



Edited minutes of the meeting of the Board of the Nursing and Midwifery Board of Ireland (NMBI) held on Tuesday, 21 March 2023 starting at 15.15hrs in NMBI and by video.

Members present in person

Dr L Kavanagh McBride – President of NMBI
Ms M Alungal
Mr R Dolan
Mr J Horan
Mr M Johnston
Mr T McGonigal
Dr M Murphy
Ms N Murphy
Dr C McKenna
Ms M Ní Shúilleabháin
Ms K O’Halloran
Mr R Bruton
Dr L Buckley
Mr J Shalbin
Ms M Vaughan
Dr D Faller

Members present by video

Ms AM Duffy
Ms A Lynch
Ms M Leahy

In attendance

Ms S McClelland, Chief Executive
Mr C O’Leary, Director of Fitness to Practise
Dr R Healy, Director of Registration
Ms K Barrett, Head of Operations
Ms Z Forde, Communications Manager
Ms O Coady, Governance and Secretariat Manager
Mr D Coombes, Crowleys DFK

Item 1 – Apologies and conflicts of interest

- 1.1 Apologies were received from Mr T Glynn, Ms L Collins, Prof G Gulati and Ms MR Loughnane.



- 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 hybrid meeting were to remain confidential to Board members and attendees.

With the agreement of the President, some general business matters scheduled to take place the following day had been considered once the fitness to practise agenda had concluded.

Items 1-6 were considered on Wednesday, 22 March 2023.

Items 7-8 were considered after item 9.

Item 9 – Audit and Risk

9.1 System of internal controls review 2022

Section 1.8 of the Code of Practice for the Governance of State Bodies 2016 states that:

‘The Board has responsibility for ensuring that effective systems of internal control are instituted and implemented. The Board is required to confirm annually to the relevant Minister that the State body has an appropriate system of internal and financial control in place.’

In its statement on the SIC the Board is also required to confirm that there has been a review of the effectiveness of the SIC. The report on the review of the SIC, which had previously been circulated to members, was considered by the Board. The report summarised the results of the review of internal financial controls and internal control questionnaires completed by management for consideration by the Board as part of its review of the effectiveness of the system of internal control for the period January 2022 to December 2022. The report consisted of two parts:

1. Internal financial controls.
2. Internal control questionnaire.

Internal financial controls

NMBI’s internal auditors were of the opinion that reasonable assurance could be placed on the adequacy and operating effectiveness of internal controls to mitigate and/or manage those inherent risks to which the activity under review is exposed. The audit did not identify any high priority findings that would require immediate management attention. The audit identified four medium priority findings and seven low priority findings.



The internal auditors do not provide assurance in respect of the ICQ as the internal auditors are part of the internal control framework. The ICQ was completed in the form of a self-assessment by management. The internal audit represented a high-level review of evidence to support the statements made and not an in-depth audit of the controls noted.

Based on this high-level review of the completed questionnaire, no high priority items were identified. Two medium priority findings were identified and three low priority findings were identified.

The Head of Operations confirmed that the findings would be addressed.

Decision The Board accepted the recommendation of the Audit and Risk Committee and approved the report on the review of the SIC.

9.2 Draft annual financial statements 2022

The Board considered the draft annual financial statements for 2022 which had previously been circulated to members and which included the following:

1. General information about Board members' appointments and terms of office.
2. Governance statement and Board members' report.
3. Statement on internal control.
4. Financial statements.

The draft financial statements for 2022 had been submitted to the Department of Health on 28 February 2023 in accordance with the requirements of the Code of Practice for the Governance of State Bodies 2016. The Department of Health had acknowledged receipt of the draft financial statements.

The Board noted that the draft financial statements for 2022 had been circulated to the Business, Strategy and Finance Committee for noting.

The Board noted that the financial statements gave a true and fair view of the financial performance and the financial position of NMBI on 31 December 2022 except for non-compliance with the requirements of FRS102 in relation to retirement benefit entitlements. In compliance with the directions of the Minister for Health, the Board accounts for the costs of the superannuation entitlements only as they become payable. This basis of accounting did not comply with FRS102 which requires costs to be recognised in the year in which entitlement is earned.



The Board noted that two minor changes had been made to the draft financial statements since submission to the Department of Health.

