MPTS Committee

Meeting:
20 November 2019
MPTS Committee
Wednesday 20 November 2019
10:00 – 13:00
Meeting Room 7D, SJB
St James’s Building, Oxford St
M1 6FQ

Agenda

1 Welcome and apologies for absence
2 Declaration of interests
3 Minutes of the previous meeting held 10 September 2019
4 Chair’s report (oral)
5 Executive Manager’s report including performance data and MPTS risk register
6 Report of the MPTS Committee to GMC Council

Break for tea / coffee

7 Update from the Quality Assurance Group
8 Adjournments Quarterly Update
9 Review of the MPTS Committee’s work programme for 2020
10 Any other business

11 Date and time of next meeting: Wednesday 6 February 2020, 10:00 – 13:00
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9  **Review of the MPTS Committee’s work programme for 2020**  40  
Welcome and apologies for absence (agenda item 1)

1. The Chair welcomed members of the Committee and attendees to the meeting.
2. There were no apologies for absence.
Declaration of interests (agenda item 2)

Joy Hamilton reported that, following publication of the report of the Independent Review of Gross Negligence Manslaughter and Culpable Homicide, the declaration that her husband chaired that review no longer applied. Joy Hamilton’s register of interests would also be updated on the MPTS website.

Minutes of the previous meeting (agenda item 3)

The MPTS Committee reviewed and approved the minutes of the previous meeting held on 8 May 2019.

The Chair provided an update on the actions from the previous meeting and the Committee noted that:

a Action 1. There has been no progress on the research into MPTS outcomes.

b Action 2. The standardised process for the MPTS Associates’ Register of Interests has been completed.

c Action 3. Action re the promotion of positive improvements made by the MPTS to be covered under item 7 on the agenda.

d Action 4. Action re risk register covered under item 5 on the agenda.

e Action 5. Action re retention of Associates covered under item 6 on the agenda.

f Action 6. Action re MPTS annual report to Parliament had been completed, with the report laid before Parliament the previous week.

g Action 7. Action re Quality Assurance Group (QAG) would be carried over to the next meeting, when a QAG update was scheduled.

h Action 8. Action re composition of tribunals covered under item 6 on the agenda and the MPTS User Group would be informed.

Chair’s report (agenda item 4)

The Chair provided an update on key activities and business since the last MPTS Committee meeting.
Tribunal member training

7 Induction training for Tribunal members had taken place in June. The Chair had led a session on values and ethics and took part in workshop sessions. Jacky Hayden had also observed some sessions.

8 The Chair, Tamarind Ashcroft and Vaishali Fitton have produced a training video on adjournments.

9 The annual training for Medical Practitioner Tribunals (MPTs) was now underway, with sessions on equality, diversity and inclusion, with a focus on unconscious bias, policy matters, adjournments, recent case law and case management issues.

10 A new e-learning module is being tested, which will provide a lot of information in an accessible form.

11 During the discussion, the Committee noted that the dates for the annual training would be circulated to the Committee in the event that any members wish to attend.

Quality Assurance Group

12 There have been four QAG meetings since the MPTS Committee last met. The QAG has identified a number of topics emerging from its review of determinations and these will be dealt with via face to face training and other mechanisms.

GMC/MPTS Liaison Group and Council

13 The Chair and Executive Manager attended the GMC/MPTS Liaison Group on 21 May 2019, which was a useful meeting to discuss issues of mutual interest with the GMC Chair and Chief Executive and other members of the senior management team ahead of the June Council meeting.

14 The Chair and Executive Manager attended Council on 12 June 2019, where the MPTS report to Council was positively received; there were more questions from Council than usual, demonstrating their interest in the MPTS.

Policy Forum

15 There have been two meetings of the MPTS Policy Forum with GMC colleagues since the last Committee meeting. Topics discussed have included guidance for MPTs on restoration following disciplinary erasure and remote doctor engagement.

One-to-one meetings with the GMC

16 The Chair held one-to-one meetings with the GMC Chair, Chief Executive, Director of Fitness to Practise and the Head of Equality, Diversity and Inclusion.
Informal engagement at MPTS

17 The Chair has held regular afternoon tea sessions with junior MPTS staff and has joined Tribunal members for lunch, which have provided a useful source of information.

