

MINUTES

RQIA Board Meeting
Board Room, 9th Floor, Riverside Floor, Belfast
11 March 2010, 3:00pm

Present

Ian Carson (Chairman)
Richard Adams
Geraldine Donaghy
Ruth Laird
Allen McCartney
Patricia McCoy
Una O'Kane
Colin Reid
Austin Smith

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)

Apologies

Lilian Jennett

Apologies

None

PUBLIC SESSION

10.28 Welcome and Chairman's Remarks

10.28.1 The Chairman welcomed Board members, Officers of the Board and members of the public to the meeting. He noted apologies from Lilian Jennett.

10.29 Minutes of the meeting of the Board held on Thursday 14 January [Paper min/Jan/10]

10.29.1 The Board **APPROVED** the minutes of the meeting of the Board meeting held on 14 January.

Resolved Actions

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

10.30 Matters arising from minutes

10.30.1 The Chairman advised that the action list from the last meeting had been completed and sought updates on any other matters arising.

10.03.6 Information Sharing Protocol with NI Ombudsman

10.30.2 The Chief Executive advised the Board that the NI Ombudsman was currently engaged in a consultation with the English Ombudsman on the theme of information sharing and that the protocol with RQIA would be finalised once this exercise had been completed.

10.04.1 Minutes of Accountability Review

- 10.30.3 The Chairman confirmed that the minutes of the meeting held on 24 November 2009 were now available and would be e-mailed to Board members after the meeting.

10.31 Declaration of Interests

- 10.31.1 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.

10.32 Chairman's report - Chairman [Paper E/02/10]

- 10.32.1 The Chairman presented his report to the Board and began by noting that he had met with the Chair and Deputy Chair of the Mental Health Tribunal.

- 10.32.2 The Chairman advised Board members that he had attended a training session on the new Data Protection Policy and that it would be useful for Board members to attend a similar session, possibly as part of a future workshop.

- 10.32.3 The Chairman informed the Board that he had attended the user and carer conference in Lisburn on 10 March and that the Minister had officially opened the event. He expressed thanks to the Director of Quality Assurance and her team for the efficient organisation of the event which he felt that had further raised the profile of RQIA.

- 10.32.4 The Chairman advised the Board that following a meeting of the Appointments and Remuneration Committee in December 2009 and on receipt of the DHSSPS pay circular dated 4 March 2010, that decisions regarding Senior Executive pay had been approved by the Board in its private session and these would be communicated to the Directors in due course.

- 10.32.5 The Chairman informed the Board that he had spoken to the Public Appointments Unit at DHSSPS regarding the three vacancies on the RQIA Board and that he hoped that the process for appointing new Board members would commence shortly.

- 10.32.6 The Board **NOTED** the Chairman's Report.

10.33 Chief Executive's Report - Chief Executive [Paper F/02/10]

- 10.33.1 The Chief Executive presented his Report to the Board and began by outlining some of the key meetings he had attended. He told the Board that he had attended one of the information workshops on the new methodology and themes for inspection in 2010/11 and

complimented the work of Head of Agencies and Estates Regulation and Head of C&SCG Review and Independent Healthcare Regulation for facilitating these.

- 10.33.2 The Chief Executive noted that along with the Director of Operations and the RQIA Human Rights Advisor he had attended a meeting hosted by Minister Paul Goggins at Hillsborough Castle on the theme of prison health and social care.
- 10.33.3 The Chief Executive updated the Board on discussions with DHSSPS regarding accommodation for care leavers operating within the interim joint commissioning framework. He advised that draft accommodation standards were being prepared by the Department for consultation. RQIA will undertake visits of inspection to each facility.
- 10.33.4 The Chief Executive advised that he had attended a meeting on 25 February with representatives of DHSSPS, HSC Board and each of the five HSC trusts regarding the registration of day care centres. He added that further meetings would be taking place with each trust to review progress towards compliance with the minimum standards for regulation of these facilities.
- 10.33.5 The Chief Executive gave a brief overview of two recent failure to comply notices and he also informed the Board about recent HR and communication matters.
- 10.33.6 The Director of Quality Assurance updated the Board on a Quality Strategy and advised that an initial meeting had been held with the Centre for Competitiveness.
- 10.33.7 The Chief Executive concluded by acknowledging the work the Director of Quality Assurance had done in completing a response to the DHSSPS consultation on the proposed Safeguarding Board.
- 10.33.8 The Board **NOTED** the Chief Executive's Report.
- 10.34 Finance Report - Director of Corporate Services [Paper G/02/10]**
- 10.34.1 The Director of Corporate Services presented the Finance Report to the Board and advised that at 31 January 2010, projections indicated a forecast surplus of £15k. He noted that there were a number of dependencies and pieces of work which needed to be completed before the 31 March 2010 in order to achieve this.
- 10.34.2 A Board member noted that, following RQIA's decision to surrender £650k in 2009/10, it was important that the forward planning for 2010/11 was correctly managed.
- 10.34.3 A Board member sought further information on the increased

expenditure in the areas of building and engineering, training and development and centralised IT costs. The Director of Corporate Services responded by noting that one partitioning project had been completed and that two additional rooms were to be constructed. He added that investment had been made in training and development for senior managers and that a number of important ICT projects were ongoing.

10.34.4 A Board member noted the reduction in the costs on travel and accommodation. The Director of Operations advised that in previous years, there had been a specific budget for reviews, but that in recent months reviews were being completed more efficiently.

10.34.5 The Board **NOTED** the Finance Report.

10.35 Quarterly Report - Director of Corporate Services [Paper H/02/10]

10.35.1 The Director of Corporate Services presented the Quarterly Report to the Board and noted that the format of the report had changed. He pointed out that the finance report had been removed and that the revised report sought to inform the Board on operational matters, including an update on progress against the 2009/10 Business Plan.

10.35.2 The Chief Executive drew Board members' attention to the sickness absence statistics and noted that RQIA's rate for the quarter ended December 2009 and the cumulative position for 2009/10 was below the Priorities for Action target of 5.5%. The Director of Corporate Services advised the Board that the Executive Management Team had been receiving regular updates on sickness absence and that training had taken place on absence management for staff. A Board member acknowledged this work and whilst noting the Priorities for Action target suggested that RQIA should be benchmarking its sickness rate against that of a similar organisation. The Chief Executive concurred with this view and advised that RQIA would not only measure performance against its own average but would benchmark its performance against other similar organisations.

10.35.3 The Board **NOTED** the Quarterly Report.

10.36 Audit Committee Business - Committee Chairman [Paper I/02/10]

10.36.1 The Chairman invited the newly appointed Chair of the Audit Committee to report on her first meeting as Chair.

10.36.2 The Committee Chairman advised that the Audit Committee had met in January 2010 with herself in the Chair and two new members.

10.36.3 She reported that the Committee had suggested that it receive

updates on relevant matters arising from Accountability Review meetings and that each year, the Committee should seek to review its effectiveness. She added that the Committee had received confirmation that the lease on Lombard House, which had previously been occupied by the Mental Health Commission, had now been terminated.

- 10.36.4 The Committee Chairman advised that significant progress was being made in relation to the Audit Action Plan. She expressed disappointment that a recent audit on performance management had not been deferred until after the review of Key Performance Questions (KPQs) and Key Performance Indicators (KPIs) but she advised that the audit on the implementation of the Knowledge and Skills Framework (KSF) had been appropriately deferred.
- 10.36.5 The Committee Chairman informed the Board that the Audit Committee had considered two Reports to Those Charged with Governance relating to the Mental Health Commission and on RQIA's IFRS accounts. She noted an unqualified audit opinion on each with no key risks. She added that the Committee had considered the timetable for the preparation of the 2009/10 accounts.
- 10.36.6 The Committee Chairman advised the Board that the Committee had reviewed the Corporate Risk Register and Assurance Framework and noted that further work was required to fine tune the sequencing of bringing these reports through the Committee to the Board.
- 10.36.7 The Committee Chairman concluded her brief by reporting that the Committee had asked the Chief Executive to consider high level Value for Money initiatives in advance of the next meeting.
- 10.36.8 A Board member sought clarity on the issue regarding Lombard House and if the costs of the lease would appear in RQIA's accounts. The Chief Executive assured the Board that rental cost incurred by RQIA up to December 2009 had been covered through the transfer of resources he had yet to receive formal confirmation of how the rental charges would be treated from an accounting perspective.
- 10.36.9 The Board **NOTED** the update from the Chairman of the Audit Committee.
- 10.37 RQIA Counter Fraud Policy and Plan - Director of Corporate Services [Paper J/02/10]**
- 10.37.1 The Director of Corporate Services presented the revised RQIA Counter Fraud Policy and Plan to the Board and advised that these had been approved by the Audit Committee for submission to the Board. He explained that RQIA had reviewed its existing policies in light of recent DHSSPS guidance and that following approval from

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the Board, training would take place for all staff.

