Agenda item: 15

Report title: Review of papers for compliance with the equality duty

Report by: Andrea Callender, Head of Diversity, Strategy and Communication, acallender@gmc-uk.org, 020 7189 5141
Aishnine Benjamin, Equality and Diversity Manager, abenjamin@gmc-uk.org, 020 7189 5387

Action: To note

Executive summary
Decision-makers and organisations covered by the equality duty must be properly informed about any equality implications before taking a decision. At its meeting on 3 February 2015 the Strategy and Policy Board agreed that a review of the papers going to Council and the Boards should be undertaken by the Equality and Diversity team. The purpose of this exercise would be to provide some assurance that decision-makers are receiving the appropriate information to enable them to comply with the duty.

The review found that the relevant equality and diversity considerations were reflected in a proportionate way in the sample of papers looked at.

Recommendation
The Strategy and Policy Board is asked to note the findings of the review of papers.
Background

1 Decision-makers and organisations covered by the equality duty must be properly informed about the equality implications before taking a decision. One way of doing this is to reference the main equality and diversity (E&D) considerations of an activity in governance papers. Recording the steps taken to discharge the equality duty is integral to meeting our statutory obligations in this regard.

2 At its meeting on 3 February 2015 the Strategy and Policy Board agreed that a review of the papers going to Council and the Boards should be undertaken by the E&D team. The purpose of this exercise would be to provide some assurance that decision-makers are receiving the appropriate information to enable them to comply with the duty.

3 A sample of 40 papers presented to Council, the Strategy and Policy Board and the Performance and Resources Board between January–30 September 2015 were reviewed. A list of the papers reviewed is at Annex A. The criteria for selecting the sample were as follows:

   a High profile activities with significant reputational issues and/or the potential risk of legal challenge, for example, the development of sanctions guidance for decision-makers.

   b Activities with significant E&D or fairness issues, or likely to have some impact on cohorts of doctors or other interest groups who share protected characteristics. For example, the development of a revalidation assessment for doctors without a prescribed connection.

   c Activities where greenlighting the paper could result in us treating some groups unfairly, for example, increasing the fees for the Professional and Linguistic Assessment Board (PLAB) test.

   d Activities providing a cross-section of the work underway across directorates and functions during 2015.

4 The review found that the E&D information relevant to making a decision, or considering the issues raised, was reflected in a proportionate way in the sample of papers looked at. The main findings of equality analyses (where these had been undertaken) were signposted in the E&D paragraphs in papers, or more recently, somewhere in the main body of the paper.
15 - Review of papers for compliance with the equality duty

15 - Annex A

List of papers reviewed

1. A list of the papers looked at for the review is provided below.

Council papers

Council, 24 February 2015
5. Human Resources Report 2014 and People Strategy
7. Update on fitness to practise legislative changes
8. Consultation on changes to the Indicative Sanctions Guidance and the role of apologies and warnings

Council, 23 April 2015
5. Developing the online register
7. Sanctions Guidance for the MPTS panels and GMC decision-makers
8. Insurance and Indemnity: changes to the License to Practise and Revalidation Regulations 2012

Council, 2 June 2015
6. Fitness to Practise Annual Statistics Report 2014
7. Report of the Chair of the MPTS
9. New medical education and training standards
10. Taking forward work on a UK licensing assessment
11. Consultation on publication and disclosure
12. Consultation on cosmetic interventions guidance
13. Draft consultation on Generic Professional Capabilities framework

Council, 30 September 2015
6. Proposed Amendment Orders to implement changes to the Medical Act 1983
7. Proposals for Council Member appointments and reappointments
9. Income generation: non-Annual retention fees
13. Update on the response to the independent review of whistleblowing

Strategy and Policy Board

Strategy and Policy Board, 3 February 2015
4. Implementing the revised Recognition of Professional Qualifications Directive
5. Publishing joint guidance with the NMC on the professional duty of candour
8. Consultation on changes to our sanctions guidance and the role of apologies and warnings
10. Review of advice at the end of fitness to practise investigations
12. Review of fitness to practise restriction banks and glossary

Strategy and Policy Board, 26 March 2015
5. New UK medical schools application process
8. Engaging local processes to support more proportionate regulation
9. Insurance and indemnity: changes to the License to Practise and Revalidation Regulations 2012

5. Section 18: Temporary and Occasional registration
6. Revalidation arrangements for doctors involved in our fitness to practise processes
10. Developing guidance for doctors who offer cosmetic interventions
11. Consultation on a framework for Generic Professional Capabilities
12. Consultation on guidance: Medical student professional values and fitness to practise
Strategic and Policy Board, 14 July 2015

5. Update on the response to the independent review of whistleblowing

7. Fitness to practise legislative updating including consultation outcome report and recommendations

Performance and Resources Board

Performance and Resources Board, 20 January 2015

7. Introducing a single fee for the maximum period that doctors will be able to hold provisional registration

12. Implementing the Doctors Support Service

13. Implementing doctors meetings

Performance and Resources Board, 3 March 2015

6. Associate fees and expenses

Performance and Resources Board, 18 June 2015

9. Strategic Communications Projects

10. Options appraisal for an ‘app’ for GMC guidance

Performance and Resources Board, 22 September 2015

13. GMC/MPTS Corporate Complaints policy