

Summary note of the meeting on 5 May 2021

Attendees

- Clare Marx, GMC Chair (Chair)
- Stephen Bergin, Public Health Agency (PHA)
- Paul Darragh, British Medical Association (BMA) NI
- Laurence Dorman, Royal College of General Practitioners NI (RCGP NI)
- Shaun Gallagher, GMC Director of Strategy and Policy
- Chris Hagan, Belfast Health and Social Care (HSC) Trust
- Patricia Higgins, NI Social Care Council (NISCC)
- Aideen Kearney, Health and Safety Quality Improvement (HSCQI)
- Jane Kennedy, GMC NI National Head
- Neil Kennedy, Queen's University Belfast (QUB)
- Una Lane, GMC Director of Registration and Revalidation
- Charlie Massey, GMC Chief Executive
- Marion McCann, GMC Policy and External Affairs Manager (notes)
- Heather Moorhead, NI Confederation of Health and Social Care (NICON)
- Mark Neale, Pharmaceutical Society of NI (PSNI)
- Margaret O'Brien, Health and Social Care Board (HSCB)
- Paul Reynolds, GMC Director of Strategic Communications and Engagement
- Ian Steele, NI Medical and Dental Training Agency (NIMDTA)
- Tony Stevens, Regulation and Quality Improvement Authority (RQIA)
- Edward Welsh, Nursing and Midwifery Council (NMC)

Welcome and Chair's introduction

- 1 The Chair welcomed attendees to the UK Advisory Forum (UKAF). She thanked members for attending and welcomed members attending for the first time.

Actions from the previous UKAF meeting

- 2 An update on actions from the last meeting on 14 October 2020 was provided. These included:

- We met with the Patient and Clients Council (PCC)'s Involvement Services Programme Manager to obtain their input as we drafted our Patient & Public Involvement strategy.
- Our NI Team worked with the members of the Department of Health NI (DoH (NI)) Improving Junior Doctors and Dentists Working Lives Group to progress the recommendations in Caring for Doctors, Caring for Patients. This work will now continue via other fora.
- We attended the HSC Human Resources Directors' Forum to raise awareness of the findings in our Fair to Refer? and Caring for doctors, Caring for patients reports.
- We facilitated a series of conversations with Chief Executives of regulators, which supported the re-establishment of the NI Joint Regulators' Forum in March 2021.

Chief Executive's Update

3 The GMC's Chief Executive provided an update on our work. He noted:

- Our emergency powers, granted to support the response to Covid-19, remain in place. Approximately 700 doctors in NI continue to hold Temporary Emergency Registration.
- We are working with partners to consider the continuing impact of Covid-19 on working environments and implications for education and training.
- We welcome the Department of Health and Social Care (England) (DHSC) consultation, Regulating Healthcare Professionals, Protecting the Public. We have been calling for regulatory reform which will provide professional regulators with a regulatory framework that is 'future fit'.
- Following the UK's EU exit we are continuing work on the Mutual Recognition of Professional Qualifications and all-Ireland regulatory issues.
- We intend to respond to DoH (NI)'s Duty of Candour and Being Open - Policy Proposals for Consultation. We will share our responses with UKAF members.

Regulatory alignment – progress in Northern Ireland

4 Patricia Higgins, Chief Executive of NISCC, provided her reflections on the re-establishment of the NI Joint Regulators Forum. In her presentation she noted:

- Regulators sharing data and intelligence can better enable the identification of issues, support improvement and inform future policy development with health care systems.
- Opportunities exist for collaboration during the recovery from Covid-19 and planning for future regulatory models post the UK's EU Exit. Joint working can ensure that the context of devolution is considered by all regulators and best practice from across the UK is shared.
- Regulators can take on the role of system leaders, developing a shared understanding of system wide issues, fostering trust and taking a proactive approach to developing solutions.

5 Una Lane, welcomed the GMC's involvement in the NI Joint Regulators Forum. Una provided the GMC's perspective on regulatory alignment as joint work with regulatory

partners that benefits patients and professionals by improving regulation, i.e. aligning approaches, guidance or regulatory frameworks. She provided examples of work we are taking forward across the UK including supporting development of an Emerging Concerns Protocol in Scotland and our work on the Maternity Data Sharing Platform in England.

