



RQIA Board Meeting

Date of Meeting	13 November 2014
Title of Paper	Public Session Minutes
Agenda Item	2
Reference	Min / Sept14 / public
Author	Katie Symington
Presented by	Dr Alan Lennon
Purpose	To share with Board members 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 11 September 2014.
FOI Exemptions Applied	None
Equality Impact Assessment	Not applicable
Recommendation/ Resolution	The Board is asked to APPROVE the minutes of the Board meeting of 11 September 2014.
Next steps	The minutes will be formally signed off by the Chairman and will be uploaded onto the RQIA website.



PUBLIC SESSION MINUTES

RQIA Board Meeting

Board Room, 9th Floor, Riverside Tower, Belfast

11 September 2014, 12.35pm

Present

Dr Alan Lennon OBE (Chair)
Patricia O'Callaghan
Denis Power
Mary McColgan OBE
Robin Mullan
Norman Morrow
Daniel McLarnon
Stella Cunningham
Sarah Havlin
Seamus Magee
Lindsey Smith
Gerry McCurdy

Officers of RQIA in attendance

David Stewart (Director of Reviews and Medical Director)
Maurice Atkinson (Director of Corporate Services)
Kathy Fodey (Director of Regulation and Nursing)
Theresa Nixon (Director of Mental Health, Learning Disability and Social Work)
Katie Symington (Board and Executive Support Manager)

Apologies

Glenn Houston (Chief Executive)
Dr John Jenkins CBE
Malachy Finnegan (Communications Manager)

1.0 Agenda Item 1 - Welcome and Apologies

1.1 The Chairman welcomed all Board members to the meeting and in particular welcomed Gerry McCurdy, new Board member, to the meeting. Apologies were noted from Dr John Jenkins, Glenn Houston and Malachy Finnegan.

2.0 Agenda Item 2 - Minutes of the meeting of the Board held on 3 July 2014 (min/July14/public)

2.1 The Board **APPROVED** the public session minutes of the Board meeting held on Thursday 3 July 2014.

2.2 Resolved Action (63)

Minutes to be formally signed off by the Chairman

3.0 Agenda Item 3 - Matters arising from minutes

3.1 Actions 57 and 59-63 were noted as completed.

The Director of Reviews and Medical Director updated Board members on the remaining actions detailed on the action list.

3.2 Papers have been tabled at this Board meeting in relation to Action 25, results of Oval Mapping. This action is now complete. Action 34 will be presented to Board members at the November Board meeting. Action 53; slides have been tabled at this meeting for Board member information. This action is now complete. Actions 55 and 56 have now been completed. A paper has been prepared for this Board meeting, as per action 58, this action is now complete. There were no matters arising from the minutes.

4.0 Agenda Item 4 - Declaration of Interests

4.1 The Chairman asked Board members if, following consideration of the agenda items, any interests were required to be declared in line with Standing Orders. No declarations of interests were made.

4.2 The Chairman reminded Board members to complete their quarterly update of the Register of Interests form and return to the Board and Executive Support Manager.

5.0 Agenda Item 5 - Chairman's Report

5.1 The Chairman noted that he has participated in a number of introductory meetings since the July Board meeting.

5.2 The Board **NOTED** the Chairman's Report.

6.0 Agenda Item 6 - Chief Executive's Report (A/05/14)

6.1 The Director of Reviews and Medical Director presented the Chief Executive's report to the Board. Board members were informed that the 2015-18 Corporate Strategy and Review Programme are currently out for public consultation.

6.2 The Director of Reviews and Medical Director noted both his and the Chief Executive's attendance at the Northern Ireland Human Rights Commission inquiry into Emergency Care, 10 September. RQIA awaits the outcome of this inquiry.

6.3 The Director of Reviews and Medical Director highlighted the meeting on 8 September with the Older Persons Commissioner. This was a positive meeting and RQIA have committed to keeping the Commissioner abreast of developments in relation to RQIA's review of the Cherry Tree House Report.

6.4 The Director of Regulation and Nursing drew the Board's attention to a tabled paper detailing enforcement activity from September 2013 - September 2014.

- 6.5 Board members requested that an executive summary is added to this document, along with key identifiers. The Director of Regulation and Nursing confirmed that enforcement issues can be escalated, where necessary to the relevant Trust, as the Commissioner of the service. Assurances are also sought from the Trusts, as Commissioners of the service. Board members noted that RQIA has the power to prosecute providers under the 2003 Order; however this can be a lengthy process.
- 6.6 Board members questioned the tolerance level of RQIA in relation to repeated enforcement proceedings. The Chairman confirmed that a piece of work will be taken forward in relation to enforcement procedures and RQIA's exercise of power.
- 6.7 At this point three members of the public joined the meeting, Mr Bennett, Mr Hanna and Ms McCullough. The Chairman welcomed the members of the public to the meeting.
- 6.8 Confirmation was provided by the Director of Mental Health, Learning Disability and Social Work that RQIA has met with the Belfast Health and Social Care Trust in relation to matters raised regarding Ward L, Mater Hospital. The issues raised will be reviewed at a RQIA follow up inspection.
- 6.9 A Board member requested more information to be made available at future Board meetings in relation to the Whistleblowing disclosures as detailed on page 8 of the Chief Executive's Report.
- 6.10 **Resolved Action**
Further information in relation to whistleblowing disclosures to be made available within the next Chief Executive's Report to the Board
- 6.11 A Board member raised the issue of Maine Nursing Home. The Director of Regulation and Nursing confirmed that RQIA are working with the Trust to ensure sufficient oversight and compliance of this home.
- 6.12 The Board **NOTED** the Chief Executive's report.
- 7.0 Agenda Item 7 – Finance Report (B/05/14)**
- 7.1 The Director of Corporate Services presented the summary finance position as at 31 July 2014 to the Board. Board members were informed that in terms of prompt payment compliance, RQIA is required to meet a 95% payment target for invoices within 30 days and a 70% payment target for invoices within 10 days. Currently RQIA have 81% compliance for prompt payment within 30 days and 53.1% compliance for prompt payment within 10 days. The Director of Corporate Services noted that RQIA are reliant on the Shared Services Centre for the prompt payment of invoices.

- 7.2 The Director of Corporate Services noted that at the end of August 2014, 83% of RQIA's fee income had been received.
- 7.3 The Director of Corporate Services noted that RQIA's revenue position has changed following the production of this finance paper, due to the receipt of the RRL allocation letter from DHSSPSNI. The DHSSPSNI has reduced RQIA's funding by £167,593, which is a 2.5% non-recurring efficiency saving. The Director of Corporate Services highlighted a number of current cost pressures for RQIA, namely the two Commissioned Reviews by DHSSPSNI, Child Sexual Exploitation and the Unscheduled Care Review and also a BSTP maintenance cost of £14,500. The funding for the additional reviews has been agreed in principle but not confirmed, by DHSSPSNI.
- 7.4 The Director of Corporate Services highlighted to Board members that £57,000 of a budget contingency is available to RQIA, alongside a projected slippage in salaries and wages totalling circa £129,000, both of these savings are non-recurring. A deficit of circa £53,000 (efficiencies plus cost pressures) remains, should the DHSSPSNI agree to fund the two Commissioned reviews.
- 7.5 The Director of Corporate Services also confirmed that a memo has been issued to all staff detailing RQIA's financial pressures and noting financial controls which are now in place.
- 7.6 The Director of Corporate Services confirmed that RQIA must breakeven at the end of the 2014/15 financial year, with a tolerance of +/- £20,000. Board members will be kept informed of RQIA's financial position.
- 7.7 The Director of Corporate Services noted that in response to a Board member query, the issue of failure to meet prompt payment targets will be discussed at a future meeting of the Finance Forum, for regional organisations. This issue was also raised at the recent Accountability meeting with DHSSPSNI.
- 7.8 Board members **NOTED** the Finance Report.
- 8.0 **Agenda Item 8 – Update on RQIA's response to the Recommendations of the Independent Review of the actions taken in response to concerns raised about the care delivered Cherry Tree House, Carrickfergus**
- **Review of inspection methodology: Project Brief**
 - **RQIA action plan (G/05/14)**
- 8.1 The Chairman informed Board members that further to a Freedom of Information request, a list of changes between the initial Cherry Tree House Report issued for factual accuracy checking and the final report, was prepared.

This list of changes was sent to the Review Team for consideration. The Review Team confirmed that the changes made to the report were made by them.

- 8.2 Board members reviewed the Action Plan to respond to the recommendations of the Independent Review of the actions taken in response to concerns raised about the care delivered Cherry Tree House, Carrickfergus.
- 8.3 Board members requested that a date for the completion of actions is included within this action plan. Clarification was also provided to Board members that the identification of a Non-Executive Director to act as a champion for whistleblowing issues, relates to internal whistleblowing only.
- 8.4 The Director of Regulation and Nursing confirmed that RQIA are working towards bringing all known information and intelligence together. The Chairman confirmed that he is confident that the project to respond to the recommendations of the Cherry Tree House Report will address the issue of information gathering to supplement inspections. The Chairman also noted that lay reviewers have now been recruited by RQIA and they will specifically speak to patients and families whilst out on inspection.
- 8.5 A Board member suggested that a Communication Strategy would be helpful within the context of this response. The Director of Regulation and Nursing confirmed that RQIA will produce, in the future, a three page leaflet, to include a tear off section at the back, which would be available to all Nursing Homes, and to all patients, families and staff. The Director of Regulation and Nursing also confirmed that the RQIA website has been recently enhanced with links to Trust complaint mechanisms.
- 8.6 The Director of Regulation and Nursing also presented the Directorate Improvement Project brief to Board members and noted that all activity arising from this work will form part of RQIA's total quality improvement planning.
- 8.7 Board members **APPROVED** the action plan, with amendments and the Directorate Improvement Project brief.
- 8.8 The Chairman invited Mr Bennett, member of the public, to make his comments to the Board. Mr Bennett noted that neither the families nor whistleblower have been consulted on RQIA's proposed actions, following the publication of the Cherry Tree House Report. Mr Bennett stated that abuse was ongoing within Cherry Tree House and questioned the independence of this review and the appointment of the Review Team. Mr Bennett noted that he had not received a response to his Freedom of Information request from RQIA.

