

Board meeting
Public minutes of the meeting
15 July 2020



Approved Minutes of the Board meeting, 15 July 2020

Present

Dame Glenys Stacey (Chair)
Alan Clamp (Chief Executive)
Moi Ali (MA)
Frances Done (FD)
Renata Drinkwater (RD)
Tom Frawley (TF)
Marcus Longley (ML)
Antony Townsend (AT)

In Attendance

Christine Braithwaite
Mark Stobbs
Graham Mockler
Douglas Bilton
Marija Hume
Nike Gustave
Dinah Godfrey
Natasha Wynne
Daisy Blench
Melanie Hueser (Secretariat)

Observers

Ian Hamer (Legal Services Board)
Jemima Coleman (Legal Services Board)
Holly Perry (Legal Services Board)
Paul Nezandonyi (Legal Services Board)
Silvia Dominici (Nursing and Midwifery Council)
Mike Andrews (NMC)
Claire Johnston (NMC)
Sarah Barlow (General Medical Council)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair welcomed everyone to the meeting including members of staff and external observers Ian Hamer (Legal Services Board), Jemima Coleman (Legal Services Board), Holly Perry (Legal Services Board), Paul Nezandonyi (Legal Services Board), Silvia Dominici (NMC), Mike Andrews (NMC), Claire Johnston (NMC), Sarah Barlow (GMC).
- 1.2 There were no declarations of interest.

2. Apologies

- 2.1 No apologies received.

3. Minutes of meeting held on 21 May 2020 and matters arising

- 3.1 The minutes of the last Board meeting held on 21 May 2020 (Paper 1) were accepted as a true and correct record and approved.
- 3.2 The Board agreed that all completed items could be taken off the Action Log.

4. Chair's report

- 4.1 The Chair gave an overview of the Authority's work since the last Board meeting and mentioned that it was a busy period during which the Authority has continued with its new ways of working due to Covid-19.
- 4.2 The Chair highlighted the work that has been done on the Accredited Registers' review and thanked the Scrutiny Committee Chair and the Head of Accreditation for their work.
- 4.3 The Chair mentioned the ongoing review of the performance review processes and informed the observers from the regulators that the Authority will seek their views.
- 4.4 The Chair and Chief Executive (CEO) have been liaising with the Department of Health and Social Care regarding regulatory reform. Timetables and priorities seem to be changing. This item will be discussed in the private Board session.
- 4.5 The Chair welcomed Renata Drinkwater as the Chair of the new Finance Committee.
- 4.6 The Chair confirmed that the recommendations for the reappointment of Board members are progressing.
- 4.7 The Chair thanked the executive team (and the Chief Executive in particular) for managing ongoing business while the Director of Corporate Services is away.

5. Executive report

- 5.1 The Chief Executive introduced the Executive Report (Paper 2), highlighting key areas for attention.
- 5.2 The office is now open and available to staff who want to use it and can do so safely.
- 5.3 The Chief Executive gave an update on the wellbeing survey. 95% of staff responded, with staff generally reporting that they are managing well and felt supported. Communication was judged to be good. Staff reported that most were being at least as productive as in the office. The Authority will continue to monitor guidance from the government and ACAS. The Board will be kept up to date during the summer.
- 5.4 The Authority's first Equality, Diversity and Inclusion project meeting took place on Tuesday, 14 July. The Board will be asked how they want to be involved.
- 5.5 **Cumberlege Report:** The CEO highlighted some of the areas from the report relevant to the Authority. The Authority was directly mentioned in relation to conflicts of interest and will talk to the GMC about their plans in that area. The Authority also gave evidence on the lack of mention of the duty of candour in Fitness to Practice cases, a matter of interest in the report. Since giving evidence in 2018, we find more cases mention duty of candour and the Authority will continue to engage with the issue.
- 5.6 The Board noted the regulators have yet to consider whether in their view a central register for conflicts of interest is the best way to guard against conflict, and this may be a contentious recommendation.
- 5.7 A perceptions audit workshop for staff and the Board will take place on 23 July.

