



Council
23 July 2014
Committee Annual Reports 2013-14

Classification	Public
Purpose	For noting – where no discussion or decisions are required.
Issue	Each committee is required to report annually on its work to Council.
Recommendation	To note the Annual Reports of: a. Audit Committee b. Education and registration Standards Committee c. Osteopathic Practice Committee d. Remuneration and Appointments Committee
Financial and resourcing implications	None
Equality and diversity implications	None
Communications implications	None
Annexes	A. Audit Committee B. Education and registration Standards Committee C. Osteopathic Practice Committee D. Remuneration and Appointments Committee
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Annual Report of the Audit Committee 2013-14

Financial Audit, auditor evaluation, Annual Report

1. During the year under report the Audit Committee considered the Key Issues Memorandum (KIM) for financial year 2012-13. The KIM set out the key issues affecting the results of the GOsC and the preparation of the financial statements.
2. Audit Committee considered an 'invitation to tender' document for the appointment of external financial auditors. The appointment process saw Grant Thornton re-appointed for a two year period, which subject to satisfactory performance, may be extended by a further three years.
3. The Committee was keen to base any decision to extend the contract for Grant Thornton on clear evidence. During the year a draft framework for evaluating the performance of the auditors was developed and is to be trialled at the end of the audit of financial year 2013-14.
4. The structure of the Annual Report and Accounts was also considered by the Committee in light of Grant Thornton launching their second annual governance review. The Committee made suggestions about how the Annual Report and Accounts may have more impact in the future.
5. The Committee also received the Audit Plan from Grant Thornton which set out the programme of external audit work for the financial year 2013-14.

Risk Register

6. At each meeting the Audit Committee reviews the high level risk register which includes a report presented by the Chief Executive and Registrar highlighting any movements in the risk level. The Committee suggested a number of minor amendments in the year including additional measures for risk mitigation.
7. This year has seen Audit Committee discuss the development of a risk tolerance statement which has been used to drive forward changes in the structure of the Risk Register. Another important aspect of the development of the new Risk Register has been the focus on assurance mechanisms and the encouragement of policy and governance committees, and Council to ensure that they are engaged effectively in risk issues.

Budget Strategy 2014-15

8. The Committee commented on the 2014-15 budget strategy paper which led to the development of the budget approved by Council in January 2014.

Performance Measurement

9. The Committee received the first completed performance measurement matrix and offered comments about how it may be improved for the future.

Internal audit

10. The Committee received internal audit reports which provided updates of progress against the planned internal audit options. The reports included work carried out by GOsC staff as well as some external peer assessments by colleagues from other healthcare regulators.

IT information security

11. The Audit Committee received a paper from the Executive which provided additional assurance around the work undertaken in relation to the cloud computing project and wider information security activities.
12. The paper provided the Committee with an assessment of the new cloud computing service against an Information Commissioner's Office checklist.

Scrutiny of major contracts

13. The Committee considered how the GOsC best ensure that major contracts receive an appropriate level of scrutiny. The report presented to the Committee incorporated feedback received and will be taken to Council for approval.

Monitoring report

14. The Committee receives a standing report from the Executive on any fraud notifications, critical incidents, data breaches and corporate complaints. In the year under report the Executive reported three corporate complaints, three critical incidents, nine data breaches (or varying severity) and no incidents of fraud to the Committee.

Membership

15. During the period 2013-2014 the Audit Committee membership comprised:

Name	Member details	Dates of membership	Meetings attended
Jane Hern (Chair)	External lay member	All year	3/3
Kenneth McLean	Council registrant member	All year	3/3
Mark Eames	Council lay member	All year	3/3
David Prince	External lay member	All year	2/3

16. David Prince's term of office on the Committee expired during the course of the year but with Council's agreement this was extended to 31 March 2014. A new independent appointee Chris Shapcott attended the final meeting of the year as an observer.