10.37.2 The Board **APPROVED** the RQIA Counter Fraud Policy and Plan.

**10.38 Review of Standing Orders - Director of Corporate Services
[Paper K/02/10]**

10.38.1 The Director of Corporate Services presented the review of Standing Orders to the Board and advised that these had been approved by the Audit Committee for submission to the Board. He explained that amendments had been made in some sections, the most significant of which was the updated terms of reference to the Audit Committee.

10.38.2 The Board **APPROVED** the review of Standing Orders.

**10.39 Update on Draft RQIA Business Plan 2010/11 - Director of
Corporate Services [Paper L/02/10]**

10.39.1 The Director of Corporate Services presented the draft 2010/11 Business Plan to the Board. He explained that the Plan had been shared with Board members at the workshop in February 2010 and following comments from Board members and RQIA staff, an updated plan had been completed.

10.39.2 The Director of Corporate Services informed Board members that in the absence of a confirmed financial allocation for 2010/11, the Plan was incomplete and could not be formally approved. He added that he hoped to receive confirmation of the financial allocation shortly.

10.39.3 The Director of Corporate Services highlighted the changes that had been made to the Plan. He advised that the two additional posts detailed in the original Plan had been removed as RQIA was able to absorb the additional cost of these within existing resources. He added that RQIA was not required to update its Disability Action Plan until 2011/12 and this had also been removed.

10.39.4 The Board **NOTED** the update on the draft RQIA Business Plan for 2010/11 and noted that the Plan would be brought back to the Board for approval following confirmation of the revenue resource limit for 2010/11..

**10.40 Mental Health and Learning Disability - Director of Operations
[Paper M/02/10]**

10.40.1 The Director of Operations presented the latest update on the work of the Mental Health and Learning Disability team. He began by giving an overview of serious adverse incidents (SAIs) and advised that the Medical Director and Head of Mental Health and Learning Disability Team had attended a meeting to discuss the future reporting and follow up of SAIs. He explained that in future, the

follow up of SAIs would be the responsibility of the HSC Board.

- 10.40.2 The Director of Operations advised that there had been a reduction in the error rate for prescribed forms and guardianship applications. He added that quarterly meetings were taking place between RQIA and Trust Directors regarding mental health and learning disability issues.
- 10.40.3 The Director of Operations informed the Board that a series of workshops were taking place to obtain feedback on the Patient Experience reviews. He went on to inform the Board that the Guardianship and Medical Panels continued to meet and that work was ongoing on the Child and Adolescent Mental Health Services review.
- 10.40.4 Board member Richard Adams reported on the first meeting of the Expert Advisory Panel which he had been asked to chair. He began by explaining that the panel had been established to provide an assurance that the transfer of functions from the Mental Health Commission had been effective. He added that the panel consisted of a trust director, a consultant psychiatrist, a peer advocate, the Chief Medical Officer of the Mental Welfare Commission for Scotland and 2 learning disability service users.
- 10.40.5 He informed the Board that it was anticipated that the Panel would function for a period of one year and that terms of reference had been agreed. These were to assure the Board that the functions of the Mental Health Order are being discharged and to update the Board on any changes in legislation. He added that the next meeting was due to take place in July.
- 10.40.6 The Chairman thanked the Board member and welcomed confirmation that the Expert Advisory Panel had held its first meeting.
- 10.40.7 The Director of Operations concluded his report by noting that RQIA was continuing to meet with advocacy services.
- 10.40.8 A Board member sought clarity on the reporting of suicides to RQIA and if suicides of children and young people were reported separately. The Director for Service Improvement explained that all suicides are reported to the Coroner and that RQIA receives information from the current SAI reporting system. He added that the methods for reporting suicides were currently being reviewed.
- 10.40.9 A Board member asked if the Board would receive a report on the Patient Experience Reviews. The Director of Operations confirmed that a presentation would be made at a future Board meeting.
- 10.40.10 The Board **NOTED** the update on mental health and learning disability.

