

## PUBLIC SESSION

**RQIA Authority Meeting**  
**Thursday 25 April 2024 at 12:00pm**  
**Virtual via MS Teams**

### **Present:**

Stuart Elborn (Acting Chair) **(SE)**  
Alphy Maginness **(AM)**  
Cheryl Lamont **(CL)**  
Nazia Latif **(NL)**  
Mary McIvor **(MMcI)**

### **Apologies:**

Christine Collins **(CC)**  
Sarah Wakfer **(SW)**  
Karen Harvey **(KH)**, Professional  
Advisor, Social Work  
Emer Hopkins **(EH)**, Director of  
Hospitals, Independent Healthcare,  
Reviews and Audit  
David McCann **(DMcC)**, Head of  
Business Services

### **RQIA Staff in Attendance:**

Briege Donaghy **(BD)**, Chief Executive  
Jacqui Murphy **(JM)**, Head of Corporate  
Affairs  
Lynn Long **(LL)**, Director of Mental  
Health, Learning Disability, Children's  
Services and Prison Healthcare  
Elaine Connolly **(EC)**, Director of Adult  
Care Services  
Ian Steele **(IS)**, Medical Lead and  
Responsible Officer  
Malachy Finnegan **(MF)**, Senior  
Communications Manager  
Aaron Addidle **(AA)**, Business Support  
Officer  
  
Paul Cummings **(PC)**, Financial Advisor

## **1.0 Agenda Item 1- Welcome and Apologies**

- 1.1 The meeting commenced at 11.51 am.
- 1.2 SE, Acting Chair, welcomed all to the meeting.
- 1.3 Apologies were received from Christine Collins (CC), Sarah Wakfer (SW), Karen Harvey (KH), Emer Hopkins (EH) and David McCann (DMcC).
- 1.4 SE noted that he would be chairing today's Authority meeting due to the Authority Chair, CC, being unwell.
- 1.5 SE wished to express the Authority's deep sadness at the recent death of Mr Neil Bodger. The Authority acknowledged Neil's significant contribution, not just to RQIA, but to the wider public sector in Northern Ireland. SE noted that arrangements to mark Neil's passing will be confirmed in due course. Authority Members expressed their condolences to Neil's family circle.

SE also wished to acknowledge the recent death of Joan Harbison, a member of RQIA's inaugural Board, who played a significant role in public life in Northern Ireland. The Authority expressed its condolences to Joan's family circle.

**2.0      Agenda Item 2 - Minutes of the meeting of the Authority held on 28 March 2024 and Matters Arising**

2.1      BD provided an update to the Action List from the previous meeting of 28 March 2024.

2.2      **Action 270:** Bank of Ireland Mandate: Authority Chair to share Bank of Ireland correspondence with Financial Advisor, who will follow up with the Business Services Organisation (BSO) and Bank: Ongoing. Chair has shared correspondence and Financial Advisor (PC) to progress with Bank of Ireland.

**Action 271:** Authority Workshop on 23 January 2025 to be used as a Risk Management Workshop. Closed – now scheduled.

**Action 272:** Full Cost Recovery Model: Workshop to take place in May for Authority Members to further consider the Full Cost Recovery Project. Closed.

2.3      Authority Members agreed the minutes to be a true and accurate record and **APPROVED** the minutes of 28 March 2024.

**3.0      Agenda Item 3 - Declaration of Interests**

3.1      There were no declarations of interests.

**4.0      Agenda Item 4 – Chair's Business: Verbal Update**  
**a) Management Plan 2024/2025**  
**b) Draft Partnership Agreement**  
**c) RQIA Cultural Assessment**  
**d) Public Inquiries**  
**e) Financial Pressures**

4.1      **a) Management Plan 2024/2025**  
SE asked BD to speak to this item in CC's absence.

4.2      BD drew the Authority's attention to the Management Plan in their papers and noted that it is similar in formatting to the 2023-2024 Plan, albeit extended to four pages. BD reminded Members that RQIA updated its Strategic Plan around 18 months ago and the strategic objectives remain the same - 4 Key Priorities. This one-year Plan provides a framework for delivering against those strategic priorities and a framework for staff work plans, against which performance is assessed and appraisal undertaken, with all staff being responsible for contributing to the successful delivery of this Plan.