Sanctions guidance

18 The review of the Sanctions guidance is continuing and there have now been ten working group meetings held. The work is about to move to a new phase, with the first meeting of the Project Board shortly and an all-day working group meeting scheduled for mid-October.

Speaking engagement

19 The Chair had spoken at the conference of Practitioner Performance Advice.

Professional Standards Authority (PSA) research on sexual misconduct cases

20 The PSA have published research on the treatment of sexual misconduct cases by the GMC/MPTS, Nursing and Midwifery Council and Health and Care Professions Council.

21 During the discussion, the Committee noted that a link to the research would be circulated to the Committee.

Executive Manager’s report including performance data and MPTS risk register (agenda item 5)

22 The report provides an update on the operational performance of the MPTS.

Performance

23 The MPTS Committee reviewed the performance data and noted the following: the continued increase in referrals and how this would feed into financial planning for 2020; data on MPT hearings commencing within the 9-month target and the listing of Interim Order Tribunals (IOTs) within three weeks of referral from the GMC; and the consistent nature of overall Tribunal outcomes.
MPTS risk register

24 The MPTS Committee reviewed the MPTS risk register and noted that it was reviewed on a monthly basis by the MPTS senior management team and bi-monthly at the Policy Forum.

25 The GMC’s Corporate Business Planning team review whether to escalate risks to the GMC Risk Register (which currently included no MPTS risks).

26 The Committee noted that additional mitigation in relation to risk 8 (staff retention and workload management) includes the over-recruitment of Tribunal clerks.

Audit

27 The Committee noted the internal audit report on IOTs.

28 The Committee noted that the QAG’s role includes ensuring the IOTs were not a rubber-stamping exercise and that there continues to be a wide range of outcomes from IOTs to demonstrate this.

29 During discussion, the MPTS Committee noted that where the paper referred to ‘where processes are not being followed’ this did not refer to the MPTS and that therefore there was no action for the MPTS to take.

Finance

30 Expenditure to date at 31 July 2019 was 0.8% below budget as a result of a slightly lower number of hearing days. The full year forecast was a 3.9% overspend resulting from the increasing number of referrals. The Committee noted that 55% of MPTS costs were directly linked to the volume of hearings.

31 There were savings resulting from condensed training for Tribunal members, but with 4 days of training in person and more in the way of e-learning there was not expected to be any reduction in the overall quality of training.

32 The Committee noted that in discussions about the 2020 budget, the MPTS will be clear about the limited scope for savings, given the increase in referrals.

Staff survey

33 The Committee reviewed the staff survey results and noted the positive improvement in scores.
Staffing

34 The Executive Manager’s report provided a detailed update on staffing changes and new recruits to the MPTS. The Committee noted that monthly one-to-one meetings are now being recorded electronically to ensure that performance, development and wellbeing were being regularly discussed.

Focus on tribunal resourcing (agenda item 6)

35 The Head of Tribunal Development presented an update on the current composition of the Tribunal pool, numbers of Legally Qualified Chairs (LQCs), medical and lay Tribunal members and overall diversity.

36 The Committee noted that:

a The intention is to maintain a similar number of Tribunal members in 2020, which should provide enough availability for the expected number of hearings.

b Of the 72 LQCs originally appointed, 11 have left, mostly to full-time judicial appointments. A further 25 have just been recruited, although one of those has already gained a full-time judicial appointment necessitating them to resign. Further recruitment in 2021 is expected to be necessary.

c 22 medical Tribunal members have been recruited during 2019. To help medical members who no longer have clinical roles with maintaining their licence to practise, Jacky Hayden has been approved as a Suitable Person for the MPTS.

Review of the MPTS Communications and Corporate Affairs plan (agenda item 7)

37 The Head of MPTS Communications and Corporate Affairs presented the paper.

38 The paper set out the overall objective, strategic approach and specific tactics following the creation of the Communications and Corporate Affairs section in January 2019.

39 The Committee noted the wide range of work carried out by the section, including updating the new website on a daily basis, responding to enquiries from journalists and support for the Chair’s and other Committee members’ speaking engagements.