- 5.8 **Risks:** No risks are currently classed as red, but some risks are increasing – those in relation to regulatory reform, and to the AR programme.
- 5.9 **Performance review process:** The Director of Scrutiny and Quality asked the Board to note the terms of reference and the project plan. Work will be done with regulators over the summer and a consultation paper prepared for the autumn. Recommendations to the Board are expected for March 2021. Implementation will commence in January 2022. The Board confirmed the timescale and direction of the process was sensible. The Board proposed that the views of a wider group of stakeholders (public, patients, NHS) on performance review reporting should be taken into account purposefully.
- 5.10 The Director of Scrutiny and Quality highlighted the petition asking the Authority to investigate guidance of the GOC given regarding opening of businesses during Covid-19. The Authority found no evidence that the guidance was discriminatory.
- 5.11 **Section 29:** The Director of Scrutiny and Quality requested feedback on the new report template (Annex C).
- 5.12 The Director of Scrutiny and Quality provided further detail to the Board in relation to the case of Roberts/HPCPC. The Scrutiny Committee will consider the judgement once it has been received.
- 5.13 **Cardiff University report:** The Director of Standards and Policy confirmed that the report will be brought back to the Board with new recommendations regarding a central research repository.
- 5.14 **Annual Report and Accounts:** These will be laid before the Privy Council on Thursday, 16 July. The CEO expressed his thanks to the Board and particularly the Audit and Risk Committee for their help, and also thanked Marija Hume, Suzanne Dodds and Lesley Loughran for their work compiling the report.
- 5.15 **Business planning process:** The CEO advised of an additional meeting for the process at the end of August.
- 5.16 The Board **noted** the report and **approved** the proposed timetable and the Terms of Reference for the review of the performance review process (with the caveat that wider stakeholder engagement takes place earlier in the process than currently suggested).

6. Covid-19 update

- 6.1 The Director of Standards and Policy presented the update (Paper 3) and asked the Board to note the report.
- 6.2 The Director of Standards and Policy thanked the regulators for their input into the considerations around risks associated with the Covid-19 crisis.
- 6.3 The Chair highlighted the regular update from the GMC which lists all actions taken by regulators in response to the crisis and thanked the GMC.
- 6.4 The Board commended the executive for the seamless transition to new ways of working. The Board welcomed the increased collaboration efforts made by the Authority.
- 6.5 The Board commended the high quality of the work and of the Board papers.

- 6.6 The Board noted the report, and the Chair requested a paper on Covid-19 for the next Board meeting, to include a future look.

Action: Add Covid-19 paper to September agenda.

7. Stakeholder engagement strategy

- 7.1 The Director of Standards and Policy presented the strategy (Paper 4) and thanked Daisy Blench for her work on the strategy and the paper.

- 7.2 The team will now refine the stakeholder engagement plans and develop the communications strategy in support.

Action: The Board will receive the reform engagement plan once it has been finalised.

- 7.3 The Board enquired whether the plans will be implemented at no additional cost. The Director of Standards and Policy confirmed that is the case for this year.

- 7.4 The Board **accepted** the recommendations and **approved** the strategy, subject to minor amendments.

8. Risk management and revised risk register

- 8.1 The Chief Executive presented the paper (Paper 05) and highlighted the changes in the latest version: the removal of some duplication, and the opportunities section; the separation of standard controls from mitigating actions; and the Board's earlier risk discussions now reflected in the risk register.

- 8.2 The Chair of the Audit and Risk Committee confirmed that the committee will look at the risks in detail at the October meeting. The committee Chair requested that the organisation's risk policy be freshly documented for the Board, now that revisions are agreed.

- 8.3 **Action:** Document the revised risk policy, for review by the Audit and Risk Committee in October.

9. Governance framework

- 9.1 The Chief Executive introduced the framework (Paper 6). Changes suggested at the May Board meeting have been added to this latest version. The framework, as well as the assurance framework, will be subject to internal audit scrutiny in the autumn.

- 9.2 The Chair requested that Item 3.2 be reworded to reflect the correct process and delegation to the Chief Executive in relation to expenditure over £25,000.

- 9.3 The Board requested that the processes and wording for the different committees be standardised.

- 9.4 Chair of the Scrutiny Committee confirmed that the committee will look at its terms of reference at the next meeting to reflect recent changes. The suggested changes will be brought back to the Board.

Action: The Chair and CEO will finalise the framework and send it to the Board for final sign-off.

