



Minutes of the meeting of the Board of the Nursing and Midwifery Board of Ireland (NMBI) held in 18/20 Carysfort Avenue, Blackrock, Co Dublin, on 22-23 March 2016.

Day 1: Tuesday, 22 March 2016 starting at 9am

Members Present:

| | |
|-----------------------------|-----------------|
| Ms E Cassidy, President | Mr M Blake-Knox |
| Mr J Murray, Vice-President | Mr D Murphy |
| Ms M Barrett | Dr C Finn |
| Mr K McGrane | Ms K Canning |
| Dr L Kavanagh McBride | Ms S Cleary |
| Ms B Liston | Mr L Minihan |
| Mr D Manning | Ms D Johnston |
| Dr R McElvaney | Dr K O'Carroll |
| Ms L Clarke-Bishop | |

Apologies were received from Mr N Giblin, Dr E Breatnach, Ms M Monahan and Dr D Lawler.

In attendance:

| | |
|--|---|
| Ms U Byrne, Interim CEO | Ms V O'Rourke, Fitness to Practise Department |
| Mr M Balfe, Interim Director of Corporate Services | Ms O Coady, Office of the CEO |
| Ms J Foley, Acting Chief Education Officer | |

Item 1 – Board private session

The Interim CEO, Mr Balfe, Ms Foley and Ms O'Rourke left the meeting.

Mr Murphy left the meeting during the private session.

Item 10 – Finance and Corporate Services Directorate report

10.1 Ms S O'Hanlon joined the meeting.

Mr Balfe presented the Finance and Corporate Services Directorate report to the Board which had previously been circulated to members.

Mr Balfe updated the Board on the meeting of the Audit and Finance Committee which had taken place the day before. A report of this meeting had previously been circulated to members.

Ms O'Hanlon presented the management accounts for December 2015, January 2016 and February 2016. Ms O'Hanlon advised the Board that the Comptroller & Auditor General (C&AG) had advised the organisation that a new financial reporting standard – FRS 102 – should

be used by NMBI however, the Department of Health had verbally instructed NMBI not to use FRS 102. Ms O’Hanlon will request the Department of Health to confirm this in writing.

Decision On the proposal of Dr Finn, seconded by Mr Minihan, the Board unanimously agreed to approve the report of the Finance and Corporate Services Directorate.

Ms O’Hanlon advised the Board that the February management accounts were presented on a template previously agreed with the Department of Health. The Department of Health subsequently changed the format by adding a second template.

Decision The Board agreed that the new format should be used for presentation of the management accounts.

10.2 BDO

Dr Finn updated the Board on the final cost of the BDO report.

10.3 Crowe Horwath report

The Interim CEO updated the Board final cost of the Crowe Horwath report.

10.4 Procurement

Mr Minihan asked whether the irregularities in procurement identified by the C&AG had been addressed. The Interim CEO replied that some issues identified in 2014 will recur in the 2015 audit and that the C&AG were aware of these.

10.5 HR

Mr Balfe presented a report on absenteeism in the organisation which had previously been circulated to members.

The Interim CEO updated the Board on the recent recruitment process: over 400 applications had been received for the grade 3 positions and over 400 applications had been received for the two advertised grade 4 positions. Shortlisting has been completed and interviews are being arranged. Assistance has been provided to the HR manager from other regulators. A panel will be put in place following the interviews.

Ms O’Hanlon left the meeting.

Item 4 – Minutes of previous Board meetings

4.1 Minutes of the meeting of 26-27 January 2016

On the proposal of Dr Finn, seconded by Mr Manning the Board unanimously approved the minutes of the meeting of 26-27 January 2016 subject to the correction of two typographical errors: the repetition of the word ‘that’ in item 13.4 and the substitution of ‘her’ for ‘sher’ in item 14.1.

