



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, 20-21 September 2016.

Day 1: Tuesday, 20 September 2016 starting at 9.00hrs.

Members Present:

Ms E Cassidy, President	Mr L Minihan
Mr J Murray, Vice President	Mr M Higgins
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
Mr P Dolan	Dr K O'Carroll
Dr D Lawler	Mr D Manning
Mr M Blake-Knox	Dr R McElvaney

In attendance:

Ms M Griffin, Chief Executive Officer
Ms U Byrne, Director of Regulation
Ms J Foley, Acting Chief Education Officer
Ms V O'Rourke, Fitness to Practice Department
Ms O Coady, Minute taker

The President offered the condolences of the Board to Ms O'Rourke on the recent death of her mother. The President also expressed the condolences of the Board to the families of Mr Jim Hough, former Board member, and Mr Vincent Breheny, former An Bord Altranais education officer, who had both recently passed away.

Item 1 – Apologies and conflicts of interest

- 1.1 Apologies were received from Ms M Monahan.
- 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.

Item 2 – Board private session

As the Board wished to continue its discussion in private Ms Foley, Ms Byrne and

Ms O'Rourke left the meeting. The President requested that the CEO remain in attendance.

Mr Higgins joined the meeting during the private session.

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

Item 3 – President's update

3.1 Fitness to practise training for Board members

Thirteen Board members had attended the training. Eight members were unable to attend the scheduled dates. The President requested that Ms Byrne would liaise directly with these members in advance of the next scheduled meeting to arrange this training over the coming weeks. The President stated that she was reluctant to allow members who had not undergone training to participate after the November meeting. Board members agreed with this position.

The President advised that in line with best practice she proposes that in the future there will be yearly training updates for the Board. Members were in agreement.

Action Ms Byrne will contact the trainer, Ms Caroline Conroy, La Touche Training, to schedule an additional training day before the November Board meeting.

3.2 Strategy workshops

Workshops have been held with members of all departments of NMBI and all staff were invited to participate. The workshop for Board members took place during this meeting and a draft of the strategy will be ready by the end of the year. The President thanked Board members for their flexibility and time with the pre-reading pack over the previous weekend.

3.3 Conferences and meetings

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

- Nursing and Midwifery Council of the United Kingdom: attended with the CEO and the Chief Education Officer to discuss the development of a competence assurance scheme.
- CLEAR annual educational conference: attended with the CEO.

Action All presentations from the CLEAR conference will be uploaded to Board members' iPads.

The President thanked Dr McElvaney for representing NMBI at the Mindfulness Conference in UCC.

Action The presentations from the conference will be uploaded to Board members' iPads.

The President also thanked the Vice President for representing NMBI at the opening of the new endoscopy unit at the Bon Secours Hospital.

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

- Governance Oversight Committee.
- Staff and Board Liaison Committee.
- Governance meetings Department of Health representatives.

3.4 Committee for the appointment of non-Board members to Board committees

The first phase of the process was a meeting of the committee to shortlist applicants. This meeting took place on 5 September 2016.

Action The assessment criteria used will be uploaded to the Board members' iPads.

The second phase was a meeting between the chairs of the committees, the relevant senior manager and the shortlisted candidates individually with the successful candidates being brought to the Board for approval either at this meeting (opening item on day 2) or at November's meeting.

Item 4 – Minutes and matters arising of meeting of 19-20 July 2016

4.1 Some typographical errors were noted.

Decision On the proposal of Mr Dolan, seconded by Mr Higgins, with nineteen votes for, none against and one abstention, the minutes were approved by the Board and signed by the President.

4.2 Arising from **item 9**, Ms Cleary advised the Board that she had been advised by Ms Eimear Burke, McDowell Purcell Solicitors, that it would be inappropriate for the chairs of the Fitness to Practise Committee and the Preliminary Proceedings Committee to liaise in relation to prima facie cases.

4.3 Arising from **item 5.5**, it was noted that the terms of reference of the Audit and Risk Committee had not been amended to reflect the decision of the Board that the chair of the Audit and Risk Committee be appointed by the committee and not the Board.

Item 5 – CEO report

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

5.2 Publication of minutes policy

Decision On the proposal of Ms Cleary, seconded by Dr McElvaney, the Board unanimously approved the *Publication of minutes policy* which had previously been circulated to members. Minutes, agendas and associated documents from January 2016 onwards will be published on NMBI’s website.

5.3 Travel and subsistence policy

Decision On the proposal of Mr McGrane, seconded by Mr Higgins the Board approved the *Travel and subsistence policy* which had previously been circulated to members, with sixteen votes for, one against and three abstentions.

5.4 FTP cost saving measures

Decision On the proposal of Ms Cleary, seconded by Mr Giblin, the Board unanimously approved the following measures:

1. Conduct a mini audit of cases where there was no finding under the Nurses and Midwives Act 2011 to ascertain learnings and trends to assist with PPC decisions. This study would be a confidential report to inform implementation of the 2011 Act and act as a timely point of reflection.
2. Commence a campaign to invite expressions of interest to form a panel of experts across a range of disciplines. A key element of this campaign would be that NMBI requires potential experts to provide evidence of training, experience as expert witnesses and understanding of the role and requirements of the expert.
3. The detail of the implementation plan for S65 to be considered by the FTP Committee for recommendation to the Board in Q4 2016.
4. Seek to reduce adjournments by ensuring that FTP panel members have the maximum notice possible of dates and that they confirm their commitment to attend for the required time periods.
5. The chair of FTP with senior counsel to hold a meeting with panel members to provide information on the level of proof required.
6. Review legal assessor rates. Put in place, through an open competition, a panel of legal assessors with the requisite experience necessary to support the panel.
7. Review the policy on recovery of costs in Q4 2016.

5.5 Overseas file room review

Decision On the proposal of Ms Liston, seconded by Dr Lawlor, the Board unanimously

approved the proposal in relation to the overseas file room review which had previously been circulated to members; the CEO may obtain three quotes, in line with appropriate procurement procedures, to undertake an independent review of all overseas hard copy files currently located on-site in NMBI.

Item 6 - Inactive file plan

Decision On the proposal of Dr Lawlor, seconded by Mr Minihan, the Board unanimously agreed to approve the plan for the disbandment of the inactive file which had previously been circulated to members.

Item 7 – Professional competence scheme

The Board discussed the proposed draft principles for a professional competence scheme – including the resources required – which had previously been circulated to members.

Decision On the proposal of Dr McElvaney, seconded by Mr Giblin, the Board unanimously approved the framework principles for the professional competence scheme (PCS) and the resources required to support the development and launch of the scheme.

Action Ms Foley will liaise with Board members after the meeting to discuss the composition of the PCS working group.

Item 8 – Social media policy

The Board considered the draft social media policy prepared by a sub-group of the Board which had previously been circulated to members. Board members expressed concerns regarding aspects of the draft policy and requested that the committee review the document, taking consideration of members' comments and the NMBI social media guidance document.

Decision The Board agreed that members would contact Ms Canning directly with their comments and suggestions relating to the draft document and that a revised version would be prepared for presentation to the Board at its meeting in November.

Item 9 – Midwives Committee

9.1 The Board considered the terms of reference of the Midwives Committee which had previously been circulated to members.

Decision On the proposal of Ms Barrett, seconded by Mr Higgins, the Board unanimously

approved the terms of reference. Mr Minihan, Mr Dolan, Mr Murphy, Ms Clarke-Bishop and Mr Manning were not present for this vote.

9.2 Ms Cleary presented the Midwives Committee report which had previously been circulated to the Board for noting. Following the resignation of Dr C Finn, a vacancy for a non-registrant Board member exists on the Midwives Committee.

Action Ms Cleary will discuss membership with eligible Board members and propose a nominee to the Board for approval at its next meeting.

Action Further to the Chief Nurse’s letter of 1 July 2018 regarding the implementation of midwifery actions from the National Maternity Strategy, the President will seek a meeting with the Chief Nurse to discuss this matter further.

Decision Following discussion the Board agreed that the executive would analyse the communication/reporting structure in all committees’ terms of reference and prepare a document outlining this for the next Board meeting.

Item 10 – Education Directorate report

The Education Directorate report had previously been circulated to the Board for noting.

Item 11 – Corporate Services Directorate report

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

The Board noted that it had previously requested that up-to-date monthly financial reports be made available at each scheduled Board meeting but that none was available for this meeting. The CEO assured the Board that the management report for July would be circulated to the Board before close of business.

Decision On the proposal of Mr Higgins, seconded by Mr Dolan, the Board unanimously approved the Corporate Services Directorate report.

Item 12 – Registry Directorate report

12.1 The Registry Directorate report had previously been circulated to the Board for noting.

Action The language of the report and the presentation of data to be revised to be made more understandable to people not working in the area; the number of

incomplete applications received to be removed from statistics; the average time to process an application from beginning to end to be presented.

12.2 Registration review

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

Decision On the proposal of Mr Dolan, seconded by Ms Liston, the Board unanimously agreed that the CEO should tender for a process improvement resource to work with the overseas registration department to deliver on recommendations following the process mapping exercise.

Item 13 – Regulation report

13.1 Health Committee update

A discussion document had previously been circulated to the Board setting out the legislative background, the role and scope of the committee as well as other matters for consideration.

Action A copy of the document will be emailed to Board members for their comments, to be sent directly back to Ms Byrne by a set date to be decided. Based on these comments, Ms Byrne will draft a revised document which will be brought to the Board in November.

13.2 Regulation Directorate report

The Regulation Directorate report had previously been circulated to the Board for noting.

Ms Byrne advised the Board that the purpose of an invitation received from Ms Sarah Page, Head of FTP, to visit the FTP Department of the Nursing and Midwifery Council of the United Kingdom is to discuss matters of mutual interest and to further administrative co-operation. The meeting is scheduled for Wednesday, 19 October 2016.

Decision The Board agreed that it was appropriate for Ms Byrne to accept this invitation.

13.3 Preliminary Proceedings Committee report

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

Action An additional column will be added to future reports showing the number of cases considered at each meeting.

Item 14 – Meeting dates

- 14.1 It was confirmed that a special meeting of the Board will take place on 18 October 2016 to deal with fitness to practise matters only.
- 14.2 The proposed schedule for meetings in 2017 will be re-drafted to provisionally include extra single day Board meeting dates to deal with fitness to practise matters only in February, April and October. Governance and Finance Committee meetings will take place every month.

Item 15 – Any other business

15.1 Correspondence with Cheshire Ireland

Mr Blake-Knox addressed the Board in relation to a letter which he had sent as CEO of Cheshire Ireland to the President and CEO, and which had previously been circulated to members. Mr Blake-Knox wondered if the Board could give its opinion on lobbying the Department of Health to get the specialism of nursing adults with neurological conditions included as a separate division on the register.

The President advised Mr Blake-Knox that it was not for the Board to advise on lobbying the Department of Health. It was suggested that competence in such specialist areas might be more appropriately considered within the context of a competence assurance scheme.

15.2 Mental health site visit to Roscommon

Mr Giblin declared a conflict of interest and left the meeting.

The Board considered an email from Mr Murray in which he sought advice from the Board in relation to issues which arose during a site visit to Roscommon Mental Health Services. During this site visit, staff members referenced a letter sent by them to Dr Anne-Marie Ryan, former Chief Education Officer, in 2011 and to which they had not received a reply. Ms Foley advised that there was no such letter on file in NMBI.

Action Ms Foley will contact the staff in Roscommon Mental Health Services and request a copy of the letter sent to Dr Ryan. Once the letter has been received, the matter will be considered further at November’s Board meeting.

The meeting broke for lunch at 13.30hrs.

The meeting resumed at 14.00hrs.



Item 16 – Strategy workshop

The Board took part in a strategy workshop facilitated by Ms Lisa Manselli.

The workshop concluded at 19.30hrs.



Day 2: Wednesday, 21 September 2016 starting at 9.00hrs.

Members Present:

Ms E Cassidy, President	Mr L Minihan
Mr J Murray, Vice President	Mr M Higgins (from item 1)
Ms M Barrett	Mr D Murphy
Mr N Giblin	Dr L Kavanagh McBride
Mr K McGrane (from item 3.2)	Ms S Cleary
Ms B Liston	Ms K Canning
Ms D Johnston	Ms L Clarke-Bishop
Mr P Dolan	Dr K O'Carroll
Dr D Lawler	Mr D Manning
Mr M Blake-Knox	Dr R McElvaney
Prof E Breatnach (from item 1)	

Apologies were received from Ms M Monahan.

In attendance:

Ms M Griffin, Chief Executive Officer
Ms U Byrne, Director of Regulation
Ms V O'Rourke, Fitness to Practice Department
Ms O Coady, Minute taker
Mr E Evans, Beauchamps Solicitors
Ms A O'Mahony, Beauchamps Solicitors
Mr S Murphy, SC
Mr JP McDowell, McDowell Purcell
Mr N Butler, SC

Fitness to Practise Committee membership

Decision On the proposal of Ms Cleary, seconded by Dr Lawler, the Board approved, with seventeen votes for, none against and one abstention, the appointment of the following non-Board members to the Fitness to Practise Committee:

- Dr Martin McNamara
- Dr Kevin McKenna
- Ms Cindy Mackie
- Mr Richard Hammond
- Ms Jill Long

The Board considered the following:

- One application pursuant to Section 58 of the Nurses and Midwives Act 2011.
- Two 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.
- Twelve 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.

Signed: _____
Essene Cassidy
President

Date: _____