



Edited minutes of the meeting of the Board of the Nursing and Midwifery Board of Ireland (NMBI) held on Wednesday, 20 July 2022 starting at 9.30hrs in NMBI and by video.

### **Members attending in person**

Ms E Cassidy, President of NMBI  
Dr L Kavanagh McBride, Vice President of NMBI  
Dr C McKenna  
Ms AM Duffy  
Prof C O’Herlihy  
Ms A Horgan  
Mr D Murphy  
Ms M Vaughan  
Prof M Rigby  
Ms E Kelly  
Ms C Cocoman  
Mr T Glynn

### **Members attending by video**

Mr J Horan  
Mr R Bruton  
Dr D Faller  
Ms M Gorman  
Mr M Blake-Knox

### **In attendance**

Ms S McClelland, CEO  
Mr C O’Leary, Director of Fitness to Practise  
Mr R Healy, Director of Registration  
Ms S Nolan, Communications and Governance Officer  
Ms L Manselli, Strategy and Programme Manager  
Tina Leonard, Director, Drury Communications  
Ms O Coady, Governance and Secretariat Manager

### **Item 1 – Apologies and conflicts of interest**

- 1.1 Apologies were received from Dr D Lawler, Ms A Lynch, Ms L Collins, Mr L Hamill and Mr J Shalbin.



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

## **Item 2 – Minutes and actions of previous meetings**

### 2.1.1 Minutes of the meeting of 24 May 2022

The Board considered the minutes of the meeting of 24 May 2022 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of the 24 May 2022.

### 2.1.2 Minutes of the meeting of 25 May 2022

The Board considered the minutes of the meeting of 25 May 2022 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of the 25 May 2022.

### 2.1.3 Minutes of the meeting of 30 June 2022

The Board considered the minutes of the meeting of 30 June 2022 which had previously been circulated to members.

**Decision** The Board approved the minutes of the meeting of the 30 June 2022.

### 2.2 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.

### 2.3 Written decision: Appointment of a Board member to the Audit and Risk Committee

The Board noted the report on the decision of the Board of 2 June 2022 taken using the written procedure whereby the Board agreed to appoint Board member, Áine Lynch, to the Audit and Risk Committee.



### Item 3 – President’s update

#### 3.1 NMBI Summer Series

NMBI jointly hosted five different Summer Series events at four college campuses in June, with each campus focusing on a different division of the NMBI Register. The fifth event was a community-based event at the St Mary’s campus in Phoenix Park. Each event focussed on a professional discussion of key issues relating to the region. The President attended each event with members of the NMBI executive. It was hoped that these would become annual events and the President encouraged Board members to attend.

#### Appointment of Board members

A call for applicants to fill the current and upcoming public interest member vacancies on the Board had recently been made using the State Boards process. The President would form part of a panel of four assessors who would meet to consider the applications received following the Board meeting.

Ms Gorman joined the meeting.

### Item 4 – CEO’s update

#### 4.1 CEO report

The Board noted the CEO report, incorporating the directorate reports, which had previously been circulated to members. The Board discussed the following, which were detailed in the report:

**Parliamentary questions (PQs):** A number had been received in relation to nurses registered in the intellectual disability (ID) division of the register and their eligibility to work in other divisions.

**Revision of the Code of Conduct and Ethics for Nurses and Midwives, the Scope of Practice for Nurses and the Social Media Professional Guidelines:** Work was underway to streamline the three documents into one document which would be more user-friendly. The revision would not have implications for the fitness to practise process as the content would not materially change.

**Section 40(1) of the Nurses and Midwives Act 2022 (indemnity for midwives):** This had not yet been commenced and NMBI had not yet received any guidance on how it should be progressed once commenced.

**FTP case management system (CMS):** This system would allow NMBI to move from a process that relied on staff knowledge to a centralised IT system on which



complaints would follow a defined process and where all communication templates were managed. It would also allow NMBI to generate metrics from the processing of complaints to inquiry and allow the FTP Department to run reports that would identify cases that were not progressing in a timely manner. Data migration was underway and the anticipated go live was October 2022.

**Overseas applications:** Current approaches to deal with the backlog were working. More decision letters (over 2600) had been issued to applicants in the first half of 2022 than in all of 2021 (2400) with 700 being issued in June alone. Receipt of a positive decision letter would enable an applicant to undertake a compensation measure as a final step to registration.

## Item 5 – MyNMBI

### 5.1 Status update

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

The Board noted that the Chairs Committee, which acted as a steering group for the project, had received a detailed update from the Digitisation Manager at its meeting on 12 July 2022.

Mr Healy joined the meeting.

## Item 6 – Registration

### 6.1 Data digest

The Board considered the briefing paper and a draft copy of the *State of the Register 2021* which had previously been circulated to members.

Mr Healy asked the Board to note the following:

- Data was captured on 1 June 2022
- Nurses and midwives were asked to self-select if they were ‘practising’ or ‘patient-facing’ during the annual renewal cycle.
- Successful annual renewal cycle in 2021 provided reassurance as to the data quality.
- Nurses and midwives were removed from the register for non-renewal in March 2022, therefore the June run date most accurately reflected the register.
- The data provided was from the Register of Nurse and Midwives, not the available workforce. The data was provided for information and to inform wider workforce planning models.



Mr Healy advised the Board that, with the Board's agreement, the data would be published in August 2022, with a view to publishing such data annually.

**Decision** The Board praised this initiative and agreed that the *State of the Register 2021* report should be published in August 2022. The Board also agreed that a communication strategy should be developed around the publication and should bear in mind NMBI's various stakeholder groups.

## Item 7 – Business, Strategy and Finance

### 7.1 Finance

#### 7.1.1 *Management accounts – May 2022*

The Board considered the management accounts for May 2022 which had previously been circulated to members.

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the management accounts for May 2022.

#### 7.1.2 *Update to online banking user set-up and processing (bank mandates)*

The Board considered the online banking procedure which had previously been circulated to members.

The Board noted that the policy had been approved in November 2020 but that changes were now required to reflect changes to personnel.

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the proposed updates to Appendix 2.

#### 7.1.3 *Change of bank accounts*

Options were being explored and a proposal would be brought the committee at its meeting in September.

### 7.2 Strategy

Ms Nolan, Ms Manselli and Ms Leonard joined the meeting.

#### 7.2.1 *Draft for consultation – statement of strategy 2023-2025*

The Board considered the draft document for consultation which had previously been circulated to members.



**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the draft for public consultation.

#### 7.2.2 *Comms plan for consultation*

The Board considered the comms plan which had previously been circulated to members.

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the comms plan.

Ms Nolan, Ms Manselli and Ms Leonard left the meeting.

### 7.3 Governance documents

#### 7.3.1 *Procedure for Board in camera meetings*

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

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the revised procedure subject to the inclusion of a requirement that, with the agreement of the Board, the President and members of the Governance Group (the Vice President and Chairs of the Business, Strategy and Finance Committee and the Audit and Risk Committee) should convene a meeting, if appropriate, to provide the CEO with a summary of the matters discussed.

#### 7.3.2 *Procedure for post-resignation or retirement of a Board/Committee member*

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

**Decision** The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the revised procedure.

### 7.4 Board and committee membership

#### 7.4.1 *Election of returning officer for Board election 2022*

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

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.’

At its meeting on 26 January 2022, the Board agreed to appoint the CEO as returning officer for any Board election taking place in 2022.

However, as the CEO would not be able to be in NMBI on the day the results of the upcoming election were announced due to diary conflicts, the Board was asked to appoint a new returning officer.

**Decision** The Board agreed to appoint the Director of Fitness to Practise as returning officer for the Board election 2022.

#### 7.4.2 *Board election 2022 update*

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

1. Board election 2022 – timeline.
2. Notice of election which had been published in a national newspaper on 14 July 2022.

