



Council
6 November 2014
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 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. Risk Register
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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.

PSA Performance Review

2. The Professional Standards Authority (PSA) Performance Review for 2014-15 commence in mid September. The Executive is working on the initial response which is due to be submitted to the PSA by 17 November 2014. We will publish our response and circulate a copy to members once it has been submitted.
3. At the same time, the PSA has commenced a review of the Performance Review process to come into effect for 2015-16. The PSA's proposals will be subject to consultation once they are made public.
4. The Nursing and Midwifery Council (NMC) has also convened a joint regulators group to consider collectively how to feed into the PSA's review of the Performance Review. The meetings are being attended either by the Head of regulation or myself.

PSA Levy consultation

5. Members will recall that the Government announced in *Enabling Excellence* in 2011 that it intended the PSA to become self-funding via a levy on the regulators. The Department of Health has now published a consultation on the form that the levy would take with a view to introducing this from April 2015.
6. The Department of Health identified two approaches to the levy: per capita; and a base 'fee' for the common level of support provided to all regulators with a per capita top up. The former was identified as the simplest approach as there is currently insufficient data to develop the latter approach.
7. We have submitted a response welcoming the per capita approach as being the most fair and transparent. We do not yet know how much the levy will be, but based on 2014 registration numbers and the 2014-15 PSA budget, a prudent assumption would be somewhere between £2.50 and £3 per GOSC registrant.

Law Commission reforms

8. We have continued to engage with the Department of Health on the Law Commissions' proposals in a series of themed meetings looking at various aspects of the draft Bill. This work is also feeding into the Department's formal response to the Law Commissions' report which is expected to be published later this year.

Duty of candour joint statement

9. We have been working with the other regulators, at the request of the Department of Health, on a joint approach to implementing a professional duty of candour. As part of this work a joint statement from the Chief Executives of nearly all the regulators was agreed and published on 13 October. This statement will inform the approach that we take to developing new guidance on candour, as we agreed in our Francis Report Action Plan.

'Bringing osteopathy together'

10. In early October a series of UK, European and International meetings took place in the UK alongside the Institute of Osteopathy's (iO) annual convention. At the start of the programme we held a meeting of the Regional Communications Network, which discussed our approach to continuing fitness to practise and reviewed progress on a number of the Osteopathic Development Group projects.
11. At the same time, a meeting of the Forum on Osteopathic Development Group was held, which also included a joint meeting with the three other principal European osteopathic groups – the European Federation of Osteopaths (EFO), the Osteopathic European Academic Network (OsEAN) and the European Register of Osteopathic Physicians (EROP) – to consider closer working and cooperation.
12. The iO convention was held jointly with the Osteopathic International Alliance's annual conference. As part of this meeting I chaired an international regulatory forum and also presented on our continuing fitness to practise scheme.

Quality assurance services procurement

13. The quality assurance services procurement tender process, discussed at the last meeting of Council, commenced on 8 October with the details of the pre-qualification questionnaire (PQQ) stage available on the GOsC's website. The process and documents were agreed by the Education and Registration Standards Committee at its October meeting. The closing date for the PQQ is 7 November 2014.

International Association of Medical Regulatory Authorities (IAMRA)

14. The Head of Professional Standards and I both presented at the recent IAMRA conference in London on professionalism and continuing fitness to practise respectively. The conference was an opportunity both to showcase the GOsC's work (which was very well received) but also to learn from the experience of other regulators around the world.
15. A number of themes emerged from the conference which echo some of our current work and may also be useful in informing our future plans. These include:

- a. Understanding regulatory effectiveness and how regulators can influence registrant behaviours
- b. Collaborative and partnership working between regulators, other organisations and professionals
- c. The importance of collecting and analysing data to inform regulatory policy development and compliance action.

International memoranda of understanding

16. We have finalised our memorandum of understanding (MoU) with the Isle of Man Department of Health and Social Care following the passage of new legislation through Tynwald. All osteopaths working in the Isle of Man are now required to register with the GOsC.
17. We are close to concluding a similar MoU with the Gibraltar Medical registration Board government in respect of osteopaths working in Gibraltar.

Disclosure and Barring Service MoU

18. We have concluded a memorandum of understanding with the Disclosure and Barring Service (DBS) which aims to ensure that information is legally and appropriately shared between DBS and the GOsC, and promote cooperation and consultation between the two organisations.

Health Education England MoU

19. We hope to conclude shortly an MoU with Health Education England which identifies key areas of work on which HEE and the GOsC will cooperate. The final outcome of discussions will be reported to the Education and Registration Standards Committee and Council in due course.

Values Seminar

20. We are holding a seminar on professional values on 12 November 2014 which will be led by Professor Bill Fulford, University of Oxford, and Professor Stephen Tyreman, British School of Osteopathy and University of Bedfordshire. The aim of the seminar is to explore the issue of osteopathic values with a view to informing the next revision of the *Osteopathic Practice Standards* which we commence next year.
21. The invited participants include patients, osteopaths, students, educators and regulators. There will be approximately 40 attendees and the proceedings will be chaired by Harry Cayton, Chief Executive of the PSA.

Scottish Government Regulatory Conference

22. The GOsC was present once again at the annual Scottish Government Regulation Conference. The organisers of the conference had been keen to hear the preliminary results of our work on effectiveness of regulation and Professor Gerry McGivern was invited to present at the conference. A copy of Professor McGivern's presentation has been circulated to Council members.

Development projects

23. There has further activity in relation to the development projects being coordinated by the Osteopathic Development Group, some of which is being supported financially by the GOsC.
24. The ODG has confirmed the appointment of Health Academix to undertake work on the Advanced Clinical Practice project. This has now commenced and has included discussion between the project team, regional representatives and others at the recent regional Communication Network meeting.
25. Health Academix were also successful in the tender for the work on mentoring. A contract has now been agreed with the ODG for the initial research stage of this project. The tender for this highlighted a number of issues that would need to be resolved prior to a pilot taking place. Therefore a separate contract will be awarded in due course for overseeing the pilot itself.
26. A consultation on draft Service Standards is due to commence in late October hosted on the ODG pages of the Institute of Osteopathy website.
27. Discussions have taken place with the Open University about being the provider partner for the Leadership Development project. A grant application for this work can be found elsewhere on this agenda.

Training

28. In the past quarter we have provided training to the majority of staff on information governance, which was kindly provided to us by the law firm, Field Fisher. We also held equality and diversity training for a number of staff, Council members and other non-executives.

Staffing changes

29. We have welcomed the following new staff to the GOsC since the last meeting of Council:
- a. Lorraine Donaldson – Registration and Resources Assistant
 - b. Emma Firbank – Senior Regulation Officer
 - c. Kit Holmes – Professional Standards Manager
 - d. Jeremy Pinel – Senior Communications Officer

Other meetings

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

- Harry Cayton, Professional Standards Authority
- Public Concern at Work
- NCOR Trustees and Council
- Professor Bill Fulford and Professor Stephen Tyreman
- Professor Gerry McGivern
- Katherine Turner, Professional Standards Authority
- Scottish Osteopathic Society
- International Association of Medical Regulatory Authorities conference
- Philip Hallam, Professional Standards Authority
- Department of Health officials
- National Osteopathic Archive History Group symposium
- Louise Scott-Worrall, KPMG
- Forum on Osteopathic Regulation in Europe meeting, Egham
- Osteopathic International Alliance conference, Egham
- Institute of Osteopathy conference, Egham
- Regional Communications Network meeting, Egham
- Chief Executives' Steering Group
- Helen Townley, Australian Healthcare Practitioners' Regulatory Authority
- Meeting of the London Continuing Fitness to Practise pathfinder group
- Meeting of the Lymm Continuing Fitness to Practise pathfinder group
- Penny Bance, Director of Education, Registration and Standards, General Chiropractic Council
- Claire Herbert, Head of Continuing Assurance of Fitness to Practice

Progress against the 2014-15 Business Plan

31. Annex A sets out the progress made against the 2014-15 Business Plan at the end of September 2014.

32. The only new activity where there is identified slippage is as follows:

- a. 1.2 – CPD auditing – a backlog has built up in our CPD Annual Summary form auditing due to a long-term staff absence. We have recruited a temporary member of staff to support the team to reduce this backlog. The team have kept the auditing of CPD Folders on track during this time.

Financial report

33. Annex B shows the financial position at the end of the second quarter of the 2014-15 financial year.

34. As reported at the July Council, 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.

Risk Register

35. The latest version of the Risk Register is attached at Annex C for information. This has been updated in the light of discussion at the policy committees. The only substantive changes since the last version seen by Council is a reduction in the risk rating for the PSA levy and an increase in the risk rating for legislative reform.

Key data

36. The key data report is appended to Item 14 on this agenda to encourage a wider discussion on Council's requirements in this area.

Recommendation: to note the report.