

## MINUTES

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### **RQIA Board Meeting 9 July 2009**

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

#### **Present**

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

#### **Officers of the Board present**

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

Roisin Kelly (Public Participation Manager) - For item 11

#### **Apologies**

Patricia McCoy  
Connor Mulholland  
Austin Smith

#### **Apologies**

### **PUBLIC SESSION**

#### **09.65 Welcome and Chairman's remarks**

- 09.65.1 The Chairman welcomed Board members, Officers of the Board and members of the public to the meeting. He noted apologies from Patricia McCoy, Connor Mulholland and Austin Smith.
- 09.65.2 The Chairman advised the Board that Connor Mulholland had tendered his resignation from the Board. The Chairman acknowledged the valuable contribution which Connor had made as a Board member and wished him well for the future. He added that he would be contacting the Public Appointments Unit regarding the two vacancies on the Board.

#### **09.66 Minutes of the meeting of the Board held on Thursday 5 March [Paper min/May/09]**

- 09.66.1 The Board **APPROVED** the minutes of the meeting of the Board meeting held on 5 March.

#### **Resolved Actions**

- **Minutes to be formally signed off by the Chairman**

**09.67 Matters arising from minutes**

**09.51.2 Use of Rating System for Registered Establishments**

09.67.1 The Chairman advised the Board that this matter would be raised at the next Accountability Review meeting on 28 July. He advised that he had discussed the matter informally with DHSSPS officials and that the Chief Executive would be travelling to Scotland to meet with the Care Commission, as they had introduced a similar system in Scotland.

**09.53.1 Date of September Board meeting**

09.67.2 The Chairman confirmed that the September Board meeting would take place as scheduled on 10 September.

**09.68 Chairman's report [Paper G/04/09]**

09.68.1 The Chairman presented his Report to the Board. He highlighted his meeting with the Minister prior to the launch of the Hygiene Reports. The Chairman concluded by drawing members' attention to the appraisal meetings. He asked Board members to ensure that they forwarded the completed paperwork as quickly as possible because of the tight timescale required by the Public Appointments Unit.

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

**09.69 Chief Executive's Report [Paper H/04/09]**

09.69.1 The Chief Executive presented his Report to the Board and began by advising the Board that he had now met with each of the five HSC Trust Chief Executives. He added that, along with other members of the Executive Team, he had delivered a presentation to the new HSC Board and had also met representatives from the new Public Health Agency.

09.69.2 The Chief Executive advised the Board that a series of workshops had been arranged as part of the consultation process for the new Corporate Strategy and that Board members were welcome to attend these.

09.69.3 The Director of Corporate Services updated the Board on the financial position. He advised that RQIA was in a healthy position and was operating on a projected surplus of £276k. He pointed out that there would be some new appointments made over the coming months which would reduce the surplus in the payroll budget.

09.69.4 The Chief Executive updated the Board on recent appointments and noted that Jude O'Neill had recently left RQIA to take up an appointment with HIQA.

- 09.69.5 A Board member asked for an update on the recruitment of the Planning and Corporate Governance Manager. The Director of Corporate Services advised that an appointment had been made and that RQIA was awaiting the outcome of an Occupational Health assessment.
- 09.69.6 The Board **NOTED** the Chief Executive's Report.
- 09.70 Audit Committee update - Committee Chairman [Paper I/04/09]**
- 09.70.1 The Committee Chairman advised the Board that the Audit Committee had met on two occasions since the last Board meeting and that the approved minutes of the meetings of 24 February and 3 June were available for noting by Board members.
- 09.70.2 A Board member sought clarity on why a report on outstanding debtors had been brought to the Committee and asked if this was an issue for RQIA. The Committee Chairman explained that the levels of debt were low and the Committee had been assured that proper credit control measures were in place.
- 09.70.3 A Board member asked if RQIA was organising risk management training for Board members. The Director of Corporate Services advised that risk management training would take place as part of the October workshop.
- 09.70.4 A Board member raised the issue of RQIA obtaining value for money by obtaining e-mail addresses of all registered providers to reduce the amount of photocopying required for mail shots. The Chief Executive advised the Board that as part of the process for circulating information about swine flu, registered providers had been asked to provide an e-mail address and over 90% had complied with this request. The Director of Operations added that RQIA was considering introducing a system whereby providers would have to access the Internet to download safety alerts.
- 09.70.5 The Committee Chairman advised the Board that, in addition to approving the Annual Report and Accounts, the Audit Committee had considered the internal and external audit action plans and would be monitoring the implementation of the recommendations. He added that the Committee had approved amended terms of reference and asked Board members to consider these. He noted that the reference to the external advisor should be deleted.
- 09.70.6 A Board member asked for more information on what types of "special investigations" the Audit Committee would be arranging. After further discussion it was agreed that the section would not be altered but would be reviewed in one year's time.

