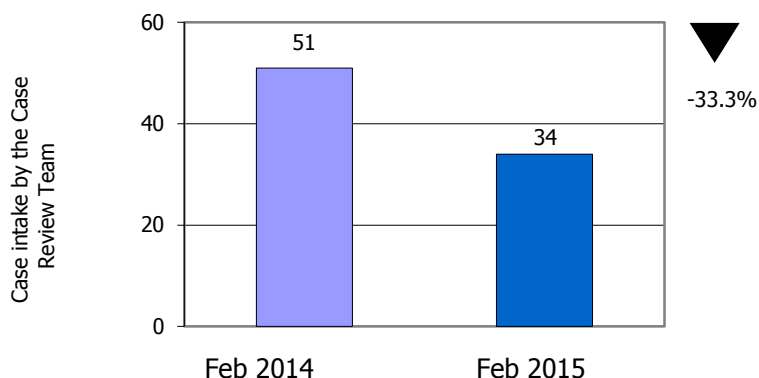
YTD cases closed at Triage: accumulated to February 2014 and February 2015



YTD number of referrals to panel: accumulated to February 2014 and February 2015



YTD case intake by the Case Review Team accumulated to February 2014 and February 2015



⁶The Stream 2 process was altered at the end of September 2014 and replaced with notifications to Responsible Officers (ROs) or Employers.

Registration, PLAB and certification

Service targets



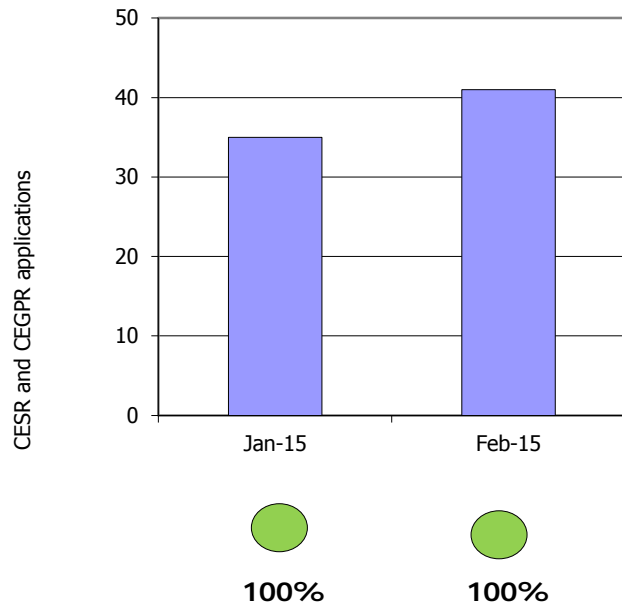
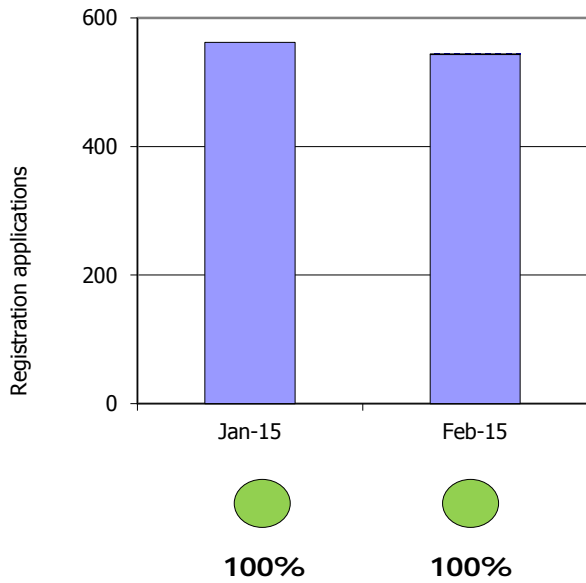
Handled within the service target



Handled outside the service target

To respond to 95% of registration applications within five working days

To complete 95% of CESR and CEGPR applications within 3 months



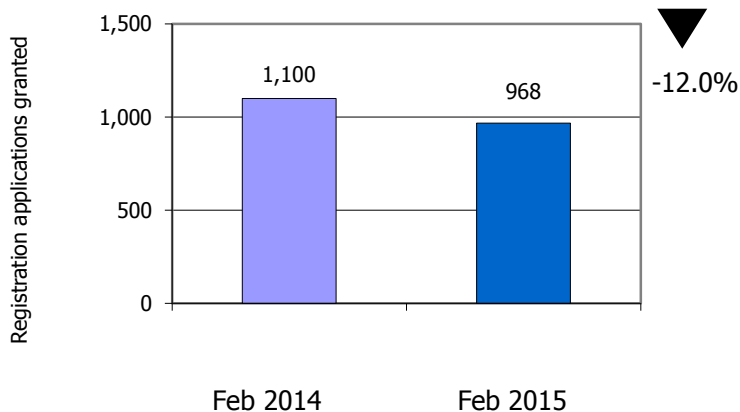
Commentary: Service target achieved.

Commentary: Service target achieved.

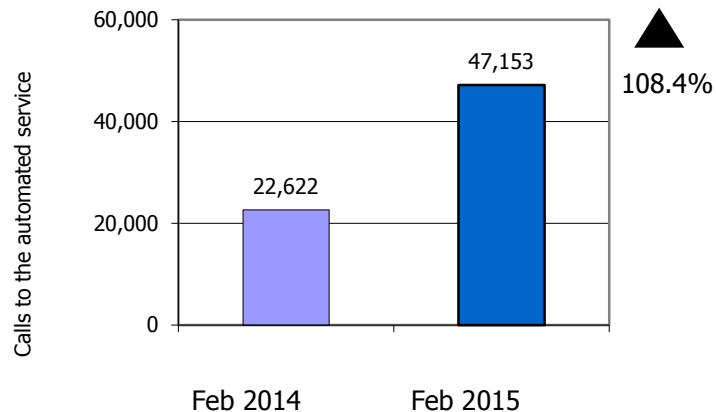
Registration, PLAB and certification

Activity levels

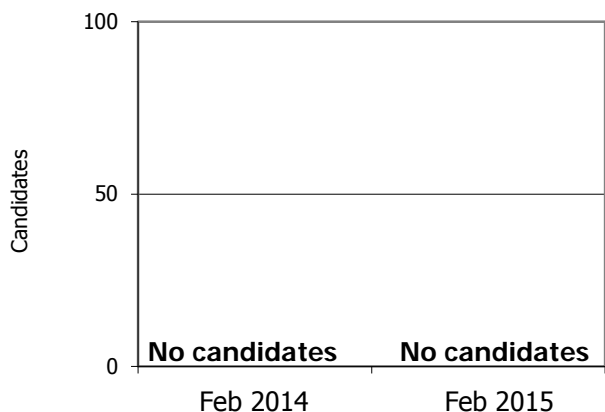
Registration applications granted (excl. specialist registrations, incl. restorations): accumulated to February 2014 and February 2015



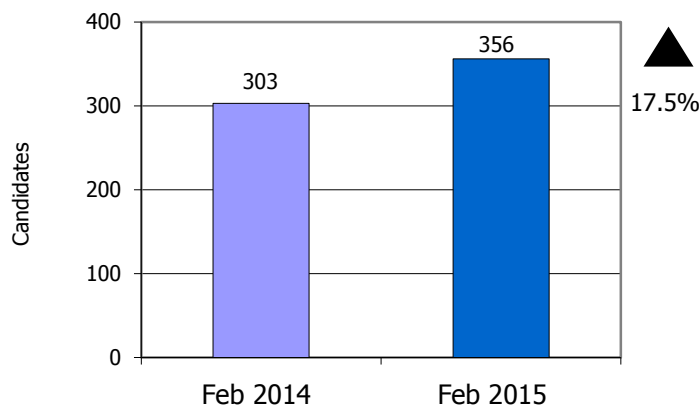
Calls to the automated service confirming a doctor’s registration status: accumulated to February 2014 and February 2015



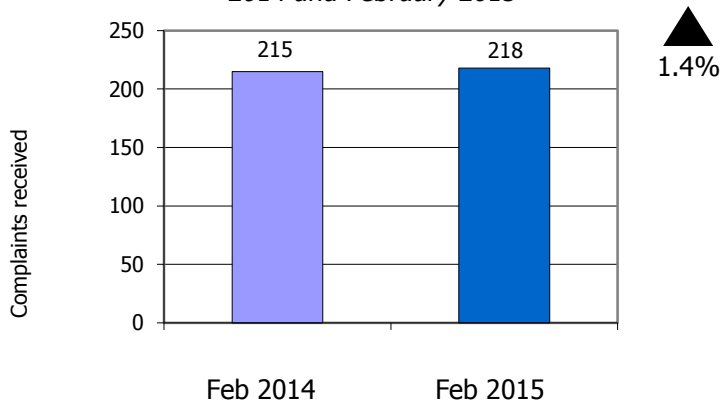
Candidates taking Part 1 of the PLAB test: accumulated to February 2014 and February 2015