40 The MPTS Committee noted the paper.

Annual review of the MPTS vision (agenda item 8)

41 The paper provided an update on the activity that was proposed in support of the MPTS vision statement.
42 The Assistant Director – Policy, Business Transformation and Safeguarding GMC reported that the GMC was developing its next Corporate Strategy, so the MPTS vision would need to be reviewed in line with this.

Delivery of the 2019 MPTS business plan and draft MPTS business plan for 2020 (agenda item 9)

43 The Executive Manager presented an update on progress to date against business plan projects in 2019 and draft business plan activities for 2020.

44 The Committee noted that:

   a The MPTS is on target to complete the projects set out in the business plan, although some longer-term ones would be carried forward into the 2020 business plan, such as the review of digital recording and knowledge hub.

   b The proposed set of projects for 2020 was a shorter list of projects than 2019 as it included a number of bigger projects.

45 The MPTS Committee noted the update.

Adjournments quarterly update (agenda item 10)

46 The Head of Case Management presented the quarterly update on adjournments.

47 The paper summarised the key issues arising from hearings adjourning in Quarter 2 2019 and included:

   a Themes emerging from adjourned hearings and identified action points.

   b An update on key actions taken during Quarter 2 2019.

48 During the discussion, the MPTS Committee noted that:

   a Learning points around timekeeping have been shared with LQCs, using case studies, scenarios and discussion. It was noted that the variation in the time taken to write up determinations also has an impact.

   b When feedback is given to the GMC it is on a more thematic basis rather than case by case approach.

   c The Adjournments Detailed Review process has been implemented and feedback from operations colleagues was that it is a positive and useful exercise.
The MPTS Committee noted the quarterly update.

Case Management: annual update (agenda item 11)

The Head of Case Management presented the annual update on case management.

The presentation set out the key functions and workload, current and planned resources and an update on enhancing case management.

The Committee noted that:

- The new structure of the Case Management section from September 2019 would include three case management officers, rather than two as set out in the presentation.
- Emerging themes include multi-doctor hearings, with one case involving nine doctors currently expected. There is currently no specific guidance on multi-doctor hearings but the MPTS is considering introducing an application form for the GMC to complete for such cases.
- There is a plan to issue a circular for Tribunal members on engaging with doctors in prison.
- There have been two alternative hearing venue applications granted in the last 12 months, which were as a result of health and exceptional family circumstances.

The Committee noted the update.

Any other business (agenda item 12)

There was no other business.

Publication of MPTS Committee papers

The Committee noted that the following papers would be withheld from publication:

- MPTS Risk Register at Annex B of the Executive Manager’s report would be withheld from publication. This is in line with corporate policy on risk registers.
- The paper on delivery of the 2019 MPTS business plan and draft MPTS business plan for 2020, as the content of the business plan is in draft form.
Date and time of next meeting (agenda item 13)

56 Date and time of next meeting: Wednesday 20 November 2019, 10:00 – 13:00.

57 The provisional dates for 2020 would be circulated to the Committee.

Confirmed:

Dame Caroline Swift 20 November 2019
### Action sheet

<table>
<thead>
<tr>
<th>Meeting date</th>
<th>Agenda item</th>
<th>Ref</th>
<th>Action required</th>
<th>Deadline</th>
<th>Owner</th>
<th>Updates</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 May 2019</td>
<td>3</td>
<td>6a</td>
<td>The research commissioned to provide analysis of MPTS outcome data will be submitted to the Committee after the research has been peer reviewed.</td>
<td>TBC</td>
<td>G Brown</td>
<td>Ongoing</td>
</tr>
<tr>
<td>8 May 2019</td>
<td>7</td>
<td>52a</td>
<td>Method for sampling QAG selected cases for review should be included in future updates.</td>
<td></td>
<td>T Ashcroft</td>
<td></td>
</tr>
<tr>
<td>10 September 2019</td>
<td>4</td>
<td>11</td>
<td>Circulate dates of annual training to be circulated to the Committee in the event that any members wish to attend.</td>
<td></td>
<td>G Brown</td>
<td>Complete</td>
</tr>
<tr>
<td>10 September 2019</td>
<td>4</td>
<td>21</td>
<td>Issue a link to the PSA research on sexual misconduct cases to Committee members.</td>
<td></td>
<td>G Brown</td>
<td>Complete</td>
</tr>
</tbody>
</table>
Agenda item: 05
Report title: Executive Manager’s report
Report by: Gavin Brown, Executive Manager, gavin.brown@mpts-uk.org, 0161 240 8126
Considered by: MPTS Committee
Action: To consider

Executive summary

► This report provides an update on the operational performance of the MPTS.

