



Edited minutes of the meeting of the Nursing and Midwifery Board of Ireland (NMBI) held in 18/20 Carysfort Avenue, Blackrock, Co Dublin, on Tuesday, 23 October 2018 starting at 10.00hrs.

### **Members Present:**

Ms E Cassidy, President  
Mr K McGrane  
Ms B Liston  
Ms M Gorman  
Ms L Clarke-Bishop  
Dr L Sahn  
Ms K Canning

Mr L Minihan  
Mr M Blake-Knox  
Mr D Murphy  
Mrs T King  
Ms C Cocoman  
Ms A Horgan  
Mr P Dolan

### **In attendance:**

Ms D Johnston, Interim CEO and Director of Midwifery  
Mr M Balfe, Director of Corporate Services and Finance (items 6-7)  
Ms U Byrne, Director of Regulation (item 8)  
Dr AM Ryan, Director of Operations (Registration) (item 5)  
Dr A de Búrca, Communications Manager (items 3-8)  
Ms S Cherian, Data Governance Review Project Manager (item 6)  
Ms D Pierce, HR Consultant (item 6)  
Ms V O'Rourke, Fitness to Practice Department  
Ms O Coady, Governance and Secretariat Manager

## **General Board business**

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

- 1.1 Apologies were received from Ms Elaine Cassidy, Mr L Hamill, Mr M Higgins, Dr D Lawler, Dr L Kavanagh McBride, Ms E Kelly, Mr D Manning, Prof C O'Herlihy and Ms K Lombard.

The President welcomed Dr L Sahn to the Board. Dr Sahn had been appointed by the Minister following nomination by the Department of Education and Skills under Section 22(1)(e) of the Nurses and Midwives Act 2011.

- 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 interests were declared.

## Item 2 – Board private session

As the Board wished to continue its discussion in private Ms Johnston and Ms O’Rourke left the meeting.

The private session ended at 11.10hrs. Ms Byrne, Dr de Búrca, Ms O’Rourke and Mrs King joined the meeting.

**Items 3-5 were considered after item 7.**

## Item 6 – Governance and Finance

Mr Balfe joined the meeting.

### 6.1 Budget and business plan 2019

The Board considered the budget and business plan which had previously been circulated to members.

**Decision** The Board approved the budget and business plan 2019.

**Items 6.2-6.3 were considered after item 7.**

### 6.4 Procurement report

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

### 6.5 Appointment of internal auditors

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

**Decision** The Board agreed that Mazars be awarded the tender for internal audit services for a period of three years.

### 6.6 Reform programme contract

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

**Decision** The Board agreed that the organisation should tender for a contract of similar scope and scale to the existing contract in Q4 2018 with a view to approval by

the Board at its meeting on 17 December 2018.

#### 6.7 Management accounts

The Board noted the management accounts for August 2018 which had previously been circulated to members.

**Action** A dedicated session on finance to be organised for the Board during the away day to take place before the end of the year.

**Items 6.8-6.11 were considered after item 7.**

#### 6.12 DPER circular re expenses

A letter dated 17 October 2018 from Mr Barry McGreal, Principal Officer, Department of Health to Interim CEO, Ms Dawn Johnston, was circulated to members.

In this letter Mr McGreal advised Ms Johnston that the provisions of circular 15/2015 regarding expense payments from public service bodies applied to the members of boards of all public service bodies. NMBI must, therefore, implement these provisions.

**Action** Mr Balfe to bring a proposal for implementation of the provision of the circular by 1 January 2019 to the Governance and Finance Committee at its next meeting with a view to bringing a recommendation to the Board before the end of the year.

### **Item 7 – Audit and Risk**

#### 7.1 Revised risk management policy

Mr Balfe noted that the Board had requested that the risk management policy be updated and revised.

Mr Balfe advised that, following discussion with members of the senior management team, it was agreed that, in order to correctly revise and implement the risk management policy, an external facilitator should be engaged to run workshops with staff at all levels and to provide training in the identification of risks. It was suggested that Irish Public Bodies (IPB), NMBI's insurers, might provide this service.

