



FRIDAY 20 AUGUST 2010

Welcome to the FOM Newsletter.

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Becoming an incorporated charity - Briefing to Faculty members

The Faculty's Board of Trustees has decided that the Faculty should become an incorporated charity. This means the Faculty would be both a charity (as now) and also a company limited by guarantee. The purpose of this briefing is to notify members of this proposed incorporation, to explain the reasoning behind it and to set out the next steps.

Effect on the work of the Faculty

The most important initial points to make to members are that:

- this will have very little visible impact on the Faculty's work, on its core duties and activities and its interactions with the membership
- this will not change the Faculty's charitable objects (set out below) nor its main functions and powers
- the Faculty will remain a charity regulated by the Charity Commission and the Office of the Scottish Charity Regulator, whilst becoming a company subject to company law.

In short, apart from offering members the opportunity to be involved in the process of approving the new Memorandum and Articles of Association, this process should constitute a seamless change from the old framework to the new.

Background and rationale

The Faculty of Occupational Medicine was established as a charity, as are all medical royal colleges and faculties. This means that its main purpose is to benefit the public in the ways set out in its charitable objects. The Board of Trustees wishes to retain those fundamental aspects of the Faculty.

At the moment the Faculty is an unincorporated charity. This means that the Faculty is not a legal entity and so agreements such as contracts and leases are between third parties and the individual Trustees, not the Faculty itself as an organisation. Individual Trustees ultimately carry personal liability for any liabilities in excess of the Faculty's assets.

This can be a satisfactory way to conduct a charity's affairs, and has proved so thus far for the Faculty. It is prudent however to consider, when a charity reaches a certain stage of maturity with activities that carry risks of potential liability, whether or not to become incorporated.

The Board has considered this and has decided that this is the right time to become incorporated. One significant factor to consider is that the Faculty will soon have to move to new premises. More information about this will be sent to members shortly. The Faculty has hitherto been fortunate in being hosted at a very reasonable cost by the Royal College of Physicians. This arrangement is coming to an end as the College needs more space, and so the Faculty is seeking office premises on the open market and will have to take on a commercial lease. In its new incorporated status, the Faculty itself will be able to take on this lease, rather than the Trustees having to take it on as individuals.

Next steps

We are in the process of drawing up the Memorandum and Articles of Association for the new body. These are being modelled closely on the Faculty's current Standing Orders (our main constitutional document). Some practical changes are being made, and these are mostly concerned with taking out unnecessary administrative detail. There will also be some modest changes to the substance of the document (as is done from time to time with the current Standing Orders, to keep them up to date), and these will be highlighted to members. In essence, however, the intention is that the Faculty will continue to operate by the same principles and rules.

The new draft Memorandum and Articles of Association will be published at the beginning of September, as will notification of an Extraordinary General Meeting, which is to be held on the same day as the Faculty's winter conference, 1st December 2010. Members will, at that EGM, have the opportunity to ask questions and to discuss and approve the Faculty's new governing document.

An e-letter will alert members when the draft document has been posted on the website.

The Board has set up a special committee to take this forward and we shall be overseeing the process through to the final stages which we hope will be accomplished at the end of 2010 or early in 2011.

Professor David Coggon (President and Trustee)

Dr Peter Graham (Lay Board Member and Trustee)

Dr Marjorie Greasley (Occupational Physician and Trustee)

The Incorporation Committee

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The charitable objects of the Faculty are to:

- promote for the public benefit the advancement of education and knowledge in the field of occupational medicine
- act as an authoritative body for the purpose of consultation in matters of educational or public interest concerning occupational medicine
- develop and maintain for the public benefit the good practice of occupational medicine with a view to providing for the protection of people at work by ensuring the highest professional standards of competence and ethical integrity.

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New Part 2 MFOM examination: Update

The Part 2 MFOM regulations have now been signed off by the Faculty Board and Faculty Officers have been developing the new examination, ready for its first sitting, in the Autumn.

The Part 2 MFOM examination will be based on the old AFOM examination (which we ran for the final time in January 2010), in terms of learning content and syllabus. Essentially, the same body of factual information will be examined, with a major overlap in the competencies tested. However, there will be changes to the assessment methods. The Regulations and Guidance for Membership of the Faculty of Occupational Medicine have been updated, to incorporate the details of the Part 2 MFOM examination.

A short summary, which outlines the eligibility and structure of this new examination is available at

http://www.facocmed.ac.uk/library/docs/mfom_pt2_2010_update.pdf along with weblinks to the Regulations for the Part 2 MFOM examination and the updated Regulations and Guidance for Membership of the Faculty of Occupational Medicine.

With best wishes



Nicky Coates
Chief Executive