

Board meeting
Public minutes of the meeting
25 March 2020



Approved Minutes of the Board meeting, 25 March 2020

Present

George Jenkins (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
Marija Hume

Melanie Hueser (Secretariat)

Observers

Anna Lubasinska (GMC)
Silvia Dominici (NMC)
Mike Andrews (NMC)
Dame Glenys Stacey (PSA)
Natasha Wynne (PSA)
Louise Rigg (PSA)

1. Welcome and Introductions & Declarations of Interest

- 1.1 The Chair opened the meeting at 10:32am and welcomed everyone to the meeting including members of staff and observers. He noted that this was the first ever virtual Board meeting, and that these were challenging times.
- 1.2 Anna Lubasinska (GMC), Silvia Dominici (NMC), Mike Andrews (NMC), Dame Glenys Stacey (NMC), Natasha Wynne (PSA) and Louise Rigg (PSA) attended as observers.
- 1.3 There were no declarations of interest.

2. Apologies

- 2.1 No apologies received, but the Chair noted that John McDermott was not well and that the Board wished him all the best.

3. Minutes of meeting held on 15 January 2020

- 3.1 The minutes of the last Board meeting held on 15 January 2020 (Paper 1) were accepted as a true and correct record and approved with the below amendments:
- 3.2 **Item 6.6:** It was felt that the current text was unclear and should be updated to “There were questions about whether there was any danger that the contributions provided by the Authority to the training for the Panel Chairs of the HCPC (Paper 02, Executive Report) might be seen as undermining the Scrutiny Committee’s ability to provide oversight and challenge. The Director of Scrutiny and Quality confirmed the contribution centred around the Authority’s role and learning points. This overview has been valuable in the past. It was agreed that this did not adversely affect the Scrutiny Committee’s role.”

4. Matters arising from meeting held on 15 January 2020

- 4.1 The Board agreed that all completed items could be taken off the Action Log.
- 4.2 **Item 6.11:** The RQIA has been repurposed to support Northern Ireland’s Covid-19 response and therefore the proposed initiative of supporting accredited registers has been put on hold.
- 4.3 **Item 6.20:** Most work on hold until the Accredited Registers review will be completed.
- 4.4 **Item 8.5:** The item was on the agenda for this meeting.
- 4.5 **Item 4.1:** The item was on the agenda for this meeting.
- Item 4.3:** It was confirmed that this will continue to happen but that the item can be removed from the Action Log. MA requested that Board members in the devolved administrations would be informed of Authority staff visits to organisations in their countries in future.
- Action:** The Executive report to highlight these visits in the form of a forward look.
- 4.6 **Item 8.1:** This item will be left open.
- 4.7 **Item 9.1:** This item will be left open. It was confirmed that the matter was in hand.
- 4.8 **Item 11.2:** The item was on the agenda for this meeting.
- 4.9 **Item 6.11:** The item was on the agenda for this meeting. It will remain on the log.

5. Chair’s report

- 5.1 The Chair, explaining that it was his last meeting as Chair, took the opportunity to talk about his time as Chair of the Authority. He said that it had been an interesting and challenging time and that he was grateful to have had the opportunity to work with so many interesting people.
- 5.2 The Chair said that he regretted not being able to attend meetings in person in recent weeks because of self-isolating during the Covid-19 pandemic. He said that he hoped to see people again once the current crisis has abated.

- 5.3 The Chair spoke of the massive impact that the crisis has on all four countries, and reminded the Authority of the role it has in protecting the public.
- 5.4 The Chair thanked the team that put the Academic Conference together, as well as all staff and external contributors involved in it. He urged the Authority to keep going with this event.
- 5.5 The Chair thanked the Authority staff and executives for their fortitude in these challenging times. He expressed his confidence that the Authority would get through this. He concluded that it must be a priority for the Board to prepare for the shape of the world after the crisis.

6. Executive report

- 6.1 The Chief Executive highlighted the key areas of the Executive report (Paper 2).
- 6.2 The Chief Executive asked the Board to note the report.
- 6.3 The Chief Executive reported that the Good Thinking Society had withdrawn its request for a judicial review of the reaccreditation of the Society of Homeopaths, and that discussions were continuing around settling costs.
- 6.4 It was asked whether the timetable for the market research as per the report was still feasible. This was confirmed by the Director of Standards and Policy. She explained that an initial paper had just been received from the company undertaking the research.
- 6.5 Clarification was sought on the feasibility and logistics for upcoming events. The Director of Standards and Policy confirmed that the feasibility of holding some events virtually was being explored. The Board commended this move as it would make events accessible for new audiences. Dates were being considered for the Academic Conference in March 2021. A Symposium which was planned for the autumn is currently under review as there might be a rush to hold many events around that time, once the Covid-19 crisis has abated.
- 6.6 It was discussed that clarification was sought regarding a response from the Education and Skills Committee of the Scottish Government regarding the Disclosure (Scottish) Bill and that the Authority was currently waiting for clarification.

7. Finance report

- 7.1 The Head of Finance summarised the Finance report, which the Board reviewed and noted (Paper 3).
- 7.2 Fee update: All but two regulators have paid. Social Work England have not yet paid. They are billed through the Department of Education, with whom both the Authority and SWE are in discussions.

Action: The Chief Executive will monitor this process.

8. Value for money considerations (Paper 4)

- 8.1 The Chief Executive introduced the paper regarding value for money considerations and explained that the aim was to do more for the same and/or to cut costs. The Chief Executive highlighted examples for these kinds of

activities in the report. A summary list will be added to the Business Plan. The Board commended the usefulness of the paper.

- 8.2 The Board discussed the rationale for reviewing the Authority's participation in the NHS Pensions scheme. It was explained that the scheme was an expensive part of the budget and should be reviewed carefully. It is important to have a good understanding of its benefits and disbenefits. It was agreed that the Board needed to be transparent and open when undertaking the review, particularly as far as staff were concerned. The Chief Executive highlighted that as well as being expensive for the Authority, staff had also mentioned the significant cost of their contributions. Alternatives offering greater flexibility could be considered.

Action: The Chief Executive will ensure that the NHS Pensions scheme will be reviewed by the Board in 2020/21.

- 8.3 It was suggested that consideration could be given to run "paid events". The Authority is acknowledged for its high-quality events, which might be an opportunity for a potential new income stream.

Action: CB to take forward investigation of possible revenue created through paid events.

- 8.4 The suggestion of being more proactive in seeking commissions will be picked up at the Strategic Board session in May.

- 8.5 The Board would welcome quantification of the proposals laid out in the paper.

- 8.6 The Board enquired about the workload of the s29 team. The Director of Scrutiny and Quality explained that the reduction in workload was mainly due to the NMC reaching the end of a case backlog which had led to an artificially high number of cases in previous years. Fluctuation was not unusual and, in fact, it seemed possible that the load might increase. The team now has one fewer staff member and has been engaged in cross-directorate work, primarily on regulatory reform. The team will keep this under review.

9. Board Strategic Planning Session

- 9.1 It was announced that Cumberland Lodge has cancelled all bookings through the end of June.

- 9.2 The Board discussed alternatives. It was suggested to hold this event virtually as well, or to postpone it.

Action: The Chief Executive and new Chair will discuss the event and consider by which date the outcomes of the session will be needed by the Authority.

10. Audit and Risk Committee update

- 10.1 The Board noted the minutes from the last meeting.

- 10.2 It was highlighted that the Board thought there was scope for greater clarity and consistency in the formatting and presentation of Board papers. The new Chair noted that it was important to maintain consistency and quality in the Board papers.

11. Scrutiny Committee update

- 11.1 The Board noted the minutes from the last meeting.
- 11.2 It was discussed that the Scrutiny Committee and the Board will participate in the strategic review of the accredited registers programme.
- 11.3 The Board approved the Escalation process (Paper 7). This paper outlined a process for identifying where a regulator's performance either in respect of one or many of the Standards of Good Regulation was giving cause for long term concern and bring this to the Board's attention so that the Board considers escalating the matter. The process aimed to be as flexible as possible to ensure that, when problems appeared to exist, they could be dealt with proportionately.

12. Finance strategy

- 12.1 The Chief Executive reminded the Board members that they have seen the strategy before (Paper 8). He asked members to note that there was very limited opportunity for developing a strategic approach to the management of the Board's finances as there are no significant investments. The finance strategy therefore is a strand of the strategic plan.
- 12.2 It was suggested that it would be helpful to see the paper with track changes in its next iteration. The Chief Executive added that should there be significant changes a cover paper will be added to facilitate members' understanding of the rationale that informed the changes.

13. Cyber security review

- 13.1 The Board was advised that this paper was published annually to keep members informed.
- 13.2 It was noted that the regulators had seen an increase in cyber-attacks over the last few weeks.
- 13.3 The Board requested that the cyber security review would be put on the agenda for the next ARC meeting.
- 13.4 The training on cyber security and the event in January were commended for being very useful, but it was agreed that more needed to be done to keep the important issue at the forefront of everyone's awareness.
 - Action:** The Chief Executive will circulate the slides from the Mazars event in January.
 - Action:** The Board will be informed when the planned lunchtime learning on cyber security is available. This will be available as a streaming event.
 - Action:** Cyber security review to be added to next ARC agenda.
- 13.5 The Board noted that it was taking this issue very seriously.

14. Stakeholder Engagement Strategy

- 14.1 The Board noted that the strategy needs to be revisited in light of the Covid-19 crisis and the impact this will have on the timelines for regulatory reform.

