

Mental Health Commission

Minutes of Meeting of Friday 15th March 2013

11:00am – 3:30pm

Held at
Offices of the MHC
St. Martin's House,
Waterloo Road
Dublin 4

Present:

Commission Members	Initials
John Saunders – Chairman	JS
Catherine O'Rorke	COR
Ned Kelly	NK
John Redican (am)	JR
Patricia O'Sullivan Lacy	POSL
Pauline Gill	PG
Xavier Flanagan	XF
Colette Nolan (am)	CN
Michael Byrne	MB
Anne Jeffers	AJ
Maeve Doyle	MD

Apologies:

Mary Keys	MK
Martin Rogan	MR

Executive In Attendance:

Patricia Gilheaney – Chief Executive (CE)	PCG
Marina Duffy – A/Higher Executive Officer	MBD
Ray Mooney – Board Secretary	RM

The Chair (JS) welcomed Members and opened the March Commission meeting.	
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1. Minutes of Meeting held on 15th February 2013	Actions

<p>The Minutes of the meeting of 15th February 2013 were approved and agreed:</p>	
<p>Proposed by: JR Seconded by: POSL</p>	

<p>1.1 Matters Arising from Minutes of 15th February, 2013</p> <p>There were no matters arising for further mention. CE confirmed action status of follow up items, one action remained outstanding i.e. item 2(ii).</p>	
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<p>2. Chairman's Business & Matters for Mention</p> <p>i) 9th Tranche of Inspectorate Reports</p> <p>The Chair (JS) referred to the 9th tranche of Inspectorate reports which were furnished to Members in advance of the meeting. He confirmed that these represented the final tranche of reports for 2012.</p> <p>The CE (PCG) provided an update reference the status of follow up actions undertaken by the S&QA Division and advised that an approved centre review meeting is scheduled to take place on 20.03.13.</p> <p>Some discussion followed on the issue of bed capacity in approved centres and associated licensing issues if the number is exceeded.</p> <p>It was agreed that the CE (PCG) will request the S&QA division to issue a general letter to services reminding them of their statutory licensing obligations.</p> <p>ii) Meeting with Minister of State, Ms. Kathleen Lynch 19.02.13</p> <p>JS updated Members on the meeting that he and the CE (PCG) attended on 19.02.13 with Ms. Kathleen Lynch T.D., Minister of State. He confirmed that a briefing note had been issued to the Minister in advance of the meeting. He outlined the issues discussed with the Minister and officials from the Mental Health Division in the Department of Health.</p> <p>The CE (PCG) also briefed Members on her meeting with the Assistant Secretary with responsibility for Mental Health in the Department of Health on 27.02.13.</p> <p>With reference to the meeting with Minister Lynch, the Chair</p>	<p>PCG</p>
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informed Members that he had extended a verbal invitation to the Minister to meet with Commission members. He proposed that he will now formally invite the Minister to attend the June meeting. He proposed that if June was not feasible for the Minister then September would be proposed.

iii) Correspondence from DOH ref. MHC Allocation 2013

The Chair (JS) informed Members that he was in receipt of correspondence from the Department of Health confirming the Commission's non-capital expenditure allocation for 2013 is €14.406m and the requirement for the MHC Business Plan to be submitted to the Mental Health unit by 28th March, 2013.

iv) Governance Forum Meetings

The Chair (JS) informed Members of two Governance meetings which he will be attending in April, the first one is a meeting of the Health & Social Care Regulatory Forum which will take place on April 9th and to which an invitation to Chairpersons of the respective bodies has been extended. The second meeting is a planning meeting for the Governance Forum for Health Bodies which will take place on April 20th. The Chair confirmed that he will prepare a briefing note for Members following the meetings.

JS

v) CE PMDS

PCG (CE), RM and MBD absented themselves from the meeting for this item.

The Chair provided verbal feedback to Commission members on the process of PMDS carried out with CE. The process confirmed that the Chair is very satisfied with the performance of the CE to date and that the CE and he along with Commission member PG had signed off on an agreed completed PMDS. Factors which have hindered the CE from developing proactively the role of CEO include resources and Inter Alia the absence of significant members of the Executive team. Time was given to discussion of the developmental needs of the CE and the Chair reiterated his support for the continuing development of the CE as mutually agreed. The Chair spoke specifically about the Commission supporting the CE in her request for further education activities.

The Commission agreed with the summary position of the Chair and added its support for the work of the CE.

PCG (CE), RM and MBD re-joined the meeting.

3. CEO's Report

Part One – For Information

1.1.1 Conditions attached to Approved Centres Registrations

The CE (PCG) informed members that representations were due today 15.03.13 for proposals issued to attach conditions to a number of Approved Centres. An Approved centre review meeting is planned for 20.03.13 to review same.

1.2 Approved Centres "Serious Concern" Reported to Chief Executive

PCG (CE) confirmed that correspondence had been received from the service and this would form part of the discussion at the AC Review meeting on 20.03.13.

1.3 MHC Staffing

Item 1.3 was covered under Chair's Business.

1.4 Legal Matters

(a) Section 73 Application - AM

The CE (PCG) confirmed that a meeting has been arranged for 22.03.13 with the HSE Legal Unit which will also facilitate discussion on legal issues in general.

(b) Judicial Review TOD and MHT and Clinical Director of CMH.

Members were informed that this matter has now been put back for hearing from 19.03 to a date to be confirmed.

(c) Rights Commissioner Hearing

The CE (PCG) confirmed that the MHC will be requesting that the hearing scheduled for 21.03.13 will proceed on the day

without further adjournments.

A case management meeting in relation to the Labour Court Appeal of a Rights Commissioner decision in favour of the MHC is scheduled to convene on 28/03/13.

