

## **CONFIRMED Minute**

**Meeting of College Council, held Thursday 30 July 2009, 4.10pm, College Hall, RCPSG**

### **Present:**

Professor B O Williams, President

Mr I W R Anderson, Honorary Treasurer and Visitor

Dr F Dunn, Vice President (Medical)

Mr D Galloway, Vice President (Surgical)

Professor P V Knight, Registrar

Dr J Taylor, Honorary Secretary

Mr M Bransby-Zachary

Mr G Conn

Professor J Connell

Dr H Dobson

Dr A Dunk

Mr A D Henry

Professor S MacRury

Dr L McAlpine

Dr M McElroy

Dr R McKee

Mr M J McKirdy

Dr R Madhok

Dr E Morrison

Ms J Murray

Mr J Steers

Dr E R Waclawski

Dr E Walker

Mr J D Watson

Dr A Wray, (Vice-Dean) Dental Faculty

Dr A Zoma

### **In attendance:**

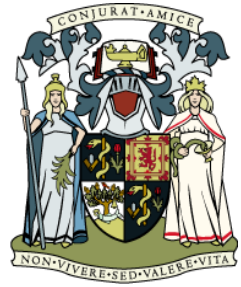
Dr J A Miller, CEO, RCSPG

Mrs Carolyn Capps, Council Administrator

## **FOR CLARITY THE MINUTE HAS BEEN WRITTEN IN AGENDA ORDER**

### **1. Welcome**

The President welcomed Ms Juliet Murray (Convenor of the Trainees Committee) and Mr John Breckenridge (Chair of the Lay Advisory Board) to Council.



## 2. Apologies for absence

Apologies for absence were received from:

Dr Gordon Cook, Mrs Alison Lannigan, Mr John McGregor, Dr Nizam Mamode, Dr Roddy Neilson and Mr Roy Scott.

## 3. Minute of previous meeting

- a. For clarity Council had accepted that Mr Ian Anderson would not be standing for re-election as Treasurer, hence there would be a vacancy for the position of Honorary Treasurer.
- b. Agenda item (7.2) should read, " FRCS (Ophthalmology) (first diet November 2009). This examination is not intended for those in a UK training programme".

Subject to these amendments, the Minute was agreed as an accurate record of proceedings.

## 4. Matters Arising from the Minute not covered elsewhere on the agenda

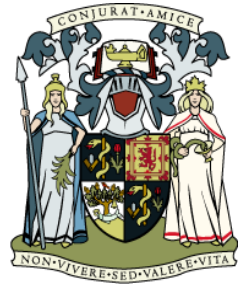
### (4.1) *Federation Memorandum of Understanding*

The President reported that the Memorandum of Understanding covering the financial arrangements for all the Federation had now been signed by the Presidents of the respective Colleges. The President took the opportunity to acknowledge all those involved in this protracted process in achieving a successful outcome.

The President reminded Council that the agreement would be in play until 2011 and the review process should begin around mid 2010. This will involve a review of the formula applied to the Federation activities as well as how some other elements will be included. In the main this will include the management of PACES in the UK.

### (4.2) *Vale of Leven Hospital*

President reminded Council about the previous discussion surrounding the proposals from NHS Greater Glasgow and Clyde with regard to medical staffing arrangements at the Vale of Leven Hospital. The President referred to information contained on the NHS Greater Glasgow and Clyde website indicating that the proposals contained within the consultation document would be taken forward. Council noted that there had been no further communication from those Fellows who had raised some concerns from RAH in Paisley and



it was agreed that they should be contacted to seek their view on this announcement.

**(4.3) Medical Visualisation Project Management Structure**

President directed Council members to Document 'B' and asked Dr Miller to outline the proposals.

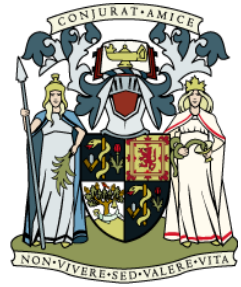
Dr Miller provided some background information with regard to the discussion undertaken at Management Board to strengthen the governance of this particular project. To that end it was proposed that Council would, on this occasion, act as the Project Sponsor, with the Management Board taking on the role of the Project Board. The Project Team would be formed under the Chairmanship of the Vice-President (Medical) with the full membership being as described in the paper. In addition to the traditional Project structure, it was agreed that a Clinical Advisory Board should be established under the Chairmanship of the Vice-President (Surgical).

