



Minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in 18/20 Carysfort Avenue, Blackrock, Co Dublin, on Tuesday and Wednesday, 11-12 July 2017.

**Day 1: Tuesday, 11 July 2017 starting at 9.00hrs.**

**Members Present:**

Ms E Cassidy, President  
Mr J Murray, Vice President  
Ms M Barrett  
Ms B Liston  
Mr D Manning  
Ms M Monahan  
Mr M Higgins  
Dr D Lawler  
Mr K McGrane

Mr L Minihan  
Prof E Breatnach  
Ms T King  
Mr P Dolan  
Ms S Cleary  
Ms K Canning  
Mr D Murphy  
Dr L Kavanagh McBride  
Dr K O'Carroll

**In attendance:**

Ms M Griffin, Chief Executive Officer  
Ms U Byrne, Director of Regulation  
Ms J Foley, Acting Director of Education (from item 5)  
Ms D Johnston, Director of Midwifery (items 6-7 and 13)  
Mr V Teo, Crowleys DFK (item 10.6)  
Ms L Manselli, Crafting Vistas (item 13)  
Ms V O'Rourke, Fitness to Practice Department  
Ms O Coady, Minute taker

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

- 1.1 Apologies were received from Ms L Clarke-Bishop, Mr N Giblin, Mr M Blake-Knox and Dr R McElvaney.
- 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 new Board member, Ms T King, to the Board. Ms King replaced Ms D Johnston as a ministerial nominee representing Directors of Nursing and/or Directors of Midwifery.

## Item 2 – Board private session

As the Board wished to continue its discussion in private the CEO, Ms U Byrne and Ms O'Rourke left the meeting.

Prof Breatnach and Dr Kavanagh McBride joined the meeting during the private session.

The CEO was invited back in to the meeting during the private session.

On conclusion of the private session Ms U Byrne and Ms O'Rourke returned to the meeting.

## Item 3 – Minutes and matters arising

### 3.1 Minutes of meeting of 23-24 May 2017

**Decision** The Board approved the minutes of 23-24 May 2017 subject to an amendment to the minutes of 24 May 2017 to distinguish between Mr D Murphy and Mr S Murphy.

## Item 4 – President's update

4.1 The Board noted the President's update report which had previously been circulated to members.

The President drew the Board's attention to an article on the HPV vaccine which was contained in the 'President's update' folder. The President advised that this would be discussed by the National Immunisation Advisory Committee (NIAC) on which she represented NMBI.

The Board noted correspondence from Mr O Reilly to the President requesting that she discuss with the relevant Board members if they wished to seek reappointment to vacancies under the PAS process. The Board also noted the President's response identifying that the following Board members who had expressed an interest in being reappointed once their term of office expired:

- Mr D Murphy
- Ms M Monahan
- Mr M Blake-Knox.

The President advised that she had received an email of acknowledgement from Mr O'Reilly and an additional request to discuss with Board members not appointed through the PAS process if they wished to be considered for

reappointment. The President had discussed this request with both of these Board members and had issued a response to Mr O Reilly that Dr Lawler had expressed an interest in being reappointed when her term expired in December 2017. However Dr O'Carroll had advised the President that he would not seek reappointment on the expiration of his term of office in December 2017.

Ms Foley joined the meeting.

## **Item 5 – CEO report**

### **5.1 CEO report**

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

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

- Phased payments: The Board noted that only 14 registrants had chosen this option so far. The Board suggested publicising the phased payment option more prominently in the ezine and on the website. The CEO agreed that this would be done in September once there was greater sense of the resource implications of the option.
- Board election to be held in September.
- Staffing numbers.
- Project office.

### **5.2 Media monitoring**

The Board noted the Oireachtas monitoring report and recent media articles.

### **5.3 Correspondence**

The Board noted the letter from Mr L O'Reilly, Department of Health, which had previously been circulated to members, regarding funding of registration managed services.

The CEO advised the Board that she had requested quotations from three suppliers for a Director of Corporate Services Support to assist the organisation for two months until the recruitment of a Director of Corporate Services had been finalised. Mr Marcus Balfe had been successful and had taken up the role.

Mr Vincent Teo, Crowleys DFK, would assist the CEO and Ms Eleanor Horan,

Finance Manager, in the preparation of the management accounts.

The CEO shared with the Board an email from Mr Martin Whelan, Director of UTS, a health professional recruitment agency, expressing his appreciation at the positive developments in the processing of registrations.

Ms D Johnston joined the meeting.

## Item 6 - Education

### 6.1 Education and Training Committee update

Dr Kavanagh McBride advised the Board that the committee had not met since the last Board meeting. The next meeting was scheduled to take place in September 2017.

### 6.2 Standards and Committee update

Dr Kavanagh McBride, chair of the Standards and Validation Committee, advised the Board that the committee had not met since the last Board meeting. There was no meeting scheduled before the next Board meeting.

### 6.3 Ethics Committee update

Ms Johnston advised the Board that so far there had been no response to the tender seeking an external expert to redraft the *Medicines Management Standards for Nurses and Midwives* document.

Ms Cleary, chair of the Ethics Committee, advised the Board that the committee had not met since the last Board meeting. A meeting was scheduled to take place on 12 September 2017 before the next Board meeting.

**Action** Ms Johnston, Ms Cleary and the CEO to discuss the next steps to be taken in relation to the draft document, *Medicines Management Standards for Nurses and Midwives* and to bring a proposal to the Board at its meeting in September.

### 6.4 Draft Nurses and Midwives (Advanced Practice) Rules

The Board considered the briefing note and the draft Rules which had previously been circulated to members.

**Decision** The Board approved the draft Rules for public consultation.

**Action** The report on the public consultation to be brought to the Board in September.

## 6.5 Education Directorate report

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

Ms Foley drew the Board's attention to the new staff who had been appointed as project officers and who would take up their positions over the following weeks.

## Item 7 – Midwifery

### 7.1 Midwifery Committee update

Ms Cleary, chair of the Midwives Committee, updated the Board on the International Confederation of Midwives (ICM) Congress in Toronto which she had attended with Ms Byrne and Ms Johnston.

**Action** Ms Cleary to forward copies of the presentations to be uploaded to the 'Board Reference Material' folder.

The President updated the Board on the International Council of Nurses (ICN) Congress in Barcelona which she had attended with the CEO and Ms Foley.

**Action** Short reports to be prepared for the Board on both events by the attendees and by attendees following attendance at all further conferences.

### 7.2 Midwifery Directorate report

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

Ms Monahan, Ms Foley and Ms Johnston left the meeting.

## Item 8 - Registration

### 8.1 Registration Committee update

Dr O'Carroll, chair of the Registration Committee, advised the Board that the committee had not met since the last Board meeting.

### 8.2 Registration Directorate report

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

## Item 9 – Regulation

### 9.1 Fitness to Practise Committee (1985) update

The Board considered the committee report which had previously been circulated to members. Ms U Byrne updated the Board on the work of the committee to date.

### 9.2 Fitness to Practise Committee (2011) update

The Board considered the committee report which had previously been circulated to members. Ms Barrett, vice chair of the Fitness to Practise Committee, updated the Board on the work of the committee to date.

Following the recent call for expressions of interest in membership of the Fitness to Practise Committee a number of candidates had been shortlisted and interviewed. As a result of these interviews Ms Barrett requested the Board to appoint the following to the Fitness to Practise Committee:

- Eileen Flynn
- Emma Prendergast
- Milo Walsh

**Decision** The Board agreed to appoint Eileen Flynn, Emma Prendergast and Milo Walsh to the Fitness to Practise Committee.

### 9.3 Preliminary Proceedings Committee update

The Board considered the committee report which had previously been circulated to members. Ms Cleary, chair of the Preliminary Proceedings Committee, advised the Board that the last scheduled meeting of the committee had not taken place due to lack of a quorum. A meeting was scheduled to take place on 26 July 2017.

### 9.4 Health Committee update

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

**Action** A meeting of the working group would take place in advance of the September Board meeting and a document would be brought to the Board for its consideration at the September meeting.

## 9.5 Fitness to Practise Directorate report

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

Ms Byrne reminded Board members to get back to her directly by email before 31 August 2017 with their comments on the draft *Guidance on Sanctions* document which had been circulated to members earlier that month. A draft document on writing conditions would be circulated to Board members for their comments before the end of July.

## Item 10 – Governance and Finance

### Governance and Finance Committee update

The chair of the Governance and Finance Committee, Mr McGrane, updated the Board on the meetings of the Governance and Finance Committee which had taken place on 26 June 2017 and 6 July 2017.

#### 10.1 *Procurement*

The Board noted the procurement report which had previously been circulated to members. The Board was advised that Mr McGrane would assist the CEO in evaluating the tender responses for PR/communication services.

### **Further consideration of procurement matters took place after item 13.**

#### 10.2 *General Data Protection Regulations (GDPR)*

**Decision** The Board agreed to accept the recommendation of the Governance and Finance Committee that a third party be engaged to review current data protection procedures to identify any risks within the organisation with a view to implementing and ensuring compliance with GDPR.

#### 10.3 *HR services*

The Board noted the HR tender evaluation report which had previously been circulated to members. The Board was advised that Talbot Pierce had been successful and had commenced work with NMBI.

#### 10.4 *Professional competence scheme*

The Board noted the project approach document which had previously been circulated to members. The project officer, Bernie Carpenter, had been appointed and had commenced work in NMBI on 3 July 2017.

#### 10.5 *Travel – CLEAR conference*

The Board considered the briefing document which had previously been

circulated to members.

**Decision** The Board agreed to accept the recommendation of the Governance and Finance Committee and to approve travel to the CLEAR conference in Denver by the President, the CEO and one other NMBI staff member by economy class or premium economy class if the cost of the latter was similar to that of standard economy.

Ms King left the meeting.

Ms Monahan returned to the meeting.

10.6 *Management accounts – May 2017*

Mr V Teo joined the meeting and presented the May 2017 management accounts which had previously been circulated to members.

**Action** Mr Teo to work with the CEO and members of the Governance and Finance Committee in preparing a more detailed document for the Board which would contextualise the data presented in the management accounts.

10.7 *Capital works for building*

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

**Decision** The Board agreed to accept the recommendation of the Governance and Finance Committee and to approve expenditure to repair and re-felt the roof and to replace the boilers.

In the absence of a Director of Corporate Services, Ms Byrne was managing facilities. She advised that a contractor had been appointed, subject to approval by the Board for the works, and the work could start the week commencing 31 July 2017.

10.8 *Professional Certificate in Corporate Governance*

The Board had agreed at its meeting on 23-24 May 2017 that a number of Board members would be funded to undertake the above course at the Institute of Public Administration (IPA).

The CEO advised that the IPA had agreed a rate of €1950 per student.

**Decision** The Board agreed to accept the recommendation of the Governance and Finance Committee that a maximum of three Board members per year would be sponsored by NMBI to undertake the course. A learning contract would be developed by the executive and forwarded to interested Board members.



Expressions of interest to be submitted to Ms O Coady by 31 July 2017. All applications would be considered by the Governance and Finance Committee.

**Action** Dr Kavanagh McBride agreed to forward a sample learning contract to the CEO.

10.9 *Independent review of committee arrangements*

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

**Decision** The Board agreed to accept the recommendations of the Governance and Finance Committee in relation to the report:

1. Review terms of reference of the Audit and Risk Committee and the Governance and Finance Committee to create absolute distinct clarity of roles and address any overlap.
2. Disband the Committee for Appointment of Non-Board Members.
3. The ICT Steering Group should not be considered a committee of the Board but a steering group; it should report to the Governance and Finance Committee
4. The Staff-Board Liaison Committee to be discontinued in its present form and to continue as a forum, not a committee, for staff members only. Board members who sat on the forum should withdraw.
5. The Standards and Validation Committee to be disbanded and its functions subsumed into the Education and Training Committee.
6. The Ethics Committee to be disbanded and its functions subsumed into the Education and Training Committee.

**Action** The terms of reference of all committees to be reviewed. Ms Cleary and Dr Lawler to meet with the Director of Midwifery, Ms Johnston, to discuss the terms of reference of the Midwives Committee.

**Decision** The Board agreed to accept the recommendation of the Governance and Finance Committee that the IPA be engaged to review the terms of reference of all committees.

**Action** Revised terms of reference to be placed on the agenda for the September Board meeting. The recommendations would come into effect by the end of 2017 once the terms of reference had been revised and committee members put on notice of the changes.

**Decision** Committee size:

7. *Audit and Risk Committee:* The Board did not accept the recommendation of the Governance and Finance Committee and instead agreed that the Audit and Finance should have five members comprising three Board members and

two non-Board members.

8. *Governance and Finance Committee*: Seven Board members.
9. *Midwives Committee*: Eight members as per the requirements of s24(3) of the Nurses and Midwives Act 2011
10. *Education and Training Committee*: JF to review committee structure and bring a proposal to the Governance and Finance Committee.
11. *Registration Committee*: Nine members to include at least five Board members.

It was noted that the Fitness to Practise Committees (1985 and 2011) were excluded from the recommendations.

Ms Byrne pointed out that there were errors in relation to the Fitness to Practise Committees in the report.

**Action** Ms Byrne to correct the inaccuracies in the report in relation to the Fitness to Practise Committees.

The Board discussed the length of terms of office for non-Board members on committees.

The President suggested that for new Board members the term of office should be for an initial period of three years with the possibility to extend this to five years in total.

All currently sitting committee members whose term of office was going to expire in December 2017 would be contacted and asked if they would consider extending their term of office. If so, they would be required to express their interest in writing for consideration by the chair of the committee in the first instance and then by the Board.

**10.10** *Car parking*

The Board was advised that NMBI's insurance does not cover a third party moving Board members' cars.

**Decision** The Board agreed to accept the recommendation of the Governance and Finance Committee that in the future Board members park off-site and claim back parking expenses through iDocs.

**Item 11 – Audit and Risk**

Audit and Risk Committee update

Mr Higgins, chair of the Audit and Risk Committee, advised the Board that the

committee had not met since the last Board meeting.

**Consideration of item 11 (FTP internal audit report) was deferred.**

**Consideration of item 12 (PSA report) was deferred.**

Ms D Johnston joined the meeting.

### **Item 13 – Performance reporting**

Ms L Manselli joined the meeting and updated the Board on progress against the Statement of Strategy. The Board noted two reports entitled *NMBI Reporting on Performance and Delivery of the Statement of Strategy* and *Statement of Strategy Update July 2017*.

**Decision** The Board agreed that *Statement of Strategy Update July 2017* would be published on NMBI's website and submitted to the Department of Health following some minor amendments to the document.

Ms Manselli left the meeting.

#### **10.1 Procurement continued**

The CEO presented a verbal update to the Board on the procurement process for an IT project manager.

**Decision** The Board agreed to award the contract to Ronan Foley, Clarion Consulting.

### **Item 14 – Any other business**

#### **14.1 CAO places**

Dr Kavanagh McBride requested that NMBI contact the Department of Health to advise that if the DOH is considering increasing the number of nursing places on offer through the CAO NMBI must be informed of this in a timely manner. This is to insure that the correct information is included in NMBI's booklet for students, *Nursing and Midwifery: A Career for You*.

#### **14.2 Values Initiative**

The Vice President advised that recent road shows had been held at LauraLynn Children's Hospice, Cappagh Hospital and St John of God Hospital. Over 1000 registrants had attended the road shows to date.

There being no further matters for consideration the meeting concluded at 17.30hrs.

**Day 2: Wednesday, 12 July 2017 starting at 9.00hrs.**

**Members Present:**

Mr J Murray, Vice President  
Mr L Minihan  
Mr M Higgins  
Ms S Cleary  
Mr K McGrane  
Dr D Lawler  
Dr L Kavanagh McBride

Ms K Canning  
Ms B Liston  
Mr P Dolan  
Mr D Manning  
Ms M Monahan  
Dr K O'Carroll

**In attendance:**

Ms U Byrne, Director of Regulation  
Ms V O'Rourke, Fitness to Practice Department  
Ms O Coady, Minute taker

In the absence of the President, Ms E Cassidy, the Vice President assumed the chair.

Apologies were received from Ms M Barrett, Mr M Blake-Knox, Prof E Breatnach, Ms E Cassidy, Ms L Clarke-Bishop, Mr N Giblin, Ms T King, Dr R McElvaney and Mr D Murphy.

**Fitness to Practise Matters**

The Board considered the following:

- One application pursuant to Section 58 of the Nurses and Midwives Act 2011.
- One application pursuant to Section 55(6) of the Nurses and Midwives Act 2011.
- One application pursuant to Section 57(11) of the Nurses and Midwives Act 2011.
- Six reports of the Fitness to Practise Committee under the Nurses and Midwives Act 2011.
- Nine no prima facie decisions of the Preliminary Proceedings Committee.
- Reports relating to the following:
  - Monitoring of conditions.
  - Section 44 orders/undertakings.
  - Section 58 orders/undertakings.



- High Court and Supreme Court Cases.

There being no other matters for consideration the meeting ended at 18.10hrs.

**Signed:** \_\_\_\_\_

**Essene Cassidy**  
**President**

**Date:** \_\_\_\_\_