

Meeting No. 6 of 2016

MEDICAL COUNCIL

The 339th meeting of the Medical Council was held at 13th & 14th July, 2016 in Kingram House, Kingram Place, Dublin 2.

MEMBERS PRESENT – 13th July, 2016

Professor Freddie Wood (President)	Dr Bairbre Golden
Dr Audrey Dillon (Vice-President)	Dr Ruairi Hanley
Dr John Barragry	Mr Seán Hurley
Dr Anthony Breslin	Professor Alan Johnson
Ms Katharine Bulbulia	Dr Michael Ryan
Mr Declan Carey	Mr Tom O’Higgins
Ms Anne Carrigy	Dr Consilia Walsh
Dr Sean Curran	
Dr Rita Doyle	
Ms Mary Duff	

Apologies

Mr Fergus Clancy
Professor Fidelma Dunne
Ms Marie Kehoe-O’Sullivan
Professor Mary Leader
Ms Margaret Murphy
Mr John Nisbet
Professor Colm O’Herlihy
Ms Cornelia Stuart

MEMBERS PRESENT – 14th July, 2016

Professor Freddie Wood (President)	Professor Fidelma Dunne
Dr Anthony Breslin	Dr Bairbre Golden
Ms Katharine Bulbulia	Dr Ruairi Hanley
Mr Declan Carey	Mr Seán Hurley
Ms Anne Carrigy	Professor Alan Johnson
Dr Sean Curran	Dr Michael Ryan
Dr Rita Doyle	Dr Consilia Walsh
Ms Mary Duff	

Apologies

Dr Audrey Dillon (Vice-President)	Ms Margaret Murphy
Dr John Barragry	Mr John Nisbet
Mr Fergus Clancy	Professor Colm O’Herlihy
Ms Marie Kehoe O’Sullivan	Mr Tom O’Higgins

Professor Mary Leader

Ms Cornelia Stuart

In attendance – full meeting

Mr Bill Prasifka (CEO)

Ms Jane Horan (Acting Secretary to Council Corporate Governance & Council)

Ms Aoife Fitzsimons (Corporate Governance & Council Manager)

Mr William Kennedy (Director of Regulation)

Ms Niamh Muldoon (Chief Risk Officer and Head of Investigations & Complaints; Solicitor)

In attendance – for the relevant parts of the meeting

Mr Philip Brady (Acting Director of Professional Development and Practice)

Ms Wendy Kennedy (Director of Corporate Services)

Ms Úna O'Rourke (Head of Education, Training and Professionalism)

Mr John Sidebottom (Head of Inquiries, Health & Monitoring)

Ms Deirdre Foley (Acting Head of Finance)

Ms Carine Pressers (Head of Investigations & Complaints; Solicitor)

Note of Private Session:

The President reminded Council members of the purpose of the Council to better inform and protect the public in their dealings with the medical profession and set standards of registration, regulation, training at all levels and standards of continuing competence and practice.

CEO's Report and Balanced Scorecard

The CEO advised that a review of the implementation of the Business Plan is underway and will be presented to the next meeting of the Audit Strategy and Risk Committee.

The CEO advised that the date for the upcoming patient safety conference has been confirmed for 27th October, 2016 to highlight the important role of leadership in patient safety with a global and national context. The CEO advised that Council had secured two speakers, author Matthew Syed, expert on the science of high performance and Colonel Eileen Collins, first woman to pilot and command an American spacecraft.

The CEO highlighted a number of speaking engagements over the months of May and June that the President and CEO attended.

The CEO updated Council in relation to the ongoing recruitment drive within the organisation. Due to the success of internal candidates work is underway to address the back fill issues. Council was also updated in relation to the progress of the Workforce Plan. Council were further informed that the results of the Employee Engagement Programme had been circulated to staff and that from the data great improvements have been made on improving staff engagement and moral throughout the organisation. The CEO advised that credit should go to Human Resources, the Internal Communications Working Group and the Wellbeing Group for their hard work and commitment.

The CEO advised Council that since regaining access to the Office of Government Procurement Framework work is underway to progress through the backlog in the Procurement Plan for 2016.

Council noted that one party remains interested in Lynn House and progress will be kept under review by the Asset Management Review Group.

Council was advised that representatives from the Finance and Human Resource Departments will participate in a Pensions Administration Project being conducted by the Department of Expenditure and Public Reform. The aim of the project is to review the current administration of the Single Public Section Pension Scheme which applies to Medical Council staff who commenced their employment from 1st January 2013. It is hoped that the project will provide clarity for future financial planning.

The CEO updated Council in relation to the Your Training Counts Survey and informed Council that himself and the Research Manager met with the Trainee Committee, it was noted that some trainees were unaware of the work of the Council in relation to Education and Training. Council was informed that future engagements would take place to help raise awareness about the work of the Council. The CEO also advised that the response rates would be monitored and the Your Training Counts communications strategy will be continued until the survey closes.

Council noted that the overall first-time application processing completion rates remain on an upward trend.

