



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

### **Minutes of HSE Board Meeting**

A meeting of the Board of the Health Service Executive was held on Friday 29 November 2019, at 9.30am in Dr Steevens Hospital, Dublin 8.

Present: Ciarán Devane (Chairperson) Deirdre Madden (Deputy Chairperson) Aogan Ó Fearghail (Until Item 8), Brendan Lenihan, Fergus Finlay (Until Item 8), Fergus O' Kelly, Fiona Ross, Mark Molloy, Sarah Mc Loughlin, Tim Hynes, Yvonne Traynor.

In attendance: Board Development Project (Item 2) at 9:45 - Bob Semple, Facilitator

In Attendance: Board Meeting at 11:45am

Paul Reid, Colm Henry, Anne O'Connor, Dean Sullivan, Stephen Mulvany, Anne Marie Hoey (Item 6), John Kelly, Jim O'Sullivan (Secretary), Niamh Drew.

Joined Meeting: Dr Stephanie O'Keeffe and EY personnel (Item 3), Professor Dr Frank Murray (Item 7.1- 7.2), John Swords (Item 9).

#### **1.0 & 4.0 Welcome, Agenda and Chairperson's Remarks**

The Chairperson, Ciarán Devane welcomed a quorum of members and the meeting proceeded to business. The Chair reminded the Board of their role and responsibilities in line with legislation and the principles of the Code of Practice for the Governance of State Bodies. The minutes of the Board meeting of the 18 October 2019 and of special meetings held in relation to the National Service Plan 2020 on 1 November 2019 and 4 November 2019 were approved for signing and the Agenda for the meeting was agreed. The Action Log for the Board was noted.

No conflicts of interest were declared.

#### **2.0 Board Development Project**

A members-only two-hour session for the Board facilitated by Bob Semple was held. This was the first session with the Board as a group where members were presented with a series of recommended actions and approaches and were given the opportunity to question and challenge particular matters and approaches. It was agreed that a draft workplan would be devised containing actions to be addressed in the short and medium term with actions attributed to: Chairperson; CEO;

Secretary and members generally. A further facilitated session will be included as part of the agenda of the December Board meeting.

### **3.0 Corporate Plan**

Dean Sullivan introduced the agenda item and Dr Stephanie O' Keeffe along with EY personnel, provided a progress update of actions agreed at the Board workshop on 18 October 2019 and subsequent discussions at the Performance and Delivery Committee meeting on 22 November 2019 which the Chair of the Committee outlined. It was agreed that the focus will remain on four overarching strategic dimensions; Improving Population Health; System Performance; Quality and Patient Safety; Enablers. Domain areas will be prioritised for inclusion in the plan on the basis of existing Slaintecare Strategy; International Comparisons; Performance against Key Performance Indicators; SWOT/PESTEL analysis etc.

While the Board acknowledged the strong work on drafting the plan to date, a number of challenges were raised by members as part of a detailed discussion. The EMT undertook to factor these deliberations into the drafting process. In particular, the Board requested that the plan is clear in its vision and objectives, that it shows clear linkage into Sláintecare throughout, and that it also encompasses and reflects issues across the entire health system and shows clear alignment under headings such as purpose, goals and processes. It was acknowledged that the finalisation of the plan will entail an iterative process.

It was noted that the Corporate Plan is a central element of the work programme of the Performance and Delivery Committee which provides advice and guidance to the work. It was noted that a special meeting of the Committee will be held on 2 December 2019 to consider the Corporate Plan in advance of consideration at the next Board meeting where members will be given an opportunity to provide feedback on the work to date and also to focus on approach and content.

### **5.0 Report of Chief Executive Officer**

In presenting his Chief Executive's Report, Paul Reid provided an overview of a number of key issues and strategic considerations on areas including: National Service Plan 2020; Slaintecare; Winter Planning; Capital Plan; Code of Governance; Review of Centre; Engagement Model with Department of Health which was noted by the Board.

Members were given the opportunity to ask questions and raise issues which were addressed by the CEO. He also asked relevant Executive Management Team members to provide updates on key areas below.

Dean Sullivan provided an overview of the NSP 2020 process to date and the ongoing dialogue and engagement with the Department of Health. The Board discussed in detail correspondence received from the Minister dated 22 November 2019 with regards to a number of important considerations

The Board reviewed the NSP in line with the considerations made and tested the assumptions made to ensure a clear achievable plan is set out. The Board posed challenges with regards to ensuring what is set out in the plan is achievable and can be delivered and raised areas of challenge including: funding of Section 38/39 agencies; demographic pressures; financial challenges; biosimilars; acute bed numbers.

