



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 and Wednesday, 21-22 May 2019.

Day 1: Tuesday, 21 May 2019 starting at 10.00hrs.

Members Present:

Dr L Kavanagh McBride, Vice President	Ms E Kelly
Mr L Hamill	Mr L Minihan
Ms K Greene	Ms K Canning
Ms B Liston	Ms K Lombard
Mr P Dolan	Mr D Manning
Dr D Lawler	Mr K McGrane
Mr D Murphy	Ms L Clarke-Bishop
Prof C O’Herlihy	Mr M Higgins

In attendance:

Ms D Johnston, Interim CEO and Director of Professional Standards (Midwifery)
Ms U Byrne, Director of Regulation
Mr J Sadlier, Head of the PPC Division
Ms G Farren, Professional Advisor
Ms J Foley, Director of Professional Standards (Nursing)
Mr S McLoughlin, Beauchamps Solicitors
Ms V O’Rourke, Fitness to Practise Department
Ms O Coady, Governance and Secretariat Manager

Item 1 – Apologies and conflicts of interest

In the absence of the President, the Vice President assumed the chair.

Apologies were received from the President, Ms E Cassidy, Mr M Blake-Knox , Ms M Gorman, Mr J Horan, Ms A Horgan, Dr L Sahm and Ms C Cocoman.

The Vice President welcomed Ms Karen Greene to the Board. Ms Greene had been appointed by the Minister following nomination by the Health Service Executive under section 22(1)(b) of the Nurses and Midwives Act 2011 to replace Ms Tanya King.

The Vice President noted that it had been agreed in advance of the meeting that it would be necessary to defer consideration of items 5, 7 and 8 until the Board meeting on 18 June 2019.

Being members of the Preliminary Proceedings Committee, Ms B Liston and Mr Murphy did not join the meeting at this time.

The Vice President read the conflict of interest policy and reminded Board members of their obligations under its provisions. The Vice President then asked Board members to review the agenda to identify any conflicts of interest.

The Vice President welcomed Mr Sadlier, Head of the PPC Division within the Fitness to Practise Department to the meeting.

Fitness to practise matters – items 2-9

The Board considered the following:

- Thirteen no prima facie decisions of the Preliminary Proceedings Committee.
- One application pursuant to Section 55(6) of the Nurses and Midwives Act 2011.
- Three undertakings pursuant to Section 65 of the Nurses and Midwives Act 2011.
- Five reports of the Fitness to Practise Committee under the Nurses and Midwives Act 2011.
- Reports relating to the following:
 - Monitoring of conditions.
 - Section 44 orders/undertakings.
 - Section 58 orders/undertakings.
 - High Court and Court of Appeal Cases.

Item 6 – Governance and Finance

6.1 Appointment and re-appointment of non-Board members to FTPC

Decision The Board agreed to re-appoint the following non-Board members to the Fitness to Practise Committee for a final term of office of three years from 11 July 2019 to 10 July 2022:

- Emma Prendergast
- Eileen Flynn

Decision The Board agreed to appoint the following non-Board members to the Fitness to Practise Committee for a term of office of three years from 11 July 2019 to 10 July 2022. :

- Sara Phelan

This appointment may be renewed for up to three years and to no more than a maximum of two terms of office.

6.2 Re-appointment of non-Board member to the Midwives Committee

Decision The Board agreed to re-appoint the following non-Board member to the Fitness to Practise Committee for a final term of office of three years from 19 July 2019 until 20 July 2022:

- Mark Skehan

Item 5 – Professional Standards (Midwifery)

Ms Farren joined the meeting.

Ms Farren advised that the following post-registration programmes had been considered by the Education, Training and Standards Committee at its meeting on 4 April 2019 and were recommended for approval by the committee.

5.1 National University of Ireland, Galway (NUIG)

The Board considered the briefing document, which had previously been circulated to members, and which set out information on the following post-registration programme:

- Higher diploma in midwifery

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board approved the higher diploma in midwifery in NUIG for five years or until the next site visit whichever would be earliest.

5.2 Trinity College Dublin (TCD)

The Board considered the briefing document, which had previously been circulated to members, and which set out information on the following post-registration programme:

- Higher diploma in midwifery

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board approved the higher diploma in midwifery in TCD for five years or until the next site visit whichever would be earliest.

