



Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in person the offices of NMBI and by video conference on Wednesday, 26 January 2022 starting at 9.00hrs.

Members attending in person:

Dr L Kavanagh McBride, Vice President
Mr M Blake-Knox

Members attending by video:

Ms E Cassidy, President of NMBI
Ms A Lynch
Ms AM Duffy
Ms C Cocoman
Mr J Horan
Mr D Murphy
Ms M Vaughan
Ms L Collins
Dr C McKenna
Ms M Gorman
Mr J Shalbin
Ms A Horgan
Prof C O'Herlihy

In attendance:

Ms S McClelland, CEO
Ms K Barrett, Head of Operations
Mr M Balfe, Director of Finance
Mr K O'Riordan, Finance Manager
Mr C O'Leary, Director of Fitness to Practise
Ms Carolyn Donohoe, Director of Education, Policy and Standards
Ms O Coady, Governance and Secretariat Manager
Ms N McDonald, PA to the CEO

Item 1 – Apologies and conflicts of interest

- 1.1 Apologies were received from Prof M Rigby, Ms E Kelly, Mr L Hamill and Dr D Lawler.
- 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 conflicts were identified.



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

The President advised the Board that Dr Cyril Sullivan had submitted his resignation and that this had become effective from yesterday's meeting.

The Board agreed that the *in camera* session (item 2) would take place at the end of the meeting.

Item 3 – Minutes and actions of previous meetings

3.1.1 Amendment to the minutes of 23 November 2021

At its meeting on 17 December 2021, the Board approved the minutes of the meeting of 23 November 2021. It was subsequently noted that the wording of the decision as recorded in respect of item 4.1 did not fully reflect the details of the undertaking given by the registrant.

The Board considered the proposed revised wording to item 4.1 which had previously been circulated to members.

Decision The Board agree to amend the wording of the decision as proposed under item 4.1 of the minutes of 23 November 2021.

3.1.2 Minutes of the meeting of 17 December 2021

The Board considered the minutes of the meeting of 17 December 2021 which had previously been circulated to members.

Decision The Board approved the minutes of the meeting of the 17 December 2021.

3.2 Actions and matters arising from previous meetings

The Board approved the updated action list which is attached as an appendix to these minutes.

There were no matters arising which were not dealt with elsewhere on the agenda or in the minutes or action list.

3.3 Written decision: Procurement of overseas registration processing services

The Board noted the report on the decision of the Board of 22 December 2021 taken using the written procedure whereby the Board agreed to award the contract for overseas registration processing to SCL Sales.



Item 4 – President’s update

4.1 Request for nominees to serve on the Mental Health Commission Board

The President advised that she had been contacted by the Mental Health Commission (MHC) requesting that she nominate a candidate, who was a registered psychiatric nurse, for consideration for appointment to the MHC Board. Ms Cocoman had agreed to put her name forward for consideration.

The Minister for Mental Health and Older People, Mary Butler, would consider the nominations with a view to confirming the appointment by 4 April 2022.

4.2 Election of Vice President

Pursuant to paragraph 13 of the Schedule of the Nurses and Midwives Act 2011:

the Board shall, from time to time, elect one of its members who is a registered nurse or registered midwife to be President of the Board and another of its members who is a registered nurse or registered midwife to be Vice-President of the Board.

Dr Kavanagh McBride’s first term as Vice President ended on 5 December 2020 on the termination of her first term of office. Expressions of interest were sought from eligible Board members but none were received at this time.

Following consideration, on 29 September 2021, Dr Kavanagh McBride agreed to present herself for re-election, with the understanding that the term of office would be until the first meeting of 2022 only and that expressions of interest/nominations would again be sought again from members at the end of 2021.

In December 2021, an email was sent to all Board members requesting that they either self-nominate (if eligible) or nominate a fellow Board member (with that member’s agreement) for election as Vice President. Mr John Horan and Ms Áine Lynch both nominated Dr Kavanagh McBride, who agreed to accept this nomination.

Decision The Board agreed to elect Dr Kavanagh McBride to the role of Vice President until the end of her term of office on 14 January 2025.

4.3 Board election 2022: appointment of returning officer

An election will take place in 2022 in five categories to appoint five registrants to the Board.



Pursuant to paragraph 3(2) of the Ministerial procedures for the election of nurses and midwives to the Board of NMBI:

the Board shall appoint a person to be a returning officer for the purpose of an election, other than the first election.

Decision The Board agreed to appoint the CEO, Ms McClelland, as returning officer for any Board election which might take place on any date in 2022

4.4 Appointment of Board member to the Audit and Risk Committee

As earlier noted, Board member Cyril Sullivan resigned from Board and the Audit and Risk Committee in December 2021, with his resignation becoming effective on 25 January 2022. Following the resignation of Board member Laura Sahm in September 2021, this left only one Board member, Mr Blake-Knox, sitting on the Audit and Risk Committee. Mr Horan had agreed to put his name forward for appointment to the Audit and Risk Committee.