The Board also deliberated over and sought clarity from the EMT in relation to a number of aspects of the plan, agreeing that the EMT need to clearly articulate the elements of the plan that are outside the control of the Board.

Based on these discussions, the Board agreed to adopt the amended National Service Plan 2020 for submission to the Minister for Health for approval (**Decision Number: 291119/37**).

Paul Reid and Dean Sullivan provided an update on engagement with the Sláintecare Programme Implementation Office in particular with regards to the two joint action programmes: Capacity and Access and National Regional and Local Health and Social Care Delivery Structures. The CEO and Chairperson reported on their call with the Minister and Secretary General at which it was agreed that a joint approach to the developments and implementation would be taken to both programmes. The Board welcomed the update and the establishment of an advisory group including representation from the Department of an Taoiseach, DPER and the Board and also welcomed the proposed joint implementation approach and noted that further periodic updates will be given.

Anne O' Connor briefed the Board on the current status with regards to the Winter Planning initiatives. It was noted that there is already an increase in attendance of children and older persons with respiratory infections and that this trend is already impacting on EDs. The Board sought clarifications on what was driving these increases and the action plans to address these.

The Board was also briefed on the process of reporting on Trolley numbers across the system and sought assurances from the EMT with regards to the management of the process and the data being used to assess performance by individual hospitals and CHOs.

There was a discussion where members challenged in relation to the balance between funding considerations and the safety of services. The CEO and CFO clarified that the safety and access considerations are always taken into account before financial considerations in order to ensure the delivery of safe services within the budget allocation and build the trust and confidence of the HSE's funders.

Clarification was sought from EMT in relation to how indemnities to third parties are agreed and to the number and extent of such indemnities. The CFO provided a high-level overview and it was agreed that a more comprehensive response would be prepared for the Board.

The CEO advised that the Report of the Royal College of Obstetricians and Gynaecologists (RCOG) on Cervical Screening is planned for release by the Department of Health on 3 March 2019.

#### **6.0 Accountability Framework**

Paul Reid presented this item providing context and outlining challenges with the current system and requesting the Board to consider the five areas identified with proposed actions; these included;

- Clear Management organisation and processes
- Performance Management
- Open Disclosure
- Professional regulation
- Disciplinary procedures

The Board welcomed and endorsed the paper and support the approach for a more effective accountability framework across the HSE agreeing that the development of a functioning Accountability Framework will support an effective corporate approach to governance and accountability throughout the HSE, However the Board expressed the strong view that there needs to be clarity in relation to how performance measurement is carried out and how the outcomes are managed. The Board also strongly welcomed the emphasis from the CEO on the need to build the learning culture required to drive improvements and to avoid the risk of any blame-culture emerging

in any part of the system. An update was also provided in relation to work on the development of the Code of Governance.

## **7.0 Reserved Functions of the Board - Safety and Quality Matters for Approval.**

Colm Henry introduced the three papers tabled under this heading with Deirdre Madden, Chairperson of the Safety & Quality Committee advising that these had been considered, challenged and endorsed by the committee and are now before the Board for formal endorsement.

### **7.1 a Patient Safety Strategy 2019 -2024**

Colm Henry provided an overview of the commitments of the HSE'S National Service Plan with regards to Patient Safety:

- Develop an overarching Patient Safety Strategy for the Health Service;
- Putting in place new governance arrangements to support and oversee implementation of the strategy and the further development of targeted patient safety initiatives

Following a broad-ranging discussion where members were given the opportunity to provide challenge and feedback, the Board endorsed the *Patient Safety Strategy 2019-2024* and the accompanying *Implementation Approach and High-Level Implementation Plan*. It was agreed that implementation will be comprehensively monitored through the Safety and Quality Committee and within the scope of the National Score Card currently being developed in conjunction with the Performance and Delivery Committee. Members questioned the level of funding associated with the strategy and were assured that sufficient funding is in place to begin implementation. The Board invited the Executive to return in the near future to share progress on implementation of the strategy.

### **7.1 b Non-Training Scheme Doctors and Medical Workforce Planning**

Professor Frank Murray joined the meeting and he, in conjunction with Colm Henry, presented a paper on Non-Training Scheme Doctors and Medical Workforce Planning. They outlined the context as to why the current workforce structure is not suitable with a number of consequences that can

lead to patient care being compromised through medical staffing configuration; recruitment of doctors with uncertain professional ability in acute hospitals and increase in agency costs.

Members were given an opportunity to pose questions and seek clarification which they did on a number of fronts. In particular they requested that the EMT ensure that actions are consistent with Slaintecare. They also considered the programmatic approach for addressing this matter under six proposed separate projects streams. It noted and endorsed the content and recommendations of the report with a clear understanding that implementation and governance will be actively monitored by the Safety and Quality Committee with periodic reporting back to the Board.

### **7.1 c Employment of Consultants not registered on the Specialist Division of the Register of Medical Practitioners**

Colm Henry and Frank Murray also presented this paper on Employment of Consultants not registered on the Specialist Division of the Register of Medical Practitioners. They set out the context in terms of the requirements since 2008 with regard to Specialist Registration so that the Board can fully understand this complex issue as well as an analysis of the current situation and how to address these challenges.

The Board welcomed the report's contents and the recommendations of the project team which it noted and endorsed. It also welcomed the multi-agency approach to resolving the matter. However, they stressed the requirement for greater levels of assurances to be provided as to the risks to patient safety of the current position. It was agreed that on-going monitoring of this item would be under the remit of the Safety and Quality Committee which would report back to the Board at regular intervals. It was also noted that further work is required in relation to issues relating to retention of doctors and the impact of the current system configuration on workforce issues.

## **8.0 Committees of the Board**

The Chairs of the Committees each provide an update on the on-going activities by each Committee.

### **8.1 Audit and Risk Committee**

- Minutes of Committee meeting 8 October 2019 were noted.
- The Vice Chair provided an update in relation to key elements of the Committee meeting held on 4 November 2019 referencing a number of key agenda items considered including: Outstanding

2017 Internal Audit Recommendations, IFMS Project; Compliance, Internal Controls; New Children's Hospital Governance; Risk Management and Capital Plan.

### **8.2 Safety and Quality Committee**

- Minutes of Committee meeting 23 October 2019 were noted.
- The Chair provided an update in relation to key elements of the Committee meeting held on 21 November 2019 including: Interval Cancers, Patient Stories; Healthcare Audits and Incident Management Framework.

### **8.3 People and Culture Committee**

- Minutes of Committee meeting 16 August 2019 were noted.
- An update was provided in relation to the Committee meeting held on 27 November 2019 covering the HR update and Values in Action presentation.
- The Board approved the appointment of Ms Fiona Tierney as a member of the committee **(Decision No: 291119/38)**.

### **8.4 Performance and Delivery Committee**

- Minutes of Committee meeting 4 October 2019 and 9 October 2019 were noted.
- An update was provided by the Chair in relation to the Committee meeting held on 22 November 2019 covering key issues with regards to: Corporate Plan, IFMS; Organisation Map; Performance Reporting; NSP 2020 and the National Scorecard. He also referenced a special meeting on 12 November 2019 which focused on the new National Scorecard and Performance Reporting.
- The Chair advised on a special meeting to be held on 2 December 2019 to focus on progressing the Corporate Plan and invited any members of the Board who were in a position to attend.

### **9.0 Approvals**

John Swords, National Director HBS joined the meeting for consideration of a number of approvals by the Board. He was asked by members if there were any particular concerns that he would wish to bring to the attention of the Board to which he responded that he had no such concerns. On that basis, the Board approved the following property transactions and contracts having been provided with background material in the meeting pack.

## **Property Transactions**

The Board considered the following nine property transactions for disposal at under market value for reasons outlined in the briefing papers:

- Ref. No.2299 A: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/39**)
- Ref No. 2299 B: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/40**)
- Ref No.2299 C: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/41**)
- Ref No.2299 D: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/42**)
- Ref No.2299 E: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/43**)
- Ref No.2299 F: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/44**)
- Ref No.2299 G: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/45**)
- Ref No.2299 H: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/46**)
- Ref No.2299 I: Transfer of Property at (address supplied) Letterkenny, Co. Donegal to Tuath Social Housing (**Decision No: 291119/47**)

## **Contracts**

The Board considered the following:

- Ref No. HSE 12097: Contract Approval Request (CAR) for Contracted Satellite Haemodialysis Unit for Saolta University Healthcare Group, Galway awarded to (name supplied) following a tender process (**Decision No: 291119/48**).



**10. Any other Business**

The next meeting of the Board is scheduled for 13 December 2019 in Dr Steevens.

The meeting concluded at 4:15pm pm after which the Board met in the absence of HSE Executives.

Signed: 

Ciarán Devane

Chairperson

Date: 13-12-19