



Minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in 18/20 Carysfort Avenue, Blackrock, Co Dublin, on 26-27 January 2016.

Day 1: Tuesday, 26 January 2016 at 9am.

Members Present:

Mr J Murray, Vice President (chair)	Dr K O'Carroll
Ms S Cleary	Ms E Cassidy
Mr D Manning	Ms D Johnston
Mr P Dolan	Dr D Lawler
Mr L Minihan	Dr L Kavanagh McBride
Mr M Blake-Knox	Dr C Finn
Ms L Clarke-Bishop	Ms M Monahan
Ms B Liston	Dr R McElvaney
Mr K McGrane	Ms M Barrett
Mr N Giblin	Ms K Canning

Apologies were received from Mr M Higgins, Dr E Breatnach and Mr D Murphy.

In attendance:

Ms U Byrne, Interim Chief Executive Officer (CEO)	Ms O Coady, Office of the CEO
Mr M Balfe, Interim Director of Corporate Services	Ms V O'Rourke, Fitness to Practise Dept
Ms G Byrne, Acting Director of Registry	
Ms J Foley, Acting Chief Education Officer	

Item 1 – Private session

As the Vice President wished to convene a meeting of Board members only Ms U Byrne, Ms Foley, Mr Balfe, Ms G Byrne and Ms O'Rourke left the meeting.

Ms Coady left the meeting during the private session.

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

Items 2 & 4– Induction

Mr Balfe welcomed new Board members and briefly presented the policy and governance documents which had previously been uploaded to Board members' iPads.

Following consideration of the Board members' charter, the Board advised that the following changes be made to the charter:

- The wording in relation to required attendance at Board meetings should be changed to be

consistent with the wording of the corresponding Section of the Nurses and Midwives Act 2011;

- The Section on integrity and honesty should be amended to include the roles and responsibilities of officers;
- A Section on decision making should be included with emphasis on the importance of making decisions in the public interest;
- The procedures for addressing conflict of interest should be made more explicit.

Action Mr Balfe agreed to make these changes and to circulate an amended copy of the charter on the second day of the Board meeting.

The Board discussed the delay in receiving documents in advance of the Board meeting.

The Interim CEO apologised for this delay but explained that the document which had been uploaded that morning was for the Board's information only and was not required to be considered by the Board.

Ms Cassidy acknowledged the difficulties faced by the executive but suggested that in future if documentation was not received in advance of the Board meeting and in line with standing orders the agenda item should be moved to the next Board meeting.

The Interim CEO updated the Board on her communication with the Department of Health regarding two Board members whose tenure of office will expire in February 2016 – Mr P Dolan and Mr M Higgins, who filled a casual vacancy caused by the retirement of Mr J Cregan. Both members have indicated their willingness to remain on the Board. Mr P Gallagher, the previous President of NMBI, wrote to the Department of Health in December 2015, requesting that both members be reappointed. However, it is unlikely that a decision will be made by the Minister for Health regarding the reappointment of the Board members before the general election which is due to be held in the coming weeks.

The Interim CEO advised the Board of a letter received from the Department of Health dated 19 January 2016 which detailed the staff recruitment procedure for state agencies. A copy of this letter will be circulated to Board members.

Item 3 – Overview of the organisation

3.1 The Interim CEO presented an overview of the organisation to the Board which was followed by a question and answer session with the Board.

Item 5 – Fitness to practise: An introduction

5.1 The Interim CEO gave a brief overview of the procedure for consideration of fitness to practise matters.

An information sheet entitled *Board consideration of FTP inquiry reports* was circulated to the Board.

Item 6 – Minutes of previous Board meetings

6.1 Minutes of the meeting of 17-18 November 2015

The minutes of the Board meeting held on 17-18 November 2015, having been previously circulated to members, on the proposal of Ms Cassidy, seconded by Ms Barrett, with seventeen

votes for, three against and no abstentions, were adopted by the Board and signed by the Vice President.

6.2 Minutes of the meeting of 26 November 2015

The minutes of the Board meeting held on 26 November 2015, having been previously circulated to members, on the proposal of Dr Lawler, seconded by Ms Cassidy, with fourteen votes for, none against and six abstentions, were adopted by the Board and signed by the Vice President.

6.3 Minutes of the meeting of 1 December 2015

The minutes of the Board meeting held on 1 December 2015, having been previously circulated to members, on the proposal of Mr Dolan, seconded by Ms Cleary, with thirteen votes for, none against and seven abstentions, were adopted by the Board and signed by the Vice President subject to the addition of a heading at the top of page 7 and the insertion of the following clarification under item 2.1:

‘It was noted that Ms Cassidy and Mr Giblin, the proposer and seconder of the above motion, were not present to speak to the motion.’

6.4 Minutes of the meeting of 7 December 2015

The minutes of the Board meeting held on 7 December 2015, having been previously circulated to members, on the proposal of Mr Manning, seconded by Mr Dolan, with eleven votes for, none against and nine abstentions, were adopted by the Board and signed by the Vice President, subject to the following correction on page 2: *Secretary General* changed to *Deputy Secretary General*.

6.5 Minutes of the meeting of 22 December 2015

The minutes of the Board meeting held on 22 December 2015, having been previously circulated to members, on the proposal of Mr Blake-Knox, seconded by Mr Manning, with nineteen votes for, none against and one abstention, were adopted by the Board and signed by the Vice President,

Item 7 – Matters arising from minutes of previous Board meetings

7.1 Minutes of the meeting of 17-18 November 2015

There were no matters arising from the minutes of the meeting of 17-18 November 2015.

7.2 Minutes of the meeting of 26 November 2015

There were no matters arising from the minutes of the meeting of 26 November 2015.

7.3 Minutes of the meeting of 1 December 2015

Arising from **item 10: Correspondence – SVUH/NMBI/INMO**, the Interim CEO stated that the letter to Ms Flynn had not yet been sent but would be sent by the end of the current week.

Arising from **item 2.2: External signage**, the Interim CEO confirmed that the new sign had been ordered and would be installed once a date had been confirmed by the supplier.

7.3 Minutes of the meeting of 7 December 2015

There were no matters arising from the minutes of 7 December 2015.

7.4 Minutes of the meeting of 22 December 2015

There were no matters arising from the minutes of 22 December 2015.

As the Vice President wished to consider items 8 and 9 in private, the Interim CEO, Mr Balfe,

Ms G Byrne, Ms Foley and Ms O'Rourke left the meeting.

The Interim CEO, Ms Foley and Ms O'Rourke returned to the meeting.

Crowe Horwath report

The Board discussed the letter received from Impact requesting that the staff of NMBI be given sight of the Crowe Horwath report.

Mr Balfe returned to the meeting.

Mr Blake-Knox left the meeting.

The Board agreed that the work of Crowe Horwath Consultants had finished and that any plan for implementation of the report should be formulated by the new CEO when appointed.

Item 10 – CEO report

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

The Interim CEO updated the Board on meetings held between NMBI and the Department of Health. The Interim CEO advised the Board that the Department of Health have indicated that it is highly likely that NMBI will be required to appear before the Public Accounts Committee (PAC).

Decision On the proposal of Ms Cleary, seconded by Dr Lawler, the Board unanimously agreed to approve the CEO report.

Item 11 – Finance and Corporate Services Directorate report

11.1 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.

Ms O'Hanlon presented the management accounts for November 2015.

Following a query from the Board in relation to staggered payments of the Annual Retention Fee (ARF), the Interim CEO advised that this would be considered by the executive and a report would be prepared for the Board. The Interim CEO advised that staggered payment would probably require new Rules to be written.

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

Ms O'Hanlon left the meeting following Board consideration of this item.

Item 12 followed item 13.

Item 13 – Any other business

13.1 Update on the new website

The Interim CEO updated the Board in relation to the new website. The scale of the work had been greater than anticipated and not well resourced, however, the work was nearing completing and it was hoped that the website would go live within the next few days.

