

UKPHR Board

22 September 2022

Item 2

Minutes of the meeting of the UKPHR Board held on Tuesday 21st June 2022 via Teams

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|-----------------|--|-------------------|--|
| Present: | <p>Andrew Jones (AJ) (Chair) Jessica Lichtenstein (Chief Executive) Duncan Vernon (DV) James Sandy (JS) Linda Smith (LS) Marianne Coward (MC) David Evans (DE) Joanna Dowd (JD) Helen King (HK)</p> <p>Pavenpreet Johal (PJ) (Secretariat)</p> | Apologies: | <p>Viv Speller Gill Jones Ranjit Khutan Steve Maddern</p> |
|-----------------|--|-------------------|--|

1. Welcome, apologies for absence and new declarations of interest

DV welcomed everyone to the meeting whilst waiting for AJ to join. There were no new declarations of interest.

2. Minutes of Board meeting held on 20 April 2022

The minutes of the meeting held on 23 March 2022 were agreed as a true and accurate record with a change on page 1 as the minutes currently read as 9th February. JL to complete final review before publishing on website.

| ACTION | WHO | WHAT | BY WHEN |
|--------|-----|--|---------|
| | JL | Amend 20 April 2022 Board minutes and publish on website | ASAP |

3. Actions and matters arising

AJ joined the meeting and thanked DV for Chairing in his absence. AJ offered the Board's sincere sympathy for JL's personal loss and thanked her for her support.

JL reported that many actions were closed. There were still several outstanding items, although many are not due until the autumn, or they were policy initiatives that are being progressed through the RPG with the Registrar's support. The report from the Strategy Day is still outstanding and it is aimed to have this prepared for the next Board meeting.

| ACTION | WHO | WHAT | BY WHEN |
|--------|-----|--------------------------------------|---|
| | JL | Prepare report on Board strategy day | Board meeting on 16 th September |

4. Governance forward planner

JL introduced the governance planner which provides a rough plan to what the Board and subsidiary committees will consider over the rest of the year. JL noted that the Education and Training Standards Committee will be considering the EDI action plan in further detail, following which, a report will be presented to the Board.

The Audit, Risk and Remuneration Committee will review the final year accounts with a visit from the accountant at its July meeting. The Committee is also keen to explore further the risks presented by the revalidation review and regulation reform. Later in the year, the Committee will complete a standard review of the accounts, and hopefully review a draft report from the fees review, which is in the process of commissioning.

There will be some policy approvals brought to the next Board meeting in September, coupled with an AGM. The final Board meeting of 2022 will be held in November, which will begin to discuss items such as office and home working patterns.

JS queried how a possible governance review factors into the AGM. JL reported that she and the Chair have discussed this and agreed that a light touch review following one year since the committee re-structure would be helpful. Whilst this is not fully scoped yet, it will be light touch and taken to the Audit, Risk and Remuneration Committee.

DV confirmed his understanding of the formal/statutory elements of the AGM. He also sought clarity on Board appointment dates and whether any Board members would be stepping down at the AGM. JL confirmed that she will be reviewing this in due course and will circulate a reminder of Board member term lengths, post-meeting.

| ACTION | WHO | WHAT | BY WHEN |
|--------|-----|-------------------------------------|-----------------------|
| | JL | Circulate Board member term lengths | ASAP and prior to AGM |

5. UKPHR Improvement plan

JL introduced the improvement plan which indicates what action has taken place and what is planned with the opportunity for the Board to review.

HK asked for the EDI action plan to reflect some of the action taken so far. JD queried whether the funding for the new IT system and 2 new part-time 1-year FTC roles had been finalised. JL responded that the majority of funds for development will be taken from reserves as per Board agreement. Future licensing will be more expensive, but the reserves would be closely monitored. Regarding the FTC roles, it was previously noted that it was envisaged that the practitioner focused role would eventually become self-funded with an increase in practitioner numbers and that much of the work for the support officer would be incorporated into the new IT system; although there would be certain aspects of the role that the system would not cover.

The Chair also added that he envisaged the AGM as an ideal opportunity to begin some of the partnership work with other regulators and organisations across all 4 nations.

The Board agreed that we were on track and noted that specific updates on actions would be covered in the Chief Executive's report.

6. Committee recommendations for Board decision:

a. Flexitime and flexible working policy

As a result of previous discussions on how UKPHR can support staff in the absence of issuing pay rises that are commensurate with rates of inflation, the Audit, Risk and Remuneration Committee and Board have explored a flexible working policy. Historically staff have been working standard hours and pattern. The pandemic has changed this culture with the absence of commuting. Prior to piloting the flexible working policy, one staff member had taken advantage of working a slightly different pattern during the pandemic. The policy allows staff to work their

contingent of hours on a weekly basis but have some flexibility within them so that they can start early or late, accrue time and with the approval of their line manager, have flexi days off throughout the year.

The team have been really engaged in putting this together and have been piloting it since March. Feedback has been universally positive to implement this permanently, and no one seems to be misusing the policy, although this will continue to be monitored. PJ reported her own positive personal experience of engaging with the policy.

JL informed the Board that as the Chief executive she is not utilising the policy as she felt it was not appropriate. The Board acknowledged that this policy is open for all employees and employees can opt out.

DV reported that the Audit, Risk and Remuneration Committee sought minor drafting points which have been adopted. The Committee recommended that the policy is adopted.

The Board also agreed to continue to explore how they act as an employer, in order to continue strengthening our governance and start to look things that might be otherwise widely available in the public sector.

JS sought clarity that the policy links back to existing employee policies in a staff handbook or similar. JL confirmed that HR policies relating to staff are in a clearly marked folder for all employees to access.

| ACTION | WHO | WHAT | BY WHEN |
|---------------|------------|--|----------------|
| | JL | Adopt Flexitime and flexible working policy | ASAP |

b. Reasonable adjustments policy

In the Registrar's absence, JL presented the reasonable adjustment policy. The need had arisen for this policy following some ad hoc inquiries about making decisions for registration and in relation to certain circumstances that were not covered by existing policies. The Registrar felt she was making many decisions in the absence of a framework to make these. The policy had been drafted by the Registrar with the support of the RPG and designed to support Registrar decision making. The policy has been designed to be in line with other regulators. The RPG agreed that this was a really positive initiative, and it will assist with the quality assurance and robustness of our decision-making and. Following on from the introduction of this policy and the previous exceptional circumstances policy, the RPG has recommended developing a panel to consider applications under these policies. The next steps would involve drafting role descriptors for panel members and piloting a panel with the existing wider workforce to support the Registrar's decision making. The Board will receive a report on the pilot before approving this for recruitment to the wider system. The Board agreed to adopt the policy to proceed with piloting the panel arrangements.

| ACTION | WHO | WHAT | BY WHEN |
|---------------|------------|---|--|
| | JL & GJ | Adopt reasonable adjustments policy and begin pilot of panel to bring final role descriptor of panellists and pilot report to next Board meeting | Next Board meeting on 16 September 2022 |

7. Chief Executive's report (including Chair decisions and meetings)

JL reported the following updates:

GMC were commissioned to undertake a review of our FtP rules. A report has been submitted and it includes many recommendations, which would require significant resource to implement. The next steps were to prioritise the recommendations to action those that are deemed essential. DV requested for this to be added to the agenda for the next Audit, Risk and Remuneration

Committee so that the risks can be discussed. JS also highlighted the importance of ensuring that we record that the complaint that was received that instigated this work was not a formal complaint.

| ACTION | WHO | WHAT | BY WHEN |
|---------------|------------|---|-------------------------------|
| | JL | Present the GMC FtP review report to next ARRC meeting | Next ARRC in July 2022 |

JL shared a HEE report on the review of public health specialist capacity which portrayed a changing workforce landscape. As part of developing an employer engagement plan, JL and the Chair will be meeting with the GMC Director of Strategy and Policy. They will also begin to target the individuals that we need to have conversations with and to start to shape some discussion agendas; in particular to discuss the question of equivalence with regard to specialist revalidation. The Board was also alerted to the HEE initiative to support individuals seeking to gain registration via the SRbPA route.

JL reported that the revalidation stakeholder workshop went well, with good attendance from various stakeholders across the nations and selected registrants from different employers. The Board received a short summary report of the workshop from Revalidation and Registration Services Officer. There was a general acknowledgement that there is potential conflict in UKPHR acting as a responsible officer and a regulator, whereas this is separated in many other healthcare regulators. What remains unclear is the alternative approach. There was some enthusiasm for adopting a responsible officer approach as the GMC does, but it is difficult to envisage this being rolled out with limited resources and without a statutory instrument. There was a unilateral view of achieving as much as possible equivalence with medical revalidation and there wasn't an appetite to dilute our requirements. There was a general endorsement of continuing with UKPHR revalidation and an understanding of the issues that UKPHR are facing at this stage of implementing revalidation. JL commented that the Board would need to have an honest discussion about how this would work in the absence of significant investment. This discussion will begin at the next meeting of the Audit, Risk and Remuneration Committee in July. JL also reported that UKPHR have had very positive development discussions with NHSE/NHSI in terms of support for revalidation.

JL reported the new Practitioner Registration Coordinator had taken to her role very well and the local scheme coordinators are pleased that we have filled this role. She has undertaken an extensive data collection exercise and written a report, which will be presented to the Board in due course. This covers what works well and identifies areas for targeted improvement. She has also been supporting JL in a practitioner working group which troubleshoots specific issues and considers potential solutions. At the moment there is no intention to change the standards but to review the processes and guidance.

JL thanked DE for supporting her with the fees review. JL and DE were interviewing a potential consultant with appropriate experience and it is hoped that a report with recommendations would be taken to the Audit, Risk and Remuneration Committee in October and then before the Board in November. This will enable a period to implement a communications plan before any potential changes.

Work had begun designing the new IT system and PJ was in the process of completing documents for the supplier to develop the system. It was noted that a contract had not been signed yet as the supplier was in the process of reviewing their standard contracts with a new lawyer. JL commented that she would review the contract with JS and UKPHR's lawyer.

JL sought support from Board members to draft an agenda for the next Practitioner Conference to be held virtually in October. HK, DV and DE agreed to take part in a meeting to brainstorm

potential topics and presenters. The Awards were open to receive nominations with a deadline at the end of July.

| ACTION | WHO | WHAT | BY WHEN |
|--------|-----|--|---------|
| | JL | Arrange for JL, DV, DE and HK to meet to brainstorm practitioner conference agenda | ASAP |

The Board received a report of the Chief Executive's meetings. The Chair informed the Board that he had met with the HR consultant with the Vice Chair and was advised that UKPHR would need to go out for open recruitment for the permanent Chief Executive role. The Chair would liaise with the team to action this. The Chair also confirmed that he had secured an extension of JL's secondment until October 2022 to cover this period of recruitment.

8. Registration report

In the Registrar's absence, JL reported that the registration statistics now included a tab for longitudinal data. The Board acknowledged the lapsed statistics over the years which will be a useful source of information in the fees review.

9. Audit, Risk and Remuneration Committee report

DV reported that most of the Committee discussions had been discussed in the meeting. DV thanked PJ for supporting the Committee in JL's absence and for JL in responding to queries post-meeting. The Committee will be considering the risks relating to the revalidation review and changes to public health regulation at their next meeting.

10. Education and Training Standards Committee report

HK reported that there has not been a new Committee meeting since the Board last met and therefore no update. The Committee would be next meeting in July and will consider the EDI action plan.

11. Any other business

There was no other business.

12. Date, time and venue of next meeting

Friday 16th September, 10am till 3pm for the Board meeting and AGM.

Action points from this meeting

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|---------|---------|--|---|
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| | JL | Prepare report on Board strategy day | Board meeting on 16 th September |
| | JL | Circulate Board member term lengths | ASAP and prior to AGM |
| | JL | Adopt Flexitime and flexible working policy | ASAP |
| | JL & GJ | Adopt reasonable adjustments policy and begin pilot of panel to bring final role descriptor of panellists and pilot report to next Board meeting | Next Board meeting on 16 September 2022 |
| | JL | Present the GMC FtP review report to next ARRC meeting | Next ARRC in July 2022 |
| | JL | Arrange for JL, DV, DE and HK to meet to brainstorm practitioner conference agenda | ASAP |

The Chair closed the meeting at 15.40 hours.

DRAFT