► It includes updates on hearing referrals, commencement and outcomes, appeals, risk and the MPTS budget and business plan for 2020.

► Annex A is the MPTS risk register.

Recommendation

► The Committee is asked to consider the report, along with the annex.
Referrals

1 Referrals to medical practitioners tribunal hearings in quarter 3 2019 have risen 13% in comparison to this period last year, with an average of 4 additional referrals per month.

2 In the first three quarters of 2019 the MPTS have received 291 referrals. This compares to 250 referrals in the same period in 2018 and to 213 in the corresponding period in 2017.

3 As explained in previous updates to the Committee, our Case Management section has been working jointly with colleagues in Operations to even out the monthly hearings workload. This work aims to reduce workload pressures and support staff wellbeing whilst improving our effectiveness and efficiency.

4 The chart below demonstrates the good early progress that has been made.

Hearing commencement

5 We have a service level target to begin 100% of interim order tribunal hearings within three weeks of referral. The target was achieved in this quarter.

6 In quarter 3, we achieved the service target of beginning 90% of medical practitioners tribunal hearings within nine months of referral.

7 In this quarter therefore eight hearings commenced outside of target.
In two of those cases the GMC made a joinder application, one was postponed for the revision of an expert witness report and one was delayed because of a preliminary Tribunal decision relating to disclosure.

Three instances resulted from either the doctor’s ill health or lack of representation.

In one instance the LQC recused themselves after it became apparent that they had carried out consultancy work for the doctor’s legal representatives.

**Hearing outcomes**

IOT outcomes remained consistent with historical trends, with a percentage order split of: 15% suspension, 63% conditions and 22% no order made.

In respect of medical practitioners tribunal hearings, and continuing the consistent trend of the past 5 years, erasure and suspension together accounted for an average of 68% of total outcomes, with conditions, no impairment (including warning) and voluntary erasure making up the remaining 32%.
Appeals

13 Since the last update to the MPTS Committee on 10 September 2019, additional learning points arising from judgments given in appeals / challenges to Tribunal decisions from 1 July to 30 September 2019, include the following:

i. Where a practitioner chooses not to attend a hearing, Tribunals are under no general obligation to adjourn, prior to considering sanction, to allow the practitioner to make submissions

ii. Tribunals are entitled to draw an adverse inference when a practitioner does not give evidence, unless it would be procedurally unfair to do so

iii. Whether an adverse inference should be drawn in disciplinary proceedings will be highly fact dependent and it should not be drawn unless certain criteria are considered

iv. Tribunals should establish if anyone is present with a witness who is giving evidence remotely and ensure that no procedural irregularity arises because of others being present to support a witness. Tribunals should consider the level of support a witness may need and ensure the person present is identified as appropriate, e.g. has no other connection with the hearing
Risk

14 There has been no change to the MPTS risk register (see Annex A).

15 There are currently no risks relating to the work of the MPTS on the GMC Corporate Opportunities and Risk Register.

Budget and business plan for 2020

16 The MPTS has exceeded its efficiency target in recent years and initiatives, such as the introduction of Legally Qualified Chairs and provision of hearing bundles in advance, have resulted in the daily cost of a hearing reducing from £3,500 in 2015 to just under £3,000 in 2018.

17 The majority of MPTS costs are directly related to hearing volumes and we have seen a significant and sustained increase in referrals since September 2018.

18 The impact of this is an increase in hearing days from a budgeted 2,500 days in 2019 to a predicted 2,700 days in 2020 (an 8% increase).

19 As well as detailing an increase in the tribunal member fees and associated expenses we have, as part of the budget setting process, submitted a growth bid for additional operational staff to help deliver the associated increase in pre, during and post hearing work.