Decision The Board agreed to accept the recommendation of the Audit and Risk Committee and approved the draft annual financial statements for 2022. The draft annual financial statements for 2022 would now be submitted to the Comptroller and Auditor General for audit no later than 31 March 2023 pursuant to section 34(3) of the Nurses and Midwives Act 2011 (as amended).

Items 9.3 – 9.5 were considered on Wednesday, 22 March 2023.

Item 7 – Registration

7.1 Removal for non-payment of annual retention fee (ARF)

The Board considered a list of registrants who had failed to pay the ARF. The Board noted that NMBI had fulfilled its legal obligations pursuant to the Nurses and Midwives Act 2011 (as amended) in relation to this matter. The following notifications had been sent to all registrants regarding payment of the ARF which was due by 31 December 2022:

- Renewal email notification sent over the course of 9-10 November 2022.
- Reminder emails sent over the course of 5-7 December 2022.
- Second reminder email sent 25 January 2023.
- Final notice issued on 7 February 2023.
- Overdue notice sent via letter w/c 20 February 2023.

Decision The Board approved the removal from the Register of Nurses and Midwives of 1541 names on the list in accordance with section 77 of the Nurses and Midwives Act 2011 (as amended). The registrants, the Minister for Health and any known employers would be informed of the removal from the Register of Nurses and Midwives.

Items 7.2 and 8.1 were considered on Wednesday, 22 March 2023.

Item 8 – Business, Strategy and Finance

8.2 Finance and business plan

8.2.1 *Credit card policy*

The Board considered the policy which had previously been circulated to members. The Board noted that the policy had been revised to give effect to the Board decision of November 2022 to add a second credit card to the NMBI account.



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

8.2.2 *Finance policies and procedures*

The Board considered the suite of revised financial policies which had previously been circulated to members. The Board also considered the briefing document and attached index which set out the proposed revisions to the policies. The Board noted that the suite of policies had last been approved in January 2022.

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

The Board agreed that it while it was appropriate that such policies and procedures should be brought to the Business, Strategy and Finance Committee for consideration and approval, it was not necessary for the Board to consider them and decision on this matter should be delegated to the committee.

Mr Coombes joined the meeting.

8.2.3 *Budget and business plan 2023*

The Board noted that it had been presented with a draft budget and business plan at its meeting on 25 January 2023. Following this meeting, further revisions had been made and proposed final drafts had been considered by the Business, Strategy and Finance Committee at its meeting on 13 March 2023. The Board also noted that the budget as presented was a first cut of the budget for 2023 and would be reviewed and revised over the year.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the revised budget and business plan for 2023.

8.2.4 *Management accounts – December 2022 and January 2023*

The Board considered the management accounts for December 2022 and January 2023 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 December 2022 and January 2023.

Mr Coombes left the meeting.

8.2.5 *Executive and Board travel plan and budget 2023*



The Board considered the briefing paper and draft plan and budget which had previously been circulated to members.

Costs for attendance at conferences hosted by these organisations were based on research and estimates at the present time and could vary.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the travel plan and budget for 2023.

8.2.6 *Update on progress against the business plan 2022 (Q4)*

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

8.3 Governance/Annual Report/Communications

8.3.1 *Appointment of Chairs*

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

Decision The Board accepted the recommendation of the Midwives Committee and agreed to appoint Margaret Murphy as Chair of the Midwives Committee for a period of three years.

Decision The Board accepted the recommendation of the Registration Committee and agreed to appoint Thomas Glynn as Chair of the Registration Committee for a period of three years.

8.3.2 *Publication of committee minutes and update to publication policy*

The Board agreed to defer consideration of this item until the matter had been discussed by the Committee Chairs at their next meeting.

Ms Leahy left the meeting.

8.3.3 *NMBI nominee to the Council of the Medical Council*

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

On 21 June 2018, the Board of NMBI had agreed to nominate former Board member, John Murray, to the Council of the Medical Council as the NMBI nominee. Mr Murray was duly appointed to the Council for a period of five years,



until 31 May 2023. A request had been received from the Department of Health requesting the name of NMBI's nominee for appointment to the Council following the end of Mr Murray's term.

Decision As Mr Murray was eligible for re-appointment to the Council, the Board accepted the recommendation of the Business, Strategy and Finance Committee and agreed to nominate Mr Murphy for a second term pursuant to section 17(1)(j) of the Medical Practitioners Act 2007 (as amended).

8.3.4 *Annual Report 2022*

Ms Forde joined the meeting.

