

Mental Health Commission

Minutes of Meeting of Friday 17th May 2013

11:00am – 4:00pm

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
Mary Keys	MK
Patricia O'Sullivan Lacy	POSL
Pauline Gill	PG
Martin Rogan	MR
Michael Byrne	MB
Anne Jeffers	AJ
Colette Nolan (PM)	CN

Apologies:

John Redican	JR
Maeve Doyle	MD
Ned Kelly	ND
Xavier Flanagan	XF

Executive In Attendance:

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

External Attendee ref. Item 2.1

Vincent Teo, Crowley's DFK	VT
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The Chair (JS) welcomed Members and opened the May Commission meeting.	
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<p>1. Minutes of Meeting held on 15th April 2013</p> <p>The Minutes of the meeting of 15th April 2013 were approved and agreed subject to two minor amendments i.e. (i) item 5.1 date of teleconference of Audit Committee to be included and (ii) correction to contribution for See Change from €45 to €45k.</p> <p>Proposed by: COR Seconded by: MK</p>	<p>Actions</p> <p>MBD</p>
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<p>1.1 Matters Arising from Minutes of 15th April, 2013</p> <ul style="list-style-type: none"> - The CE referred Members to correspondence in their pack from PwC which the Chair of the Audit Committee had referred to at the April meeting. - CE provided update regarding publication of Strategic Plan 2013 - 2015 	
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<p>2. Chairman's Business & Matters for Mention</p> <p>(i) First tranche of Inspectorate reports 2013</p> <p>The Chair (JS) referred to the 1st tranche of Inspectorate reports for 2013 which were furnished to Members in advance of the meeting.</p> <p>The CE (PCG) provided an update reference the status of follow up actions undertaken by the S&QA Division.</p> <p>(ii) IIMHL Sydney Declaration - Meeting Communique</p> <p>MR provided background to the development of the Declaration. Members were informed that the next meeting of the IIMHL will take place in Manchester in June 2014. MR proposed that this may provide an opportunity for the Commission to host a meeting in Dublin for the international Commission representatives.</p> <p>(iii) Joint Oireachtas Committee on Health & Children Public Hearing on the Protection of Life during Pregnancy (Heads of)</p>	
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Bill 2013

The Chair (JS) provided a brief background to Members. Copy correspondence from the Chair of the Joint Oireachtas Committee was circulated by e-mail to Members on 16.05.13. A briefing note was circulated and discussed at the meeting. The following observations were noted:

- Head 1 – definition of “Psychiatrist” does not appear to include Child & Adolescent psychiatrists
- Definition of ‘Approved Centre’ required
- Definition of ‘Authorised Person’ required
- Implications ref voluntary maternity hospitals
- Definition of ‘Self Destruction’ required
- Bill refers to Psychiatrists employed by approved centres only
- The Bill does not make expressed provision requiring that the views of females under the age of 18s are heard and considered.
- The issue of Capacity to make a decision regarding a medical procedure under the Bill is not addressed
- Head 4 – Medical Opinion – not explicit that this opinion is derived following examination and that there is no specific requirement to provide reasons for the opinion.
- Head 5 – No timeframe for decision
- Language of Bill unhelpful

Following the discussion the Chair (JS) informed Members that he proposed having a briefing with the CE (PCG) on Monday prior to meeting with the Committee.

(iv) Governance Forum for Health Bodies

The Chair circulated a briefing note to Members on the Governance Forum for Health Bodies which outlined the origins of the group, membership and objectives. The Chairman advised that he has been nominated as the Chairperson representative on the Forum and that he is currently awaiting notification of the first meeting of the Forum.

(v) Proposed Schedule for Two-Day June Commission Meeting

A proposed schedule for the Commission’s two-day meeting in June was circulated to Members for consideration. The schedule of Day 2 will now be amended further to the meeting discussion.

MBD

(vi) International Conference on Recovery 2013

The Chair (JS) updated Members on the International Conference on Recovery he attended on May 8th & 9th which took place in Bolzana, Italy. The conference papers will be circulated to Members.

MBD on receipt from JS

3. CEO's Report

Part One – For Information

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

The CE (PCG) confirmed that the External Validation Report has now been received.

1.3 CAMHS Approved Centre Internal Review Update

PCG (CE) advised that commentary has been received in response to the draft report and will now be considered. Members will be advised of the review findings on completion.

1.4 Legal Matters

Item (d) Labour Court Appeal of Rights Commissioner Hearing

The CE (PCG) advised that dates for the hearing are currently awaited.

1.5 MHT Panels Recruitment

PCG (CE) advised that the above process has commenced and will continue over the coming months.

1.6 EPSO Meeting – 18th / 19th April 2013

The CE (PCG) provided an update on the meeting of the European Partnership for Supervisory Organisations in Health Services and Social Care which she attended in April. She advised that EPSO have established a working group looking at restraint and coercion within health and social services.

