



Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held by video conference on Wednesday, 20 May 2020 starting at 10.00hrs.

Members present:

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| Ms E Cassidy, President of NMBI | Ms L Clarke-Bishop |
| Dr L Kavanagh McBride, Vice President of NMBI | Mr D Murphy |
| Dr L Sahn | Mr M Higgins |
| Ms E Kelly | Mr J Horan |
| Ms K Lombard | Ms B Liston |
| Ms K Canning | Mr D Manning |
| Mr M Blake-Knox | Mr P Dolan |
| Ms K Greene | Mr L Minihan |
| Ms A Horgan | Dr D Lawler |
| Ms C Cocoman | |

In attendance:

Ms S McClelland, CEO
Mr M Balfe, Interim Director of Corporate Services and Finance
Mr C O’Leary, Director of Registration
Ms U Byrne, Director of Regulation
Dr AM Ryan, Director of Professional Standards and Education
Ms D Johnson, Director of Midwifery
Ms N Lyons, Interim Communications Manager
Ms L Manselli, Programme Manager
Ms G Farren, Professional Advisor
Ms O Coady, Governance and Secretariat Manager
Mr B Lenihan, Navigo Consulting

Item 1 – Apologies and conflicts of interest

- 1.1 Apologies were received from Ms M Gorman, Prof C O’Herlihy and Mr L Hamill.
- 1.2 The President reminded Board members of the provisions of the conflict of interest policy. The President then asked Board members to review the agenda to identify any conflicts of interest.

The President welcomed the Board’s trainer, Mr Lenihan to the Board meeting. Mr Lenihan was joining the meeting as an observer.

The President advised members that matters discussed during this video conference were to remain confidential to Board members and attendees.



As the Board wished to continue its discussions in private, members of the senior management team and Mr Lenihan left the meeting. At the invitation of the President, the CEO remained in the meeting.

Mr Higgins left the meeting during the *in camera* session. Ms Greene joined the meeting following the *in camera* session.

On the conclusion of the *in camera* session the senior management team and Mr Lenihan returned to the meeting.

Item 2 – Minutes and actions of previous meetings

2.1.1 Minutes of 25 March 2020

The Board considered the minutes of 25 March 2020 which had previously been circulated to members.

Decision The Board approved the minutes of 25 March 2020.

2.1.2 Minutes of 2 April 2020

The Board considered the minutes of 2 April 2020 which had previously been circulated to members.

Decision The Board approved the minutes of 2 April 2020.

2.1.3 Minutes of 8 April 2020

The Board considered the minutes of 8 April 2020 which had previously been circulated to members.

Decision The Board approved the minutes of 8 April 2020.

2.1.4 Minutes of 21 April 2020

The Board considered the minutes of 21 April 2020 which had previously been circulated to members.

Decision The Board approved the minutes of 21 April 2020.

2.2 Actions and matters arising from previous meetings

The Board approved the updated action list which is attached as an appendix to these minutes.



Item 3 was considered after item 4.

Item 4 – CEO’s update

4.1 CEO report

The Board noted the CEO report, incorporating the directorate reports, which had previously been circulated to members.

4.2 Committee chairs’ update

The chairs of the following committees updated the Board on the work of the committees:

- Education, Training and Standards Committee
- Business, Strategy and Finance Committee
- Registration Committee
- Midwives Committee
- Preliminary Proceedings Committee
- Fitness to Practise Committee.

The Board noted that the chair of the Audit and Risk Committee was not present to update the Board.

4.3 Amendments to rules

Ms Farren joined the meeting.

The Board considered proposed amendments to the Nurses and Midwives Rules 2018 which had previously been circulated to members. The Board noted that the Business, Strategy and Finance Committee had considered these amendments at its meeting on 14 May 2020 and that members had been requested to submit their comments in writing by 15 May 2020. The chairs of the Registration Committee and the Education, Training and Standards Committee had also been consulted regarding the amendments. Mr O’Leary had responded directly by email to the President to comments submitted.

Action Mr O’Leary’s email to the President to be shared with the Board.

Mr O’Leary raised concerns in relation to the proposed amendments to SI 221. The Board noted Mr O’Leary’s concerns and agreed that these should be discussed with the NMBI executive. The Board further noted that it was not been asked to approve the amendments to the rules at this stage of the process but rather to agree that the rules are progressed to the next stage.



Decision The Board agreed to permit the NMBI executive to liaise with the Department of Health for the progression of the amendments to the rules. The Board noted that a final version would be brought back to the Board for approval after consultation.

Ms Farren left the meeting.

Item 4.4 was discussed after item 3.

4.5 Customer charter

The Board considered the draft customer charter which had previously been circulated to members. Section 10 of the *Code of Practice for the Governance of State Bodies 2016* requires that:

“All State bodies should have a customer charter setting out the level of service a customer can expect” and “Customer charters should be displayed prominently (on websites and at the points of service). “

The Board discussed the draft charter. Ms Lombard suggested that a section on responding to stakeholder feedback and a customer action plan should be included.

Action Ms Lombard to email Ms Coady with her suggestions regarding the above to be forwarded to the Communications Manager.

Decision The Board approved the customer charter for publication on NMBI’s website.

Ms Lyons joined the meeting.

4.6 Crisis comms update

The Board noted the update report which had previously been circulated to members.

4.7 Data breach notification

The Board noted the six data breaches notifications which had occurred between the mid-March and mid-May 2020 and which had previously been circulated to members.

Mr Balfe, Dr Ryan, Ms Johnston and Mr O’Leary left the meeting. Ms Byrne remained in the meeting for consideration of item 3.

Item 3 – President’s update



3.1 President's report

The President provided a verbal update to the Board which included the following:

- The next governance meeting with the Department of Health had been provisionally scheduled for 27 May 2020.
- The President and the CEO had accepted an invitation to visit the Citywest step-down care facility on 18 May 2020.

3.2 Amendments to plain English guide

The Board considered the documents which had previously been circulated to members.

The Board noted that it had approved the first version of the plain English guide at its meeting on 17 December 2019. The staff associations were then asked to comment on this version. A new amended version, based on the comments received, was now being presented to the Board for approval.

Action Board members to email any additional comments to the Director of Regulation and Ms Coady.

Decision The Board approved the proposed amendments to the plain English guide.

Decision The Board further agreed that this amended version should be submitted to the National Adult Literacy Agency (NALA) for review. The Board agreed that following this review the document would be brought back to the Board for final consideration and approval.

Ms Cocoman and Dr Sahn left the meeting.

The President left the meeting. In the absence of the President the Vice President assumed the chair.

Mr Balfe, Dr Ryan, Ms Johnston and Mr O'Leary returned to the meeting for consideration of item 4.4.

Item 4 – CEO's update (continued)

4.4 Communications strategy 2020

Ms Lyons presented the communications strategy for 2020 which had previously been circulated to members.



Decision The Board approved the communications strategy for 2020.

Mr Balfe, Ms Byrne and Ms Johnston left the meeting. Ms Lyons, Mr O’Leary and Dr Ryan remained in the meeting.

Ms Manselli joined the meeting.

Item 5 – Project Nightingale

5.1 Update report

The Board noted the update report which had previously been circulated to members. The President advised the Board that a meeting of the Nightingale Steering Group had taken place on 19 May 2020 and that the group had been fully briefed by the CEO and Mr O’Leary.

5.2 External communications plan

The Board considered the external communications plan for Project Nightingale which had previously been circulated to members.

Decision The Board agreed that NMBI should move into the external communications phase for Project Nightingale as set out in the plan.

Mr O’Leary, Dr Ryan, Ms Lyons and Ms Manselli left the meeting.

Item 6 – Business, Strategy and Finance

6.1 Appointment of non-Board member to Midwives Committee

Decision The Board approved the appointment of Ms Clíodhna Grady to cover Ms Deirdre Walsh’s maternity leave. The Board noted that Ms Walsh’s term of office was due to expire on 12 February 2021.

6.2 Non-Board members to Board committees

The Board noted the briefing document which had previously been circulated to members.

Decision The Board agreed that the current competition to appoint non-Board members be collapsed, that the process be reviewed in light of the changing environment and that revised criteria for appointment be developed. The Board agreed that the revised process should first be brought through the chairs committee before being considered by the Board.



The President returned to the meeting and resumed the chair.

