



Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in The Sandymount Hotel, Dublin 4 on Monday, 17 December 2018 starting at 10.00hrs.

### **Members Present:**

|                         |                  |
|-------------------------|------------------|
| Ms E Cassidy, President | Mr L Minihan     |
| Ms A Horgan             | Mr M Blake-Knox  |
| Ms B Liston             | Mrs T King       |
| Ms M Gorman             | Mr P Dolan       |
| Dr L Sahm               | Mr L Hamill      |
| Ms K Canning            | Dr D Lawler      |
| Ms Elaine Cassidy       | Prof C O'Herlihy |
| Mr M Higgins            | Ms K Lombard     |
| Mr D Manning            |                  |

### **In attendance:**

Ms D Johnston, Interim CEO and Director of Midwifery  
Ms L Crimin, Director of Registration (item 2)  
Dr A de Búrca, Communications Manager (item 3)  
Ms U Byrne, Director of Regulation (item 5)  
Mr M Balfe, Director of Corporate Services and Finance (item 6)  
Mr V Teo, Crowleys DFK (item 6)  
Mr D Chawke, Crowleys DFK (item 6)  
Ms O Coady, Governance and Secretariat Manager

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

- 1.1 Apologies were received from Mr D Murphy, Mr K McGrane, Dr L Kavanagh McBride, Ms E Kelly, Ms C Cocoman 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. No interests were declared.

### **Item 2 – Project Nightingale progress report**

Ms Crimin joined the meeting.

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

Following approval by the Board on 28 November 2018, the contract with Open Sky Data was signed with an effective date of 30 November 2018. On 6 December 2018 a meeting between Open Sky Data and NMBI representatives took place.

Work on the project charter was ongoing and would be completed by mid-January 2019. The project charter would include a risk register, detailed milestone schedule and work breakdown structure. Ms Crimin advised that she would be in a position to share this with the Board at the January meeting.

Ms Crimin also advised the Board that the design and build of the Nightingale system by Open Sky Data Systems was but one part of Project Nightingale and that other important workstreams included internal and external communications and change management and organisational readiness.

Ms Crimin advised the Board that she was in the process of designing the governance framework for the project as a whole to include the following at a minimum:

- An in-house project team would be set up. Weekly meetings of this team would take place.
- A Project Steering Group would be set up comprising members of the SMT, Project Manager, Reform Programme Manager and representatives from Open Sky Data as required.
- Ms Crimin would continue to give regular updates to the Board and the Department of Health.

Ms Crimin advised that she would also present the final project governance framework to the Board at the January meeting.

It was noted that a significant amount of work would be involved departmentally, especially in the Registration and Education Departments. Ms Lombard suggested that the dates for each project milestone should be included in subsequent briefing documents to the Board together with an indication of progress against the timeline. Ms Johnston assured the Board that both GDPR and Project Nightingale were on the work plans for each department.

Ms Crimin left the meeting.

### **Item 3 – Customer action plan**

Dr de Búrca joined the meeting.

The Board considered the draft customer action plan which had previously been circulated to members.

The Board discussed the response rate from registrants and expressed concerns that the expected 10% response rate was too low. The Board considered ways of increasing the response rate but agreed to keep 10% as the expected minimum.

**Decision** The Board accepted the recommendation of the Governance and Finance Committee and approved the customer action plan and the associated budget.

**Action** Dr de Búrca would present the customer action plan with members of the senior management team at the next SMT meeting.

#### **Item 4 – Data breach notifications**

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

The Board expressed concern that similar types of data breaches were being reported at each Board meeting and discussed how these could be reduced. It was suggested that the autofill option be removed from emails. Dr de Búrca advised that she would continue to provide workshops to staff in relation to data protection.

Ms Cassidy said that the number of breaches reported was in line with similarly sized organisations. The Board agreed that despite their concerns it was important that the breaches were now being reported.

**Items 5-8 were continued after item 9.**

#### **Item 9 – Any other business**

##### **9.1 Health (Regulation of Termination of Pregnancy) Bill 2018 and Code of Professional Conduct and Ethics for Registered Nurses and Registered Midwives**

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

The Code was considered in light of the Health (Regulation of Termination of Pregnancy) Bill 2018 and it was noted that parts of the Code were in conflict with the Bill. As agreed by the Board at its meeting on 28 November 2018, legal advice had been sought in relation to this matter by Ms Johnston and a sub-committee of Board members had been set up comprising the President, the Vice President, Mr Manning, Mrs King and Ms Gorman to consider how the matter would be dealt with.

Mr Higgins joined the meeting.

**Decision** Following consideration of the matter, the Board agreed to accept the recommendation of the sub-committee and to take the following steps:

1. The following addendum to be added to the Code:  
*It is not a breach of the Code to provide services under the Health (Regulation of Termination of Pregnancy) Act 2018.*
2. Ms Johnston to bring a detailed project plan to the Board at its meeting on 23-24 January 2019 for undertaking a comprehensive review of the Code as soon as possible in 2019.
3. Dr de Búrca to issue a press release, the wording of which to be approved by the President and Ms Johnston, within the next few days. A copy of the press release would be issued to Board members.

Dr de Búrca left the meeting.

#### **Item 5 – Payment to members of the FTPC and PPC**

Ms Byrne joined the meeting.

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 that a fee of €300 per day be paid to eligible members of the FTPC and PPC. Following approval by the Board, in accordance with section 26 of the 2011 Act approval would now be sought for the amount of the payment from the Minister for Health, who in turn must have the consent of the Minister for Public Expenditure and Reform.

Ms Byrne and the President left the meeting. In the absence of the President, Mrs King assumed the chair.

As the Board wished to continue their discussion in private Ms Johnston left the meeting.

The private session concluded at 12.00hrs.

#### **Item 6 – Finance session to include revised budget and business plan**

6.1 Mr Balfe, Mr Teo and Mr Coombes joined the meeting.

A document entitled *Projected outturn versus original budget estimates* was

circulated to members and presented by Mr Teo.

Mrs King declared a conflict of interest and left the meeting before further discussion of this matter.

The Board discussed the possibility of creating a reserve fund. Mr Teo advised that the new accounting standard, FRS 102, prohibited the setting up of a reserve fund, however, he agreed to investigate alternative solutions.

**Action** Mr Teo to investigate ways of ring-fencing NMBI's year-end surplus. A proposal regarding this to be brought to the next meetings of the Governance and Finance Committee and the Audit and Risk Committee before updating the Board before the end of Q1 2019.

Mrs King returned to the meeting.

#### 6.2 Budget and business plan 2019

The Board considered the revised budget and business plan for 2019 which had previously been circulated to members.

**Action** The draft budget and business plan for 2019 to be brought to the Board for approval at its meeting on 22-23 January 2019. Board members should contact Mr Balfe by email in advance of this date with their comments or queries.

#### 6.3 Management accounts

The Board noted the management accounts for October 2018 which had previously been circulated to members.

#### 6.4 Procurement – appointment of stenography services providers

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

**Decision** The Board agreed that Gwen Malone Limited be awarded the tender for stenography services for a period of two years.

The Board discussed the documents that were circulated to the Board for consideration. The Board agreed that the tender evaluation report should be submitted to the Governance and Finance Committee but that it was not necessary for this report to be submitted to the Board. In future only a document setting out the recommendation of the evaluators and the Governance and Finance Committee, together with a statement of assurance that the correct

procurement process had been followed need be submitted to the Board.

## 6.5 Procurement

Mr Balfe updated the Board on outstanding tenders.

### *HR services*

The closing date for receipt of tenders for HR services was Friday, 14 December 2018. The contract with Talbot Pierce was due to expire on 9 January 2019.

**Decision** The Board agreed to extend Talbot Pierce’s contract until 31 January 2019.

### *Reform programme contract*

Mr Balfe advised the Board that the tender was still open.

**Decision** The Board agreed to extend Crafting Vistas contract until 31 January 2019.

Further consideration of item 6 took place after item 7.

The meeting adjourned for lunch at 13.30hrs.

The meeting resumed at 14.15hrs.

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

NMBI staff left the meeting. Ms Manselli joined the meeting and facilitated a discussion on the output from the Board self-evaluation questionnaire. The Board also discussed the challenges facing the organisation in the year ahead.

On conclusion of this discussion Ms Johnston, Mr Balfe and Ms Coady returned to the meeting.

## **Item 6 - continued**

### 2017 annual financial statements

The annual financial statements for 2017 were circulated to members.

**Decision** The Board approved the annual financial statements for 2017 and authorised the President and Interim CEO to sign and approve the statements.

## **Presentation to outgoing Board member**



The President advised the Board that Mrs King had tendered her resignation from the Board. Mrs King's resignation would be effective from the next scheduled Board meeting on 22 January 2019. On behalf of the Board the President thanked Mrs King for all her hard work and presented her with a certificate of appreciation to commemorate her term of office.

There being no further matters for consideration the meeting ended at 17.45hrs.

**Signed:** \_\_\_\_\_  
**Essene Cassidy**  
**President**

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