



Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in 18/20 Carysfort Avenue, Blackrock, Co Dublin, on Tuesday, 13 February 2018 starting at 10.00hrs.

### **Members Present:**

Ms E Cassidy, President  
Mr L Hamill  
Ms C Cocoman  
Ms B Liston  
Mr D Manning  
Dr D Lawler  
Ms M Gorman  
Ms E Kelly

Mr L Minihan  
Mr M Blake-Knox  
Dr K O'Carroll  
Ms K Canning  
Mr D Murphy  
Mr Higgins  
Dr R McElvaney

### **In attendance:**

Ms J Foley, Director of Professional Standards - Nursing  
Ms U Byrne, Director of Regulation (items 6 and 12-15)  
Ms D Johnston, Director of Midwifery (items 3-9)  
Ms L Crimin, Director of Registration (items 10-11)  
Mr E Evans, Beauchamps Solicitors (items 12-14)  
Ms A de Burca, Communications Manager (items 3-11)  
Ms V O'Rourke, Fitness to Practice Department  
Ms O Coady, Board Secretary

## **General Board business**

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

- 1.1 Apologies were received from Dr Louise Kavanagh McBride, Mr K McGrane, Ms T King, Mr P Dolan and Ms L Clarke-Bishop.
- 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 advised the Board that in the absence of Ms M Griffin, Interim CEO, who was on annual leave, Ms Foley would deputise as CEO.

The President further advised that as Dr O'Carroll's tenure of office on the Board

would end on 15 February 2018, this would be his last Board meeting. On behalf of the Board the President thanked Dr O’Carroll for his five years’ service.

## **Item 2 – Board private session**

As the Board wished to continue its discussion in private Ms Foley, Ms O’Rourke and Ms de Burca left the meeting.

On conclusion of the private session Ms Foley, Ms O’Rourke and Ms de Burca returned to the meeting.

Ms Johnston joined the meeting.

## **Item 3 – Minutes of the meeting of 23-24 January 2018**

**Decision** The Board approved the minutes of 23-24 January 2018.

## **Item 4 – Matters arising from minutes of previous Board meetings**

### **4.1 Wording of reports**

Dr McElvaney had communicated her concerns to the Director of Regulation regarding the wording in fitness to practise reports in relation to mental health issues and would provide an update to the Board at its meeting in March.

### **4.2 Section 55(1)**

Mr Minihan queried whether a detailed rationale should be recorded in the minutes when the Board decided to become the complainant pursuant to Section 55 (1). Ms O’Rourke confirmed that this was not necessary.

### **4.3 Item 6.3 – legal advice**

The Board noted that the advice given was in the context of a specific inquiry and that some Board members had declared a conflict of interest in relation to this inquiry. However, the Board agreed that when the inquiry had concluded the general principles of the advice would be shared with all Board members for learning purposes.

## **Item 5 – Committees – appointment of non-Board members**

### **5.1 Midwives Committee**

**Decision** The Board agreed to re-appoint Deirdre Walsh to the Midwives Committee pursuant to Section 24(3)(i) of the Nurses and Midwives Act 2011 for a final term of office of three years.

### **5.2 Registration Committee**

**Decision** The Board agreed to re-appoint Cathriona Molloy to the Registration Committee pursuant to Section 24(6) of the Nurses and Midwives Act 2011 for a final term of office of three years.

### 5.3 Education, Training and Standards Committee

**Decision** The Board agreed to appoint the following to the Education, Training and Standards Committee pursuant to Section 24(6) of the Nurses and Midwives Act 2011:

- JP Nolan
- Aisling Culhane
- Elizabeth Adams

The Board noted that Mr Nolan and Ms Culhane had previously been members of the Standards and Validation Committee.

## **Item 6 – Preliminary Proceedings Committee (PPC) terms of reference**

6.1 Ms Byrne joined the meeting.

The Board considered, at the request of the chair of the PPC, Mr Murphy, section 6.6 of the terms of reference which stated that: “In exception circumstances, and with the prior approval of the Chairperson, members may attend a meeting by way of teleconference.”

Mr Murphy and Ms Liston, who was also a member of the PPC, expressed their concerns at the inclusion of this section.

**Decision** Following discussion of the matter, the Board agreed that section 6.6 would remain and that PPC would develop procedures for attendance at meetings of the PPC by teleconference. Once these procedures had been approved by the PPC, they would be brought to the Board for noting only. Attendance by teleconference would be reviewed when the terms of reference were next reviewed.

Ms Byrne left the meeting.

**Item 7 was considered after item 8.**

## **Item 8 – Midwifery**

8.1 Logo for the celebration of 100 years of midwifery regulation

**Decision** The Board approved the logo which had previously been circulated to members.

## 8.2 Advanced Practice (Midwifery) Standards and Requirements

The Board considered the draft standards and requirements document which had previously been circulated to members.

**Decision** The Board approved the draft Advanced Practice Standards and Requirements document. The document to be proof read and brought back to the chair of the Midwives Committee once proofed for final approval.

Ms Johnston left the meeting.

### **Item 7 – Actions from Board reflection session**

The Board noted the list of proposed actions which had previously been circulated to members.

### **Item 9 – Monitoring the maintenance of professional competence (MMPC)**

**Decision** The Board approved the appointments of Margaret Carroll (midwifery) and Deirdre McNeill (Mental Health Nurse Managers) to the MMPC steering group. An IADNAM nominee would be brought to the March meeting for approval.

Ms Foley advised the Board that monthly meetings of the steering group would take place.

**Items 10 and 11 were considered after item 15.**

### **Item 15 – Any other business**

Ms de Burca advised the Board that NMBI had been alerted to a data breach on 25 January 2018. Ms de Burca, in her role as Data Protection Officer, had informed the Office of the Data Protection Commissioner. The Data Breach Notification Form (5/18/189), which outlined details of the breach, was circulated to the Board.

Ms de Burca also circulated to the Board an email from Lorraine Ormond, Compliance Officer stating that the matter had concluded with the Office of the Data Protection Commissioner on the basis of the action taken by NMBI in relation to retrieving the data in question.

**Action** An update on the data breach to be given to the Board at its meeting on 27-28 March 2018.

Ms de Burca left the meeting.

Ms Crimin joined the meeting.

#### **Item 10 – English language requirements**

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

**Decision** The Board approved the proposed policy amendments to the NMBI English language requirements for registration. NMBI could now request confirmation of a person’s English language competency as part of the registration process. This would apply to all applicants for registration from outside the State. A number of methods would be offered to all Directive and non-Directive applicants by which they could demonstrate that they met NMBI English language requirements for registration.

#### **Item 11 – Education and training rules for public consultation**

The Board considered the draft rules and the briefing document which had previously been circulated to members. The briefing document set out a proposed publication and consultation process to be followed.

**Decision** The Board approved the publication and consultation of new draft education and training rules as set out in the briefing document and in accordance with Section 13(4) of the Nurses and Midwives Act 2011. The consultation would take place for four weeks from 16 February 2018.

Ms Crimin left the meeting.

Ms Byrne joined the meeting.

#### **Fitness to practise matters**

The Board considered the following:

- One application pursuant to Section 79 of the Nurses and Midwives Act 2011.
- One report of the Fitness to Practise Committee under the Nurses and Midwives Act 2011.
- One application pursuant to Section 58 of the Nurses and Midwives Act 2011.

There being no further matters for consideration the meeting concluded at 16.55



hrs.

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

**Essene Cassidy**  
**President**

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