BD thanked MF, David Silcock and JM and the Information Team for their support in the development of the document. The front page provides a summary of RQIA's performance in 2023-2024. The back page reflects RQIA's legislative underpinnings.

The middle two pages highlight the actions that will be taken, aligned to the Strategic Objectives and Enabling Priorities. One of the key actions is to continue the journey of adopting an intelligence-led approach to inspections of Registered Services, given that the capacity limits us and the legislation has not been updated since 2005. BD stated that it should be a resounding statement from the Management Plan that one of the biggest issues is that RQIA is limited in its ability to adhere to the frequencies of inspection as set out in the legislation for Registered Services (2005). RQIA considers that there may be an appetite to move to an intelligence-led approach and further engagement is needed with the Department of Health (DoH) in this regard, with the legislation in need of modernisation.

BD highlighted that RQIA will look at new ways to fund regulation as primarily 90% of the organisation's budget is from the block grant and the remainder from fees generated from registration. This links with the Full Cost Recovery Model being proposed.

BD brought attention to RQIA's Plan to look at its role in reviewing, inspecting and investigating HSC Part IV services.

RQIA will continue to develop its role in undertaking inquiries into deficiencies in care and treatment of patients under the Mental Health (Northern Ireland) Order 1986.

BD highlighted that, in terms of children's services, RQIA will continue to pilot the publication of inspection reports with a view to publication for all children's services,

BD outlined RQIA's desire to encourage other organisations to be open and to continue to speak up, as essential for patient safety.

The Management Plan makes reference to RQIA's continuing role in Public Inquiries, reviewing Serious Adverse Incidents (SAIs) and the potential transfer for Health and Social Care Quality Improvement (HSCQI) from the Public Health Agency (PHA) to RQIA.

Finally, BD stated that RQIA will continue to have sound mechanisms for managing finances and will seek opportunities to invest in, and develop, our digital approach.

BD noted that comments previously shared by the Authority and Executive Management Team (EMT) have been incorporated and asked for any further comments.

4.3 LL joined the meeting at 12.05 pm.

4.4 NL stated that the right balance had been struck in the Management Plan.

NL highlighted that RQIA does have a role in inspection of prisons and as an Authority it would be good to hear more on this and see this highlighted in the Management Plan.

- 4.5 BD agreed that RQIA's role in inspecting prison healthcare would be highlighted in the Plan, noting that these are most often joint inspections undertaken with Criminal Justice Inspection Northern Ireland (CJINI).
- 4.6 AM said that the Management Plan is good and succinct.
- AM raised a query in relation to the wording of a 'safety event' rather than a 'Serious Adverse Incident' (SAI).
- 4.7 BD responded that the DoH is taking forward a redesign of SAIs in some form and RQIA will contribute to this work. BD is not as yet aware if this will focus on SAIs specifically or look to wider safety events.
- 4.8 AM highlighted the importance of ensuring consistency of language.
- 4.9 BD agreed to change the wording from 'safety events' to 'Serious Adverse Incidents' (SAIs).
- 4.10 CL agreed that the Management Plan is a solid document. CL suggested that the word 'retention' is added under the section on workforce alongside 'recruitment'.
- 4.11 BD agreed to add the word 'retention'.
- 4.12 **Resolved Action 273: Chief Executive to update 2024/2025 Management Plan to incorporate Authority Members suggestions.**
- 4.13 The Management Plan 2024/2025 was **APPROVED IN PRINCIPLE** by the Authority, subject to the amendments as discussed.
- 4.14 **b) Draft Partnership Agreement**  
BD invited JM to provide an update to Members.
- 4.15 JM reported that CC had submitted the Draft Partnership Agreement to the DoH in mid-February. Feedback from the DoH has been slow but confirmation has been provided that the document has been passed to the DoH Governance Unit. Early indications from the DoH highlight that some information is missing in their view. CC is keen to continue the conversation with DoH to ensure that both parties can work in the spirit of the draft Partnership Agreement, pending final agreement, and that the document is unique to RQIA as an independent regulator.
- 4.16 **c) RQIA Cultural Assessment**  
BD advised that RQIA has commissioned an independent assessment of the culture of RQIA, which primarily will assess how people feel working in the organisation and will assess how things are done in the organisation.
- BD noted that SW has been appointed by the Authority as the Speak Up Champion and some staff have already spoken up to senior officers in respect of concerns they have working in specific sections of RQIA. BD stated that in recent years RQIA has been through significant change and now is the time to carry out this assessment.