There was some discussion about RCSI Bahrain in light of media reports that Prof Tom Collins had offered to meet with the Executive of the Council prior to the visit to RCSI Bahrain in October 2014, but the Council had declined. The CEO assured Council that the Executive, as part of its current quality improvement initiative, would take into account the need to have very clear policies on the type of information Council will consider during accreditations.

The CEO informed Council that a successful workshop in support of the project to review the intern year had taken place with a large number of key stakeholders. Further meetings with the Intern Network Executive and Council of Deans are to be arranged.

The CEO completed his report with an update on a number of stakeholder meetings of note.

Draft Financial Statement and Annual Report

Council was advised that the Comptroller and Auditor General audit was complete and that no material amendments had been made to the content of the draft accounts previously submitted to the Audit Strategy and Risk Committee, however there was a minor typographical amendment to the narrative of the report.

Council approved the Draft Financial Statements and the Annual Report. The Financial statements were signed by the President and Chief Executive Officer.

President's Business

Inquiry Calendar

Council noted the current inquiry dates fixed for hearing and advised that members provide their availability to the Professional Standards Department

2016 Metrics Draft Calendar

Council noted the Metrics Calendar and Council.

Articles Re: Ombudsman

Council discussed the articles in relation to the proposal by the Ombudsman that the broader legislation be amended to allow the Office to examine the area of clinical judgement.

Ms Bulbulia, requested that a transcript of a broadcast of the RTE Ray D'Arcy show on which discussions with Peter Tyndall, Ombudsman, took place be circulated to Council members. Ms Bulbulia further advised that the Council needs to be provided with clarity in relation to the Council's position in this regard.

Ms Bulbulia proposed that a position paper be prepared setting out the specific roles of the Medical Council, HIQA to provide clarity on this issue. Council agreed that a position paper would be prepared for consideration at its next meeting.

Nursing & Midwifery Board of Ireland (NMBI) – Expressions of Interest

Council noted correspondence from Ms Orla Coady in relation to expressions of interest for Council members joining a panel of persons who will assist the work of NMBI through participation on all established Board committees, sub-committee and working groups.

It was agreed that any Council member wishing to express an interest would contact the Acting Secretary to Council directly.

Correspondence from Chair of PPC – Expressions of Interest

Council noted correspondence from Ms Anne Carrigy, Chair of the Preliminary Proceedings Committee seeking a Council member to sit on the Committee. Council noted Dr Barragry had expressed his interest. On the proposal of Mr Carey, seconded by Dr Golden Council approved Dr Barragry's membership on the Committee.

Report of the Audit, Strategy & Risk Committee.

The Report of the Audit, Strategy & Risk Committee held on 29th June, 2016 was presented to Council.

Council considered the performance of the investment portfolio with the current Asset Management service provider - Appian Asset Management. Council noted the cumulative return to date on the IMC portfolio, while other segregated funds have enjoyed a return over the same time-frame. This difference in fund performance was felt to reflect the current restrictive mandate from the Medical Council.

It was noted that Council had previously approved a recommendation from the Audit, Strategy & Risk Committee that the Mandate be amended to give full discretion to the Investment Manager to invest in certain funds using an “arms length” approach which is fully Sarbanes Oxley compliant . This enables the Medical Council to invest in “Ethical Funds” where participant Companies are ethically screened prior to investment. This is also in line with the core principles of the current mandate which are to ensure that investments should not conflict with the objectives of the Medical Council and carry a low risk status. It was however unclear as to the agreed timing of the implementation of this amendment.

Council noted the Asset Management Review Group’s recommendation that the Mandate be implemented accordingly with immediate effect to provide clarity on the Medical Councils principles and expectations to current and future Investment management service providers.

On the proposal of Dr Hanley, seconded by Professor Johnson, Council agreed to formally approve the Mandate to be implemented with immediate effect.

Report to Council of Education, Training and Professional Development Committee.

The report of the Education, Training and Professional Development Committee meeting held on 22nd June, 2016 was presented to Council.

Council considered the Committee’s recommendation to approve the accreditation of the Programme of Specialist Training in Emergency Medicine.

Council noted that the reports relating to Vascular Surgery and Sports and Exercise Medicine would be available at the Council’s next meeting.

Council noted that an opportunity had arisen when the Chair of the QMSC took up the Chair of the ETPDC in June 2016. Council further noted that there is some overlap of Agenda items and membership for both of these Committees. Council noted the Committee’s recommendation that the ETPDC subsume the work of the QMSC and that the 5 Members of the QMSC who are not already members of the ETPDC would be invited to become members of the ETPDC.

Council approved the combining of the 2 Committees.

Council noted that a substantial submission for redetermination of the comparability of Ireland’s accreditation of medical degree programmes to that of the United States by the National Committee on Foreign Medical Education and Accreditation (NCFMEA) had been made and that a meeting would take place in Washington in late September, to be attended by Prof Johnson and the Head of Education, Training and Professionalism.

