

Mental Health Commission
Minutes of Meeting held on 24 March 2017
11:00 – 15:00
Held in Waterloo Exchange, Waterloo Road, Dublin

Present:

Commission Members	Initials
John Saunders	JS
Ned Kelly	NK
Michael Byrne	MB
Pauline Gill (joined the meeting at 11.35)	PG
Mary Keys	MK
Patricia O'Sullivan Lacy	PoSL
Yvonne O'Neill (joined the meeting at 12.30)	YoN
Catherine O'Rorke	CoR
Maeve Doyle	MD
Xavier Flanagan	XF
Colette Nolan	CN

Apologies:

Mary O'Hanlon	MoH
---------------	-----

Absent:

John Redican	JR
--------------	----

Executive in Attendance:

Patricia Gilheaney Chief Executive	PCG
Ray Mooney Secretary to the Commission	RM

In Attendance

Susan Finnerty for item 2.1 and item 3 sections 1.1-1.5 inclusive.	SF
Rosemary Smyth for item 2.1 and item 3 sections 1.1-1.5 inclusive.	RS
Vincent Teo, Crowleys DFK for item 3 section 2.1 and item 5 Draft Financial Statements 2016	VT
Marina Duffy for Annual Report 2016 template presentation	MDu

<p>The Chairman opened the meeting and it was agreed to address item 5 (1) Draft Financial Statements 2016 and item 3, section 2.1 at the beginning of the meeting to facilitate the attendance of VT.</p>	<p>Action:</p>
<p>Draft Financial Statements 2016 JS opened the meeting and welcomed VT who proceeded to present the draft Financial Statements for 2016. VT detailed the requirements for sign off of the draft Financial Statements and provided clarification on a number of points for Members. PoSL confirmed that the draft Financial Statements had been considered at the recent Audit Committee meeting and the Audit Committee are recommending that this draft be approved by the Commission. YoN requested the inclusion of a sentence in the note regarding the CE salary to clarify the change from 2015 was due to an increment. The draft Financial Statements were approved following a proposal by JS which was seconded by PoSL.</p>	
<p>Item 3, section 2.1: Draft Budget 2017 VT presented the draft Budget for 2017 which had been prepared in consultation with the Chief Executive and the Director of Corporate Services on receipt of a letter from the Department of Health (DoH) dated 1st March 2017 setting out the Non-Capital Expenditure for the Commission in 2017. Following discussion the draft Budget for 2017 as presented was proposed by MD and seconded by MK and adopted. JS thanked VT who then left the meeting.</p>	
<p>1 Minutes of meeting of 24.12.16</p> <p>(a) The minutes were agreed following a proposal by MB which was seconded by PG.</p> <p>(b) Matters arising: In response to a query JS advised that he was working on an opinion piece as advised at the last Commission meeting.</p>	<p>JS</p>
<p>2 Chairman's Business and Matter for Mention</p> <p>2.2 End of Term 2012 – 2017 for Commission Members</p> <p>JS reminded Members that as this was the last meeting of the current Commission there were a number of practical issues that they needed to be addressed as follows: the return of Commission equipment and Commission papers. Members were advised that they could shred paper documents and confirm same in writing to the Secretary or, return them to the Secretary who would ensure their safe destruction. RM advised that he was available to Members throughout the day.</p> <p>JS advised Members that he will be issuing a letter of thanks to the external members of the Audit Committee and Governance Committee whose term of office ceased with that of the previous Commission.</p>	<p>ALL</p> <p>JS</p>
<p>2.1 Inspection Reports JS welcomed SF and RS to the meeting. SF presented a summary of the inspection reports in the meeting papers.</p>	

Discussion on inspectorate findings ensued. In response to a query in relation to on-going monitoring, Members were advised that guidance has issued to services. SF advised that on inspections her team review individual care plans in terms of availability of a care plan for all residents plus the quality of the care plan in terms of the requirements as set out in the regulations. The practice of "quiet time" instead of seclusion is under review by the Inspectorate. It was commented on by members that involving service users in training mental health professionals at all levels would provide feedback to the staff regarding service user experience.

Action:

SF

In response to the suggestion from a member that a ranking system be introduced in relation to the regulations for approved centres, PCG advised that legal advice obtained in the past clarified that this is not possible as the legislation gives equal weighting to each of the regulations. In concluding the discussion it was agreed that the basic building block of every service must be the service user's individual care plan which must be developed with their input.

SF presented the 2017 Inspection Report template for Members' information and also clarified in response to a query that there is a standard framework for the interview with the Heads of clinical disciplines.

JS thanked SF and RS for all their work throughout the term of Commission in particular their contribution to the enhanced inspection and regulation process over the past few years. CN congratulated the Inspector and her team on the change to the approach of the Inspectorate in terms of service user involvement which has been very warmly welcomed by service users.

3. Chief Executive's Report

Part One

PCG advised Members of the following updates to specific items identified below in Part One of her report:

1.5 Joint MHC/HIQA Standards on the Conduct of Reviews of Patient Safety Incidents

PCG advised that the response from Minister Harris, through the DoH is awaited.

1.7.1 Director Decision Support Service

PCG advised that the post will be advertised on 7th April 2017 by the Public Appointments Service (PAS) with a closing date of 27th April 2017.