The Standards and Quality Assurance Division is joining the subgroup as this initiative links in with the Business Plan 2013.

1.7 Meeting with MHC & HIQA

PCG (CE) advised that both Executive Management Teams have agreed in principle to develop a Memorandum of Understanding. She confirmed that a draft of same will be developed jointly and will be presented to the respective Boards for their consideration of approval.

1.8 Expert Group on Review of Mental Health Act 2001

The CE advised that the minutes of the Group's last meeting and a date for the next meeting are awaited.

1.12 Meeting with Representatives from Genio

It was agreed that the information provided by Genio at the meeting on 7th May will be circulated to Members. The CE (PCG) also advised members that Genio currently have issued a call for 'expressions of interest' for new funding. It was noted that in the past there was a dearth of applications from mental health services.

Part Two – For Discussion

VT joined the meeting for item 2.1

2.1 MHC Financial Statements 2012

VT, Crowley's DFK, presented the Draft Financial Statements 2012 to Members and addressed any associated queries.

The CE (PCG) advised Members that the Draft Financial Statements are currently with the Comptroller and Auditor General's Office. On receipt, the Audited Financial Statements (2012), will be presented to Members for approval.

On behalf of the Commission members the Chair (JS) thanked VT for his comprehensive overview.

VT absented the meeting.

2.2 Management Accounts for month ending 31st March, 2013

The Management Accounts for March 2013 were considered and agreed.

<p>Proposed: POSL Seconded: MR</p> <p>Additional Item:</p> <p>The CE (PCG) advised Members that Mr David Hickey, was appointed Director of Mental Health Tribunals and Legal Affairs with effect from 13 May 2013.</p>	
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<p>4. Consideration of Reports</p> <p>4.1 Draft MHC Annual Report 2012 Including the Report of the Inspector of Mental Health Services</p> <p>The Draft Annual Report for 2012 Including the Report of the Inspector of Mental Health Services was considered by Members.</p> <p>From the discussion that took place the following amendments were agreed:-</p> <ul style="list-style-type: none"> - Page 13 – update ref. Committees - Page 30 Reversal of last two paragraphs - Insertion of additional sentence in Chairman’s Foreword pertaining to allied health professionals - Figure 9 required percentage of total orders included – should be in style of figure 11 - Figure 6 – legend colouring requires amendment <p>In addition to the above MB indicated to the Chair that he would e-mail his comments on Monday 20.05.</p> <p>The Chairman’s Foreword and CE’s Introduction were also reviewed and agreed subject to two minor amendments.</p> <p>Following discussion it was agreed that a summary of the Draft Financial Statements for 2012 will not be included in the Annual Report. It was agreed that upon receipt of the Audited Financial Statements 2012 they will be published on the website as per procedure in previous years.</p> <p>The Chair (JS) proposed Wednesday 12th June, 2013 for the publication and launch of the Annual Report. This was agreed by Members. The launch will take the format of a morning media briefing.</p> <p>Regarding the Findings of the Inspectorate of Mental Health Services and to facilitate further discussion following on from the presentation at the April meeting an invitation will be extended to</p>	<p>PCG</p>
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<p>the Inspector to attend a session of the Commission's two-day meeting in June.</p> <p>The Annual Report was formally adopted by the Members:- Proposed : PG Seconded: AJ</p>	
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<p>5. Reports of Committees</p> <p>5.1 Legislation Committee</p> <p>The Chair, MK updated Members on matters which the Legislation Committee are progressing.</p> <p>She advised Members that the next meeting of the Committee will take place on Wednesday 12th June (PM) and that the work of the Committee on that day will focus on finalising the draft Statutory Instruments pertaining to Section 59(2), Mental Health Act 2001 with a further meeting to be arranged to finalise the S.I. associated with Section 69(2), Mental Health Act 2001.</p>	
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<p>6. Correspondence</p> <p>The CE (PCG) reviewed the correspondence listed from 08.04.13 to 09.05.13. The Chair (JS) provided the review for the first item of correspondence which related to the admission of children with mental health difficulties to paediatric units.</p>	
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<p>7. A.O.B.</p> <ul style="list-style-type: none"> - The Chair (JS) advised that he will write to JR on behalf of the Commission Members. 	
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<p>8. Date of Next Meeting</p> <p>Two-Day Meeting Thursday 20th & Friday 21st June 2013</p>	
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Action Points

No.	Action	Person Responsible	Timeframe
1.	Minor amendment to Minutes of 15 th April	MBD	Following Meeting
2.(v) Chair's Business	Update of Two Day MHC meeting Schedule	MBD	Prior to issuing of June MHC Pack
2.(vi) Chair's Business	Circulation of Papers from Conference attended by Chairman	MBD	Upon receipt from JS
4.1	Invitation to Inspector to join session of June Two Day meeting	PCG	In advance of June meeting

Signed:



John Saunders
Chairman