



RQIA Board Meeting

Date of Meeting	29 November 2018
Title of Paper	Public Session Minutes
Agenda Item	1
Reference	Min/Sept18/Public
Author	Saoirse Wilson
Presented by	Prof. Mary McColgan
Purpose	To provide Board members with a record of the previous meeting of the RQIA Board.
Executive Summary	The minutes contain an overview of the key discussion points and decisions from the Board meeting on 20 September 2018.
FOI Exemptions Applied	None
Equality Impact Assessment	Not applicable
Recommendation/Resolution	The Board is asked to APPROVE the minutes of the Board meeting on 20 September 2018.
Next steps	The minutes will be formally signed off by the Chair.

PUBLIC SESSION MINUTES

RQIA Board Meeting Boardroom 20 September 2018, 10.00am	
Present Prof Mary McColgan OBE (Acting Chair) (<i>MMcC</i>) Lindsey Smith (<i>LS</i>) Gerry McCurdy (<i>GMcC</i>) Denis Power (<i>DP</i>) Robin Mullan (<i>RM</i>) Seamus Magee OBE (<i>SM</i>) Dr Norman Morrow OBE Sarah Havlin Patricia O'Callaghan	Officers of RQIA in attendance Olive Macleod OBE (Chief Executive) (<i>OM</i>) Theresa Nixon (Director of Assurance) (<i>TN</i>) Dr Lourda Geoghegan (Director of Improvement) (<i>LG</i>) Malachy Finnegan (Communications Manager) (<i>MF</i>) Hall Graham (Assistant Director of Improvement) Saoirse Wilson (Acting, Board and Executive Support Manager)

- 1.0 **Agenda Item 1 - Minutes of the public meeting of the Board held on 5 July 2018 and matters arising**
 - 1.1 The Board **APPROVED** the public minutes of the meeting of the Board held on 5 July 2018.
 - 1.2 Actions point 186 is deferred until the November Board Meeting. Action point 188 is deferred until the October Board Workshop. Action points 187 & 190 have been completed.
- 2.0 **Agenda Item 2 - Declaration of Interests**
 - 2.1 MMcC asked Board members if, following consideration of the agenda items, any interests were required to be declared in line with Standing Orders. No declarations were made.
- 3.0 **Agenda Item 3 – Acting Chair's Report**
 - 3.1 As part of an ongoing programme of visits, MMcC along with the Senior Executive Team participated in a number of visits to Runwood Homes Ltd services to meet with families of service users. The visits have flagged inconsistency in engagement with relatives. Examples of good practice were disseminated.
 - 3.2 MMcC and NM attended the preparing for winter pressures workshop held on 4 September 2018. The workshop was well attended and feedback was positive. A recording of the workshop will be available on RQIA's website once all workshops have been taken place.

- 3.3 MMcC attended the general Hyponatraemia Briefing on 30 July. Preparation for the involvement in the 'Duty of Quality' work stream will take place on 28 September.
- 3.4 In addition to the NICON Forward Planning workshop facilitated by William McKee on 12 September, MMcC attended the Chairs Forum on 19 September along with GMcC.
- 3.5 MMcC also attended meetings with the HSC Leadership Centre to review their board development programme and with officials from the Department of Health to discuss TOR for a forthcoming review.

4.0 Agenda Item 4 – Meetings attended by RQIA Non-Executives

- 4.1 Meetings attended by RQIA Non-Executives were captured within the Acting Chairs Report.

5.0 Agenda Item 5 – Details of Enforcement Action Taken by RQIA April 18-September 18

- 5.1 TN provided an overview of enforcement action taken from April to September. When a service breaches regulations, or fails to meet the required care standards, RQIA has a range of actions it may use as part of normal escalation processes.
- 5.2 TN provided information of serious concerns meetings held within the April – September timescale and explained management of these services had provided satisfactory action plans and assurances which avoided any escalation of enforcement action. Unannounced inspections of each service will be completed to monitor the action taken.
- 5.3 TN advised RQIA have issued fourteen Failure to Comply Notices to nine services from April – September and detailed areas of concerns for different service types. When enforcement notices are issued to a service, they are shared with the Department of Health, HSC Trusts, HSC Board and Northern Ireland Social Care Council (NISCC). Details are also published on RQIA's website.
- 5.4 Themes and trends across the sector in relation to concerns were discussed including medicines management, governance arrangements, staffing difficulties, a lack of available dementia beds and substandard quality monitoring.
- 5.5 RQIA met with trusts in June relation to intelligence sharing. Meetings are now being sought to review the threshold of escalation within HSC trusts.
- 5.6 TN advised of ongoing work to develop templates for quality monitoring for use in different settings. RQIA is also contributing to an event hosted by Association for Real Change (ARC) in relation to quality monitoring. A further workshop with ARC is planned in relation to medicines management. RQIA will also participate in the Public Health Agency's (PHA) transformation group workshop in relation to staffing arrangements in care homes.

