

MINUTES

RQIA Board Meeting 10 February 2009

Board Room, Riverside Tower, Lanyon Place, Belfast, 2:00pm

Present

Ian Carson (Chairman)
Richard Adams
Geraldine Donaghy
Joan Harbison
Jim Jamison
Lilian Jennett
Ruth Laird
Allen McCartney
Connor Mulholland
Una O'Kane
Colin Reid

Officers of the Board present

Maurice Atkinson (Director of Corporate Services)
Robert Graham (Committee Services Manager)
Theresa Nixon (Director of Quality Assurance)
Phelim Quinn (Acting Chief Executive)
David Stewart (Director of Service Improvement)

Apologies

Patricia McCoy
Austin Smith

Apologies

PUBLIC SESSION

09.06 Welcome and Chairman's remarks

09.06.1 The Chairman welcomed Board members and Officers of the Board to the public session of the Board meeting. He noted apologies from Austin Smith and Patricia McCoy.

09.07 Minutes of the meetings of the Board held on Tuesday 11 November [Paper min/Dec/08]

09.07.1 The Board **APPROVED** the minutes of the meeting of the Board meeting held on 9 December 2008 subject to an amendment in paragraph 08.117.2 to read "...about future medical revalidation and its..."

09.08 Matters arising from minutes

08.116.2 Governance and Risk Management sub-committee

09.08.1 The Chairman advised Board members that he had had a discussion with the Chairman of the Audit Committee and that an options paper would be presented at a future Board meeting.

09.08.2 A Board member asked if the make up of Board Committees was also being considered. The Chairman of the Audit Committee

confirmed that two pieces of work had to be conducted. Firstly, there was a need for the Audit Committee and the Governance and Risk Management sub-committee to reviews their terms of reference and to clarify their roles and responsibilities and secondly, there was a need for the Board to consider what Committees were needed.

- 09.08.3 The Chairman confirmed that he would be discussing the matter with Glenn Houston when he took up post and that an options paper would then be prepared. The Chairman of the Audit Committee suggested that Board members could send through any suggestions they had to the Chairman.

08.118.4 Enforcement Policy

- 09.08.4 The Chairman confirmed that this Policy would be brought to the next Board meeting.

08.118.7 Review of Hyponatraemia

- 09.08.5 The Chairman confirmed that the report written by RQIA had been published within the last week and that the Minister had been very complimentary of the work the RQIA had done. The Acting Chief Executive confirmed that RQIA would be commencing a follow up review in June.

08.118.5 Publication of *Clostridium difficile* Report

- 09.08.6 A Board member asked for an update on the publication of the *Clostridium difficile* Report. The Director of Service Improvement advised that the third part of the Review involved writing a short report in relation to progress on the implementation of "Changing the Culture", which was subsequently shared with DHSSPS. He added that the DHSSPS had carried out a separate validation exercise to accompany this report. He also advised that the Communications Manager was exploring options for the publication of the main Report RQIA had completed.

- 09.08.7 The Board member stated she was still unclear about how RQIA was treating the report, why it had not yet been published and why RQIA was not using the publication of such a report to boost its profile and make its work more meaningful to the people of Northern Ireland. The Acting Chief Executive confirmed that RQIA would be publishing the report and disseminating it widely across the UK but that the Minister had proceeded to share the Report with the Northern Ireland Assembly.

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- 09.08.8 A Board member added that she felt that there was a requirement for greater public participation in the work of RQIA and that review reports should be published as part of RQIA's duty to the public. A Board member endorsed this view and added that RQIA could be

perceived as being part of the DHSSPS, rather than as an independent body.