- 13.2 Pre-authorisation form: Institute staff undertaking work on behalf of another public service body
Dr Kavanagh McBride asked for clarification with respect to the above form which she had received and which had been forwarded to Mr Balfe.

Mr Balfe said that he would review the form and revert to Dr Kavanagh McBride later in the week.

- 13.3 Launch of the Nurse and Midwife Registration Programmes Standards and Requirements
Ms Foley confirmed that the launch would take place on 9 February 2016.

- 13.4 Registration complaints
The Board raised the issue of the difficulties registrants experienced in contacting the Registration Department and delays in the processing of overseas applications.

The Interim CEO pointed out that a designated call centre had been recently set up to deal with registration queries and that that new website would allow applicants to track the status of their applications for registration online. Further discussion of the matter was deferred until the following day when Ms G Byrne, Acting Director of Registry, was scheduled to present the report of the Registry Directorate.

- 13.5 Board member expenses
Mr Balfe advised that Board that all expense claims must be made through the iDocs system. New Board members will need to be trained in how to use the system. Bank details from all Board members will be required in order to process claims. Mr Balfe will be in touch with Board members in relation to the above.

Dr McElvaney left the meeting.

As the Vice President wished to consider item 12 in private, the Interim CEO, Mr Balfe, Ms Foley and Ms O'Rourke left the meeting.

The meeting concluded at 18.05.

Day 2: Wednesday, 27 January 2016 at 9am.

Members Present:

Mr J Murray, Vice President (chair)	
Ms S Cleary	Ms E Cassidy
Mr D Manning	Ms D Johnston
Mr P Dolan	Ms D Lawler
Mr L Minihan	Dr L Kavanagh McBride
Mr M Blake-Knox	Dr C Finn
Ms L Clarke-Bishop	Ms M Monahan
Ms B Liston	Dr R McElvaney
Mr K McGrane	Ms M Barrett
Mr N Giblin	Ms K Canning
Mr D Murphy	

Apologies were received from Mr M Higgins, Dr E Breatnach and Dr K O'Carroll.

In attendance:

Ms U Byrne, Interim Chief Executive Officer (CEO)	Ms O Coady, Office of the CEO
Mr M Balfe, Interim Director of Corporate Services	Ms V O'Rourke, Fitness to Practise Dept
Ms G Byrne, Acting Director of Registry	
Ms J Foley, Acting Chief Education Officer	

Items 14-18 – Fitness to Practise matters

The Board considered the following:

- One report of the Fitness to Practise Committee under the Nurses Act 1985.
- Two reports of the Fitness to Practise Committee under the Nurses and Midwives Act 2011.
- One application pursuant to Section 79 of the Nurses and Midwives Act 2011.
- Fourteen 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 19 – Registry Directorate report

19.1 Ms G Byrne and Ms Foley joined the meeting.

Ms Byrne presented the Registry Directorate report to the Board which had previously been circulated to members.

Following a query from Mr Giblin in relation to the registration call centre, Ms Byrne advised that at present the call centre dealt only with queries from applicants for registration who trained overseas but that eventually the call centre would accept all registration queries. This would not happen in the immediate future but would be part of the tender for the new call centre.

Ms Cassidy raised the issue of phones not being answered in NMBI which was highlighted in the Crowe Horwath report. The Interim CEO acknowledged that this was a problem mostly due to resource issues. The new website which will allow overseas applicants to check the status of their applications online as well as the new call centre should alleviate the problem. However, the Interim CEO stressed that the new online facility would not speed up the application process itself as overseas trained applicants will not be able to apply for registration online.

Mr Blake-Knox joined the meeting.

Mr Balfe returned to the meeting.

Decision On the proposal of Mr Manning, seconded by Mr Giblin, the Board unanimously agreed to approve the Registry Directorate report.

Item 20 – Education Directorate report

20.1 Ms Foley presented the Education Directorate report to the Board which had previously been circulated to members.

Decision On the proposal of Mr Giblin, seconded by Ms Clarke Bishop, the Board unanimously agreed to approve the Education Directorate report.

Item 21 – Regulation Directorate report

21.1 The Interim CEO presented the Regulation Directorate report to the Board which had previously been circulated to members.

The Interim CEO that submissions had been made to the Department of Health requesting that the quorum for the Fitness to Practise Committee be reduced to three due to the difficulties experienced reaching a quorum for meetings. No response has yet been received.

Decision On the proposal of Mr Manning, seconded by Ms Cassidy, the Board unanimously agreed to approve the Regulation Directorate report.

Item 22 – Any other business

22.1 The Interim CEO advised the Board that since 18 January 2016 the Internal Market Information System (IMI) was being used in the Registry Department. This IT based information network allows competent authorities within the EU to share information quickly. If a registrant is removed from the Register or has conditions applied to their registration in member state using the system, this triggers an alert to other user states. This alert system does not have retrospective effect.

Item 23 – Election of President

23.1 The Presidential candidates, Ms Cassidy and Ms Johnston, each gave a short presentation to the Board. All Board members present cast their vote by secret ballot. Mr Balfe and Ms Coady counted the votes and the results were presented to the CEO. With a majority of 17 votes to 3 votes, Ms Cassidy was declared President of NMBI for the remainder of her term of office and presented with the chain of office.

Item 24 – Committees of the Board

24.1 The Board considered vacancies on committees of the Board which needed to be filled by Board members.

The President informed the Board that she would step down from the Fitness to Practise Committee once the current inquiry had taken place as it has been the practice that the President not sit on the Fitness to Practise Committee.

Decision Fitness to Practise Committee

On the proposal of Ms Liston, seconded by Mr Manning, the Board unanimously agreed to appoint Ms Canning and Ms Barrett to the Fitness to Practise Committee.

Mr McGrane left the meeting.

Decision Preliminary Proceedings Committee

On the proposal of Ms Cleary, seconded by Mr Giblin, the Board unanimously agreed to appoint Ms Liston to the Preliminary Proceedings Committee.

Decision Midwives Committee

On the proposal of Mr Giblin, seconded by Mr Manning, the Board unanimously agreed to appoint Ms Johnston and Dr Finn to the Midwives Committee.

Mr McGrane returned to the meeting.

Decision Education and Training Committee

On the proposal of Ms Cleary, seconded by Ms Monahan, the Board unanimously agreed to appoint Ms Clarke-Bishop, Dr Kavanagh McBride, Dr McElvaney, Mr Giblin and Mr Murray to the Education and Training Committee.

Decision Ethics Committee

On the proposal of Ms Liston, seconded by Ms Cleary, the Board unanimously agreed to appoint Ms Johnston as a nurse representative to the Ethics Committee.

On the proposal of Mr McGrane, seconded by Mr Manning, the Board unanimously agreed to appoint Mr Minihan as a lay representative to the Ethics Committee.

Decision Registration Committee

On the proposal of Ms Liston, seconded by Ms Cleary, the Board unanimously agreed to appoint Ms Canning and Ms Clarke Bishop to the Registration Committee.

Decision Standards and Validation Committee

On the proposal of Ms Canning, seconded by Ms Clarke Bishop, the Board unanimously agreed to appoint Dr Kavanagh McBride and Ms Liston to the Standards and Validation Committee.

Auditi and Finance Committee

The Board agreed that the Audit and Finance Committee should become two separate

committees; an Audit Committee and a Finance and General Purposes Committee.

Decision On the proposal of Ms Cleary, seconded by Mr Murray, the Board unanimously agreed to appoint Ms Monahan and Mr Minihan to the Audit and Finance Committee.

A meeting of the Committee for the Appointment of non-Board Members to Board Committees will be convened in February to consider non-Board member vacancies on committees.

Dr McElvaney left the meeting.

Item 25 – Private session

As the President wished to convene a meeting of Board members only the Interim CEO, Ms Foley, Mr Balfe, Ms G Byrne and Ms O'Rourke left the meeting.

The meeting concluded at 6.35pm.

Signed: _____
Essene Cassidy
President

Date: _____