5.3 University College Dublin (UCD)

The Board considered the briefing document, which had previously been circulated to members, and which set out information on the following post-registration programme:

- Higher diploma in midwifery

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board approved the higher diploma in midwifery in UCD for five years or until the next site visit whichever would be earliest.

Ms Farren left the meeting.

The Board discussed the volume of documentation submitted to the Board for consideration in relation to site visit reports and programmes for approval.

Action The Board agreed that the format and content of briefing documents submitted to the Board in relation to site visit reports and programmes for approval needed to be revised. The Board further agreed that this revision should be included in the directorate work plans.

Item 3 – Written decision of the Board – approval of the system of internal control (SIC)

The Board noted the report on the written decision of the Board of 29 March 2019 whereby the Board approved NMBI's system of internal control.

Item 4 – Professional Standards (Nursing)

Ms Foley joined the meeting.

Ms Foley advised the Board that the following site visit report had been considered by the Education, Training and Standards Committee at its meeting on 4 April 2019 and was recommended for approval by the committee.

4.1 Athlone Institute of Technology (AIT) and associated healthcare agencies – site visit (nursing)

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

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 the Board agreed that AIT and associated healthcare agencies be approved to provide discipline specific registration education programmes for a period of five years or until the next site visit subject to the conditions as presented in the report. These

conditions must be met within six months unless otherwise stated.

The Board advised Ms Foley that they had discussed the volume of documentation submitted to the Board for site visit reports and approval of programmes and that they wished for this to be reviewed. The Board queried why this had not had been included in the directorate work plans for 2019 when this had been raised by the Board in the past.

Ms Foley assured the Board that work was ongoing within the directorates in relation to this matter.

4.2 Competence assessment for overseas nurses

The Board considered the draft document entitled *Competence Assessment for Overseas Nurses (Second Edition)* and the consultation report in relation to the document which had previously been circulated to members.

Decision The Board approved the *Competence Assessment for Overseas Nurses (Second Edition)* document subject to final editing and proof-reading.

4.3 Competence assessment for nursing students

The Board considered a suite of documents which comprised the *National Competence Assessment Document (NCAD) Year 2 to Year 4.5*. The Board noted that *NCAD Year 1* had been approved by the Board in 2018.

The Board noted the requirement set out in the *NCAD* that the practice placement preliminary interview must be completed within the first 48 hours and suggested that this timeframe was too restrictive.

Decision The Board approved the *NCAD Year 2 to Year 4.5* and Ms Foley advised that the comments above would be addressed in the next iteration of the document.

4.4 Ionising radiation

The Board considered the draft document entitled *Nurse Referral Authority of Persons for Medical Ionising Radiation Procedures Standards and Requirements (Second Edition)* which had previously been circulated to members.

There being no further matters to consider the meeting ended at 16.00hrs.

Day 2: Wednesday, 22 May 2019 starting at 9.00hrs.

Members Present:

Ms Essene Cassidy, President	Mr J Horan
Dr L Kavanagh McBride, Vice President	Mr M Higgins
Ms K Greene	Mr K McGrane
Mr L Minihan	Ms E Kelly
Ms B Liston	Mr P Dolan
Mr L Hamill	Ms L Clarke-Bishop
Ms K Lombard	Mr D Manning
Ms K Canning	Ms A Horgan
Dr L Sahn	Mr D Murphy

In attendance:

Ms D Johnston, Interim CEO and Director of Midwifery
Ms L Crimin, Director of Registration (item 7)
Ms T Raftery, Project Officer (item 8)
Ms J Foley, Director of Professional Standards – Nursing (item 8)
Ms L Manselli, Crafting Vistas (item 8)
Ms V O'Rourke, Fitness to Practise Department
Ms O Coady, Governance and Secretariat Manager

Item 1 – Apologies and conflicts of interest

- 1.1 Apologies were received from Dr D Lawler, Ms Gorman, Prof C O'Herlihy, Ms C Cocoman and Mr M Blake-Knox.
- 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 Mr John Horan to the Board. Mr Horan had been appointed by the Minister as a public interest representative under section 22(1)(j) of the Nurses and Midwives Act 2011 to replace Ms Elaine Cassidy.

Item 2 – Minutes of previous Board meetings

2.1 Minutes of 19-20 and 25 March 2019

The Board considered the minutes of 19-20 and 25 March 2019 which had previously been circulated to members.

Decision The Board approved the minutes of 19-20 and 25 March 2019.

2.2 Minutes of 2 April 2019

The Board considered the minutes of 2 April 2019 which had previously been circulated to members.

