

**Mental Health Commission**  
**Minutes of Meeting on 17 June 2016**  
**11:30 – 16:00**  
**Held in St Martin's House, Waterloo Road, Dublin**

**Present:**

<b>Commission Members</b>	<b>Initials</b>
Colette Nolan	CN
Ned Kelly	NK
Catherine O'Rorke	COR
John Saunders	JS
Yvonne O'Neill	YON
Michael Byrne	MB
Mary Keys	MK
Mary O'Hanlon	MOH
Patricia O'Sullivan Lacy	POSL
Xavier Flanagan	XF left at lunchtime

<b>Apologies:</b>	
Maeve Doyle	MD
Pauline Gill	PG

<b>Absent:</b>	
John Redican	JR

<b>Executive in Attendance:</b>	
Patricia Gilheaney    Chief Executive	PCG
Ray Mooney            Secretary to the Commission	RM

<b>In Attendance</b>	
Rosemary Smyth for Items 3.1 & 4.1	RS
Deirdre Hyland for Item 2.2 of CE Report	DH
Elena Hamilton for Item 4.1 Professor Colm Mc Donald, Emma Bainbridge, Rebecca Murphy, David McGuinness, Brian Hallahan	EH CMcD, EB, RM, DMcG, BH

<p>JS opened the meeting and welcomed Members</p> <p><b>1. Minutes of Commission meeting held on 19 May 2016</b>  The Minutes of the meeting held on 19 May 2016 were approved following a proposal from CN which was seconded by PoSL.  The Minutes of the meeting held on 20 May 2016 were approved following a proposal from CoR which was seconded by MoH.</p> <p><b>a) Matters Arising</b>  JS advised that the report on the Commission Members' survey will be ready for discussion at the July meeting.</p> <p><b>2 Chairman's Business and matters for mention</b></p> <p><b>2.1 Correspondence issued to Mr Simon Harris T.D., Minister and Ms Helen McEntee T.D., Minister of State.</b>  JS advised that there has been no formal reply from the Minister or Minister of State to the invitation to attend a Commission meeting.</p> <p><b>2.2 Follow Up – Members' Session May meeting – General Discussion (10 month time frame to end of term beginning of April 2017)</b>  Chairman advised that subsequent to the discussion which took place at the June meeting he would prepare a draft paper for discussion at the September meeting with a view to submitting it to the Department of Health by year end. He proposed to capture Members' thoughts on their experiences of Commission membership and suggestions regarding the incoming Commission in April 2017.</p> <p><b>2.3 Annual Report 2015 Publication – Media Briefing</b>  Members were provided with details of the press briefing regarding the launch of the Annual Report which will take place in the Commission offices on Monday June 20, 2016. Key themes were discussed. It was noted that commentary must be based on the findings and data contained within the report.</p> <p><b>2.4 July meeting arrangements</b>  In the absence of the Chairman and Chief Executive for the July meeting the Commission will elect a Chair for the July meeting at the commencement of the meeting in accordance with Standing Orders. The Acting Chief Executive will be in attendance.</p> <p><b>2.5 Capacity Legislation</b>  JS provided members with an update on the meeting he and PCG attended with the Secretary General and senior officials in the Department of Health. Subsequently correspondence was received outlining the proposal to set up the Decision Support Service. The Chairman will now issue a reply. PCG advised that she received a phone call this morning inviting her to participate in an Implementation Steering Group which is meeting on June 23 2016 to discuss next steps.</p>	<p><b>Action:</b></p> <p><b>JS</b></p> <p><b>JS</b></p>
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<p><b>2.6 Invitation to the Chairman</b>          JS informed Members of receipt and acceptance of an invitation to join the Citizens Information Board and noted no conflict of interest arose.          Members noted the position.</p> <p><b>3 Chief Executive's Report</b>  <b>Part 1</b>          PCG advised Members that RS was in attendance for sections 1.1 to 1.6 inclusive and was available to address any queries posed.</p> <p>Members were advised that, as a result of changes to the inspection process, it is expected that the quality of CAPAs received from service providers will improve as a greater level of detail on issues arising from inspections is provided at feedback meetings and in the draft report. It was noted that the revised processes have led to a significant increase in workload without any associated increase in resources.</p> <p>Members were provided with an update on the enforcement actions detailed in section 1.3 advising that a report was expected on DOP Waterford on July 7<sup>th</sup> 2016.</p> <p>MB absented himself from the meeting for the discussion on the Midland Regional Hospital, Portlaoise.</p> <p>RS updated members on the enforcements steps taken to date regarding the approved centre and noted that the report which had been received from the service was deemed to be totally inadequate. Particular concerns regarding the use of the seclusion facilities were expressed. A number of other issues had been identified in the draft inspection report by the regulatory team. Consequently the Inspector was requested to carry out an unannounced focussed inspection in the approved centre next week. The outcome of the planned inspection will inform subsequent enforcement actions, if any, by the Commission.</p> <p>MB re-joined the meeting.</p> <p>PCG updated Members on the remaining items in Part 1 of her report noting that no governance issues had been raised by the Dept of Health at the recent governance meeting with the Commission.</p> <p><b>2.2 MHC/HIQA Joint Standards for the Management of Patient Safety Incidents</b></p> <p>RS project sponsor and DH project manager attended the meeting for this item and updated members on progress to date. DH referred Members to the proposed draft standards for consultation that were provided for their consideration and decision. An overview of the contents was presented. Following discussion Members approved the draft standards for stakeholder consultation in July. DH informed Members that a similar process regarding approval was underway within HIQA. If both boards approve the draft standards the public consultation will proceed as planned.</p> <p>Members noted the excellent collaborative work on this project to date by the Commission project team members, in addition to their normal workload and thanked them for their contribution. It was noted that Members will be kept updated on progress.</p>	<p>JS</p> <p>RS/DH</p>
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**PART TWO**

**2.1 Management Accounts for April 2016**

RM presented the Management Accounts for April 2016. The accounts were adopted following a proposal from MB which was seconded by NK.

**5. Reports of Committees**

**5.1 Legislation Committee**

MK updated members regarding progress since the last meeting and highlighted the following: the need for the presumption of capacity to be construed functionally and to be applied to everyone; a recommendation that approved centres should be referred to as mental health care centres or some other term rather than approved centres; and the inclusion of a recommendation that there should be a reference to access for alternatives to in-patient care as a key principle in the new legislation. It was noted that this may be challenging in terms of revised legislation and perhaps was more appropriately placed in revised mental health policy. It was agreed that the current document would be updated and circulated to members as a discussion paper.

MK

**1.15 Final Research Report Mr Niall Turner SJoG**

The receipt of the Report was noted. It was agreed to table as an item for discussion at the July meeting.

It was proposed and agreed to provide a copy of the Report to the National Clinical Lead in the HSE.

**4.1 Presentation by Professor Colm McDonald "A Prospective Evaluation of the operation and effects of the MHA 2001 from the viewpoints of Service Users and Health Professionals"**

The Chairman welcomed Professor Mc Donald and his research team to the meeting and invited them to present their findings. In the questions and answers session which followed the presentations, it was noted that the research findings provided evidence pertaining to the impact on family members and associated relationships that result from the application process for involuntary admission and the lack of understanding of patients regarding the purpose of mental health tribunals. It was further noted that some former detained patients stated that they did not always meet with their legal representative prior to their tribunal. PCG invited the research team to assist the Commission with tribunal panel members training in the Autumn which was accepted. Further dissemination of findings was discussed with agreement in principle to host an event in Galway in the autumn.

PCG

**6. A.O.B.**

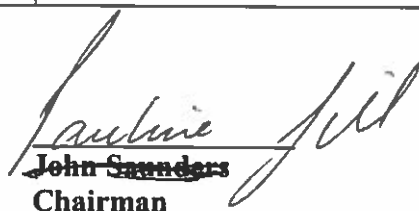
None

**7. Date of Next Meeting**

The next meeting of the Commission will take place on 22 July 2016.

Item No.		Person Responsible	Timeframe
Chair's Business Item 2.2	Follow Up – Members Session May Meeting i.e. review of Members experiences in their term of office, views on Commission Membership etc. Draft Paper to be prepared with a view to submitting to DOH	JS	September Meeting MHC
Chair's Business Item 2.5	Chair to reply to letter from Secretary General re establishment of Decision Support Service	JS	Prior to July meeting
CE Report Item 3 (2.2)	MHC/HIQA Joint Standards – Progression of Joint Draft Standards MHC/HIQA for consultation July 2016	RS/DH	July 2016
Item 5.1 Legislation Committee	MK Chair of Committee will arrange for paper to be updated based on discussions and provided to July meeting	MK	July MHC meeting
Item 4.1 Consideration of Reports	Presentation by Professor Colm McDonald and colleagues : PCG to liaise with Professor McDonald re input in MHT training programme and event to be organised in Galway re dissemination	PCG	Quarter 3 2016

Signed:

  
~~John Saunders~~  
Chairman

Date:

22/7/2016