

**Mental Health Commission  
Minutes of Meeting on 19 May 2016  
10:30 – 16:30  
Held in Glasson Hotel, Athlone**

**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 from 2 pm
Michael Byrne	MB
Maeve Doyle	MD
Mary O'Hanlon	MOH
Patricia O'Sullivan Lacy	POSL
Pauline Gill	PG

<b>Apologies:</b>	
Xavier Flanagan	XF
Mary Keys	MK

<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>	
Dr Susan Finnerty for Items 2.1, 3.1, 4.1, 4.3.	SF
Rosemary Smyth for Items 2.1, 3.1, 4.1, 4.3.	RS
David Hickey for Item 4.1	DH

JS opened the meeting and welcomed Members to the annual two day meeting the first day of which addresses Commission business with the second day set aside for planning Commission activity until the end of term of this Commission, ie 3 April 2017.

## **1. Minutes of Commission meeting held on 1 April 2016**

The Minutes of the meeting held on 1 April 2016 following proposal from MB which was seconded by PoSL.

### **a) Matters Arising**

PCG confirmed that the address of the approved centre on an inspection report which was queried at the last meeting was confirmed as being correct.

## **2 Chairman's Business and matters for mention**

### **2.1 Inspection Reports**

MB and NK absented themselves from the meeting for this item.

Chairman welcomed SF and RS to the meeting. SF presented twelve approved centre (AC) reports from 2015 referring in particular to areas which were non-compliant on inspection. RS provided Members with an overview of the steps which are taken to follow up with ACs which were found to be non-compliant making reference to the corrective actions and preventative actions (CAPA's) that they must provide to the Commission and the timelines involved in this process. A query was raised by one Member as to whether it was appropriate for them to remain at the meeting while one particular AC was discussed. Following a brief consideration of the matter concerned it was agreed that they should remain.

SF advised in reply to a query on the overall impression of the inspection process that there had been a large improvement in many areas. However a small number of key issues were once again rated poor when compared to previous years. Some of these related to the physical environment. Responses were also provided by SF to a number of other queries including privacy, transfer of patients within a facility and the outcome of inspectorate meetings with patients whilst on inspections. Chairman thanked SF for the reports and formally congratulated her on behalf of the Commission on her appointment as Inspector of Mental Health Services and wished her well for her term of office.

## **3 Chief Executive's Report**

### **Part 1**

Chairman advised that PG would be absenting herself for item 1.5.5 and that MoH and MD would be absenting themselves for Item 1.5.6  
SF and RS attended for items 1.0-1.4 inclusive and RS was available to answer any queries posed.

PCG then updated the meeting on the remaining matters referred to in Part One of her report. In relation to Item 1.5.2 another incident was verbally reported to her yesterday afternoon. PCG gave a brief overview of the circumstances that she was aware of at this time and outlined the steps which have been taken to prevent any reoccurrences. The medium term plans to upgrade the ICT system will be designed

to improve the inputting of data into the Mental Health Tribunals system which in turn will improve and remove many of the current risks involved in the process.

1.5.5 PCG gave details of the matter noted in her report indicating that correspondence had been issued to the HSE outlining the Commission's concerns. A reply had been received this morning from the HSE details of which were shared with the Members. It was noted that the Commission was not a party to the proceedings. PG re-joined the meeting.

1.5.6 PCG gave details of recent correspondence received and the actions taken to date on this issue. It was agreed that the matter required needed to be dealt with on a wider public sector basis.

1.10 PCG referred Members to the briefing paper that was included in the meeting papers.

## **PART TWO**

### **2.1 Management Accounts for February, March & April 2016**

RM presented the Management Accounts for February, March and April 2016. Following discussion these were agreed as follows: February proposed MB, seconded PB; March proposed MoH, seconded CN; April proposed MD, seconded NK.

### **4.1 Draft Annual Report 2015** RS/SF and DH attended for this item.

PCG presented an overview of the Annual Report 2015 which was followed by a presentation by RS on the work carried out by the Standards & Quality Assurance/Training team which included information on registration of approved centres, compliance with Rules, Regulations and Codes of Practice. RS advised that 2015 was the first time that a risk rating was applied to non-compliance. RS also provided details of the overall non-compliance issues along with a summary of the CAPA review process and the enforcement action steps taken by the Commission. Members also received information on the conditions which were applied to the registration of approved centres in 2015 and the process of notification of deaths to the Commission by approved centres. In the Q&A session which followed RS's presentation it was clarified that conditions are listed against approved centres for transparency reasons and also as an incentive to introduce improvements in that service.

DH presented on the work of the Mental Health Tribunals Division by outlining key figures in the report which showed a 9% increase in involuntary admissions on the previous year. DH also advised of the increasing trend of appealing MHT decisions despite the fact that just two appeals have been successful in the past eight years. A query was raised in relation to involuntary admission of children. It was clarified that this was dealt with elsewhere in the Annual Report as it does not come within the remit of the Tribunals Division. In the ensuing Q&A session it was agreed to provide additional information on involuntary child admissions into the Report.

SF presented the Inspector of Mental Health Services Report to the Members and responded to questions including the continued admission of children and adolescents to adult units. It was also noted that there remained a variance in

compliance between public and privately provided services.

RM presented details of the key enablers as set out in the draft Report and responded to queries in relation to same. In the general discussion which followed the presentations, Members indicated that they considered the Report to be well written and presented in a clear and informative manner. The application of conditions to registration had shown an improvement in compliance regarding individual care plans whilst the Judgement Support Framework had also been beneficial in its introduction.

It was noted that the physical environment remains a problem for many services in attaining compliance. The high level of involvement by the Gardai in involuntary admissions was also a concern despite the introduction of the Authorised Officer service.

It was agreed that JS would draft the Foreword to the Report and invited Members views. The Annual report 2015 was proposed by MoH and seconded by PoSL and agreed.

JS

PCG wished to formally thank the staff of the Commission for all their work in 2015 and for their preparation of the Report.

#### **4.3 Mental Health Commission Regulatory Process Review Report (HCI) SF and RS attended for this item.**

PCG referred members to the HCI report in their meeting papers and presented the key findings, recommendations and associated implementation plan. In the discussion which followed SF gave details of how the Inspectorate were addressing interaction with service users on inspections. It was also noted that the JSF had been amended in advance of the 2016 cycle of inspections. It was agreed that the report would be published on the Commission's website after it had been finally proofed and a letter of thanks would be issued to the respondents on behalf of the Commission.

MD left the meeting

SF and RS left the meeting.

#### **5. Reports of Committees**

##### **5.1 Audit Committee Annual Report**

PoSL presented the Annual Report of the Audit Committee. The Report was noted

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

No issues raised.

#### **7. Date of Next Meeting**

The next meeting of the Commission will take place on 17 June 2016.

Item No.		Person Responsible	Timeframe
Item 4.1 Consideration of Reports	Annual Report 2015: Chair to draft Foreword for Annual Report, Members views invited for any key issues to be included.	JS	Following on from meeting

Signed:   
**John Saunders**  
**Chairman**

Date: 17/6/16