Dr Miller in describing the membership of the two committees, invited members of Council to consider becoming involved in this Project. Any member of Council who was interested was asked to contact Carolyn Capps ([carolyn.capps@rcpsg.ac.uk](mailto:carolyn.capps@rcpsg.ac.uk)).

Dr Miller also took the opportunity to update Council on progress of the project in that the College had sponsored an MSc student in anatomy to undertake the cadaver dissection. This element was vital in obtaining the necessary data to complete the Project. Mr Anderson had been involved in the appointment of the individual who was due to start in August.

**(4.4) European Working Time Regulations**

President directed members of Council to Documents 'C' and 'D' which provided some background information and an up-to-date picture with regard to the implementation of the European Working Time Regulations. In particular the President referred Council members to the memo to the BMA Council in which it was noted that in Scotland, "*There have been no applications for derogation from Scotland. The Scottish government is supporting NHS Boards and has appointed two Working Time Regulation advisors who are helping Boards to meet compliance, but no specific funding has been available for EWTD implementation*".



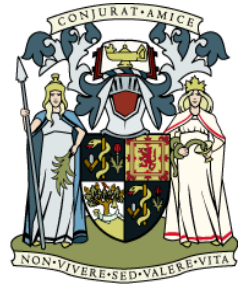
During the discussion Council members expressed concern about the potential impact of implementing the regulations. In particular, concern was raised at the lack of verifiable data with regard to rota compliance. It was felt that formal returns did not in a number of instances accurately reflect the working patterns of junior doctors. It was noted that whilst paper rotas could be developed which demonstrated compliance, these were often not implemented in full due to a lack of trainees in post.

Ms Murray representing the trainees, commented that the scenarios being described were consistent with the experience of junior doctors. Ms Murray also recognised that junior doctors often work more than the allotted hours because of clinical and patient imperatives which are seen as providing a professional service. Concern was expressed with suggestions that junior doctors were being bullied into making the appropriate monitoring returns. President reminded Council members that such behaviour was not to be tolerated and should be referred to the Training Programme Directors for their attention. Dr Walker cited an example of the threat of disciplinary action within a particular geographical area if a junior doctor worked more than the rostered hours.

Dr Miller indicated to Council that the College was setting up an e-mail repository to allow anyone who has good or bad experiences of the implementation of the European Working Time Directive, to let the College know and this information would be useful in taking forward any further discussions.

Professor Knight reminded Council members that some of this information was available through the PMETB Trainee Survey which was available to all Deaneries. It was, however, acknowledged that there were a number of parameters around which such concerns would be raised and therefore whilst a useful source of information, did not in all instances provide an accurate picture.

Dr Morrison reminded Council that the impact of the European Working Time Regulations had a knock-on effect to other members of the healthcare team, not just in relation to taking on different roles, but also in the availability of junior doctors. Dr Morrison suggested contact



with the professional bodies of other healthcare practitioners might be useful in formulating a complete picture.

#### **(4.5) Treasurers' Report**

Mr Anderson reported that the formal accounts were close to being finalised and should be available for sign-off at the Council's September meeting.

In summarising the financial position, Mr Anderson reported to Council that the College would be returning an operating surplus, which, when added to income realised from investment, would result in a positive net movement of funds of approximately £740k.

Mr Anderson commended the Chief Executive, Senior Management Team, and all staff in College, for producing this very positive financial picture particularly in the current wider financial climate.

Mr Anderson also reminded Council that it had already approved the 2009-2010 budget in which a small operating surplus was projected. However, the income from investments, because of the wider financial climate, would be significantly lower, ie around half of that realised in the previous financial year.

### **5. Any Other Business**

There was none.

### **6. Items for discussion**

#### **(6.1) Forward Plan**

The President referred Council members to Document 'E' and asked Dr Miller to outline the background of the paper and actions required.

Dr Miller described to Council the process for developing the Forward Plan to date, in particular he asked Council members to note the updated sections on College aspirations, guiding principles, recent changes and the aims and objectives. It was noted that the format of the paper had remained broadly consistent with the previous Forward Plan which was due to be completed in November 2009.



The next stage of the process was underway and the Operational Board were pulling together the high level key performance indicators which would be used to evaluate the implementation of aims (I) – (V). Once again it was noted that the format for this part of the document would follow the same structure as in the previous plan. The Council noted that work on completing this document was underway, and was due to be reviewed at the Management Board in August and the full document would be available to Council for approval in September. The period covered in the new Forward Plan would be November 2009 – November 2012.