20 We have also proposed a new approach to the recruitment and induction of tribunal clerks. When a tribunal clerk leaves the MPTS, it takes between four and six months to train a replacement.

21 Therefore, we are proposing the recruitment of a cohort of tribunal clerks to join the MPTS in April 2020.

22 These staff would then be trained using the positively received classroom based induction we introduced in 2019.

23 This over-recruitment would bring operational benefits as well as reducing our reliance on, and the additional cost of, temporary agency staff.

24 We would additionally benefit from a reduction in recruitment and induction costs by having only one tribunal clerk recruitment campaign a year.

25 All growth bids are subject to approval by the GMC Executive Board and Council.

26 The MPTS’s proposed business plan projects, shared with the Committee at September’s meeting, also remain subject to approval.
Agenda item: 07
Report title: Quality Assurance Group update
Report by: Tamarind Ashcroft, Head of Tribunal Development tamarind.ashcroft@mpts-uk.org, 0161 240 7291
Considered by: MPTS Committee
Action: To note

Executive summary
This paper details an overview of the Quality Assurance Group (QAG) meetings held in Quarters 2 and 3 of 2019 considering hearings which took place during this time, highlighting any themes emerging.

The paper also reminds the Committee about the process for selecting decisions to be reviewed at QAG.

Recommendations
- The MPTS Committee is asked to note the outputs of the relevant QAG meetings.
- The MPTS Committee is asked to confirm that the selection process remains appropriate to review quality.
Volumes

1 During the period 1 March 2019 - 30 September 2019, there were a total of 944 MPTS hearings including Medical Practitioners (MPT), Interim Orders (IOT) and Non-compliance hearings (NCH). Of these, 182 were selected for QAG review. It is important to note that the QAG only reviews decisions once the appeal period has passed and any learning points from appeals will be considered at a later stage.

MPT Decisions

2 During this period the QAG reviewed 30% of MPT decisions (included within this number are restoration hearings). This continues with a similar proportion of decisions reviewed compared to the previous 6 months.

<table>
<thead>
<tr>
<th>Mar -Sept 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of hearings</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

| Cases selected for QAG | MPT (N) inc restoration 58 |
|                       | MPT (R) 21 |
| TOTAL                 | 79 |

3 The standard of drafting continues to improve, and the number of learning points identified remains low during this period. Themes for learning points are minimal but relate to clarifying why a hearing is held in private, ensuring the background to a case is clearly explained and broadly a need to give clearer reasons at various stages within the determination.

4 Training for 2019 is almost complete and has been addressing these learning points with a focus on adjournments and a refresher on equality, diversity and inclusion. A case law e-learning module, video and webinar were delivered this summer around the theme of adjournments.

IOT Decisions

5 During this period the QAG reviewed 14% of both new and review IOT decisions, with 23% of new IOT decisions being reviewed.

<table>
<thead>
<tr>
<th>Mar -Sept 2019</th>
</tr>
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<tbody>
<tr>
<td>Number of hearings</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

| Cases selected for QAG | IOT (N) 45 |
|                       | IOT (R) 49 |
| TOTAL                 | 94 |
IOT determinations continue to be of a high standard with few learning points identified during this period. Few themes are observed and areas for learning tend to be case specific. Proof-reading, particularly for reviews on the papers, has been highlighted as one area for focus and this featured in annual training this year. IOT training also included a refresher on equality, diversity and inclusion and discussion regarding the revised guidance on Non-compliance hearings.

Non-compliance hearings

9 of the 10 non-compliance hearings were reviewed during this period, no significant learning points were identified.

Feedback

PSA Feedback

Between 1 April and 30 September 2019, we were notified that 5 cases had been considered by the PSA. 0 appeals were lodged by the PSA.

GMC Feedback

Between 1 April and 30 September 2019, the GMC’s Decision Review Group sent the QAG 1 letter relating to 5 cases that were heard in this period and 11 relating to hearings that took place in the first quarter of 2019. 3 appeals have been lodged by them during this time.

