

Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) on Friday, 12 November 2021 starting at 14.30hrs in by video conference.

Members present

Ms E Cassidy – President
Ms C Cocoman
Ms L Collins
Ms E Kelly
Dr C McKenna
Mr J Horan
Prof M Rigby
Mr M Blake-Knox

In attendance

Ms S McClelland, CEO
Mr C O’Leary, Director of Fitness to Practise
Mr J Sadlier, Head of PPC Division
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 L Kavanagh McBride, Ms M Vaughan, Ms AM Duffy, Dr D Lawler, Mr J Shalbin, Ms S McArdle, Prof C O’Herlihy, Mr L Hamill, Mr D Murphy, Ms M Gorman and Dr C Sullivan

Being members of the Preliminary Proceedings Committee Ms A Lynch and Ms A Horgan did not join the meeting at this time.

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 Kelly declared a conflict for item 2. The Board agreed to consider item 3 before item 2.

The President advised members that matters discussed during this video conference were to remain confidential to Board members and attendees.

Items 2-3 – Fitness to practise matters

The Board considered the following:

- Two no prima facie recommendations from the Preliminary Proceedings Committee.

Item 4 – Membership of the Fitness to Practise Committee

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

4.1 Appointment of non-Board member to the FTPC – Des O’Neill

Decision The Board agreed to appoint Des O’Neill (registered nurse) to the Fitness to Practise Committee for a period of three years beginning 12 November 2021.

4.2 Appointment of non-Board member to the FTPC – Caroline Gourley

The President declared a conflict of interest and left the meeting. In the absence of the President, Ms Kelly assumed the chair.

Decision The Board agreed to appoint Caroline Gourley (registered nurse) to the Fitness to Practise Committee for a period of three years beginning 24 January 2022, or sooner if required.

The President returned to the meeting and resumed the chair.

Item 5 – Continuation of inquiry

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

An inquiry had commenced to consider a complaint with respect to a registered nurse using a five-person subcommittee (panel) from the Fitness to Practise Committee. The Chair of the panel, who was also a Board member, had resigned from the Board and had taken up a position with NMBI. It was considered that this member could now be conflicted and should no longer take part in the inquiry.

Decision Following consideration of the matter, the Board agreed that pursuant to section 24(13)(b) of the Nurses and Midwives Act 2011, the inquiry should continue with a four-person panel. In reaching this decision, the Board took into consideration the legal advices received by the Board and the wish of the registrant that the inquiry proceed with a four-person panel.

The Board noted that the term of office of Jill Long, a non-Board member of the subcommittee of inquiry, had expired on 19 September 2021.



Decision The Board agreed that, pursuant to section 24(13)(a) of the Nurses and Midwives Act 2011, Ms Long should continue to remain on the subcommittee of inquiry for so long as was required for the subcommittee to finish consideration of the matter concerned.

The Board noted that the term of office of Amanda Phelan, a non-Board member on the subcommittee of inquiry, was due to expire on 24 January 2022.

Decision The Board agreed that, pursuant to section 24(13)(a) of the Nurses and Midwives Act 2011, Ms Phelan should continue to remain on the subcommittee of inquiry for so long as was required for the subcommittee to finish consideration of the matter concerned.

Action Mr O’Leary to bring a proposal to the Board setting out draft procedures in relation to section 24(13) of the Nurses and Midwives Act 2011 i.e. where the term of office of one or more members of a committee ends during the consideration of a matter.

Item 6 – Any other fitness to practise business

There being no further matters for consideration, the meeting ended at 14.55hrs.

Signed: _____

Essene Cassidy
President

Date: _____