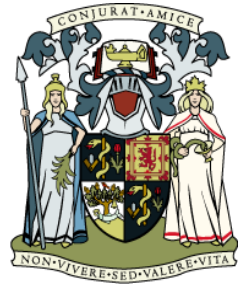
Following some points of clarification and questions, Council agreed the Forward Plan as described and looked forward to receiving the completed document at the September meeting.

During the discussion, some Council members raised concern about the timing of the distribution of Council papers, and their ability to access the documents using the new Microsoft packages. Dr Miller apologised for the later than usual distribution of the documents and indicated that this was due to late arrival of papers to the Secretariat. It was accepted that documents should be distributed at least seven days in advance of Council meetings. It was also accepted that in future all documents should be made available in PDF format.

## **(6.2) Skills Business Plan**

President directed Council members to Documents 'F', 'F(i)' and 'F(ii)' and asked Dr Dunn to take Council through the decisions to be made. President also reminded Council that the content of the papers had been reviewed by the Management Board previously and the principle and general direction of travel had already been agreed by Council.

Dr Dunn summarised the proposal for the development of the Clinical Skills Facilities and their usage. This remained a key element of the College's educational strategy. It was also acknowledged that the recent market research undertaken by the Membership Services Department, had reinforced the demand from trainees for such programmes.



Dr Dunn outlined the key three elements of the implementation of the Skills Development programme which would see programmes staged in a number of different areas depending on the type of Skills Development Programme. It was noted that final detailed review of the financial position was to be undertaken and with that proviso, Council endorsed the programme and agreed that Dr Dunn and his team should now go ahead and implement.

### **(6.3) Regulations and Byelaws**

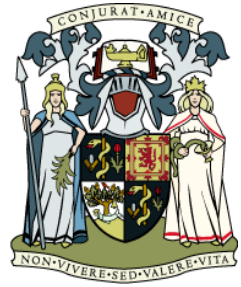
The President directed Council members to Document 'G' and asked Professor Knight to lead the discussion on the proposed changes to the Regulations and Byelaws.

Professor Knight reminded Council about the previous debates regarding the size and composition of Council which emerged from the Management Letter of the previous year's accounts. Professor Knight also reminded Council that it had asked the Management Board to review the position and to make appropriate recommendations. It was felt that the move towards having a very much smaller body of Trustees was not an appropriate and acceptable way forward. Therefore, the alternative suggestion that all elected members of Council become Trustees with co-opted advisors on an "as required" basis was agreed. These changes had been discussed with the College legal advisors and a new set of Byelaws and Regulations with the required changes were being formulated. Council members were however asked to approve the guiding principles detailed in Document 'G'.

Following discussion it was agreed that wording change to Guiding Principle (4), ie, "*An individual Fellow may only hold or stand for one Office Bearer post at a time*", should be altered to read, "*An individual Fellow may only hold one Officer Bearer post at a time*". With that change all the Guiding Principles were agreed by Council.

Professor Knight outlined the timetable for the completion of this process which would be agreed at the Annual General Meeting of College on November 27<sup>th</sup> 2009.

Professor Knight also directed Council to a draft Code of Conduct which had been drawn up in conjunction with the College legal advisors. Professor Knight reminded Council that this



was a piece of work that was suggested through the auditors and is in line with best practice for charities. The document was discussed at some length and was agreed subject to the following changes:

Section 1.4.12: the correct numbering should be included.

Section 4.1: should read, “*Each member of the Council shall not speak as a Trustee of the College to the media or in a public forum without prior knowledge and approval of the President or his Deputy*”.

Section 4.5: it was agreed that this section did not include those Trustees who represent particular constituencies from discussing the information within that arena.

Section 5.1.2: should read, “*Will not accept gifts of hospitality without the prior consent of the President or Deputy*”.

Section 8.1: the final sentence should read, “*additionally will participate in an exit interview if requested*”.

With these changes, the Code of Conduct was agreed.

#### **(6.4) Council Attendance Records**

Professor Knight referred to both the Management Letter and Section (3.23) from the RCPSG Regulations, which stipulates “*an Office Bearer or other member of the Council will automatically vacate office if he/she is absent (without permission from the Council) from three consecutive meetings of the Council and the Council resolves to remove him/her from office.*”

It was noted that a small number of Councillors had been absent for three consecutive meetings and Professor Knight sought the opinion of Council on the appropriate way forward. It was agreed that Professor Knight should write to the non-attendees to establish if there were any extenuating circumstances for their non-attendance.