Selection criteria

Currently the selection criteria include;

- MPT New- 30% overall, to include a selection of each hearing outcome
- MPT Reviews- 25%
- IOT New- 25%
- IOT Reviews- 12.5%
- Non-compliance hearings- 100%
- Restoration hearings-100%

The actual percentage of determinations reviewed will vary each month, subject to the number of decisions within the relevant month. The determinations for review are picked at random by members of the Tribunal Development Section, The Head of Tribunal Development is not involved in the selection process.
Where specific cases are deemed necessary to be reviewed, eg due to an exceptional feature of the case, these are either added to the cases identified for review under the usual selection of determinations or included as part of that selection, subject to the stage of referral. The level of determinations to be considered at QAG is kept under review to ensure it is a proportionate selection to meet quality assurance needs without being resource intensive.
Agenda item: 08
Report title: Adjournments Quarterly Update
Report by: Samantha Bedford, Head of Case Management, Samantha.bedford@mpts-uk.org, 0161 240 7112
Considered by: MPTS Committee
Action: To note

Executive summary

This report:

► Summarises the key issues arising from hearings adjourning in Quarter 3 2019;

► Identifies actions to be taken forward by the MPTS Senior Management Team.

Recommendation

► The Committee is asked to note the update
Adjournments Quarterly Review: Q3 2019

Scope of Review

1. Each month the Head of Case Management, Head of Operations, Case Manager and Legal Adviser meet to identify themes and issues arising from adjourned MPT hearings, with reference to internal resources, including hearing commentary and case management documents.

2. The findings and recommendations are discussed at the MPTS Senior Management Team (SMT) meeting and actions are assigned to be taken forward.

Overview of MPT Hearings Reviewed

3. A total of 36 MPT hearings (across all MPT hearing types) concluded earlier than scheduled in Q3 2019. An analysis of new MPT hearings only during the same period shows that 75% of hearings concluded either early or on time.

4. A total of 33* MPT hearings adjourned in Q3 2019. The table below indicates the number of adjournments across the MPT hearing types.

<table>
<thead>
<tr>
<th>Hearing Type</th>
<th>Unplanned Adjournment</th>
<th>Planned Adjournment*</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-Month Cases</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>9-Month Cases</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Direct Listing</td>
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<td>0</td>
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<tr>
<td>Review Hearings</td>
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<td>1</td>
</tr>
<tr>
<td>Remittal Hearings</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Non-Compliance Hearings</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Restoration Hearings</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>New &amp; Review Hearings</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Preliminary Hearings</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

5. References “Q3/XX” are used below as identifiers for specific hearings. Anonymised identifiers have been used for the purposes of this paper as they may relate to matters which have not yet concluded.

* One hearing appears three times in the table above.
* Hearings which are scheduled to adjourn and reconvene, either through a planned split listing or due to reconvene dates.
Themes emerging from adjourned hearings

6 Often adjournments can arise for reasons that are unavoidable and could not reasonably have been foreseen. For example, where a party or Tribunal member is unwell, or if a Tribunal direct the practitioner to undergo an assessment of their health, language or performance.

7 The following themes, which we consider to be potentially avoidable and/or foreseeable, arise from our analysis of the adjourned MPT hearings:

   a **Tribunal deliberations and timekeeping** – There were instances where Tribunals took time to complete their deliberations which appeared potentially disproportionate to the issue(s) under consideration, or where hearing time could have been managed more effectively (Q3/01, Q3/03, Q3/08, Q3/14, Q3/15, Q3/16, Q3/18, Q3/19, Q3/20, Q3/23, Q3/33).

   b **Inaccurate hearing length estimates** – There were instances of hearing length estimates provided by the parties proving to be insufficient, either due to the volume of evidence, number of allegations in dispute and/or preliminary issues (Q3/13, Q3/24).

   c **Delays potentially caused by GMC case preparation** – There were instances where avoidable delays appear to have been caused by issues relating to requiring disproportionate time to take instructions (Q3/02) and the late disclosure of evidence (Q3/31).

   d **Delays potentially caused by doctor/defence case preparation** – There were instances where doctor/defence preparation was incomplete or delayed progress during the hearing, including the doctor attending the hearing late (Q3/07, Q3/25), submitting additional documents (Q3/23, Q3/27) and the late disclosure of evidence (Q3/28).

   e **Delays caused by MPTS** – There were instances where avoidable delays appear to have been caused by MPTS actions/facilities, including errors in serving Notices of Hearing (Q3/05, Q3/32), hearing centre power cuts (Q3/10) and issues with evidence being given by Skype for Business (Q3/16).

Identified action points

8 The review identified a number of actions from the analysis of Q3 adjournments, as outlined below.

   a Actions relating to Tribunal training, circulars or other guidance
Consider preparing a Tribunal circular and/or framework for preparing determinations in hearings considering performance assessments.

Consider providing guidance/training on the practice of taking time to ‘formulate questions’.

b Actions requiring liaison with stakeholders
i Feedback to GMC Legal about case presentation where appropriate.

ii Continue dialogue with MPTS User Group regarding disclosure of evidence and compliance with case management directions.

c Actions for consideration in the case management process
i Review lengths of preliminary legal hearings.

ii Review length of review hearings for the purposes of the Enhancing Case Management Review project.

iii Consider further pre-hearing action to encourage preparation in restoration hearings, particularly those involving a self-represented doctor.

d Actions relating to MPTS
i Consider potential referral(s) to Adjournments Detailed Review process to identify learning points from hearings that meet the criteria for detailed review due to overall length or number of reconvene sessions.

ii Monitor whether further issues arise regarding Notice of Hearing and/or use of Skype for Business, which may require action.

Any actions relating to identifiable individuals have been removed from the list above in order to ensure confidentiality. Such actions may include recommendations for the Tribunal Development and Operations teams to consider when undertaking observations or reviewing Tribunal member feedback.

Update on other actions taken

In this quarter the MPTS conducted its first Adjournments Details Review of a hearing which took substantially longer than anticipated. A report has been prepared for SMT approval and the Committee will be provided with the summary of recommendations and learning points identified at their meeting in February 2020.
Update on other actions taken

10 In this quarter the MPTS conducted its first Adjournments Details Review of a hearing which took substantially longer than anticipated. A report has been prepared for SMT approval and the Committee will be provided with the summary of recommendations and learning points identified at their meeting in February 2020.
Executive summary
The MPTS Committee’s work programme sets out the business for review during 2020.

The work programme covers the duties and activities of the MPTS Committee as outlined in the Committee’s statement of purpose.

Recommendations
- The MPTS Committee is asked to approve its forward work programme for 2020.
Background

1 Please find below a draft of the MPTS Committee work programme for 2020.

2 Agenda items have been matched to the MPTS Committee’s duties and activities (see Table 1) to provide assurance that the Committee is compliant with its Statement of Purpose and is reviewing all aspects of its key responsibilities.

<table>
<thead>
<tr>
<th>Date: Tuesday 4 February 2020</th>
<th>Meeting: MPTS Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair’s report (oral)</td>
<td></td>
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<tr>
<td>Executive Manager’s report including the MPTS risk register and performance data (a-k)</td>
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<tr>
<td>Update on appeals (a, f)</td>
<td></td>
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<tr>
<td>Update from the Quality Assurance Group (f, g)</td>
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<tr>
<td>Adjournments quarterly update (f)</td>
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<tr>
<td>Tribunal members training update (b, c)</td>
<td></td>
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<tr>
<td>Review of the delivery of the 2019 MPTS business plan and confirmation of the MPTS business plan for 2020 (n)</td>
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<table>
<thead>
<tr>
<th>Date: Tuesday 12 May 2020</th>
<th>Meeting: MPTS Committee</th>
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<tbody>
<tr>
<td>Chair’s report (oral)</td>
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<tr>
<td>Executive Manager’s report including the MPTS risk register and performance data (a-k)</td>
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<tr>
<td>Report of the MPTS Committee to GMC Council (a-l)</td>
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<tr>
<td>MPTS annual report to Parliament (l)</td>
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<tr>
<td>Annual review of case management (g)</td>
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<tr>
<td>Adjournments quarterly update (f)</td>
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<tr>
<td>Annual review of complaints (k)</td>
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<tr>
<td>Review of MPTS Committee’s work programme for 2020 (a)</td>
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</table>
**MPTS Committee meeting, 20 November 2019**