Council noted the Committee’s concern in relation to the undergraduate annual return statistical analysis of final year students in RCSI Perdana and that work is underway to identify best practice and current inconsistencies of application. Council further noted that the format used to provide the data to the Medical Council makes it difficult to assess if the number of staff have kept pace with the increased numbers of students in all instances. The template issued to medical schools for their annual returns would benefit from some revision and the potential to adapt or refine the template used by the Higher Education Authority in its engagement with medical schools will be explored.

Council noted that a plan of action will be developed by the Executive in response to findings from an ongoing Business Process Improvement project within the Education, Training and Professionalism Section and recommendations made by Prof Pauline McAvoy following an external review of the Council's accreditation processes and procedures.

Council noted the minor amendment to the report of the anatomy inspection visit on 12th February 2016, as pointed out by Trinity College Dublin's Professor of Anatomy and agreed by Prof Ceri Davies. This was merely a formality and has no effect on the final outcome of the report.

On the proposal of Dr Breslin, seconded by the Vice-President, Council approved the Report of the Education, Training and Professional Development Committee.

Registration and Continuing Practice Committee.

The report of the Registration and Continuing Practice Committee meeting held on 23rd June 2016 was presented to Council.

Council was provided with an update from the Safe Start Working Group and noted that further work to detail the various initiatives that are currently available in Ireland that would support doctors who are new to the practice of medicine is required and the next steps will be the design of an educational intervention and subsequent implementation.

Council noted that the pilot Patient Feedback had completed and analysis of the data will now be undertaken.

Council also noted the agreed to variations, to the manner in which exemptions from the PRES apply to doctors seeking to transfer from the Supervised Division.

Council approved the report of the Registration and Continuing Practice Committee.

ARAF Status update & Section 79 Removal List

Council approved the Status update, including imposition of the late fee and the Section 79 list.

Nominations and Development Committee meeting.

The report of the Nominations and Development Committee meeting held on 15th June, 2016 was presented to Council.

Council noted the resignation of Dr Thomas from the Registration Review Board Panel.

Council further noted the scheduled training sessions for the remainder of 2016

Council were advised that the executive were looking into options for recording sessions in the future to use as an e-learning tool.

Council approved the report of the Nominations and Development Committee.

Ethics & Professionalism Committee (EPC)

The Report of the Ethics and Professionalism Committee meeting held on 1st July, 2016 was presented to Council.

Council noted that printed copies of the new Ethical Guide will be sent to all registered medical practitioners in the coming weeks.

The Committee has agreed that two of its Committee members will work with the Executive and avail of relevant external expertise to develop case studies and vignettes to support the new Guide. Key professional indemnifiers have also been approached, requesting them to provide scenarios (real or potential) for this group to develop from the Medical Council's perspective.

Council approved the report of the Ethics and Professionalism Committee.

Draft Booklet for Patients

Council considered the draft Booklet for Patients which was drafted based on the output from the Committee's previous two workshops in April and May this year.

Council noted that the Committee will meet in late August to consider all feedback received and make any necessary amendments in order to finalise the Booklet in time for launch at the Council's Conference on Patient Safety in October.

Council approved the draft booklet for consultation.

Health Committee

The report of the Health Committee meeting held on 29th June, 2016 was presented to Council.

Council noted that the number of medical practitioners supported by the Health Committee.

Council noted the Committee's recommendation that the following a practitioners recent review session and the positive reports received from the treating healthcare professionals that the practitioner be released from the support of the Committee. Council approved the release of the practitioner concerned.

Council the number of review sessions carried out and the Committee's recommendation that ongoing support be continued as appropriate.

Council noted the positive health reports had been received and reviewed practitioners and that review sessions have been scheduled.

Council noted that two practitioners had been offered the support of the Committee. Council approved the report of the Health Committee.

Monitoring Committee meeting

The report of the Monitoring Committee meeting held on 23rd June, 2016 was presented to Council.

Council noted the breakdown of the number of medical practitioners who have conditions attached to the retention of their name in the Register.

Council approved the Committee's recommendation that conditions attached to the retention of one practitioner's name in the Register be removed.

Council noted that the Committee are reviewing one practitioner's compliance with the conditions over a period of two years and would be brought back to Council.

Council further noted that one practitioner had been invited to attend the next scheduled meeting of the Committee to discuss the conditions recently attached to the retention of his name in the Register.

Council also that one practitioner had informed the Committee that they are no longer resident in this jurisdiction, and that the practitioner requested to formally confirm that they will not practice medicine in this jurisdiction until such time as they have satisfied the Committee they are complying with the conditions.

Council noted that correspondence and documentary evidence of compliance was received, where appropriate, from each of those other practitioners currently practising within the jurisdiction.

Council approved the report of the Monitoring Committee.

Media Coverage Log covering period: May - July 2016

This Item was noted by Council.

Date and Time of next meeting

Council noted the will be held on Thursday 8th September, 2016 at 12:30 hrs and Friday 9th September, 2016 at 08:30 hrs.