

Minutes
HSE Special Directorate Meeting
Held on Friday 12 October 2018 at 1:00pm
Department of Health, Baggot Street

Members Present: J. Connaghan (Chair), R. Mannion, A. O'Connor, D. Sullivan, S. Mulvany

In Attendance: C. Henry, J. O'Sullivan, Secretary, D. McCallion & S. Bresnan, Procurement (Via Teleconference)

Item No.	Sub Item No.	Title of Paper Presented / Key Discussion Points	Agreed Action / Decision	Responsible	Due Date/ Review Date
1		<p>Chairman's Remarks & Directorate Members' Discussion</p> <p>The Chair welcomed members to the Special Meeting of the Directorate which was called to discuss the extension of the CervicalCheck Contract due to expire on 14 October 2018. He noted that each member of the Directorate had, on 5 October 2018, confirmed they are satisfied with the direction being proposed in relation to the future provision of Cervical Cytology Laboratory Services.</p> <p>No conflicts of Interest were advised.</p>		Secretary	
2		<p>Cervical Check Contract Extension</p> <p>D. McCallion provided background to the current contractual position and presented an overview of the issues relating to the negotiating process outlining the three key objectives in negotiating with the laboratories:</p> <ol style="list-style-type: none"> 1. Agree an extension to the current contract to enable the current cervical screening programme to continue for women; 2. Put a plan in place to address the backlog of cervical screening smears for testing to ensure women receive their reports and diagnosis in a timely manner; 3. Ensure best value for the state while ensuring a safe service. 	<p>There was agreement by the Directorate on the requirement to maintain continuity of service, ensure the safety of the service for women and to maintain confidence in the Cervical Screening service.</p> <p>The importance of having the approval and full backing of Department of Health, DPER and State Claims Agency was agreed as being essential to progressing.</p> <p>D. McCallion will continue to liaise with the Department and the Director General will also be in</p>	<p>Secretary</p> <p>D. McCallion</p> <p>J. Connaghan</p>	12 October 2018

		<p>He also presented an overview of progress since the original position of the laboratories at the commencement of the process and provided an overview of the risk environment and the extensive option appraisal process that had been conducted.</p> <p>Each member of the Directorate was given the opportunity to raise issues and questions in relation to the presentation covering a range of issues including: Levels of Indemnity; Financial Risk Exposure; Retrospective Indemnity; Involvement of State Claims Agency; Department of Health and DPER Approval; Transfer of Undertakings Provisions; Terms of the Acquisition;</p> <p>An outline of the Heads of Agreement was also given with members seeking clarity in relation to the binding nature of these heads at that point.</p> <p>Clarification was provided by the negotiation team</p>	<p>regular contact with the Department until the matter is concluded and written confirmation is received from the Department.</p> <p>The Directorate agreed in principle to the acquisition of the Cytology arm of MedLab Pathology Limited (MPL) which included the Staff and some Assets but not the acquisition of the legal entity. It is proposed that this service will be incorporated into the Coombe Cervical Screening Laboratory subject to agreement with the Coombe.</p> <p>An outline of the Heads of Agreement was noted as was the urgency in relation to signing these to ensure continuity of service on Monday 15 October 2018. The complete Heads of Agreement will be circulated in advance of the next teleconference.</p> <p>A detailed briefing paper will also be circulated reflecting the position following on-going negotiations during the remainder of the day.</p> <p>The formal contract with MPL will be subject to separate Directorate approval in due course as will the contract with Quest Diagnostic</p> <p>Discussions are to continue with the Coombe Hospital in relation to their role in the future service delivery model including the identification of any associated capital and revenue costs.</p> <p>It was agreed to hold a further Directorate meeting by Teleconference on Saturday 13 October 2018 at</p>		
--	--	--	--	--	--

			<p>1:00 pm at which point the negotiations would be at an advanced stage. Teleconference details will be circulated in advance as well as additional briefing material for consideration by the Directorate.</p> <p>Philip Lee, Solicitor acting for HSE to be invited to participate in the next Teleconference</p>		
10		Any Other Business	No items were raised		
	The meeting concluded at 1:30pm. The next scheduled meeting is via teleconference on 13 October 2018.				

Signed:

 J. Connaghan
 Chairman

Date: