

**Minutes of the Meeting of the
General Dental Council
held at 12:30pm on Wednesday 13 December 2017
in Public Session
at 37 Wimpole Street, London W1G 8DQ**

Council Members present:

William Moyes	Chair
Terry Babbs	
Catherine Brady	
Geraldine Campbell	
Anne Heal	
Margaret Kellett	
Sheila Kumar	
Caroline Logan	
Kirstie Moons	
Crispin Passmore	

Executive in attendance:

Ian Brack	Chief Executive and Registrar
Bobby Davis	Executive Director, Organisational Development
Jonathan Green	Executive Director, Fitness to Practise (FtP)
Matthew Hill	Executive Director, Strategy
Gurvinder Soomal	Executive Director, Registration and Corporate Resources
Lisa Cunningham	Head of Communications and Engagement
Lisa-Marie Roca	Principal Legal Adviser

Staff in attendance:

Clare Mitchell	Head of Governance
Melanie Stewart	Head of Finance and Procurement (items 1-7 and 15-17)
Michael Huntley	Head of PMO and Reporting (item 8)
Hazel Adams	Head of Dental Complaints Service (items 1-15)
Rebecca Cooper	Head of Corporate Policy (item 10)
Kemi George	Stakeholder Manager (item 18)
Mohit Abbi	Interim Governance Manager

Invited attendees:

Rosie Varley	Chair of Statutory Panellists Assurance Committee
--------------	---

PART ONE – PRELIMINARY ITEMS

1. Opening remarks and apologies for absence

- 1.1. The Chair welcomed everyone to the meeting.
- 1.2. The Chair extended a warm welcome to Anne Heal to her first public Council meeting as a Council Member.
- 1.3. Apologies for absence were received from Lawrence Mudford (Council Member) and Jeyanthi John (Council Member).

2. Declarations of interest

- 2.1. The Chair declared an interest on item 14, Appraisal Process for the Chair of the Council. Clare Mitchell declared an interest on item 12, Revisions to the Scheme of Delegation and Standing Orders. There were no additional declarations of interest pertaining to items on the agenda.

3. Questions submitted by members of the public

- 3.1. No questions had been submitted by members of the public in line with the GDC's policy.

4. Approval of minutes of the previous meetings

- 4.1. The draft minutes were considered and accepted as a true and accurate record of the discussions that took place at the Council meeting in public held on 26 October 2017.
- 4.2. The Council **approved** the full minutes of the Council meeting in public held on 26 October 2017 without amendment.

5. Matters arising from the Open Council meeting held on 26 October 2017 and rolling actions list

- 5.1. The Council **noted** progress made against actions arising from previous meetings.
- 5.2. The Council considered the status of the actions and agreed that action 197 was complete.

6. Decisions log

- 6.1. The Council **noted** the decisions that had been taken by Committees under delegated powers.
- 6.2. The Council **noted** that no matters had been decided by Chair's action since the Council meeting on 26 October 2017.

PART TWO – ITEMS FOR DECISION AND DISCUSSION

7. Q3 Finance review

- 7.1. Melanie Stewart presented a report analysing the GDC's financial performance in the nine months to 30 September 2017. At the end of Q3, the GDC' surplus of income over expenditure was £17.1m, which was £5.6m higher than budgeted. However, it was estimated that circa £1.0m of FtP-related expenditure had slipped from 2017 and would crystallise in 2018. Melanie Stewart reported that the impact of the underspend was exacerbated by higher than budgeted income from dentists (£1.7m) and DCPs (£200k) renewing their registration in December 2016 and July 2017. Council members were informed that the 5% caution applied to budgeted ARF income, to reflect various issues that were considered a

risk to the number of dentists and DCPs who would renew their registration, had not materialised.

- 7.2. Meeting fees and expenses were lower than budgeted, partly because of a higher than forecast number of lost and wasted hearing days but also because of efficiencies such as the changes to the hearings transcription service. Legal and professional fees were also lower than budgeted due to fewer referrals to prosecution by Case Examiners, partly as a result of the continued decline in the number of incoming cases and decline in productivity of the casework team, which was resulting in a backlog of cases, and partly as a result of efficiencies achieved from a retainer agreement with one of the GDC's external legal providers that was negotiated after the 2017 budget was approved. Staffing costs continued to be lower than expected because of delays in recruiting to vacant posts.
- 7.3. Terry Babbs, Chair of the Finance and Performance Committee (FPC), informed Council members that the FPC had reviewed the casework issues in detail and was, at this stage, confident that there were plans in place to mitigate the issues. However, addressing the backlog in casework would have knock on effects on expenditure and the fitness to practise process as a whole.
- 7.4. Ian Brack explained that predicting income was a significant challenge for the organisation due to the high level of uncertainty in relation to the impact of exiting the European Union.
- 7.5. Margaret Kellett asked how registration numbers had been affected in other healthcare regulators. Gurrinder Soomal advised that other healthcare regulators had experienced more fluctuation than the GDC. For that reason, the GDC had continued to include a caution on income in the 2018 budget.
- 7.6. The Council **discussed** the report on the GDC's financial performance for the nine months to 30 September 2017.

8. Q3 Balanced scorecard

- 8.1. Michael Huntley joined the meeting and introduced the balanced scorecard covering performance for Quarter 3 2017.
- 8.2. The Council noted that several pieces of development work had been carried out. The staff engagement performance indicator had gone live. Additionally, the performance indicator measuring Governance meeting costs had been decommissioned and replaced by a new indicator measuring the Governance team's performance with the timeliness of responding to corporate complaints.
- 8.3. With regard to key successes, Michael Huntley highlighted that active processing time in Registration remained within target despite Q3 2017 being a particularly busy period. The Council noted that parts of the FtP process were performing well, with seven of the performance indicators either improving on or maintaining performance from Q2. Areas of the recruitment process had also performed well during the quarter with recruitment campaign timeliness and recruitment probation success improving to 89% and 88% respectively, and recruitment right first time remaining consistent at 87% for the last two quarters.
- 8.4. In respect of the key issues, the Council noted that FtP timeliness remained an area of significant concern. The majority of FtP performance indicators were rated 'red' and were significantly below their respective target levels. A further concern was the related increase in the number of lost and wasted hearing days. A data security incident had been reported in August 2017 which was self-referred to the Information Commissioner's Office (ICO) in September 2017, which involved confidential data being disclosed to the incorrect recipient. This had been closed by the ICO with no further action.
- 8.5. Sheila Kumar requested that, as well as indicating performance in the previous period, the KPI Dashboard also state the respective target levels for the performance indicators.

Action: Michael Huntley to update the KPI Dashboard to state the respective target levels for the performance indicators prior to the next quarterly report to Council on 15 March 2018

- 8.6. Given that FtP timeliness remained an area of concern, the Council agreed to focus on this area. The Chair expressed concern about the number of FtP performance indicators rated 'red' and asked what steps were being taken to address them. Jonathan Green explained that the performance issues were a manifestation of the significant staffing issues in casework over the summer. Considerable effort had been focused on filling the vacancies in the Casework team. A new approach to recruitment was used which had been very successful, with the new team arriving in mid-November 2017. The new team had been inducted and the initial view was that they were performing well.
- 8.7. Prior to the resourcing issues in casework in the summer, plans had been made to alter the way in which the casework process was conducted, with a shift towards organising staff around key parts of the process, which would make it easier to achieve key targets and enable resource to be reallocated to 'pinch points' in the process. These could now be implemented.
- 8.8. Anne Heal asked for more information on the new approach to recruitment. Jonathan Green explained that a workshop was held with Bobby Davis, the HR team and Casework Managers where FtP staffing data was reviewed in detail. This confirmed that there were 2-3 seasonal periods of resignations per year and, recognising that caseworkers tended to move on from this role, greater use was therefore being made of fixed term contracts. The job description and person specification was also reviewed and a decision was made to search for candidates from a much wider pool focusing on the core skills required for the role.
- 8.9. Terry Babbs asked whether the target set for the 'receipt to triage decision' performance indicator, was too generous. Jonathan Green reported that the FtP Management team had already identified that triage decisions were being made very quickly and, therefore, consideration would be given to reducing the number of days provided this could be done without compromising the investigative work that was undertaken at this stage.

Action: Michael Huntley to work with FtP to review the receipt to triage decision KPI prior to the next quarterly report to Council on 15 March 2018

- 8.10. The Council noted that the 'case repatriation – triage and assessment referrals to NHS' performance indicator was rated red but stable. Jonathan Green advised that the target was set 12-18 months ago when the number of incoming cases were higher than they currently were. There had been a 20-25% reduction in incoming cases year-to-date. The Chair expressed concerns about the possible unintended consequences of setting an absolute number target for repatriating cases and suggested it would be more appropriate to set a KPI target for the speed of decision making. Jonathan Green explained that the target was introduced historically as a means of ensuring that the repatriation process was embedded. Consideration would now be given to removing or revising the target.

Action: Michael Huntley to work with FtP to review the case repatriation – triage and assessment referrals to the NHS target prior to the next quarterly report to Council on 15 March 2018

- 8.11. Terry Babbs queried whether the GDC had a memorandum of understanding in place with NHS Protect. Jonathan Green confirmed that, although the GDC had approached NHS Protect to establish a memorandum of understanding, this had not been taken forward by NHS Protect. The Council were informed that the organisation would continue to pursue this and noted that Memorandums of Understanding and Information Sharing Agreements were in place with other parts of the NHS.
- 8.12. Crispin Passmore observed that the majority of FtP performance indicators were rated 'red' and queried what impact this would have on the maintenance of the PSA standards for FtP. Jonathan Green advised that the information reported in the balanced scorecard was slightly different to that provided to the PSA. The PSA was aware of the work that the GDC was pursuing, both in respect of addressing the challenges and also regarding the wider

aspirations in terms of the end-to-end review. As a result, the PSA were currently comfortable with the direction of travel. It was, however, stressed that performance must not deteriorate.

- 8.13. Noting that there had been improvements in casework, in terms of recruitment and restructuring the team around the process, Sheila Kumar queried when it was anticipated the performance indicators rated red would change to amber or green. Jonathan Green indicated that the performance indicators would remain red for the majority of next year because cases which had missed their targets would remain red until processed and closed. However, there should be evidence of a progressive improvement in performance. It was proposed that the balanced scorecard should include historic tracking data for the past 12 months to demonstrate performance over the year.

Action: Michael Huntley to incorporate into the balanced scorecard historic tracking data for performance indicators to illustrate to Council performance over the past 12 months prior to the next quarterly report to Council on 15 March 2018

- 8.14. The Council discussed the Interim Orders Committee performance indicators. Jonathan Green advised that Interim Order timeliness had been relatively stable for the past 12 months and there had been a considerable amount of work undertaken which had delivered improvements in timeliness, as a result of which it was now taking an average of three weeks from receiving a serious complaint to an Interim Order hearing. Ian Brack reminded the Council that the overall number of Interim Order Committee cases were low and, therefore, performance was volatile. It was agreed that further narrative should be provided to highlight the reasons if the target was missed.

Action: Michael Huntley to update the balanced scorecard to include narrative highlighting reasons why the Interim Orders timeliness performance indicator had not been achieved, if that was the case, prior to the next quarterly report to Council on 15 Mach 2018

- 8.15. The Chair asked for an update on the 'staff engagement' performance indicator. Bobby Davis explained that due to the infrequency of staff surveys, the performance indicator would remain red for some time. Staff survey data had been reviewed to identify key themes affecting staff engagement and satisfaction and a series of focus groups were held to inform an action plan. The Council noted that a detailed action plan was being produced which would highlight key areas of focus over 2018.
- 8.16. In relation to the 'facilities customer satisfaction' performance indicator, Bobby Davis reported that staff across the organisation had been surveyed about the five key things that mattered to them. Data was in the process of being collected and would be analysed, at which point an update could be provided to Council.
- 8.17. The Council **discussed** and **noted** the Q3 2017 balanced scorecard.

Michael Huntley left the meeting.

9. Dental Complaints Service report Q3

- 9.1. Hazel Adams presented the report, summarising the performance of the Dental Complaints Service (DCS) for Quarter 3 2017 as well as setting out the current challenges and the plans to develop the service.
- 9.2. There had been 557 incoming enquiries in Q3. This was a 10% increase compared to the same period in 2016. However, over the year as a whole, it was anticipated that the number of enquiries would be 41% lower compared to that received in 2016. Although no specific reason for this had been identified, it was likely to be due to clearer signposting for patients.
- 9.3. 133 complaints had been received in Q3 and there had been 39 referrals made from DCS to FtP, which was a 24% and 8% reduction respectively compared to the same period in 2016. The most common issue raised in the past 12 months by complainants was a perceived failure in dental treatment, accounting for 65% of complaints.

- 9.4. In Q3, the DCS had secured a full refund of fees in 22 concluded complaints, with partial refunds secured in three further cases. In two cases, patients received financial contribution from their treating dentist for remedial work required. In three complaints, a full explanation of issues arising during dental treatment was secured for patients and one patient complaint was closed after they received a full apology. It was noted that timeliness had been compromised due to significant staffing issues. However, the staffing situation had improved, and it was anticipated that timeliness would begin to improve in Q4.
- 9.5. Hazel Adams provided an update on the pieces of work within the DCS review project which aimed to improve current service delivery and to review the criteria for referral of cases to Fitness to Practise. The Council noted that Phase 1 of the DCS review project was due to be completed by the end of 2017, with two further objectives continuing through to 2018.
- 9.6. The Council noted that the DCS and Communications team would be working together to raise awareness of the DCS, the changes to its remit and the changes to its process. Whilst there was no specific plan in place, key stakeholders and provisional channels had been identified. Lisa Cunningham highlighted the importance of raising awareness in a way that encouraged dental professionals to engage with the DCS.
- 9.7. The Council **noted** and **discussed** the report on the performance of the DCS for Q3 2017.

10. Fee Policy Framework: draft policy consultation

- 10.1. Rebecca Cooper joined the meeting to present an update on the development of a new policy on fee-setting.
- 10.2. It was noted that the GDC set out its vision for a better, fairer system of regulation in dentistry as part of *Shifting the Balance*. Alongside the proposals, the GDC undertook to develop a new policy framework in relation to fees-setting, which was needed to underpin a sustainable and fair regulatory system. Detailed financial analysis had been carried out to support the development of proposals, which would be included in the consultation document. The GDC had sought to learn from previous consultations and from interactions with registrants over the past two years.
- 10.3. Following approval of the outline proposals at the closed session of Council in September 2017, a draft policy and associated consultation document had been prepared and considered at the preceding closed session of Council. Subject to amendments required as a result of the consideration in the closed session of Council, and the addition of further contextual information to increase clarity for registrants and stakeholders, Rebecca Cooper advised that the proposed policy on fee setting would be published for a 12-week consultation period in early 2018.
- 10.4. The Council **noted** the update on the development of a new policy on fee-setting.
Rebecca Cooper left the meeting.

11. Promoting professionalism, reforming regulation

- 11.1. Matthew Hill presented an update on the Department of Health consultation launched at the end of October 2017. The consultation affected all healthcare regulators and was due to close on 23 January 2018. The Council noted that the GDC and other healthcare regulators were requesting more time to ensure that their responses to consultation could be fully informed.
- 11.2. It was noted that whilst there were some interesting ideas set out in the consultation and some welcome ambition, there were no clear proposals for implementing any change going forward. This reflected the premium on legislative time and resources in central government. However, Matthew Hill advised that the consultation provided an opportunity for the GDC and the other healthcare regulators to reiterate the need for stronger political support for change within the current legislation.

- 11.3. In terms of the main themes, Matthew Hill explained that the consultation focused on the overarching framework in which healthcare regulators operate, particularly on how to combine the need for flexibility and agility for regulators with public accountability. The consultation also considered the role and use of FtP as a regulatory tool and drew on aspects of *Shifting the Balance* and the PSA's policy documents in terms of a change of approach to the FtP process and upstreaming.
- 11.4. It was noted that, subject to the outcome of the request for an extension to the deadline, the response might need to be circulated to Council member for comment outside the meeting and approved by Chair's action. However, if the extension was granted, then the response to consultation would be considered at the Council meeting on 1 February 2018.
- Action: Matthew Hill - draft response to DH consultation to be circulated to Council members and approved by Chair's action or considered at the next Council meeting on 1 February 2018**
- 11.5. The Council **noted** the update on the Department of Health consultation on 'Promoting Professionalism, Reforming Regulation'.