Cost of the Audit Committee

17. It is estimated that the cost of the Audit Committee and its related activities, excluding staff time, is approximately £28k. This is calculated as follows:

Activity	Cost £
Committee members: fees and expenses	3,876
External financial audit	19,805
External non-financial audits	3,994
Total	27,675

Opinion of the Audit Committee

It is the opinion of the Audit Committee that its work during the past year is in line with the Terms of Reference of the Committee. The Committee also believes Council can take assurance from this that the organisation has proper and appropriate systems in place to enable it to discharge its statutory responsibilities. The work reviewed by the Committee demonstrates the Executive has a mature approach to financial and non-financial control frameworks and a willingness to adapt to, and to implement change and process improvement. Further, Council can take assurance that the controls upon which the organisation relies to manage risk are suitably designed, consistently applied and effective.

Annual Report of the Education and Registration Standards Committee 2013-14

Introduction

1. The Education and Registration Standards Committee (the Committee) performs the role of the statutory Education Committee under the Osteopaths Act 1993. The Committee has a 'general duty of promoting high standards of education and training in osteopathy and keeping provision made for that training under review'. It also has a key role to give advice to the Council about educational matters including the recognition and withdrawal of 'recognised qualifications'. (See Section 11 of the Osteopaths Act 1993). The Committee also has a role to contribute to the development of standards of osteopathic practice and to contribute to ensuring that only those appropriately qualified are able to register with the GOsC.

Summary of Activities since April 2013

2. The Education Committee met three times during the period under review – in May 2013, September 2013, and February 2014. This report summarises the work of the Committee and includes decisions taken and actions recommended and progress on work overseen by the Committee. Full minutes of all the meetings have already been reported to the Council.

Guidance on Osteopathic Pre-registration Education

3. In May 2013, the Committee approved revised terms of reference for the Guidance for Pre-registration Education Working Group which included membership of the osteopathic educational institutions (OEIs), lay members, patients and students. The Committee also noted the progress of the group. In September 2013, the Committee discussed and agreed the consultation strategy and considered the draft guidance and consultation issues.
4. The draft Guidance was subsequently published for consultation following agreement by Council in January 2014 from February 2014 to May 2014.

Quality Assurance

Major Quality Assurance Review

5. During the 2013-14 year, the Committee oversaw the development of the major Quality Assurance review culminating in the production of a Quality Assurance Review Discussion Document.
6. Following the Committee's recommendation in 2012, that engagement with stakeholders should shape the issues for development; in September 2013, the Committee noted a considerable amount of engagement both with regulators, educational institutions and experts in quality assurance, and considered the emerging issues to shape the draft Quality Assurance Discussion Document

including thematic reviews, feedback from students, patients and staff, the standards framework, timing and review cycles.

7. In February 2014, the Committee recommended that Council publish the Quality Assurance Review Discussion Document for consultation.

Quality assurance of 'recognised qualifications'

8. During the course of the year, the Education Committee advised Council that the following qualifications should be recognised or renewed based on Visitors Reports prepared by the QAA:
 - Renewal of the Masters in Osteopathy, Bachelors in Osteopathic Medicine and the Diploma in Osteopathy at the British College of Osteopathic Medicine from 1 October 2013 to 30 September 2018.
 - Renewal of the Bachelor of Science (Hons) Osteopathic Medicine and the Master of Osteopathic Medicine at the Surrey Institute of Osteopathic Medicine at the North East Surrey College of Technology from 1 October 2013 to 30 September 2018.
 - Renewal of the Master of Osteopathy and the Bachelor of Science (Hons) at the European School of Osteopathy from 1 September 2014 to 31 August 2019.
 - Renewal of the Master of Osteopathy and the Bachelor of Osteopathy (Hons) at the London School of Osteopathy from 1 September 2014 to 31 August 2019.
9. During the course of the year, as part of our active approach to advising the Council about the recognition of qualifications and ensuring standards, the Committee considered in relation to all OEIs the following:

Activity	May 2013	September 2013	February 2013
Agreement to RQ specifications	One OEI	None	None
Consideration of reports and evidence submitted in relation to general and specific conditions	One OEI	Four OEIs	Three OEIs
Consideration of annual report analysis (including external examiner reports and internal annual monitoring reports and information about student fitness to practise.)	Ten OEIs	None	Ten OEIs

Cessation of courses update

10. Two institutions have ceased to recruit to their osteopathic courses. The last graduates at Oxford Brookes are expected to graduate in 2016. The last graduates at Leeds Metropolitan University are expected to graduate in 2017. The Committee is monitoring the continuing maintenance of standards in these institutions through regular reports and updates on the closure plans.

