

Mental Health Commission Meeting
Minutes of Meeting held on 16 April 2020
Held by way of MS Team
10.30am - 12.00pm

Commission Members	Initials
John Saunders	JS
Rowena Mulcahy	RM
Dr Michael Drumm	MD
Tómas Murphy	TM
Nicola Byrne	NB
Ned Kelly	NK
Dr Margo Wrigley	MW
Colette Nolan	CN
Jack Nagle	JN
Dr Xavier Flanagan	XF

Apologies	Initials
Patrick Lynch	PL ¹

Executive in Attendance	Initials
John Farrelly, Chief Executive	JF
Orla Keane, Secretary to the Commission, Head of Legal / Division Lead for MHT	OK
Rosemary Smyth, Director of Standards and Quality Division	RS
Simon Murtagh, Chief Operations Officer	SM
Áine Flynn, Director DSS	AF
James Skelly, Paralegal	JMS

No.	Matter	Action Required By
1	Declarations of Interests – None noted. To be signed and returned by email.	
2	<p>The Minutes of the Meeting held 20 and 21 February 2020 were agreed subject to a minor amendment.</p> <p>Decision 8 of 2020.</p> <p>JN proposed approval of the minutes and NB seconded same.</p> <p>An update was given on matters arising from the Wexford meeting. It was noted that the requested ICT funding has been approved, that work is progressing in relation to the MOU, that the March IDGS meeting was cancelled due to Covid 19 but that the April meeting is due to proceed.</p>	OK to arrange to finalise and post on website.

¹ It was acknowledged that PL could not attend the meeting due to the exigencies of work related to Covid 19.

	<p>The Minutes of the Meeting held 6 March. Decision 9 of 2020. NK proposed approval of the minutes and XF seconded same.</p> <p>The Minutes of the Meeting held 26 March 2020 were agreed. Decision 10 of 2020 MW proposed approval of the minutes and CN seconded same.</p>	
3	<p>Chairman’s Business</p> <ol style="list-style-type: none"> 1. The Chair noted that Aaron Galbraith had tendered his resignation to the Minister. OK has contacted the Department with regard to filling the vacancy. The Chair will organise to send a formal letter of appreciation to Aaron Galbraith. 2. The replacement for Dr Jim Lucey was discussed. It was noted that the Department has received the nominations from the relevant bodies but were waiting for the new Minister of State to be appointed. 3. The PMDS for the Chief Executive, the Chair noted that this had commenced for 2020. 4. Assessment of Committee Chairs – The Chair noted that OK is to send him a draft for review and then the process would be commenced and completed. 5. Draft Report on Board Effectiveness from IPA – The Members complimented the report and were of the view that it was a thorough review. There were a few matters on which the members did not agree with the IPA. It was agreed that the Chair would revert to the IPA on these issues and have the report finalised. It was further agreed that the recommendations would be discussed at each of the next two Commission meetings and that the final plan would be signed off at the July meeting. 	<p style="text-align: center;">JS</p> <p style="text-align: center;">JS</p>
4	<p>Chief Executive and Executive Reports</p> <p><u>CE’s Report</u></p> <p>SM noted that he and the Finance Manager had a teleconference meeting with the C & AG, the C&AG were largely positive about the audit, not recommending any changes to the draft financial statements presented. SM is awaiting for their official letter on the notes raised on the call.</p> <p><u>Budget / Business Plan</u></p> <p>The MHC have received an indicative budget of €14.8m from the Department of Health. This is more than the overall Budget for 2019 but less than what was requested. SM noted that he and the team are working on a revised Budget which it is hoped shall be presented to the next Commission meeting. The revised Budget shall have to take account of the impact of Covid 19, which will not be reflected in the management accounts until the April accounts.</p>	

The CE added that in conjunction with the revised Budget we are also looking at a revised Business Plan in light of Covid 19, which will be presented at the May Board meeting.

Internal Audit

SM noted that the Internal Financial Controls Audit has been finalised and the draft Risk Management Audit Report is with the Executive for consideration. A final draft will be agreed with the Internal Auditors and will then go to the FARC for approval. It is largely a positive report and will strengthen the risk management process.

HR

It was noted that the Executive are in the process of developing a working from home policy for staff.

Legal

It was noted that there had been queries from the HSE regarding seclusion, OK and RS informed that seclusion should not be used to isolate those who refuse to follow disease control requirements.

OK replied to a query from the Members that there is a facility to rescind the Emergency tribunal procedures before 9 November if needed.

RMT Report

RS noted that the RMT had started early in relation to Covid 19, requesting contingency plans from all approved centres, issuing new notification forms for suspected/confirmed cases of Covid 19 and a new application form for reconfiguring and/or a change in the number of beds services for which approved centres are registered.

RS noted that the DOH had requested MHC to formally risk assess and support mental health services. An evidence based Risk Assessment Framework was developed focusing on four main areas:

1. Staff
2. PPE²
3. Systems
4. Space

A relationship model was adapted to complete the risk assessment. Members of the regulatory team made direct contact with a nominated person in 176 services to complete the standardised questionnaire. Items recorded included number of confirmed and suspected cases, spacing/premises issues (for the purpose of social distancing & isolation units), supplies of PPE and staffing issues. A metrics approach was used based on yes/no responses to risk rate services. The information collected was provided in a weekly report to the HSE, DoH and NPHET.

RS noted that there was concern about the lack of PPE in some services, which was escalated to the HSE and DOH. All services had an average supply of 3 days, which was not adequate in services who had an outbreak. RS noted that the HSE advised in the event a service having a

² Personal Protective Equipment

	<p>confirmed or suspected case access to more PPE is made available. Staffing issues in centres was also highlighted, in the context when staff were required to self-isolate and/or waiting on test results.</p> <p>XF highlighted the issue of people being transferred from nursing homes without consent.</p> <p>TM criticised the use of shared bedrooms and highlighted the need to provide individual accommodation to service users. RS stated that the MHC have highlighted a number of services to the HSE where the facilities are not appropriate to social distancing or isolating. The number of fatalities in one approved centre was noted.</p> <p>The Members commended RS and the RMT team on the great work they have done in helping with this crisis but also in protecting these vulnerable people.</p> <p>The medical treatment of patients within mental health services was discussed. It was noted that reports to date indicate that any patient who required treatment in a general hospital received same. It was noted that new mental health units have piped oxygen and are in line with WHO standards on infection control. As such there had been some discussion on the requisitioning of these units for use in the management of Covid 19. The MHC needs to keep this under close review.</p> <p><u>DSS</u> AF informed that the DSS report was read only. Of importance she confirmed that the MHC received approval from the Department of Justice and Equality for the DSS ICT Project. Meetings have been arranged with the relevant provider to progress the signing of the contract and the various schedules attached to same. This may be presented at the May meeting for approval but it could be the June meeting.</p>	
5	<p>Risk Management</p> <p>SM confirmed that Covid 19 had been added to the Risk Register, which risk has now crystallised. He further noted that all relevant actions were being taken by the MHC internally and externally.</p>	
6	<p>Committee Updates</p> <p>1. FARC – It was agreed to defer consideration of these documents to the next meeting due to PL’s absence.</p> <p>2. Legislation Committee – RM noted that the next meeting of the Legislation Committee will be held 1 May at which it shall consider the final part of the Heads of Bill relating to Children and shall bring its recommendation to the May Commission meeting.</p>	
<p>Next Meeting – 21/05/2020</p>		

ACTION LOG			
No	Action	Person Responsible	Status

1	Formal letter to go to Aaron Galbraith	OK / JS	Done
2	Assessment of Chairs to be completed	OK / JS	Document sent to Chair
3	Formal Reply to go the IPA and Plan of Action in relation to the Recommendations to be discussed by Members at the next meeting	JS / All	
4	Revised Budget and Business plan to be presented at May Commission meeting	CE / SM	Deferred to June – Members notified in late April.

Dated: 25.5.20

Signed:



By the Chair