

**Board meeting**  
Public minutes of the meeting  
20 January 2021



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**Approved Minutes of the Board meeting, 20 January 2021**

**Present**

Antony Townsend (Chair)  
Alan Clamp (Chief Executive)  
Moi Ali (MA)  
Frances Done (FD)  
Tom Frawley (TF)  
Marcus Longley (ML)

**In Attendance**

Christine Braithwaite  
Mark Stobbs  
John Fanning  
Jane Carey  
Graham Mockler  
Douglas Bilton  
Marija Hume  
Melanie Venables  
Suzanne Dodds  
Melanie Hueser (Secretariat)

**Observers**

Silvia Dominici (Nursing and Midwifery Council)  
Jonathan Fields (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 Silvia Dominici (NMC) and Jonathan Fields (GMC).
- 1.2 MA has been elected Chair of Action Against Medical Accidents (AvMA), of which she had already been a trustee.

**2. Apologies**

- 2.1 Renata Drinkwater gave apologies.

**3. Minutes of meeting held on 25 November 2020 and matters arising**

- 3.1 The minutes of the last Board meeting held on 25 November 2020 (Paper 1) were accepted as a true and correct record and approved.
- 3.2 **Action log, 23 September, Item 7.7:** The internal auditors looked at the Governance Framework and the Assurance Framework in late 2020. The Governance Framework, which was revised extensively last year, was identified as an area of good practice, and no improvements were suggested. The auditors noted that some of the areas covered by the Governance Framework were not mirrored in the Assurance Framework and recommended that they be added. This is currently under way, and the document will come back to the March Board meeting for approval.

#### **4. Chair's report**

- 4.1 The Chair confirmed that a new permanent Chair had been appointed and that the announcement will be made in the next few days.
- 4.2 The Authority was in the middle of several key areas of work, including regulatory reform, the consultation on Accredited Registers, and the consultation on performance reviews. The government's proposals are expected within the next month. While work continues on this, no public announcements from the Authority planned at the moment.
- 4.3 The consultation about the Accredited Registers will be the key item for discussion at the March Board meeting.
- 4.4 The Chair commended the senior management team and all staff for the excellent work in all areas.

#### **5. Executive report (Paper 02)**

- 5.1 The Chief Executive introduced the paper.
- 5.2 He confirmed that remote working continues and that, while it would be preferable to be able to work in the office at least some of the time, staff were working well with the set-up, were generally happy and were being productive. One-to-one meetings with all staff and the Chief Executive were under way. He acknowledged the challenges staff face around caring responsibilities and practical issues like connectivity problems. He confirmed that the Authority remains committed to flexible working and supporting staff.
- 5.3 Since the risk register was not on the agenda for this meeting the Chief Executive highlighted the main risks at present - the impact of Covid-19; the fitness to practise performance of the HCPC; the financial status of the accredited registers programme; and regulatory reform.
- 5.4 The Chief Executive introduced the new Director of Corporate Services, Jane Carey, and welcomed her to the Authority.
- 5.5 He thanked the interim Director of Corporate Services, John Fanning, for his excellent work. John thanked the Chief Executive and the Authority, and in particular highlighted the support he received from his team. He wished the Authority and all staff all the best.
- 5.6 The Director of Scrutiny and Quality highlighted a recent case appealed by the Authority. He mentioned that the team was very successful in the Yong case: The team received a thank-you letter from one of the junior staff who had been harassed by the social worker. The junior staff member welcomed the fact that they had been understood by someone in a senior position.
- 5.7 The Authority was successful in the Dighton case and received some of the costs. The judge considered that the Authority's costs had been excessive. The Director of Scrutiny and Quality will bring a report to the Finance Committee in June 2021 and the Scrutiny Committee, but highlighted that this was a special case which required additional work and resources.
- 5.8 Two cases arrived after the appeals deadline, though neither merited referral to the courts. The Director of Scrutiny and Quality explained that if a case was particularly serious, this would be raised with the court. So far this had not

happened, but it was felt that a court might well be sympathetic. Current practice was that if a regulator failed to refer a case to the Authority within the deadline, the s29 team would remind the regulator of the importance of forwarding cases within the deadline.

