



Council
23 July 2014
Chief Executive and Registrar's Report

Classification	Public
Purpose	For consideration
Issue	A review of activities and performance since the last Council meeting not reported elsewhere on the agenda.
Recommendation	To consider any changes required to reporting of key data and to note the remainder of the report.
Financial and resourcing implications	Costs pressures arising from increased fitness to practise activity are set out in Annex B to the report.
Equality and diversity implications	None
Communications implications	None
Annexes	A. Progress against the 2014-15 Business Plan B. Financial report C. Key data
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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.

Law Commissions' review and legislative reform

2. Following the publication of the Law Commissions' review of healthcare professional regulation, it was hoped that consideration of the Regulation of Health and Social Care Professions Bill would be included in the Queens' Speech for the last session of the current Parliament.
3. The Bill will not now likely to be considered in any form prior to the General Election. However, work is continuing with the regulators and the Department of Health (England) seeking to resolve policy differences so that a Bill might be considered at an early point in the future.
4. The Department of Health has indicated that they will take forward a number of section 60 Orders, including one introducing case examiners for the GDC. We made representations to the Department asking for the GOsC to be included in this Order. This has now been declined. We have also requested permission from the Department to commence work on a new Constitution Order to reduce the size of Council.
5. In addition, Jeremy Lefroy, the MP for Stafford, is promoting a private members Bill – the Health and Social Care (Safety and Quality) Bill 2014-2015. This was one of 20 private members ballot bills to receive its presentation and first reading on 2 July 2014. The purpose of the bill is:

'To make provision about the safety of health and social care services in England; to make provision about the integration of information relating to users of health and social care services in England; to make provision about the sharing of information relating to an individual for the purposes of providing that individual with health or social care services in England; to make provision for removing individuals convicted of certain offences from the registers kept by the regulatory bodies for health and social care professions; to make provision about the objectives of the regulatory bodies for health and social care professions and the Professional Standards Authority for Health and Social Care; to make provision about the disposal of cases concerning a person's fitness to practise a health or social care profession; and for connected purposes.'

6. This Bill will, if it becomes law, enact certain small aspects of the Law Commissions' proposals, however, it is very tightly defined, as indicated above, and therefore does not replace the Law Commission bill. There is no published text of the Bill at present and it is not likely to be published until shortly before the second reading planned for Friday 7 November 2014. We are working with

others to shape and influence the bill to the extent that we are able to. We will keep Council updated as this Bill progresses.

Regulators' event in Northern Ireland

7. UK health and care regulators held a joint reception on 11 June in the Northern Ireland Assembly at Stormont. This follows on from other similar joint parliamentary receptions in Scotland and Wales last year, the aim being to foster constructive co-operation between regulators, politicians and patients. Systems regulators and patient representative organisations were also present. The GOsC was represented by our Council Member for Northern Ireland, Dr Joan Martin, and by the Head of Policy and Communications.
8. Working with independent research specialists Community Research, on 12 June the GOsC held a two-part facilitated focus group event in Belfast involving a mix of osteopathic patients and members of the public with no prior experience of osteopathy. The morning session explored perceptions of osteopathic regulation and practice, in line with similar focus events hosted by the GOsC across England in February 2014.
9. The second half of the event adopted a deliberative approach to explore in detail participants' views on the key elements of GOsC's emerging plans for a new scheme of CPD/continuing fitness to practise for osteopaths. More detail is provided in the continuing fitness to practise update elsewhere on the agenda.

Effectiveness of regulation research

10. The research by Professor Gerry McGivern and team is progressing well. The team have completed initial literature reviews on regulation and osteopathy. The reviews helped the team to develop questions to explore through interviews with a range of stakeholders. The team have completed interviews with a wide range of osteopaths as well as patients and other stakeholders. Key themes from the interviews have been identified and discussed and these themes will inform the development of survey questions for all osteopaths to complete. It is planned that the survey will be open for all osteopaths to complete from late July to early September 2014.

International Association of Medical Regulatory Authorities (IAMRA)

11. The International Association of Medical Regulatory Authorities is holding its biennial conference in London in September. We are really pleased that the two abstracts that we submitted were accepted as oral presentations. Fiona Browne, Head of Professional Standards, will be presenting on professionalism and I will be presenting on continuing fitness to practise.

International Journal of Osteopathic Medicine (IJOM)

12. An article on our work on professionalism in osteopathy has been accepted for publication by IJOM. The article relates to the e-learning resources developed in conjunction with Sue Roff of the University of Dundee which we have been using in conjunction with a number of osteopathic educational institutions.

National Council for Osteopathic Research (NCOR)

13. Earlier in the year, NCOR submitted an application to the Charity Commission for registration as a charitable incorporated organisation. That application was accepted and NCOR formally became an independent charity on 28 May 2014.
14. The Trustees of NCOR include nominees from the Council of Osteopathic Educational Institutions, the Institute of Osteopathy, the Osteopathic Educational Foundation, and myself on behalf of the GOsC. At the first Trustees meeting I was elected as Chair of Trustees.
15. NCOR's intention over time is to 'disentangle' itself from the GOsC. It has already opened its own bank account and it is intended that at the point when the contract with Queen Mary University of London is renewed, this contract will be with NCOR rather than the GOsC. NCOR will then also cease to be recognised as a 'JANE' in the GOsC's accounts.