**Action** An update to be provided to the Board at the meeting on 27-28 November 2018.

## 7.2 Risk Register

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

Mr Balfe drew the Board's attention to **risk ref 13** which was categorised as high: risk that the lack of discretionary funding would lead to an inability to meet the legislative mandate and responsibilities of the Board and to inability to fully implement the Nurses and Midwives Act 2011

The Board noted that **risk ref 17** (Model Publication Scheme) had been closed as the scheme was now available on NMBI's website.

Mr Balfe left the meeting.

## Item 6 continued

### 6.2 Data breach notifications

The Board noted the two breach notifications which had previously been circulated to members.

### 6.3 Data governance reports

Ms Cherian joined the meeting.

Ms Cherian presented the Data Governance Report which had previously been circulated to members. The report focussed on the current data governance structure of each department in NMBI and suggested guidelines on how to establish, expand and mature data governance capabilities within the organisation.

Ms Horgan left the meeting.

**Decision** The Board thanked Ms Cherian for the comprehensive report and approved the report as presented.

**Action** A proposal on how the recommendations should be implemented and how this would be resourced to be presented to the Board at the meeting on 27-28 November 2018.

### 6.8 Board nominee to the Mental Health Commission

A request for expressions of interest for the role of NMBI nominee to the Mental

Health Commission had been sent out to all Board and committee members who were registered in the psychiatric division of the Register of Nurses and Midwives. Following consideration of these expressions of interest, the Governance and Finance Committee was recommending that the Board nominate Mr Timothy Frawley to represent NMBI on Mental Health Commission. In reaching this decision, the committee noted that Mr Frawley had not only the requisite skills but also had extensive experience achieved as a member of NMBI's Preliminary Proceedings Committee.

**Decision** The Board agreed to nominate Mr Frawley as the NMBI to the Mental Health Commission.

### 6.9 Appointments to Board committees

#### *Audit and Risk Committee*

**Decision** The Board agreed to re-appoint the following non-Board members to the Audit and Risk Committee for a final term of office of three years:

- Denis Doherty
- Margaret Campbell

#### *Vacancies on committee*

The Board noted the document which set out the vacancies for Board members on committees of the Board.

**Action** Ms Coady to contact Board members who were not already members of committee and ask them to list their preferences for committee membership. Appointments would be made at the Board meeting on 27-28 November 2018.

Mr McGrane left the meeting.

**Item 6.11 was considered after item 3.**

### **Item 3 – Minutes and actions of previous meetings**

#### 3.1 Minutes of meeting of 17 September 2018

**Decision** The Board approved the minutes of 17 September 2018 subject to the inclusion of Mr Minihan's apologies.

#### 3.2 Minutes of meeting of 25 September 2018

**Decision** The Board approved the minutes of 25 September 2018 subject to the inclusion of the President's apologies.

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

3.3 There were no matters arising from the minutes of 17 and 25 September 2018 that were not dealt with on the action list or elsewhere on the agenda.

Ms Pierce joined the meeting.

### **Item 6 continued**

6.11 HR update

#### *Finance Department*

Ms Pierce confirmed that approval had been received from the Department of Health to advertise the role of Director of Corporate Services and Finance at the upgraded position of General Manager Level 1. Therefore, it was planned to begin recruiting for this position before the end of the month.

Five competitions had been run so far to fill the position of Finance Manager but none had managed to attract a candidate willing to accept the role at the salary offered. The Governance and Finance Committee suggested the possibility of the external service provider, Crowleys DFK, being requested to supply a replacement for the Finance Manager on a five day week basis until the post could be filled permanently.

**Action** As this was a decision for the Board, it was agreed that Mr Balfe would prepare a proposal setting out the possibility of outsourcing the role of Finance Manager in the short term. This proposal should be submitted to the Board no later than Wednesday, 31 October 2018 using the Board's written decision process. Responses would be requested to be submitted no later than close of business on Thursday, 1 November 2018 to allow Mr Balfe to act on the decision of the Board before leaving on annual leave on Monday, 5 November 2018.

Ms Johnston left the meeting.

