



Council
3 May 2018
Chief Executive and Registrar's Report

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| Classification | Public |
| Purpose | For decision |
| Issue | A review of activities and performance since the last Council meeting not reported elsewhere on the agenda. |
| Recommendations | To note the contents of the report. |
| Financial and resourcing implications | None |
| Equality and diversity implications | None |
| Communications implications | None |
| Annex | 2017-18 Business Plan – Final Progress 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.

Professional Standards Authority update

2. The PSA's annual Performance Review of the GOsC commenced in January and we have had a number of discussions and exchanges with the PSA about the scope of the Review. At the end of February the PSA confirmed that they would be undertaking a targeted review relating to the first, third and sixth standards relating to fitness to practise. These are the standards that relate to the raising of concerns, initial investigation and timeliness. The further information requested is focused on the application of the Threshold Criteria and the Initial Closure Procedure, and the PSA will also be undertaking an audit of cases closed by screeners and the Investigating Committee in 2017.
3. We have provided a range of information setting out how we have dealt with a higher than usual caseload (including concerns raised with us relating to advertising) over the past three years, and the impact that this has had on our performance against KPIs. Council is aware of this from discussions at recent meetings on the fitness to practise data report. We expect the PSA's audit work to be completed by May and that the PSA will conclude its Performance Review in late spring or early summer.
4. The PSA is expected to publish a formal consultation shortly on revised standards of good regulation and has introduced a reduced dataset for use from 1 April 2018. These are welcome developments which should bring the Performance Review process up to date and we hope ensure that adds more value to our work. It is not yet clear whether this new approach will be in place in time for our next annual Performance Review, although the consultation indicates that regulators will be asked whether they are willing to take part in an initial pilot.
5. Harry Cayton, Chief Executive of the PSA, has announced that he will be standing down from his post in September 2018.

Brexit

6. We attended a meeting with officials from the Department of Health along with other regulators in February to discuss the potential impact of Brexit on healthcare professional regulation. The Government has indicated that it hopes that current recognition processes will remain in place at least for the foreseeable future, but is preparing for the possibility of no Brexit agreement being reached.
7. The potential impact on larger regulators and those with automatic recognition processes is far greater than on the GOsC. In terms of our own processes, it

would be relatively straightforward to use the same pathway for registration for EU graduates as those from the rest of the world. The key risk would be if we found ourselves in a position where any necessary adjustments have not been made to our rules and there was any suggestion that different groups of applicants were being treated unfairly.

8. We will continue to monitor the situation and keep Council informed as the situation becomes clearer.

CPD Rules

9. We have received confirmation from the Department of Health that Privy Council approval is imminent and it is planned to lay the CPD rules before Parliament from 26 April 2018 subject to the approval of the Parliamentary Business Committee.
10. It is expected that this process will be completed in time for the implementation date which is 1 October 2018.

National Council for Osteopathic Research

11. The GOsC continues to support the work of NCOR in encouraging the development and dissemination of research within the osteopathy profession. NCOR has now been established as an independent charity for three years. As a result, new trustees have joined NCOR nominated by the Council of Osteopathic Educational Institutions (Carrie McEwan of NEScot) and the Osteopathic Foundation (Professor Duncan Empey). The GOsC and iO Chief Executives continue to serve as trustees.
12. The Trustees have agreed to renew the NCOR 'hosting' contract with Queen Mary University London for a further three years. A key strategic objective over this period will be to seek to strengthen NCOR's relationships across the profession and to ensure its long-term sustainability as a resource for the profession.

Business Rates refund

13. Council will be aware that since our registration with the Charity Commission as a charity we have been eligible to pay business rates at a reduced rate. We have also made an application to the London Borough of Southwark for this reduction to be backdated. Southwark has indicated that they accept the case for backdating and we are awaiting confirmation of how many years this will cover.
14. The Executive is considering a range of potential options for how this windfall might be best used, rather than simply adding it on to the Balance Sheet. We have already identified a number of potential areas where we have been considering future work which is currently unfunded, this includes:

- a. Osteopathy House infrastructure improvements, including upgraded video conference and meeting room facilities
 - b. Future IT developments around the CRM database and related systems
 - c. Potential research projects to support 'upstream' regulation.
15. We propose to bring firmer proposals to Council for the possible designation of these funds once we have a clearer idea of the sums involved and have undertaken more exploratory work on the ideas listed above.

Taylor Review and employment status

16. As part of its response to the Taylor Review on Modern Working Practices, the Government has launched a consultation on employment status.
17. Our HR Manager is working with colleagues in other regulators to consider the potential impact on individuals working as non-executives in the sector and we will be contributing to a joint response to the consultation.

Other meetings

18. Recent meetings, calls, visits and speaking engagements by the Chief Executive and others include:
- Institute of Osteopathy – Maurice Cheng and Ben Katz
 - Department of Health (Brexit)
 - NCOR Council and Trustees meetings
 - European School of Osteopathy – Sarah Wallace
 - Osteopathic Foundation Board
 - Osteopathic Centre for Children – Stuart Korth and John Anderson
 - Professor Duncan Empey
 - GMC Regulation Conference
 - PSA Research Conference
 - NESOT – Carrie McEwan
 - Dr Dawn Carnes
 - Osteopathic Development Group Board
 - PSA 'Big Data' conference
 - European School of Osteopathy Faculty Day
 - GMC research team re communications project
 - GOsC/OEI meeting

Progress against the 2017-18 Business Plan

19. The Annex provides a final progress report on the 2017-18 Business Plan at the year end.
20. We are reporting delay on three items which have been carried over into 2018-19:

- a. 1.2 – QA Review – minor delay in completing consultation
- b. 1.2 – boundaries research – minor delay in publishing initial literature review to allow for Committee consideration first.
- c. 1.3 – Rule 19 Practice Note – minor delay to consideration of draft practice note
- d. 1.3 – bank of conditions – removed from plan
- e. 3.2 – Integra – slipped to 2018-19 due to staff changes and delay in upgrading Integra database

21. Activities that will not conclude in 2017-18 have been incorporated into the draft 2018-19 Business Plan.

Financial report

22. The Head of Registration and Resources will give an oral update on the provisional outturn for the 2017-18 financial year ending 31 March 2018.

Recommendations: to note the contents of the report.