The Board noted the briefing document and draft Annual Report for 2022 which had previously been circulated to members.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the Annual Report for 2022. The Board noted that, pursuant to section 21(1) of the Nurses and Midwives Act 2011 (as amended), the Board was required to submit the Annual Report to the Minister for Health no later than 31 March 2023.

8.3.5 *Communications strategy 2023-2025*

The Board noted the briefing document and draft communications strategy which had previously been circulated to members. The communications strategy would support the implementation of the Statement of Strategy 2023-2025.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the communications strategy for 2023-2025.

Item 8.4 was considered on Wednesday, 22 March 2023.

Presentation to Colm O'Leary, Director of Fitness to Practise

As Mr O'Leary would leave NMBI at the end of the month, the President thanked Mr O'Leary for his exemplary work with NMBI. Mr O'Leary had begun as Director of Registration with NMBI before leading the Fitness to Practise Department where he would be greatly missed. The President presented him with some gifts as an acknowledgement of the Board's appreciation.

The meeting ended at 16.15hrs.



Edited minutes of the meeting of the Board of the Nursing and Midwifery Board of Ireland (NMBI) held on Wednesday, 22 March 2023 starting at 9.00hrs in NMBI and by video.

Members present in person

Dr L Kavanagh McBride – President of NMBI
Ms A Lynch – Vice President of NMBI
Mr R Dolan
Ms L Collins
Prof G Gulati
Mr T McGonigal
Dr M Murphy
Ms N Murphy
Dr C McKenna
Ms M Ní Shúilleabháin
Ms K O’Halloran
Dr L Buckley
Dr D Faller

Members present by video

Mr R Bruton
Prof G Gulati
Ms M Vaughan
Ms M Leahy
Mr J Shalbin
Mr J Horan
Mr M Johnston

In attendance

Ms S McClelland, Chief Executive
Mr C O’Leary, Director of Fitness to Practise
Dr R Healy, Director of Registration
Ms K Barrett, Head of Operations
Ms C Donohoe, Director of Education, Policy and Standards – by video
Ms D Johnston, Director of Midwifery
Ms O Coady, Governance and Secretariat Manager

Item 1 – Apologies and conflicts of interest



1.1 Apologies were received from Mr T Glynn, Ms M Alungal, Ms AM Duffy and Ms MR Loughnane.

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 hybrid meeting were to remain confidential to Board members and attendees.

The President noted that some items on the agenda for today's meeting had been considered at the meeting the day before.

Item 2 – Minutes and actions of previous meetings

2.1.1 Minutes of the meeting of 24 January 2023

The Board considered the minutes of the meeting of 24 January 2023 which had previously been circulated to members.

Decision The Board approved the minutes of the meeting of the 24 January 2023.

2.1.2 Minutes of the meeting of 25 January 2023

The Board considered the minutes of the meeting of 25 January 2023 which had previously been circulated to members.

Decision The Board approved the minutes of the meeting of the 25 January 2023.

2.2 Actions and matters arising from previous meetings

The Board approved the updated action list which had previously been circulated to members.

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 of the Board: Committee appointments

The Board noted the report on the decision taken by the Board using its procedure for taking a decision between meetings whereby the Board appointed a number of Board and non-Board members to committees.

Item 3 – Election of Vice President of the Board of NMBI



- 3.1 On 21 February 2023 an email was sent to the Board inviting members who held current registration with NMBI as a nurse and/or as a midwife to self-nominate for this position. Members who were not registrants, or who did not wish to be nominated, could nominate another member of the Board with that member's prior agreement. The deadline for receipt of nominations was 5pm on 13 March 2023.

Two members nominated Ms Áine Lynch. No other nominations were received.

Decision Pursuant to paragraph 13(1) of the Schedule of the Nurses and Midwives Act 2011 (as amended), the Board elected Ms Áine Lynch to be Vice President of the Board until the end of her term of office on 14 January 2025.

Item 4 – President's update

- 4.1 The Board noted the President's update which had previously been circulated to members and which set out details of invitations received, events attended and upcoming events. Correspondence received by the President had also been circulated for noting.

Item 5 – CEO's update

5.1 CEO report

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

Ms Leahy joined the meeting.

5.2 International Nurse Regulatory Collaborative (INRC) pre-meeting reading

The Board noted the document which had previously been circulated to members and which set out the programme and pre-reading for the upcoming meeting which the CEO, President and Director of Education, Policy and Standards would attend.