Dr Morrison endorsed this proposal and enquired whether this line could be taken as a precedent for other College Committees? It was agreed that this decision would be at the discretion of the College Chairman and/or Convenor.

**(6.5) *Cardiff Discussion Document***

The President referred Council members to Document 'H' and asked Dr Taylor to outline the key points.

Dr Taylor thanked all those who had responded to this specific consultation around the Cardiff Discussion Document, and encouraged further comments. Professor Connell indicated he intended to write to Dr Taylor outlining his concerns regarding the absence of any plans relating to academic trainees.

On a broader note Dr Taylor outlined the important role that College plays in responding to Consultation documents and asked the Council members to be prepared to take some time in responding to the documents when approached.

**(6.6) *Credentialing***

President directed members to Document 'I' and provided some background detail with regard to credentialing. It was noted that different views were emerging from different Colleges with regard to the role and function of credentialing and how it may be used by employers. Council members debated issues relating to the impact on training, curriculum development, sub specialty training, delivery of patient care (in particular emergency care in some specialties) and employment matters.

In drawing the discussion to a close the President agreed to reflect these views at the various policy groups at which it was discussed. Council accepted a degree of inevitability to credentialing and as such strongly supported the view that the medical profession should manage its implementation.



- (6.7) *Reshaping the Medical Contribution to the Clinical Workforce***  
**(6.8) *Specialty Training Intake Numbers 2010 – 2014***

President took both of these agenda items together and referred Council members to Documents 'J' and 'K'. The President provided some of the background to the run up to the meeting of 23<sup>rd</sup> June 2009 with regard to medical contribution to the clinical workforce. One of the key elements to this meeting was the proposal from NHS management in Scotland that all new consultant appointments should be made on the basis of a 10-session contract with a split of nine sessions for clinical activities and one for supporting professional activities. This was generally not felt to be an appropriate blanket policy and concern was raised at the apparent lack of available time for professional activities. It was acknowledged that as a consultant's career developed there may be changes in the balance and number of total programmed activities. However the blanket imposition of 10 session content with a 9:1 split, across certain parts of Scotland, was deemed unacceptable.

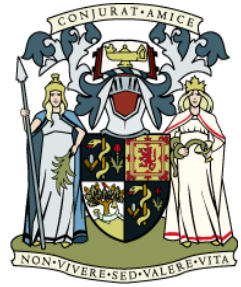
Professor Knight referred to the specialty training intake numbers for 2010-2014 and it was noted that some of the numbers and the principles driving the numbers was still under discussion, and a more formal outline document was awaited.

- (6.9) *"Behind the Medical Headlines" (BTMH)***

The President directed Council members to the appropriate paper and asked Dr Miller to outline the key issues.

Dr Miller reminded Council members of the history of Behind the Medical Headlines and noted that Council had agreed to College contributing to this financially and intellectually.

RCPSG had now been informed that RCPE wished to withdraw from the joint arrangement with regard to Behind the Medical Headlines as it had taken the decision to concentrate its efforts on other areas. The paper outlined potential steps and options which could be considered by RCPSG. Following discussion, it was agreed that whilst further information was required, support was given for the Senior Management Team to utilise the run down period as identified by RCPE to assess the business proposition and options.



**(6.10) Council Elections**

The President directed Council members to the relevant paper and asked Professor Knight to comment. Professor Knight identified those posts which were required for nomination and election in the forthcoming year. Professor Knight reminded Council members that the election process would be conducted by ERS and information would be circulated in the near future.

**(6.11) Constitution and Terms of Reference of the Audit and Remuneration Committee**

Mr Kevin Sweeney was welcomed to the meeting and he proceeded to guide Councillors through the revised Constitution and Terms of Reference for the Audit and Remuneration Committee. Mr Sweeney, in his introductory remarks, noted that in his view the Terms of Reference as presented to Council were standard comparable to those for other audit committees on which he served.

After taking some questions, the President thanked Mr Sweeney for his input, who then left the meeting.

The President reminded Council that this was the first time that the Terms of Reference for the Audit and Remuneration Committee had been seen by Council and Mr McKirdy, a member of the Audit and Remuneration Committee, explained why this had been the case.

