

**Mental Health Commission Meeting
Minutes of Meeting held on 18 April 2019
Held at Waterloo Exchange, Waterloo Road, Dublin 4**

Commission Members	Initials
Patrick Lynch (Acting as Chair)	PL
Michael Drumm	MD
Niamh Cahill	NC
Aaron Galbraith	AG
Ned Kelly	NK
Thomas Murphy	TM

Apologies	Initials
Colette Nolan	CN
Nicola Byrne	NB
John Saunders	JS
Rowena Mulcahy	RM
Margo Wrigley	MW
Jim Lucey	JL
Xavier Flanagan	XL

Executive in Attendance	Initials
John Farrelly, CE	JF
Susan Finnerty, Inspector	SF
Rosemary Smyth, Director Standards and Quality Assurance	RS
Orla Keane, Secretary to the Commission, Head of Legal Services / Division Lead for MHT	OK
Aine Flynn, Director DSS	AF
Simon Murtagh, Chief Operations Officer	SM
David Williams, Senior Communications and Stakeholder Engagement Manager	DW
Blaithnaid O'Shea, Paralegal	BOS

	11:00-14:00
1	Declarations of Interests - Signed and Returned to the Secretary.
2	<p>The Minutes of the Meeting on March 2019 were agreed subject to one amendment relating to an action item from the previous meeting. NK proposed approval of the Minutes and MD seconded same.</p> <p>Decision 13 of 2019</p> <p>It was noted that the Action Items from the previous meeting were all addressed or were on the Agenda for the meeting.</p>

Executive Reports

Inspector – Presentation on 24 hour Community Residences Report

SF gave a presentation on her report re 24 hour community residences. SF noted that this is Year 2 of a Year 3 programme of inspection. SF went through her report and noted the following conclusions:

- No significant reduction in provision of this type of care
- Lack of rehabilitation services
- Lack of more independent accommodation
- Breaches of Human Rights
- Lack of Regulation

The Members welcomed the submission and complimented the Inspector on her report.

There was detailed discussion in relation to the report following which certain matters were agreed –

1. The report will be published.
2. The MHC need to act on the findings from Years 1 and 2 and not wait until the end of Year 3.
3. The Executive are to revert to the Members with a plan of how to effectively communicate the contents of the report to the Department of Health (DOH) / HSE so action may be taken.
4. Executive to consider how best to communicate this information to the public.

SF noted that at the next Commission meeting she will give a presentation on her report on rehabilitation services.

SQA – Presentation on Individual Care Plans (ICPs) Report

RS gave a presentation on her Report on ICPs for the period 2016 - 2018. The Members welcomed the report and noted that it was an excellent paper with very useful data on such a key issue.

The Members suggested and RS agreed that certain amendments would be made to the report prior to it being published – specifically the section relating to the “What next” and putting the role of the service users first.

There was also a discussion on how best this information could be communicated to service users. RS confirmed that the MHC shall look at this and as per the 2019 BP the Executive is currently looking at information booklets for service users and how they may be made more user friendly.

As part of the above discussion, a query was raised on how approved centre inspection reports can be communicated to patients using those services. The Executive agreed to consider this issue.

Vision for Change (VfC)

RS noted that she and SF attended a meeting with the DOH on the revised VfC and that a draft document is to be provided to MHC for review and comment. RS confirmed that she had written to the DOH further to the meeting raising some issues. It was agreed that this should be a specific item on the Agenda for the May meeting.

MHT Report – Matter for Decision

Report was noted and OK gave some feedback on the recent MHT Seminars in March and the progress of the MHT Recruitment campaign.

OK then referred to the matter for decision relation to the MHC Legal Aid Scheme. OK outlined in detail the basis for the proposal to retain the scheme. It was noted that the Legislation Committee approved the proposal at this February meeting subject to one issue being checked with Counsel which has now been done. The Members agreed in principle with the proposal but requested a formal paper setting out the rationale for the proposal, the paper shall include a recommendation from the Legislation Committee and the Executive and some additional detail to include risk factors and cost implications for the Commission.