Decision The Board agreed to appoint Mr Horan to the Audit and Risk Committee.

The Board noted that there remained a vacancy for one Board member on the committee and that this would be addressed once the four casual vacancies on the Board had been filled.

4.5 Board self-evaluation 2021 action plan

The Board noted briefing paper which set out the actions arising from the Board's self-evaluation session with Ms Lisa Manselli on 17 December 2021.

In particular, the Board noted that it had discussed the establishment of a temporary working group to address a succession plan for the Board and committees and agreed that work on this should begin as soon as possible.

Item 5 – CEO's update

5.1 CEO report

Ms Gorman joined the meeting during this item.

The Board noted the CEO report, incorporating the directorate reports, which had previously been circulated to members.

The CEO drew the Board's attention to the following which were detailed in the report:



Registration: Overseas applications continue to be received at a higher rate than can be completed in the Registration Department. Additional resources have been sourced to address this. The CEO met with the Indian ambassador in NMBI and a number of initiatives were considered.

Communications: Regular updates on the website and in the eZine have been provided regarding the annual renewal process. It was noted that the eZine was ended up being marked as spam for some members, perhaps due to bulk mail method of sending it out, and the CEO agreed to discuss this with the IT Department.

Annual report 2021: An overview of the contents of the 2021 was provided to the Board in graphics format. The complete annual report would be presented to the Board at its meeting on 23 March 2022. Following a suggestion from the Board, the CEO agreed that comparative data would be provided with the next updates.

Fitness to practise: Despite great progress being made in the FTP Department to address the backlog in inquiries and dispose of cases in a timely manner, the rate of complaints being referred to inquiry was similar to the number of inquiries held. The Board agreed that this was a significant strategic issue for the Board and would be further discussed later in the year.

Item 6 – MyNMBI

6.1 Status update

The Board noted the status update report which had previously been circulated to members.

Item 7 – Registration

7.1 Update report

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

Item 8 – Audit and Risk

8.1 Risk Register

The Board noted the briefing note, which had previously been circulated to members, and which update the Board on the implementation of the new risk register software.

Workshops had been held with members of the senior management team with a view to having the new Risk Register fully operationalised for the Audit and



Risk Committee meeting in March with reports presented to the Board on 23 March 2022.

Item 9 – Business, Strategy and Finance

9.1 Business plan and budget 2022

The Board noted that it had considered a draft business plan and budget for 2022 at its meeting on 24 November 2021. These had been revised and had been further considered by the Business, Strategy and Finance Committee at its meeting on 17 January 2022. The committee noted that further changes would be made following the committee’s discussions and were recommending the draft business plan and budget plan for approval by the Board.

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Decision The Board agreed to accept the recommendation of the Business, Strategy and Finance Committee and to approve the business plan for 2022.

Budget 2022

Mr Balfe drew the Board’s attention to the revisions which had been made to the budget.

Decision The Board agreed to accept the recommendation of the Business, Strategy and Finance Committee and to approve the budget for 2022.

9.2 Management accounts – November 2021

The Board considered the management accounts for November 2021 which had previously been circulated to members.

Decision The Board agreed to accept the recommendation of the Business, Strategy and Finance Committee and approved the management accounts for November 2021.

9.3 Business, Strategy and Finance Committee chair’s annual report to the Board

The Board considered the Business, Strategy and Finance Committee chair’s annual report which had previously been circulated to members.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the chair’s annual report to the Board.

9.4 FTP case management system

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



Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and agreed that the contract be awarded to KeyHouse for an initial duration of three years with the option to extend two times by 12 months.

9.5 Threshold for contracts: schedule of reserved functions

In April 2020, the Board agreed that this threshold should be agreed annually by the Board.

Decision The Board agreed that the threshold should remain at €50,000, below which the CEO would not need to seek Board approval.

9.6 Procurement plan update

The Board considered the procurement plan for 2022 which had previously been circulated to members and which set out NMBI's contract renewals and procurement requirements for 2022. The plan had been updated to take into account the guidance issued in its information note by the Office of Government Procurement (OGP) on the development of corporate procurement plans.

Decision The Board agreed to accept the recommendation of the Business, Strategy and Finance Committee and approved the procurement plan for 2022.

9.7 Code review – procurement

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

9.8 Board and committee membership including election plan 2022

The Board noted the briefing document, which had previously been circulated to members, and which detailed current vacancies on the Board and committees. The briefing document also detailed the list of Board members whose terms would end in 2022 – twelve Board members in eleven categories – and the schedule for the election of Board members in five of those categories.

Item 10 – Professional Standards (Nursing)

10.1 Update to standards and requirements for registered nurses

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



Under section 85 of the Nurses and Midwives Act 2011, NMBI sets the standards and requirements for registration in any division of the register and specialist nursing and midwifery qualifications; sets the criteria for the approval of an education body seeking to deliver an education and training programme and monitors adherence to these criteria to ensure ongoing compliance.

Stakeholder consultations regarding nursing programme standards and requirements were held in 2020. Following proof-of-concept trials, the programme approval and monitoring processes were revised in September 2021. Clinical site inspections were conducted in MTU, Tralee (October 2021) and NUIG (2021). Lessons learned from the clinical site inspections were then incorporated by the Education Department in a further review of the indicators, now renamed requirements, in December 2021. Following an expert review by both academic and clinical professionals, 66 requirements were discussed and amended to reflect the feedback provided presented for approval.

Decision The Board approved the current 66 requirements used for the approval of education bodies, associated health care providers and education programmes leading to registration.

10.2 Policy for education programme approval and monitoring

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

Decision The Board approved the policy and noted that the figures included in the graphics in the policy would be updated within four weeks.

10.3 Post-registration general nurse training programme

The Board noted the briefing document which had previously been circulated to members. The Board noted that a project plan was under development to explore post-graduate registration programmes for graduates from different divisions within nursing, but also from non-nursing degrees to undertake a post graduate general nursing degree. Further updates would be provided to the Board as progress was made.

10.4 Review of higher education institution (HEI) annual reports

The Board noted the briefing document which had previously been circulated to members. An analysis of annual reports submitted to NMBI by HEIs approved to deliver nursing and/or midwifery training programmes had been undertaken.



In response to this review and feedback from stakeholders, a template for annual reports had been devised and the date of submission had been changed to 30 June each year.

Item 11 – Fitness to practise

11.1 Revised FTP procedures

The Board considered the briefing document which had previously been circulated to members and which set out the proposed amendments to the following procedures:

1. Procedures of the Board when considering reports of the Fitness to Practise Committee under section 68(b)(ii) of the Nurses and Midwives Act 2011 (as amended by the Regulated Professions (Health and Social Care) (Amendment) Act 2020).
2. Procedures of the Board when considering matters pursuant to section 55(6) of the Nurses and Midwifery Act 2011.
3. Procedures of the Board when considering matters pursuant to section 58 of the Nurses and Midwives Act 2011.
4. Procedures of the Board when considering matters pursuant to section 79 of the Nurses and Midwives Act 2011.

Decision The Board approved the amendments to the procedures as proposed. The Board noted that the procedures would be further reviewed within 18 months and returned to the Board for update or revisions within three years.

Mr O’Leary advised the Board that the NMBI Publication Policy Document had also been revised, however, NMBI had requested legal advices with regard to the notification and/or publication of undertakings under sections 57A and 65 of the Act. The Publication Policy Document will be considered in light of these advices and the revised document would be presented to the Board at its meeting on 23 March 2022.

10.2 Procedures in relation to section 24(13) of the Nurses and Midwives Act 2011

The Board noted that, at its meeting on 23 November 2021, it had agreed, pursuant to section 24(13) of the Nurses and Midwives Act 2011, to allow certain FTP Committee members to remain on one or more inquiry subcommittees after their terms of office had expired, to finish consideration of matters already commenced before this expiration.

At the time, Mr O’Leary had suggested that a procedure could be drafted to cover this eventuality in the future without the need for the Board to consider the case for each member. However, on reflection and having considered the



wording of the legislation, Mr O’Leary considered that the most prudent course of action for the Board would be to consider each case on an individual basis and for the Board’s decision to be recorded in the minutes.

11.3 Reports

The Board noted the following reports which had previously been circulated to members:

- Monitoring of conditions and undertakings
- Section 44 orders/undertakings
- Section 58 orders/undertakings.

The Board discussed the wording of conditions and whether a ‘conditions bank’ should be created for use by subcommittees of inquiry.

Action A half-day brainstorming session to be organised, possibly in April, for Board and non-Board members involved in the inquiry process to allow members to share ideas and discuss ways to improve the drafting of conditions and reports.

The President encouraged all members to attend the hearing of the regulators list in the High Court on Monday afternoons, when it was possible to return to the High Court.

Item 2 – Board *in camera* session

As the Board wished to continue its discussion in private, members of the executive left the meeting.

At the invitation of the President, the CEO returned to the meeting during the *in camera* session.

Item 12 – Any other business

There being no further matters for consideration the meeting ended at 11.40hrs.

Signed:

Essene Cassidy
President



Bord Altranaís agus
Cnóimhseachais na hÉireann
Nursing and Midwifery
Board of Ireland

Date: _____