BD outlined that this had included significant changes in the leadership of RQIA during the COVID-19 Pandemic as many were redeployed to other organisations. The resignation of Authority Members in 2020 and the resulting Nicholl Report, also had an impact and RQIA has taken steps to rebuild the organisation. Additionally, with the transfer of some teams to shared services prior to the Pandemic, RQIA needs to assess this loss of staff and therefore loss of corporate knowledge and also to measure the impact of hybrid working.

BD advised that the Independent Cultural Assessment Team wants to engage with as many staff as possible through Focus Groups and Individual Sessions. This work is being overseen by NL and AM and the Independent Team will provide a report to the Authority with recommendations in June 2024.

4.17 AM advised Members that he and NL are meeting with the Independent Team next week as part of their overseeing role and will have an initial discussion on any early themes arising. AM noted his confidence in Ian Sutherland and Bria Mongan who are well experienced in this type of review, the HSC in general and possess a good understanding of organisational systems.

4.18 NL noted that the final report should be ready for the end of June 2024.

4.19 SE stated that the outcomes of this assessment will be important for the Authority to learn from and to determine if RQIA is living up to its values.

#### 4.20 **d) Public Inquiries**

##### 4.21 **Urology Inquiry**

BD advised that RQIA awaits the outcome of the Urology Inquiry. BD reminded Members that she had provided evidence to the Inquiry earlier this year and there will be learning for RQIA.

##### 4.22 **Muckamore Abbey Hospital Inquiry (MAHI)**

BD noted that RQIA continues to support and submit evidence to MAHI. Module 5 is focused on RQIA and the former Mental Health Commission (MHC). BD noted that LL, along with colleagues in the legal team, are working hard to meet the full requirements of the Inquiry's requests.

##### 4.23 **COVID-19 Inquiry**

BD reported that the COVID-19 Inquiry will be in Belfast from next week holding hearings for three weeks. These hearings will be focused on government decision-making. This is not a module of which RQIA is a core participant but RQIA is interested in the findings to apply any appropriate learning.

BD advised that RQIA has been accepted as a core participant of Module 6 which is focused on care homes, domiciliary care and following the issues being raised with the Inquiry Chair, supported living. CC and BD, along with Sean McDermott and John Rafferty, attending the preliminary hearing of Module 6 on 19 March 2024.

BD noted that RQIA will fully co-operate with the Inquiry in respect of submissions of evidence and giving witness. Hearings for this module are due to take place in Summer 2025.

#### 4.24 **e) Financial Pressures**

The Authority agreed to consider this item under Item 7.

4.25 The Authority **NOTED** the Chair's Business.

**5.0 Agenda Item 5 – Members Activity Report**

5.1 Members **NOTED** the Members Activity Report.

**6.0 Agenda Item 6 - Chief Executive's Update: Verbal Update**

**6.1 Children's Services Inspection Reports**

BD noted that in January 2024 the Children's Team launched a pilot to publish inspection reports of children's homes, after extensive engagement with stakeholders and the wider public. An evaluation was undertaken, which has resulted in positive feedback. It has been agreed that the team will continue with the pilot, whilst work is ongoing to update the policy documents which will be subject to the Business, Appointments and Remuneration Committee's (BARC) recommendation and Authority approval.

**6.2 Notice of Decision (NOD) to Cancel Registration**

BD reported that a Decision Making Panel (DMP) recently upheld a decision by the Care Homes Team to serve a Notice of Proposal (NOP) to cancel the registration of a care home. RQIA has since published the Notice of Decision (NOD) on its website and there has been engagement with the care home, the Trust and other stakeholders. The Trust has engaged with residents and families. This is still subject to a regulatory process.

BD noted these are important decisions based on evidence and are unusual situations - the matters at times arising over a period of time. All inspection reports and notices are available on the RQIA website.

BD assured Members that there will be ongoing engagement with the HSC Trust and the care home to ensure residents and families are supported. BD is mindful that the provider may still raise an appeal through the Care Tribunal and that RQIA understands this will be a very difficult time for residents and their families.

6.3 The Authority **NOTED** the Chief Executive's Verbal Update.

**7.0 Agenda Item 7**

- a) Financial Performance Report: 2023/2024 Month 11**
- b) Budget Setting for 2024/2025**

**7.1 a) Financial Performance Report: 2023/2024 Month 11**

BD invited PC to present the Month 11 report and to provide a verbal report on Month 12.