#### 7.4.3 *Board and committee membership and vacancies*

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

1. Current and upcoming vacancies on the Board.
2. Current and upcoming vacancies on committees.

The Board noted that the terms of office of several Chairs would come to an end at the year, with the end of the members’ terms of office and this had been considered at the meeting of Chairs on 12 July 2022. The Chairs had agreed that the appointment of new Chairs should be deferred until the new Board members had been appointed at the end of 2022/beginning of 2023. The current Chairs each agreed to prepare a due diligence checklist for incoming Chairs and to make themselves available to the new Chairs to provide support in the first quarter of 2023.

**Action** Update the vacancies table to reflect the Board member vacancies on the PPC at the end of the year.

### 7.5 Training

#### 7.5.1 *Expressions of interest from Board members*



The Board noted the briefing documents which had previously been circulated to members and which included the following:

1. Prospectus from the Institute of Public Administration (IPA) for the Professional Certificate in Governance.
2. A list of Board and staff members who had successfully completed the course.
3. Board members' learning contract and application form.

**Action** The learning contract would be emailed to Board members following the meeting and interested members were invited to submit their application by the end of August so that it could be considered by the Business, Strategy and Finance Committee using the written decision process.

Ms Cocoman had recently successfully completed the course and had surveyed Board members as part of her course work. The Chair of the Business, Strategy and Finance Committee invited Ms Cocoman to attend a meeting of the committee and provide feedback on the survey and the course to members.

The Board discussed other training requirements for Board members. The Board noted that a Regulatory Officer programme was being developed for NMBI and this would possibly be of interest and relevance to Board members in the future.

## **Item 8 – Audit and Risk**

### **8.1**      Review of risk appetite statement

The Board considered the risk appetite statement and briefing note which had previously been circulated to members. The Board noted that the risk appetite statement was last reviewed in May 2021 and approved by the Board at its meeting on 21 July 2021. It had been reviewed again by the Chief Risk Officer ahead of the meeting of the Audit and Risk Committee on 8 June 2022 meeting and no changes or updates were recommended.

**Decision** The Board accepted the recommendation of the Audit and Risk Committee and approved the risk appetite statement with no changes.

Mr O'Leary joined the meeting by video.

### **8.2**      Corporate risk register

The Board considered the corporate risk register and briefing paper which had previously been circulated to members.





**Decision** The Board accepted the recommendation of the Audit and Risk Committee and approved the corporate risk register.

Mr O’Leary left the meeting.

## **Item 9 – Education, Policy and Standards (Nursing)**

### 9.1 Assisted Decision-Making (Capacity) Act 2015

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

This bill was currently before Seanad Éireann, Second Stage, but to date there had been no confirmation of the commencement of the Bill and no timeline had been provided.

### 9.2 Mature student testing campaign

The Board considered the briefing note which had previously been circulated to members and which set out the statistics from the campaign.

### 9.3 Site visit

The Board noted the briefing note and correspondence which had previously been circulated to members.

## **Item 10 – Fitness to practise**

### 10.1 Non-Board member to continue to remain on subcommittee of inquiry

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

### 10.2 Reports

#### 10.2.1 ***Section 44 orders/undertakings***

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

#### 10.2.2 ***Section 58 orders/undertakings***

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

#### 10.2.3 ***Conditions report***



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

#### 10.2.4 ***Undertakings report***

Ms Gorman declared a conflict of interest and left the meeting.

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

#### 10.2.5 ***High Court, Court of Appeal and Supreme Court cases***

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

**Action** The Director of Fitness to Practise and the Director of Education, Policy and Standards were developing a course on ethics which focussed on the principles set out in the *Code of Professional Conduct and Ethics for Registered Nurses and Registered Midwives*. An update on this course to be provided to the Board at its meeting in September.

Ms Gorman returned to the meeting.

#### 10.3 Undertakings and consents to the Preliminary Proceedings Committee

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

#### 10.4 Person-Centred Project

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

### **Item 11 – Any other business**

#### 11.1 Specified Information – S19 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012

The Board noted that it had had begun to take the above Act into consideration at its FTP meetings and that this was still a work in progress.

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

### **Item 12 – Board *in camera* session**

11.1 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 remained in the meeting during the *in camera* session.

**Signed:**

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**Essene Cassidy**  
**President**

**Date:**

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