- 6 Una described GMC commitment to foster a culture of equality, diversity and inclusion (ED&I) in everything we do as a regulator. Our ED&I ambitions are focused on Employer Fitness to Practise (FtP) Referrals and Differential Attainment in education and training.
- 7 Finally, Una highlighted our ongoing collaboration with the Medical Council of Ireland following the UK's EU exit. She noted that in both jurisdictions' regulators' powers are limited by legislation. The UK and Republic of Ireland governments will be required to make legislative changes to enable regulators to grant temporary registration and support cross-border healthcare delivery. We will raise this with DHSC during our engagement on regulatory reform.
- 8 The Chair noted that we recognise we have work to do internally on ED&I issues and are committed to being a diverse and inclusive employer.
- 9 The Chair facilitated a wide-ranging discussion, themes raised included:
 - **Regulatory Alignment:** In a discussion on the importance of regulatory alignment in an integrated health and social care system, Members noted opportunities to facilitate conversations with politicians and key stakeholders within the HSC system about the data, research and insights regulators can offer.
 - **Challenges for BAME medical students and doctors in training in NI:** Members noted the challenges facing the growing numbers of BAME students and doctors in training in NI. There are a range of initiatives in place at undergraduate and postgraduate level, but it was noted that a collective approach may be required to address systemic cultural issues.
 - **Workforce pressures:** Members noted the workforce pressures within both primary and secondary care. The impact of waiting lists is causing 'moral distress' to doctors unable to provide timely treatment to patients. Workforce planning may be impacted by the lack of progression through training caused by Covid-19. We are continuing to explore constructive ways to ensure progression. Higher than average levels of retirement are also expected to have an impact in the workforce.
 - **Positive outcomes from changes during Covid-19:** Members cited examples of more regular communication, data sharing and innovation over the last year. HSCQI expressed an interest in finding out more about the data and insights of regulators.

- **Individual Duty of Candour:** There was a discussion about concerns relating to the implementation of an individual Duty of Candour, with criminal sanctions. Members reported that doctors are fearful of the personal implications of criminal sanctions and the risk this presents in NI for recruitment and retention of doctors. It was noted that professional regulators are broadly aligned in our view that criminal sanctions will not contribute to safer and better patient care.
 - **Wider impact of Inquiries and Reviews:** In a discussion about the negative impact on the medical profession of high-profile inquiries and reviews in NI, members shared anecdotal evidence that doctors working at all levels in the HSC system are fearful and lack psychological safety.
 - **Cross-border healthcare:** Members noted the importance of maintaining all-Ireland health care systems and the continuing recognition of professional qualifications.
- 10 The Chair offered thanks to Patricia Higgins for her informative presentation.
 - 11 Shaun Gallagher, Director of Strategy and Policy, encouraged members to consider submitting a response to the DHSC consultation, Regulating healthcare professionals, protecting the public.
 - 12 Commenting on the discussion, the Chair highlighted the importance of hearing the issues impacting the medical profession and wider HSC system in NI.
 - 13 Summarising the main themes discussed by the Forum, the Chief Executive highlighted challenges and opportunities:
 - The pressure within the NI HSC system and workforce challenges continue to impact the wellbeing of the medical profession. Regulators have a responsibility to share their workforce intelligence with decision makers, demonstrate we can support system improvement and identify solutions.
 - We are committed to having conversations about the challenges facing the medical workforce in NI, with senior officials at DoH (NI) and the Minister for Health, in our planned engagements.
 - Regulators have a role in proactively identifying action required to improve systems and create supportive working environments.
 - We will take forward a programme of work, via the NI Joint Regulators Forum. This will include collaborating on our responses to the DoH (NI)'s Duty of Candour consultation.
 - Progress continues to be made on regulatory issues post the UK's EU Exit. This remains a high priority for us, we are committed to updating members regularly.
 - There is an opportunity post Covid-19 to make a real impact on ED&I issues, we are supportive of the initiatives outlined by members.
 - 14 The next NI UKAF meeting will take place on 13 October 2021.