



**MINUTES OF THE MEETING  
OF THE GENERAL CHIROPRACTIC COUNCIL  
HELD ON 7 DECEMBER 2017  
44 WICKLOW STREET, LONDON WC1X 9HL**

**OPEN SESSION**

Present

Mary Chapman (Chair of Council)  
Tom Greenway  
Steven Gould  
Gareth Lloyd  
Sharon Oliver  
Ralph Pottie  
Liz Qua  
Keith Richards  
Julia Sayers  
Carl Stychin  
Gay Swait  
Phil Yalden

Apologies

Roger Dunshea

In attendance

Rosalyn Hayles, Chief Executive and Registrar  
Paul Ghuman, Deputy Chief Executive (Director Resources & Regulation)

Observers

Mark Muncila (United Chiropractors Association)  
Hilary Royall (McTimoney College of Chiropractors)  
Michael Toft (Professional Standards Authority)  
Niru Uddin, Head of Investigations (GCC)

C-1712/1	<p><b>Apologies and declarations of interest</b></p> <p>The Chair welcomed Council and the observers to the meeting. She said she had hoped that Council member Roger Dunshea would be able to join by phone but unfortunately that had not been possible so he was noted as absent from the meeting.</p> <p>Council member Phil Yalden declared an interest in item C-1712/8 'Education Report', as he works for an education provider.</p>
C-1712/2	<p><b>Draft minutes of the meeting of 20 September 2017 and matters arising.</b></p> <p>The minutes of 20 September 2017 were agreed as an accurate record of the meeting. There were no matters arising.</p>
C-1712/3	<p><b>Chair's report</b></p> <p>The Chair's report provided an update on the work carried out by the Chair from September, detailing her meetings with representatives from the associations, the</p>

	Royal College of Chiropractors, chairs of other regulators and the PSA.
C-1712/4	<p><b>Executive report</b></p> <p>The Chief Executive and Registrar introduced the executive report, which provided an update on work carried out since the September Council meeting.</p> <p>In answer to a query about the check of registrants' CPD summaries for 2015/16 (which were still being carried out) and how that compared with previous years, the CER explained that this was the first time a full audit of the quality of CPD submissions has been carried out, so there is no previous year to compare to. When asked whether registrants would be removed from the register if they continued to be non-compliant, the CER said that she hoped the reminder letters recently sent would result in their complying but otherwise as Registrar she would need to make a decision on next steps to be taken with regard to each individual, possibly having taken external advice.</p> <p>Council noted that the first sentence of number 3. of the paper, which read "The Education Committee has provided its Annual Report to the Committee....." should read "The Education Committee has provided its Annual Report to the Council....."</p> <p>The Chair asked the CER to inform Council of the impact on the GCC of the reduction in the PSA's proposed levy for 2018/19.</p> <p><b>Action: CER to provide Council with information about the impact on the GCC of the reduction in the PSA's proposed levy for 2018/19</b></p>
C-1712/5	<p><b>Performance report</b></p> <p><u>Financial summary</u></p> <p>The DCE introduced the Performance report. He said that the main change in performance to-date was that fitness to practise (FtP) costs are far greater than anticipated and that a note in the paper explained the variance. He said that the GCC was not hitting their revised target of determining Investigating Committee (IC) cases from receipt of the complaint within a median of 28 weeks, but that the median had improved from 34 to 31 weeks. He said 75% of cases were within 4 months and that the GCC was moving closer to meeting the target. It was suggested that the next performance report should provide the comparator median looking back. In response to a query about the increase of adjournments, the DCE explained that adjournments are due to various issues, including late service of evidence. In one case an expert was taken ill at short notice which led to an adjournment.</p> <p>Council discussed the change to holding IC meetings over two days instead of one and noted this had contributed to a significant costs increase. The DCE explained that the two-day meetings allowed for decision-making and the agreement of allegations to be done at the time (rather than agreed by email later on) so that all parties could be advised of the outcome promptly. In discussing the cost-benefit of the new system, the DCE said there would be a review of whether two-day IC meetings were necessary in every case. The CER added that, in addition to the points raised by the DCE, the two-day meetings had also been put in place in order to improve the quality of the decisions made, as this had been an issue in the past when the IC was under pressure to complete consideration of a large volume of cases in one day.</p>
C-1712/6	<p><b>Appointment of additional Investigating Committee panel chairs</b></p> <p>The DCE introduced this paper which asked that Council a) agree the appointment of three IC panel chairs and b) agree the reappointment to the IC of the three individuals specified.</p>

	<p>The DCE explained that the new chair appointments were being sought in order to increase the number of IC panel chairs – otherwise difficulties arise in relation to registrants who have multiple complaints about them. He also said that the GCC would need more capacity at IC panel chair level during 2018 due to the need to process the large caseload of advertising cases He confirmed that positive peer feedback had been received regarding the candidates put forward as IC panel chairs, from the time when they acted as PCC Chairs.</p> <p>Council agreed the reappointments of Eileen Carr, Jill Crawford and Lubna Shuja to the IC and to their appointment as IC panel chairs.</p>
C-1712/7	<p><b>Revised guidance on advertising by chiropractors</b></p> <p>The CER introduced the paper on the GCC’s revised guidance on advertising, which Council was asked to agree. The CER explained that the GCC had been engaging with the Advertising Standards Authority (ASA) throughout 2017 to update the GCC’s existing guidance so that it was both more reflective of the guidance recently published by the ASA and also to improve its clarity.</p> <p>She said that the new guidance document ‘Guidance on Advertising to the Public’ (at Appendix A) had been shared with the professional associations and the Royal College of Chiropractors. Feedback from the RCC and ASA had been incorporated. The professional associations had not commented.</p> <p>Council noted that individual chiropractors may struggle with aspects of the ASA’s guidance. They discussed dissemination of the GCC guidance and the importance of getting the message about advertising across to individual registrants. It was proposed that the GCC could maintain the messaging around the importance of complying with advertising requirements by highlighting individual sections of the Guidance in monthly newsletters, and that the newsletter could also remind registrants that they can seek advice from the CAP Copy Advice Team. It was suggested that it would be helpful for the website version of the guidance to allow readers to click on individual headings or subheadings. Council members also suggested that the GCC consider channels of communication in order to enhance registrants’ engagement with the content of the Guidance.</p> <p>The CER said that the ASA had indicated they might produce a new webinar about their guidance, which the GCC could then advise registrants about.</p> <p>Council members suggested amendment of the document so that its purpose is stated at the forefront. The CER explained that the front part of the Guidance was in a GCC standardized format for such guidance and suggested that any suggested changes would have to be applied to all GCC guidance documents. This could be considered by the Director of Education, Registration and Standards.</p> <p>Council agreed to publication of the revised Guidance.</p> <p><b>Action: The Director of Education, Registration and Standards to review the format used for GCC guidance documents</b></p>
C-1712/8	<p><b>Report from the Education Committee</b></p> <p>The Chair of the Education Committee (EC) introduced the Education Committee report for the purpose of informing and updating Council on the work that had been undertaken by the EC during 2017, including: annual monitoring of education providers; reviewing the Test of Competence (ToC); assuring continuing FtP; reviewing the Degree Recognition Criteria and Quality Assurance System; assessing</p>

	<p>pre-registrant professionalism; researching the preparedness of students for practice; and carrying out a review of the guidance for education providers and students on student fitness to practise and student health and disability. The EC Chair noted that some of the processes would be reviewed and refined, especially those processes that were new. She said she expected there would be quite a heavy workload with possible new providers and the work required around that.</p> <p>The Chair of Council asked the EC Chair for a general comment on demand and supply in chiropractic education and the EC Chair said that there was certainly a disproportionate geographical spread of available places, so it was unclear what the true demand was with insufficient evidence to confirm whether more places were needed in total for UK students. She said more work was needed on this to ascertain true demand and strike a balance between this and supply in order to allow for expansion of the profession across the country but also to retain a high level of standards in education provision.</p>
C-1712/9	<p><b>Report from Audit Committee</b></p> <p>The Chair of the Audit Committee (AC) provided Council with an update on the Audit Committee's work. She said that the AC had reviewed its Terms of Reference (ToR) and that, once these had been agreed, they would be put before Council for agreement. She said that the AC had reviewed the Strategic Risk Register and found no risks scoring over 15. She noted that the AC would be looking to amend some of the wording on the risk register and that some small amendments had already been made.</p> <p>The AC Chair said the Committee was of the view that it would be beneficial, in view of ensuring continued business, for it to have two independent members, due to the mandatory requirement for the independent member to be present at meetings. The Chair asked Council to approve this proposal. Council discussed the proposal and agreed that the risk of only having one independent member was low compared to the cost of recruiting a new member. Council decided that the AC should continue to have only one independent member, but that this should be reviewed at the end of that independent member's term, in 2019. Council agreed that the Executive should compile a list of external persons who would be suitable independent members in the event that the GCC needs to co-opt an independent member to attend a particular meeting in future.</p> <p>The AC had reviewed the Bevan Brittan FtP audits and had asked for a more targeted audit for 2018, one that focused on areas highlighted as problematic in the PSA reports. The AC had also reviewed the registrations audits and had agreed to review the approach to the audit for 2018 at its next meeting.</p> <p>The AC had reviewed the external financial auditor's performance and the Committee were satisfied with the work carried out. The AC Chair noted that the audit partner would change in 2019, as they had now completed the maximum term of 8 years.</p> <p>The AC recommended that, due to the number of new Council members, Council members should receive training on the role of the Audit Committee and on risk management.</p> <p>The Audit Committee considered that they were operating effectively and within the current ToR. The AC had also agreed that internal audit assurance should be reviewed in the next twelve months after the Strategic Statement and Business Plan have been finalised.</p> <p>The AC had agreed its workplan for 2018, which would include a review of the risk management strategy in February 2018.</p>

	<p>The AC had also asked the Executive to bring to its next meeting a proposed KPI in relation to the advertising caseload, having decided what the appropriate start and endpoint should be in terms of measuring performance.</p> <p>Audit Committee meeting dates for 2018 had been agreed and were confirmed as 22<sup>nd</sup> February, 31<sup>st</sup> May and 22<sup>nd</sup> November. The AC minutes would be circulated with the Council minutes.</p> <p>The Chair of Council suggested that the Council should reconsider the approach to risk within the Council at the March 2018 Council training session, including considering how the Council should work with the Audit Committee in regard to risk identification and appetite for risk. This would enable Council to provide clear delegations to the AC and to the GCC staff in terms of establishing risk mitigations and monitoring timetables. In this way Council could be more appropriately involved in matters of strategic risk for the organisation.</p> <p>At that session, Council would also agree the purpose of the investment funds and decide what those funds could properly be used for.</p>
<p>C- 1712/10</p>	<p><b>Strategic Statement for 2018-2020</b></p> <p>Council agreed to adopt the Strategic Statement, incorporating minor amendments which it had discussed in its closed session. In particular, Council had agreed to re-word Strategic Objective 1 from "Encouraging professionalism (and thereby improving public protection and the quality of patient care)" to "Enhancing professionalism in order to improve public protection and the quality of patient care and to maintain public confidence in the profession"</p>
<p>C- 1712/11</p>	<p><b>Business Plan for 2018</b></p> <p>The Chair began by noting that there were a number of new Council members (including herself) and that the CER had only been in post nine months when work began on the Business plan for 2018, so work that would have ordinarily been carried out over a year had been compressed into the last three months. That being the case, she said there may be areas that needed more fine tuning before the business plan could be agreed.</p> <p>The DCE said that the Executive had not, as yet, considered the budget and resourcing implications of the plan and he said the action plan also needed to be considered. The Chair asked Council whether they agreed that the plan included all the necessary elements needed in order to achieve the strategic objectives. She also asked whether Council wanted to put forward ideas about what items should be considered priorities/should be prioritised on the business plan.</p> <p>Council also agreed that clearer performance measures should be introduced so that progress could be tracked against the Business Plan.</p>
<p>C- 1712/12</p>	<p><b>Budget for 2018</b></p> <p>The DCE introduced the draft budget paper, which was in two sections – the first contained the 2017 budget, the proposed 2018 budget and the movement between the two and the second section contained the year-end forecast for 2017, the proposed budget for 2018 and the movement between the two. The budget had been prepared on the basis of Council not yet having agreed the 2018 business plan or the 2018-2020 Strategic Statement.</p> <p>The DCE spoke of the difficulty of completing a budget in the absence of a business</p>

	<p>plan having been agreed and so spoke of the need over the next weeks to arrive at a position from which Council was content to proceed. He said that the journey to a break-even budget was not yet complete but that the GCC was moving in the right direction.</p> <p>The DCE referred to the paper. He noted that the primary difference since the start of 2017 was that there had been a reduction in staffing costs of approximately £200k and that as a consequence a large number of PCC cases had been referred to external lawyers. The external legal costs had therefore been higher than anticipated. The 2018 budget had been forecast similarly and the GCC were still looking at a deficit of £155k once consultancy fees were included. Council felt that there was category confusion over some items, particularly consultancy fees, and that clarity was needed in order to determine which items were optional and which were not.</p> <p>Council agreed that it would be useful to examine the consultancy project list to see which of those projects are necessary in order for the GCC to fulfil its statutory duties, which don't fall into that category and can be re-examined and whether the estimated costs can be reduced or more cost-effective ways found to deliver them. Council agreed that the detailed paper was helpful and agreed the intention of moving toward a break-even budget position. Council agreed that the GCC staff should review the budget and re-present the budget to Council via email before the end of the year.</p>
C-1712/13	<p><b><u>AOB</u></b></p> <p>A Council member noted the absence of a work plan under AOB and the Chair explained that the work plan was a GCC staff issue and, as such, was not necessary to include as part of Council business.</p> <p>Council also thanked the Executive for all their work on the papers and on the governance work.</p> <p><u>Questions from observers</u></p> <p>The Chair invited the observers to ask any questions they had.</p> <p>The UCA representative asked whether the late disclosure of evidence referred to when discussing adjournments involved the defence bodies. The CER confirmed that it did and the representative said he would take that information back to his organisation.</p> <p>In answer to the query about the break-even budget position and external costs for FtP, the CER explained that preparation of cases for PCC hearings had been outsourced after staff departures from the organisation, as an interim measure to ensure continued throughput of cases pending longer-term consideration of whether to replace the staff or to outsource permanently. It is now anticipated that tendering for provision of external legal advice will result in cost savings going forwards.</p> <p>The question was raised about whether the GCC had a responsibility for success or failure of chiropractic degree programmes. The EC Chair explained that the GCC's role is to assess the extent to which courses match the requirements and standards set by the GCC.</p>
	<p><b>Date of next meeting: 21 March 2018</b></p>