Evaluation of the quality assurance process

11. The Quality Assurance Agency (QAA) collect feedback from those involved in the quality assurance process including educational institutions reviewed, QAA visitors and the review co-ordinators. Overall respondents felt that the review was fit for purpose with some saying that it seemed to work well in its present form. However there were some suggestions for improvement including further training on report writing and additional time for considering documentation,

Professionalism and Student Fitness to Practise

12. In September 2013, the Committee noted the emerging findings from the professionalism research which explored views about lapses in professionalism amongst students and also noted the evaluation of the student fitness to practise guidance (including an analysis of the student fitness to practise findings reported by the OEIs). The Committee agreed a specification of the information to be provided by OEIs about student fitness to practise cases to ensure consistency and sufficient detail about cases reported to inform both registration decisions and policy development and implementation.

Good character assessment framework

13. In September 2013, the Committee considered the development of the good character assessment framework to help to inform the process for making decisions about good character and decisions about the registration of applicants.

Osteopathic Practice Standards (OPS)

14. In February 2014, the Committee noted an evaluation of the implementation of the Osteopathic Practice Standards. The purpose of the evaluation was to explore whether the implementation achieved three key aims namely:
 - Raising awareness of the OPS with all relevant stakeholders
 - Improving the quality of patient care through a greater understanding of the OPS and how standards apply to practice
 - Delivering a range of resources which are useful, accessible and used by a range of stakeholders

15. The evaluation used existing sources of data, for example, CPD submissions, feedback from e-learning modules, data about calls and emails to the GOsC and data from the revalidation pilot.
16. A series of recommendations were noted by the Committee and have been disseminated to staff to allow effective future implementation to be informed by this work.

Registration Assessor recruitment and appraisal

17. In May 2013 and September 2013, the Committee received updates about the recruitment of additional registration assessors and return to practice reviewers to refresh and increase these pools of assessors. The Committee also received an update about the training for the assessors and the reviewers and the plans for piloting an appraisal system at the end of the 2013.

Period of Adaptation Guidance

18. In May 2013, the Committee considered draft period of adaptation guidance and agreed to consult on the Guidance.
19. The Council subsequently agreed to publish the Guidance following consultation in January 2014.

Temporary and occasional registration

20. In September 2013, the Committee considered a Position Statement about the definition of 'temporary and occasional' registration for the purposes of determining applications for registration. The Committee recommended that the Council approve the statement. The Committee also noted an internal explanatory factsheet about temporary and occasional registration for use by staff.

Registration appeals

21. In May 2013, the Committee considered a range of policies and procedures for registration appeals. This included the establishment of a registration appeals panel, drawn from Council, terms of reference for the panel, quorum and composition.

Registration applications from outside the EEA – Professional Standards Authority research

22. The Committee considered a PSA Rapid Review entitled *Processes used by nine health and care professional regulatory bodies in the UK to register applicants trained and applying from outside of the European Economic Area (EEA)*. The report provided assurance that the GOsC processes for applications received outside the EEA are sound.

Registration Activity Report

23. The Committee noted data presented about registration applications. This included:

- Numbers of new entrants to the register
- Numbers of removals from the register
- Reasons for voluntary removal
- Reasons for being registered as non-practising
- Number of registrants returning to practice
- Registration assessment activity.
- An evaluation of the training sessions for the registration assessors.

Fitness to practise case trends

24. In September 2013, the Committee noted a paper containing detailed information about fitness to practise case trends from 1 January 2010 to 31 July 2013 to inform policy development for pre-registration education. The Committee also received information about the osteopathic complaints and claims classification data collection tool to enable data about complaints and claims to be collected in a more standardised way allowing for easier comparison.

Professional Standards Authority Performance Review

25. In September 2013, the Committee noted the Professional Standards Authority Performance Review 2013. This included areas of strength and opportunities to learn from elsewhere which will be highlighted in our programme of work for 2013/2014.

Engagement

26. During 2013-14, the Chair of the Education and Registration Standards Committee chaired four meetings with the OEIs and met regularly with the Chair and acting Chair of the Council of Osteopathic Educational Institutions. These meetings enabled the Education and Registration Standards Committee programme of work to be informed by OEIs and provided good opportunities keep the OEIs informed about external developments and to work in partnership to continually enhance the quality of osteopathic education for the benefit of patients and students.