#### *Director of Midwifery post*

Ms Pierce advised the Board that the contract for the Director of Midwifery position would expire at the end of February 2019 as it had initially been issued for a two year period only. As the Department of Health had confirmed that they supported a permanent Director of Midwifery role in NMBI, recruitment for a permanent Director of Midwifery would begin immediately with a view to interviews being held in the first week of December 2018.

*Performance management development scheme (PMDS)*

Ms Pierce confirmed that PMDS had been rolled out to all departments.

Ms Pierce left the meeting.

Ms Johnston returned.

**Item 4 – Project Nightingale**

The Board noted the procurement progress report which had previously been circulated to members. The Board noted that the preferred vendors were to have been contacted following the Governance and Finance Committee meeting on 15 October 2018 and that a mandatory standstill period of 16 calendar days would apply. Once the 16 day period had elapsed, the preferred vendor would be requested to sign the contract.

**Action** As its meeting on 27-28 November 2018, if the preferred vendor had agreed and signed the contract, the Board would be requested to approve the preferred vendor. If the preferred vendor was approved by the Board, the contract would then be signed by NMBI.

Dr Ryan joined the meeting.

**Item 5 – Registration**

An addendum to the Registration Directorate report was circulated to Board members. This addendum provided an update on recent registration activity. Dr Ryan presented the report, which had previously been circulated to members, and the addendum to the Board.

Dr Ryan drew the Board's attention to the following which were detailed in the documents:

*Inactive file project*

Following the decision of the Board to disband the inactive file, over 29,000 letters were sent to registrants on the inactive file. Approximately 6000 responses had been received to date.

**Action** A full report on the inactive file project to be presented to the Board at its meeting on 27-28 November 2018.

*Overseas registration activity*

The backlogs recorded in the report to the Board in September were being addressed. An additional six educational assessors had been trained and all

education assessments were being dealt with.

#### *Compensation measures*

There are two types of compensation measure in place:

- Aptitude test with the RCSI – there are no places available until January 2019
- Adaptation and assessment – it is difficult for NMBI to know exactly how many places are available; central administration of adaptation for nursing homes occurs through Tallaght Hospital but hospitals also recruit individuals and this is managed locally.

The Board noted the KPI report and questioned what the words ‘straight through’ meant. Dr Ryan agreed to clarify this at the next Board meeting.

Dr Ryan left the meeting.

**Item 8 was considered after item 10.**

**Item 9 was deferred.**

Ms Byrne joined the meeting.

### **Item 8 – Regulation**

#### **8.1 Preparation of guidelines re mediation**

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

The Board noted that one submission had been received and that guidelines were being prepared for presentation to the Board for approval at its meeting on 27-28 November 2018.

#### **8.2 Payment to members of the FTPC**

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

Ms Byrne advised the Board that, following the meeting of the Governance and Finance Committee which had taken place that morning before the Board meeting, the contents of the briefing document would change to reflect the recommendations of the committee.

Ms Byrne advised that the committee was in favour of the proposal set out in the briefing document in principle and agreed that payment should be put in place



from 1 January 2019 but required further information before making a recommendation to the Board. The committee requested the following for its next meeting:

- A proposal on extending the payment to members of the PPC.
- An analysis of an increase to €300 per day and an option of capping the amount paid per year per member.
- Clarification on whether members in receipt of the payment would be liable for Professional Services Withholding Tax (PSWT).
- Clarification on whether members eligible to receive the payment would be required to sign a contract with NMBI.

The Board noted that once the above had been considered by the committee, the matter would be brought before the Board again.

Ms Byrne and Mrs King left the meeting.

#### **Item 10 – Any other business**

##### **10.1      Nursing and midwifery – two distinct professions**

The Board noted the document entitled ‘Nursing and midwifery – two distinct professions’ which was circulated to members.

Dr Sahm left the meeting.

**Decision** The Board agreed that the document as presented should be uploaded to NMBI’s website.

There being no further matters for consideration the meeting ended at 14.30hrs.

**Signed:** \_\_\_\_\_

**Essene Cassidy**  
**President**



**Date:** \_\_\_\_\_