4.2 Minutes of the meeting of 17 February 2016

On the proposal of Ms Cleary, seconded by Ms Barrett, with fourteen votes for, none against and

two abstentions, the Board approved the minutes of the meeting of 17 February 2016.

4.3 Minutes of the meeting of 29 February – 1 March 2016

On the proposal of Ms Cleary, seconded by Mr Manning the Board unanimously approved the minutes of the meeting of 29 February – 1 March 2016.

Item 5 – Matters arising from the minutes of previous Board meetings

5.1 Minutes of the meeting of 26-27 January 2016

There were no matters arising from the minutes of the meeting of 26-27 January 2016.

5.2 Minutes of the meeting of 17 February 2016

There were no matters arising from the minutes of the meeting of 17 February 2016.

5.3 Minutes of the meeting of 29 February – 1 March 2016

There were no matters arising from the minutes of the meeting of 29 February – 1 March 2016.

Item 6 – CEO report

6.1 The Interim CEO presented the CEO report to the Board which had previously been circulated to members.

The Interim CEO updated the Board on matters which had occurred since the report was written:

The Interim CEO, Mr Balfe, Ms O’Hanlon, the President and Ms Monahan attended an operational meeting at the Department of Health on 15 March 2016.

The Department of Health advised the Interim CEO on 21 March 2016 that another FOI request had been received. This request was not specific to NMBI and included a request to see the agendas and minutes of governance meetings between NMBI and the Department of Health from 1 January 2015 to the present day. The Interim CEO has contacted Beauchamps Solicitors seeking advice in relation to this.

Ms Cleary advised the Board that she had concluded her involvement in relation to the two earlier FOI requests received.

Decision On the proposal of Dr Finn, seconded by Dr O’Carroll the Board unanimously agreed to approve the CEO report.

Item 3 – Conflict of interest disclosures

Action Mr Balfe will send a reminder to all Board members following the meeting to return the completed conflict of interest declaration forms.

Dr O’Carroll left the meeting.

Item 8 – Education Directorate report

8.1 Ms Foley presented the Education Directorate report to the Board which had previously been

circulated to members.

The secondment of Dr Mary Doolan, Project Officer, will end on 31 May 2016. Ms Foley asked Board members to consider volunteering to attend site visits in the general nurse discipline. Ms Liston and Ms Johnston expressed an interest in attending site visits. Ms Foley noted that it is hoped that site visit reports will be published on the NMBI website in the future.

Mr Blake-Knox raised the issue of guidance re self-administration of medications in the context of the Standards for Medication Management being developed by NMBI. Ms Foley is to follow up on this issue.

Ms Cleary updated the Board on the work of the Midwives Committee and of the Ethics Committee.

It was noted that Ms Anna Marie Greaney was newly appointed member to the Ethics Committee to represent the institutes of technology.

This concluded the public session of the Board meeting.

As the former President, Mr P Gallagher had been invited to address the Board in private, the Interim CEO, Mr Balfe, Ms Foley, Ms O'Rourke and Ms Coady left the meeting.

The meeting ended at 6pm.

Day 2: Wednesday, 23 March 2016 starting at 9am

Members Present:

Ms E Cassidy, President
Mr J Murray, Vice-President
Ms M Barrett
Ms K Canning
Dr L Kavanagh McBride
Ms B Liston
Mr D Manning

Mr D Murphy
Dr C Finn
Ms S Cleary
Mr L Minihan
Ms L Clarke-Bishop
Ms D Johnston
Dr R McElvaney

Apologies were received from Ms M Monahan, Mr M Blake-Knox, Dr K O'Carroll, Dr E Breatnach, Mr N Giblin, Dr D Lawler and Mr K McGrane.