Decision The Board approved the minutes of 2 April 2019.

2.3 Minutes of 9 April 2019

The Board considered the minutes of 9 April 2019 which had previously been circulated to members.

Decision The Board approved the minutes of 9 April 2019.

2.4 Actions and matters arising from minutes of previous Board meetings

Decision The Board approved the updated action list for 19-20 and 25 March 2019 which is attached as an appendix to these minutes. There were no additional actions from the meetings of 2 April 2019 and 9 April 2019.

Item 6 – Governance and Finance

6.3 Amendment to bank signatories

Decision The Board agreed to update the signatories on NMBI’s Bank of Ireland and KBC accounts to Dawn Johnston, Interim CEO, Ursula Byrne, Director of Regulation and Judith Foley, Director of Professional Standards (Nursing).

Ms Kelly joined the meeting.

Item 7 – Project Nightingale

Ms Crimin joined the meeting.

7.1 Proposal for a definition of “Fit and Proper Person” for registration

The Board considered a proposal for the wording for a series of declarations which collectively could satisfy NMBI that an applicant is a “fit and proper person” as provided for in the Rules.

The Board suggested that, “I have not been cancelled, suspended or refused

nursing or midwifery registration/licence in another country” be amended to “I have not been cancelled, suspended, refused **or any similar action**, nursing or midwifery registration/licence in another country.”

Decision Following consideration of the matter, the Board agreed to approve the declarations as follows to satisfy NMBI that an applicant is a “fit and proper person” as provided for in the Rules:

- I have not been cancelled, suspended, refused or any similar action, nursing or midwifery registration/licence in another country;
- I have no conditions or restrictions on practice attached to my nursing or midwifery registration/licence in another country;
- I have not had any disciplinary action taken against my nursing or midwifery registration/licence in another country;
- I have no pending investigations against my nursing or midwifery registration/licence in another country;
- I have no convictions of any criminal offence in Ireland or another country;
- I have no pending criminal charges or investigations in Ireland or another country.

7.2 Proposal to request additional information from an applicant seeking restoration to the register

The Board considered a proposal to request an additional declaration in accordance with Rule 10(1)(k) to assist NMBI in making a determination on an application for restoration and to ensure that persons restoring to the register are fit to be registered after a period of time off the register.

Decision Following consideration of the matter the Board approved that the declaration *“I declare that I meet the NMBI domains of competence for nursing/midwifery”* be included in the NMBI process for restoration to the register in the following circumstances only:

- after removal under Section 50(2) of the Act (Voluntary Removal) and
- after removal under Section 77 of the Act (Involuntary Removal for non-payment of Annual Retention Fees) more than 6 months after the date on which the annual retention fell due.

The President advised the Board that Ms Crimin had tendered her resignation to take up another position. The President on behalf of the Board thanked Ms Crimin for her work with NMBI and wished her every success in the future.

Ms Crimin left the meeting.

Item 8 – Monitoring the maintenance of professional competence (MMPC)

Ms Raftery, Ms Foley and Ms Manselli joined the meeting.

The Board considered a briefing document which had previously been circulated to members. The document set out two options: to proceed to public consultation or to defer for 12 months.

The Board noted that the project to define and implement an MMPC scheme had been ongoing for over 18 months. At its meeting on 19-20 March 2019 the findings of the baseline survey were presented to the Board and the next steps were discussed.

The Board noted that NMBI had made public commitment in its Statement of Strategy 2017-2019 to undertake a broad public consultation on this topic and progress towards implementation within the lifetime of the Statement of Strategy 2017-2019. The Board considered the reputational risk to the organisation if it agreed to defer further work on the project for the moment.

Decision Following a lengthy discussion of the matter, the Board agreed that NMBI should continue to fund the project for a further six months. The Board further agreed that the updated scheme documents should be presented back to the Board at its meeting on 23-24 July 2019. A discussion should then be had with the Department of Health advising of the Board’s intention to proceed with the scheme in a scaled back form to move to public consultation before the end of 2019. The Board noted that it was not within its remit to cost the scheme and stressed that the proposed scheme was to monitor the maintenance of professional competence and was not a continuing professional development scheme.

As the Board wished to continue its discussion in private, Ms Raftery, Ms Foley, Ms Manselli and Ms Coady left the meeting at 10.45hrs.

There being no further matters to consider the meeting ended at 13.00hrs.

Signed:

Essene Cassidy
President

Date:
