



Public Board Minutes

**MEDCO BOARD MEETING
TIME:**

**THURSDAY 03 MARCH 2022
10:30–13:00**

MEETING PLACE:

**Mallory Court Country House Hotel
Royal Leamington Spa**

DIRECTORS:

Martin Heskins (MH) – Executive Chair
Brian Simpson (BS) – Chartered Society of Physiotherapists
David Bott (DB) – Association of Personal Injury Lawyers
Ian Mackie (IM) N.E.D
Jackie Proctor (JP) – Motor Insurers Bureau
Kate Fox (KF) – The Law Society
Simon Margolis (SM) - AMRO
Surendra Kumar (SK) – British Medical Association
Susan Brown (SB) – Motor Accident Solicitors Society

OBSERVERS ATTENDING THE BOARD:

Adam Ballard (AB) – ABI Representative
Leigh Evans (LE) – Head of Operations MedCo
Mark Waughman (MW) - MedCo
Nadine Silverton (NS) – MedCo
Scott Tubbritt (ST) – Ministry of Justice (by telephone)
Iqbal Hussain (IH) - MedCo

SECRETARIAT:

Jean Gillett – MedCo

APOLOGIES:

John Howells (JH) – N.E.D
Nigel Teasdale (NT) – Forum of Insurance Lawyers

1. WELCOME

MH welcomed everyone to the meeting.

1.2 Board Minutes 18 January 2022

Approved

1.3 Public Board Minutes 18 January 2022

Approved

2. MOJ UPDATE

A new overview of how to make a claim using the new Official Injury Claim process has been published and is available on the <https://www.gov.uk/government/publications/whiplash-reform-programme-information-and-faq> website. The next Advisory Group meeting is 21 April 2022 and the next MI publication will be in April 2022. This is to ensure future MI publications are in line with the standard financial year.

The Small claims track extension from £1,000 to £1,500 to non-road traffic accident-related personal injury claims, including Employers Liability and Public Liability claims, will go ahead on the common commencement date of 6 April.

MoJ intend to seek views from interested stakeholder groups on their experience of the remote examination process.

The Part 2 consultation response has been produced and will be published soon.

3. RISK REGISTER

A verbal update was provided about the risk committee meeting on the 24 February. The committee reviewed the draft terms of reference, risk method and the 12 risks. The next steps are to bring the agree terms of reference to Board for sign off and highlight key changes/risk that are being reviewed.

4. GOVERNANCE

As MedCo moves into 2022 as a "standalone" entity, 3 additional (governance) committees have been formed to ensure the effective management of the organisation.

The Committee chairs to prepare/organise terms of reference/membership and report back to the next board meeting to approve.

The 3 additional committees which have been formed are as follows:

- MedCo Corporate Governance

- Remuneration Committee
- Risk Committee
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Actions

TOR for committees to ready for the next Board Meeting

5. MONTHLY UPDATES

5.1. Audit

From 1st December 2021, the Motor Insurer's Bureau (MIB) ceased providing auditing services for MedCo. Grant Thornton was appointed from this date to undertake MedCo's User audits and members of the existing MIB/MedCo audit team transferred to Grant Thornton.

In view of current pandemic guidelines, audit site visits have been suspended. Remote on-line audits are continuing to take place.

The Audit Committee continue to monitor use of the system, taking appropriate actions where misuse is identified.

5.2. Operations

The Operations Committee meet regularly to address feedback, queries and complaints from all users of MedCo. Each case is considered on its own merit, and the Committee agree the appropriate action to resolve each issue.

The Committee are currently looking at several complaints from direct claimants, complaints against MROs relating to poor service and concerns over delays in uploading reports by experts.

The Committee also review and monitor experts who are subject to regulatory action and work with the regulator to support their investigations as required.

5.3. IT

The overall performance has been good with only 1 small outage on February 16th. The Microsoft Azure service being used to generate geocodes for Direct Medical Expert searches suffered some downtime. This meant that for a brief period, users searching for DMEs were receiving error messages. The issue did not impact searches for MROs. Microsoft fixed this issue and the service resumed in the same day. A full report will be provided in the next monthly IT paper.

The Board agreed to extend the scope of the GDPR and Security project to include several other smaller operational changes. The changes relate to back office operational improvements and small user end changes that have accumulated over time. Most changes come from issues that have been identified overtime or at the request of a MedCo sub committees. A breakdown of the changes were provided to the Board.

Decision

The Board unanimously agreed to extend the scope of the GDPR and Security project to include the above changes and to approve the additional costs.

5.4. Education and Training

The Operations Committee meet regularly to address feedback, queries and complaints from all users of MedCo. Each case is considered on its own merit, and the Committee agree the appropriate action to resolve each issue.

The Committee are currently looking at several complaints from direct claimants, complaints against MROs relating to poor service and concerns over delays in uploading reports by experts.

The Committee also review and monitor experts who are subject to regulatory action and work with the regulator to support their investigations as required.

5.5 Statistics

The Report was noted as read.

5.6 EAPR

EAPR continue to monitor experts and their data, including data for cases via Official Injury Claims, and apply sanctions where appropriate. The EAPR are also looking at producing a communication to all experts to remind them of the need to address causation when it comes to injuries diagnosed.

6. MANAGEMENT ACCOUNTS

The report was noted as read

7. REMOTE EXAMINATIONS

The Board were asked to consider reintroducing the ban on video examinations in the light of the current Government guidance on COVID-19. Following a debate, the Board agreed that most claimants can now attend a face-to-face examination and claimants who have a covid-19 vulnerability, either physically or mentally, will be allowed to continue to have remote examinations.

Experts will be asked, when conducting remote examinations, to record in their report the nature of the claimant's covid-19 vulnerability that has resulted in the examination being conducted remotely.

The expectation is that examinations from the 1st June should be face to face and that this is a hard deadline.

Decision

The Board agreed in principle with the above changes to remote examination

Meeting ended at 13:00