

Mental Health Commission

Minutes of Meeting of Friday 18 October 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
Patricia O'Sullivan Lacy Joined the meeting in the afternoon	POSL
Pauline Gill	PG
Michael Byrne	MB
Anne Jeffers	AJ
Mary Keys	MK
Ned Kelly	NK
Maeve Doyle	MD

Apologies:

Xavier Flanagan	XF
Martin Rogan	MR
Colette Nolan	CN

Absent:

John Redican	JR
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Executive In Attendance:

Patricia Gilheaney – Chief Executive (CE)	PCG
Ray Mooney – Board Secretary	RM
Ulla Quayle – Office of the CE	UQ

The Chair (JS) welcomed Members and opened the September Commission meeting.	
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Mr Stephen Mulvany, National Director – Mental Health, Health Service Executive, joined the October Commission meeting	Actions
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The Chair (JS) welcomed Mr Mulvany to the meeting and outlined the issues which Members wished to discuss as follows:-

- The National Directorate and its priorities.
- Assisted admissions process and authorised officers and how they are managed.
- Service user representation at local and national level.
- National Directorate's Views on A Vision for Change.
- The relationship between the National Directorate and the MHC and opinion on the MHC's statutory responsibility.

Mr Mulvany began by introducing himself to Members indicating that he was appointed to the post of National Director, Mental Health, in July 2013. He stated another four National Directors were also appointed to the HSE. He indicated that he has full responsibility for mental health, is directly accountable to the Minister and is a member of the HSE Board.

Mr Mulvany explained that his first priority since taking up the post was to engage with internal stakeholders in order to become familiar with the systems currently in place. He indicated that he had now met with over 180 internal stakeholders including Executive Clinical Directors, Integrated Service Managers and Directors of Nursing. He indicated that as these meetings are almost complete he has begun meeting with external stakeholders and members of relevant unions. He stated that he is having these meetings in order to get a sense of the issues facing stakeholders to enable him to prepare a comprehensive workplan. Mr Mulvany is also planning to meet with professional organisations and service user organisations to assist him in this work. He indicated that he sees his team engaging directly with senior management in all disciplines and is interested in forming groups of internal and external stakeholders to deal with areas of common interest. He stated that the National Directorate is extremely keen to engage with stakeholders, to take issues on board and to listen to their views

Mr Mulvany indicated that the divisional team for mental health is currently being formed and it is hoped that all six members of the team will be in place by November 2013. Mr Martin Rogan will remain on the team taking up the post of Head of Planning, Performance and Programme Management. Ms Yvonne O'Neill has been appointed as Head of Operations and Improvement. The recruitment process is

currently ongoing for two posts for National Clinical Advisers, one of which will include the role of the National Lead for Clinical Programmes. In relation to the post of National Service User Advisor, the HSE is currently engaging with a range of service user representatives in order to determine the structure for filling this post. The postholder would also be representative of carers and families of service users.

Mr Mulvany then discussed the issues that have been raised at his meetings with stakeholders. These are in relation to local and national change, risks, recovery, integrated care plans and staffing. One of the main areas of concern highlighted was how to get approval for key posts within mental health. He indicated that he has now gathered together all the cost centres for mental health in the HSE into one database which are linked to staff. Lists have been sent to all areas which link staff to teams and units. This exercise has been done to try to establish by year end which essential posts must be replaced and which should not. Once this has been established national recruitment can then be commenced as there will be more clarity regarding how many competitions have to be undertaken to fill positions.

Another issue which was highlighted from the meetings with stakeholders was the need for an ICT rostering system. This has been taken on board and Mr Mulvany confirmed that a project team with a dedicated project manager will be established to implement an overall mental health information system. The project team will be looking at national requirements and investigating other systems which are already in place.

Mr Mulvany indicated that there are currently shortages in equipment and accommodation for staff. He stated that he has written to Integrated Service Managers to assure them that this will be provided to people when they are appointed.

Mr Mulvany indicated that work is underway to develop an overarching mental health model of care.