10. Finance committee terms of reference

10.1 The Chief Executive presented the terms of reference (Paper 07) for sign-off by the Board. The first Finance Committee meeting will take place on Thursday, 23 May.

10.2 The Chair of the committee highlighted priority areas for the committee: office accommodation, business planning, pensions and agreeing the committee's workplan for the year.

Action: Schedule Finance Committee meetings for the rest of the year.

10.3 The Board **approved** the Finance Committee terms of reference.

11. Finance report

11.1 The Chief Executive presented the report (Paper 08).

11.2 There was a small underspend to the end of May due to lower than expected administration costs.

11.3 In the financial year 20/21 the Authority will have to pay the additional contribution to the NHS Pensions plan (around £120,000), which has been budgeted for.

11.4 The Board noted the report.

12. Scrutiny Committee report

12.1 The Committee Chair presented the report (Paper 09), which consists of the unapproved minutes of the June Committee meeting.

12.2 The Chair added that at an additional meeting the committee undertook its routine s29 work which brought no issues to light, and considered the internal audit report on s29 assurance, which will come before the Audit and Risk Committee next.

12.3 The Board noted the report.

13. Audit and Risk Committee report and Annual Audit and Risk Committee report

13.1 The Committee Chair presented the report (Paper 10) and reported from the ICT strategy meeting the committee held in June. The Chair confirmed that proposals from that meeting are now being turned into an action plan.

13.2 The Board accepted the Annual Audit and Risk Committee report.

14. Symposium 2020

14.1 The Director of Standards and Policy presented the proposal (Paper 11). The symposium will be the Authority's first major virtual event. The logistics are

being discussed to ensure that the best mix of presentations and discussions can be facilitated.

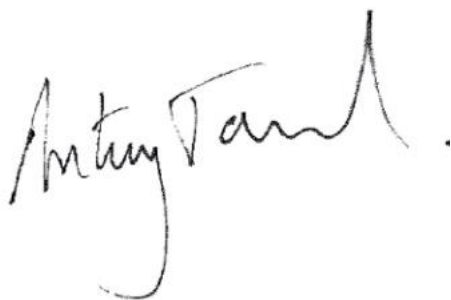
- 14.2 The proposed theme of the event is Regulation Reset. The Director of Standards and Policy invited the Board to consider three possible areas the symposium could include.
- What needs to change and what can stay the same in regulation in the light of Covid-19 (for the current workforce)?
 - What does Covid-19 mean for a future workforce?
 - Equality and diversity
- 14.3 The Chair encouraged the team to use the Board as a resource in the planning process and on the day and suggested that one further area for discussion could also be social work and social care.
- 14.4 The Board supported the idea to include equality and diversity as one area. It was suggested that a speaker from the integrated service in Northern Ireland could contribute to the social work and social care area.

15. Questions from Members of the Public

- 15.1 Ian Hamer (LSB) and Claire Johnston (NMC) thanked the Chair for the opportunity to attend the meeting.

16. Private session of the Board

- 16.1 The Board went into the private session of the meeting.



Signed by Chair

Date 23/09/20

Board meeting

Public minutes of the meeting

15 July 2020



Action Log

In Progress Overdue Delayed Complete

Mtg. Date	Item No.	Action point	Owner	Date required	Action progress	Status
25 March 2020	8.3	Paid events to be investigated as revenue stream.	CB	23 September 2020	To be considered as part of business planning 2021/22	
25 March 2020	13.4	Cyber security review to be added to ARC agenda for October 2020	MH	8 October 2020		
15 July 2020	6.6	Add Covid-19 paper to September agenda.	AC	23 September 2020	Covid-19 lessons learned review described in the Executive Report	
15 July 2020	7.2	Send reform engagement plan to Board once it has been finalised.	CB	TBC	Completed	
15 July 2020	8.3	Create risk policy paper for ARC.	AC/MS	8 October 2020		
15 July 2020	9.4	Finalise the governance framework and send it to the Board for sign-off.	AC/GS	31 August 2020	On the agenda for 23 September (Annexe to Assurance Framework)	
15 July 2020	10.2	Schedule Finance Committee meetings for the rest of the year.	AC/RD/MH	TBC	Completed	