



April Public Board Minutes

MEDCO BOARD MEETING
TIME:

TUESDAY 25 APRIL 2023
10:00 – 11:28

MEETING PLACE:

Microsoft Teams

DIRECTORS:

Martin Heskins (MH)	- Executive Chair
Brett Dixon (BD)	- Association of Personal Injury Lawyers
David Bott (DB)	- Non-Executive Director
Ian Mackie (IM)	- Non-Executive Director
Jackie Proctor (JP)	- Association of British Insurers
Joanne May (JM)	- Gibraltar Insurance Association
John Howells (JH)	- Non-Executive Director
Kate Fox (KF)	- The Law Society
Nigel Teasdale (NT)	- Forum of Insurance Lawyers
Simon Margolis (SM)	- Association of Medical Reporting Organisation
Susan Brown (SB)	- Motor Accident Solicitors Society

OBSERVERS ATTENDING THE BOARD:

Leigh Evans (LE)	- Head of Operations MedCo
Mark Waughman (MW)	- MedCo
Nadine Silverton (NS)	- MedCo
Scott Tubbritt (ST)	- Ministry of Justice

SECRETARIAT:

Jean Abbit	- MedCo
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APOLOGIES:

Ashley James (AJ)	- The Chartered Society of Physiotherapy
Surendra Kumar (SK)	- British Medical Association

1. WELCOME

1.1 Declarations of interest/gifts etc.

None

1.2 MedCo March Board Minutes

The minutes were not approved.

1.3 MedCo Public Board Minutes

The minutes were approved

1.4 Action List from MedCo

All items on the action list have been completed.

2. UPDATES

2.1 MOJ update

Alex Chalk KC MP has been appointed as the new Lord Chancellor and Secretary of State for Justice. This is the only change with no further reshuffles to the line-up of junior Ministers, who continue to work on their portfolios, expected. MoJ has no specific update in regard to the Justice Committee inquiry into the operation of the OIC service.

Work on the medical reporting consultation document also continues and an update on the publication timetable will be provided in due course.

Work has started on the planning phase for the statutory three-year review of the whiplash tariff and additional evaluation of the whiplash reforms which are due to be completed in 2024. This work is separate to the exercise being undertaken by the Financial Conduct Authority in relation to reporting on the pass through of savings by insurers to policy holders.

In relation to the Personal Injury Discount Rate (PIDR), MoJ confirmed that the Dual Rate Call for Evidence has now closed and that the responses are currently being considered with a response due to be published in July 2023. The PIDR 'expert panel' recruitment exercise continues with several applications received for the re-advertised financial advisor post and interviews will be held in early May.

2.2 Chair and Head of Operation Update

Since the last Board meeting there has been an OIC Advisory Group meeting. The Board was advised the service has seen an increase in the volume of settlements in March and an increase in the volume of claimants who are unrepresented.

There is a concern about what appears to be a backlog of cases and the effect that this might have on the courts.

To assist with a review on the volume of outstanding cases, MedCo will prepare data for the MoJ and OIC on the number of cases open and closed and the number of examinations per month. This data will be shared with the Board before presenting it to MoJ and OIC.

The Board was advised that the first draft of the data showed there has been a temporary dip in the number of examinations after remote examinations ended in July 2022.

MedCo will hold regular meetings with the MoJ going forward.

3. MANAGEMENT ACCOUNTS

The accounts are as expected for this time of the year.

The statutory accounts are being Audited by Evelyn and should be ready for June.

4. AUDIT OVERVIEW LETTER FROM EVELYN PARTNERS

The overview letter from Evelyn Partners was included in the Board Pack to ensure that all Directors have a copy and are happy with the content.

The audit is progressing well.

6. MONTHLY UPDATES

6.1. Audit

The Board was advised that the Audit committee met last week and a paper to update the Board on the 2023 Audit plan progress to date will be provided to the Board in May.

6.2. Operations

The Board were informed that the committee continue to review and investigate issues on regular topics.

It was noted that over the last period there has been an increase in the number of suspensions; mostly due to a lack of response by users however one suspension related to the use of contingent payments in relation to medical reports.

The number of enquiries relating to the use of remote examinations has dropped and there has been a number of complaints from claimants pursuing claims through the medical journey via OIC. The complaints are in the process of being resolved.

6.3. EAPR

There are 3 Medical Experts being referred to the Medical Advisory Board and the auditing of DMEs continues.

6.4. Education and Training

A new legal update module was issued last month, and a new module on Causation, Whiplash and Non-Whiplash injuries has been passed to Bond Solon for branding and will be launched at the beginning of the new CPD year.

The current CPD deadline is 31 May 2023, there will be automated reminders and also targeted reminders to ensure the maximum number of Experts have completed their CPD training.

6.5. IT

The Board were asked to consider changes relating to the MedCo website – www.medco.org.uk

6.6 STATS

The Board was informed that the percentage of unrepresented claimants have increased by 2% since December and now stands at 8%.

7. MEDICAL REPORTS AND s1.3 CLA

The Board was asked to consider whether a guidance note should be issued in regard to Medical Experts use of s1.3 Civil Liability Act in medical reports.

The Board discussed how MedCo would have to be careful about issuing guidance as to what is an injury under s1.3 CLA as this is a matter for a judge.

The Board will seek further advice.

8. TECH REFRESH PROJECT MANAGER

The Board was asked to consider the appointment of a Tech Refresh Project Manager and were provided with information relating to the main changes being implemented.

Decision

The Board approved the appointment of the Project Manager for the Tech Refresh.

The meeting ended at 11:28