



Council
4 February 2016
Chief Executive and Registrar's Report

Classification	Public
Purpose	For noting
Issue	A review of activities and performance since the last Council meeting not reported elsewhere on the agenda.
Recommendation	To note the content of the report.
Financial and resourcing implications	None
Equality and diversity implications	None
Communications implications	None
Annexes	A. Progress against the 2015-16 Business Plan B. Financial report
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Introduction

1. This report gives an account of activities of note that have been undertaken by the Chief Executive and others since the last Council meeting, which are not reported elsewhere on the agenda.

Constitution order and appointments

2. The General Osteopathic Council (Constitution) (Amendment) Order 2015 was approved by the Privy Council on 11 November 2015 and laid before Parliament. This means that the reconstitution of Council will go ahead as planned on 1 April 2015.
3. Interviews for Council took place on 3, 7, 16 and 17 December 2015 and 18 and 19 January 2016. Following the due diligence stage of the appointment process recommendations for appointments are due to be submitted to the Privy Council on 5 February 2016 at the same time as the final appointment documentation is submitted to The Professional Standards Authority. Appointments are expected to be finalised by the end of February.

PSA Performance Review

4. The Professional Standards Authority has commenced its 2015-16 Performance Review process. The new process, the nature of which is still evolving, will be phased over the course of the year; the HCPC and ourselves volunteered to be the first regulators reviewed.
5. As part of the initial assessment we have provided the PSA with a wider range of documents and standard operating procedures, a dataset covering the last quarter of 2015, and a commentary on actions taken in relation to last year's Performance Review.
6. A preliminary meeting about the PSA's assessment process took place on 19 January and we anticipate that the formal assessment of whether a more detailed review of our work is required will take place in February.

Department of Health legislation update

7. At a meeting with all the regulators in early December, the Parliamentary Under-Secretary of State, Ben Gummer MP, confirmed that there would not be a healthcare professional regulation bill in 2016-17. At the meeting Mr Gummer said that he hoped that the next year could be used for further discussion with the regulators on the principles that would underpin legislation and that this may then be followed by draft legislation for pre-legislative scrutiny by Parliament prior to a Bill being formally introduced.
8. Mr Gummer indicated that he wanted to reopen a number of the issues looked at by the Law Commission, in particular the level of detail and prescription in the

draft Bill. He also indicated that he expected that there would be further discussion about the number of regulators, as indicated in 2011 in the Government's Command Paper, *Enabling Excellence*.

Data research

9. At a previous meeting of Council, I indicated that we intended to undertake analysis of the data that we hold as a regulator and whether any of the information relating to registration, CPD and fitness to practice could help us to identify potential risk factors among registrants or other correlations which may inform future policy development across our work.
10. This work commenced in early January and is expected to be concluded in March. It is anticipated that any preliminary findings will be discussed at the policy committees in June.

BSO Taught Degree Awarding Powers

11. In November the BSO was formally granted Taught Degree Awarding Powers by the Privy Council which allows them to grant their own degrees rather than rely on a validating university.
12. In addition, the BSO has become a 'designated' institution, meaning that from the 2016-2017 academic year onwards it will receive funding for its higher education courses directly from the Higher Education Funding Council for England, rather than through its partnership with the University of Bedfordshire.
13. This is a major achievement for the BSO and for the sector as a whole and I am sure that Council would want to join me in congratulating all those who have worked hard to bring it about.

DH Prescribing Project

14. Along with representatives of the Institute of Osteopathy I attended a workshop, organised by NHS England, on the potential for extending the range of professions that might be given prescribing rights. I have now been asked to serve on the Project Board for this project which is formally called the NHS England Scoping Project (Chief Professional Officers' Medicines Prescribing, Supply and Administration Mechanisms).

EU Directive on the recognition of professional qualifications

15. Council will be aware that the new EU Directive 2013/55/EU on the recognition of professional qualifications came into force on 18 January 2016. There have been some changes to the European framework which has provided the opportunity for us to streamline our registration assessment processes for applicants with European rights and to support the principle of freedom of movement within Europe for qualified osteopaths.

16. Because of delays in the implementing regulations for this new Directive, there has been very little guidance available on how to operate the Directive. It is not now expected that the Department of Health implementing regulations will be laid before Parliament before spring 2016. As the situation with the implementing regulations becomes clearer we will report further to the Education and Registration Standards Committee and to Council.
17. Nevertheless, in part through our continued work through the Alliance of UK Healthcare Regulators on Europe (AURE) we have been able to review and amend our registration assessment processes for applicants with EU rights to ensure that the processes are compatible with the new Directive from the implementation date – which we are legally obliged to do in we are to mitigate the risk of potential infraction proceedings. At the same time we have also taken steps to review and update the information for applicants that we provide on our website.
18. The changes to our registration processes as a result of the implementation of the new Directive have been reviewed from an education perspective, shared with our registration assessors at two training sessions held on 21 January 2016, and have also been shared with applicants for registration for feedback.
19. It is proposed that these changes will be brought to the Education and Registration Standards Committee and Council during early 2016 for formal review and approval of any further changes that might be required.

Other meetings

20. Recent meetings, calls, visits and speaking engagements by the Chief Executive and others include:
 - Robin Lansman, iO President-elect
 - Charles Bruford and Graham Sharman, European School of Osteopathy
 - Professional Standards Authority – Regulating for Positive Outcomes Discussion Event
 - Osteopathic Development Group
 - Clinical Standards Accreditation Alliance Board meeting
 - iO Convention (including workshops on professionalism)
 - Professional Standards Authority re Performance Review
 - BSO graduation ceremony
 - Forum on Osteopathic Regulation in Europe, Luxembourg
 - John Wernham College of Classical Osteopathy
 - NHS England medicines prescribing scoping project meeting
 - Advertising Standards' Authority
 - Department of Health ministerial meeting
 - Samantha Peters, Chief Executive, General Optical Council
 - Nick Pahl, Chief Executive, British Acupuncture Council
 - Dr Toby Lowe, University of Newcastle
 - Future of osteopathy regulation meeting, Milan

- Professor Bill Fulford and Professor Stephen Tyreman
- Registration Assessor Training re European Directive
- Australia, New Zealand, UK osteopathy regulators' conference call
- David Vogt, Quality Assurance Board of the College of Dental Surgeons of British Columbia
- Inter-regulatory Group on Governance.

Progress against the 2015-16 Business Plan

21. Annex A sets out the progress made against the 2015-16 Business Plan at the middle of January 2016.
22. Most of the slippage previously reported to Council has been addressed. The following activities will roll over into the 2016-17 Business Plan:
 - a. 1.1 – engagement on new approach to quality assurance.
 - b. 1.1 – further work on patient engagement in osteopathic education.
 - c. 1.5 – expansion of PCC bank of conditions.
 - d. 1.5 – review of Indicative Sanctions Guidance.
 - e. 1.5 – expanding available pool of expert witnesses.
 - f. 2.1 – 'State of CPD' report.

Financial report

23. Annex B shows the financial position at the end of December (Month 9) of the 2015-16 financial year.

Recommendation: to note the report.