

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, 19-20 July 2016.

Day 1: Tuesday, 19 July 2016 starting at 9.00.

Members Present:

Ms E Cassidy, President	Mr L Minihan
Ms M Barrett	Mr D Murphy
Mr N Giblin	Dr L Kavanagh McBride
Mr K McGrane	Ms S Cleary
Ms B Liston	Ms K Canning
Ms D Johnston	Ms L Clarke-Bishop
Ms M Monahan	Dr K O'Carroll
Mr P Dolan	Dr C Finn
Prof E Breatnach	Mr M Higgins
Dr D Lawler	Mr D Manning (from item 9)

In attendance:

Ms M Griffin, Chief Executive Officer
Ms U Byrne, Director of Regulation
Ms J Foley, Acting Chief Education Officer (items 10-12)
Mr M Balfe, Acting Director of Corporate Services (items 7-8)
Ms V O'Rourke, Fitness to Practice Department
Ms O Coady, Minute taker

In the absence of Mr Murray, Mr Giblin assumed the role of Vice President.

Item 1 – Apologies and conflicts of interest

- 1.1 Apologies were received from Mr J Murray, 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. Ms Clarke-Bishop declared a conflict with item 1.1 – consideration of an application pursuant to Section 58.

Item 2 – Board private session

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

Dr Lawler, Prof Breatnach and Mr Higgins joined the meeting during the private session.

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

Item 3 – Minutes and matters arising

3.1.1 Minutes of 24-25 May 2016:

A typographical error on page 8 was noted for correction.

Decision On the proposal of Ms Monahan, seconded by Ms Barrett, with fourteen votes for, none against and three abstentions, the minutes were approved by the Board and signed by the President. Mr McGrane and Prof Breatnach were not present for this vote.

There were no matters arising from the minutes of 24-25 May 2016.

3.1.2 Minutes of 10 June 2016:

On the proposal of Ms Liston, seconded by Dr Kavanagh McBride, with thirteen votes for, none against and six abstentions, the minutes were approved by the Board and signed by the President.

There were no matters arising from the minutes of 10 June 2016.

Item 4 – President's update

The President confirmed the reappointment to the Board of Mr P Dolan, Mr M Higgins and Mr D Manning to the Board. Mr Manning was not present but had advised of his intention to attend the meeting later in the day. Mr Dolan and Mr Higgins agreed that their letters of appointment would be shared with Board members on the iPads.

The President advised the board that Dr Finn had submitted her resignation from the Board. Once accepted, in line with standing orders, Dr Finn's resignation will become effective from the next scheduled Board meeting (September 2016). The President and Board members accepted the resignation and expressed their appreciation for all of Dr Finn's work and wished her well in her future career.

The President updated the Board on her attendance at the following events representing NMBI:

- Values Initiative conference at Farmleigh House on 1 June 2016.
- Royal College of Nurses centenary service in Armagh on 1 June 2016.
- Governance Forum in the IPA: 'Communications in a rapidly changing environment,' on 16 June 2016.

- HSE HR in Health conference in Kilmainham on 29 June 2016.

The President also advised the Board of the following meetings which she attended:

- Three meetings of the Governance Oversight Committee.
- Meeting of members of the executive and the Governance Oversight Committee with Jackie Gallagher, Q4PR and Aileen O’Toole, Amas on 12 July 2016 to discuss the website project.

The President informed members that the quarterly governance meeting in the Department of Health would take place on 26 July 2016. The President and Mr McGrane as chair of the Governance Oversight Committee will attend to represent the Board. The President requested one other Board member to attend this meeting. Following discussion, Mr Higgins agreed to attend.

Publication of Board minutes

The Board discussed the format minutes published on the website should take.

Action The CEO will prepare a draft summary of the minutes for Board consideration at its September meeting. If this format is approved by the Board a summary of all minutes from April 2014 to date will be published on the website.

4.1 Press queries

The Board noted media queries received and responses given by Q4PR following the publication of reports which had previously been circulated to members.