DSS Report - Update

AF gave an update on the Project. She noted certain areas where there were on-going delays and the actions being taken. AF focussed on the ICT aspect of the Project and the engagement by the Department of Justice and Equality (DJE). The DJE has shown support for the ICT proposal at a meeting on 13 March 2019 and a full business case has gone to the DJE technical sub group. Two meetings have been arranged post Easter and ICT RFT is expected to go out for tender by 30 June. AF noted that she expects to have an update for the next meeting in May. This may impact on the timelines.

Chief Executive's Report

1. Budget Allocation

The Members expressed their concern that the MHC is still awaiting a formal budget allocation letter for 2019. SM noted that a number of agencies are awaiting allocation but that it has not prevented the MHC from carrying out its day to day business or drawing down funds. The Members requested the Executive to formally write to the DOH on behalf of the Commission to express their concern that we have not received budget allocation by the end of April.

2. Publishing Inspector Reports

DW noted that the physical health report is designed and ready to go. DW further noted that all inspection reports for 2018 will be published by the end of May 2019.

3. Legal

Members raised a query on the progress of the Parity legislation. OK noted that this is being progressed but that we would hope to address a number of issues relating to parity in our review of the Heads of Bill when received. It was noted that this issue ties in with the findings of the Reports discussed at the opening of the meeting.

4. Implications of Brexit

Further to a question from Members the Executive confirmed that a number of minor issues had been identified, all of which are being dealt with.

5. Insurance Tender

A query was raised regarding insurance costs and whether there was an opportunity for the MHC to be indemnified by the State Claims Agency (SCA). OK provided a detailed explanation in relation to the work done in this area in 2018, including efficiencies, meeting with the SCA and correspondence with the DOH. It was agreed that the MHC would revert to the DOH again to ascertain if certain of its insurance requirements could be covered by the SCA.

6. Management Accounts

SM noted that the March Management Accounts were not available and provided the reason for same.

	<p>A query was raised in relation to the Budget spend on MHTs. OK provided a detailed explanation in relation to same. SM noted that any major issues of variance arising from Q1 will be specifically addressed in the report for the next meeting.</p> <p><u>7. Organisational Chart</u> This was welcomed and a few additions were suggested to be made to same.</p>
4	<p>Chairman’s Business</p> <p>1. Town Hall Meetings. The outcome and feedback were discussed. It was noted that the events were very well received.</p> <p>2. “Initiative for discussion” regarding External Stakeholder presentations as an on-going Agenda item. CE presented the proposal. The Members agreed to proposals 1 and 3.</p> <p>Decision 14 of 2019</p> <p>It was agreed that this matter should be standing item on each Agenda and that NC approved proposal and AG seconded same.</p> <p>3. Scheme of Delegation: For review and comments to be provided prior to the next meeting.</p>
5	<p>Risk Management</p> <p>The Chief Risk Officer assured the Commission that there were no issues to report since the last meeting.</p>
6	<p>Committee Updates</p> <p>Audit and Risk Committee (ARC) – No scheduled meeting since the last Commission meeting.</p> <p>Legislation Committee –No scheduled meeting since the last Commission meeting.</p> <p>Quality Improvement Group – A full report shall be provided at the next meeting after the scheduled meeting on May 2019</p>
7	<p>AOB/Close of Meeting: AG played an interview with a family member of a service user for the Members. This linked into the Item 2 on the Chair’s Business. The Members and the Executive agreed that this was a very useful insight.</p>

ACTION LOG			
No	Action	Person Responsible	Status
1.	Regulatory Team to revert with a plan of how to escalate information from Inspectors Report to the most senior levels of the approved centre organisations so action can be taken for the benefit of the residents	SF/RS	June meeting
2	Vision for Change to be a separate item on the Agenda at the May meeting	CE/RS	May meeting
3	Summary Paper on Legal Aid Scheme proposal	CE/OK	In progress
4	Formally write to DOH re Budget allocation.	SM	In progress
5	Executive to review Insurance issue with DOH and revert.	OK/SM	In progress
6	Amend organisational chart to include reference to CRO and IA	SM	May meeting
7	Report from the Quality Improvement Group	MW/RS	May meeting

Dated:

Signed:



By the Chair