Mr Bennett questioned why the families and whistleblower were not provided with an opportunity to comment on the report following its completion.

- 8.9 The Chairman thanked Mr Bennett for addressing the Board. The Chairman confirmed that a response would be issued to Mr Bennett, in relation to his Freedom of Information request, within the next week.
- 8.10 At this point in the meeting Mr Bennett, Mr Hanna and Ms McCullough left the meeting.
- 8.11 The Director of Regulation and Nursing advised the Board that further to comments made by Mr Bennett, in relation to the ongoing abuse of patients within Cherry Tree Nursing Home, she left the meeting to seek further clarification. Mr Bennett confirmed that he was not aware of any current abuse of patients.
- 9.0 **Agenda Item 9 – Corporate Performance Report (C/05/14)**
- 9.1 The Director of Corporate Services presented the Corporate Performance Report to Board members and explained the format of the report. Board members were asked to note the achievements in quarter one, detailed on pages two to six. The Director of Corporate Services also drew the Board's attention to those Actions and Measures of success which require exception reports. Board members were informed that the format of this report will change with the introduction of the Public Sector Scorecard and the new Measures of Success.
- 9.2 The Director of Regulation and Nursing confirmed that all staff Appraisals within the Regulation Directorate will be completed by the end of September, with the delays in completion due to sickness absence and structural changes within the Directorate.
- 9.3 The Director of Corporate Services noted that an update will be provided to the Board in relation to developments within Section 7, "Evidence" of the Corporate Performance Report, within the Headlines section.
- 9.4 The Chairman requested that the Volume of Inspection Activity detailed on page 11 of this report is revised. Board members noted the need for more performance outcome measures within this document.
- 9.5 The Chairman asked the Director of Regulation and Nursing to review the ISO Standard 17020, a standard for inspection, which is internationally recognised and audited against.
- 9.6 **Resolved Action (65)**
ISO 17020 to be obtained and analysed for use within RQIA

- 9.7 Board members discussed the frequency and quality of inspections undertaken by the Regulation Directorate. The Director of Regulation and Nursing confirmed that this matter had been discussed with the DHSSPSNI at a recent Accountability meeting and also brought to the Board, as an impact paper in May 2014.
- 9.8 Board members **APPROVED** the Corporate Performance Report.
- 10.0 Agenda Item 10 – Board Governance Self-Assessment Action Plan - Six Monthly Review (D/05/14)**
- 10.1 The Chairman presented the Board Governance Self-Assessment Action Plan – six monthly review to Board members. Four of the red flags identified by Board members require no further action. Board members noted one outstanding action in relation to RQIA's Business Cases as submitted to DHSSPSNI for approval.
- 10.2 Board members **NOTED** the Board Governance Self-Assessment Action Plan – Six monthly Review.
- 11.0 Agenda Item 11 – Update on work of Reviews Directorate**
- 11.1 The Director of Reviews and Medical Director presented an update on the work of the Reviews Directorate to Board members. The Director of Reviews and Medical Director noted the ongoing Child Sexual Exploitation Inquiry, which was Commissioned by DHSSPSNI. The Director of Reviews and Medical Director also noted those planned Reviews which are currently in progress and also the development of RQIA's approach to undertaking Reviews.
- 11.2 The Director of Reviews and Medical Director highlighted to Board members that a letter will be issued shortly requesting expressions of interest, from Board members, for upcoming Reviews.
- 11.3 The Director of Reviews and Medical Director also noted the ongoing work of the Infection, Prevention and Hygiene programme. The compliance levels of organisations identified during these reviews will be reported to the Board at a future Board meeting.
- 11.4 RQIA's joint inspection role in Northern Ireland prisons was also highlighted alongside RQIA's role in relation to IRMER.
- 11.5 Board members **NOTED** the update on the work of the Reviews Directorate.
- 12.0 Agenda Item 12 – Update on development of new acute Hospital Inspection programme (E/05/14)**
- 12.1 The Director of Reviews and Medical Director presented an update on the development of the new acute hospital inspection programme to Board members.