- 09.08.9 A Board member used the example of the Police Ombudsman as an organisation which publishes reports independently to inform the public and suggested RQIA should be adopting such an approach.
- 09.08.10 The Chairman summarised the discussion and felt there were three key issues. Firstly, there was the issue of the Board and how it owned Review reports. Secondly, it was important for RQIA to honour its commitments and obligations around public and user participation. Thirdly, RQIA had to maintain its own distinct identity and clarify its relationship with its sponsoring branch and the DHSSPS in general in respect of each and every project undertaken by RQIA. He went on to say that it was important that each of these issues was identified in the new Corporate Strategy.
- 09.08.11 The Chairman noted that RQIA's profile had increased significantly in the previous 12 months and added that although there was still some work to be done, progress was being made.
- 09.08.12 Board members felt it was important that each Review RQIA undertook contained its own Communication Strategy and that these strategies were brought to the Board and signed off as part of the commissioning process. The idea of a Committee to look at communication was suggested but the Chairman advised that this responsibility lay with the Communications Manager.
- 09.08.13 A Board member expressed his view that RQIA could develop good communication strategies for its reviews but that ultimately the DHSSPS could dictate the agenda. The Chairman responded by saying that he would be raising this issue at a meeting with the DHSSPS. He added that RQIA was not a performance management body and that he would also be meeting with the Chairman and Chief Executive of the new Regional Health and Social Care Board.
- 09.08.14 The Acting Chief Executive advised Board members that the transfer of functions from the Mental Health Commission would be a good opportunity for RQIA to reaffirm its independence. He pointed out to Board members that the recent publication of the Unannounced Hygiene Inspections had generated a lot of public interest and he was confident that future reports would generate greater interest. He stated that future publication of the hygiene inspection reports would provide a platform to re-affirm the principles and recommendations in the *Clostridium difficile* report. He agreed with Board members that it was important for RQIA to engage with the public as effectively as possible.
- 09.08.1 A Board member asked how RQIA was going to take the issues raised by the Board forward around the commissioning, ownership,

signing off and launching of Review Reports. The Director of Corporate Services confirmed that the Communications Manager would be developing a new Communications Strategy as part of the Corporate Strategy.

09.08.16 A Board member stated that the Communications Strategy required an Action Plan and it was **AGREED** that the Communications Manager should present this at a future Board meeting.

09.09 Chairman's report [Paper C/01/09]

09.09.1 The Chairman presented his Report to the Board. He advised Board members that a minute of the Accountability Review held with DHSSPS on 11 December 2008 would be shared with them.

09.09.2 The Chairman informed Board members that as part of the 5 Nations meeting, he had attended a visit to Holywood Arches Health and Care Centre and had been impressed by the facilities there. He added that he was considering holding a future RQIA Board meeting there to allow members the opportunity to visit the facility.

09.09.3 The Chairman advised Board members that he had introduced and chaired the opening session of the "Strengthening User Involvement" conference held on 5 February. Board members asked why they had not received an invitation to the event. The Director of Quality Assurance informed that Board members were on the circulation list for the conference. It was **AGREED** a schedule of forthcoming events which may of interest to Board members would be shared.

09.10 Quarterly Report - Director of Corporate Services [Paper D/01/09]

09.10.1 The Director of Corporate Services presented the Quarterly Report to the Board. He explained to Board members that the format of the Business Plan update had changed to reflect a cumulative report, rather than focusing on one specific quarter. He invited Board members to raise any questions they had about the Report.

09.10.2 A Board member asked if there would be more qualitative analysis of inspections in future Reports. The Acting Chief Executive explained that from 1 January 2009 the total project for the introduction of a new methodology of inspection had been relaunched in the Operations Directorate. He stated that the new methodology of inspection would look at both qualitative and quantitative elements of inspection and included an element of self-assessment. He added that inspectors would be validating the self-assessment information and specific areas would be focused on. He advised that the outcomes of inspection would feature in the Quarterly Reports from quarter two in the 09/10 year.

- 09.10.3 A Board member queried the number of staff seconded from RQIA. The Acting Chief Executive pointed out that these staff were predominantly staff working for the Mental Health Commission who would transfer to RQIA on 1 April 2009.
- 09.10.4 A Board member asked if the Clinical and Social Care Governance Review Reports had been published. The Acting Chief Executive confirmed that that Reports which had been brought to the Board had now been published. The Board member added that Board members should be informed when Reports were being published.
- 09.10.5 A Board member asked when the Board would receive information about complaints against RQIA. The Director of Quality Assurance confirmed that a report on these would be presented to the Board at the end of the next quarter.
- 09.10.6 Following requests from Board members, it was **AGREED** that a list of the dates of the roadshows about the transfer of functions from the Mental Health Commission to RQIA would be sent to Board members. It was also **AGREED** that Board members would be informed of future journal club dates.
- 09.10.7 A Board member commended the work of the inspectors in conducting more inspections but expressed concern about the use of self-assessment. The acting Chief Executive explained that self-assessment was one part of the process and that inspection provided validation of self assessment. He questioned if RQIA was satisfied that the standards set by the DHSSPS defined good quality care and if they gave guidelines for staff to resident ratios and staff qualifications. The Acting Chief Executive explained that although the standards did not specify a staff to resident ratio, RQIA used a specific formula that was fit for purpose. The Director of Quality Assurance added that RQIA was reviewing the appropriateness of the formula.
- 09.10.8 A Board member asked if RQIA was aware of any link between chemical sedation and mortality rates, or between lengths of stay and mortality. The Director of Quality Assurance explained that it was difficult to establish a clear link due to the complexity of care individuals required. The Director of Service Improvement added that a pilot exercise had been carried out to see if it was possible to use the CSA index and Registration of death data to identify rates of mortality for care homes and that this appeared possible.
- 09.10.9 The Chairman invited questions about the Business Plan update.
- 09.10.10 In response to a query from a Board member concerning how the RQIA would develop relationships with other organisations, the Chairman informed the Board that meetings were being set up with the Chairs and Chief Executives of the new HSC organisations.

