



Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in person in the Talbot Hotel and by video conference on Wednesday, 29 September 2021 starting at 14.00hrs. The meeting was preceded by a strategy session on the education function which took place from 9.00hrs to 13.00hrs.

**Members present in person:**

Ms E Cassidy, President of NMBI  
Dr L Kavanagh McBride, Vice President of NMBI  
Ms C Cocoman  
Ms M Vaughan  
Ms L Collins  
Ms A Horgan  
Ms S McArdle  
Ms A Lynch  
Prof C O'Herlihy  
Dr C McKenna

**Members attending by video:**

Ms AM Duffy  
Ms E Kelly  
Prof M Rigby  
Mr J Horan  
Mr D Murphy

**In attendance:**

Ms S McClelland, CEO  
Dr A de Búrca, Head of Operations  
Mr M Balfe, Director of Finance  
Mr C O'Leary, Director of Fitness to Practise  
Mr C Lawlor, Data Protection Officer  
Ms O Coady, Governance and Secretariat Manager

**Item 1 – Apologies and conflicts of interest**

- 1.1 Apologies were received from Dr C Sullivan, Ms M Gorman, Mr M Blake-Knox, Mr J Shalbin, Mr L Hamill and Dr D Lawler.
- 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. No conflicts were identified.



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

## **Item 2 – Board *in camera* session**

As the Board wished to continue its discussion in private, members of the executive left the meeting.

Members of the executive joined the meeting on conclusion of the *in camera* session.

## **Item 3 – Minutes and actions of previous meetings**

### **3.1.1 Minutes of the meeting of 15 July 2021**

The Board considered the minutes of the meeting of 15 July 2021 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of 15 July 2021.

### **3.1.2 Minutes of the meeting of 20 July 2021**

The Board considered the minutes of the meeting of 20 July 2021 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of the 20 July 2021.

### **3.1.3 Minutes of the meeting of 21 July 2021**

The Board considered the minutes of the meeting of 21 July 2021 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of the 21 July 2021.

### **3.1.4 Minutes of the meeting of 5 August 2021**

The Board considered the minutes of the meeting of 5 August 2021 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of the 5 August 2021.

### **3.1.5 Minutes of the meeting of 13 August 2021**

The Board considered the minutes of the meeting of 13 August 2021 which had previously been circulated to members.



**Decision** The Board approved the minutes of the meeting of the 13 August 2021.

### 3.2 Actions and matters arising from previous meetings

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

There were no matters arising which were not dealt with elsewhere on the agenda or in the minutes or action list.

## **Item 4 – President’s update**

### 4.1 Meetings and events

#### **Invitations to attend conferences**

The President advised that she had been invited to attend the Irish Association of Directors of Nursing and Midwifery (IADNAM) President’s dinner on 30 September 2021 and in-person conference the following day. The President had declined the invitation and had declined to send a representative from the Board due to the ongoing public health situation, but had asked if remote attendance at the conference would be possible. The President had also declined an invitation to attend in-person the Bon Secours Nursing and Quality Conference on 14 October 2021.

#### **Meetings with the Department of Health**

The next governance meeting with the Department of Health would be held remotely on 19 October 2021. The Chairs of the Audit and Risk Committee and the Business, Strategy and Finance Committee would attend with the President.

### 4.2 Resignation of Board members

As noted at the Board meeting on 28 September 2021, Board members Laura Sahm and Lorraine Clarke-Bishop had submitted their resignations from the Board. In line with paragraph 4 of the Schedule of the Nurses and Midwives Act 2011, these resignations became effective from ‘the meeting of the Board next held after receipt of the notice of resignation’ i.e. 28 September 2021. Both vacancies would be filled by casual vacancy. Nominations would be sought from relevant stakeholders and, following an agreed selection process and consultation with the Department of Health, appointed by the Minister for Health to the Board.

### 4.3 Election of Vice President

Pursuant to paragraph 13 of the Schedule of the Nurses and Midwives Act 2011:



*the Board shall, from time to time, elect one of its members who is a registered nurse or registered midwife to be President of the Board and another of its members who is a registered nurse or registered midwife to be Vice-President of the Board.*

Dr Kavanagh McBride's first term as Vice President ended on 5 December 2020 on the termination of her first term of office.

Expressions of interest were sought from eligible Board members wishing to be elected to the role but none had been received. Following consideration, Dr Kavanagh McBride agreed to present herself for re-election to the role, with the understanding that the term of office would be until the end of 2021/beginning of 2022 at which point expressions of interest would be sought again from members.

**Decision** The Board agreed to re-elect Dr Kavanagh McBride to the role of Vice President until the Board meeting on 26 January 2022.

**Action** Expressions of interest would be sought from eligible Board members at the end of 2021/beginning of 2022 with a view to an election being held at the Board meeting on 26 January 2022 and the successful candidate being appointed for a full term.

#### 4.4 Appointment of Chair of the Fitness to Practise Committee

Following the resignation of Ms Clarke-Bishop from the Board and, therefore from the Fitness to Practise Committee, nominations had been sought from Board members who were members of the Fitness to Practise Committee.

**Decision** The Board appointed Ms Eileen Kelly as Chair of the Fitness to Practise Committee until the end of her term of office on the Board on 5 December 2022.

#### 4.5 Appointment of non-Board member to the Preliminary Proceedings Committee (PPC)

On 30 July 2021, NMBI invited expressions of interest from registered nurses to fill any vacancies caused by the resignation/end of term of any registered nurses on the PPC within a six month period.

Twenty-seven applications had been received by the closing date on 30 August 2021 and six of these 27 were shortlisted by the Head of the PPC and the Chair of the PPC for interview.



Following these interviews, Colum Bracken was being recommended for appointment.

**Decision** The Board agreed to appoint Colum Bracken to the PPC for an initial term of office of three years to fill a vacancy caused the end of term/resignation of any registered nurse on the committee within the next six months i.e. to 31 March 2022.

#### 4.5 Re-appointment of non-Board member to the PPC

Lay member, James Doorley's term of office on the PPC was due to expire on 27 November 2021. Mr Doorley expressed an interest in remaining on the committee and the Head of PPC and the Chair of the PPC were recommending Mr Doorley for re-appointment.

**Decision** The Board agreed to re-appoint James Doorley, lay member, to the PPC for a final term of office of three years to 27 November 2024.

#### 4.6 Appointment of Board member to the FTPC

**Decision** The Board agreed to appoint Ms Cocoman, registrant Board member (psychiatric and general divisions), to the FTPC until the end of her term of office on the Board on 5 December 2022.

#### 4.7 Appointment of Board member to the Education, Training and Standards Committee

**Decision** The Board agreed to appoint Prof Rigby, lay Board member, to the Education, Training and Standards Committee until the end of his term of office on the Board on 5 December 2022.

#### 4.8 Meeting schedule 2022

**Decision** The Board approved the Board and committee meeting schedule for 2022 which had previously been circulated to members.

### Item 5 – CEO's update

#### 5.1 CEO report

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

The CEO drew the Board's attention to the following matters which were detailed in the report:



**Retirement and recruitment:** Changes to senior positions in the organisation.  
**Hibernia College:** Update of the approval of the college's first undergraduate general nursing registration programme.

**Action** The Director of Professional Standards and Policy would give a presentation to the Board in November on the approval process for Hibernia College which was new concept in programme delivery. Documents relating to the approval of the programme to be circulated to the Board in advance of the meeting for their information.

Dr de Búrca and Mr Lawlor joined the meeting.

## 5.2 Data breach notifications

The Board noted the three data breaches which had occurred between July and August 2021 and which had previously been circulated to members. Four data breaches were considered low risk.

## 5.3 Data retention policy and schedule

The Board considered the data retention policy and schedule which had previously been circulated to members. The Board noted that the policy and schedule had been considered by the Business Strategy and Finance Committee which had agreed to recommend approval subject to confirmation by the Data Protection Officer that the default retention periods were consistent with the core principles of the General Data Protection Regulation (GDPR). The Board noted that the Head of Operations had reviewed the policy and schedule and was also happy to recommend their approval.

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the data retention policy and schedule.

## 5.4 Data Protection Impact Assessment (DPIA) policy and templates

The Board considered the draft DPIA policy and templates which had previously been circulated to members. The Board noted that the policy and templates had been considered by the Business, Strategy and Finance Committee, which was recommending them for approval. The Board noted that the Head of Operations had reviewed the policy and templates and was also happy to recommend their approval.

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the DPIA policy and templates.



#### 5.5 Data protection training

Mr Lawlor advised the Board that all NMBI staff were required to successfully complete modules in various areas relating to data protection. The modules were provided online with employees being allowed to complete them in their own time before a certain date. Completion was tracked and a report presented to the senior management team once each module had closed.

Mr Lawlor left the meeting.

### **Item 6 – Business, Strategy and Finance**

Mr Balfe joined the meeting.

Prof Rigby joined the meeting during consideration of this item.

#### 6.1 Management accounts – July 2021

The Board considered the management accounts for July 2021 which had previously been circulated to members.

**Decision** The Board agreed to accept the recommendation of the Business, Strategy and Finance Committee and approved the management accounts for July 2021.

#### 6.2 Procurement procedures and policy

The Board considered the briefing paper, draft procedures and policy document which had previously been circulated to members. The Board noted that the procedures and policy had been reviewed in February 2020 and sections had been updated at this time. The policy section was included in the 2021 Procurement Plan as a summary, and was approved by the Board in December 2020. However, the full document was not presented to the Board for approval at that time. The current version had been updated to include reference to the electronic opening of tenders and had been considered by the Business, Strategy and Finance Committee at its last meeting. The committee had suggested some amendments which had now been included.

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the procurement policy and procedures.

#### 6.3 Education assessors

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



**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and awarded the contracts to Anne O’Sullivan, Christian Huet, Loretta Crowley and Trish O’Hara for an initial duration of three years, and the option to extend twice with 12-month extensions.

#### 6.4 Legal services contract extension

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

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and agreed to extend the contract with Beauchamps Solicitors.

### **Item 7 – Audit and Risk**

#### 7.1 Risk Register

The Board considered the briefing note and Corporate Risk Register which had previously been circulated to members. The Board noted that the Risk Register had been considered by the Audit Committee at its meeting on 7 September 2021 and was recommended for approval by the committee.

**Decision** Following consideration of the matter, the Board accepted the recommendation of the Audit and Risk Committee and approved the Corporate Risk Register subject to the risk in relation to *Information and Data Protection Management* being retained at 12 and not de-escalated to 8.

#### 7.2 Internal audit report: High level review of defined general data protection regulation (GDPR) articles

The Board noted the report on the high level review of defined GDPR articles which had previously been circulated to members. The report had been considered and approved by the Audit and Risk Committee and was submitted to the Board for noting.

The Board noted that the review called for data protection/GDPR to be a standing item on the Audit and Risk Committee’s agenda.

#### 7.3 Internal audit report: Business planning, budgeting and cost control review

The Board noted the report on business planning, budgeting and cost control which had previously been circulated to members. The report had been considered and approved by the Audit and Risk Committee and was submitted to the Board for noting.





#### 7.4 New risk management system

Dr de Búrca gave the Board a brief demonstration of the risk management software and advised that it would be fully in place by the end of the year.

Dr de Búrca and Mr Balfe left the meeting.

### **Item 8 – MyNMBI**

The Board noted the status update report which had previously been circulated to members. The Board noted that a detailed presentation of the report had been given to the committee chairs at its meeting on 27 September 2021.

### **Item 9 – Professional Standards (Nursing)**

#### 9.1 TCD: Postgrad Dip in Cognitive Behavioural Psychotherapy

The Board considered the briefing document which had previously been circulated to members. The Board noted that the programme had been previously approved by the Board in 2015 and was now being submitted for continued approval. Approval of the programme was being recommended by the Education, Training and Standards Committee.

**Decision** In accordance with section 85(2) of the Nurses and Midwives Act 2011, the Board agreed to the re-approval with conditions of the Postgraduate Diploma in Cognitive Behavioural Psychotherapy (TCD) for a period of five years.

#### 9.2 TCD: Master of Science in Cognitive Behavioural Psychotherapy

The Board considered the briefing document which had previously been circulated to members. The Board noted that the programme had been previously approved by the Board in 2015 and was now being submitted for continued approval. Approval of the programme was being recommended by the Education, Training and Standards Committee.

**Decision** In accordance with section 85(2) of the Nurses and Midwives Act 2011, the Board agreed to the re-approval with conditions of the Master of Science in Cognitive Behavioural Psychotherapy (TCD) for a period of five years.

#### 9.3 RCSI: MSc in Nursing (Advanced Leadership), Postgrad Dip in Nursing (Advanced Leadership), Postgrad Cert in Nursing (Advanced Leadership)

The Board considered the briefing document which had previously been circulated to members. Approval of the programme was being recommended by the Education, Training and Standards Committee.



In accordance with section 85(2) of the Nurses and Midwives Act 2011, the Board agreed to the approval with conditions of the Master of Science in Nursing (Advanced Leadership), Postgraduate Diploma in Nursing (Advanced Leadership), Postgraduate Certificate in Nursing (Advanced Leadership) (RCSI) for a period of one academic year.

9.4 Hibernia College approval process

The Board noted that, as noted under item 5.1, a presentation on the process would be given to the Board at its meeting in November.

9.5 Mature testing project

The CEO advised that she would provide a briefing note to the Board on the status of the contract with the providers at a later date.

**Item 10 – Professional Standards (Midwifery)**

10.1 RNT/RMT transfer

The Board noted the report which set out the arrangements for suitable registrants to transfer from the Registered Nurse Tutors (RNT) division of the Register to the Registered Midwife Tutors (RMT) division of the Register if they so wished.

**Item 11 – Fitness to practise**

Mr O’Leary joined the meeting.

11.1 PPC procedures

The Board noted the draft revised procedures for the PPC to accommodate new legislative provisions in the Nurses and Midwives Act which were commenced on 1 August 2021.

The Board noted that a strategy session on FTP would take place at its November meeting and the procedures would be considered in more detail at this time.

11.2 Monitoring of conditions and undertakings

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

11.3 Section 44 orders/undertakings



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

11.4 Section 58 orders/undertakings

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

**Item 12 – Any other business**

12.1 Resignation of staff members

The Board noted that Dr Aoibhín de Búrca and Ms Jane McEvoy were leaving the organisation within the next weeks and asked the CEO to convey their thanks to Dr de Búrca and Ms McEvoy for their contributions to the Board and to wish them well in their future endeavours.

There being no further matters for consideration the meeting ended at 15.40hrs.

Signed:

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**Essene Cassidy**  
**President**

Date:

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