As part of the development of this new programme of inspections a project board will be developed and two/ three Board members will be invited to join this project board. This project board will also have input from DHSSPSNI.

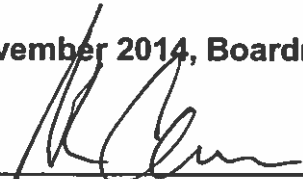
- 12.2 RQIA has already engaged in discussions with DHSSPSNI in relation to the new inspection programme. The design of this programme will be built on existing work by the Review Directorate and the inspections will be piloted in 2015.
- 12.3 The Director of Reviews and Medical Director noted that some members of the Review Directorate have visited Salford Hospital, which uses a one day inspection tool. Salford Hospital has agreed to share this tool with RQIA.
- 12.4 Board members enquired as to the resource implications for this new programme of inspections. The Director of Reviews and Medical Director confirmed that a fewer number of Reviews will be carried out by RQIA and also more peer reviewers will be recruited, with DHSSPSNI agreement. These inspections will also draw on inspectors from the Regulation and Nursing team. Board members requested a man power planning model to be created and analysed, prior to the commencement of these inspections.
- 12.5 Confirmation was provided that peer reviewers are experts in their appropriate field. The Director of Reviews and Medical Director also confirmed that these inspections will be unannounced; however it is likely that the teams will inspect a facility for two to three days, providing the hospital with an opportunity to compile the information requested by RQIA.
- 12.6 Board members **NOTED** the update on the development of the new acute Hospital Inspection programme.
- 13.0 Agenda Item 13 – RQIA Annual Quality Report 2013/14 (F/05/14)**
- 13.1 The Director of Corporate Services presented the Annual Quality Report to Board members. Board members were informed that the production of this report is a Departmental requirement. This Quality Report is produced to focus on internal quality.
- 13.2 Board members were informed that in relation to Theme Six, a public perception survey is currently being trialled and initial results will be available at the end of September 2014.
- 13.3 Board members **APPROVED** RQIA's Annual Quality Report.

- 14.0 Item 14 - Part II Panel Report (H/04/14)**
- 14.1 The Director of Mental Health, Learning Disability and Social Work presented a Part II Panel update to the Board, on behalf of the Chair of the Part II Panel, Dr Jenkins.
- 14.2 The Director of Mental Health, Learning Disability and Social Work drew the Board's attention to page five of the report and asked the Board to approve the proposed amendments to Standing Order Five. The Board approved the three changes to this Standing Order.
- 14.3 **Resolved Action (66)**
Standing Orders to be amended to reflect the changes to Standing Order Number Five
- 14.4 The Director of Mental Health, Learning Disability and Social Work informed Board members that 47 Part II Medical Practitioners have been appointed by the Part II Panel to date.
- 14.5 The Director of Mental Health, Learning Disability and Social Work requested that the board approve the current members of the Panel to continue to act as Part II and Part IV Panel members for the next year. Board members agreed to the continuation of these appointments. Board members also agreed to the additional appointment of one Board member to this Panel.
- 14.6 Board members **NOTED** the Part II Panel Report.
- 15.0 Agenda Item 15 – Investors in People (IIP)**
- 15.1 Agreement that this presentation will be delivered at the November Board meeting.
- 16.0 Annual Progress Report 2013/14 on Section 75 of the NI Act 1998 and Section 49A of the Disability Discrimination Order (DDO) 2006 (I/05/14)**
- 16.1 The Director of Corporate Services presented the Annual Progress Report 2013/14 to Board members. This report is collated by RQIA and BSO.
- 16.2 Board members requested an addition to this document detailing RQIA's approach to Section 75 of the NI Act 1998.
- 16.3 Board members **APPROVED** this document subject to this amendment.
- 17.0 Any Other Business**
- 17.1 As there was no further business the Chairman brought the public session of the Board to a close at 4.30pm.

Date of next meeting:

Thursday 13 November 2014, Boardroom, RQIA.

Signed



**Dr Alan Lennon
Chairman**

Date

13 Nov 2014

Board Action List

Action number	Board meeting	Agreed action	Responsible Person	Status
34	14 November 2013	A paper on the implementation of RQIA recommendations following Review Reports will be provided to Board members	Chief Executive	13 November 2014
64	11 September 2014	Minutes to be formally signed off by the Chairman	Chairman	Complete
65	11 September 2014	Further information in relation to whistleblowing disclosures to be made available within the next Chief Executive's Report to the Board	Chief Executive	13 November 2014
65	11 September 2014	ISO 17020 to be obtained and analysed for use within RQIA	Director of Regulation and Nursing	13 November 2014
66	11 September 2014	Standing Orders to be amended to reflect the changes to Standing Order Number Five	Board & Executive Support Manager	Complete