6.3 Amendment to standing orders

The Board considered the briefing document which had previously been circulated to members and which proposed amendments to the Board's standing orders to allow for the participation of Board members by video link to consider certain fitness to practise matters.

Decision The Board agreed to amend section 2.3 of the Board's standing orders to read as follows:

Participation by telephone/video link is not permitted when any fitness to practise matter is being considered. However, with the agreement of the President, participation by video link is permitted to consider the following matters:

- No prima facie recommendations of the Preliminary Proceedings Committee.
- Matters pursuant to section 55 of the Nurses and Midwives Act 2011 – Board consideration of the Board making a complaint to the Preliminary Proceedings Committee.
- Matters pursuant to section 57 (11) of the Nurses and Midwives Act 2011 – withdrawal of a complaint whilst being considered by the PPC.
- Matters pursuant to section 58 of the Nurses and Midwives Act 2011 – application to the High Court for immediate suspension of registration in order to protect the public.
- Matters pursuant to section 59 of the Nurses and Midwives Act 2011 – PPC recommendation of no further action or referral of the complaint to another body or authority or that complaint could be resolved by mediation.
- Matters pursuant to section 65 of the Nurses and Midwives Act 2011 – undertakings and/or consents.
- Matters pursuant to section 66 of the Nurses and Midwives Act 2011 – withdrawal of a complaint while it is being considered by the Fitness to Practise Committee.
- Reports to the Board (section 44/section 58/monitoring of conditions/High Court and Court of Appeal cases.
- Consideration of issues regarding publication of findings and sanction.

6.4 Update to Board procedures

The Board noted the briefing document and amended procedures which had previously been circulated to members.



The Board noted that, its meeting on 22 January 2020, the Board had agreed to amend its standing orders in relation to Board member attendance at Board meetings.

Decision The Board approved the proposed amendments to the procedures to reflect the wording of the revised standing orders, the wording of the Nurses and Midwives Act 2011, and to correct errors of referencing.

6.5 Policy for Board members to seek independent legal advice

The Board considered the draft policy which had previously been circulated to members.

Following discussion it was suggested that the policy should include a provision whereby the President of the Board must consult with the chairs of the Audit and Risk Committee and the Business, Strategy and Finance Committee before reaching a decision on whether independent legal advice should be procured.

Decision The Board approved the policy subject to the inclusion of the above provision.

6.6 Procedure for recording the concerns of Board members that cannot be resolved

The Board considered the draft procedure which had previously been circulated to members.

Decision The Board approved the procedure for recording the concerns of Board members that cannot be resolved.

Mr Balfe joined the meeting.

6.7 Revised business plan and budget 2020

The Board considered the revised business plan and budget for 2020 which had previously been circulated to members. The Board noted that it had approved a business plan and budget for 2020 at its meeting on 27 November 2019 and had submitted these to the Department of Health. However, NMBI had revised the business plan and accompanying budget in the context of the impact of the Covid-19 crisis on the organisation and the Department of Health had agreed that the revised versions should be submitted as NMBI's final business plan and budget for 2020.

Decision The Board approved the revised business plan and budget for 2020 and agreed that these should be submitted to the Department of Health.



Dr Lawler left the meeting.

6.8 Business continuity plan and IT disaster recovery plan

The Board considered the business continuity plan and IT disaster recovery plan which had previously been circulated to members.

Decision The Board approved the business continuity plan and IT disaster recovery plan.

6.9 Electronic assets usage policy

The Board considered the electronic assets usage policy which had previously been circulated to members.

Decision The Board approved the electronic assets usage policy.

Action A copy of the approved policy to be circulated to all Board and staff members.

6.10 ICT strategy

The Board considered the ICT strategy which had previously been circulated to members.

Decision The Board approved the ICT strategy.

6.11 Board election timeline

The Board noted the timeline for the election of three Board members which will take place later in the year.

6.12 Outcome of the written decisions taken by the Board on 14 April 2020

The Board noted the report on the decisions taken by the Board using the written procedure whereby the Board approved the following:

- Procedure for post-resignation/ post-retirement of a Board/committee member
- Revision to schedule of matters reserved for the Board
- Policy for in camera meetings of the Board
- Policy for attendance of members of the public at Board meetings
- Update to terms of reference: Governance and Finance Committee, Audit and Risk Committee.