1.5 MHT Panel Recruitment

The CE (PCG) confirmed that the Executive is currently reviewing the documentation received from PAS for the above recruitment campaign. She also updated Members on the proposed timeline for (i) advertisement and (ii) interviews. All panels must be in place for 01.11.13.

1.7 Office of the Comptroller and Auditor General

The CE (PCG) informed Members that she is awaiting formal documentation from Mazars pertaining to the annual audit which is due to commence on Monday 25th March, 2013.

1.9 Expert Group Review of Mental Health Act 2001

PCG (CE) informed members that the next meeting of the Expert Group on the Review of the MHA 01 will take place on 26th March, 2013. This will be an extended meeting with an additional meeting also scheduled for 30th April, 2013.

PCG also informed Members that she had proposed to the Expert Group that the Commission and other bodies who are also represented on the group should have an opportunity to review the draft documentation prior to completion.

1.11 See Change

The Chair (JS) proposed that this item would be taken following the items for discussion.

Part Two – For Discussion

2.1 Authorised Officer Network

As agreed at the February Commission, this item was included under discussion items for the March meeting. A copy of correspondence from the National Director, Integrated Services

Directorate was included in Members packs. COR confirmed that expressions of interest had been circulated. At this time it was agreed that no further action was required.

The status of the implementation plan to be reviewed Q3.

2.2 Management Accounts

The Management accounts for month ending 31st January, 2013 were considered and agreed.

RM clarified one query from POSL relating to MHT costs.

Proposed by: POSL

Seconded by: COR

As agreed earlier item 1.11 was taken after the Discussion items.

1.11 See Change

The Chair (JS) absented himself for this item.

COR proposed MB to Chair this item on the agenda and NK seconded the proposal.

The CE (PCG) provided background to the Commission's partnership with See Change and referred Members to the See Change Annual Report 2012 which was included in the March Commission papers.

Members were updated on the Commission's contribution in 2011 and 2012 in line with the objectives in the Strategic Plan 2009 - 2012. Members were also updated on the meeting which took place with the See Change Campaign Manager on March 13th at which the Campaign plans for 2013 were outlined.

Some general discussion ensued focused on (i) project evaluation, (ii) need to ensure Value for Money, (iii) project financial plan (iv) appropriateness of MHC continuing to contribute formally to this specific project.

Following the discussion it was agreed that:-

- (i) Audited Accounts for 2011 and 2012 to be requested
- (ii) External Evaluation of Effectiveness of See Change
- (iii) Proposals for 2013 and how any contribution from the

<p>MHC would be utilised.</p> <p>(iv) Presentation to Members at the April meeting regarding (i) to (iii) above.</p> <p>The Chair (JS) re-joined the meeting.</p> <p>MB provided the feedback from the discussion to JS.</p>	<p>PCG</p>
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<p>4. Consideration of Reports</p> <p>4.1 Draft Business Plan 2013</p> <p>The CE (PCG) provided an overview of the Draft Business Plan 2013 to Members, acknowledging that the layout was different to previous plans and in line with the new Strategic Plan 2013 – 2015.</p> <p>PCG also advised that a mid-year review of the plan will be available to Members for the July Commission meeting.</p> <p>During the Draft Business Plan discussion, some minor amendments were proposed:-</p> <ul style="list-style-type: none"> (i) Inclusion of Risk Register on page 17 (ii) Typographical error page 11, should read 'carer' (iii) Inclusion of brief narrative regarding service issues that have been identified/highlighted by the Commission and clarifying that these are outlined in our Annual Report and therefore not included in the Business Plan. <p>The Chair confirmed that Members approved the Business Plan as presented subject to the above minor amendments. The Business Plan will issue to the Mental Health Division, Department of Health in advance of March 28th as requested.</p>	<p>MBD</p> <p>PCG</p>
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<p>5. Reports of Committees</p> <p>There were no committee reports for consideration.</p>	
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<p>6. Correspondence</p> <p>The CE (PCG) reviewed the correspondence listed from 08.02.13 to 07.03.13.</p>	
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<p>7. A.O.B.</p> <p>Under A.O.B. the Chair (JS) reiterated plans for the following dates.</p> <ul style="list-style-type: none"> - The Inspectorate team will be joining the April Commission meeting to present on their findings in 2012. - The Draft Annual Report for 2012 will be considered at the May Commission meeting (17.05.13). - The Minister of State will be invited to meet with Members on one of the days of the two-day June Meeting 20th & 21st June 2013 or alternatively 20th September, 2013. - Members to give consideration on the location of the two-day meeting June meeting. <p>PCG advised that Executive support for a meeting outside of Dublin would pose challenges due to current staffing resources.</p> <p>AJ also referred to the earlier item under CE's report pertaining to the work of the Expert Group on the Review of the MHA 01. To facilitate further discussion the Chair (JS) proposed that this would be an item on the April MHC agenda i.e. to discuss what has ensued from the Expert Group meeting on 26.03.13</p>	<p>PCG</p>
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<p>8. Date of Next Meeting</p> <p>Monday 15th April 2013</p>	
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Action Points

No.	Action	Person Responsible	Timeframe
2(i) Chair's Business	CE (PCG) to request S&QA division to issue letter to mental health services reminding them of their statutory licensing obligations	PCG	Prior to April meeting

2(iv) Chair's Business	Briefing Note Governance Forum Meetings	JS	May meeting
1.11 – CE Report	Invitation to See Change representatives to make presentation to Commission Members in line with agreement outlined in Minutes	PCG	TBC
4.1	- Update Business Plan	MBD	Following March meeting
	- Forward BP to DOH	PCG	Prior to 28^{03.13}
7.	Inclusion of Expert Review update on April agenda	PCG	April meeting

Signed:


John Saunders
Chairman

15.03.13

