

## MPTS User Group Meeting – Tuesday 12 March 2024

### Actions/Minutes

**Present:** Deborah Taylor (Chair), Tamarind Ashcroft, Colin Barker, Margaret Barry, Samantha Bedford, Hannah Cheesebrough, Brendan Costello, Charlotte Ellis, Demi-Leigh Mason, Gill Edelman, Lucy Evans, Vaish Fitton, Sam Flew, Lee Gledhill, Jill Harris, Jacky Hayden, Lisa Jones, Bansari Patel, Nicholas Tennant, Yvonne Screene, Louise Daley (minutes).

**Apologies:** Gavin Brown, Neil Grant, Thomas Reynolds

	Minutes	Action
1.	<p><b>Introductions and Chair’s welcome</b></p> <p>The MPTS Chair, Deborah Taylor, welcomed attendees to the meeting and gave a short introduction.</p>	
2.	<p><b>Approval of 12 September 2023 meeting minutes</b></p> <p>Minutes from 12 September 2023 meeting were previously circulated to attendees and approved at this meeting.</p>	
3.	<p><b>Chair’s update</b></p> <p><u>Regulatory Reform</u></p> <ul style="list-style-type: none"> <li>▶ Currently working through the regulations that will govern MPTS tribunals and what effects the changes to regulations will bring.</li> <li>▶ New Sanctions Guidance is expected towards the end of the year.</li> <li>▶ Further updates on Regulatory Reform to follow.</li> </ul> <p><u>Guidelines on Principles consultation</u></p> <ul style="list-style-type: none"> <li>▶ This will go live on 26 March, and all User Group members are encouraged to respond.</li> </ul>	

	<p><u>Learning more through your feedback</u></p> <ul style="list-style-type: none"> <li>▶ There is an eagerness to learn more about what is working at the MPTS, and any areas that could be better, from feedback shared at the User Group meetings. Feedback from all is strongly encouraged.</li> </ul>	
<p><b>4.</b></p>	<p><b>MPTS performance</b></p> <p><b>Tamarind Ashcroft</b></p> <p><u>Hearing volumes</u></p> <ul style="list-style-type: none"> <li>▶ Continue to run a mix of virtual, hybrid and SJB hearings.</li> <li>▶ MPTS budget reflects that we have returned to pre-pandemic hearing volumes.</li> <li>▶ 204 live cases which is a 22% decrease compared to this time in 2023.</li> <li>▶ Our planning on hearings volumes is based on the average GMC referral rate and length of hearing, and we work to the medium range of numbers.</li> <li>▶ Listing timescale is 7-9 months from referral from the GMC.</li> </ul> <p><u>Welsh Language Standards</u></p> <ul style="list-style-type: none"> <li>▶ Some of our services are now offered in Welsh to doctors with registered addresses in Wales. This is now part of our duty to make certain MPTS information and services available to the public in Welsh.</li> <li>▶ Welsh options include correspondence and speaking at a hearing in Welsh. These can be selected individually or together.</li> </ul> <p><u>Late submissions of IOT bundles</u></p> <ul style="list-style-type: none"> <li>▶ There has been a recent increase in IOT bundles and/ or addenda being submitted late. There is not always the guaranteed resource to support sending late addenda or bundles to tribunal members ahead of the hearing so on occasion it may be that the tribunal has to receive it on the day. Reminder that some tribunal members are carrying out other roles e.g., active clinical roles and it is often more difficult for them to have a chance to review late submissions ahead of the hearing. Lisa Jones shared an example of an issue experienced by a colleague where an IOT Chair had to delay twice where they had not received addenda although the doctor had. Tamarind agreed to check with both MPTS and GMC teams and respond directly to Lisa.</li> </ul>	

	<p><u>Medical and LQC Tribunal Members</u></p> <ul style="list-style-type: none"> <li>▶ Next appointment campaign will be Summer 2024.</li> <li>▶ The MPTS would welcome any support in the promotion of these roles once they go live.</li> </ul>	
<p><b>5.</b></p>	<p><b>Case Management updates</b></p> <p><b>Samantha Bedford:</b></p> <ul style="list-style-type: none"> <li>▶ We are currently listing MPT hearings from early November 2024, although we have some earlier availability for shorter hearings. Please bring all relevant availability and apply in advance if looking to list outside service target.</li> <li>▶ For all hearings starting on or after 22 January 2024 the MPTS has been operating a permission process for witnesses (including the registrant) giving evidence from outside the UK, which is set out in our <a href="#">published guidance</a> on <i>Receiving witness evidence in MPT hearings</i> from page 16. <ul style="list-style-type: none"> <li>○ The MPTS will make applications to the FCDO on behalf of parties, which cost £150 per witness.</li> <li>○ Applications should be submitted to the MPTS Case Management team no less than 12 weeks before the hearing and must confirm: (i) the location of the witness; (ii) whether they are a citizen, resident or tourist; and (iii) the witness' nationality.</li> <li>○ Due to the costs and additional work involved, all efforts should be made to ensure witnesses do not make avoidable travel arrangements during hearings.</li> <li>○ So far we have made 22 applications. Of those completed, 1 has been granted, 2 refused and 6 no response from the host state or the FCDO has not been able to seek agreement.</li> <li>○ Where no permission is provided, we advise parties to consider and ideally agree an appropriate way forward. This might include: <ul style="list-style-type: none"> <li>▪ Seeking to agree a redacted form of the evidence</li> <li>▪ Making arrangements for the witness to travel</li> </ul> </li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>▪ Relying on the witness statement, with the witness to answer written questions in advance.</li> </ul> </li> <li>○ Bearing in mind the low rate of granted applications, we strongly encourage parties to engage early on these issues and have a back-up plan for if permission is not granted.</li> </ul> </li> <li>▶ Update on our approach to settling venue in MPT hearings: <ul style="list-style-type: none"> <li>○ In response to requests for venue decisions to be taken earlier, where parties are agreed on venue at the FLTC, the Case Management team will now take steps to confirm venue at that stage. If there is no agreement, hearing venue will be settled at the PHM or can be dealt with in writing before then if agreement is reached.</li> <li>○ For directly listed Restoration hearings, we will be trialling starting from the presumption that these hearings are suitable to be heard at the MPTS hearing centre, although a VH can be requested.</li> </ul> </li> <li>▶ During the case management process the doctor’s representative will now be asked to confirm whether they are instructed to accept service of notices.</li> <li>▶ Our work on introducing forms remains underway and we will update MPTS users further in due course.</li> </ul>	
<p><b>6.</b></p>	<p><b>Practical support for hearings</b></p> <p>Colin Barker:</p> <p><u>Remote access to hearings</u></p> <ul style="list-style-type: none"> <li>▶ The MPTS has seen recent cases where the tribunals of SJB hearings have received applications for witnesses to continue observing in person hearings remotely. We aim to avoid last minute requests due to the resources needed to facilitate adding remote observer to in person hearings.</li> <li>▶ Listed virtual hearings can be observed remotely and SJB listed hearings can be observed via the public gallery at the back of the hearing room. We limit the same number of observers for</li> </ul>	

	<p>each hearing type to ensure parity between venues and the appropriate number of staff are available to support.</p> <ul style="list-style-type: none"> <li>▶ Lisa Jones enquired if a member of a legal team could join an SJB hearing remotely. Colin and Tamarind advised that unless a specific issue was raised, they would be expected to be in the hearing room unless otherwise discussed. Samantha confirmed there are instances where hybrid hearings might be necessary relating to reasonable adjustments or that an entire party was appearing for the whole hearing remotely. Reiterated that requests need to be made asap.</li> </ul>	
<b>7.</b>	<p><b>Accommodation update</b></p> <p><b>Colin Barker</b></p> <ul style="list-style-type: none"> <li>▶ New agreement has now been reached on the lease at SJB.</li> <li>▶ Refurbishment work will take place throughout 2024.</li> <li>▶ Releasing some hearing room space so we will have nine hearing rooms (with an additional room that can be converted) by 2025.</li> <li>▶ The fourth floor will be closed over the Summer whilst work is carried out.</li> <li>▶ Remaining hearing rooms on the seventh floor expected to be refurbished in November 2024.</li> <li>▶ All rooms will have secondary glazing installed.</li> </ul>	
<b>8.</b>	<p><b>Matters raised by User Group members</b></p> <p>There were no matters raised by User Group members.</p>	
<b>9.</b>	<p><b>Any other business</b></p> <p><b>Lee Gledhill</b></p> <ul style="list-style-type: none"> <li>▶ Thanked the MPTS for the high standard of service received. Appreciates the ease of getting in touch when needed.</li> </ul>	
	<p><b>Date and time of next meeting</b></p> <p>Tuesday 10 September 2024, 17:00-18:00, MS Teams</p>	