



Minutes of HSE Board Meeting

Wednesday 25 October 2023

A meeting of the Board of the Health Service Executive was held on Wednesday 25 October 2023 at 9:00am via video conference.

Present: Mr Ciarán Devane (Chairperson), Prof Deirdre Madden, Mr Brendan Whelan, Mr Aogán Ó Fearghaíl, Mr Fergus Finlay, Dr Yvonne Traynor, Ms Anne Carrigy, Dr Sarah McLoughlin, Prof Fergus O’Kelly, Ms Michelle O’Sullivan and Mr Matt Walsh

Apologies: Mr Tim Hynes

In Attendance for Board Meeting:

Mr Bernard Gloster (CEO), Mr Brian Murphy, (Head of Corporate Affairs), Mr Dara Purcell (Corporate Secretary), Ms Niamh Drew (Deputy Corporate Secretary), Ms Patricia Perry (Office of the Board)

Joined the meeting:

Mr Stephen Mulvany (CFO), Mr Dean Sullivan (CSO), Dr Colm Henry (CCO), Mr Kilian McGrane (Director NWIHP), Dr Cliona Murphy (Clinical Director NWIHP), Ms Angela Dunne (Lead Midwife NWIHP)

Minutes reflect the order in which items were considered and are numbered in accordance with the original agenda. All performance/activity data used in this document refers to the latest information available at the time.

1. Board Members Private Discussion

The Chairperson welcomed members to the meeting and provided an update to the Board during their private session on several matters.

A discussion was held on the development of the Board strategic topics to inform the Boards workplan for 2024. Board Members made a number of recommendations for consideration and it was agreed that the Chair would discuss further with the CEO. This will then be finalised following receipt of the Letters of Determination from the Minister for Health and Minister for Children, Equality, Disability, Integration and Youth (CEDIY), and a draft workplan will then be submitted for Board review.



2. Governance and Administration

2.1 Declarations of Interest

No conflicts of interest were declared.

2.2 Chairperson's Remarks

The Chair informed the Board that he and the CEO had attended a Quarterly meeting with the Minister for Health and his officials on 03 October. Agenda items included Performance and Reform areas such as IFMS, Waiting Lists, Urgent and Emergency Care Plan, Mental Health, Board Strategic Scorecard (BSS) and Health Regions. Under Governance areas a discussion was held on the Department of Health (DoH) - HSE Oversight Agreement, HSE Code of Governance and an update on the Statement of Internal Controls (SIC) and 3 Year Control Improvements Plan.

The Board welcomed the launch of the HSE's Roadmap for Service Improvement 2023 – 2026 for Disability Services for Children and Young People by the Minister for CEDiy and Minister for Disabilities O'Gorman, which took place on 24 October 2023.

It was agreed that matters relating to Spina Bifida / Spinal Surgery in Temple Street and Retained Organs in CHI in Crumlin would be discussed with the CEO.

2.3 Ministerial Correspondence

The Board discussed correspondence from the Minister for Health of 24 October 2023 regarding the strength of clinical governance and performance across all state-funded health services. It was agreed that the Chair would meet with the Chair of the Safety & Quality Committee and the Chair of the Audit & Risk Committee to agree the Boards approach to the Minister's request.

2.4 Minutes of Board meeting

The Board approved the minutes of the Board meeting of 29 September 2023.

3. Chief Executive Officer

3.1 CEO Report

The Chair welcomed the CEO to the meeting and the CEO Report was taken as read. The CEO reported to the Board on a number of the key significant areas as set out in the report relating to operational matters, strategic objectives, Ministerial priorities and organisational change.

Discussions were held on the following aspects of the report.



Children's Health Ireland (CHI) Reviews

The CEO informed the Board that the HSE Independent Review commenced week of 02 October 2023. Under the Terms of Reference commissioned by the HSE, the aim of this work is to review elements of the Paediatric Orthopaedic Surgery Service at CHI and to provide independent assurance regarding the current and future provision of the service. The principal focus of the review is on the service provided by an individual Consultant based at Temple Street and the environment in which they operate. However, it is acknowledged that any learning identified may have applicability for the wider CHI and other relevant sites and services.

The Board welcomed that the CHI review is seeking to balance the impact on staff moral with the need to have accountability with issues arising.

Health Regions

An update was provided to the Board on the public appointment process for the recruitment of the Regional Executive Officers. The CEO informed the Board that an updated version of the design will be shared with the Board once finalised.

Laya Judgement

The CEO briefed the Board on discussions with VHI in the context of the Laya judgement.

National Service Plan (NSP) 2024

The CEO briefed the Board on the end-of-year financial position and noted the supplementary process, revised Estimates and NSP 2024, which all remain to be finalised. The organisation will remain challenged to improve its control environment in the coming period.

The Board welcomed the update with regards to the NSP in terms of the approach to the long-standing challenge on structural deficit and planning for the organisation. There will be further engagement with the Board upon receipt of the Letters of Determination and development of the Service Plan.

3.2 Board Strategic Scorecard

The CEO presented the October Board Strategic Scorecard (BSS) 2023 for the August reporting period, as circulated prior to the meeting.



BSS 02 - Unscheduled Care (Emergency Department Performance)

It was noted that the overall performance is an improvement on the previous years, however the unscheduled care system remains under pressure, and the operational focus is now on the in-year plan.

BSS 06 Reform of Mental Health and BSS 07 Reform of Disability Services

The CEO informed the Board that progress in these areas included a dedicated adult team and dedicated child team, both clinical and managerial for Mental Health. He confirmed that the same approach will be required in the Centre redesign for Disability Services to bring a cohesive focus to the implementation of the respective improvement plans and regulatory findings.

BSS 12 Recruitment and Retention

The CEO noted the impact of the recruitment pause in the context of Industrial Relations and Risk Management. He informed the Board that there is ongoing engagement with the unions. He also highlighted that a comprehensive Pay and Numbers Strategy (PNS) is being compiled for the 2024 National Service Plan and that it will make recruitment activity less in the coming year with the main impact being in development as opposed to immediate operations areas. The Board welcomed the approach which will give better performance management capacity and budgetary control.

The Board approved the BSS for October 2023, reflecting August data, for submission to the Minister for Health, and a copy to be sent to the Department of Children, Equality, Disability, Integration and Youth.

4. Reserved Functions of the Board

4.1 Properties & Contracts

The CEO presented to the Board the following papers which were recommended by the Audit & Risk Committee for approval, to which the Board considered and approved.

- i. Proposed acquisition of 110 Amiens Street, Dublin 1

- ii. Approval of Preliminary Business Case for developments at the National Orthopaedic Hospital Cappagh

The Audit & Risk Committee Chair advised the Board that in relation to Cappagh the approval being sought was to progress the project to a detailed design and to the next stage of the process, and that the Committee had highlighted their concerns in relation to the figures presented and that the names of the authors of the business case be made available.



4.2 Contract Approval Requests (CARs)

The CEO presented to the Board the following CARs which were recommended by the Audit & Risk Committee for approval, to which the Board considered and approved.

- i. HPV Vaccine
- ii. Agency Doctors
- iii. Nitrile Examination Gloves
- iv. Cervical Check for NSS

5. Committees of the Board Briefings

5.1 Audit and Risk Committee

The minutes of the Committee meeting of 15 September 2023 were noted and the Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 13 October 2023.

The Chair advised the Board that the Committee were provided with an update during the private session from the ND IA in relation to the management of the Internal Audit function.

The Committee received an update in relation to Internal Audit and were presented with the revision of the Performance Indicators (PI) for implementation of internal audit recommendations, and agreed that the PI be redefined; a presentation from Mazars in relation to current IT Trends and Focus Areas in the area of ICT Audit; and an update in relation to State Claims Agency / Interface Audit and the Audit Planning 2024 progress.

The Chair reported that the Head of Legal Services (OLS) presented to the Committee the HSE Corporate and Operational Strategic Legal Matters report for March – September 2023. The Committee held a discussion in relation to the report and the function and staffing of the OLS, and queried the VFM aspect and the policy to outsource the vast majority of HSE legal work, which would be considered by the ND GR. The Committee also discussed the extension of the Commission of Investigation (Certain Matters Relative to a Disability Service in the South East and Related Matters) Grace Case, and requested an update.

The Chair advised the Board that an update in relation to the Corporate Risk Review 2023 was received by the Committee, and that an ARC Risk Workshop was being arranged for a date in November 2023.



The Committee were provided with updates from the CFO and Asst CFO in relation to the YTD Financial Position as at August 2023, Q2 Financial Update, NSP 2024 and IFMS. An update was presented to the Committee from the Head of Tax, and the Committee noted that the HSE had made a successful formal application to enter the Co-operative Compliance Framework (CCF), and is the first Public Sector body to do so.

The Committee considered the special legislative accounts and recommended them to the Board for signing as part of the Boards reserved functions, and it was noted that they would be brought before the Board at the November meeting.

The Committee were provided with an update in relation to the Capital Plan 2023, the Inpatient Acute Accommodation and the National Children's Hospital.