The President thanked Board members who had contacted her offering their support when the reports were published. The President acknowledged the contribution of Mr Giblin, chair of the Fitness to Practise Committee, and Ms Cleary, chair of the Preliminary Proceedings Committee (PPC), who had made themselves available to deal with any queries in relation to the fitness to practise process.

Mr McGrane suggested that a review of the publication of the reports and the effect of publication should be undertaken in the coming months.

4.2 Schedule of Board meetings 2017

The Board considered changing the Board meeting schedule from two day meetings every second month to meetings every month, alternating between a two day meeting (one day general and one day FTP) and a one day meeting (FTP only). The Board agreed that such a schedule would place too onerous a demand on Board members’ time.

Action A revised draft schedule for 2017 will be considered by the Board at its September meeting.

This schedule will involve one day monthly meetings, alternating FTP meetings and general business meetings. A general business meeting will be scheduled for December to allow the Board to consider the end-of-year finances.

4.3 Social media policy for Board members

Ms Canning advised the Board that it had not been possible to progress this policy due to holidays and other commitments. Ms Liston stated the policy will be available for the September Board meeting therefore consideration of this item was deferred to the September meeting.

Item 5 – Governance Oversight Group: Chair – Kilian McGrane

5.1 Board governance documents

- Role and responsibilities of President
- Role and responsibilities of Board members

The Board considered the above draft documents which had previously been circulated.

Decision On the proposal of Ms Liston, seconded by Mr Giblin with seventeen votes for, none against and one abstention, the Board approved the draft governance documents subject to the inclusion to of the following to each document: “or any such responsibilities as may be determined” and the inclusion of a timeframe for revision of twelve months. Dr O’Carroll was not present for this vote.

Action Draft documents detailing the role and responsibilities of the CEO and the executive will be presented to the Board for their approval at the September meeting.

5.2 Procurement – revised financial limits

Decision On the proposal of Mr Higgins, seconded by Ms Cleary, with eighteen votes for, none against and one abstention, the Board agreed to revise the procurement rules regarding the requirement to seek three quotations for purchases of a value less than €5000 and that supplies or services less than €5,000 in value might be purchased on the basis of verbal quotes from one or more competitive suppliers.

5.3 Development of statement of strategy

The CEO informed the Board that the services of the consultant engaged for this work would probably need to be increased to 20 days. Also, the Board was informed that a day would be needed in September for Board members to consider the development of the strategy.

Decision On the proposal of Ms Cleary, seconded by Dr O’Carroll the Board unanimously approved the

proposed approach to the strategy development process which had previously been circulated to members.

5.4 Conference attendance

Decision On the proposal of Ms Monahan, seconded by Dr O’Carroll the Board unanimously approved travel to the NMC on 16 -17 August for the President, the CEO and the Chief Education Officer and travel, by premium economy, to the CLEAR conference in Portland, Oregon, on September 14-17 2016 for the President and the CEO.

Action A policy on international travel to be prepared and presented to the Board for approval at its meeting in September.

5.5 Committees

Decision On the proposal of Ms Cleary, seconded by Mr Higgins, the Board unanimously agreed to dissolve the Audit and Finance Committee and the Governance Oversight Committee and to create two new committees which would separate the audit and risk function from the day-to-day financial arrangements, internal operations and governance of the organisation. These new committees are to be called the Audit and Risk Committee and the Governance, Finance and Resource Committee.

Decision On the proposal of Ms Monahan, seconded by Ms Canning the Board unanimously agreed that the membership of the Audit and Risk Committee shall consist of eight members, five of whom shall be Board members and three of whom must be external to the Board. The following Board members were appointed by the Board to the Audit and Risk Committee:

- Mr M Higgins
- Mr L Minihan
- Ms D Johnston
- Mr M Blake-Knox
- Mr D Manning

As Ms Avilene Casey was a non-Board member appointment to the Audit and Finance Committee, the Board agreed it was appropriate to reappoint Ms Casey to the committee for the remainder of her tenure. The remaining external members shall be recruited through NMBI’s usual procedure for recruitment of external committee members and approved by the Board.

The Board agreed that the members of the Governance, Finance and Resource Committee shall all be Board members. The CEO and President shall attend meetings of this committee but not as members of the committee.

The Board appointed the members of the former Governance Oversight Committee to the

Governance, Finance and Resource Committee:

- Mr K McGrane
- Mr D Murphy
- Ms M Monahan
- Mr J Murray
- Mr P Dolan

Decision On the proposal of Ms Liston, seconded by Mr Giblin the Board unanimously agreed to appoint Ms K Canning to the Governance, Finance and Resource Committee.

Mr Balfe joined the meeting.

Decision On the proposal of Ms Liston, seconded by Ms Cleary the Board unanimously approved the terms of reference of the Audit and Risk Committee and the Governance, Finance and Resource Committee which had previously been circulated to members. Mr Higgins was not present for this vote.

5.6 Policies

The Board considered the protected disclosure, anti-fraud and dignity at work policies which had previously been circulated to members.

Action A timescale for investigation is to be included in the dignity at work policy. The policies must also be written to take account of the new partnership committee. The draft policies must be circulated to staff members for consultation.

Item 6 – CEO report

6.1 The CEO report had previously been circulated to the Board for noting.

The CEO thanked the staff and the Board for their welcome and support.

6.2 Implementation of reform agenda

The CEO updated the Board on her work to date to progress the reform agenda:

- Abtran has been appointed to provide process improvement and advisory and support services for the Registration Department review following receipt of four competitive quotes. This review has received Department of Health (DOH) approval.
- The following business cases have been prepared:
 - To procure a financial consultant to develop a 3 year financial sustainability plan;
 - To procure an HR consultant to develop a detailed workforce plan and organisation structure design;

- To procure a consultant to support the development of the statement of strategy;
- To procure an ICT consultant to develop a 3-5 year ICT strategy.

All plans/reviews are running in parallel.

6.3 HIQA memorandum of understanding (MOU)

The final draft of MOU with HIQA, which had previously been circulated to the Board, was presented to the Board for approval. The MOU will be revised on a regular basis.

Decision On the proposal of Ms Cleary, seconded by Ms Liston the Board unanimously agreed to approve the MOU.

Action The CEO to clarify NMBI's representation on the board of HIQA.

6.4 Correspondence

The Board noted correspondence received from the Irish Nurses and Midwives Organisation (INMO), the DOH and the Workplace Relations Commission (WRC).

Action The Board agreed that clarification would be sought from the DOH as to what was required and that the letter from the DOH regarding the National Maternity Strategy should be brought to the Midwives Committee for the committee to consider a response. This response must then be brought back to the Board for consideration and approval.

Item 7 – Corporate Services Directorate report

7.1 The Corporate Services Directorate report had previously been circulated to the Board for noting.

7.2 Phased payment of annual retention fee (ARF)

The Board considered a document prepared by Ms Byrne, following requests from the President at previous meetings, which outlined the introduction of a phased payment of the ARF.

Decision Following discussion, the Board approved, in principle, the scoping of a phased payment scheme as set out in the document. A proposal must first be brought to the Governance, Finance and Resource Committee before being presented to the Board at its meeting in September.

7.3 Website report/update

Decision On the proposal of Dr Finn, seconded by Mr Dolan the Board unanimously agreed that the CEO should prepare a report for the DOH based on the information received in the report by Kevin Gleeson. Once this report has been submitted the matter will be closed.

Item 8 – Audit and Finance Committee: Chair – Colette Finn

8.1 Dr Finn, chair of the Audit and Finance Committee, addressed the Board. Dr Finn reported that the committee had met on 8 July 2016. The Audit and Finance Committee report had previously been circulated to the Board for noting.

8.2 Risk register

Decision On the proposal of Dr Finn, seconded by Prof Breatnach the Board unanimously agreed to approve the risk register.

8.4 Management accounts – May 2016

Decision On the proposal of Prof Breatnach, seconded by Dr O’Carroll the Board unanimously agreed to approve the management accounts for May 2016.

8.3 Revised budget 2016 and business plan

Decision On the proposal of Ms Cleary, seconded by Mr Giblin the Board unanimously agreed to approve the revised budget 2016 and business plan. Ms Monahan was not present for this vote.

The Board noted the internal audit reports and a document on Board members’ fees which had previously been circulated to members.

Mr Balfe left the meeting.

The meeting broke for lunch from 13.07 to 14.05.

Prof Breatnach left the meeting.

Mr Manning joined the meeting.

Item 9 – Regulation Directorate report

9.1 FTP Committee (2011) report: Chair – Noel Giblin

The FTP Committee (2011) report had previously been circulated to the Board for noting.

Mr Giblin, chair of the FTP Committee (2011), addressed the Board regarding membership of the FTP Committee. A document was circulated to the Board entitled *Members of the Fitness to Practice Committee (FTPC) – July 2016* which proposed increasing the number of Board members on the committee from eight to nine and the external membership of the committee from fifteen to eighteen. The new, additional members must not be, and never have been, registered as a nurse or registered as a midwife in the State or in any other jurisdiction.

Decision On the proposal of Ms Monahan, seconded by Ms Liston the Board unanimously agreed to accept the above proposal.

Decision On the proposal of Ms Barrett, seconded by Ms Liston the Board unanimously agreed that Mr Minihan would replace Dr Finn on the FTP Committee when her resignation takes effect. Mr Dolan agreed to join the committee as the ninth Board member.

Prof Breatnach returned to the meeting by phone.

Mr Giblin raised the issue of car parking for committee members during inquiries. The CEO advised that this matter will be dealt with by the executive.

Mr Giblin advised that complaints had been made about the panel rooms used during FTP inquiries. Ms Byrne stated that she had not been aware of any issues with the rooms but that now that the matter had been brought to her attention she would address it.

9.2 FTP Committee (1985) report

Ms Byrne presented the FTP Committee (1985) report which had previously been circulated to the Board for noting.

Establishment of a Health Committee

Proposals for the establishment of a Health Committee are under development and will be presented to the Board at its meeting in September.

9.3 Preliminary Proceedings Committee report: Chair – Sinead Cleary

Ms Cleary presented the PPC Committee report which had previously been circulated to the Board for noting.

Ms Foley joined the meeting.

Item 10 – Registry Directorate report

10.1 Ms Byrne presented the Registry Directorate report which had previously been circulated to the Board for noting.

Ms Byrne advised that, as all committee chairs must now be Board members, as previously agreed by the Board, Ms Sandra McCarthy had stepped down as chair of the Registration Committee at its last meeting and Dr O'Carroll was appointed chair.

The Board discussed the implications for nurses and midwives who trained in the United Kingdom and who wished to register with NMBI of the UK's decision to leave the European Union. Ms Byrne advised that once the UK leaves the EU, UK registrants will be assessed as non-EU overseas applicants. Ms Byrne plans to discuss this with the NMC but as the education programmes in Ireland and the UK are similar she envisages no problems for future UK applicants.

Action The Board discussed the original manual register which predated the electronic register. Ms Byrne will look into the status of the manual register and bring an update to the Board in September.

Item 11 – Education Directorate report

11.1 Ms Foley presented the Education Directorate report which had previously been circulated to the Board for noting.

Site visits

The Board discussed the cost of undertaking site visits. Ms Foley explained the current difficulty of determining the exact overall cost of a site visit as different aspects of the site visit are accounted for under unconnected cost centres.

Action Ms Foley agreed to review the method of accounting for site visits to enable an overall cost to be calculated.

Clinical placement coordinators (CPCs)

The Board discussed CPC ratios.

Decision On the proposal of Dr Kavanagh McBride, seconded by Ms Cleary the Board unanimously agreed that Dr Lawler, Dr Kavanagh McBride, Ms Clarke-Bishop and Ms Cleary should draft a letter to the higher education institutes (HEIs) expressing concerns at the existing CPC ratios. This letter will issue through the Education Department.

Site visit to St James's Hospital

Mr Giblin, Ms Barrett and Ms Foley updated the Board on an unannounced site visit they made to St James's Hospital on Monday, 11 July 2016.

The Board discussed the findings made during the site visit and expressed their concerns at

students remaining on the three wards visited by the team.

Prof Breatnach left the meeting during the discussion.

Decision On the proposal of Ms Johnston, seconded by Dr Kavanagh McBride the Board unanimously agreed that:

1. The Education Department follow up with St James's Hospital to ensure that the appropriate actions, as recommended by the site visit team, have been undertaken.
2. A letter should be sent to the CEO and Director of Nursing of St James's Hospital advising of the Board's concerns and the recommended actions.
3. Ms Foley is to review the protocols and procedures around site visits and unannounced site visits.
4. The Board will be updated at its September meeting.

Consideration of the committee reports was deferred to the following day.

Item 12 – Any other business (general)

There being no further matters for consideration this part of the meeting ended at 17.05.

Day 2: Wednesday, 20 July 2016 starting at 9.00.

Members Present:

Ms E Cassidy, President	Mr L Minihan
Ms M Barrett	Mr D Murphy
Mr N Giblin	Dr L Kavanagh McBride
Ms B Liston	Ms S Cleary
Ms D Johnston	Ms K Canning
Mr P Dolan	Ms L Clarke-Bishop
Dr D Lawler	Dr K O'Carroll
Mr D Manning	Dr C Finn
Ms M Monahan (from item 1.2)	Prof Breatnach (from item 2)

Apologies were received from Mr J Murray, Mr M Blake-Knox, Dr R McElvaney, Mr K McGrane and Mr M Higgins.

In attendance:

Ms M Griffin, Chief Executive Officer
 Ms U Byrne, Director of Regulation
 Mr E Evans, Beauchamps Solicitors (items 1- 3)
 Mr D Hickey, Mason Hayes & Curran Solicitors (item 1.1)
 Mr P Fitzpatrick, Mason Hayes & Curran Solicitors (items 1.2-1.3)
 Ms E Burke, McDowell Purcell Solicitors (item 1.4)
 Ms V O'Rourke, Fitness to Practice Department
 Ms O Coady, Minute taker

In the absence of Mr Murray, Mr Giblin assumed the role of Vice President.

Items 1-10 – Fitness to practise matters

The Board considered the following:

- One application pursuant to Section 58 of the Nurses and Midwives Act 2011.
- Four reports of the Fitness to Practise Committee under the Nurses and Midwives Act 2011.
- Two reports of the Fitness to Practise Committee under the Nurses Act 1985.
- One application pursuant to Section 79 of the Nurses and Midwives Act 2011.
- One application pursuant to Section 55 (1) of the Nurses and Midwives Act 2011.
- Fifteen 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.

Item 11 – Education Directorate report (continued)

Midwives Committee report: Chair – Sinead Cleary

Ms Cleary addressed the Board. The Board considered some issues that had been identified in relation to the terms of reference of the Midwives Committee. During discussion, it became apparent that some pages were absent from the Board brief.

Action The Board agreed to defer consideration of this matter until the September Board meeting when all documentation relating to the terms of reference had been circulated.

Action A non-Board member who is not, and never has been, registered as a nurse or midwife in this, or in any jurisdiction, is required for the Midwives Committee. Expressions of interest to be sought through the normal process for recruitment of non-Board members to Board committees.

Education and Training Committee report: Chair – Lorraine Clarke-Bishop

Dr Kavanagh McBride updated the Board on the recent meeting of the committee at which Ms Clarke-Bishop was elected chair.

Ethics Committee report: Chair – Dawn Johnston

Ms Johnston advised the Board that the committee is still awaiting an update from the Department of Health on the standards for medication management.

Standards and Validation Committee

The committee has not met since the last Board meeting. A chair must be elected at the next meeting.

Prof Breatnach, Ms Liston, Mr Murphy and Ms Cleary left the meeting.

The meeting concluded at 17.08.