

Mental Health Commission
Minutes of Meeting held on 24 February 2017
11:00 – 16:00
Held in St Martin's House, Waterloo Road, Dublin

Present:

Commission Members	Initials
Mary O'Hanlon	MoH
Ned Kelly	NK
Michael Byrne	MB
Pauline Gill	PG
Mary Keys	MK
Patricia O'Sullivan Lacy (joined meeting at 14:30)	PoSL
Yvonne O'Neill (joined the meeting at 12.30)	YoN

Apologies:	
Catherine O'Rorke	CoR
Maeve Doyle	MD
Xavier Flanagan	XF
Colette Nolan	CN
John Saunders	JS

Absent:	
John Redican	JR

Executive in Attendance:	
Patricia Gilheaney Chief Executive	PCG
Ray Mooney Secretary to the Commission	RM
Susan Finnerty for Item 2.2 Inspection Reports	SF
Elena Hamilton for Item 4	EH
Kate Frewin for Item 6	KF

<p>Further to the notification to members from JS on 17 February 2017 advising of his unavailability for the meeting and his request that the Members present at the meeting chose a chairperson (in accordance with Section 3.5.2 of the Corporate Governance Manual) it was agreed that NK would chair the meeting.</p> <p>NK opened the meeting and advised that PoSL would be delayed in joining the meeting. In response to a request from PCG, it was agreed to make a slight change to the agenda running order.</p> <p>1 Minutes of meeting of 21.01.17</p> <p>(a) The minutes were agreed following amendment to include a reference that would reference Vision for Change and the proposed new up-dated legislation. Proposed by MB and seconded by MoH</p> <p>(b) Matters arising: None</p> <p>2 Chairman's Business and Matter for Mention</p> <p>2.2 End of Term 2012 – 2017 for Commission Members</p> <p>PCG advised of JS's discussion with her on this matter in the context of Members' meeting with Minister McEntee in January and the opportunity provided to members at that meeting to highlight a number of issues including Commission membership. JS was now proposing to draft an opinion piece for publication prior to the end of the Members current term in office and that a draft would be circulated in advance for members input. This proposal was agreed.</p> <p>2.1 Inspection Reports</p> <p>NK welcomed SF to the meeting to present an overview of her inspections reports. Members noted that staffing continues to be a key factor of concern across all services. In response to a query, SF advised that the level of complaints received in continuing care units seem to be less than that of acute services. SF also advised that access to advocacy services is resource dependent and appears to be concentrated on the acute services. Advocacy groups have advised the Inspectorate that they are having difficulty recruiting staff. NK thanked SF for her report and she left the meeting.</p> <p>Discussion took place on the overall impression of the quality of mental health services and there was general agreement that there have been improvements. The view remains that the service user voice is not adequately reflected in the inspection reports and a number of factors were put forward to account for this. It was suggested that there might be alternative means to gather information on this aspect of the services. It was also suggested that the existing regulations should be reviewed with a view to introducing a weighting element that would improve the reporting mechanism. Members indicated that the new Commission might wish to pursue this with the Department of Health.</p>	<p>Action:</p>
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4. Consideration of Reports

Draft National Standards for Conduct of Reviews of Patient Safety Incidents

EH was welcomed to the meeting by NK and provided an update on the joint work carried out by HIQA and the MHC in developing the draft standards. EH advised that the previous draft had been presented to the Commission in June 2016. However since then there had been a change in the terms of reference from the Department of Health which required changes to be made to the document. EH gave details of the five key themes upon which the standards are based. EH advised that the draft had been accepted by the board of HIQA in January 2017 and was now before Members for their consideration. The next step would be that subject to Members approval the document would be jointly submitted by HIQA and the MHC to the Minister before 31st March 2017.

In the ensuing discussion Members welcomed the development of the national standards and the joint working with HIQA. In response to a query regarding the timeframe in which the standards would become operational it was indicated that as the standards require Departmental approval (from a HIQA perspective, under the Health Act 2007), the MHC and HIQA cannot determine a commencement date. It is the MHC's understanding, based on HIQA experience to date, that the process of Ministerial approval could take a number of months. Following a proposal by MoH which was seconded by MK the draft Standards were approved.

3. Chief Executive's Report

Part One

PCG presented Part One of her report and provided an update on the matters contained therein as follows:

1.7.2 Head of Legal Services

PCG advised that the competition had generated a good level of applications from which a number have been shortlisted for interview.

1.7.3 Workforce Business Case

A Business Case for staffing (replacement and new posts) in accordance with the findings in the Organisational Review Report accepted by Members at the December 2016 meeting has been submitted to the DoH for their consideration of approval.

1.9 Comprehensive Information System (CIS)

PCG advised that work is continuing on the development of the CIS across all areas of the Commission.

1.10 Decision Support Services (DSS) in the MHC

Members were referred to a copy of the correspondence from Minister Mc Entee in response to the MHC discussion with the Minister of State at the January meeting plus a subsequent request to revisit the grade at which the post had been approved. The Minister advised that members' views had been considered however the grading of the post remained unaltered at

Principal Officer (H) plus Director allowance. Discussion ensued and members reiterated their concern that the grading of the post was inappropriate due to the extensive range of statutory responsibilities connected to the role and the competencies required of the post holder. Members noted that as they have exhausted all of the avenues available to them at Ministerial and Departmental official levels, and despite their reservations, they would now request the Executive to engage with the Public Appointments Service to commence the recruitment process.

1.12 Review of Internal Financial Controls

PCG provided an overview of the draft policy which was included in the meeting papers and the rationale for same. The policy was adopted following a proposal from PG which was seconded by MK subject to similar approval by the Audit Committee who were meeting on 1st March 2017.

1.15 Deprivation of Liberty Safeguards (DoLS) Authorised Signatories Training

MK and two members of the Executive attended a one day training event in London. MK updated Members regarding the event.

Part Two

2.1 Management Accounts for month ending 31st December 2016

RM presented the December Management Accounts which were approved following a proposal from MB that was seconded by MoH.

6 AOB

Approved Centre Registration Reports

Members were referred to the documentation in their packs with regards to 22 approved centres whose registration was due to expire at the end of February 2017. In relation to each of the approved centres concerned, the Executive had issued proposals to attach conditions to the registrations. A summary report was also provided that identified the proposed conditions and whether representations had been received. Members considered the Report and agreed to proceed as recommended by the Executive. Detailed discussion took place in relation to Department of Psychiatry, University Hospital Galway and it was also agreed to proceed as recommended. A detailed discussion also took place with regard to DoP Waterford. KF joined the meeting for this discussion in order to provide details of the representations received. Following extensive discussion and consideration of the representations received it was agreed that the MHC would attach a condition to reduce acute beds to 10 rather than 6 as originally proposed.

7 Date of Next Meeting

24th March 2017 at 11am.

Signed: 

Ned Kelly (Meeting Chairman)

Date: 24/03/2017