- 09.10.11 The Director of Corporate Services gave an update on the financial situation. He explained that the previous forecast had been overestimated and that, following clarification from the DHSSPS, the projected deficit would be £96k. He added that following a meeting with the DHSSPS, RQIA had secured non-recurrent funding of £50k and that further assistance would be given if RQIA could continue to demonstrate effective cost control mechanisms.
- 09.10.12 The Chairman thanked the Director of Corporate Services and Acting Chief Executive for being proactive in highlighting the issues to the DHSSPS and obtaining the support of the DHSSPS.
- 09.10.13 The Acting Chief Executive explained that there were still some issues to be resolved with the DHSSPS around RQIA's recurrent funding requirements for the 09/10 year and that a meeting had been set up with the sponsor branch and finance branch in the DHSSPS to clarify the position re financial shortfalls.
- 09.10.14 The Board **NOTED** the Quarterly Report.
- 09.11 Chief Executive's Report - Acting Chief Executive [Paper E/01/09]**
- 09.11.1 The Acting Chief Executive presented his Report to the Board and began by giving an update on the development of the Corporate Strategy. He advised the Board that a timetable had been developed and that members would be kept informed by e-mail of progress.
- 09.11.2 The Acting Chief Executive advised Board members that the Health and Social Care (Reform) Bill had received Royal Assent which gave the go-ahead for the transfer of functions from the Mental Health Commission on 1 April 2009. He advised that a large number of the posts in the Mental Health and Learning Disability team had been filled and added that recurrent funding had been agreed with DHSSPS. The Acting Chief Executive alerted Board members to a series of roadshows about the transfer and agreed to forward a timetable to Board members.
- 09.11.3 Board members were advised that the results of the second staff survey would be brought to the March meeting.
- 09.11.4 The Acting Chief Executive informed the Board that the report of the first stage of the Child Protection Review would be brought to the Board in March. With regard to the *Clostridium difficile* Review, the Acting Chief Executive advised that the implementation of the recommendations was being monitored by the Service Delivery Unit.
- 09.11.5 The Acting Chief Executive advised the Board that the programme of unannounced hygiene inspections for 2009 had commenced and that

concerns had been raised about the standard of the environment in one hospital.

- 09.11.6 The Acting Chief Executive updated the Board on Orchard Manor. He advised that a strategy paper had been received by RQIA from Southern Cross Healthcare and that Orchard Manor had now been closed voluntarily. Southern Cross healthcare have made application to register the facility as a residential care home. He stated that all former residents within the home had been found alternative placement prior to Christmas by the Northern Health and Social Care Trust supported by Southern Cross Healthcare
- 09.11.7 The Acting Chief Executive detailed key meetings that he had attended recently and highlighted a meeting with the DHSSPS, at which anomalies in the 2003 Order were raised. The Acting Chief Executive explained that RQIA's right to publish reports was being challenged and that legal advice was being sought.
- 09.11.8 The Board **NOTED** the Chief Executive's Report.
- 09.12 Corporate Risk Register - Director of Corporate Services [Paper F/01/09]**
- 09.12.1 The Director of Corporate Services presented the updated Corporate Risk Register to the Board. He explained that three risks had been removed from the Register and that two risks had been added. He added that all the risks had been updated and reviewed by the Executive Team.
- 09.12.2 A Board member asked if a risk needed to be included concerning the absence of in-house ICT expertise. It was **AGREED** this risk would be added.
- 09.12.3 A Board member queried if Risk 2 should be classed as a higher risk. The Acting Chief **AGREED** to upgrade this risk.
- 09.12.4 A Board member expressed her concern about Risk 3 and the associated timetable for implementation of the required actions. The Director of Corporate Services explained that a Project Initiation Document was being developed for the specification and procurement of a Corporate Information Management System (CIMS) but that Phase 1 of this project was likely to take at least 9-12 months to complete. The Director of Corporate Services agreed with the Board member that Risk 3 was a serious risk for RQIA.
- 09.12.5 A Board member queried when the Board would have the opportunity to compile a zero-based risk register. The Director of Corporate Services confirmed that this would be undertaken upon completion of the new Corporate Strategy.

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09.12.6 A Board member sought clarity on the impact of Risk 7. The Acting Chief Executive explained that the risk was in RQIA's ability to assure compliance with the Establishments and Agencies (Fitness of Workers) Regulations.

09.12.7 A Board member asked if the ratings of the risks had been amended. The Acting Chief Executive confirmed that as a consequence of management action some of the risks had been amended.

09.12.8 The Board **NOTED** the Corporate Risk Register.

09.13 Feedback on GAIN Workshop - Director of Service Improvement [Paper G/01/09]

09.13.1 The Director of Service Improvement advised the Board that a joint workshop had been held with GAIN (Guidelines and Audit Implementation Network) on 1 December 2008. He explained that the purpose of the workshop had been to look at the interface between primary and secondary care, with particular reference to the quality of discharge information. He introduced the Head of Primary Care Regulation, Hall Graham, to talk about the workshop.

09.13.2 The Head of Primary Care Regulation explained to Board members that the workshop had brought together a wide range of representatives from GPs, pharmacists, Health and Social Services Trusts and Boards, the DHSSPS and the RCGP. He added that the keynote address was given by Dr Zygmunt Kurkowski from SIGN, the Scottish Intercollegiate Guidelines Network.

09.13.3 The Head of Primary Care Regulation gave a brief overview to Board members about the different speakers and explained that RQIA was committed to working with GAIN to enable GAIN to produce guidelines that would incorporate good practice in this area.

09.13.4 The Chairman asked what the next steps would be. The Director of Service Improvement explained that following development of the guidelines, issues would required to be resolved for implementation and that RQIA would work with GAIN and the Health and Safety Forum on these issues.

09.13.5 Board members welcomed the initiative but noted that a lot of work would be needed to implement any recommendations. The Director of Service Improvement concluded the discussion by advising that a group would be set up quickly to begin work on this project.

09.13.6 The Board **NOTED** the feedback from the GAIN workshop.

09.14 Draft RQIA Business Plan 2009-10 - Director of Corporate Services [Paper H/01/09]

09.14.1 The Director of Corporate Services presented the draft Business Plan for 2009/10 to the Board. He explained that this was an interim bidding document and that a further Plan would be developed upon completion of the Corporate Strategy. He added that this Plan sought to secure the additional funding RQIA needed for 2009/10 as well as considering what efficiency savings could be made.

09.14.2 The Director of Corporate Services explained that there was a shortfall in RQIA's baseline funding and that there were anomalies in the methods for the calculation of the figures within the allocation and between RQIA and DHSSPS. He advised that a meeting was being set up with the DHSSPS to resolve these issues.

09.14.3 A Board member questioned RQIA's requirement to make efficiency savings and emphasised the need for RQIA to keep a clear note of all discussions with the DHSSPS.

09.14.4 A Board member asked if RQIA's budget was sufficient in comparison with other regulators across the UK. The Chairman noted that it was difficult to make a comparison as the current regulators had different responsibilities and were in a process of transition.

09.14.5 A Board member queried if RQIA had the correct number of inspection staff. The Acting Chief Executive advised that there had been an increase in the number of inspection staff, in line with RQIA's requirements. The Chairman added that RQIA had been forced into making efficiency savings but that the Executive Team were working to ensure RQIA's resources were being used appropriately.

09.14.6 The Board **APPROVED** the draft Business Plan.

09.15 Any other business

09.15.1 With there being no other business, the Chairman drew the public session of the meeting to a close at 4.30pm.

**Date of next meeting:
5 March 2009, Board Room, Riverside Tower**

Signed



Dr Ian Carson
Chairman

Date

5/03/09