27. A wide range of topics were discussed at the GOSc/OEI meetings including:

- Guidance about periods of adaptation

- The Francis Inquiry
- The work undertaken by the Comité Européen de Normalisation on osteopathic standards
- 'Recognised Qualification' papers on the public Council agenda
- The Osteopathic Practice Standards evaluation
- The Quality Assurance review
- Developing the profession
- Registration, non-practising status and roles in education
- Professionalism and student fitness to practice
- Health Education England
- Good practice seminar about 'cultural change – a seminar to share good practice'
- Continuing fitness to practise: seminar
- Final Clinical Competence Assessment
- International Journal of Osteopathic Medicine
- GCC Guidance about students as models
- Involvement of patients and the public in osteopathic education
- Law Commission Bill Update
- Specification about the information to be provided to the GOsC when students graduate.

Membership

28. During the period April 2013 to March 2014 the Education Committee membership comprised:

Name	Member details	Dates of membership	Meetings attended
Professor Colin Coulson-Thomas (Chair)	Council lay member	All year	3 of 3
Ms Geraldine Campbell	Council lay member	1 April 2013 to 30 September	2 of 2

Annex B to 18

		2013	
Dr Jorge Esteves	Council registrant member	All year	3 of 3
Dr Jane Fox	External lay member	All year	3 of 3
Professor Bernadette Griffin	External lay member	All year	3 of 3
Mr Robert McCoy	External registrant member	All year	3 of 3
Mr Brian McKenna	Council registrant member	All year	3 of 3
Mr Liam Stapleton	External lay member	All year	2 of 3
Ms Alison White	Council lay member	All year	3 of 3

29. The Committee thanked Ms Geraldine Campbell for her service to the Education and Registration Standards Committee following her resignation from the Committee in September 2013.

30. The Committee welcomed Mr Mark Eames and Mr Kenneth McLean, Council members who observed the Committee at its meetings in May 2013 and September 2013 respectively.

Cost of Education and Registration Standards Committee-related work

31. It is estimated the costs of running the Education and Registration Standards Committee and its related activities, excluding staff time, is approximately £154k. This is calculated as follows:

Activity	Cost £
Committee member: fees and expenses	6,626
Working groups (OEI)	1,608
Quality assurance	114,476
Student fitness to practise	624
Transition research	1,102
Registration Assessors	28,091
Publications and subscriptions	1,967
Total	154,494

Annual Report of the Osteopathic Practice Committee 2013-14

1. The OPC was established on 1 April 2013. The Committee has met on 3 occasions: 14 May 2013; 19 September 2013; and 27 February 2014.
2. The OPC replaced the Fitness to Practise Policy Committee and, in relation to continuing fitness to practise issues, will build on the work undertaken by the Revalidation Standards and Assessment Group.

Policy work

3. During the period, the OPC considered and commented on four draft policies:
 - a. Fitness to Practise Publication Policy
 - b. Notification of Fitness to Practise Outcomes and Investigations
 - c. Whistleblowing Policy
 - d. Protection of Title Enforcement Policy.
4. The OPC made a number of detailed drafting comments and suggestions before recommending to the Council that the FTP Publication Policy and Notification of Fitness to Practise Outcomes and Investigations should be adopted. The OPC recommended to Council that the Whistleblowing and Protection of Title Enforcement Policy should be approved for consultation.
5. As part of its discussions, the OPC considered issues such as the handling of anonymous complaints in the light of the recent High Court case of *White v NMC* (decision 11/2/14) and whether or not the Notification of Outcomes should include Health cases.

Review of Notice to Parties and Practice Notes

6. During the period, the OPC considered and commented on five draft Practice Notes and recommended that they be approved by the Council:
 - a. Rule 8 Practice Note and Process Flow Chart
 - b. Preparing for a Hearing
 - c. Expert Witnesses
 - d. Evidence
 - e. Consideration of Undertakings at Interim Suspension Order Hearings.