7.2 PC noted that at Month 11 there was a surplus of £59k.

PC advised that he has met with Finance colleagues from the Business Services Organisation (BSO) to discuss provisional year-end figures and these will be compiled into the final accounts.

PC reported that Month 12 shows a surplus of just under £14k. There is some inter-trading to consider between public sector bodies and it is hoped that the final figure will be at break-even or a small surplus. This represents the hard work of BD and her senior officers in budget management. PC advised that the issues relating to accruals and the Senior Executive Pay did not affect RQIA significantly in the end.

- 7.3 SE congratulated everyone on their hard work to reach a break-even position, while still delivering a quality service and successfully dealing with the Public Inquiries at the same time.

7.4 **b) Budget Setting for 2024/2025**

BD gave an overview and introduction.

PC reported that a draft allocation letter has not been received from the DoH and that conventionally at this meeting the Authority should be setting RQIA's budget for the year ahead. PC proposed that the budgets for month 1 and 2 for 2024/2025 are based on the 2023/2024 budget and will be rolled forward until clarity is received from the DoH. Early indications from the DoH suggest that flat cash is advised.

PC highlighted that flat cash will mean a deficit budget, which will be more challenging than 2023/2024.

PC reported that this year there will be less opportunities to use accruals. Breaking even in 2024/2025 will be dependent on the approval of business cases for any additional income. This will be extremely challenging, even with holding vacant posts, both clinical and non-clinical. PC noted that it is challenging to set a budget in the absence of the parameters from the DoH.

- 7.5 In response to a query from SE, BD advised that there are currently around nine vacancies. To date, except for some posts which have been on hold in 2023/2024, RQIA has been actively recruiting and will continue to do so. BD noted that if it is a flat cash scenario for 2024/2025, the income will remain the same but the expenditure will be greater simply due to inflation and staff moving through their pay increments. RQIA is not currently holding clinical inspector posts but is being cautious on appointments; all recruitment and appointments are subject to scrutiny at EMT.

BD highlighted that while all public sector bodies await their 2024/2025 budget, finance is not RQIA's daily focus; this remains patient safety and supporting staff. BD advised that a situation may develop where clinical inspection posts are put on hold, which will have an impact on RQIA's ability to inspect and react to intelligence.

BD highlighted that in 2023/2024 RQIA was unable to achieve its statutory targets and this divergence from the minimum statutory requirements would only increase due to availability of staff, complexity of services and increasing intelligence. This risk remains on the Principal Risk Document (PRD) and she may have to consider increasing the risk rating.

- 7.6 SE advised that the message of RQIA's limited ability to fulfil legislative requirements within the current resource must continue to be stressed to the DoH.

SE highlighted that the point made in respect of submitting business cases is supported but these documents take a significant resource to develop.

- 7.7 Authority Members **APPROVED** the Financial Performance Report 2023/2024, Month 11 and **NOTED** the position in respect of setting the budget for 2024/2025.

## 8.0 Any Other Business

- 8.1 SE thanked BD and members of EMT for their clear messaging during the meeting. SE noted an organisation in a good shape, despite the head winds. SE noted that 2024/2025 will be challenging year and made particular reference to continuing public inquiries and achieving financial break-even.

There being no other business, the Chair closed the meeting at 12.44 pm.

### Date of Next Meeting:



Full Authority Meeting: Thursday 4 July 2024 at 9:30 am, Conference Room, HSC Leadership Centre to approve the Annual Report and Accounts 2023/2024.

Signed   
Christine Collins MBE  
Chair



Date 4 July 2024



## Authority Action List: Meeting of 25 April 2024

Authority Public Session: Action List					
Action number	Authority meeting	Agreed Action	Responsible Person	Date due for completion	Status
270	28 March 2024	Bank of Ireland Mandate: Authority Chair to share Bank of Ireland correspondence with Financial Advisor, who will follow up with the Business Services Organisation (BSO) and Bank.	Authority Chair / Financial Advisor	25 April 2024	
273	25 April 2024	Chief Executive to update 2024/2025 Management Plan to incorporate Authority Members' suggestions.	Chief Executive	30 April 2024	

### Key

Behind Schedule	
In Progress	
Completed or ahead of Schedule	