

GENERAL OSTEOPATHIC COUNCIL

Minutes of the 61st meeting of the General Osteopathic Council held in public on
Tuesday 10 March 2009 commencing at 10.00am at 44 Wicklow Street, London,
WC1.

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Chairman: Professor Adrian Eddleston

Present:

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| Dr Stephen Barasi | Dr Richard Rebain |
| Martin Booth | Professor Trudie Roberts |
| Robert Burge | Robin Shepherd |
| Geraldine Campbell | Paul Sommerfeld |
| Claire Cheetham | Rosalind Stuart-Menteth |
| John Chuter | Dr Andrew Thompson |
| Nigel Clarke | Fiona Walsh |
| Fionnuala Cooke | Jenny White |
| Catherine Hamilton-Plant | John Wilden |
| Professor Ian Hughes | Margaret Wolff |
| Tim McClune | Dr Les Wootton |
| Rachel Pointon | |

In attendance:

Evlynne Gilvarry, Chief Executive & Registrar (CE)
Alan Currie, Head of Registration and MIS
Marcus Dye, Professional Standards Manager
Matthew Redford, Head of Finance & Administration
Velia Soames, Head of Regulation
Brigid Tucker, Head of Communications

Jane Quinnell, Clerk to Council

1. Observers were welcomed to the meeting as follows:

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|---------------------------------------|------------------|
| New Council members from 1 April 2009 | Paula Cook |
| | Jonathan Hearsey |
| | Nick Hounsfield |
| | Kim Lavelly |
| | Brian McKenna |
| | Kenneth McLean |

Nigel Graham from the British Osteopathic Association.

The new members of Council were observing the meeting as part of their induction process. .

APOLOGIES

2. Apologies were received from Julie Stone, new Council member.

QUESTIONS FROM OBSERVERS (five minutes)

3. There were no questions from the observers.

MINUTES OF THE PREVIOUS MEETING

4. The minutes of the last meeting held on 4 December 2008 were approved and signed.

MATTERS ARISING

5. There were no matters arising not arising elsewhere on the agenda.

CHAIRMAN'S REPORT

6. Professor Eddleston reported on his involvement in January and February with the shortlisting and interviewing to recruit members of the Fitness to Practise Committees.
7. He also reported on an event run by the Council for Healthcare Regulatory Excellence (CHRE) at Leeds Castle to discuss regulatory issues and health care provision in the context of demographic trends. Statistics showed that the average age of death was now 83 but that people only remained in good health until, on average, 62 and so needed more healthcare for longer. The second day considered regulation and what the future held with regard to regulation, partnerships, the professions, stakeholders and partnerships with employers. Also considered were common standards and profession specific standards. Lastly there was some discussion of the proposed review of healthcare regulators in 2011 or later and the need for strong profession led regulation.

STAKEHOLDER ENGAGEMENT REPORT

8. The Council considered the Stakeholder Engagement Report which included an overview of contacts with stakeholders since the last meeting and specific information about key projects e.g. the regional consultation meetings currently underway on for revalidation, osteopathic practice framework, osteopathic practice standards and the Code of Practice. A concern was raised that the promotional paperwork for the regional consultations did not refer to Northern Ireland, nor did it indicate where NI osteopaths should attend a meeting (no meeting having been scheduled in NI). It was explained that the very low numbers of osteopaths in NI made it unfeasible to hold a meeting there. This situation however would be kept under review for future consultations.

10.25 Cathy Hamilton-Plant arrived.

9. Council members were asked to attend at least one regional consultation meeting, where possible. Members were advised that attendance at a regional consultation event would be useful for the purposes of their own continuing professional development.
10. The CE and the Public Affairs Manager had met with the relevant official at the

Department of Health (DH) to lobby for improvements in the osteopathy content of the NHS Choices website. The DH official had confirmed that NHS Choices editorial team would be happy to work with the GOsC to improve the content, including the audio visual content. Following the meeting the official had indicated that the timetable for making changes might not be immediate but he was still anxious to work with the GOsC to achieve improvements.

11. The new public website was on target for launch in April and a number of steps, including alerting the media, would be taken to raise awareness of it.
12. Mr Sommerfeld reported that the Joint Regulators Public and Patient Involvement Group would begin a campaign in September/October 2009 to publicise the work of the group and encourage health regulators to increase public and patient involvement in all aspects of policy development. Members were reminded that the Council would need to consider appointing a lay representative on this Group to replace Mr Sommerfeld who would step down at the time of leaving the Council. .

EQUALITY & DIVERSITY

13. The Council considered a progress report on implementation of the Action Plan underpinning the Equality Scheme which was approved (subject to amendment) by Council at its meeting on 10 June 2008. The Head of Regulation highlighted various points – a diversity profiling of the profession was underway, staff and new Council members had received equality and diversity awareness training and the Senior Management Team had received Equality Impact Assessment Training. All Fitness to Practise Committee members would receive equality and diversity training towards the end of March, before taking up their appointments. The results of the diversity profiling would inform the GOsC's policy making and other activities.

NATIONAL COUNCIL FOR OSTEOPATHIC RESEARCH (NCOR) – STANDARDISED DATA COLLECTION PROJECT

14. The Council considered a report on phase two of the Standardised Data Collection (SDC) project being undertaken by the NCOR and funded by the GOsC. It was confirmed that the disparity in the timeline was due to the project actually commencing in September 2007 before the contracts had been signed in February 2008. There was some concern about the status of the steering group and whether it was sufficiently independent and on the fact of there being no external validation of the project. It was confirmed that the Professional Standards Department had reviewed the report and considered that the contract milestones had been met. It was acknowledged that future research projects would have to be the subject of more rigorous governance, with the terms of this written into contracts at the outset. Members were invited to make detailed comments on the Data Collection tool directly to NCOR.
15. **Agreed:** that subject to confirmation from the steering group that the activities outlined in the Contract milestones had been achieved, a further payment could be released. Dissemination of the final results of the project will take place in a series of national and regional presentations and the data collection tool development process will be written up for publication in an osteopathic research journal e.g. IJOM..
16. It was confirmed that research activity undertaken directly by the GOsC or sponsored by it, would be a key subject for review in 2009/10

GOsC BUSINESS PLAN 2009-2011 AND BUDGET FOR 2009-10

17. The CE presented the updated version of the draft Business Plan and budget for the Financial Year 2009/2010, considered by the Council in December. The plan had been amended to incorporate a new objective relating to a review of the GOsC's research strategy. In addition, the risk analysis sections had been amended and the budget adjusted to reflect expenditure un-identified at the time of the December meeting.
18. Members considered that further clarification was required on the degrees of risk so that there should be columns under the risk analysis to show the inherent risk (risk now), the management (mitigation) action and the resultant risk with a column for ongoing monitoring. After discussion it was agreed that the categorization of a number of risks as 'low' did not accurately reflect the levels of risk and the CE agreed to review these.
19. It was confirmed that under para. 26 of the budgetary report, the income and expenditure pattern for 2009-2010, which showed using 99.46% of income, was correct. A breakeven budget would apply in 2009-2010. The level of surplus arising in recent years had been absorbed with the need to fund specific projects such as installation of a CRM system, regional consultations and a major research project involving patients.
20. In response to a question, the CE confirmed that the earliest timetable for legislative change to enable unrestricted amendment of the registration fee would be end of 2010. It was acknowledged that the uncertain economic climate meant the GOsC would have to undertake careful budget planning and financial modeling in preparation for a potential plateauing or decrease in the Register. In recent years the Register had grown on average 3% net.
21. **Approved:** the Business Plan and budget with changes as discussed above. Members also accepted that this Business Plan was a holding document as a wholly new strategic and business plan would be developed following the Council Strategy Meeting in September.

GOVERNMENT REVIEW OF HEALTHCARE REGULATION

22. Revalidation The Council received an update on the proposed revalidation scheme. The draft scheme had been presented to the Department of Health and was now out for consultation. A pilot, as yet to be developed, would be undertaken in 2010, with further preparation of the profession in 2011 for implementation in 2012. Based on current forecasting, about 750 osteopaths a year would go through the revalidation process. Members wished to have their thanks recorded for the work carried out on the revalidation project by Vince Cullen and Marcus Dye.
23. The Executive was still considering how best to undertake meaningful consultation with patients and the public on revalidation.

24. Governance Structure The Council received an update on preparations for implementing new governance arrangements due to be introduced from April 2009. Professor Eddleston, as a member of the Selection Panel, was able to provide some further information on the diversity of candidates, over and above that provided by the Appointments Commission.
25. Mr Chuter left the meeting room to enable the Council to consider the Selection Panel's recommendation that Mr Chuter be appointed Treasurer from 1 April 2009, for the duration of his term. This was **agreed**.
26. **Noted:** the work carried out for the selection of members for the Fitness to Practise Committees. Decisions on appointments would be considered in the private session of the Council meeting.

OSTEOPATHY HOUSE REDEVELOPMENT REPORT

27. The Council received an update on the project and confirmation that the project was on target to complete on time and within the agreed budget.

PATIENT EXPECTATIONS RESEARCH

28. The Council received an update on the Osteopathic Patient Expectations (OPEn) Study, the research project commissioned by the GOsC in December 2008, to help the GOsC gain a better understanding of public and patient expectations, and experience of osteopathic care. The Steering Group had met for an exploratory meeting and would report back to Council as the project progressed.

MANAGEMENT ACCOUNTS TO 31 JANUARY 2009

29. The Council received a paper which highlighted the main features of the management accounts to 31 January 2009. The Treasurer confirmed that in the light of the current economic situation, he and the Executive were keeping a close eye on the GOsC's investments and were looking to undertake financial modeling based on a range of scenarios including a potential drop in registrants' fees. The Council asked to receive a report on whether osteopaths were experiencing trouble in meeting registration fees. It was confirmed that 70 people had responded to the letter asking if they would wish to register under the new registration rules. These responses included those not wishing to register or wishing to register an interest in receiving further information. It was confirmed that the cost of processing applications under these new registration powers would be met by the applicants themselves.

IT RESOURCING – RELATIONAL DATABASE MANAGEMENT SYSTEM

30. The Finance & General Purposes Committee had approved the budget for the new CRM Database system and four companies had been invited to tender. A panel comprising the Treasurer, the Chief Executive, the Head of Finance & Admin and the Head of Registration and MIS were due to hear presentations from bidders on 23 March 2009.

CODE OF PRACTICE

31. The Code of Practice was reviewed on a five-yearly cycle and was due to be revised by 2010. A working group has been established to steer the revisions. All registrants were invited to attend the regional consultation meetings to share their ideas about how the Code could be improved.

COUNCIL FOR HEALTHCARE REGULATORY EXCELLENCE (CHRE)

32. The CHRE Council Meeting Minutes for 16 September and 12 November 2008 were received by Council. Mr Clarke confirmed that CHRE's newly constituted Council took office on 1 January 2009. Under the new constitution, no healthcare regulators had a seat on the Council. There was a new Chair - Baroness Pitkeathley. Professor Eddleston confirmed that the Chairs of the healthcare regulatory bodies would still continue meeting, as they had done, and these meetings would be interspaced by meetings of the Chief Executives of the regulators. Mr Clarke confirmed that he had been asked to stay on at the CHRE on the Section 29 panels but he would ensure that he did not sit on any concerning osteopath cases.
33. The Council thanked Mr Clarke for the work he had carried out on the CHRE Council and for his continuing work with the body.
34. The CE confirmed that the GOsC had submitted its Performance Review submission on time and that it had received a preliminary assessment letter and had provided some supplementary information. Additionally, the Chief Executive and SMT had met with senior staff of the CHRE for the Performance Review meeting on 3 March 2009. The CHRE had expressed interest in the GOsC Fitness to Practise Audit, the student registration research and the patient research. It had commended the GOsC for its work with students at the Osteopathic Educational Institutions and presentations it made to students at various stages of their training.

COMMITTEE REPORTS

35. Audit Committee The minutes were not yet available. The new Auditors, Grant Thornton, had presented their audit strategy for 2008/09 to the Audit Committee. The Committee had received the revised risk register and had made comments on this. It had also received an update on progress on the Human Resources and Fitness to Practise Audits and agreed that an audit of the registration process would take place during 2009/10.
36. Education Committee Members received a copy of the minutes of the meeting of the Education Committee on 10 February 2009. No questions were raised.
37. Finance & General Purposes Committee Members received a copy of the minutes of the meeting of the F&GP Committee on 10 February 2009. No questions were raised.
38. Investigating Committee Mr Sommerfeld reported that since Council last met, the Investigating Committee had met three times. Eight cases had been considered with six being referred to the Professional Conduct Committee and two being closed as no case to answer was found. The Committee had also met to impose Interim Suspension Orders in two cases. Mr Sommerfeld thanked fellow Committee members, co-opted members and staff for all their assistance in dealing with complainants and osteopaths.

39. Professional Conduct Committee Ms Wolff reported that since Council last met, the Professional Conduct Committee had met on several occasions and found one case not proved; one case of Unacceptable Professional Conduct proved and it had removed the osteopath from the Register; additionally, it had reviewed and extended a Conditions of Practice Order in one case and imposed two Interim Suspension Orders. She then thanked fellow Committee members, co-opted members and staff for their assistance in dealing with PCC cases.
40. The Head of Regulation thanked the Chairs of the Fitness to Practise Committees for their contribution over the last few years.
41. Section 32 Committee Mrs Cook reported that no cases had been heard under Section 32 legislation since she last reported to Council. She again thanked staff for their work in this area of regulation.

ANY OTHER BUSINESS

42. Dr Rebain wondered whether the GOsC could assist in negotiating subscription rates to give researchers access to cited journals. Miss Tucker confirmed that it had already negotiated a good rate for the IJOM and was looking at other options. Nigel Graham from the British Osteopath Association confirmed that he would bring this to the BOA's attention as this was an activity potentially more suited to the professional association.

QUESTIONS FROM OBSERVERS (five minutes)

43. There were no questions from observers.

DATE OF NEXT MEETING

44. Professor Eddleston thanked the outgoing members for their contribution over the years of their terms of office and he looked forward to a further opportunity later that evening at a special dinner to acknowledge the contribution of the outgoing Council..
45. Next meeting - 23 April 2009 – 10.00am.

Signed: Professor Adrian Eddleston
Chair

Date: 23 April 2009