

Mental Health Commission

Minutes of Meeting of Friday 18th January 2013

11:00am – 4:15pm

**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
Maeve Doyle	MD
Anne Jeffers	AJ
Patricia O'Sullivan Lacy (PM)	POSL
Pauline Gill	PG
Colette Nolan	CN
Xavier Flanagan	XF
Martin Rogan	MR
Michael Byrne	MB
Mary Keys	MK

Apologies:

John Redican	JR
Ned Kelly	NK

Executive In Attendance:

Patricia Gilheaney – Chief Executive (CE)	PCG
Marina Duffy – Higher Executive Officer	MBD
Ray Mooney – Board Secretary	RM
Item 4.1 Rosemary Smyth – Interim Director Standards & Quality Assurance & Mr. Derek Beattie, Project Officer, Standards & Quality Assurance Division	RS DB

The Chair (JS) wished Members a Happy New Year and welcomed them to the first Commission Meeting of 2013.	
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<p>1. Minutes of Meeting held on 4th December 2012</p> <p>The Minutes of the meeting of 4th December 2012 were approved and agreed:</p> <p>Proposed by: XF Seconded by: PG</p>	<p>Actions</p>
<p>1.1 Matters Arising from minutes of 4th December 2012</p> <p>There were no matters arising for further mention.</p>	
<p>2. Chairman's Business & Matters for Mention</p> <p>i) Meeting with Inspectorate of Mental Health Services</p> <p>The Chair updated Members on his meeting with the Inspectorate of Mental Health Services on 17th December, 2013. He confirmed that the meeting was attended by the Inspector and all available Assistant Inspectors. Individual Care Planning and the ongoing issues impacting on compliance with Article 15 was central to the discussion. Other matters discussed included Assistant Inspector posts, specialisms and tenure.</p> <p>Inspection Reports as part of Chairman's Business – The Chair advised that following discussion with the Inspector it was agreed that any queries arising at Commission meetings from inspection reports will be brought to the Inspector's attention and a prompt response will ensue.</p> <p>It was agreed that the Chair would meet regularly, at least twice yearly with the Inspectorate. The next meeting will take place within the second quarter. A review of Inspectorate staffing will be undertaken in 2013.</p> <p>The Chair also confirmed that the Inspector will present his findings to date for 2013 in October.</p> <p>ii) 7th Tranche of Inspectorate Reports 2012</p> <p>The CE (PCG) confirmed that the Inspectorate reports have been reviewed by the Standards & Quality Assurance Division and that all reports either have been or are currently being acted upon.</p>	

<p>She provided an overview on follow-up and actions taken.</p> <p>Discussion ensued regarding staffed 24 HR Community Residences. It was noted that the number of residents in many cases exceed that recommended in a Vision for Change. It was agreed that the MHC will contact the HSE to ascertain the range of community residences throughout the country.</p> <p>iii) Recommendation - Final Report of IMG, VFC</p> <p>The Chair (JS) referred to earlier discussions and the recommendation of the Independent Monitoring Group in its final report for a Review of the implementation of a Vision for Change to take place in 2013. It was agreed that the Commission would (a) write to the Department of Health to ascertain the status of such a Review and (b) in line with the 7th anniversary of the publication of a Vision for Change, the Commission would issue a statement.</p> <p>MR informed members that the post of Director of Mental Health, Health Service Executive was being advertised over the coming days.</p> <p>iv) Meeting with Press</p> <p>The Chair informed Members that both he and the Chief Executive met with the Chief Reporter, Irish Times on 12th December, 2013. A subsequent article was published on 29.12.13</p> <p>v) Ethics in Public Office Documentation</p> <p>The Chair reminded Members regarding their obligations to Ethics in Public Office Acts 1995 and 2001 and end of year declarations of interest.</p>	<p>PCG</p> <p>PCG</p>
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<p>3. CEO's Report</p>	
<p>Part One – For Information</p>	
<p>1.2 "Serious Concerns" Reported to Chief Executive</p>	
<p>The CE (PCG) circulated documentation pertaining to a Serious Concern reported to her.</p>	
<p>PCG reviewed the documentation with Members.</p>	

Following discussion it was agreed that a number of issues remain outstanding which require clarification by the service. The service has requested a meeting and this will be convened as a matter of priority. Members will be updated as matters progress. PCG to follow up with HSE ref documentary evidence of fire certificates for community residences.

PCG

1.3 MHC Staffing

PCG provided an update to Members on MHC Staffing matters. Members were also informed of staffing changes within the Mental Health and Workforce planning units of the Department of Health. The CE has requested an urgent meeting with representatives from the Department. Contact with the the public appointments service has now been made with regard to two of the vacant posts.