6.13 Annual report from the chair of the Governance and Finance Committee

Decision The Board approved the annual report for 2019 from the chair of the Governance and Finance Committee which had previously been circulated to members.

6.14 Management accounts – March 2020

The Board noted the management accounts for March 2020 which had previously been circulated to members.

Item 7 – Audit and Risk

7.1 Annual report from the chair of the Audit and Risk Committee

Decision The Board approved the annual report for 2019 from the chair of the Audit and Risk Committee which had previously been circulated to members.

7.2 Risk register including Covid-19 risk register

The Board noted comments by Ms Lombard in relation to the recording of risks on the risk register.

The Board noted that the risk register would be considered in greater detail by the Audit and Risk Committee at its meeting on 9 June 2020. The Board also noted that it would consider the risk register in depth at its meeting in September 2020.

Action Ms Lombard to email her comments to the Audit and Risk Committee.

Decision The Board approved the risk register which had previously been circulated to members.

Mr Minihan left the meeting.

7.3 Internal audit reports

7.3.1 *Compliance with standards and requirements of nursing and midwifery education programmes*

The Board noted the report which had previously been circulated to members and which had previously been considered by the Audit and Risk Committee.



Action The Board considered the recommendations made by the internal auditors and agreed that the Education, Training and Standards Committee should review these on behalf of the Board.

7.3.2 *Cyber security audit*

The Board noted the report which had previously been circulated to members and which had previously been considered by the Audit and Risk Committee.

Mr Blake Knox left the meeting.

Item 8 – Professional Standards – Nursing

8.1 Hibernia and associated partners site visit report

Dr Ryan joined the meeting.

The Board considered the briefing document which had previously been circulated to members.

Decision The Board agreed that, pursuant to section 9(1) of S.I. No. 218/2018 - Nurses and Midwives (Education and Training) Rules 2018 and section 85 (2) (a) of the Nurses and Midwives Act 2011, the NMBI executive should proceed to consult with the Minister for Education and Skills around the programme proposal for Hibernia College and associated health care partners to provide approval subject to conditions attached to the approval of a three years and four month pre first time registration degree programme in nursing.

8.2 DCU Higher Diploma in Nursing (Children’s Nursing)

The Board considered the briefing document, which had previously been circulated to members, and which set out information in relation to the above post-registration programme.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board approved the above programme for five years or until the next site visit whichever would be earliest.

8.3 DKIT Certificate in Nursing/Midwifery Medicinal Product Prescribing

The Board considered the briefing document, which had previously been circulated to members, and which set out information in relation to the above post-registration programme.



Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board approved the above programme for five years or until the next site visit whichever would be earliest.

8.4 ITT Master of Science in Advanced Practice (Nursing)

Dr Kavanagh McBride declared a conflict of interest and left the meeting.

The Board considered the briefing document, which had previously been circulated to members, and which set out information in relation to the above post-registration programme.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board approved the above programme for five years or until the next site visit whichever would be earliest.

Dr Kavanagh McBride returned to the meeting.

Mr Murphy left the meeting.

Item 9 – Professional Standards - Midwifery

9.1 MSC Advanced Practice (Nursing/Midwifery) for Midwives Undertaking Advanced Midwifery Practice

Ms Johnston joined the meeting.

The Board considered the briefing document which had previously been circulated to members and which set out recommended amendments to the MSc Nursing (Advanced Practice) which was approved by NMBI in 2018. These amendments would allow the MSc Nursing (Advanced Practice) to be adapted to include components of theory and practice for midwifery. The MSc could then be renamed and offered to midwives to undertake the advanced practice route to develop their practice.

Following a lengthy decision by the Board and concerns raised by Board members, it was agreed not to proceed with consideration of approval of the programme at this time. The CEO agreed that the proposed conditions would be revised and an updated paper would be brought back to the Board for consideration at its next meeting.

Dr Ryan, Ms Johnston and Mr Murphy left the meeting.

Item 10 – Regulation



10.1 Data breach report

The Board noted the data breach report which had previously been circulated to members.

Item 11 – Any other business

There being no further matters for consideration the meeting ended at 14.30hrs.

Signed:

Essene Cassidy
President

Date:
