

Mental Health Commission

Minutes of Meeting of Thursday 20th June 2013

2:30pm – 5:30pm

Held at
The Burlington Hotel,
Upper Leeson Street,
Dublin 4

Present:

Commission Members	Initials
John Saunders – Chairman	JS
Catherine O'Rorke	COR
Mary Keys	MK
Patricia O'Sullivan Lacy	POSL
Pauline Gill	PG
Ned Kelly	NK
Anne Jeffers	AJ
Maeve Doyle	MD
Xavier Flanagan	XF

Apologies:

John Redican	JR
Martin Rogan	MR
Colette Nolan	CN
Michael Byrne	MB

Executive In Attendance:

Patricia Gilheaney – Chief Executive (CE)	PCG
Ray Mooney – Board Secretary	RM
Ulla Quayle – Office of the CE	UQ
David Hickey – Director of Mental Health Tribunals and Legal Affairs for Item 3, 1.4.	DH

The Chair (JS) welcomed Members and opened the June Commission meeting.	
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1. Minutes of Meeting held on 17th May 2013	Actions
<p>The Minutes of the meeting of 17th May 2013 were approved and agreed.</p> <p>Proposed by: AJ Seconded by: POSL</p>	

1.1. Matters Arising from Minutes of 17th May 2013	
<p>International Conference on Recovery 2013</p> <p>The Chair (JS) reported that the conference papers from the International Conference on Recovery he attended on May 8th & 9th in Bolzana, Italy have not yet been received. The CE's office is currently following this up with the conference organisers. Papers will be circulated upon receipt.</p> <p>An update was provided in relation to item 7 and action agreed</p>	<p>PCG</p> <p>JS</p>

2. Chairman's Business and Matters for Mention	
<p>(i) Second Tranche of Inspectorate Reports 2013</p> <p>The CE (PCG) indicated that the Inspector was unable to accept the invitation to attend the meeting due to annual leave.</p> <p>The CE (PCG) gave an outline of the actions taken / to be taken by the Executive in relation to the following reports, CAMHS in Merlin Park Hospital, Department of Psychiatry, County Hospital, Roscommon, South Lee Mental Health Unit and St Joseph's Intellectual Disability Service.</p> <p>In respect of the report relating to the Child and Adolescent Inpatient Unit in Merlin Park, the Director of Standards and Quality Assurance has written to both the Clinical Director and Registered Proprietor requesting that they provide a plan on how they will address issues under articles 15, 20 and 29 and also the issue regarding seclusion. The medication errors which were noted from the previous year have been brought to the unit's attention and will be urgently addressed.</p> <p>IN relation to the Department of Psychiatry in Roscommon, the CE (PCG) updated members on correspondence and phone contact</p>	

received by the Inspectorate and Executive in relation to patient care and associated actions taken.

In relation to the report of St Joseph's Intellectual Disability Services the CE (PCG) reported that the issue in respect of the fire door being blocked and the locked fire door have been addressed and this has been confirmed to the Standards and Quality Assurance Division. Ashleigh Ward still remains open however the standards and Quality Assurance Division have requested a closure plan.

With regard to South Lee Mental Health Unit the CE (PCG) reported that a statutory compliance report has been requested along with plans for the new unit and details of how patients will be accommodated during the construction.

In respect of Toghermore, the MHC had been advised on 26th February 2013 that a review was to be carried out of community residences. Receipt of a copy of the report remains outstanding. The Executive will follow up with the local health manager concerned.

(ii) Joint Oireachtas Committee on Health & Children Public Hearing on the Protection of Life during Pregnancy (Heads of) Bill 2013

The Chair (JS) reported that he attended the Joint Oireachtas Committee which took place on Monday 20th May 2013 accompanied by the CE (PCG). He confirmed that all points which had been covered in respect of the issues from the MHC's submission had been raised.

(iii) Invitation to Minister to MHC Meeting

The Chair (JS) reported that Ms Kathleen Lynch T.D., Minister of State with responsibility for mental health has indicated that she may be available to meet members at the meeting which is scheduled for 20th September 2013. Updates on the details will be provided to Members as the arrangements progress.

(iv) 2012 Annual Report

The Chair (JS) reported that the 2012 annual report was published on 12th June 2013 and that there was a considerable amount of media interest shown.

(v) Appointment of Director Designate Mental Health, HSE

The Chair (JS) reported that Mr Stephen Mulvaney has been appointed as the Director Designate of Mental Health in the HSE. The CE (PCG) indicated that the Inspector will be issuing an invitation to him to meet with the Inspectorate in November. Following discussion it was agreed that an invitation would be sent to Mr Mulvaney from the Chair

CE Office

(JS) inviting him to attend the MHC meeting scheduled for 18th October 2013.

JS

3. CEO's Report

Part One – For Information

1.1.1 Conditions Attached to Approved Centres

A condition was attached to Sycamore Unit, Connolly Hospital, regarding full compliance with article 26 (staffing) of the MHA 2001. The condition was attached with effect from 6th June 2013.

The two conditions attached to St Brendan's have now expired as the approved centre has closed.

The 2013 Inspector's Report for Bloomfield Hospital found that the centre had met the conditions attached to its registration. As these conditions expired with the centre's period of registration on 16th May, the centre was registered on 17th May 2013 with no conditions attached.

1.2 Approved Centre "Serious Concern" Reported to the Chief Executive

The CE (PCG) outlined a serious concern which had been reported to her in relation to a patient who had been secluded without clothing at Kerry General Hospital. This concern had been raised following an inspection which had been carried out on 8th May 2013. The CE (PCG) indicated that she wrote directly to Mr Tony O'Brien, HSE Deputy CEO and Director General Designate requesting a report on the matter within a specified timeframe. The report was received within the specified timeframe and has been considered. The Inspectorate received a copy of the report.

1.3 CAMHS Approved Centre Internal Review Update

The CE (PCG) reported that the review has been completed and all parties have been advised of the outcome. No evidence was found to support the issues raised.

1.4 Legal Matters

DH joined the meeting for this item.

The CE (PCG) introduced DH to Members and the Chairman (JS)

welcomed him to the meeting.

The CE (PCG) explained that DH had been invited to the meeting to discuss the most recent opinion that had been received from Counsel in respect of ongoing litigation. DH distributed the opinion for the consideration of members. The Executive presented its views for consideration and the course of action proposed was agreed in principle subject to provision of specific financial information at the July meeting.

PCG

An update was provided in relation to the Section 73 application (AM) and a Circuit Court Appeal pursuant to Section 19.

DH absented the meeting.

1.5 MHT Panels Recruitment

The CE (PCG) reported that the recruitment process is progressing. The shortlisting for all panels is now complete and interviews are currently being arranged. Members were informed of the membership of the interview boards. In the event of any conflict or perceived conflict of interests members were advised of the arrangements that had been put in place.

The CE (PCG) advised that PAS had contacted her regarding their resources to assist the MHC with the relevant competitions. Agreement was reached on how best to proceed.

1.7 Assistant Inspector of Mental Health Services

The CE (PCG) reported that the Assistant Inspector posts had been advertised in the national press and the closing date is 27th June. The recruitment process will be undertaken by the MHC due to the large volume of work currently being undertaken by PAS. The shortlisting process will take place on 28th June with interviews planned for shortly thereafter. Shortlisting and interviews will be carried out by the CEO of the Medical Council, the Inspector and the Director of Standards and Quality Assurance.

The CE (PCG) indicated that she is in receipt of a letter of resignation from Dr Maeve Martin, Assistant Inspector. Dr Martin has kindly agreed to continue working until the end of 2013 to facilitate the appointment of a replacement Assistant Inspector.

The CE (PCG) reported that the Inspectorate Team is currently depleted due to a vacancy and sick leave. In order to ensure statutory compliance regarding inspections, two part-time members of the team have agreed to work extra hours in the short term.

<p>(d) Terms of Reference. The Committee reviewed same to ensure that they are in accordance with the Code of Practice of the Governance of State Bodies.</p> <p>(e) The Committee issued an invitation to meet with the Comptroller and Auditor General in accordance with the Code of Governance. Further invitation to issue.</p> <p>(f) PCG updated members of an internal Review of Invoices relating to Prompt Payments Legislation. The Findings and actions taken were provided. The report will be made available to members of the Audit Committee for the next meeting.</p> <p>RM and UQ returned to the meeting.</p> <p>5.2 Legislation Committee</p> <p>The Chair, MK advised Members that a meeting of the Committee had taken place on Wednesday 12th June 2013. She indicated that although there was not a quorum of members in attendance it was decided to proceed and report back to the Commission. The Chair (MK) asked that the meeting be approved by the Commission. This was agreed.</p> <p>The Chair (MK) advised members that the Committee had focused on finalising the draft SI pertaining to Section 59(2), Mental Health Act 2001.</p> <p>The Chair (MK) requested that the Commission consider the possibility of another Member joining the Legislation Committee. It was agreed that this would be raised on 21st June 2013.</p>	<p>RM on behalf of POSL</p> <p>RM</p> <p>JS</p>
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<p>6. Correspondence</p> <p>The CE (PCG) reviewed the correspondence listed from 18.05.13 to 13.06.13 and provided members with updates on action(s) taken.</p>	
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<p>7. A.O.B.</p> <p>Pre-Admission Process</p> <p>Concerns were raised regarding the assisted admissions process. Varying views of the service were expressed in relation to different parts of the country. This was concerning as it would appear that quality in different regions is varied. The CE (PCG) updated members</p>	
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of the actions undertaken by the former Assisted Admissions Committee. It was agreed that the CE would write to Mr Tony O'Brien requesting the following details on the assisted admissions service:

- the standards that are in place;
- the methods employed to ascertain patient experience of the service;
- the frequency of Garda involvement.

PCG

8. Date of Next Meeting

Friday 19th July at 11.00 am in the offices of the Mental Health Commission

Action Points

No.	Action	Person Responsible	Timeframe
1.1	Circulation of Papers from Conference attended by Chairman	CE Office	Upon receipt from organisers of the conference
1.1	A note to be sent to Business postal address marked "Personal" and "Private and Confidential"	JS	In advance of July meeting
2 (iii)	Advise Members of arrangements for Minister's attendance at September meeting	CE Office	As arrangements progress
2 (v)	Invite Mr Stephen Mulvaney to the October Commission meeting	JS	In advance of July meeting
3.1.4	Financial information to be provided for discussion at July meeting.	PCG	July MHC pack
3.1.9	Circulate invitation to symposium to Members	CE Office	On receipt of invitation
5.1	Draft anti-fraud Policy to be circulated to Commission members.	RM	July MHC Pack
5.2	Request another Member to join Legislation Committee	JS	At meeting on 21 st June
7	A letter to be sent to Tony O'Brien, HSE requesting information on the assisted admissions policy and authorised officers	PCG	In advance of the July meeting

Signed:



John Saunders
 Chairman

