



Minutes of Scrutiny Committee meeting, 7 April 2011

Present

Sally Irvine (Chair)
Ann Curno
Ian Hamer (from Item 5)

In Attendance

Harry Cayton
Rosalyn Hayles
Tim Bailey
Lisa Foley

1. Apologies

1.1 There were no apologies received.

2. Minutes of the meeting held on 8 December 2010

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

3. Matters arising from meeting on 8 December 2010

3.1 Para 3.4 – The Chief Executive had asked the regulators about the system of notification by police and courts when a registrant is found guilty of a criminal offence, at the last Chief Executives' Steering Group. All regulators and CHRE have written to the Home Office stressing the importance of maintaining this safeguard; however the government is currently consulting on changes to the Notifiable Occupations Scheme.

4. Reviewing the audit process and final report 2010-11

4.1 The Committee reviewed the Audit Report and process.

4.2 The Committee confirmed they were content with the quality of this year's Audit Report.

5. Proposals for Risk Assessment Criteria for FTP audit

5.1 The Committee reviewed the current audit process and considered proposals for a new process and reporting schedule.

5.2 Currently, each regulator is audited and one combined report is published annually. The Committee heard suggestions about either reporting in October to feed into the Performance Review process or incorporating the audit into the overall Performance Review report which is published annually, in July.

- 5.3 Members agreed that in future, individual reports on regulators should be published as they were completed, and a summary report should be incorporated into the Performance Review report in July indicating what changes, if any, would be expected from a regulator.
- 5.4 The Committee also reviewed a proposal which had arisen from discussions at the last Council meeting that CHRE should move to a more proportionate and risk-based approach in carrying out its audits. Each regulator would be audited at least once every three years; all regulators would be subject to a risk assessment for audit every year.
- 5.5 The proposal included revised risk assessment criteria which would be used to determine which of the nine regulators would be subject to an audit in that particular year, rather than all being audited each year.
- 5.6 Subject to amendments, members formally approved the criteria and this would be published on CHRE's website.

6. Proposed initial stages audit programme for 2011-12

- 6.1 The Committee were asked to consider which of the nine regulators should be audited in 2011-12 under the revised process mentioned above.
- 6.2 It was agreed that due to governance changes, reorganisations and in some cases, improvements required, the GCC, GDC, GPhC and NMC should be included in the next audit which will commence in May.

7. The application of statistical advice to the CHRE audit process

- 7.1 At a previous Council meeting, it had been suggested that CHRE might wish to reconsider the amount of evidence collected from the regulators during the audit process. Currently, if a regulator has fewer than 100 cases, all are reviewed; if they have more, 100 cases are reviewed.
- 7.2 The Committee expressed their confidence in the current process and confirmed that no changes needed to be made to the amount of evidence collected at this stage.

8. Report on complaints from September 2010 to March 2011

- 8.1 It was noted that all complaints received by CHRE which fall within the scope of its complaints policy were, with the permission of the complainant, sent to the regulators concerned and most complaints related to the outcomes of the regulators' fitness to practise processes.
- 8.2 It appeared that there may be a misunderstanding amongst some regulators staff about the scope of CHRE's complaints powers. CHRE were currently trying to rectify this.
- 8.3 An outline paper had been sent to the Department of Health regarding CHRE's future complaints powers. Further work will be done in this area later in the year.

9. Any other business

- 9.1 The Committee were asked for their thoughts about whether CHRE should begin to produce thematic reports based on learning points acquired from the audit, performance review and section 29 cases. Currently, learning points are sent directly to the regulator involved but not to others. By producing thematic reports, it would be the hope that learning could be shared among all regulators.
- 9.2 Themes could include the following:
- How do the regulators deal with cases involving older people?
 - How do the regulators deal with sexual boundary violation?
 - How do the regulators deal with cases relating to vulnerable people in care homes?
- 9.3 It was thought that producing these reports, and therefore, re-assigning cases by categories in the section 29 database as they arrive, could allow CHRE to spot any patterns and raise any particular issues that arise across the regulators.
- 9.4 Committee members felt that these reports would be very useful to have, but were concerned about resource implications. It was decided that further discussions should take place internally and an update could be provided at a future meeting.

ACTION: RH / TB / HC

Approved by Scrutiny Committee on 7 September 2011.