- 09.70.7 A Board member sought clarity on whether Standing Orders 5.3 and 5.4 had been amended to reflect previous concerns by Board members about the process for appointing members of Committees. It was confirmed that this was done as part of the review of Standing Orders in 2007.
- 09.70.8 The Chairman advised Board members that new guidance on good governance provides an opportunity for a representative of DHSSPS to attend future RQIA Audit Committee meetings as attendees, not as members.
- 09.70.9 The Board **NOTED** the update from the Audit Committee Chairman and **APPROVED** the amended terms of reference for the Audit Committee.
- 09.71 Overview of Complaints Against RQIA - Director of Quality Assurance [Paper J/04/09]**
- 09.71.1 The Director of Quality Assurance gave an overview to Board members of the complaints made against RQIA since 2005 and delivered a presentation outlining the key learning for RQIA staff.
- 09.71.2 Board members were advised that the Serious Concerns Group had been established to improve complaint handling procedures. A policy and procedure on investigations has been compiled along with a checklist which provides guidance to RQIA inspectors conducting investigations. This information had been previously shared with Board members.
- 09.71.3 The Director of Quality Assurance advised Board members that the Enforcement Policy and Procedure had undergone revision following the learning from a number of complaints investigations and there was now a right to representation built into the Enforcement Policy for providers.
- 09.71.4 The Director of Quality Assurance informed Board members that poor communication had previously been cited in complaints and that all correspondence relating to complaints about the Authority was now signed by the Chief Executive.
- 09.71.5 The Director of Quality Assurance completed her presentation by advising Board members that registration processes and procedures had been improved following recommendations from investigations and other policies / procedures
- 09.71.6 A Board member thanked the Director of Quality Assurance for the work done in this area and commended the staff for taking on board the numerous areas cited for improvement.
- 09.71.7 The Director of Quality Assurance advised Board members that each

investigation has an Action Plan and that the key learning is disseminated to RQIA staff, and where relevant to the regulated sector.

09.71.8 The Board **NOTED** the overview of complaints by the Director of Quality Assurance.

**09.72 Mental Health and Learning Disability - Director of Operations [Paper K/04/09]**

09.72.1 The Director of Operations presented an update to the Board on the work of the Mental Health and Learning Disability Team. He advised that, following a review of 2,290 prescribed forms and guardianship applications, there were a 24% error rate and that significant failings had been highlighted to the Chief Executives of relevant Trusts.

09.72.2 The Director of Operations advised that a Guardianship Panel had been set up and that 62 guardianship orders were in place, all of which were being reviewed. He further advised that a Medical Panel has also met to look at the appointment of Part II and Part IV doctors.

09.72.3 The Director of Operations updated the Board on the creation of an Expert Advisory Panel. He advised that a project is under way to establish this Panel with a view to a first meeting taking place later in 2009.

09.72.4 The Director of Operations concluded his Report by advising that an inspection of HMP Magilligan is scheduled for March 2010 in conjunction with HMIP and CJI.

09.72.5 The Chairman sought further information on the cases of improper detention arising from the errors on the prescribed forms. The Director of Operations advised that action had been taken immediately in each of those cases. A Board member suggested there could be human rights issues. The Chief Executive agreed and noted that the RQIA would shortly have its own Human Rights Advisor who could provide guidance in such cases.

09.72.6 A Board member asked how the mental health and learning disability team had integrated with the other teams in RQIA since the transfer. The Director of Operations noted that the team was a new team and that none of the previous Mental Health Commission staff had transferred.

09.72.7 The Chief Executive updated the Board on the recruitment of a new Head of Programme to replace Jude O'Neill. He advised that the first attempt to recruit had proved unsuccessful but he was hopeful that a second recruitment drive would be successful. In the meantime Hall Graham was covering the role.

- 09.72.8 A Board member asked how RQIA provided advocacy arrangements. The Director of Operations advised that RQIA work with advocacy services within Trusts and that leaflets and posters had been designed for patients.
- 09.72.9 The Chairman thanked the Director of Operations for the Report and noted that it provided the Board with a better understanding of the breadth of work undertaken by the mental health and learning disability team following the transfer of functions from the Mental Health Commission.
- 09.72.10 The Board **NOTED** the update on mental health and learning disability.
- 09.73 Preparations for Pandemic Flu - Director of Service Improvement [Verbal update]**
- 09.73.1 The Director for Service Improvement gave Board members an overview on RQIA preparation for pandemic flu. He updated Board members on the current situation and noted that a workshop had been held in RQIA to consider various scenarios.
- 09.73.2 The Board **NOTED** the presentation.
- 09.74 Escalation Policy - Director of Quality Assurance [Paper L/04/09]**
- 09.74.1 The Director of Quality Assurance presented the Escalation Policy to the Board and advised that following the last Board meeting it had been agreed by the Executive Team that an overview of all issues being discussed by the Serious Concerns Group would be brought to the Board as part of the Confidential Brief.
- 09.74.2 The Director of Quality Assurance explained that the Escalation Policy did not apply to regulated establishments as escalation issues were dealt with through the Enforcement Policy.
- 09.74.3 Board members debated the risk assessments and the difference between "moderate" and "major". The Chief Executive explained that any decision made by RQIA regarding an escalation issue had to be a corporate decision. He added that an issue would be brought to the attention of the Director of Operations who would then escalate it to Chief Executive level.
- 09.74.4 A Board member noted that the Board should be mentioned in Section 9 under responsibilities. She also noted that there should be an addition to the flowchart saying "record / include on the Corporate Risk Register".
- 09.74.5 Subject to the amendments outlined above, the Board **APPROVED**

the Escalation Policy.

**09.75 Annual Progress Report 2008/2009 on Section 75 of The NI Act 1998 and Section 49a of the Disability Discrimination Order (DDO) 2006 to the Equality Commission for Northern Ireland - Director of Corporate Services [Paper M/04/09]**

09.75.1 The Director of Corporate Services advised the Board that RQIA had a duty to present an annual progress report on Section 75 of the Northern Ireland Act to the Board. He explained that this Report had been prepared in conjunction with the Equality Unit at the Business Services Organisation, with whom RQIA had a Service Level Agreement.

09.75.2 A Board member asked if RQIA would be looking at the other Section 75 categories. The Public Participation Manager explained that RQIA's Equality Scheme was due to be renewed in 2010 and that these areas would be looked at in more detail as part of the renewal.

09.75.3 The Board **APPROVED** the Annual Progress Report.

**09.76 Any other business**

09.76.1 A Board member noted that she had recently attending a Journal Club meeting and had found it to be very informative. She asked if RQIA inspections looked at the care given to people who have suffered strokes. The Director of Operations advised that it was difficult to look at all aspects of care as part of an inspection but he noted that RQIA would be looking at the implementation of the cardiovascular framework and the transition of people from primary care to tertiary care and into the community.

09.76.2 The Chairman thanked a member of the public for their interest in attending, and following a brief discussion drew the public session to a close at 4.45pm.

**Date of next meeting:  
10 September 2009, Venue TBC**

Signed

  
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Dr Ian Carson  
Chairman

Date

10 Sept. 2009