Updates on the meeting would be given to the Board at its next meeting.

Item 6 – MyNMBI

- 6.1 Dr Healy updated the Board on MyNMBI, the digital registrant system.

Item 7 – Registration

Item 7.1 had been considered on Tuesday, 21 March 2023.



7.2 SOP: Education assessment pathway for frequently seen qualifications

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

Items 8-9 were considered after item 10.

Item 10 – Education, Policy and Standards

10.1 Category 1 approval project

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

Decision The Board accepted the recommendation of the Education, Training and Standards Committee and agreed that the project should be further reviewed.

10.2 Site inspection reports

10.2.1 *Trinity College Dublin*

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

The Board considered the site inspection report which had previously been circulated to members.

The Board noted that the report had been considered by the Education, Training and Standards Committee at its last meeting and was recommended for approval by the committee.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 (as amended), the Board accepted the recommendation of the Education, Training and Standards Committee and agreed that Trinity College Dublin and associated healthcare provider sites be approved to provide programmes leading to registration (RGN, RCN, RPN, RNID) and specialist educational programmes not leading to registration for a period of five years or until the next site visit as an allied healthcare provider site of Trinity College Dublin, whichever was soonest.

Ms Vaughan returned to the meeting.

10.2.2 *Technological University of the Shannon*

Dr Faller declared a conflict of interest and left the meeting.



The Board considered the site inspection report which had previously been circulated to members.

The Board noted that the report had been considered by the Education, Training and Standards Committee at its last meeting and was recommended for approval by the committee.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 (as amended), the Board accepted the recommendation of the Education, Training and Standards Committee and agreed that the Technological University of the Shannon and associated healthcare provider sites be approved to provide programmes leading to registration (RGN, RPN) and specialist educational programmes not leading to registration for a period of five years or until the next site visit as an allied healthcare provider site of Technological University of the Shannon, whichever was soonest.

Dr Faller returned to the meeting.

10.3 Programmes for approval and re-approval

10.3.1 University College Cork – first time approval

The following seven programmes are interlinked:

1. Psychosocial and Spiritual Aspects of Palliative Care Module (Special Purpose Award)
2. Care of the Dying Patient, Grief and Bereavement Module (Special Purpose Award)
3. Pharmacotherapeutics in Palliative Care Module (Special Purpose Award)
4. Interprofessional Approaches to Pain and Other Symptoms Module (Special Purpose Award)
5. Post Graduate Certificate in Palliative Care
6. Post Graduate Diploma in Palliative Care
7. MSc in Palliative Care

The Board noted that the programmes had been considered by the Education, Training and Standards Committee at its last meeting and were recommended for approval by the committee.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 (as amended), the Board agreed to approve the above programmes for a period of five years.

10.3.2 Royal College of Surgeons Ireland – re-approval



*Professional Certificate in Nursing/Midwifery (Medicinal Product Prescribing)
(Post Registration Course leading to registration)*

The Board noted that the programme had been considered by the Education, Training and Standards Committee at its last meeting and was recommended for re-approval by the committee.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 (as amended), the Board agreed to re-approve the above programme for a period of five years.

10.3.3 *University College Cork – re-approval*

MSc in Healthcare Quality Improvement

The Board noted that the programme had been considered by the Education, Training and Standards Committee at its last meeting and was recommended for re-approval by the committee.

Decision In accordance with section 85(2) of the Nurses and Midwives Act 2011 (as amended), the Board agreed to re-approve the above programme for a period of five years.

10.4 *Updates*

10.4.1 *Undergraduate Digital Health Competencies Standards and Requirements – public consultation*

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

The latest draft had been published on the NMBI website for public consultation with a closing date of 11 April 2023. The final draft following consultation would be submitted to the May 2023 meeting of the Education, Training and Standards Committee and, pending the outcome of the feedback and recommendations, then submitted to the Board for approval.

10.4.2 *Revision of Public Health Nursing Standards and Requirements*

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

The Standards and Requirements for Public Health Nursing were developed in 2005, re-issued in 2015 and were currently undergoing a full review.



Acton Following a query from the Board, Ms Donohoe advised that the Director of Midwifery had provided advice on the development of the draft document, however, the document had not been formally presented to the Midwives Committee. This would be done before a final draft was submitted to the Board.

10.4.3 *Draft Graduate Entry Nursing General Programme Standards and Requirements*

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

10.4.4 *Fundamental Review of Undergraduate Nursing Education Standards – Department of Health Report on Expert Review Body Recommendations*

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

Ms Johnston joined the meeting.

Presentation to Dawn Johnston, Director of Midwifery

As Ms Johnston would retire at the beginning of May, the President thanked Ms Johnston for dedication to the work of NMBI. The President noted that Ms Johnston had been a member of the Board before taking up the role as Director of Midwifery with NMBI. Ms Johnston asked that the Board not lose sight of the fact that midwifery was a separate and distinct profession and stressed that both NMBI and external stakeholders needed to be more ambitious in supporting its development. The President thanked Ms Johnston for her passion for the profession and presented her with some gifts as an acknowledgement of the Board's appreciation.

Ms Johnston left the meeting.

Item 8 – Business, Strategy and Finance

8.1 Procurement

8.1.1 *Procurement procedures and policy & procurement policy*

8.1.1.1 Procurement procedures and policy

The Board considered the document which had previously been circulated to members. The Board noted that the document had previously been approved in 2021 and had now been revised and updated.



Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the updated procedures and policy.

8.1.1.2 Procurement policy

The Board considered the policy which had previously been circulated to members. The Board noted that the policy had previously been approved in 2020 and had now been revised and updated.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the updated procurement policy.

8.1.2 *Award of contract: Stenographers*

The Board considered the briefing paper 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 to award the contract as set out in the briefing document.

8.1.3 *Translation services*

The Board noted the briefing paper and evaluation report which had previously been circulated to members.

Items 8.2-8.3 were considered on Tuesday, 21 March 2023.

8.4 HR policies

8.4.1 *Parents Leave policy*

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

The Board noted that the purpose of the policy was to specify the arrangements in place in NMBI for the administration, application and monitoring of statutory parents' leave.

Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the policy.

8.4.2 *Visual Display Unit (VDU) policy*

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



Decision The Board accepted the recommendation of the Business, Strategy and Finance Committee and approved the policy.

8.4.3 *Blended working survey results*

In January 2023, NMBI staff had been invited to take part in a short survey on their experiences with blended working.

The Board noted the results of the survey which had previously been circulated to members.

The results of the survey had also been shared with the Business, Strategy and Finance Committee and with staff and a number of actions arising were currently being implemented.

Item 8 – Audit and Risk

Items 9.1-9.2 were considered on Tuesday, 21 March 2023.

9.3 Corporate risk register

Ms Barrett advised the Board that the Audit and Risk Committee had considered the risk register at its meeting on 20 March 2023.

A full report on the risk register would be presented to the Board for approval at its meeting in May.

9.4 Office of the Comptroller and Auditor General (OCAG) management letter 2021

The Board noted the OCAG management letter for 2021 and the Audit Completion Memorandum which had previously been circulated to members.

A representative of the OCAG had attended the meeting of the Audit and Risk Committee on 20 March 2023 to present the findings. No high findings had been identified. A qualified opinion was issued due to non-compliance with the requirements of FRS102 in relation to retirement benefit entitlements as directed by the Minister for Health. It was acknowledged by the OCAG that this was beyond the control of NMBI.

The Audit and Risk Committee met with the OCAG representative in private during the meeting. The Chair of the Audit and Risk Committee advised the Board that there were no areas of concern to report.

9.5 Internal audit – Board effectiveness review



As part of the internal audit plan, a review of the Board's effectiveness had been undertaken.

The following areas were covered in the review:

1. Role of the Board
2. Oversight agreement with the relevant Minister/Department
3. Division of responsibilities
4. Board effectiveness
5. Codes of Conduct and conflicts of interest
6. Business and financial reporting
7. Risk management, internal control, audit and risk
8. Performance evaluation
9. The Board's relationship with management

The internal auditors had advised the Audit and Risk Committee that the review was positive overall and confirmed that the Board was operating in an effective manner. The auditors also commended the leadership of former President of the Board, Essene Cassidy, who was in office when the review was undertaken, and the executive.

Item 11 – Fitness to practise

11.1 Reports

11.1.1 ***Section 58 orders/undertakings***

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

11.1.2 ***Conditions report***

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

11.1.3 ***Undertakings report***

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

Item 12 – Any other business

Item 13 – Board private session

- 13.1 With the agreement of the Board, the President decided that the private session should be deferred.



There being no further matters for consideration the meeting ended at 11.05hrs.

Signed:

Dr Louise Kavanagh McBride
President

Date:
