

Mental Health Commission Meeting
Minutes of Meeting held on 16 July 2020
Held by way of MS Teams
10.30am - 12.45pm

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
Jack Nagle	JN
Dr Xavier Flanagan	XF
Patrick Lynch	PL
Colette Nolan	CN

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 – To be signed and returned by email.	OK
2	Minutes of the meeting held 21 May were agreed subject to minor amendment. Decision 21 NK proposed and NB seconded. Minutes of the meeting held 18 June were agreed subject to minor amendment. Decision 22 PL proposed and MW seconded. Minutes of the meeting held 30 June were agreed. Decision 23 PL proposed and NB seconded.	
3	Chairman's Business 1. The Chair noted that the assessment of the Committee Chairs' is almost complete.	

	<p>2. The Chair noted that the DOH has indicated that they should have Dr Lucey's replacement appointed before the end of July.</p> <p>3. The Chair noted that letters were sent to the new Ministers in the Department of Health and acknowledgements have been received to both. The MHC is awaiting clarification with regard to the new Minister with responsibility for the DSS.</p> <p>4. The Chair presented a Memo prepared by the Communications Team in relation to the reactivation of the Stakeholder Initiative. The Members discussed the importance of hearing from people under the remit of the Decision Support Service. MW proposed that the Alzheimer Society of Ireland be added to the list and this was agreed. After further discussion it was agreed to issue the following invites –</p> <p>a) Irish Hospice Foundation – September / November meeting b) Cairde – September / November Meeting c) Bodywhys – January / February 2021 meeting</p> <p>The Communications Team shall progress the above.</p>	Comms
4	<p>Chief Executive and Executive Reports</p> <p>The CE acknowledged RS's upcoming retirement. The Members individually expressed their sincere thanks and appreciation for all her work. They noted RS's passion and commitment to the area of mental health and the professionalism she has exhibited throughout her entire career, particularly in her work with the Commission. The Members acknowledged her integrity, approachability and expert knowledge. The Members wished her all the best with her retirement and her future endeavours.</p> <p><u>CE's Report</u></p> <p>SM noted the following –</p> <ol style="list-style-type: none"> 1. The revised Performance and Oversight Agreements have been sent to the DOH, 2. The second Governance meeting with the DOH has been arranged for 30 July, 3. The evaluation process for the Microsoft 365 migration identified a preferred bidder and is now at the 14 day stand still period, and 4. Work on the Return to Office Plan is ongoing. <p>There was a general discussion on the launch of the Annual Report, the reaction to same and attendance of the Executive at the Special Oireachtas Covid-19 Committee. The CE noted that generally the reaction was positive, particularly given the added focus on mental health due to Covid-19.</p> <p>The Chair noted that the issues raised by the Executive before the Oireachtas Covid-19 Committee were not new for the Commission - care planning, privacy, lack of space, lack of training and lack of staff have all been highlighted for years. The Chair expressed concern at the lack of political focus on the national governance of mental health services and an over emphasis on services in politicians' constituencies. A number of the Members re-emphasised the need for a national approach to the delivery of mental health services and the need for a National Director for Mental Health within the HSE.</p>	

RMT Report

RS noted that the week ending Friday 10 July was the first week where there had been no case of Covid-19 in any mental health service. She informed that inspections had restarted as of 13 July. Validation of the Covid-19 data submitted by the services is underway. MW queried how suspected cases were being recorded and RS noted that a dual approach was being taken, one for staff and one for service users. The increase in Form 6 admissions was discussed. RS reiterated the lack of clear guidance on admissions for services in particular where an approved centre is a community service under the governance of Community Operations, while also being a ward or unit within an acute hospital. OK added that the average number of patients detained had increased from approximately 310 detained each day for the period March to May to 360 for July.

MHT

OK noted that the HSE and the Tribunal Team have been working well together in facilitating mental health tribunals, she acknowledged that Mental Health Act Administrators have undertaken additional work and have carried out this work to a high standard.

OK highlighted that there has been a marked increase in the number of admissions due to the Covid-19 pandemic, this was expected but it was noted that there had been an unexplained delay in the uptake.

OK informed the Members that legal representatives and Independent Consultant Psychiatrists can attend the approved centres in person. A guidance document on attending approved centres has been issued in consultation with the approved centres.

OK noted that a new patient leaflet is being issued informing patients of their right to an additional review in the case of orders exceeding three months. She further noted that a new patient information booklet for MHTs is to be issued in the next few weeks, this is the first in a series of booklets to be issued to patients by the MHC with regard to its functions.

CN queried whether the number of patients attending tribunals had been affected due to them being held remotely. OK informed that a small number of patients had indicated that they would not attend due to the tribunal being held remotely but overall there has not been a pronounced change.

TM queried data on Gardaí activities nationally and whether it was being captured in Form 3 admissions. He expressed concern that there appears to be a correlation in the increase in Form 3 admissions and a reduced capacity in mental health teams. OK agreed to provide the information on Form 3 admissions during the Covid-19 period.

DSS

AF informed that the ICT contract with Codec was signed on 1 July.

AF informed that we have received a reply from the DOH Bioethics Division stating that they do not intend to write regulations relating to Part 8 of the 2015 Act at this point in time (Part 8 regulations relate to the register for advance healthcare directives). It was noted that the other sections of Part 8 could be progressed.

OK

	<p>AF noted that the other members of the Steering Group had been asked by the Assistant Secretary to submit their plans for implementation of the 2015 Act and to sign up to a MOU setting out the Steering Group’s commitments, which the DSS has done.</p> <p>AF referred to the proposed move of the DSS from Justice to the new Department of Children and Youth Affairs, which is not to include Disability, Equality and Integration. A year two time line from the time of the signing of the ICT contract had been provisionally agreed with the IDSG¹. It was agreed that the move is not ideal and may cause disruption, but that it is important to maintain the momentum behind the project.</p>	
5	<p>Risk Management</p> <p>This item was dealt with as part of the FARC Report.</p>	
6	<p>Committee Updates</p> <p>1. FARC –</p> <p>The following was noted –</p> <p>1. PL stated that the Internal Audit Report on Risk Management was a positive report. PL and SM recommended that the audit report presented the Commission with an opportunity to review the risks to the Commission independently of the risk register and then compare what is found from that review with that already on the register. Subsequent to this review, a refreshed register shall be prepared. It was also recommended that refresher training on risk management be provided to the Executive, the FARC Members and the Commission Members. It was noted that this would also tie in with the Recommendations / Action Plan from the Report on the Commission’s effectiveness.</p> <p>2. PL noted that a new three year Audit Plan is being prepared by the Internal Auditor which shall be presented to the FARC for approval. PL shall update the Members on this in due course.</p> <p>3. PL confirmed that both of the nominated external members of the FARC had accepted the offer to join the Committee. SM noted that induction training for both has been organised for 28 July and they will attend the FARC September meeting.</p> <p>4. PL noted that the FARC has asked SM to compile an overall ICT strategy to include the Commission’s Cloud strategy, which shall be shared with the Commission.</p> <p>5. PL informed that on the recommendation of the Executive, the Deloitte contract will be extended for a further year until January 2022.</p> <p>2. Legislation Committee –</p> <p>No scheduled meeting since the previous Commission meeting.</p>	<p>PL/SM</p>

¹ Inter-Departmental Steering Group

	At the end of the meeting, the Chair noted that XF was stepping down as a Member. The Members and the Executive expressed their sincere thanks to XF for his work and dedication to the area of mental health.	
	Next Meeting – 17/09/2020 at 10.30 am	

ACTION LOG			
No	Action	Person Responsible	Status
1	Stakeholder Initiative Invites to be issued.	Comms Teams	In progress
2	Provide stats on Form 3 admissions (Garda admissions).	OK	Done
3	Risk Management Training to be organised.	SM	In progress
4	Provide an update on the new three year Audit Plan.	PL	In progress
5	Provide an overall ICT Strategy.	SM	In progress

Dated: 17th September 2020

**Signed:
By the Chair**