1.7.2 Head of Legal Services

PCG advised that following successful completion of the recruitment process, the Commission has issued an offer of appointment to the successful candidate (Ms Orla Keane) and the draft contract of employment has been approved by the DoH.

1.10 National Safeguarding Committee (NSC) Strategy & Resources Committee Meeting (13.03.17)

PCG advised that the Commission will be hosting the launch of the NSC Survey on 10th April 2017 by Minister Harris, subject to his availability.

Part Two

2.1 Management Accounts for month ending 31st January 2017

RM presented the January Management Accounts which were approved following a proposal from YoN that was seconded by NK.

4. Consideration of Reports

Business Plan 2017

Members were advised that the Business Plan had been provisionally approved at the December 2016 subject to receipt of a no-change financial allocation for 2017. The DoH Letter of allocation has now been received (as provided in members' packs) and the Business Plan has been updated to incorporate the funding allocated to the Decision Support Service. The updated Business Plan was adopted following a proposal from CoR which was seconded by NK.

Strategic Plan 2016 -2018

Members were advised that the Strategic Plan has been updated to incorporate information regarding the Decision Support Service. The updated Strategic Plan was adopted following a proposal from PoSL which was seconded by YoN.

MHC HR Strategy 2017 - 2020

PCG presented the draft Commission's draft HR Strategy 2017 – 2020 for Members' consideration of adoption. The revised Strategy was adopted following proposal by YoN which was seconded by CN.

A Prospective Evaluation of the Mental Health Act 2001 Research Report

PCG advised that the final report has been received and therefore the overall project is completed. It was agreed to include a copy of this Report in the incoming Members' induction pack.

5 Reports of Committees

Mental Health Commission Audit Committee Report 2016

PoSL presented the Audit Committee Annual Report 2016 to the meeting.

Internal Audits performed in 2016

PoSL referred Members to the internal auditor's reports on Internal Financial Controls, Data Protection and Risk Management contained in the meeting papers and outlined the key issues identified in these reports.

Audit Plan 2017

PoSL advised that the Audit Committee had met with Deloitte, the Commission's internal auditors and discussed the audit plan for 2017 which had been agreed.

Financial Statements 2016

PoSL advised that the Audit Committee had met with the C&AG. The Audit Committee also reviewed the draft Management Letter plus management response. The Management Letter from the C&AG is awaited.

Action:

PCG

<p>PoSL wished to put on record the Audit Committee’s thanks to the external members of the Committee who had contributed to the work of the Audit Committee during the term of office of the current Commission.</p>	<p>Action:</p>
<p>Legislation Committee PCG set out the Commission’s proposed response to the Draft General Scheme of the Child Care (Amendment) Bill 2017 for members’ consideration. It was agreed that Members would review the document and revert with their comments to PCG by close of business on Monday 3 April 2017. PCG to submit MHC response by the deadline date. MK thanked PCG for her work in preparing the response.</p>	<p>All PCG</p>
<p>MK noted that the Legislation Committee had become an important part of the Commission structure given the increased demands that have been made on the Committee during the term of office of this Commission. For this reason, the members of the Committee would be recommending to the incoming Commission that the Legislation Committee should be re-constituted as part of its structure.</p>	<p>RM</p>
<p>6 AOB Annual Report 2016 JS introduced MDu who presented a draft format for the 2016 Annual Report. Members welcomed the style of presentation being adopted. Members thanked MDu and the rest of the team involved in preparing the 2016 report.</p>	
<p>Chairman’s Address to Members In his final address to the current Members JS thanked them for all their work over the past five years and reminded them of the successes they had overseen during that period which included the review of the Mental Health Act 2001, the updating of the Inspection and Regulation processes and more recently the early preparatory work for the establishment of a Decision Support Service. In response MB thanked JS for his stewardship of the Commission and for his support and the support of the other Members.</p>	
<p>JS noted that he had been ably assisted and supported by the staff of the Commission during this period in particular PCG, RM, MDu and more recently Marcie to which he extended his thanks. PCG in responding thanked the Chairman and Members for their stewardship and governance in addition to their support of the Executive.</p>	
<p>7 Date of Next Meeting It was agreed that the date of the next meeting would be a matter for the new incoming Commission.</p>	
<p>The final meeting of the Commission 2012-2017 closed.</p>	

Item No.		Person Responsible	Timeframe
Item 1 Matters Arising	Chairman finalising Opinion Piece	JS	Prior to end of term
Chairman's Business item 2.2	End of Term of Commission – return of hardware and any documentation for destruction	Commission Members	Prior to end of term
Chairman's Business 2.2	Chair to issue letter to the External Members of Audit Committee and Governance Committee to thank them for their work during their term.	JS	Prior to end of term
Chairman's Business 2.1 Inspection Reports	Inspectorate reviewing the practice of 'quiet time' when feasible to replace Seclusion	Inspector of MHS	Review in progress
Item 4 Consideration of Reports	Research Study Evaluation of MHA01 to be furnished to new Commission	RM	At Induction
Item 5 Legislation Committee	MHC Members to provide feedback on response to Draft General Scheme of the Child Care (Amendment) Bill 2017	PCG	Monday 3 rd April 2017
Legislation Committee	New Commission should reconstitute Legislation Committee	RM	When new Commission in place

Signed: _____

John Saunders
Chairman

Date: _____

3/7/17