- 5.9 The Director of Scrutiny and Quality mentioned that the consultation for the performance review approach had just launched.
- 5.10 The Director of Standards and Policy confirmed that two research projects – on consistency and the Covid-19 learning review - were under way and progressing well.
- 5.11 The Director of Standards and Policy mentioned that the Society of Homeopaths was suspended from the Accredited Register on 11 January 2021. The suspension would be in effect for twelve months and registrants cannot use the Accredited Registers quality mark.
- 5.12 The review of the Accredited Registers programme was progressing well with stakeholder meetings ongoing.
- 5.13 The Board discussed the importance of diversity in the appointments process both within the regulators and the Authority and the steps taken to increase EDI awareness by the Authority. The Director of Scrutiny and Quality confirmed that the work the Authority's EDI group is currently undertaking should produce some helpful suggestions that can be passed on to the regulators. The NMC and HCPC were already taking forward the suggestion of apprentice trustees.
- 5.14 The interim Director of Corporate Services highlighted some areas of the corporate services section of the report. The ICT team recently had to deal with some issues, which highlighted some minor weaknesses in the recovery plans which needed amendments under working from home conditions. The issues were remedied with minor disruptions and no data loss. Lessons learned will be incorporated into the Authority's disaster recovery plan.
- 5.15 Going forward, the Audit and Risk Committee and Finance Committee will share oversight of the Authority's ICT strategy, splitting the work into financial aspects and risks.
- 5.16 The fee arrangements work was well under way. The DHSC had been involved, demonstrating particular interest in understanding the process.
- 5.17 The interim Director of Corporate Services confirmed that handover to Jane Carey was well under way.
- 5.18 The Chief Executive gave explanations on the KPIs, highlighting some delays around Accredited Registers renewal. These were in part due to the impact of the Covid-19 pandemic internally and at the Registers.
- 5.19 The Scrutiny Committee confirmed that they were satisfied with the measures which had to been taken to manage risks containment in that area. Otherwise, the KPIs were satisfactory.

## **6. Finance report (Paper 03)**

- 6.1 The interim Director of Corporate Services introduced the paper, noting the format of the report which was being developed further at the Finance Committee. The Committee had requested that the report should centre on the

Authority's business activities – regulatory work, Accredited Registers and commissioning work.

- 6.2 He highlighted some issues around the relationship of claiming income and contractual obligations in relation to the work with Accredited Registers, where the main contractual obligation is accreditation. If this process is delayed then the income is also delayed. In future, this would be taken under consideration by the AR team and the Finance Team to produce more informative financial information.
- 6.3 The Board queried the surplus showing in the Accredited Registers table of the report. It was confirmed that this was due to the way the income was recorded: there would be a deficit at the year end. It was requested that a short explanation should always form part of the report when this kind of phenomenon occurred.
- 6.4 The Chair queried the underspend on training. It was confirmed that this was linked to the difficulties staff experienced when booking training during the Covid-19 pandemic. The Chief Executive confirmed that staff will be reminded via the staff newsletter to identify and request training.

## **7. Finance Committee report (Paper 04)**

- 7.1 The interim Director of Corporate Services introduced the paper. He highlighted the section on accommodation. Due to a conflict of interest with the NAO being both the Authority's auditors and landlords, the Authority will be looking for new premises. Advisers will be hired soon to move the process forward.
- 7.2 The Board asked about the locations considered for a move and whether a location outside of London might be considered. The Chief Executive explained that all considerations will be carefully weighed up, including the location of the Authority's key stakeholders and the successes and failures of more radical moves of public bodies, including out of London.  
**Action:** Accommodation update to be a standing item on future Board agendas.
- 7.3 The Committee discussed a review of pensions and agreed to seek outside assistance to review alternative pension options.

## **8. EDI project (Paper 05)**

- 8.1 The Director of Scrutiny and Quality introduced the paper. The consultant has started his work and was very happy to speak to any Board member who would like to be involved.
- 8.2 There will be focus groups on topics including BAME, LGBTQ+ and others set up during January and February, which are aimed at staff but will exclude Directors.
- 8.3 The consultant will speak to regulators as well to get a sense of the external perception of the Authority in this area and to find out more on how the Authority can encourage and promote EDI work within the regulators. The s29 processes will also form a central focus for the project, to ensure that the set-up does not exacerbate existing overrepresentation of BAME registrants in FtP processes.

8.4 The Chair commended the group for its excellent and important work and confirmed the Board's desire to hear more from the project group in future.

**9. Questions from Members of the Public**

9.1 There were no questions from members of the public.

**10. Private session of the Board**

10.1 The Board went into the private session of the meeting.

A handwritten signature in black ink, appearing to read "Antony Tarrant". The signature is written in a cursive style with a large, sweeping initial 'A' and a long, horizontal stroke extending to the right.

**Signed by Chair**

**Date 17/03/21**

## Board meeting

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20 January 2021



### 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	17 March 2021	To be considered as part of business planning 2021/22; options are being considered now.	In Progress
23 September 2020	7.7	Edit the governance and assurance framework, provide to internal audit and bring the final framework back to the November Board meeting.	AC	17 March 2021	Internal audit took place in November 2020. There were no comments on the Governance Framework. Some minor updates are being added to the Assurance Framework. Both documents will come back to the Board for final approval in March 2020.	In Progress
20 January 2020	7.2	Accommodation update to be a standing item on future Board agendas.	AC	17 March 2021	Completed	Complete