PCG

1.4 Legal Matters

(b) MX [APUM] –v – HSE. The Attorney General and the Irish Human Rights Commissioner. Record Number : 2011/9548P

MHC awaiting date for meeting. Legal advisors are currently drafting a revised FORM 17 based on the judgment of Justice Peart. In addition, all other relevant forms are also being reviewed.

PCG

Part Two – For Discussion

2.1 Department of Health "Future Health : A Strategic Framework for Mental Health"

The Chief Executive (PCG) provided an overview of the briefing paper on the Future Health Report which had been circulated in Members meeting packs. No further action required at this time.

2.2 Management Accounts

Management Accounts for month ending 31st November, 2012 were considered and agreed.

Proposed by: MR

Seconded by: XF

4. Consideration of Reports

RS and DB joined the meeting for item 4.1

4.1 Draft Consultation Report MHC Seclusion and Physical Restraint Reduction Strategy.

DB made a presentation to Members outlining the following:

(i) Background to the Consultation, (ii) Consultation Exercise, (iii) Overview of Respondents, (iv) Consultation Findings, (v) Next Steps (proposed options).

RS provided an overview to Members of the next steps focusing on what work needed to be done before publishing a strategy. Three main areas to be addressed are (i) Medication, (ii) Training & (iii) Data Collection.

The Chair (JS) proposed that prior to the next meeting a small group would convene to look at how best to move things forward and make a proposal to the Commission that can be signed off at the next meeting.

The Group would work with RS and DB. CN, AJ, MR and COR agreed to participate in the group. It was also agreed that feedback would be sought from the Inspectorate.

PCG advised that due to resource constraints it may not be possible to convene the group in advance of the next meeting.

PCG/S&QA

5. Reports of Committees

5.1 Strategic Plan Working Group

The Chair COR informed Members that the working group had met on 8th January, 2013. Members were informed that a draft of the Strategic Plan will be available for the February Commission meeting.

5.2 Legislation Committee

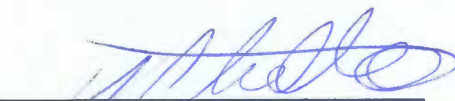
The Chair MK provided an update to Members on the work of the Committee. The Committee held a meeting prior to the Commission meeting at which Dr. S. Pillay and Mr. M. Shannon both Clinical Scientists funded by the MHC / RCSI Research programme presented to the Committee. The feedback and outcome of discussion which ensued will inform the next draft of S.I.s

<p>MK also referred to the preparation of a formal response to the Interim Report on the Review of the Mental Health Act 2001 which is currently outstanding.</p> <p>Members were also informed that the 'Assisted Decision Making (Capacity) Bill' is now on the A List legislation programme and it is hoped that this will expedite matters.</p> <p>MK informed Members that the next meeting of the Committee is prior to the Commission meeting on February 15th.</p>	
<p>6. Correspondence</p> <p>PCG (CE) reviewed the correspondence listed from 27.11.12 to 10.01.13.</p> <p>PCG provided background to Members on correspondence received for her attention 'addressee only'. The CE has subsequently written to the sender offering the opportunity for a meeting with both the Chief Executive and Inspector of Mental Health Services. The Sender was also informed that their correspondence would be brought to the attention of the Commission at its meeting on January 18th.</p> <p>Correspondence regarding a named patient in an approved centre was also discussed. PCG notified members of actions taken to date and advised that a full report has been requested from the approved centre.</p>	
<p>7. A.O.B.</p> <p>(i) Members requested that their appreciation of the contribution of the former P.O. and A.P.O in the Mental Health Unit of the Department of Health is issued by the Chair.</p> <p>(ii) Members requested that appreciation of the MHC should issue to the former Assistant Inspector of Mental Health Services (Service User). The CE (PCG) advised that the Executive issues a letter as a matter of course.</p>	<p>JS</p>
<p>8. Date of Next Meeting</p> <p>Friday 15th February 2013</p>	

Action Points

No.	Action	Person Responsible	Timeframe
2 (iii)	(a) Letter to issue to DOH ascertaining status of Review of AVFC (b) Press Release to issue on anniversary of AVFC	JS	(a) Prior to next meeeting (b) for January 24 th
1.2	Follow up reference Serious Concern	PCG/S&QA Division	In progress
1.3	MHC Staffing	PCG	Immediate
1.4	Meeting with HSE	PCG	Awaiting notification of date of meeting
4.1	Sub-Group reference Draft Consultation Report next steps	PCG/S&QA Division	Prior to next MHC meeting
7.1	Letter for former P.O. and A.P.O. DOH	JS	Prior to next MHC meeting

Signed:



John Saunders
 Chairman