6.0 **Agenda Item 6 – Regulation of Online Medical Services/Independent Medical Agencies**

- 6.1 RQIA has been regulating online medical services as medical agencies for a number of years and in light of: the growth in this area, the risks to patient safety involved in online prescribing and subsequent dispensing of medicines and the need to have a UK wide coordinated approach to this issue we are now reviewing our approach to regulation of online medical services/Independent Medical Agencies.
- 6.2 HG explained to meet the definition of an Independent Medical Agency an organisation must be providing medical services and those services have to be provided by medical practitioners who have no health service component to their job i.e. wholly private medical practitioners. A Patient Group Direction (PGD) is a legal mechanism, which allows named registered healthcare professionals to supply and/or administer medicines to groups of patients that fit the criteria laid out in the PGD, without a prescription. Common examples would be immunisation and family planning. Registered healthcare professionals such as nurses and pharmacists, using a PGD, could supply medicines directly to patients without the need to see a doctor to obtain a prescription. PGDs can apply to both HSC and private care. RQIA do not currently regulate private PGD's.
- 6.3 Following the inquest into the death of Richard Breatnach, the Coroner for the City of Brighton and Hove concluded that his death was due to misadventure (dependence on drugs). Mr Breatnach, through an on online provider, was able to obtain 156 dihydrocodeine tablets and that he subsequently died from a dihydrocodeine overdose. HG discussed a number of concerns listed by the coroner which clearly identifies challenges associated with provision of online medical services and online prescribing.
- 6.4 RQIA are now members of a Cross Regulatory Forum established to examine ways of ensuring patient safety when they are using online services and to explore a joint approach to regulation. The Forum has now met a number of times and it has been agreed that, where possible, a UK wide approach to assurance in relation to safety of online medical services should be developed.
- 6.5 HG detailed four options available to the Board as outlined in the paper he presented. Board members agreed to adopt option one - RQIA registers and inspects all online medical services involving a private doctor, which provide services to patients in Northern Ireland and meet the definition of an Independent Medical Agency, no matter where they are situated. This will mean that we need to review a number of agencies that were told they did not require to be registered as they did not operate a private PGD. This will also lead to duplication of inspection by two separate regulators.
- 6.5 Board members **APPROVED** option one in relation to ongoing regulation of online medical services as Independent Medical Agencies

Norman Morrow left the meeting at this point.

7.0 Agenda Item 7 – Chief Executive’s Confidential Brief

- 7.1 OM advised the MHLD team have adopted the Acute Hospital inspection methodology. Inspections will now be carried out across hospital sites rather than individual wards.
- 7.2 OM updated the Board in regards to residential beds in nursing homes and advised a number of providers have received legal advice which holds a view contrary to RQIA’s, based on interpretation of the legislation. This advice has been sent to Junior Counsel for further review.
- 7.3 MMcC noted the volume of work, attention to detail and scope of work undertaken, in addition to the daily business of the organisation are testimony to the hard work completed by RQIA and which is acknowledged and appreciated by the Board.

8.0 Agenda Item 8 – Review of RQIA’s Enforcement Procedures, September 2018

- 8.1 RQIA’s Enforcement Procedures have been revised to reflect current policy, legal advice and changes within the organisational structure.
- 8.2 All enforcement meetings are now audio recorded. Procedures have been developed to include guidance on the use of Article 16 (1) (a) of the Health and Personal Social Services (Quality, Improvement and Regulation (Northern Ireland) Order 2003 to vary or remove a condition on registration.
- 8.3 Enforcement procedures have been updated to ensure appropriate alignment with new staff titles. Procedures have also been amended to ensure that Trust colleagues are informed and involved at all stages when enforcement is considered and taken.
- 8.13 Board members **APPROVED** the Review of RQIA’s Enforcement Procedures, September 2018.

9.0 Agenda Item 9 – Quarter 1 Corporate Performance Report

- 9.1 OM advised the Board that by the end of Quarter 1, 100% of the actions are on target for completion.
- 9.2 Board members **APPROVED** the Quarter 1 Corporate Performance Report

10.0 Agenda Item 10 –Corporate Risk Assurance Framework Report


- 10.1 The Corporate Risk Assurance Framework Report has been revised and was considered by the Executive Management Team on 3 September 2018 following a Horizon Scanning Workshop held with Board Members from the Audit Committee.
- 10.2 Board members **APPROVED** the Corporate Risk Assurance Framework Report.

11.0 Agenda Item 11 - Equality Annual Report

- 11.1 OM advised Board members the purpose of this report is to satisfy ourselves that we are discharging our responsibilities and obligations under Section 75 of the Northern Ireland Act 1998 and Section 49A of the Disability Discrimination Order (DDO) 2006. RQIA's annual progress report was submitted to the Equality Commission on 30 August 2018 in line with its requirements.
- 11.2 RM declared that he is a member of the Equality Commission but noted no conflict of interests.
- 11.3 Board members **NOTED** the Equality Annual Report.

**Date of next meeting:
29 November 2018**






Signed


Professor Mary McColgan
Acting Chair

Date

29 November 2018

Board Action List

Action number	Board meeting	Agreed action	Responsible Person	Date due for completion	Status
186	30 April 2018	The protocol and procedure relating to Part II appointments will be reviewed.	Director of Improvement and Medical Director (LG)	29 November 2018	
187	5 July 2018	Board and Executive Support Manager to forward opportunities for Board members to attend hospital and care inspections.	Board and Executive Support Manager (SW)	20 September 2018	
188	5 July 2018	Communications and Engagement Strategy taking account of HSC PPI Standards to increase the public's awareness of the role and function of RQIA to be reviewed at the September Board meeting. (Deferred until October)	Communications Manager (MF)	11 October 2018	
189	5 July 2018	Language in action 4.4 of the Corporate Performance Report should be changed from 'significant underspend' to 'irregular underspend' in keeping with language used by auditors in financial reports.	Communications Manager (MF)	20 September 2018	
190	5 July 2018	A paper detailing common enforcement themes from April 2018 is to be presented at the September Board Meeting.	Director of Assurance (TN)	20 September 2018	

Key

Behind Schedule 

In Progress	
Completed or ahead of Schedule	