Following lengthy discussion about the Constitution and Terms of Reference for the Audit and Remuneration Committee, the following modifications were agreed:

**Title   Audit and Remuneration Committee**

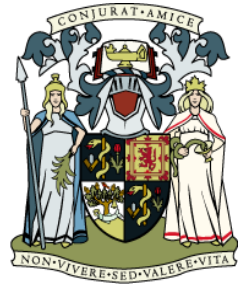
Some Councillors expressed the view that the “Remuneration” function be performed by a separate committee

**1.   Constitution**

It was confirmed that the Audit and Remuneration Committee has no executive authority.

**2.   Membership**

**(2.1)** Members of the Committee should be Trustees who are appointed by Council.



**(2.3)** To insert that the Audit and Remuneration Committee has the authority to co-opt individuals with specific expertise as and when necessary.

**3. Duration of Appointments**

Reword to indicate that appointments to the Committee shall normally be made for the term of office as served on Council.

**4. Chairmanship:** In line with the proposed Regulations of the College, the Chairman should be a Trustee.

**5. Meetings**

**(5.7)** To insert that Trustees may also attend the Committee meetings. To remove second sentence.

**To insert (5.9)** All Minutes of the Committee shall be sent to the Council for information and consideration

**6. Terms of Reference**

**(6.7.2)** Should read - To make recommendations as to Council for the setting of the remuneration package for the Chief Executive and other members of the Senior Management team.

**7. Reporting:** Should read – The committee is accountable and directed by Council. The Chairman of the Committee will report to Council on the proceedings and recommendations the Committee wishes to make to Council.

President thanked Council for its consideration of the draft Terms of Reference and indicated that their suggested modifications would be included in the next draft of the document which would be sent to all members of Council for comment. The final and agreed document would then be provided to the Audit & Remuneration Committee.

**7. Items for Approval**

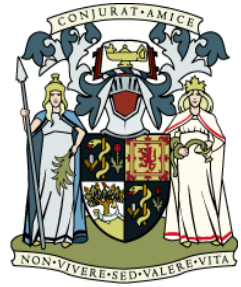
**(7.1) *Proposal of Professor Jonathan Cowpe FDS for Honorary Fellowship***

This was approved.

**8. Board Reports**

**(8.1) Education and Professional Development Board**

There was nothing further to report.



**(8.2) *Trainees Committee***

The Trainees' committee had expressed concerns with the proposed change to consultant contracts in certain boards from 7.5:2.5 ratio to 9:1 ratio with regards DCC:SPAs. This reduction would mean a potential reduction in time allocated for training and have a direct effect on trainee/consultant time for teaching/assessments/other training. Council would be kept informed on this matter.

**(8.3) *Examinations and Assessment Board***

Mr Galloway reported that College was considering offering a Specialist Plastic Surgical examination in Malaysia, and indicated that the Malaysian authorities were receptive to this examination being offered. President stated that this would be acceptable, on the proviso that the introduction of these examinations does not clash with the examination diets of other surgical colleges.

**(8.4) *Membership Services***

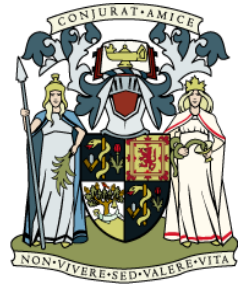
- 1) Market research: a weighty report had been prepared from which an executive summary would be produced.
- 2) Flexible working: the webpage is now live and will be maintained and updated on an ongoing basis.

**(8.5) *Dental Faculty***

Dr Wray had been heavily involved in the BDA annual conference, and from her experience, felt that the letters "RCPSG" meant nothing to the majority of young dentists who had attended the meeting. She wondered whether dialogue should be established to look at College's use of this acronym and the need to promote the College as a Royal College of Physicians and Surgeons without the added "Glasgow". Dr Wray indicated that she has already raised the subject of the College's name to the President and Dr Miller, who were happy for discussions to take place.

**(8.6) *Faculty of Travel Medicine***

There was nothing further to report.



**(8.7) Management Board**

There was nothing further to report.

**(8.8) Academy of Medical Royal College**

The executive summary will be circulated once received.

Council noted that Sir Neil Douglas would be the new President of AoMRC.

**(8.9) Audit and Remuneration Committee**

There was nothing to report.

**9. Date and time of future meetings**

- Friday 11 September 2009, 4.10pm
- Monday 2 November 2009, 4,10pm

The Council annual dinner will be held on Friday 27 November 2009, which will coincide with the AGM.