

**GMC/MPTS Liaison Group**

**Minutes of the Meeting on 17 June 2020**

**Via Skype**

**Members present**

Dame Clare Marx, Chair  
Gavin Brown  
Charlie Massey  
Anthony Omo  
Paul Reynolds  
Neil Roberts  
Dame Caroline Swift

**Others present**

Dale Langford, Committee Secretary

**Chair's business (agenda item 1)**

- 1 The Chair welcomed members to the meeting.

**Minutes of the meeting on 27 November 2019 (agenda item 2)**

- 2 The Group noted that the minutes of the meeting on 27 November 2019 were a true record.
- 3 The Group noted that most of the actions from the previous meeting have been paused in response to the COVID-19 pandemic, however, in relation to action 4, the numbers of referrals to medical practitioners tribunals of cases involving sexual

assault/indecency, violence or dishonesty, the issue would be considered by the Fitness to Practise directorate as part of the work on thresholds in the recovery and renewal phase of the pandemic response.

### **Report of the Medical Practitioners Tribunal Service Committee (for Council on 8 July 2020) and report to Parliament (agenda item 3)**

- 4** The Group considered the report that will be submitted to Council at its next meeting on 8 July 2020, along with the draft report to Parliament.
- 5** The Group noted that:
  - a** The draft report to Council made a clear distinction between work before and after the changes necessitated by COVID-19, and while the draft report to Parliament covers 2019, the response to the pandemic is mentioned in the foreword.
  - b** The updated numbers for the paper included 265 virtual hearings, made up of interim order tribunals (IOTs) and review hearings, and 141 cases reviewed 'on the papers' by Legally Qualified Chairs.
  - c** IOTs were up to date, but a backlog of medical practitioners tribunals (MPTs) had built up. The plan to address the backlog would be to extend virtual hearings to MPTs in July and start hearings in the hearing centre from the beginning of August, with capacity to run three hearings at the hearing centre initially.
  - d** The safety of those involved and other occupants of the building would remain a priority during the initial reopening phase and any later expansion permitted by resources and practical considerations.
- 6** During the discussion, the Group noted that:
  - a** As well as the limitations caused by social-distancing rules, a significant constraint was the number of trained tribunal clerks.
  - b** The move to virtual hearings for IOTs had proved popular, although they were generally slightly longer and more resource intensive. Discussions were continuing with the medical defence organisations about longer MPT virtual hearings, particularly in respect of doctors' insight and remediation.
  - c** The Kinly platform for virtual courts and other hearings would be looked into, with a mock hearing planned to test the functionality.
  - d** Plans for restarting MPT hearings should include how attendance by the press and public would be managed, and would be discussed further by the Senior Management Team.

- e The descriptions of the relationship in the draft report to Parliament should be reviewed so that the description on page 1 reflects the correct position set out on page 3.
- f In the context of the current discussions about Black Lives Matter and equality, diversity and inclusion, there was an opportunity to share in the report to Parliament more of the positive story that the MPTS has to tell about the diversity of its tribunals and the actions taken to address the issue.

7 The Group noted the draft report to Council and draft report to Parliament.

#### **MPTS Executive Manager’s Report (agenda item 4)**

8 The Group considered the Executive Manager’s report which included the risk register.

9 The Group noted that:

- a The report included a short overview of 2019 and a review of the first quarter of 2020, so did not cover the wide range of issues resulting from COVID-19. The report did cover work on utilisation of hearing rooms, attendance and representation of doctors and hearing outcomes.
- b The risk register did not include COVID-19 as that was considered to be a current issue rather than a risk.

10 During the discussion the Group noted that:

- a The improved numbers for attendance and representation had resulted from work with appraisers and the MPTS would also like to include some messages about engagement and representation in the training for overseas-trained doctors.
- b Improving the level of attendance and engagement generally also required a collaborative approach between the GMC and MPTS for the duration of a doctor’s involvement with a case.
- c It would be helpful if the charts covering a number of years could cover a consistent period, where possible, rather than two, three or four years.
- d The next report could also cover how the impact of case management was being measured.

11 The Group noted the Executive Manager’s report and additional material, circulated ahead of the meeting, on the MPTS recovery plan.

**Review of the MPTS Operational Framework (agenda item 5)**

- 12** The Group considered a paper proposing a number of changes to the MPTS Operational Framework resulting from the departure of the GMC Chief Operating Officer and the associated changes to the GMC management structure, and changes to line management of the MPTS Executive Manager.
- 13** The Group noted that the changes included removing the Group from involvement in any proposed changes to tribunal members' contracts and any issues requiring resolution in relation to the MPTS contribution to the Professional Standards Authority performance review.
- 14** The Group approve the revised MPTS Operational Framework.

**\*Strategic and policy issues (agenda item 7)**

- 15** There were no strategic and policy issues to report.

**\*Operational issues – Appeals (agenda item 8)**

- 16** The Group noted the paper setting out the learning points arising from GMC, Professional Standards Authority and doctor appeals of or challenges to decisions of Tribunals from 1 October 2019 to 31 March 2020.

**\*Communication and engagement (agenda item 9)**

- 17** There were no communication and engagement matters to report.

**Any other business (agenda item 6)**

- 18** The Group discussed how the GMC and MPTS could most effectively manage the relationship on matters where there is not a direct alignment of perspective. The Group agreed that each member should give consideration to any issues where further internal discussion was needed and noted that the Director of Resources would discuss further with the MPTS Executive Manager in the following few weeks.
- 19** The Group noted that no hearings were currently going ahead where vulnerable witnesses were involved, as conducting those virtually would not be desirable, and some further work might be required to establish the GMC's and MPTS's responsibilities for vulnerable witnesses.
- 20** The Group noted that its next meeting was scheduled for Wednesday 25 November 2020 at 13:00, scheduled to take place in Manchester.

Confirmed:

Clare Marx, Chair

25 November 2020