In respect of Vision for Change, Mr Mulvany indicated that one of his priorities is to re-energise and implement it. He indicated that training and development is required both at individual and team level.

In respect of assisted admissions and authorised officers, Mr Mulvany stated there needs to be more clarity of what is required from the service. He indicated that it needs to be a well structured service and should be a core part of the community mental health team. More specific requirements need to be prepared regarding what is required and how many people need to be trained.

With regard to the relationship between the National Directorate and

<p>the MHC, Mr Mulvany indicated that he saw the MHC as the regulatory body and he hopes that the HSE and MHC can continue to work together in partnership to improve quality.</p> <p>A query was raised regarding the budget for mental health for 2014. Mr Mulvany reported that he has not yet been informed of the allocation.</p> <p>Rehabilitation and recovery services were discussed and Mr Mulvany agreed that more emphasis needs to be put on this.</p> <p>An issue was raised regarding patients being referred outside their catchment areas. Mr Mulvany indicated that although this is unfortunate, he is of the view that if a patient needs to be admitted then that needs to be the priority even if it means admission outside the patient's catchment area.</p> <p>Members raised a query regarding the Child and Family Agency. The MHC had responded to the report the Agency had produced in 2012 but no further information had been received. Mr Mulvany indicated that CAMHS may not come under the auspices of this agency.</p> <p>The Chair (JS) thanked Mr Mulvany for his presentation and Mr Mulvany left the meeting.</p>	
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<p>1. Minutes of Meeting held on 20 September 2013</p> <p>The Minutes of the meeting of 20 September 2013 were approved and agreed.</p> <p>Proposed by: AJ Seconded by: COR</p>	<p>Actions</p>
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<p>Matters Arising from Minutes of 20 September 2013</p> <p>The Chair (JS) reported that the minutes of the Standing Committee of the Governance Forum which took place on 3 September had been circulated to Members.</p> <p>The Chair (JS) indicated that the Inspector of Mental Health Services would not be available to attend the December meeting. Therefore it was agreed that he should be invited to attend the January 2014 meeting</p> <p>The CE (PCG) confirmed that the Proposal Regarding a National Medicine Information Service which was provided to the Executive had been forwarded to Members for information</p>	<p>Actions</p> <p>JS</p>
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<p>With regard to the peer review of the Seclusion and Restraint Reduction Strategy, the CE (PCG) indicated that contacting international experts is progressing to the next stage.</p>	
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<p>2. Chairman’s Business and Matters for Mention</p> <p>(i) World Mental Health Day</p> <p>The Chair (JS) reported that a press release was issued for World Mental Health Day on 10 October 2013. It had been circulated to Members.</p> <p>(ii) Governance Forum</p> <p>The Chair (JS) reported that Dr Rafaella King was elected Chair of the Steering Group of the Governance Forum.</p> <p>(iii) Actions taken by the Executive on foot of the Inspection Reports</p> <p>The CE (PCG) drew Members’ attention to the summary of actions taken by the Executive in respect of the fifth tranche of inspection reports.</p>	<p>Actions</p>
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<p>3. CEO’s Report</p> <p>Part One – For Information</p> <p>1.1.1 Conditions Attached to Approved Centres’ Registrations</p> <p>With regard to the condition attached to the registration to St Loman’s Hospital which requires St Edna’s Ward to be closed by 31st December 2013, the CE (PCG) reported that this is on schedule.</p> <p>The CE (PCG) reported that the audit which was requested from University Hospital Galway regarding compliance with article 15 of the MHA 2001 was received on 7th October 2013.</p> <p>1.2 Legal Matters Update</p> <p>Section 73 Application for Leave <i>AM v. Harry Kennedy and the Mental Health Commission and the Health Service Executive</i></p> <p>The CE (PCG) reported that she had spoken to the Head of Legal Services in the HSE and was assured that instructions had been given to the HSE Solicitors to deal with the matter. However, a written</p>	<p>Actions</p>
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response from the HSE Legal Department remains outstanding.

EG v the MHT and the Clinical Director of the CMH Appeal to the High Court on a Point of Law Pursuant to Section 19 (16)

The CE (PCG) reported that the MHC is awaiting clarification regarding the point of law being appealed in advance of the hearing which is scheduled for 26 November 2013.

Labour Court Hearing

There was no further update on this matter.

1.3 MHTs Panel Recruitment Update

The CE (PCG) indicated that there are a small number of candidates who have references and garda vetting documents outstanding. However, all is on schedule for the new panels to be in place for 1 November 2013.

The CE (PCG) reported that the training for panel members will commence on Monday 21 October and will conclude on Thursday 31 October. PCG made reference to the work that has been undertaken by the Director Training and Development and staff within the MHC and thanked them for their work on this project.

1.4 Expert Group Review of Mental Health Act 2001

The CE (PCG) reported that a meeting of the Expert Group took place on 24 September 2013. Some operational issues that had not been addressed in respect of the MHC's learning needed to be shared. PCG indicated that she had met with officials from the DoH and presented them with the recommendations from the submission produced by the MHC and highlighted the operational issues which need to be addressed. She stated that the final meeting of the group has been scheduled for November 2013.

1.5 Governance Meeting MHC/Department of Health (DoH)

The CE (PCG) stated that a governance meeting between the MHC and the DoH took place on 23 September 2013. No concerns were raised.

1.6 See Change Steering Group Meeting

The CE (PCG) reported that the See Change Steering Group meeting took place at the MHC on September 2013. Ms Marina Duffy is the MHC's representative on this group and attended the meeting.

1.7 Department of Justice and Equality – Assistant Decision Making (Capacity) Bill 2013 Consultation Symposium

The CE (PCG) reported that she and the Chair (JS) attended the symposium hosted by the Department of Justice and Equality on 25 September 2013. Due to the concerns that were raised at the meeting by the CE, a representative from the Department of Justice contacted the CE for information regarding the costs of mental health tribunals. The CE met with a representative from the Department of Justice at which she shared some of the operational issues and challenges and that may arise in relation to the Bill as published. This was then reported to the Legislation Committee at its last meeting.

1.8 Meeting with Director Quality and Patient Safety (HSE) – 25.09.13

The CE (PCG) confirmed that she met with Dr Crowley on 25 September 2013 to discuss two issues. The first of these was in respect of the matter forwarded earlier in the year to Dr. Crowley for review, the second related to a clinical governance issue in a mental health service. Members were updated on the discussion at the meeting.

1.9 Organisation for Security and Co-Operation in Europe (OSCE) Mission to Serbia and Ministry of Health Republic of Serbia

The CE (PCG) reported that she had been contacted by a representative from OSCE who requested a meeting with the MHC in respect of human rights, seclusion and restraint. Following this, the CE contacted the DoH to advise officials of this request. Minister Kathleen Lynch has agreed to host the visit on 27 and 28 November 2013. It was reported that time would be allocated during the visit for a meeting with MHC officials.

1.10 International Society for Quality and Healthcare Conference – 13 to 16 October 2013

The CE (PCG) advised that she and the Director Standards and Quality Assurance (Interim) attended part of the conference and they both chaired sessions at the event. They were also members of the International Panel for reviewing the abstracts that had been submitted. The theme of the conference was quality and safety in population health and healthcare and there were representatives in attendance from 75 countries.

1.11 First National Clinical Effectiveness Committee Symposium – 17.10.13

The CE (PCG) reported that she attended the first NCEC symposium

which took place on 17 October 2013. She indicated that to-date no guidelines in relation to mental health have been submitted. She also reported that Dr. Kathleen McLellan has been appointed Director of Clinical Effectiveness in the DoH.

1.12 Health, Social Care and Regulatory Forum

The CE (PCG) stated that she attended the meeting of the HSCRF which took place on 8 October 2013. She indicated that the Chairpersons of the agencies who make up the Forum are invited to attend its next meeting which is scheduled for 10 December 2013.

1.13 Office of Public Works (OPW)

The CE (PCG) reported that the OPW is currently investigating the possibility of break the lease of St Martin's House. She indicated that there is a breaking clause in the lease and the OPW has advised that it is seeking a rent reduction. If this cannot be secured the OPW intend to initiate the break clause and seek alternative premises for the MHC.