Candidates taking Part 2 of the PLAB test: accumulated to February 2014 and February 2015



Complaints received by the Registration and Revalidation Directorate: accumulated to February 2014 and February 2015



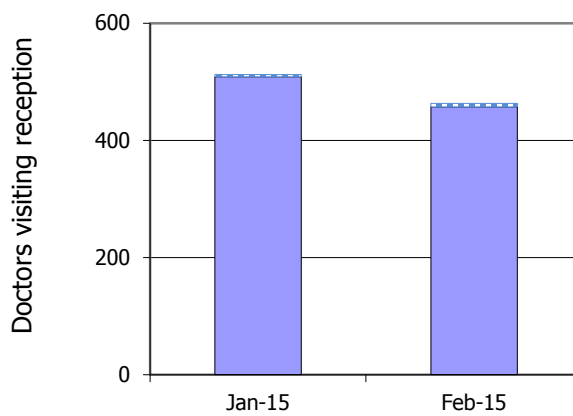
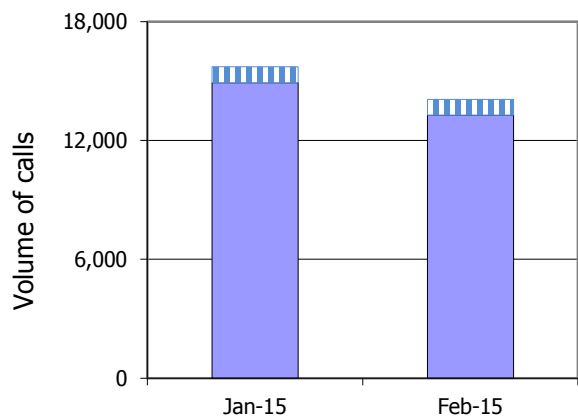
Contact Centre and registration services

Service targets



To answer 90% of calls within 15 seconds⁷

To see 95% of doctors visiting reception within 10 minutes of their arrival



95%



94%



99%

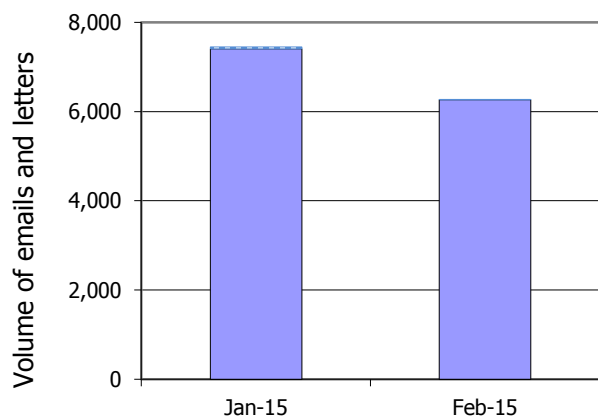


99%

Commentary: Service target achieved.

Commentary: Service target achieved.

To answer 95% of emails and letters within five working days⁸



99%



100%

Commentary: Service target achieved.

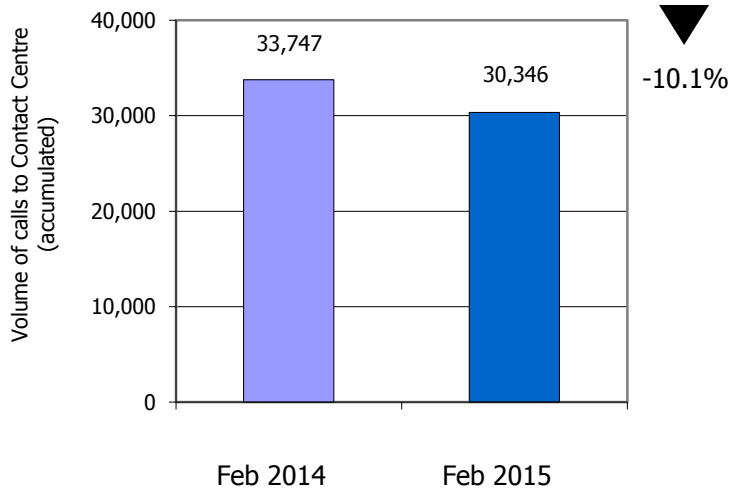
⁷ Excludes lost calls. This is consistent with the industry standard.

⁸ Only providing a substantive response is counted as having met the target.

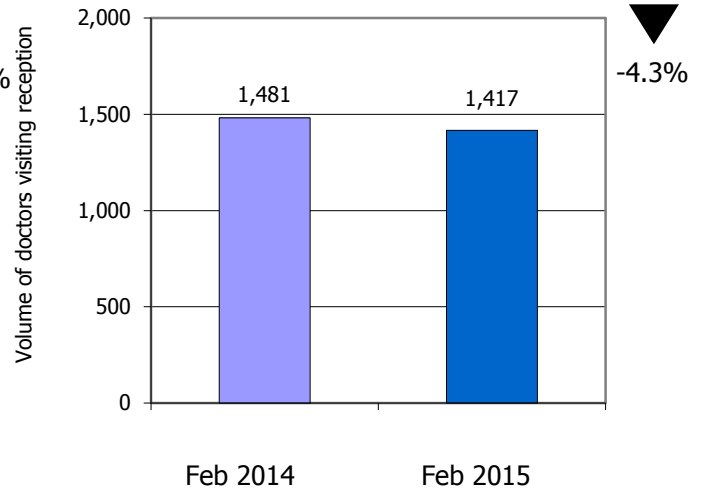
Contact Centre and registration services

Activity levels

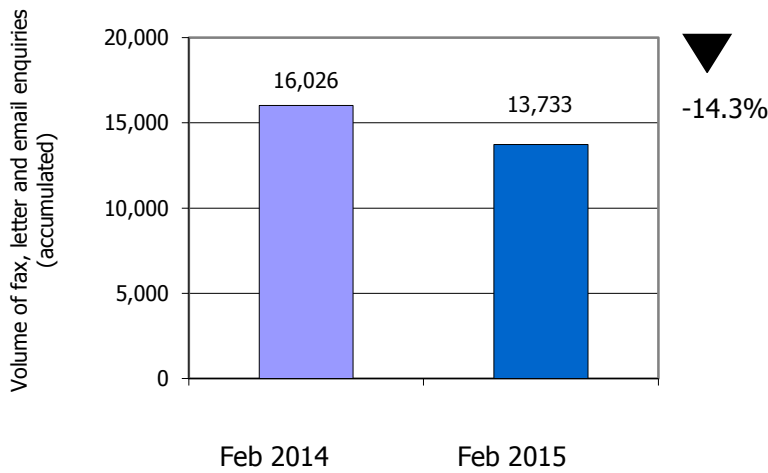
Call volume to Contact Centre: accumulated to February 2014 and February 2015



Doctors visiting registration services: accumulated to February 2014 and February 2015



Fax, letter and email enquiries: accumulated to February 2014 and February 2015

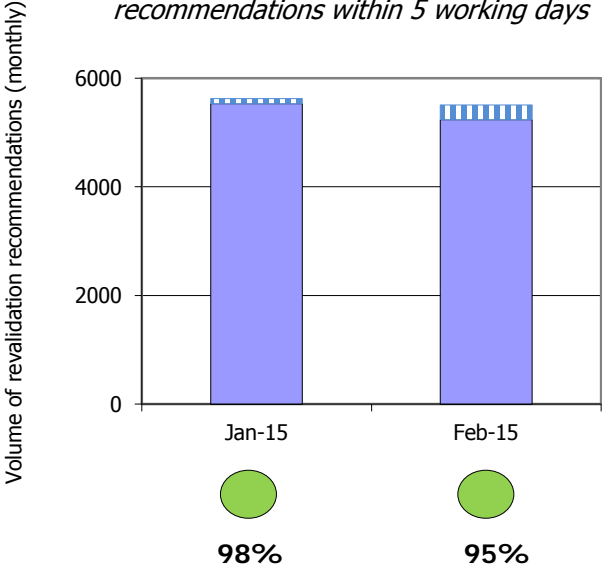


Revalidation

Service target



To process 95% of revalidation recommendations within 5 working days



4 – Chief Operating Officer’s Report

4 – Annex B

Summary Information on Appeals and Judicial Reviews

1 The table below provides a summary of appeals and judicial reviews as at 16 March 2015.

	Open cases carried forward since last report	New cases	Concluded cases	Outstanding cases
Appeals	12	2	5	9
Judicial Reviews	9	4	4	9
IOP Challenges	1	4	1	4

Explanation of concluded cases

2 Appeals:

- a 2 appeals dismissed.
- b 1 struck out.
- c 2 successful.

3 Judicial Reviews:

- a 1 withdrawn.

- b** 2 permission refused.
- c** 1 successful (in part only).

Any new applications in the High Court challenging the imposition of interim orders since the last report with explanation; and total number of applications outstanding

- 4** There have been four new applications to challenge to an Interim Orders Panel (IOP) order since the last report (although one further challenge to an IOP order has been incorrectly issued as a judicial review claim in this period).
- 5** The current position in relation to the four outstanding applications is:
 - a** Hearing date awaited in three cases.
 - b** Hearing in the other case listed for 24 March 2015.

New referrals by the PSA to the High Court under Section 29 since the last report with explanation, and any applications outstanding

- 6** There have been no new referrals by the Professional Standards Authority (PSA) since the last report and there is currently one case outstanding:
 - a** Matter listed for hearing on 28 April 2015.

Any other litigation of particular note

- 7** We continue to deal with a range of other litigation, including cases before the Employment Tribunal and the Employment Appeals Tribunal.
- 8** The table below provides a detailed breakdown of outstanding appeals as of 16 March 2015.

No	Case	Decision appealed	Current status
1	A	Appeal against the Fitness to Practise Panel decision.	Hearing listed for 24 March 2015.
2	AI	Appeal against Fitness to Practise Panel decision.	Application to strike out appeal listed for hearing on 19 March 2015.
3	B	Appeal against Fitness to Practise Panel decision.	Awaiting hearing date.

No	Case	Decision appealed	Current status
4	Be	Appeal against Fitness to Practise Panel decision.	Awaiting hearing date.
5	G	Appeal against Fitness to Practise Panel decision.	Hearing adjourned on 25 February 2015: doctor ordered to pay GMC’s wasted costs occasioned by the adjournment.
6	O	Appeal the determination at Fitness to Practise Panel.	Hearing adjourned on 10 February 2015: doctor ordered to pay GMC’s wasted costs occasioned by the adjournment.
7	P	Appeal against Fitness to Practise determination.	The GMC has agreed that the appeal be stayed until the conclusion of the criminal investigation.
8	S	Appeal against Fitness to Practise Panel decision.	Hearing to take place on either 19 or 20 May 2015.
9	T	Appeal the determination at Fitness to Practise Panel.	Hearing listed for 17 March 2015.

- 9 The table below provides a detailed breakdown of outstanding judicial reviews as 16 March 2015.

No	Case	Claim	Current status
1	A	Judicial review claim to challenge the Rule 12 decision.	Acknowledgment of Service filed and awaiting decision on permission.
2	AM	Judicial review to challenge GMC guidance of assisted suicide case	Permission has been granted and awaiting a hearing date.

No	Case	Claim	Current status
3	B	Judicial review claim regarding the GMC’s decision to refuse the doctor’s application for restoration.	Hearing listed for 31 March 2015.
4	C	Judicial Review against decision that Rule 4(5) not engaged.	Acknowledgment of Service filed and awaiting decision on permission.
5	G	Judicial review against the Assistant Registrar’s decision to waive Rule 4(5).	Acknowledgment of Service filed and awaiting decision on permission.
6	Go	Judicial review challenging decision to conduct a Rule 12 review of an Investigation Committee’s decision to close the case with no action.	Acknowledgement of Service filed and awaiting decision on permission.
7	I	Judicial review challenging the IOP decision to impose an order on the grounds of unfairness.	Acknowledgment of Service filed and awaiting decision on permission.
8	P	Judicial Review against a Fitness to Practise Determination.	Hearing listed for 15 April 2015.
9	W	Judicial Review challenging advice of Case Examiner at Rule 8 stage.	Awaiting hearing date. Application for permission has been adjourned by order of the Court to an oral hearing; meanwhile, case stayed by order of Court pending conclusion of a related Rule 12 procedure which remains ongoing.

4 – Chief Operating Officer's Report

4 – Annex C

2015 Income and Expenditure

Revenue Budget

1 The income and revenue expenditure figures to the end of February 2015 are:

Financial Summary as at February 2015	Budget to date	Actual to date	Variance		Full year budget
	£000	£000	£000	%	
Income					
Annual retention fees	14,451	14,312	(139)	(1)%	89,400
Registration fees	334	247	(87)	(26)%	4,264
PLAB fees	165	165	0	0%	1,262
Certification fees	504	530	26	5%	3,114
Investment income	90	86	(4)	(4)%	1,400
Other income	53	88	35	66%	200
Total Income	15,597	15,428	(169)	(1)%	99,640
Expenditure by cost type					
Direct staffing costs	8,658	8,572	86	1%	54,892
Indirect staffing costs	473	432	41	9%	3,472
Office costs	829	766	63	8%	6,453
Accommodation costs	1,114	1,073	41	4%	6,720
Legal costs	864	755	109	13%	5,776
Professional fees	328	371	(43)	(13)%	3,069
Council & members costs	65	74	(9)	(14)%	405
Panel & assessment costs	2,636	2,478	158	6%	17,270
Depreciation	1,101	1,106	(5)	(0)%	6,820
New Initiatives Fund	0	0	0	0%	250
PSA Levy	0	0	0	0%	600
Efficiency savings	(384)	0	(384)	100%	(2,100)
Consultancy	83	0	83	100%	1,000
Total Expenditure	15,767	15,627	140	1%	104,627
Surplus/deficit	(170)	(199)	(29)		(4,987)

- 2 The actual deficit at the end of February is £199k, compared to a budget deficit for the period of £170k. Income is marginally below budget and expenditure is slightly under budget.

Principal variances

- 3 Annual retention fees income is marginally lower than budget, due to natural variations in the pattern of registration status changes. We will monitor this closely over the coming months.
- 4 Registration fee income is under budget as the number of EEA applications to date is lower than the equivalent period last year, while certification income is a little ahead of budget.
- 5 Other income is higher than budgeted due to the reimbursement of legal fees.
- 6 Direct staffing costs are under budget due to 64.9 vacancies in February, compared to 47.6 vacancies in January, mainly in Fitness to Practise and Registration and Revalidation. The year-to-date staffing budget reflects an adjustment of £337k for staff churn, without which the underspend would otherwise be greater.
- 7 Indirect staffing costs are under budget on recruitment due to delays in filling posts. Training costs are currently under budget due to the timing of training courses.
- 8 Office costs are under budget mainly on IS support contracts, postage and stationery.
- 9 Accommodation costs are under budget following a rent review.
- 10 Legal costs are under budget, as a greater proportion of work has been handled in-house rather than by external providers.
- 11 Professional fees are currently over budget in Strategy and Communication, Education and Standards, and Office of the Chair and Chief Executive/Office of the Chief Operating Officer, due to expenditure being incurred earlier than budgeted.
- 12 Council and member costs are higher than budgeted due to an additional Council session scheduled in January.
- 13 Panel and assessment costs are currently under budget due to fewer report costs than budgeted to date, partially offset by more hearing days.
- 14 Depreciation is slightly over budget due to the timing of projects.
- 15 The efficiency target for 2015 is held as a single budgeted amount initially and then reallocated to specific budget heads as projects are identified. The full year budget figure shows the amount still unallocated.

Capital expenditure

16 In addition to our revenue expenditure on day to day operational business, the GMC incurs capital expenditure on major projects and assets that will generate benefits over a number of years. The standard accounting treatment is to spread capital costs over the lifetime of the asset, rather than accounting for the whole cost in the year of acquisition. This is achieved through an annual depreciation charge to the revenue account.

17 Capital expenditure to the end of February 2015 is:

Capital Programme as at February 2015	Budget to date	Actual to date	Variance		Full year budget
	£000	£000	£000	%	
Facilities Projects	158	144	14	9%	1,204
IS Projects	590	583	7	1%	5,455
Data Strategy project	204	140	64	31%	896
Website Design	0	0	0	0%	50
MPTS - Paperless Hearings	0	0	0	0%	120
MPTS - Forecasting Software	0	0	0	0%	10
Total	952	867	85	9%	7,735

18 Capital expenditure is currently £85k under budget, due to the timings of projects.

Summary

19 Income is marginally below budget and costs are marginally under budget at the end of February 2015.