In attendance:

Ms U Byrne, Interim CEO
Mr M Balfe, Interim Director of Corporate Services
Ms V O'Rourke, Fitness to Practise Department
Ms O Coady, Office of the CEO

Mr E Evans, Beauchamps Solicitors
Ms E Burke, McDowell Purcell Solicitors

Fitness to Practise matter

The Board considered the following:

- Four reports of the Fitness to Practise Committee under the Nurses and Midwives Act 2011.
- An application pursuant to Section 79 of the Nurses and Midwives Act 2011.
- Three no prima facie decisions of the Preliminary Proceedings Committee.
- Reports relating to:
 - The monitoring of conditions
 - Section 44 orders/undertakings
 - Section 58 orders/undertaking
 - High Court and Supreme Court cases.

Item 12 – Letters to employers

12.1 Mr Balfe advised the Board that letters sent in the past to Board members' employers requesting their release from work to attend Board meetings had been specific to the work involved in implementing the newly commenced Nurses and Midwives Act 2011. However, Mr Balfe agreed that letters would be sent and requested Board members to contact him directly with their employers' details if they so wished. These letters will be signed by the President.

Ms Cleary advised of a relevant HSE circular which she will email to Mr Balfe.

Item 13 - Correspondence

13.1 Appropriate care in the appropriate setting – steering group

The Board was advised of an email received from Claire Collins, Department of Epidemiology and Public Health, University College Cork, requesting a Board nominee to the above steering group to replace former President, Mr P Gallagher.

The President requested Board members to contact her directly before the following week's meeting if interested.

13.2 Letter from Mr L O'Reilly, Department of Health and letter from the C&AG

The Interim CEO advised the Board that the contents of these letters had been discussed with the Department of Health and circulation of the letters was for Board members' information only.

Item 15 - Strategy

15.1 The President advised the Interim CEO of the decision of the Board taken during the private session in relation to the strategy.

In order for the strategy to be developed as soon as possible, the Board requests that work plans for each department be developed immediately by the senior manager responsible for that area with the agreement of the relevant committee/committee chair. These work plans should be submitted to the CEO and will form the foundation for the business plan for the organisation. This business plan must be presented at the next scheduled Board meeting on 24-25 May 2016.

Item 7 – Registry Directorate report

7.1 The Board considered the report of the Registry Directorate which had previously been circulated to the Board.

The Board was of the opinion that there are two separate issues relating to the Registry Directorate:

1. The terms of reference of the Registration Committee must be revised and amended to include:
 - a. A requirement that the chair of this committee is a Board member to ensure appropriate feedback at Board level.
 - b. An obligation on the committee to focus on registration applications.
2. The significant increase in workload affecting the Registry Directorate over the past number of years.

The Board had agreed that the President would liaise with the Interim CEO to look for a short term solution to the backlog of overseas applications for registration.

The Interim CEO advised the Board that it had been agreed with the Department of Health that the format of the registration report submitted to the Department should be revised to enable trends to be monitored. The Interim CEO will liaise with the Deputy Chief Nurse in the Department of Health with a view to developing the new format.

Item 8 – Regulation report

- 8.1 The Board considered the report of the Fitness to Practise Directorate which had previously been circulated to members.

The Interim CEO updated the Board on the Internal Market Information System (IMI) which came into effect on 18 January 2016. The alert system of the IMI is triggered if a registrant within a participating EU Member State has been removed or suspended from the Register or has conditions applied to their registration. a very large number of alerts had been received from other jurisdictions, mostly the UK. All were being reviewed by the PPC Team. So far none of the alerts received have given rise to anything requiring further investigation.

Ms Johnston left the meeting on conclusion of Board consideration of this matter.

Item 11 – Website project report

- 11.1 The Board considered reports by Ms A O’Toole, Amas Ltd and Mr Balfe which had previously been circulated to members.

Board members also raised concerns that all NMBI documents were re-skinned and amended to reference the NMA 2011 without prior approval of the Ethics Committee. These documents need to be brought to the Ethics Committee for approval.

There being no other matters for consideration, the meeting ended at 5pm.

Signed: _____
Essene Cassidy
President

Date: _____