### Agenda item 09 – Report of the MPTS Committee’s work programme for 2020

#### Wednesday 16 September 2020

**Meeting:** MPTS Committee

- **Chair’s report (oral)**
- **Executive Manager’s report including the MPTS risk register and performance data (a-k)**
- **Tribunal Members’ resourcing updates (a)**
- **Annual review of the MPTS vision (m)**
- **Update on progress in delivering the MPTS business plan for 2020 (n)**
- **Update from the Quality Assurance Group (f, g)**
- **Adjournments quarterly update (f)**

#### Wednesday 18 November 2020

**Meeting:** MPTS Committee

- **Chair’s report (oral)**
- **Executive Manager’s report including the MPTS risk register and performance data (a-k)**
- **Report of the MPTS Committee to GMC Council (a-l)**
- **Review of the MPTS Committee’s work programme for 2021 (a)**
- **Adjournments quarterly update (f)**
- **Proposed MPTS business plan for 2021**
Table 1. MPTS Committee’s duties and activities for 2020 (as set out in the Committee’s statement of purpose and additional items from the MPTS vision and MPTS business plan).

<table>
<thead>
<tr>
<th>MPTS Committee’s duties and activities</th>
<th>Assurance Route</th>
</tr>
</thead>
<tbody>
<tr>
<td>The delivery of a hearings service that demonstrates efficiency and effectiveness.</td>
<td>Executive Manager’s report and updates from the Quality Assurance Group.</td>
</tr>
<tr>
<td>The appointment of Medical Practitioners and Interim Orders Tribunal members (including chairs) and that appropriate systems for the appointment, training, assessment and, where required, the removal of tribunal members, are in place.</td>
<td>Papers on recruitment campaigns, training and appraisal as required.</td>
</tr>
<tr>
<td></td>
<td>Tribunal members training update scheduled for February 2020.</td>
</tr>
<tr>
<td>The appointment of legal assessors and case managers and that appropriate systems for the appointment, training, assessment and, where required, the removal of case managers in place.</td>
<td>Papers on recruitment campaigns, training and appraisal as required.</td>
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<tr>
<td></td>
<td>Tribunal members training update scheduled for February 2020.</td>
</tr>
<tr>
<td>Maintenance of a system for declaration and registration and publication of Committee members’ private interests.</td>
<td>Declaration of interests of Committee members’ private interests available on the MPTS website and updated as required.</td>
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<td>Declaration of interests is an agenda item for every meeting.</td>
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<tr>
<td>Consideration of matters by a Medical Practitioners Tribunal / Interim Orders Tribunals.</td>
<td>Executive Manager’s report.</td>
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<tr>
<td>High quality standards of decision making by Medical Practitioners Tribunal / Interim Orders Tribunals are maintained.</td>
<td>Included in the Quality Assurance Group updates to the Committee.</td>
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<tr>
<td>High quality standards of case management by case managers are maintained.</td>
<td>Annual review of case management scheduled for May’s MPTS Committee meeting.</td>
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<td>h</td>
<td>The setting and maintenance of guidance for the MPTS tribunals, case managers and legal assessors, as required.</td>
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<td>i</td>
<td>That the MPTS applies the equality and diversity strategies and policies of the GMC.</td>
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<td>j</td>
<td>Notification of Medical Practitioners Tribunal and Interim Orders Tribunal decisions as required by the Medical Act.</td>
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<td>k</td>
<td>Effective liaison with all users of the hearings service provided by the MPTS.</td>
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<td>l</td>
<td>An annual report which meets the requirement of Section 52B of the Medical Act 1983 as amended.</td>
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<td>From the MPTS vision:</td>
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<tr>
<td></td>
<td>1. Make high quality well-reasoned, independent decisions to protect the public</td>
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<td></td>
<td>2. Runs hearings efficiently and effectively, using resources appropriately</td>
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<td>3. Treats all tribunal service users with respect and fairness</td>
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<td>4. Has a distinct voice, clearly articulating our role</td>
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<td></td>
<td>Annual report on the MPTS vision scheduled on the work programme for September 2020.</td>
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