



# June Public Board Minutes

**MEDCO BOARD MEETING**  
**TIME:**

**TUESDAY 14 JUNE 2022**  
**14:00-17:00**

**MEETING PLACE:**

**Microsoft Teams**  
**MedCo Milton Keynes Office**

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**DIRECTORS:**

Martin Heskins (MH) – Executive Chair  
Brian Simpson (BS) – Chartered Society of Physiotherapists  
Ian Mackie (IM) N.E.D(via Teams)  
Jackie Proctor (JP) – Motor Insurers Bureau  
John Howells (JH) – N.E.D  
Kate Fox (KF) – The Law Society  
Simon Margolis (SM) – Association of Medical Reporting Organisations (via Teams)  
Surendra Kumar (SK) – British Medical Association  
Susan Brown (SB) – Motor Accident Solicitors Society

**OBSERVERS ATTENDING THE BOARD:**

Adam Ballard (AB) – ABI Representative (via Teams)  
Leigh Evans (LE) – Head of Operations MedCo  
Nadine Silverton (NS) – MedCo  
Mark Waughman (MW) MedCo  
Scott Tubbritt (ST) – Ministry of Justice (via Teams)

**SECRETARIAT:**

Jean Gillett – MedCo

**APOLOGIES:**

Nigel Teasdale (NT) – Forum of Insurance Lawyers  
David Bott (DB) – Association of Personal Injury Lawyers

## 1. WELCOME

MH welcomed everyone to the meeting.

### 1.1 Board Minutes 10 May 2022

Approved

### 1.2 Public Board Minutes 10 May 2022

Approved

### 1.3 Action List

Updated

## 2. MOJ UPDATE

Sir Christopher Bellamy QC has been appointed Parliamentary Under-Secretary of State for Justice in the House of Lords.

Summer Parliamentary recess will start on 21 July until 5 September and conference recess runs from 22 September until 17 October.

After the summer recess an MoJ targeted stakeholder engagement exercise will be issued on a range of medical reporting issues.

A consultation and call for evidence related to the personal injury discount rate will be issued in due course which will look at issues such as the expert panel and proposals on a dual rate.

The next OIC advisory group meeting is on Monday 18 July and MoJ also continue to meet with a wide range of additional stakeholders from the personal injury, credit hire and advice sectors.

MoJ noted that it was useful to see judgments on mixed injury claims start to emerge which can be considered by the cross-sector mixed injuries group as they look to identify suitable test cases

## 3. REMOTE EXAMINATIONS

All medical experts that had raised requests to allow exceptions to the latest Remote Examination guidance had been informed of the Board's decision that face-to-face examinations must take place in person unless the claimant is vulnerable due to covid-19.

Whilst a number were disappointed with the decision, there has been no further adverse feedback and they await the stakeholder engagement exercise from the MoJ. Several experts continue to struggle to find venues.

The ABI has advised MedCo that it approves of MedCo's decision to revert to face-to-face examination.

The Board is agreed that face-to-face examination must recommence on 1<sup>st</sup> July 2022 and that it will monitor the position each month.

## 4. CHARGING POLICY

The Board were informed that in April 2022 14 experts were invoiced for uploading case data more than their allowance. One expert has not paid, the Board were asked how they would like to deal with non-payment of case data upload charges.

### **Decision**

The Board unanimously decided that the non-payment of case data upload charges would mean automatic suspension.

Experts will be held accountable for all monies owed and that the debt recovery will be pursued.

The Board also agreed that experts pay for all case data uploaded regardless of the status of reports and whether they were used.

## 5. MANAGEMENT ACCOUNTS

The Management accounts were supplied with a summary statement, which provided analysis and information.

## 6. MONTHLY UPDATES

### **6.1. Audit**

A summary of activities completed and on-going were discussed as detailed in the update paper.

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.

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

## **6.2. 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.

During this reporting period the committee have continued to address concerns in relation to causation and issues relating to the mechanism of injury.

MedCo works alongside regulators and supports their investigations as required.

## **6.3. IT**

A small number of MedCo users continue to experience problems using MedCo via Apple devices and the latest version of iOS. In the meantime, users are recommended to use Chrome or Edge via a windows-based device.

## **6.4. Education and Training**

The Committee continue to meet on a regular basis to ensure the accreditation and CPD framework is maintained and to address any associated day to day issues.

During this reporting period, the CPD deadline was reached with a high number of experts completing the annual CPD requirement on time. Any expert who did not meet the deadline has been suspended. (The suspension can be lifted by completing all outstanding CPD).

Current priorities include evaluating all aspects of CPD to assess the effectiveness of the programme including managing the conclusion of the 2021/2022 CPD period; and monitoring the new 2022/2023 CPD year.

## **6.5. Statistics**

The Report was noted as read.

## **6.6 EAPR**

EAPR continues to monitor experts and their data, including data for cases via Official Injury Claims, and apply sanctions where appropriate. The committee recently produced a communication to all experts to remind them of the need to address causation in relation to injuries diagnosed.

## 7. MIB RESIGNATION UPDATE

MIB have formally resigned from the MedCo Board, and a formal application has been received from Gibraltar Insurance Association, which will ensure, if accepted by the members, that the Board is balanced equally among the three Member Groups.

An application has been received from the ABI nominating Jackie Proctor as its representative.

### **Decisions**

The Board unanimously agree to appoint Jackie Proctor as ABI's Director representative and thanked Adam Ballard for his contribution as temporary observer for ABI.

The Board unanimously decide to appoint GIA as a founder member of the MedCo Board.

## 8. AOB

### **Board Meetings**

Next Board Meeting 19 July 2022

**Meeting ended at 17:00**