- 14.2 The paper was updated with Board comments after the workshops and is now in version 2 (Paper 10).
- 14.3 The Board discussed that focusing on a few key areas would be useful. It was noted that the activities could be more specific.
- 14.4 The Board discussed whether policymakers should be influenced rather than just informed. Influencing versus lobbying was discussed. It was suggested that, as well as engaging with officials in the devolved administrations to engage more widely with the political community. The non-executives could guide the Chair and Chief Executive in the local landscape. It was explained that the grid at the end of the report shows day-to-day activities and that influencing was not reflected there.
- 14.5 The new Chair commented that the report stacked up well against the strategies of other organisations and that she was looking forward to the stakeholder mapping.
- 14.6 The Board was content with the progress that had been made and agreed to consider the final draft at the meeting in May.

15. Any other business

- 15.1 The Board noted the Board and Committee dates for 2021 and the new Chair confirmed that they were suitable.
- 15.2 The Board thanked the Chair for his work and contribution at the Authority, highlighting the strong relationships he built with the Chairs of the regulators, the work done on recruiting Board members with a diverse background, leading the recruitment of the new Chief Executive and working well with two Chief Executives.
- 15.3 The Chair thanked the Board and highlighted the work ahead.

16. Questions from observers

- 16.1 Silvia Dominici and Mike Andrews from the NMC wished the Chair all the best.

17. Conduct of meeting

- 17.1 Board members confirmed that the meeting was conducted in an open manner and that all members were invited to participate and contribute to discussions.

18. Private session of the Board

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



Signed by Chair

Date 19/06/20

Board meeting

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25 March 2020



Action Log

In Progress Overdue Delayed Complete

| Mtg. Date | Item No. | Action point | Owner | Date required | Action progress | Status |
|-------------------|----------|--|------------------------|------------------|--|--------|
| 18 September 2019 | 6.20 | The Accredited Register Team to submit feedback on the full website review and next stage of website development to the Board. | CB | 20 November 2019 | Complete Changes being made to home page to improve navigation. Further work paused to await outcome of perception audits. | |
| 20 November 2019 | 4.1 | To incorporate in the Stakeholder Engagement Strategy the engagements with RQIA and other similar organisations in the four countries. | CB | 25 March 2020 | In progress | |
| 20 November 2019 | 9.1 | To provide a report on review of criteria for recommendations and conditions for Accredited Registers to Scrutiny Committee | The Accreditation Team | 18 June 2020 | This is due for the next Scrutiny Committee, in June 2020 | |
| 20 November 2019 | 11.2 | To carry out the Board's recommendations, to draft a Stakeholder Engagement Strategy for discussion at a Board workshop in Q4 2019/20; | CB | 25 March 2020 | In progress | |

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| | | and to take forward the full public perception audit of the AR Programme. | | | | |
| 25 March 2020 | 8.2 | The Chief Executive will ensure that the review of the NHS Pensions scheme will be reviewed by the Board in 2020/21 | AC | 31 March 2021 | | |
| 25 March 2020 | 8.3 | Paid events to be investigated as revenue stream. | CB | 20 May 2020 | | |
| 25 March 2020 | 13.4 | The Board will be informed when the planned lunchtime learning on cyber security is available. This will be available as a streaming event. | SD | TBC | | |
| 25 March 2020 | 13.4 | Cyber security review to be added to ARC agenda for October 2020 | MH | October 2020 | | |

Completed action points

| Mtg. Date | Item No. | Action point | Owner | Date required | Action progress | Status |
|------------------|----------|---|-------|-----------------|---|--------|
| 20 November 2019 | 8.1 | To consider what role it would like to play and how it will conduct oversight in implementing the People Strategy and HR matters | Board | 15 January 2020 | Complete – a People Report will come to the Board in March and September each year. | |
| 20 November 2019 | 9.2 | To propose escalation procedure and template wording to highlight persistent failings of a regulator by the Scrutiny Committee to the | MS | TBC | Complete, on the agenda 25 March 2020 | |

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| | | Board (to go to Scrutiny Committee before coming to the Board) | | | | |
| 15 January 2020 | 6.11 | The KPI for 'outcome of renewal applications published by the accreditation date' to be amended to a similar format to the KPI for Performance Reviews. | CB | 25 March 2020 | Complete | |
| 25 March 2020 | 4.5 | The Chief Executive agreed to identify proposed visits in the forward look | AC | 20 May 2020 | Complete | |
| 25 March 2020 | 7.2 | The Chief Executive will ensure that the Finance team keep chasing the Department of Education for the SWE annual fees. | AC | 20 May 2020 | Complete. | |
| 25 March 2020 | 9.2 | As Cumberland Lodge has cancelled all bookings through June, the Chief Executive and new Chair will discuss the event and consider by which date the outcomes of the session will be needed by the Authority. | AC/GS | TBC | Complete | |
| 25 March 2020 | 13.4 | The Chief Executive will circulate the slides from the Mazars event in January | AC | 10 April 2020 | Completed after the meeting | |