The Committee Chair presented to the Board the amended version of the Synopsised Terms of Reference, which was approved by the Board. **Decision No.: 251023/69**

5.2 Planning and Performance Committee

The minutes of the Committee meeting of 22 September 2023 were noted and the Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 20 October 2023.

The Chair advised the Board that the Committee received an update on Communication items by the ND Communications particularly in relation to the recent Budget, the HSE's current financial position and the political views that have arisen, and welcomed the recent communications by HSE executives and the CEO outlining to the public the challenge that the HSE is facing with an insufficient budget.

The Chair outlined to the Board the Committees discussion in relation to the need to simplify the narrative for the public, and would welcome a guide to health funding for members of the public.

The Committee were also updated in relation to the Paediatric Orthopaedic Surgical services at Children's Health Ireland (CHI) at Temple Street and the Retained Organs at CHI Crumlin.

The Committee was presented with the monthly COO Report, HSE Hi-level KPI Report (previously Operational Service Report) (August 2023 Data), Performance Profile (August 2023 Data), National Performance Oversight Group (NPOG) Meeting Notes (October 2023 Data), and an update on the Roadmap for Service Improvement 2023 – 2025 Disability Services for Children and Young People.



The Chair advised the Board that the Committee discussed the new Hi Level KPI Report, and Committee members had varying preferences for text and table format in the report but all required key performance messages to be cohesive and clear. A meeting has now been arranged with some Committee members and the COO and team to progress this.

The Committee were updated on the key strategic and operational updates with a particular focus on Scheduled Care, Urgent and Emergency Care, Urgent Colonoscopy, Cancer Services, Therapy Waiting Lists, CAMHS, Disability Services, Resourcing / Pay and Numbers Strategy, Absenteeism, Escalation under Performance and Accountability Framework (PAF) 2023, FORSA Work to Rule and Section 39 Industrial Action.

The Committee also discussed the direction of the draft National Service Plan (NSP) 2024 and that the next draft will be brought before the Committee in the coming weeks.

The Committee were provided with a presentation relating to Older Persons Services and the current position within the HSE. The Chair emphasised the need for a coherent approach across all organisations to develop a national plan for Older Persons Services, and the establishment of a multi-disciplinary working group across relevant Government Departments, the private and voluntary sector was endorsed by the Committee and recommended to the Board. The CEO agreed to discuss this with the Ombudsman with the possibility of a round table discussion to begin.

5.3 Safety and Quality Committee

The minutes of the Committee meeting of 08 September 2023 and the Quality Profile (August data) were noted. The Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 20 October 2023.

The Chair advised the Board that the Committee were presented with an update in relation to the National Centre for Clinical Audit (NCCA) and the National Office for Clinical Audit (NOCA).

The Committee were presented with the National Perinatal Epidemiology Centre Severe Maternal Morbidity in Ireland Report 2021 which highlighted recommendations from previous reports that have been progressed and noted recommendations of the importance of digitisation in healthcare for clinical audit.

The Committee considered the Quality Profile from the August data cycle, and it was agreed that a workshop on the quality profile will be included as part of the January 2024 Committee meeting.



The Chair briefed the Board on the monthly Chief Clinical Officer's report which included an update with regard to the National Cancer Control Programme (NCCP) summary report on Childhood, Adolescent and Young Adults Cancer; Covid-19 Test and Trace - Future Operating Model; National Women and Infants Health Programme's Obstetric Event Support Team (OEST) programme; Prescribing process for Cariban; National Screening Services; National Newborn Bloodspot Screening; National Universal Hearing Screening Programmes; and Unscheduled Emergency Care 3 year plan.

The Committee also received updates relating to Our Lady's Hospital Navan (OLHN), NDTP summary of vacant consultant posts and specialist areas, update on radiology, Paediatric Orthopaedic Surgical services at Children's Health Ireland (CHI) at Temple Street and the Retained Organs at CHI Crumlin.

The Chair advised the Board that the Committee were introduced to the new Chair of the National Independent Review Panel (NIRP) Ms Pamela Fagan, who will be reviewing the function of the NIRP and would be engaging with Committee members.

The Committee were presented with the National Confidential Inquiry into Suicide and Safety in Mental Health: Completeness of data and the profile and circumstances of mental health service users who died by probable suicide between 2015 and 2020. The Chair advised the Board that the Committee discussed the data used and its limitations and the potential for more data to be gathered by the HSE from National Incident Management System (NIMS).

The Committee were updated on the Patient Safety Together Platform web based platform designed to provide up to date QPS information to support learning which the Committee supported and it was agreed that an evaluation of Patient Safety Together would come to the Committee when completed in 2024.

5.4 Technology & Transformation Committee

The minutes of the Committee meeting of 12 September 2023 were noted. The Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 06 October 2023.

Brendan Whelan, member of the Technology & Transformation Committee advised the Board that the Committee discussed the Report on the Independent Reassessment of the HSE's National Institute of Standards & Technology (NIST) Capability Maturity Model Integration (CMMI), and the role of the Audit & Risk Committee in relation to the processes for ensuing auditing on implementation and status



of recommendations contained in Report. It was agreed that the Committee Chair and ARC Chair would meet to discuss organisational reliance in further detail.

B Whelan advised the Board that the Committee received the quarterly update on the IFMS project by the CFO who covered IFMS post go-live decisions, project status, key milestones, the post implementation Group 1 revision to IFMS Implementation Plan, key strategic projects, and next steps for the project.

The Board were advised that the Committee noted papers relating to the NSP 2024 – Technology & Transformation elements of plan and a briefing paper on migration to HealthIRL domain.

The Committee received an update on the HSE Operational Clinical Resilience (OCR) Programme with reference to the technical aspects of the programme including the IT Critical Incident Management Process and the Cyber Incident Response Management Process. The Committee were advised that the HSE continues to invest in modernising server, storage, and data platforms using a tiered approach. The Committee discussed the Cyber Incident Response Playbooks which were circulated in advance of the meeting and noted the approach to ICT resilience.

The Committee were provided with an update of the Corporate Risk Review 2023, the HSE Q2 2023 Corporate Risk Register (CRR) Report and a update on the HSE mechanism for assessing and managing third party risk as it applies to eHealth.

B Whelan advised the Board that the Committee were updated on how IT will function under the new HSE Health Regions and Structures, with a workstream established by the eHealth team to design appropriate HSE Health Regional structures that will be fit for purpose for ICT and Cyber.

The Committee discussed the End User Device Experience in the HSE, and the upcoming HSE patient app, and were presented with an update on the DoH Digital Health & Social Care Strategic Framework and HSE Digital Health Strategic Implementation Plan, and the HSE's Prioritisation Framework for Transformation.

6. Board Strategic Focus

6.1 Women's Health Programme

The CCO, Director, Clinical Director and Lead Midwife of the National Women and Infants Health Programme (NWIHP), and AND Acutes were in attendance for the discussion of this item.



The Board Strategic Focus paper on Women's Health was brought to the Board for consideration. The Director NWIHP presented to the Board an update and advised that the NWIHP was established in January 2017, at the request of the Minister for Health, to lead the management, organisation and delivery of maternity, gynaecological and neonatal services within the HSE, and was in direct response to a range of significant adverse clinical events that had arisen in previous years.

The Board noted that the NWIHP has a broad remit covering the areas of Maternity services, Gynaecology services, Neonatal services, Fertility, Abortion Care, Sexual Assault Treatment Units (SATU), Women's Health Taskforce, Perinatal Pathology and Perinatal Genetics. The Board was presented with an update in relation to four areas relating to Maternity services, Gynaecology services, Fertility and Abortion Care, noting that there are a number of legislative, strategic or policy documents that underpin these services.

The Board discussed the need to improve access to services specifically in the community and home based care and to ensure greater access to services and pathways between hospital and community settings. The Board welcomed the inclusion of the woman's voice in developing guidelines and leaflets that leads to the improvement of the quality and safety of care provided. The Board discussed the representation of women from ethnic minorities in maternal morbidity numbers and welcomed the intention of NWIHP to collaborate with colleagues in academia to develop an evidence base and model of care for what is described as the "life course", where predictors in pregnancy provide an opportunity for targeted interventions that could have a significant positive impact on women's morbidity in later life.

The Board noted the low number of GPs providing abortion care, and were advised that there has been an increase in hospital provision which should provide confidence to general practice, and so it is expected to have a positive impact on GP service provision.

The Board discussed the adverse maternity events which account for almost 70% of the State Claims Agency accrued liability, and the work of the Obstetric Event Support Team (OEST), and highlighted their concern in relation to ongoing challenges regarding engagement in some sites and where advised that communication to address this issue is ongoing.

The Board thanked the NWIHP officials for their update and welcomed that women's health has been prioritised, with recurring funding in 2021 and 2022 and making it a mainstream agenda in the areas of both research and investment. However, it was noted that funding is an ongoing challenge and the position of women's health in the new health structure.



6. Any Other Business and Close

There was no further business. The meeting concluded at 2.10pm. It was noted that the next meeting would take place via Ms Teams on 24 November 2023.

Signed:

Deirdre Madden

**Deirdre Madden
Deputy Chairperson**

Date: 24th November 2023