Information Commissioner

16. The Information Commissioner's Office (ICO) published new guidance recently on the publication of a variety of information by health regulators. As a result of this new guidance from 2015 we will be publishing additional information including:
 - a. Suppliers/contracts over £25,000 per annum.
 - b. Total expenses of all non-executives individually
 - c. Total expenses of senior staff members
 - d. Salary bands of senior staff members
 - e. Gifts and hospitality for Council and senior staff
 - f. Register of interests of senior staff members.
17. The majority of this information will appear on the website, although some of it may be incorporated in the Annual Report.
18. We are notifying individuals and organisations affected of the changes that are taking place.

GOsC and charitable status

19. Following the January Council meeting, we have been looking in more detail at the process of applying for charitable status and any associated issues that

might arise. While it has not been possible to discuss this with the Charity Commission, we have been able to review material in relation to both the General Medical Council and the General Optical Council applications.

20. While we can not identify any fundamental reasons why an application for charitable status would not be granted, we think that an application at this time would be premature. This is primarily because an application for charitable status might have wider legal implications that need to be explored and resolved before any decision is taken by Council.

CEN (European Committee for Standardisation)

21. I attended a two day meeting in Vienna for the final Technical Committee for the European standards project taking place under the auspices of CEN. The new standard is now close to agreement and it is anticipated that a final vote will take place in the autumn with the standard being published formally in early 2015.

Staffing changes

22. There have been a number of staffing changes since those announced at the last Council meeting. Marcus Dye, Professional Standards Manager, is leaving us at the end of July to become Standards Manager at the General Optical Council. Marcus has played a significant role in the GOsC in education, standards and assessment, as well as leading our work on e-learning. In addition Gina Baidoo, Senior Professional Standards Officer, and Suzanne Miller, Senior Communications Officer, have moved on.

23. We have welcomed the following new staff to the GOsC:

- a. Russell Bennett – Regulation Manager
- b. Brenda Leacock – Registration and Resources Assistant
- c. Jonathan Parish – Senior Professional Standards Officer

Other meetings

24. Recent meetings, calls, visits and speaking engagements include:

- Osteopathic Alliance
- Professor Bill Fulford
- NCOR Trustees
- Rachel Portelli, Australia and New Zealand Osteopathic Council
- Osteopathic Development Group
- Sarah Davies, Publisher, Elsevier (IJOM)
- British School of Osteopathy, Taught Degree Awarding Powers Assessment Panel
- CEN Technical Committee
- Judith Worthington, Acting Chair, GOsC Professional Conduct Committee

- Jane Durkin, Assistant Director Registration, GMC
- Grant Thornton
- European School of Osteopathy
- Maurice Hills, Secretary, Osteopathic Educational Foundation
- London Osteopathic Society
- Osteopathic Educational Foundation Trustees
- Swansea University graduation ceremony
- Forum for Osteopathic Regulation in Europe meeting, Vienna
- Elizabeth Hancock, Research Manager, Nursing and Midwifery Council
- Penny Bance, Director of Registration, Standards and Education, General Chiropractic Council
- Meetings with the London, Carlisle and Belfast pathfinder groups.
- Meetings of the inter-regulatory research group and education group.

Progress against the 2014-15 Business Plan

25. Annex A sets out the progress made against the 2014-15 Business Plan at the end of June 2014.
26. There are a number of activities which we expect will now take place later in the year than originally envisaged these are:
 - a. 1.2 – patient/public survey will now be conducted in the autumn.
 - b. 1.2 – registration assessors appraisals will now take place in January rather than November.
 - c. 1.5 – ftp survey is on the agenda for this meeting rather than in May.
 - d. 2.1 – CPD evaluation and report will now happen in 2015 rather than late 2014
27. The reason for these delays (and others that are likely to occur within the year) is primarily due to staff changes and a reprioritisation of resources with the principle focus being on meeting statutory duties.
28. A further activity on the commencement of a scoping study for new rules (3.5) is no longer required in this business planning period due to the postponement of legislation to implement the Law Commissions' report.

Financial report

29. Annex B shows the financial position at the end of the first quarter of the 2014-15 financial year.
30. We are forecasting that at the year end we will have a small deficit as a result, primarily, of additional expenditure on fitness to practise activity. More detail of the reasons for the additional costs are set out in Annex B to this report and in the Fitness to Practise Report at Item 6.

31. This area of expenditure is subject to considerable variation and is difficult to forecast accurately. Council will be aware that in 2012-13 (see the Annual Report and Accounts at Item 7) significant underspend in this area resulted in an overall surplus of over £370,000. It is too early to identify whether the higher number of cases in 2014-15 represents a trend that will continue into 2015-16.

Key data

32. The usual key data report is presented at Annex C. There has been concern for some time that this document is not as useful to Council as it might be, particularly in the light of the other information routinely provided to Council on regulation, registration and finance matters.
33. The Professional Standards Authority has also recommended that Councils review the performance management information they receive.
34. The Audit Committee reviewed the key data document and other reporting, considering the type of information that should be presented and in what form, at their meeting on 1 July. They made the following observations:
- a. Registration information should present clear information on the overall 'health' of the register.
 - b. Times series should be longer – one year rather than quarterly.
 - c. Regulation information should provide a clearer picture of the total 'inventory' of cases.
 - d. Members should consider the types of information which would lead them to require action to be taken.
 - e. It is not clear what the website information is for – this should be reported in the communications annual report.
 - f. There was a lack of information on CPD auditing.
 - g. The information presented should be simplified and relate to the most important KPIs as set out in the balanced scorecard and the Corporate Plan.
35. The Executive plans to overhaul the regular reporting in the light of these comments and any others provided by Council at this meeting.

Recommendation: to consider any changes required to reporting of key data and to note the remainder of the report.