

**Mental Health Commission Meeting**  
**Minutes of Meeting held on 20 June 2019**  
**Held at Department of Justice and Equality, 51 St Stephen's Green Dublin 2**

<b>Commission Members</b>	<b>Initials</b>
John Saunders	JS
Patrick Lynch	PL
Margo Wrigley	MW
Michael Drumm	MD
Colette Nolan	CN
Nicola Byrne	NB
Ned Kelly	NK
Xavier Flanagan	XF

<b>Apologies</b>	<b>Initials</b>
Aaron Galbraith	AG
Jim Lucey	JL
Thomas Murphy	TM
Rowena Mulcahy	RM

<b>Executive in Attendance</b>	<b>Initials</b>
John Farrelly, CE	JF
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
Blathnaid O Shea, Paralegal	BOS

	<b>13:00-15:00</b>
	<p>Private Session of the Members</p> <p>The Chair formally advised the meeting of the resignation of a member. It was proposed and agreed to issue a formal letter of thanks and appreciation for her contribution to the work of the Commission. The Chair also confirmed he would write to the Minister of State regarding the filling of the vacancy.</p>
1	Declarations of Interests - Signed and Returned to the Secretary.
2	<p>The Minutes of the Meeting on May 2019 were agreed to subject to one amendment. NK proposed approval of the Minutes and NB seconded same.</p> <p><b>Decision 20 of 2019</b></p>

3	<p><b>Chairman’s Business</b></p> <p><u>Annual Report</u></p> <p>It was noted that the launch of the annual report went very well and the Members wish to express their thanks to all of the MHC staff for same. The Chair and the Members requested that letters of thanks be sent to both Ministers for launching and hosting the Annual Report.</p> <p><u>Board Evaluation Tendering Process</u></p> <p>It was noted that a Tender will go out end of June / July in relation to the External Review of the Commission’s Effectiveness. The Secretary proposed that at least one member of the Commission would sit on the Selection Committee. The Chair indicated that he and one other member of the Commission might do so. The Secretary will provide a timeline to the Members and a final decision can be made at the next meeting.</p> <p><u>Section 55 Memo</u></p> <p>The Members agreed to accept the Executive’s recommendation that the powers in relation to Section 55 of the 2001 Act be reserved to the Commission Members.</p> <p><u>Draft Corporate Governance Manual</u></p> <p>PL noted a number of amendments to be made to final draft document which were agreed by the other Members. Outstanding comments from the Secretary were discussed and agreed.</p> <p>The Secretary noted that the final outstanding document is the Customer Charter, which is to be completed by Communications in MHC.</p> <p>JS proposed signing off on the final Version, with all Appendices, when all documents have been agreed. This was agreed by the Members that this would be done at the September Meeting.</p> <p><u>Board Resignation</u></p> <p>The Chair formally noted that Niamh Cahill had resigned as a Member on 5 June 2019. The Chair will contact the DOH in relation to the recruitment of a new Member.</p>
4	<p><b>Chief Executive and Executive Reports</b></p> <p><u>CE’s Report</u></p> <p><u>Oversight and Assurance with DOH</u></p> <p>There was a discussion in relation to certain wording in the draft agreement regarding the DOH’s commitment on funding. PL requested that the wording be strengthened to ensure that the necessary funding is in fact provided. It was agreed that this would be done.</p> <p>PL noted that the 2019 budget was based on assumptions and that the MHC did not have budget allocation at the start of the year and the amount budgeted for has not been allocated. It was queried if there will be a deficit and how that will be addressed. It was noted that if there is a deficit it should relate</p>

	<p>to the MHTs which are a statutory function and as such require funding. It was noted that no such assumptions should be made. It was also noted to the Members that the MHC is currently operating at a surplus.</p> <p>PL requested a paper on the finances (budget, basis for same, letter of allocation and reply) for the FARC on 1 July. PL further noted that FARC had expressed concern that it could not review budget because we did not have allocation, which is a matter outside of the control of the MHC.</p> <p><u>C&amp;AG</u></p> <p>It was noted that this was complete and draft findings have gone to the C&amp;AG. The Executive noted that they had disagreed with some of the results from 2018 Audit as made by the C&amp;AG's representative. It was agreed an update would be provided to the FARC at its meeting on 1 July.</p> <p><u>Staff Survey</u></p> <p>It was requested and agreed that results of the Staff Survey would go to all staff and will then be brought to next MHC Meeting.</p> <p><u>DSS Report - Update</u></p> <p>AF gave an update on the project –</p> <p>1. RFT for ICT will be ready to go out in 2 / 3 weeks. The Oversight and Assurance group were very positive and the draft RFT was well received. The Department of Justice and Equality (DJE) ICT group did not agree the budget for the full project and gave alternative suggestions which the MHC did not accept. AF proposed we go out to tender with RFT and to let the market decide the value.</p> <p>The Executive and the Members noted that Digital First is an absolute. The MHC wants to launch this project properly and as the 2015 Act determines it should be done.</p> <p>After some discussion on the matter, it was agreed that due to various external factors there is a concern in relation to timeline and budget. It was requested that the CE should write to the Sec Gen in the DJE stating that in order to keep to proposed timelines a budget will be required. If a response is not received, the Chair may write to the Minister.</p> <p>2. It was agreed notwithstanding the above, MHC is still focused on a Q4 2020 deadline. If the deadline needs to be extended the Commission will need reasons, will have to formally agree to any extension and may require to meet the relevant Ministers / Officials to address the issue.</p>
5	<p><b>Stakeholder Initiative</b></p> <p>No updates</p>
6	<p><b>Risk Management</b></p> <p>SM noted that a full update on Risk Management/Register is to go before FARC at its July meeting. SM further noted that it was agreed by the Executive that the risk level in relation to the DSS be raised to the maximum. The Members agreed.</p>

	PL queried if the MHC get FOI requests for Risk Register. OK / SM confirmed that the MHC has not received any to date.
7	<b>Committee Updates</b>  No Updates
8	<b>AOB</b>  NB noted the change in presentation of papers and thanked the Commission for same. She further requested if a hyperlink could be included at the end of each section / document that will bring you back to the Agenda.  <b>Next Meeting – 18 July 2019</b>

<b>ACTION LOG</b>			
No	Action	Person Responsible	Status
1	Tender re Commission effectiveness – timeline to be provided to the Members	OK	In progress
2	Amendments to Draft Corporate Governance Manual	OK/BOS	In progress
3	Draft Customer Charter	Comms Team	In progress
4	Amend Draft Oversight and Assurance Agreement	SM/CE	In progress
5	Note on Budget v Allocation to go to FARC	SM /OK	Done
6	Note on 2018 Audit to go to FARC	SM /OK	Done
7	Letter to Sec Gen DJE re DSS ICT budget	CE	In progress
8	Letters to the relevant Ministers re Launch of Annual Report	Chair/Secretary	Done

**Dated:**

**Signed:**

**By the Chair**

