

**Mental Health Commission Meeting  
Minutes of Meeting held on 19 September 2019  
Held at Waterloo Exchange, Waterloo Road, Dublin 4**

<b>Commission Members</b>	<b>Initials</b>
Rowena Mulcahy	RM
Patrick Lynch	PL
Michael Drumm	MD
Thomas Murphy	TM
Nicola Byrne	NB
Ned Kelly	NK
Jim Lucey	JM
Colette Nolan	CN

<b>Apologies</b>	<b>Initials</b>
John Saunders	JS
Margo Wrigley	MW
Xavier Flanagan	XF
Aaron Galbraith	AG

<b>Executive in Attendance</b>	<b>Initials</b>
John Farrelly, Chief Executive	JF
Simon Murtagh, Chief Operations Officer	SM
Áine Flynn, Director DSS	AF
Susan Finnerty, Inspector of MHS	SF
Rosemary Smyth, Director Standards & Quality Assurance	RS
Marina Duffy, Corporate Manager	MD*

<b>External Stakeholder Attendance</b>	
Shari McDaid	SMcD
Fiona Mitchell	FM
Pádraig Ó Féich	

	<b>11:00-14:00</b>
	<p>RM opened the meeting and advised that she was chairing the meeting in the absence of the Chairman, JS, at his request. She advised that when the updated Governance Manual has been approved, in circumstances when the Chairman is not in attendance, the Members attending the meeting are to appoint the meeting Chair (in line with the provisions of the Governance Manual).</p> <p>The Chair advised that the agenda had been updated to include the approval of the Financial Statements 2018 and to formally approve Teresa BlakeSC's appointment to the Legislation Committee.</p>
1	Declarations of Interests - signed and returned to the Corporate Manager.

2	<p>The Minutes of the Meeting on 18 July 2019 were agreed subject to minor amendments.</p> <p>NK proposed Minutes, NB Seconded</p> <p>Matters Arising:-</p> <p>2.1 C&amp;AG External Audit – this matter will come up under the FARC report  2.2 CE update re Brexit – for provision at October meeting.  2.3 Clarification re delegations – for provision at October meeting.</p> <p><b>Decision 24 of 2019</b></p>
3	<p>Stakeholder Initiative</p> <p>3.1 Policy for Presenters (Stakeholders)</p> <p>The policy as presented was agreed subject to two minor amendments.</p> <p>Proposed MD  Seconded TM</p> <p><b>Decision 25 of 2019</b></p> <p>3.2 Presentation by Mental Health Reform on “My Voice Matters” Project</p> <p>Representatives from Mental Health Reform (Ms Shari McDaid, Ms Kate Mitchell and Dr Pádraig Ó Féich) joined the meeting and SMcD introduced the team to Members.</p> <p>SMcD provided the background to the study undertaken by MHR. A presentation followed which outlined the key findings of the study focused on 1. Service User(s) Survey and 2. Family, Friends, Carers / Supporters Survey.</p> <p>Following the presentation the Chair thanked MHR and acknowledged their work in producing a wide ranging and comprehensive survey.</p> <p>A questions and answers session followed.</p>
4	<p><b>Chairman’s Business</b></p> <p>The matters under Chairman’s Business were noted.</p> <p>4.1 <u>External Review Board</u></p> <p>RM updated the meeting on the status of the External Review of the Board and the approach on how this will progress further. She advised the meeting that the Board Secretary had met with the Chair and had discussed the VFM aspects of the approach. The Commission should be in a position to progress matters further soon.</p> <p>4.5 <u>Correspondence re NCP for the Assessment and Management of Patients presenting to the ED following Self-Harm</u></p>

	<p>Correspondence noted and meeting advised that the Inspector had met with the National Clinical Lead regarding the issues raised in the correspondence.</p>
<p>5</p>	<p><b>Chief Executive and Executive Reports</b></p> <p><b><u>CE's Report</u></b></p> <p>The CE advised that his report was provided for information and the two key items for Members' attention was the approval of the Financial Statements 2018 and the Note re the Decision Support Service.</p> <p>These matters were dealt with in conjunction with the matters addressed in the Chair of the FARC's letter to the Chairman.</p> <p><b><u>Financial Statements 2018</u></b></p> <p>Discussion took place on the Financial Statements 2018 which were considered by the FARC at their September meeting. The level of detail which is required in the Statements and compliance with the Code of Governance regarding same was discussed. The Financial Statements 2018 were approved.</p> <p>Proposed MD Seconded NK</p> <p><b>Decision 26 of 2019</b></p> <p><b><u>Bank Mandates</u></b></p> <p>The COO updated the meeting on the amendment to the Bank Mandates for the MHC and DSS. One typographical error to be corrected relating to NB. The amendment to both Bank Mandates were approved.</p> <p>Proposed NK Seconded CN</p> <p><b>Decision 27 of 2019</b></p> <p><b><u>Management Accounts</u></b></p> <p>A memo from the COO accompanied the accounts providing an update on reported variances. Areas where improved savings could be made e.g. postage/stationery to be considered further.</p> <p><b><u>DSS Budget Memo</u></b></p> <p>The COO in collaboration with the Director of the DSS provided a memo detailing the DSS budget to date and details of actual versus planned spend. The four key areas that account for current underspend are outside of MHC control due to external dependencies.</p>

Discussion took place on the timeline for the establishment of the DSS. It was agreed that without a fully funded and time bound plan the Commission cannot commit to a specific date for delivering the service. The FARC has already raised its concerns on this matter and is now of the view that the Commission can no longer extend the project timeline and must now raise this as a serious concern to the Departments. The Commission in principle (1) accepted the advice of the FARC and (2) it was agreed that the Chief Executive (JF) will prepare a one page position paper and (3) this matter will be tabled for further discussion at the October meeting.

