

Board meeting

Public minutes of the meeting

20 September 2023



Approved Minutes of the Board meeting, 20 September 2023

Present

Caroline Corby (CC - Chair)
Marcus Longley (ML – Meeting Chair)
Alan Clamp (AC - Chief Executive)
Juliet Oliver (JO)
Moi Ali (MA)
Tom Frawley (TF)
Nick Simkins (NS)
Amrat Khorana (AK)

In Attendance

Jane Carey
Graham Mockler
Christine Braithwaite
Douglas Bilton
Melanie Venables
Salma Rahman
Suzanne Dodds
Daisy Blench
Dan Scott
Ryan Davidson
Simon Wicklund
Karen Smith
Archie Herrick
Melanie Hueser (Secretariat)

Observers

See below

1. Welcome and Introductions & Declarations of Interest

- 1.1 Due to CC being unable to travel to Edinburgh, ML chaired the Board meetings.
- 1.2 The Chair opened the meeting and welcomed everyone to the Board meeting in Edinburgh, where PSA Board members were due to meet with stakeholders later in the day. Observers included members of staff and external observers: Anisah Chowdhury (GMC), Aveen Croash (HCPC), Nasia Nicou Panayiotou (HCPC) and Terry Koranteng (NMC).

2. Apologies

- 2.1 FD sent apologies.

3. Minutes of meeting held on 19 July 2023

- 3.1 The minutes of the last Board meeting held on 19 July 2023 were accepted as a true and correct record and approved.

4. Actions and Matters Arising from the meeting on 19 July 2023

- 4.1 All actions were complete or on track.

5. S29 review 23/24

- 5.1 The Director of Regulation and Accreditation introduced the item. The Board were asked to discuss the scope for a Section 29 qualitative review. Some changes had already been implemented via the review of the quality assurance structure by the Scrutiny Committee. It was proposed that the review begins once the new Lead Lawyer starts at the beginning of October.
- 5.2 The Board welcomed the review. It was confirmed that the Scrutiny Committee will evaluate the review outcomes before they will be implemented.
- 5.3 The Board agreed that the composition of s29 panels, and the need for these to be chaired by a Board member or the Chief Executive, should be part of the review. The Board suggested that decision making across the whole process as well as streamlining some of the processes should be a focus of the review. The Board agreed that a robust assurance framework will be central to the process.
- 5.4 The Board discussed whether the 100 per cent success rate of appealed cases was a positive or negative metric. It was agreed that the risk thresholds should be evaluated as part of the review.
- 5.5 The Board agreed that there would be some 'quick wins' to come out of the review.
- 5.6 The Board suggested to include in the review the best and systematic use of learning points. This was suggested as a more complete review of how influence could better be measured. It was suggested to collate these annually to identify areas that come up frequently and to compare trends over time.
- 5.7 The Board emphasised the potential for improving public confidence in the PSA's processes with an overhaul of the vital s29 function. It was suggested that making the helpful outcomes from the processes more accessible for the wider healthcare community, too.
- Action:** CB to incorporate improvements to public-facing language in Section 29 reports into the brand review.
- 5.8 The Board queried whether the resources for carrying out the review were available in the team. It was confirmed that the proposal was ambitious but that the proposal had been drafted with realistic goals in mind.
- 5.9 It was confirmed that the review was expected to take up to a year.
- 5.10 The Board **approved** the review proposal.
- Action:** GM to bring updates on the progress of the review to each SC meeting, and a final report to the September 2024 Board meeting.

6. Update on regulatory reform

- 6.1 The Director of Standards and Policy introduced the item. The reforms were ongoing, with the implementation for the Anaesthesiologist Associates and Physician Associates (AA/PA) expected later in the year. The wider reform consultation was ongoing as well, but more changes are needed in a number of areas. The Policy team was currently feeding into the Fitness to Practice reform, and the effect on the Section 29 powers was being considered.

- 6.2 The Board queried what kind of responses were being prepared from the PSA around the uncertainties of the AA/PA reform, in particular as this was a relatively new profession. It was confirmed that the GMC and the PSA will be monitoring the implementation closely.
- 6.3 The Board emphasised the PSA's role in supporting the regulators through the transition once the reforms are implemented.
- 6.4 It was emphasised that it was not yet clear which professions will be next in the timetable.
- 6.5 The Board thanked the Policy team for their continued work on this area.

7. Chair's report

- 7.1 The Chair thanked FD and NS for attending the budget and business planning meetings. The Board would discuss these at the planning meeting the day after the Board meetings.
- 7.2 CC attended the morning of the Corporate Day the previous week, which had been a very positive event. The Chair thanked the staff for organising it.
- 7.3 The Board was planning to discuss the issue of healthcare managers regulation the next day.
- 7.4 The Board **noted** the report.

8. Executive report and project dashboard

- 8.1 The Chief Executive introduced the report. It was suggested that the Board will review the EDI action plan and Safer Care for All action plan at the mid-year business plan review meeting in November, which the Board agreed to.
- 8.2 A letter had been sent to the NHS Chief Executive offering support around the issue of healthcare managers regulation.
- 8.3 The programme for the November Research conference had been shared with the Board.
- 8.4 The Board welcomed the work done on AI and queried whether the teams had plans to engage with other sectors on their approach to the issue. It was confirmed that contact had already been made with the Information Commissioner's Office who was convening organisations and business on the issue.
- 8.5 It was confirmed that an evaluation of the Corporate Day was underway.
- 8.6 The Board noted its appreciation for the work that goes into pulling together the information for the executive report.
- 8.7 The Board suggested that an MP should be invited to the Barriers to complaints conference.
Action: CB to include MP invitation for Barriers to complaints conference in early 2024.
- 8.8 The Board emphasised its appreciation for the busy workplan and queried whether resources were sufficient to deliver on everything. It was confirmed that

close monitoring of capacity was taking place, monitoring how much resources 'Business as usual' was taking up and adjusting the additional areas of work.

- 8.9 The Board requested additional detail on the risks of regulatory reform on public protection. It was laid out that great care needs to be taken to confirm the reform in legislation to avoid unintended risks for the public. The PSA continually monitors the quality of the proposed legislation and ensures that sufficient time is taken to achieve the best possible legislation.
- 8.10 The Board **noted** the report.

9. Finance report

- 9.1 The Director of Corporate Services introduced the item. The information in the report was up to the end of July. The most up-to-date figures now projected an overspend of £161k, down from £226k, noting that this includes the earmarked £100k for website development.
- 9.2 The Accredited Registers Programme had made a surplus, which will be used for additional resource in the team.
- 9.3 The Finance report will be updated to a new format, to improve forecasting. More explanation and a summary will be added to make the report more useful and easier to understand.
- 9.4 The Board **noted** the report.

10. Committee reports

- 10.1 **Scrutiny Committee report:** The Board **noted** the report.
- 10.2 **Nominations Committee report:** The Committee had agreed that the Associate Board member role will be continued. The Board **endorsed** this. The EDI group will be consulted on the recruitment process.
- 10.3 Board training and development for 23/24 will focus on the new members.
- 10.4 The Committee will receive an update on the pensions arrangements annually.
- 10.5 The DA Board members will be involved in recruiting their replacements.
- 10.6 The Board **noted** the report.

11. Any other business

- 11.1 There was no other business discussed.

12. Questions from Members of the Public

- 12.1 There were no questions.
- 12.2 The Chair thanked the observers for their interest in the PSA.

Signed by Chair 

Date 15/11/23

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Action Log

On track (including not started) Delayed (or medium risk of delay for projects) Overdue (or high risk of delay for projects) Complete

Mtg. Date	Item No.	Action point	Owner	Date required	Action progress	Status
15 March 2023	6.14	Report on project evaluations and benefits realisation for the IT, accommodation and pensions projects at the July Board meeting.	JC	January 2024	To be brought to January Board 2024 meeting.	Complete
20 September 2023	5.7	Incorporate improvements to public-facing language in Section 29 reports into the brand review.	CB		On Section 29 and brand review action lists	On track
20 September 2023	5.10	Bring updates on the progress of the review to each SC meeting, and a final report to the September 2024 Board meeting.	GM	September 2024		Complete
20 September 2023	8.7	Include MP invitation for Barriers to complaints conference in early 2024.	CB		MP barrier does not apply to health service complaints; CB will give full update at meeting.	Complete