

GMC/MPTS Liaison Group

Minutes of the Meeting on 27 November 2019

Members present

Dame Clare Marx, Chair
Gavin Brown
Charlie Massey
Anthony Omo
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.
- 2 Apologies for absence had been received from Paul Reynolds.

Minutes of the meeting on 21 May 2019 (agenda item 2)

- 3 The Group noted that the minutes of the meeting on 21 May 2019 were a true record.
- 4 The action arising from minute 6(d), relating to whether there was a link between referral to a medical practitioners tribunal of cases involving sexual assault/indecency, violence or dishonesty and the overall increase in the volume of referrals had not been included in the table of actions. The Group noted that the Fitness to Practise directorate has looked at the data and established that the change in guidance was

not driving a material change in the numbers. The data would be kept under review and looked at again in 2020.

- 5** The Group noted, in relation to minute 6(a), concerning MPTS and Human Factors training, that the GMC had not yet carried out an evaluation of the training. A discussion would be arranged once this has been completed.
- 6** The Group noted, in relation to minute 6(e), on highlighting to witnesses the differences between tribunals and inquests, that the Witness Experience Review project would consider this.
- 7** The Group noted that the remaining actions from previous meetings had been completed.

Report of the Medical Practitioners Tribunal Service Committee (Council 12 December 2019) (agenda item 3)

- 8** The Group considered the report that will be submitted to Council at its next meeting on 12 December 2019.
- 9** The Group noted that the presentation of the report to Council would include:
 - a** The increase in the number of referrals, the impact that has on resources and what is being done to mitigate the impacts, such as efforts to even out the hearings calendar.
 - b** Plans for the Sanctions Guidance review, to set out the likely timetable, subject to the results of internal consultation.
- 10** During the discussion, the Group noted that:
 - a** Council might also wish to explore tribunal member recruitment and how greater diversity was being achieved.
 - b** The MPTS would be using contacts from the Equality, Diversity and Inclusion (ED&I) Forum to provide information about tribunal member recruitment.

MPTS Budget and Business Plan 2020 (agenda item 4)

11 The Group considered the draft MPTS Budget and Business Plan for 2020.

12 The Group noted that:

- a** The full year forecast was for an overspend of 3.9%, resulting from a significant and sustained increase in referrals from Fitness to Practise along with associated increased staffing costs.
- b** The MPTS were continuing to take action to keep expenditure down, including all new Medical Practitioner Tribunal cases having a pre-hearing meeting, 94% of cases now chaired by Legally Qualified Chairs (LQCs), using appropriate e-learning and shortening the tribunal member induction programme from five days to four, without compromising content or quality.
- c** Following a number of years when savings had greatly exceeded the target, the increase in referrals and inflationary increase in staffing and other running costs would make achieving savings more challenging in future.

13 During the discussion the Group noted that:

- a** There was limited scope to reduce the length of some of the longer cases.
- b** The list of areas where the GMC was seeking legislative reform doesn't currently include seeking for tribunals the ability to defer determinations during the three-part decision-making process and that to do so would need careful consideration.

MPTS Executive Manager's Report (agenda item 5)

14 The Group considered the Executive Manager's report which included the Risk Register and the audit report of Interim Orders Tribunals review on papers process.

15 The Group noted that:

- a** The statistical research that showed positive findings in relation to protected characteristics was due to be published shortly. The MPTS would engage with the ED&I Forum to promote it.
- b** The number of media enquiries was high and did not just cover high-profile cases, but 141 different cases between 1 January and 22 October 2019.
- c** Staff survey results showed some considerable improvements, including job satisfaction score rising 16%, while areas for improvement coincided with the areas for the GMC in general, such as inclusion, change management and workload.

16 During the discussion the Group noted that the risk register would be updated with the reference to the Chief Operating Officer amended to reflect the revised arrangements.

GMC/MPTS Liaison Group meeting schedule and work programme for 2020 (agenda item 6)

17 The Group considered the meeting schedule and work programme for 2020.

18 The Group noted that the periodic review of the GMC MPTS Operating Framework was being brought forward to the earlier meeting in 2020.

***Strategic and policy issues (agenda item 8)**

19 There were no strategic and policy issues to report.

***Operational issues – Appeals (agenda item 9)**

20 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 April to 30 September 2019.

***Communication and engagement (agenda item 10)**

21 There were no communication and engagement matters to report.

Any other business (agenda item 7)

22 The Group briefly discussed the effectiveness of the meetings and agreed that the meetings provided a helpful opportunity for a regular high-level discussion ahead of the twice-yearly report to Council.

23 There were no other items of business.

Confirmed:

Clare Marx, Chair

17 June 2020