The CE informed members of a request regarding the possibility of providing some office space to another body.

1.14 Proposed Visit to Ireland of the European Committee for the Prevention of Torture and inhuman or Degrading Treatment or Punishment (CPT)

The CE (PCG) stated that she has been informed by the DoH of a proposed visit to Ireland of the CPT in early 2014. Dates have not yet been finalised.

1.15 Parliamentary Questions

The CE (PCG) indicated that one PQ had been received subsequent to the September meeting.

Further Issues Subsequent to the Preparation of the CE Report

2012 Accounts

The CE (PCG) reported that the final 2012 accounts had been received and will now be submitted to the Minister and the DoH.

Staffing

The CE (PCG) indicated that three vacant Clerical Officer posts are being filled through the Public Appointments Service process. One person will be taking up their poste on Monday 21st October, another post will be filled on 18 November and the third post will be filled in

<p>the coming weeks.</p> <p>Part Two – For Discussion</p> <p>2.1 Draft Proposal Review of Regulation</p> <p>The CE (PCG) presented a paper regarding a review of regulation which was prepared for consideration of Members.</p> <p>The CE (PCG) reported the Inspector of Mental Health Services and the Director of Standards and Quality Assurance (Interim) are fully supportive of the proposal to date.</p> <p>It was agreed that the CE (PCG) should proceed as outlined in the proposal.</p> <p>2.3 Management Accounts for month ending 30 September 2013</p> <p>Proposed: PG Seconded: MB.</p>	<p>PCG</p>
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<p>4. Consideration of Reports</p> <p>There were no reports for consideration.</p>	<p>Actions</p>
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<p>5. Reports of Committees</p> <p>5.1 Legislation Committee</p> <p>POSL joined the meeting.</p> <p>MK delivered a presentation on the Assisted Decision Making (Capacity) Bill 2013 for Members' information.</p> <p>She reported that as the process is moving very quickly the MHC would need to have prepared a response by mid November 2013. She indicated that the Legislation Committee have been considering key issues and hope to have a number of weekly meetings until this work is completed.</p>	<p>Actions</p>
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<p>6. Correspondence</p> <p>The CE (PCG) reviewed the correspondence listed from 12.09.13 to 10.10.13 and provided members with updates on action(s) taken.</p>	
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<p>MB left the meeting.</p> <p>Discussion took place regarding the appropriate course of action should a Member of the Commission be approached with queries either verbally or in writing. It was agreed that all queries should be directed to and responded to by the CE who will report back to Members accordingly.</p>	
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<p>7. A.O.B.</p> <p>The Chair (JS) reported that he had received a letter from Dr Brian O'Donoghue apprising him of the research funded by the MHC on service users perspectives on their admission study and an article which had been published in the Psychiatric Services Journal regarding same. It was agreed that JS would circulate this correspondence to Members for information and reply to Dr O'Donoghue's correspondence.</p> <p>Discussion took place regarding concerns that patients are being admitted outside their catchment area. It was agreed that this should be raised with the Inspector of Mental Health Services.</p>	<p>Actions</p> <p>JS</p> <p>PCG</p>
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<p>8. Date of Next Meeting</p> <p>Tuesday 3 December 2013 at 11.00 am in the offices of the Mental Health Commission</p>	
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Action Points

No.	Action	Person Responsible	Timeframe
2 (i)	The Inspector of Mental Health Services to be invited to the January 2014 meeting	JS	When dates have been agreed.
3 2.1	Proposal and action plan to be prepared for review of regulation	PCG	Dependent on meeting with relevant parties
7 (i)	Letter from Dr Brian O'Donoghue regarding research to be forwarded to members	JS	In advance of December meeting
7 (i)	Reply to be sent to Dr O'Donoghue's correspondence	JS	In advance of December meeting
7 (ii)	A query to be raised with Inspector regarding patients being admitted outside their catchment area	PCG	In advance of December meeting

Signed:


 John Saunders
 Chairman

Date:

3-12-13