12. Revisions to the Scheme of Delegation and Standing Orders

- 12.1. Clare Mitchell informed Council members that the Scheme of Delegation was reviewed on an annual basis and formed part of a wider review of the Standing Orders for the Conduct of Business. A number of changes were proposed to the Scheme of Delegation and Standing Orders for the Conduct of Business 2016. The changes had been reviewed at the Audit and Risk Committee meeting on 29 November 2017.
- 12.2. With regards to the Scheme of Delegation, Clare Mitchell highlighted that the itemised list of functions and duties of the Registrar had been removed. The list was not comprehensive and, therefore, following a discussion with the Head of Corporate Legal reference was now made to a full list of functions and duties delegated to the Registrar, and any specific sub-delegations, which had now been compiled. The new list spanned 50 pages and, as such, this had not been included. The Chair requested that the Scheme of Delegation be updated to reference how 'matters delegated to the Chief Executive' could be accessed.
- Action: Clare Mitchell to update the Scheme of Delegation to reference how matters delegated to the Chief Executive could be accessed prior to publication by 1 February 2018**
- 12.3. The Council **approved** the revised Scheme of Delegation subject to the amendment and the amendment to the Standing Orders for the Conduct of Business 2016.

13. Reappointment of non-Council members to Committees

Remuneration Committee

- 13.1. Geraldine Campbell, Chair of the Remuneration Committee, presented the paper proposing the reappointment of Philippa Hird as an independent member of the Remuneration Committee.
- 13.2. The Council noted that Philippa Hird had been an independent member of the Remuneration Committee for two and a half years. Council members were advised that Philippa Hird had made a valuable contribution during that time and her skills and experience were relevant and would be very valuable going forward. It was therefore proposed that Philippa Hird be reappointed as an independent member of the Remuneration Committee for a second term of office of two years from 01 April 2018.
- 13.3. The Council:
- **Noted** the outcome of the reappointments process and the Remuneration Committee Chair's recommendation for reappointment

- **Approved** the reappointment of Philippa Hird for a second term of office of two years from 1 April 2018

Statutory Panellists Assurance Committee

- 13.4. Rosie Varley, Chair of the Statutory Panellists Assurance Committee, presented the paper proposing the reappointment of Tim Skelton as a member of the Statutory Panellists Assurance Committee.
- 13.5. Rosie Varley highlighted that Tim Skelton had been a member of the Committee for three years and was a lay member. Council members were advised that Tim Skelton had made an excellent contribution during that time, particularly in terms of improving the appraisals and performance management of FtP panellists. The proposal was to reappoint Tim Skelton for a three-year term of office to assist with succession planning and stagger the appointments.
- 13.6. The Council discussed the process for recommending reappointments and agreed that this should be reviewed.

Action: Clare Mitchell to review the reappointment process for non-Council members by 31 July 2018

- 13.7. The Council:
- **Noted** the outcome of the reappointments process and the Statutory Panellists Assurance Committee Chair's recommendation for reappointment
 - **Approved** the reappointment of Tim Skelton as a member of the Statutory Panellists Assurance Committee for a second term of office of three years from 1 January 2018.

The Chair left the room for this item

14. Appraisal process for the Chair of the Council

- 14.1. Clare Mitchell introduced the paper setting out the proposed process for the annual appraisal of the Chair of the Council.
- 14.2. The Council noted that the appraisal process was agreed by Council in 2015 following discussions at the Remuneration Committee. The appraisal process for the Chair had been modified over time with the appointment of the Senior Independent Council Member who was responsible for leading the process of appraising the performance of the Chair. It was noted that the process and timescales proposed had been discussed in outline with the Remuneration Committee at its meeting in November 2017.
- 14.3. Terry Babbs, as Senior Independent Council Member, advised that he would report back to Council with a summary of the appraisal, draft objectives and comments on achievement.

Action: Terry Babbs to report back to Council with a summary of the appraisal, draft objectives and comments on achievement on 1 February 2018

- 14.4. The Council:
- **Approved** the appraisal process for the Chair of the Council, as outline in the paper
 - **Noted** that the Remuneration Committee was planning a full review of the appraisal processes for the Chair of the Council and the Council members in 2018.

15. Investment principles and strategy

- 15.1. Melanie Stewart presented the investment principles, which were reviewed by the Council annually.
- 15.2. The Council noted that accumulated and projected surpluses were such that it was projected the GDC would achieve cash funds of £20m to £55m between 2018 and 2020. Funds were currently held in the current account or on short-term deposit earning less than 0.5% per

annum. Melanie Stewart highlighted that inflation was currently at 3.1% and, therefore, the purchasing power of the cash would reduce year on year.

- 15.3. It was proposed that Council considered the option of investing up to £15m of cash in equities and fixed interest securities. Melanie Stewart advised that further work was required with investment advisers to establish an appropriate investment portfolio with an appropriate split between UK and overseas equities and UK fixed interest securities. This would be developed based on risk appetite rather a set percentage split.
- 15.4. Terry Babbs reported that the FPC had reviewed both the investment principles and investment strategy at its meeting on 22 November 2017. The Committee was content with the investment principles and of the view that these aligned with the proposed investment strategy and provided an appropriate balance between value for money and maintaining a prudent cash balance. Terry Babbs highlighted that ethical investment principles had been included in the proposed investment strategy. It was proposed that the GDC's investment strategy should avoid or, where this was not possible, minimise to the greatest extent investment in alcohol and tobacco, due to their direct impact on oral health, and healthcare, because this could be seen as a conflict of interest for the GDC.

Action: Melanie Stewart to update the investment principles to make explicit reference to an ethical investment strategy, prior to publication by 31 December 2017

- 15.5. The Council discussed the broader investment strategy and whether or not to restrict the ethical investment strategy as proposed. Gurvinder Soomal informed Council members that the partner firm responsible for managing the GDC's investments had flagged that placing specific restrictions would limit opportunities for investment and, therefore, a view had been taken to identify broader ethical principles. Following discussion, the Council agreed requested that the Finance team and the Finance and Performance Committee consider the options for ethical investment and how these might impact on returns and ease of investment.

Action: Finance and Performance Committee to consider the options for ethical investment and how these might impact on returns and ease of investment at its next meeting on 1 March 2018

- 15.6. The Council:
- **Approved** the investment principles, subject to the amendments
 - **Noted** the proposed investment strategy

16. Framework for management of reserves and use of contingencies in budgeting

- 16.1. The Council noted that the 2018 budget approved on 28 September 2017 reflected a period when the organisation was undergoing significant change and when key aspects of the GDC project portfolio were at a stage of development where the financial implications were unclear.
- 16.2. Two options had been considered to ensure sufficient funding for activity in 2018. The first option involved seeking the Council's permission to drawdown reserves to the level required, once the financial case for projects was made. However, any proposal to drawdown reserves would need to have been based on actual reserves as at 31 December 2016, which were below the levels currently stated in the Reserves Policy. The second option had involved enabling contingent provisions in the budget, for the cost of activity which was certain and also for costs which could not be more accurately budgeted. Option two was pursued and, although the 2018 budget was approved, the FPC had requested that a framework for the management of reserves to be developed due to concerns regarding the high level of contingency.
- 16.3. A review of how the GDC determined an appropriate level of reserves was taking place. An alternative approach was being considered, which would establish an appropriate level of reserves by linking the Reserves Policy directly to the risk register and the estimated costs or

loss of income that reserves would cover as a result of the various types of risks that could materialise. Initial work had been undertaken to reflect the strategic risks. This approach would then filter down to operational risks. In the event that any of the risks materialised, a request would be made to Council to drawdown reserves at the level required, once the case had been made. Such a framework, whereby the Executive could seek the Council's approval to drawdown reserves after the annual budget had been approved, would ensure that budgets were more transparent as it would minimise the use of contingent provisions. This work would be presented to the next FPC meeting.

- 16.4. Catherine Brady suggested the need for a clear message to clarify that there could not be a direct link between the increase in the GDC's reserves and a reduction in the ARF, and the reasons for this.

Action: Melanie Stewart and Lisa Cunningham to prepare a message to clarify that there could not be a direct link between the increase in the GDC's reserves and a reduction in the ARF, and the reasons for this by 15 March 2018

- 16.5. The Council:

- **Reviewed** the framework for the management of the GDC's general distributable reserve and use of contingencies in budgeting
- **Noted** the Finance and Performance Committee's proposal to develop the framework further with a view to recommend this to Council on 15 March 2018 for approval

17. Financial policies and procedures 2017 (including procurement policy)

- 17.1. Melanie Stewart presented the annual review of financial policies and procedures for 2017, highlighting that these had been considered by the Finance and Performance Committee on 22 November 2017.
- 17.2. The Council was assured that the detailed policy documents had been reviewed, but as the changes were predominantly textual and reference changes they had not been provided in full.
- 17.3. More extensive changes had been made to the Procurement Policy following external legal advice confirming that the GDC met the criteria for a contracting authority and, therefore, was required to fully comply with the Public Procurement Regulations 2015. This policy has been provided in full.
- 17.4. The decision to comply with the Public Procurement Regulations 2015 had been taken in May 2017. A review of decisions taken prior to that date was undertaken and no issues with those decisions were found.
- 17.5. The Council **reviewed** and **approved** the updated financial policies and procedures.

18. Council engagement presence and engagement in the four nations

- 18.1. Lisa Cunningham introduced the paper and reminded the Council that the first priority of the Stakeholder Engagement Strategy, which was approved by Council on 28 September 2017, was to address the inequity in strength and depth of engagement across the four nations by appropriately spreading the resources. One of the ways in which this could be addressed was by holding Council meetings in the devolved nations
- 18.2. Council members noted the options for holding a Council meeting in either Northern Ireland, Scotland or Wales. It was proposed that the Council meeting would be supplemented by a programme of stakeholder engagement events.
- 18.3. The EMT was proposing that one Council meeting a year should be held in one of the devolved nations, commencing in 2018. The EMT's view was that holding the 21 June 2018 Council meeting in Scotland would be the most practical option. This recommendation was

based on the availability of resources in Scotland, the lead in time required to plan the event and the large scale organisational change planned in 2018.

- 18.4. Kirstie Moons expressed concern about the recommendation to hold the first of these events in Scotland, particularly as there was both a good level of engagement and some GDC presence there already. The stakeholder engagement heatmap indicated that Northern Ireland and Wales were the priority areas.
- 18.5. Matthew Hill acknowledged the points made regarding Northern Ireland and Wales but reiterated that the recommendation to hold the first Council meeting in Scotland was principally based on the availability and capacity of resource. The recommendation had also taken into consideration the risk to successfully delivering not only Council presence in the devolved nations, but also other critical business activities. Reallocating the current resource to Scotland or Northern Ireland would require reprioritisation and might result in delays, impact on performance or non-delivery in other priorities.
- 18.6. Geraldine Campbell revisited the reason for Council presence and engagement in the four nations, which was to hear voices that would not normally be heard that would add value to the GDC's work. Given that the GDC had a Director for Scotland who engaged with a range of stakeholders, Geraldine Campbell asked the Council to consider what additional value was hoped to be gained by holding the first Council meeting and engagement event in Scotland.
- 18.7. Matthew Hill assured Council that the GDC planned to hold Council meetings and engagement events in Northern Ireland, Scotland and Wales over the next three years, but asked that Council be mindful of the operational constraints. The recommendation to hold a Council meeting in Scotland in 2018 did not mean there would be no stakeholder engagement events in 2018 in Northern Ireland or Wales. Some of the additional resource, for which Council made a contingent provision in the 2018 budget, was to significantly step up the investment in the GDC's capacity to enhance engagement across the four nations and across all stakeholder groups.
- 18.8. The Chair acknowledged that the Executive could deliver the Council meeting and engagement event in any of the three nations, but proposed that the Council should take into consideration the advice of the EMT. The Chair proposed that the Council agree to hold the first Council meeting and stakeholder event in Scotland in 2018 but signal intent that the Chair and Chief Executive would visit both Northern Ireland and Wales in 2018. It was further proposed that dates in 2019 and 2020 be explored for Council meetings and engagement events in Northern Ireland and Wales.

Action: Lisa Cunningham to signal the intent that the Chief Executive and Chair would visit Northern Ireland and Wales in 2018 by 17 May 2018

- 18.9. The Council:
 - **Approved** in principle the proposal to improve the Council's presence and engagement in Northern Ireland, Scotland and Wales
 - **Considered** the advantages and disadvantages for holding the first Council meeting and 2018 engagement programme in Northern Ireland, Scotland and Wales
 - On the advice of the EMT, **agreed** to hold the first Council meeting and engagement programme in Scotland in June 2018.

19. Filming public council meetings

- 19.1. Lisa Cunningham introduced the paper, highlighting that there had been discussions a number of discussions on how best to make the GDC's public sessions of Council meetings as transparent as possible. One such way that had been explored was filming public Council meetings and making these available to people who were unable to attend the meeting.
- 19.2. There had been a number of discussions at recent Council meetings as to whether the GDC should record public Council sessions and make these available to the public. Lisa

Cunningham reported that work had been undertaken to understand the considerations associated with filming, specifically technological, operational, legal, information governance and communications issues. The Council noted that one of the main considerations in relation to implementing this change was consent, which would need to be sought from all those who were filmed/recorded.

19.3. In view of the work that was being undertaken on consent prior to May 2018, when the General Data Protection Regulations (GDPR) came into force, it was agreed that this proposal would be revisited once the organisation had greater clarity on the impact of the GDPR.

19.4. The Council discussed the possibility of 'live tweeting' during Public Sessions of Council meetings to engage with members of the public and keep them up to date. The Council agreed that this should be considered.

Action: Lisa Cunningham to consider the risks and benefits of using 'live tweets' during Public Sessions of Council meetings, and to report back to Council on 15 March 2018

19.5. In terms of financial considerations, Terry Babbs asked that there be more of an emphasis on the financial considerations in the form of a cost benefit analysis of the value of filming public Council meetings.

Action: Lisa Cunningham and Melanie Stewart to review the financial considerations of filming public Council meetings in the form of a cost benefit analysis, and to report back to Council in October 2018

19.6. The Council:

- **Noted** the considerations and issues in relation to recording Public Council meetings
- **Approved** that this matter is brought back to Council in the autumn after specialist legal advice on GDPR had been sought.

20. Annual reports of the Council's Committees

Finance and Performance Committee

20.1. Terry Babbs introduced the FPC Annual Report to Council.

20.2. It was highlighted that the terms of reference appended to the Annual Report would be presented at the next Council meeting for approval.

20.3. The Council **discussed** and **noted** the 2017 FPC Annual Report to Council.

Policy and Research Board

20.4. Kirstie Moons introduced the Policy and Research Board Annual Report to Council.

20.5. Kirstie Moons reported that the Board had provided input into a joint draft statement on principles of good complaint handling, which was expected to be published in early 2018 as part of a complaint-wide handling initiative. In relation to continuing professional development, the Council were informed that the Board had thoroughly scrutinised ECPD and would continue to receive updates throughout 2018. There had also been a useful discussion at the Board meeting about education and risk-based approach to education, and about the changes that Health Education England were proposing. The Board also started a discussion at its last meeting regarding Ways of Working and would continue to consider its role in the development of strategies and policies, and levels of engagement with both internal and external stakeholders in 2018.

20.6. The Council **discussed** and **noted** the 2017 Policy and Research Board Annual Report to Council.

21. Horizon Scanning report

21.1. The Council **noted** the Horizon Scanning Report.

PART THREE – ITEMS FOR NOTING

22. Annual report on the declarations of interest of Council members

22.1. The Council **noted** the Annual Report on the Declarations of Interest of Council members.

CONCLUSION OF BUSINESS

23. Any other business

- 23.1. The Chair reminded Council that this was Lisa Cunningham's last Council meeting before she went on maternity leave. On behalf of the Council, the Chair wished Lisa Cunningham all the best and looked forward to her return.
- 23.2. The Chair also reminded the Council that this was Jonathan Green's last Council meeting. On behalf of the Council, the Chair thanked Jonathan Green for his much-valued contribution and commitment during his time at the GDC and wished him well in his new role. Jonathan Green took the opportunity to thank current and former Council and EMT members, stating that he had enjoyed working with everyone and looked forward to hearing of continuing success at the GDC in the future.

24. Review of the meeting

24.1. Council members agreed that the meeting had gone well and there had been a good level of discussion.

25. Close of the meeting

25.1. There being no further business, the meeting was closed at 2:45pm.

Date of next meeting: 01 February 2018

Name of Chair:

William Moyes