10.41 Update on a Rights Based Approach - Director of Operations [Paper N/02/10]

- 10.41.1 The Director of Operations presented an update to the Board on the work being done by the Human Rights Advisor to develop a rights based approach to the work of RQIA.
- 10.41.2 The Director of Operations noted that a number of legal experts would be meeting for a symposium on human rights in May 2010 and that later in May, the lay advocacy training would be taking place.
- 10.41.3 The Director of Operations informed the Board that a Prisons Strategy was being developed, in line with RQIA's responsibilities under OPCAT. He added that a meeting had taken place with the Coroner to review how investigations into deaths in custody are conducted.
- 10.41.4 The Director of Operations concluded his review of the human rights work by advising that the Human Rights Advisor had assisted in RQIA's responses to the consultations on the Bill of Rights and the Older Person's Commissioner.
- 10.41.5 The Chairman thanked the Director of Operations for the report and noted that RQIA was at the leading edge in this work and had access to a wide range of expertise.
- 10.41.6 The Board **NOTED** the update on a rights based approach.

10.42 Transfer of Responsibility for IRMER to RQIA - Director of Operations [Paper O/02/10]

- 10.42.1 The Director of Operations advised the Board that from 15 March 2010, RQIA would be responsible for the monitoring, inspection and enforcement of the Ionising Radiation (Medical Exposure) Regulations (IRMER). He gave a brief overview of the previous legislative provisions and explained that no IRMER inspections had taken place in Northern Ireland since 2004.
- 10.42.2 The Director of Operations outlined to Board members that training had been undertaken by three members of RQIA staff, which included visits to England and Wales to learn from other regulators.
- 10.42.3 A Board member asked whether RQIA had enforcement powers under this legislation. The Director of Operations explained that the enabling legislation was silent on this matter but he was certain RQIA could refine its enforcement policies into this area. The Director of Service Improvement added that any failings under IRMER could be dealt with under existing health and safety legislation.

- 10.42.4 A Board member asked if RQIA would receive additional funding for this work. The Director of Operations advised that an annual budget of £54k had been allocated but this would be monitored closely and that RQIA would bid for additional funding, if required.
- 10.42.5 A Board member asked about the link between IRMER and nuclear medicine. The Director of Service Improvement explained that there was separate legislation for nuclear medicine. The Director of Operations assured the Board that the Primary Care Advisor had researched the legislation carefully to ensure all areas were covered.
- 10.42.6 The Chairman asked if RQIA had access to external expertise in this area. The Director of Operations explained that RQIA had developed links with counterparts in England and Wales for sharing of expertise and had an SLA with the Health Protection Agency.
- 10.42.7 A Board member asked if organisations were required to register with RQIA. The Director of Operations confirmed that although there was no legislative requirement to develop and maintain a register, RQIA's intention was to develop a register to monitor radiation use across a range of services.
- 10.42.8 The Chairman expressed concern that, as no inspections had been conducted since 2004, RQIA could reveal failings in the system. The Director of Operations reassured the Board that the Northern Ireland Medical Physics Agency had been monitoring the situation and had provided an assurance that there were no major concerns.
- 10.42.9 The Board **NOTED** the presentation on the transfer of responsibility for IRMER to RQIA.
- 10.43 Board Nomination for a short-term Working Group to Develop a New Communications Strategy for RQIA - Director of Corporate Services [Paper P/02/10]**
- 10.43.1 The Director of Corporate Services advised the Board that RQIA had identified the need to update its Communications Strategy. He added that the Communications Manager and Public Participation Manager had completed an initial assessment and the next stage was to establish a short life working group to take this work forward. He concluded by suggesting that two Board members should form part of this group.
- 10.43.2 Some Board members expressed an interest but it was **AGREED** that the Chairman would e-mail all members seeking expressions of interest.

Resolved Action

- **Chairman to e-mail Board members to seek two**

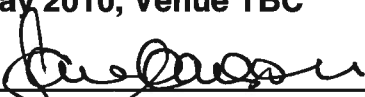
**nominations for a short life working group to develop a
new Communications Strategy**

10.44 Any Other Business

- 10.44.1 The Chairman suggested to Board members that he would invite the Chief Medical Officer to a future Board workshop.
- 10.44.2 There was no other business and the Chairman drew the public session to a close at 4:20pm.

**Date of next meeting:
Thursday 13 May 2010, Venue TBC**

Signed



Dr Ian Carson
Chairman

Date

13 May 2010