7. In addition to providing detailed drafting comments on the Practice Notes, the OPC considered issues such as the draft suitability criteria for the application of the Rule 8 procedure; the definition of a 'single incident' that should be adopted as part of those criteria; the definition of an undertaking and the format in which it should be presented to a fitness to practise committee; whether a witness' evidence-in-chief should be given orally or whether it was preferable for the written statement of the witness to stand as their evidence-in-chief.
8. The OPC also considered the evidential provisions (including provisions relating to Vulnerable witnesses) and time lines set out in the Practice Notes on Evidence and Preparing for a hearing, which replaced the Notice to Osteopaths and Legal Representatives published in November 2011.

Professional Indemnity Insurance

9. Following the introduction of the new EU Directive on cross border patient rights, the OPC considered five aspects of insurance requirements that might impact on future GOsC Professional Indemnity Rules. These were the extent to which any rules should seek to prescribe the risks to be covered; whether or not the rules should prescribe a minimum amount of cover; the evidence that registrants should be required to provide in order to demonstrate compliance with the Rules; whether or not the Rules should require run-off cover; and the requirements that should apply to registrants practicing overseas.
10. The OPC also considered a draft consultation document, and recommended that this be approved by the Council for consultation.

Guidance to Fitness to Practise Committees

11. The OPC considered draft Investigating Committee Decision Making Guidance and Flow Chart which had been prompted by the recent decision in *Spencer v General Osteopathic Council* [2012] (*Spencer*) and the fact that the guidance had not been reviewed since first publication in 2007.
12. The OPC recommended that with some drafting amendments, the draft Guidance should be approved by the Council.

Guidance to Registrants

13. The OPC considered in great detail draft guidance to registrants on *Obtaining Consent – Patients' Capacity to Give Consent*. In the light of the complexity of the subject, and the fact that the law on consent varied across the UK, the OPC recommended that the GOsC should produce separate guidance on consent for each of the separate legal jurisdictions within the UK.
14. The OPC also considered and commented on draft Guidance for Registrants on the use of the Rule 8 Procedure.

Development of Common Classification System for Recording Complaints

15. The OPC noted progress on the development of the Common Classification System by the GOsC and partner organisations including the British Osteopathic Association and professional insurers, which was a recommendation from the NCOR Adverse Events Project No 3.
16. The OPC noted that the primary aim of this project was to develop a better understanding of the circumstances that give rise to patient complaints and claims in order to inform education, training and guidance. The OPC suggested that the system should record that age and gender of the complainant and registrant, and the also record the date of registration of registrants subject to a complaint or claim. This would allow us to identify whether the length of time in practice had any impact on the type of complaints/claims being received

Draft Quality Assurance Framework and risk assessment in fitness to practise cases

17. The OPC considered and commented on a draft quality assurance framework being introduced by the Regulation Department. The Framework included a new method of assessing risk and indicating whether not the GOsC should apply for an Interim Suspension Order.
18. The OPC commented on the scoring criteria and risk factors; and the draft Key Performance Indicators and timescales set out in the draft framework. set out in the framework. The OPC also noted progress in development of further iterations of the framework.

Matters for noting

19. During the period, the OPC received papers and presentations on the following matters:
 - a. the 2012/13 Annual Performance Review of the GOsC published by the Professional Standards Authority on June 2013.
 - b. the GOsC response to the request for views by the Professional Standards Authority, on how professional regulation can encourage health professionals to be more candid when care goes wrong
 - c. an analysis of fitness to practise cases closed between 1 June 2012 and 31 July 2013
 - d. changes to the Continuing Professional Development (CPD) audit process in relation to sampling and feedback in which all registrants now received feedback on their CPD submissions as part of the audit process.
 - e. the scoping report and progress of research commissioned by the GOsC into the effectiveness of regulation: 'Exploring and explaining the dynamic of

osteopathic regulation, professionalism and compliance with standards in practice.

Osteopathic Practice Standards Evaluation

- 20. The OPC received a detailed paper evaluating the GOsC’s implementation of the Osteopathic Practice Standards which became effective in September 2012.
- 21. The OPC made a number of suggestions and recommendations on mechanisms for evaluating the implementation of future projects.

