

Scrutiny Committee meeting

Minutes of meeting

9 September 2009



Present

Sally Irvine (Chair)
Ann Curno
Ian Hamer

In Attendance

Harry Cayton
Michael Andrews
Tim Bailey
Lisa Foley

1. Apologies

1.1 There were no apologies.

2. Minutes of the meeting held on 16 June 2009

2.1 The minutes were agreed as an accurate record of the previous meeting.

3. Matters arising from the minutes of the meeting held on 16 June 2009

3.1 *Para 9.4* – The enactment of Section 28 powers for CHRE had not been discussed at the previous Council meeting due to time constraints. The Committee members were told that as the Department of Health had decided to defer any decisions on the matter until after the completion of the audits of initial stages of fitness to practise, there had been no progress.

3.2 An options appraisal for the Department of Health had been circulated to members in June, and would be re-sent following the meeting.

ACTION: MA

4. Proposals for quality assurance of the audits of the regulators' initial fitness to practise decisions

4.1 It was noted that the Scrutiny Committee had six days of internal audit time and £5,000 for research in its budget. Members were asked to consider proposals for the best way of using these resources. As the Audit and Risk Committee was responsible for internal audit planning, it had requested an indication from the Scrutiny Committee as to how it expected its time to be allocated.

4.2 A proposal was put forward that internal audit time should be used to examine CHRE's new function of auditing the regulatory bodies' initial fitness to practise decisions. If six days was insufficient the research allocation could be used to buy more. The Committee agreed not to commission other research at this time.

- 4.3 The Scrutiny and Quality team started its audit work in April, using processes developed following input from regulatory bodies, patient and public organisations and a three month public consultation. Audits had been completed at the GMC, NMC, GCC and GOC, with the GDC currently being reviewed.
- 4.4 It was agreed that Committee members would be provided with the draft reports following the meeting and that they would continue to receive them as they were written. The regulatory bodies would be notified that the Scrutiny Committee and Council Chair had been given sight of their reports.

ACTION: HC/MA/TB

- 4.5 A member raised a question as to whether CHRE's audits had been looking at the regulatory bodies' decision-making processes. The Scrutiny Manager explained that this was the case.
- 4.6 The Chair of the Committee suggested a contact that CHRE could speak to for suggestions of tools for auditing decision-making, which would, in turn, enable better sharing of good practise between the regulatory bodies.

5. OHPA

- 5.1 The Chief Executive had recently met with Walter Merricks, the Chair designate of OHPA, who was keen to develop an ongoing relationship with CHRE.
- 5.2 OHPA had originally been planned to start operating in 2011 but this was not certain.
- 5.3 CHRE would be losing its section 29 powers over the GMC and GOC but it was suggested in the White Paper that we should audit the regulators' use of their power of appeal against decisions of OHPA.
- 5.4 An updated paper on CHRE's relationship with the Office of the Health Professions Adjudicator (OHPA) would be discussed at the September Council meeting.

6. Update on complaints

- 6.1 The Committee were provided with an update on complaints received about the regulatory bodies over the past six months. It was noted that most had been about the initial stages of fitness to practise processes.
- 6.2 CHRE had referred a doctor to the GMC for a potential breach of patient confidentiality when medical records and intimate photographs were submitted by him to CHRE staff in a bundle to support his complaint about the GMC.

7. Cost effectiveness and value for money

- 7.1 The Committee had originally scheduled five meetings throughout the year and decided that this would be reviewed at a later stage.

- 7.2 It was now felt that the frequency of meetings should be reconsidered. A suggestion was made to hold three meetings a year, with each meeting focusing on a different topic (performance review, audit and section 29). It was agreed that the Chief Executive and Head of Scrutiny and Quality would discuss this further and submit a proposal for discussion at the Council meeting in November.

ACTION: HC/MA

8. Any other business

- 8.1 The review of the General Social Care Council's conduct function was underway, a report was being drafted and would be tabled at the private session of the September Council meeting.

ACTION: MA