



Council
6 February 2019
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.
Recommendations	To note the contents of the report.
Financial and resourcing implications	None
Equality and diversity implications	None
Communications implications	None
Annexes	A. 2018-19 Business Plan monitoring at end of December 2018 B. Financial report to 31 December 2018
Author	Tim Walker

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 (PSA) Performance Review

2. The PSA published the GOsC's 2017-18 Performance Review report on 13 December. The report can be found on the PSA's website at: <https://www.professionalstandards.org.uk/publications/detail/performance-review-gosc-2017-18>. The report took a long time to finalise due to the need to provide detailed responses to the PSA's audit of fitness to practise cases closed at the initial stages and to drafts of the final report. I have raised my concerns about this process with the PSA's Chief Executive, particularly the unwillingness of the PSA team to discuss issues with us as the audit process progressed.
3. The 2018-19 Performance Review assessment is due to take place this month. This will be the last Performance Review based on the current standards with the next round due to take place using updated standards and a new evidence framework which were agreed by the PSA in November 2018 and will be piloted this year.

Regulatory reform

4. Discussions continue between the regulators and the Department of Health about the potential for s60 orders that will streamline the fitness to practise processes and governance arrangements across the regulators. However, to date there has been no confirmation that theses will be taken forward and over what timescale.
5. With regard to fitness to practise we have emphasised that any steps to modernise our outdated legislation would be welcome, rather than raise particular concerns about the precise detail. In relation to governance, we have remained neutral on the issue of a 'unitary' Council (i.e. one on which executives and non-executives serve) but have emphasised the importance of dealing with other aspects of governance as well, for example the requirement to have statutory committees particularly for fitness to practise functions.

Brexit

6. While many issues relating to Brexit remain uncertain, the Government has now published draft legislation relating to the recognition of professional qualifications in the event of a 'no-deal Brexit'.

7. The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2018¹ would amend the following:
 - Osteopaths Act 1993
 - General Osteopathic Council (Registration) Rules 1998
 - General Osteopathic Council (Application for Registration and Fees) Rules 2000
 - General Osteopathic Council (Recognition of Qualifications) Rules 2000
8. The effect of the amendments would be to remove current provisions relating to temporary and occasional registration and related matters under EU law, and allow the GOsC to treat qualifications from European institutions that meet the requirements of the Osteopathic Practice Standards as 'recognised qualifications' for the purpose of registration.
9. Council will be kept informed about how we will implement the changes as the need arises.

Charity Commission CAM report

10. The Charity Commission has published the conclusions of a review of charities working in the field of complementary and alternative medicine along with new guidance², following a legal challenge from a campaign group.
11. The basis of the challenge was whether the promotion of therapies without a sufficient evidence base could be meet the public benefit requirements of charity law.
12. Although the guidance provides useful clarification which will be of benefit to a range of osteopathic charities (including NCOR, the Osteopathic Foundation and the majority of osteopathic educational institutions) our assessment is that it will not have an impact on the work of the GOsC, particularly as our statutory purposes relate to the protection of the public rather than the promotion of particular therapies.

Quality Assurance Procurement

13. At its meeting on 17 July 2018, Council agreed the proposed approach to our quality assurance procurement exercise. This included a timeline where the business case and any procurement expertise would be brought to Council in January 2019. The Policy Advisory Committee considered a draft business case and timeline at its meeting on 18 October 2018 and was broadly content with the proposals. The Committee felt that consideration of the overall budget was affordable, and agreed that the Chair of the Policy Advisory Committee and the

¹<http://www.legislation.gov.uk/ukdsi/2018/9780111177686/contents>

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/763305/CAM_OG304.pdf

Director of Registration and Resources should participate in the tender panel. Given that the discussion at Policy Advisory Committee was uncontentious and given the lack of clarity about Brexit as at the date of writing the paper (which has an impact on major procurement decisions), we have decided to move these decisions to July 2019 so that they will take place at the same time as Council is asked to delegate the procurement decisions to the Policy Advisory Committee. This approach is consistent with the remainder of the timetable considered by Council last year.

Institute of Osteopathy roadshows

14. The Institute of Osteopathy has invited the GOsC to present at a series of regional meetings taking place this winter/spring. The meetings are taking place as follows:
 - Coventry – 15 February
 - Bristol – 29 March
 - Manchester – 10 May
 - Perth – 9 June
 - Maidstone – 21 June
15. We will use these as an opportunity to update members of the profession on current issues including CPD and the revised Osteopathic Practice Standards.

Chief Executive appointment/handover

16. Since the announcement of the appoint of Leonie Milliner as the new Chief Executive and Registrar, I have held one informal briefing with her and she attended the office for a full afternoon briefing with the senior staff team on 22 January. Further discussions will take place before Leonie's first day in the office on 4 March.

Other meetings

17. Recent meetings, calls, visits and speaking engagements by the Chief Executive and others include:
 - OsteoOwl online discussion
 - GOsC/OEI meeting
 - Duncan Rudkin, CE&R, GPhC
 - Leonie Milliner
 - Dawn Carnes, NCOR
 - Osteopathic Foundation Board
 - Alan Clamp, CEO PSA
 - Ian Fraser and David Tasker, ESO
 - ODG Leadership Programme
 - Claire Armstrong, Department of Health (England)
 - Chief Executive's Steering Group

Progress against the 2018-19 Business Plan

18. Annex A provides a final progress report on the 2018-19 Business Plan at the end of December.
19. At this stage in the year we are reporting a delay on three Business Plan items:
 - 1.3 – FtP KPIs – this has been delayed pending the PSA Performance review report and a seminar discussion is being held at the February Council meeting.
 - 1.3 – Rule 19 Practice Note – consultation will take place shortly.
 - 1.3 – Expert witnesses – work on this project has now commenced.
 - 1.3 – Bank of conditions – this will move to the 2019-20 Business Plan

Financial report

20. Annex B provides an update on the financial position at the end of December 2018.

Recommendations: to note the contents of the report.