Membership

- 22. During the period April 2013 to March 2013 the Osteopathic Practice Committee membership comprised:

Name	Member details	Dates of membership	Meetings attended
Julie Stone (Chair)	Council lay member	All year	3/3
Jonathan Hearsey	Council registrant member	All year	2/3
Haidar Ramadan	Council registrant member	All year	2/3
Jenny White	Council lay member	All year	3/3
Alison White	Council lay member	All year	3/3
Dr Jane Fox	External lay member	From August 2013	2/2
Manoj Mehta	External registrant member	From January 2014	1/1

Cost of Osteopathic Practice Committee-related work

- 23. It is estimated the costs of running the Osteopathic Practice Committee and its related activities, excluding staff time, is approximately £24k. This is calculated as follows:

Activity	Cost £
Committee member: fees and expenses	6,626
Continuing fitness to practise framework/ Revalidation (DH grant)	2,935
Osteopathic Practice Standards	8,392
Complainant/Registrant research	1,258
Publications and subscriptions	4,727
Total	23,938

**Annual Report of the Remuneration and Appointments Committee
2013-14**

1. The Committee met on three occasions in June, November and March.

Staff pay

2. The Remuneration Committee approved an across the board increase for GOsC staff of 2%, taking into consideration: the inflationary trend over the previous 12 months; affordability; and pay trends in the identified market. The Committee also approved the continuation of the Performance Related Pay Progression Scheme while keeping within the overall provision for increased pay.

Staff survey

3. The Committee reviewed the proposed approach to conducting a staff survey and provided advice on the survey's themes and questions, and encouraging responses.

Members' allowances and expenses 2013-14

4. The Committee reviewed allowances for fitness to practise committees and feedback from a consultation with committee members. The Committee recommended to Council the introducing half day attendance fees, restricting accommodation allowances to those with a journey time of more than 90 minutes and reducing the level of cancellation fees.
5. The Committee considered allowances for Medical Assessors, taking into account the fees paid by other health care regulators for similar work and recommended a new fee structure to Council.

Council

6. The Committee agreed a Council effectiveness questionnaire for completion by Council. The results were reviewed by Council at its Strategy Day.
7. The Committee reviewed the standard competencies for Council members and recommended revised competencies to Council.
8. The Committee explored the possible scenarios and timelines for the reconstitution of Council which were dependent on progress of the Law Commissions' proposed legislation and permission from the Department of Health to proceed with drafting.

Appointments

9. The Committee considered appointment processes for the following positions:
 - a. Audit Committee member appointment and Chair’s reappointment.
 - b. Temporary appointments to the Investigating Committee.
 - c. Northern Ireland Council member.
 - d. External members of the Osteopathic Practice Committee.
 - e. Investigating Committee Panel Chairs.

10. The Committee reviewed the diversity monitoring data collated during the fitness to practise committee appointment process. It was noted that the pool of applications was not as diverse as we would have wished and recommended working with other regulators and the PSA to identify ways to increase diversity.

11. The Committee considered how the appointment processes might be improved and the challenges arising from competency-based processes. The Committee agreed to seek to simplify processes, provide examples of good practice and work with others (e.g. the Institute of Osteopathy) to promote applications.

Training and development for non-executives

12. The Committee reviewed the current approach to non-executive training and development and considered changes for the future. The main area identified was to focus more on the competency and skill aspect of development and to provide training on the most effective way to scrutinise the Executive.

Committee membership

13. Membership of the Committee during the year was as follows

Name	Member details	Dates of membership	Meetings attended
Alison White (Chair)	Council lay member	All year	3/3
Kim Lavelly	Council lay member	All year	3/3
Nick Hounsfield	Council registrant member	All year	1/3
John Chaffey	Council registrant member	All year	3/3
Ian Muir	External lay member	All year	3/3

Cost of Remuneration and Appointments Committee-related work

14. It is estimated the costs of running the Remuneration Committee and its related activities, excluding staff time, is approximately £42k. This is calculated as follows set out below along with the employment costs of the GOsC.

Committee-related	Cost £
Committee member: fees and expenses	863
Governance appointments	24,548
Training and other costs	16,615
Total	42,026
Total GOsC employment costs	
Wages and salaries	975,886
Social security costs	100,585
Other pension costs	90,893
Recruitment	3,071
Training and development	18,482
Other employment costs	10,074
Total	1,365,052