#### CIS

A memo provided from the COO outlining a chronology of events for the Commission's CIS (Comprehensive Information System) Project was considered by Members. The Chair of the FARC (PL) advised that there were still a number of factors that required further information. It is proposed that (1) this item will be further discussed at the October meeting and (2) a more detailed paper would be provided

#### C&AG / External Audit

Discussion took place on the C&AG annual audit and the Chair of the FARC (PL) referred to the issues he had raised in his letter to the Chairman on today's agenda. At the September FARC meeting it had been noted that the management response to the C&AG made reference to situations where formal business cases were not available and indicated that these matters had been brought to the attention of the Commission. The COO had provided a briefing note for the FARC in relation to this matter. It was the view of the FARC where there is a specific issue of concern, this needs to be made explicit in any report provided to the Commission by Management.

The COO provided an update regarding the Management Response letter to the C&AG. The final Management letter will be included as an item on the agenda for the November FARC meeting.

#### Presentation by Inspector of MHS on Rehabilitation Services (& accompanying Report)

SF made a presentation to Members on "Rehabilitation Services for People with Severe and Enduring Mental Illness". The presentation covered a number of key areas including:-

- Progress from 2008 to 2019 & the current status
- Rehabilitation Teams
- A Vision for Change Recommendations
- Specialist Rehabilitation Units
- Inappropriate out of area placement of patients
- Employment (including barriers), Accommodation & Housing
- Result of lack of Rehabilitation Services Provision
- Summary and Human Rights perspective

RM thanked SF for her presentation and the considerable work involved in the preparation of her report.

Some discussion took place regarding the report and the implications of the stark findings and lack of progress made in developing a rehabilitation service.

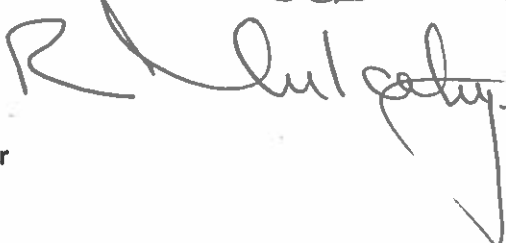
The Report will be published on the Commission website during Mental Health week.

	<p><u>Presentation on Regulatory Framework Review undertaken by Wolfe Group by Director of S&amp;QA</u></p> <p>RS provided an overview to Members on the Regulatory Framework Review which included the following areas:-</p> <ul style="list-style-type: none"> <li>- Introduction &amp; Methodology</li> <li>- Review of Regulatory Frameworks</li> <li>- Strengths of MHC Framework</li> <li>- Potential gaps in the MHC Framework</li> <li>- Interesting Findings &amp; Issues for Consideration</li> <li>- Next Steps</li> </ul> <p>RM as Chair thanked RS for her presentation and stated that it was reassuring to see the strengths identified by the review; note was taken of the gaps. Some discussion took place concerning the areas highlighted as 'high efforts high impact' e.g. physical health in the community and Code of Practice for Children and Young People.</p> <p>JF advised that the inspection team is looking at timelines of the publication of reports and improvements with a particular focus on KPIs.</p> <p><u>S&amp;QA, MHT and Legal Executive Reports were noted with no questions arising</u></p>
6	<p><b>Risk Management</b></p> <p>RM referred to the Chair of the FARC's Report to the Chairman. In particular, the need for an ICT recovery plan being in place as part of overall business continuity planning.</p> <p>The COO advised that an ICT Steering Group has been established. Two meetings of the group have been convened to-date with further meetings planned. A draft plan is currently being drafted for the SMT which identifies a number of key areas that require to be progressed.</p>
7	<p><b>Committee Updates</b></p> <p>FARC - It was noted that the FARC report had been provided in conjunction with the CE's report.</p> <p>Legislation Committee –RM provided a brief update on the work of the Committee and the Working Group which has been established to review the Heads of Bill for the revision of the Mental Health Act 2001. The Working Group and Committee are working to a six month timeframe.</p> <p>The Legislation Committee met on 2 September 2019 and reviewed in detail Part 1 and part of Part 2 of the Heads of Bill and the Working Group's comments. The Committee is due to meet again in early October.</p> <p>RM advised that an overview of the Heads of Bill which has been undertaken has identified a number of issues which will be brought to the attention of the Department of Health by the end of September.</p> <p>RM also referred to external members of the committee and the considerable time and invaluable contribution that they make to the work of the Committee.</p>

<b>8</b>	<p><b>AOB</b></p> <p>Due to the loss of the quorum before the end of the meeting, the Customer Charter and Governance Manual could not be approved nor was it possible to formally approve Teresa Blake SC's appointment to the Legislation Committee. These matters will be brought to the October meeting.</p> <p>1. JF asked that it be noted that the training for new Mental Health Tribunal Panel Members took place on 06.09 in Croke Park with over 300 attendees and it was a very successful day. He also advised that the speakers on the day were excellent and their contribution valued by all the attendees.</p> <p><b>Next Meeting – 17 October 2019</b></p>
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<b>ACTION LOG</b>			
No	Action	Person Responsible	Status
1	CE to prepare position paper regarding the DSS project with emphasis that the project can no longer be extended and a funded time bound plan must be in place for the establishment and roll-out to progress.	CE	October meeting
2	CIS - paper to be provided at next Commission meeting	COO / SMT	October meeting
3	Publication of Rehabilitation in Mental Health Services Report.	CE, IMHS and Communications Team	10 October 2019
4	ICT Recovery Plan as part of business continuity planning to be prepared .	COO / CE	To be confirmed

Dated: 17 October 2019.

Signed: 

By the Chair