



Comhairle na nDochtúirí Leighis Medical Council

Summary minutes of the Medical Council meeting held on 15th & 16th May 2019 in Kingram House, Kingram Place, Dublin 2.

MEMBERS PRESENT – 15th May 2019

Dr Rita Doyle (President)
Dr Anthony Breslin (Vice President)
Dr John Barragry
Ms Vicky Blomfield
Dr Marcus De Brun
Ms Teresa Bulfin
Dr Thomas Crotty
Dr Suzanne Crowe
Ms Mary Duff
Professor Fidelma Dunne
Mr John Gleeson
Mr Paul Harkin

Professor John Hyland
Professor Mary Leader
Professor Marina Lynch
Ms Catherine McKenna
Dr Maeve Moran
Dr Aoife Mullally
Mr John Murray
Mr Joe O'Donovan
Mr Tom O'Higgins
Mr Jim O'Sullivan
Professor Mary O'Sullivan

MEMBERS NOT PRESENT

Ms Alison Lindsay
Dr Erica Maguire

MEMBERS PRESENT – 16th May 2019

Dr Rita Doyle (President)
Dr Anthony Breslin (Vice President)
Dr John Barragry
Ms Teresa Bulfin
Ms Mary Duff
Professor Fidelma Dunne
Mr Paul Harkin
Professor Mary Leader

Professor Marina Lynch
Ms Catherina McKenna
Dr Aoife Mullally
Mr John Murray
Mr Joe O'Donovan
Mr Tom O'Higgins
Professor Mary O'Sullivan
Mr Jim O'Sullivan

MEMBERS NOT PRESENT

Ms Vicky Blomfield
Dr Marcus De Brun
Dr Thomas Crotty
Dr Suzanne Crowe
Mr John Gleeson
Professor John Hyland
Ms Alison Lindsay
Dr Erica Maguire
Dr Maeve Moran

In attendance – full meeting

Mr Bill Prasifka (CEO)

Ms Lorna Purcell (Head of Corporate Governance & Secretary to Council, Solicitor)

Ms Jan Fitzpatrick (Corporate Governance & Council Manager)

In attendance – for the relevant parts of the meeting

Mr William Kennedy (Director of Regulation, Solicitor)

Mr Philip Brady (Director of Registration and Business Process Improvement)

Ms Jantze Cotter (Director of Professional Competence & Practice and Research)

Ms Roseanne Fox (Head of Finance)

Mr Robert Sheehan (Finance support)

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

Ms Katie Mulroy (Head of Investigations & Complaints; Solicitor)

Ms Aoife Byrne (Head of Investigations & Complaints; Solicitor)

Mr Alan Gallagher (Head of Communications)

Mr Colin Cooper (Head of ICT)

Ms Marion Mitchell (HR Manager)

Ms Ciara McMorrow, (Head of Procurement & Facilities)

Note – all references to ‘the Act’ shall be construed as references to the Medical Practitioners Act 2007 unless otherwise stated.

Presentation

Ms Jennie Bulbulia gave a presentation to Council on a Child Protection Policy, which outlines the responsibilities of the Medical Council. Ms Bulbulia outlined the legal obligations regarding reporting and the varying agencies involved. It was noted that Ms Katie Mulroy is currently the Child Protection officer in the organisation.

Following the presentation Council advised that Standard Operating Procedures should be developed to accompany Committee papers at each Committee meeting, including a system of checking if there are any safeguarding concerns. It was also agreed that the risk of not adhering to the check system should be included on the Risk Register. It was agreed that consideration would be given to establishing a Working Group to develop such SOP’s and to roll out training to the Committees and the Executive.

The President thanked Ms Bulbulia for her informative presentation.

Note:

Council was advised that Ms Marian Brosnan, an Accreditation Executive from the Education & Training Section, will also attend the meeting as an observer, as part of her induction and development.

The President welcomed Ms Lorna Purcell as the new Secretary to Council and Head of Corporate Governance, and thanked Ms Purcell for her valued contribution since her recent appointment.

The President also reminded Council that the Medical Council Annual Self-Assessment Survey has been issued. Council Members should make sure to complete the survey before close of business on Monday 20th May 2019 so that the results can be presented at the Away Day.

CEO's Business

CEO's Report

The CEO advised Council of a number of items contained in the CEO Report, including:

- The coordinated launch of the Medical Council Workforce Intelligence Report on 11th April 2019. Council noted the positive reaction from the profession and many stakeholders. The CEO advised that at a recent RCSI meeting, many of the presenters referred to the report, confirming the widespread reach of the report. The CEO thanked the Communications Team on their hard work surrounding the publication and promotion of the report.
- The reducing trend in absenteeism to date in 2019 against the same period in 2018.
- The Corporate Governance & Council Team have delivered training to all newly appointed Committee members, and separately training for the Chairs of the Committees. Further training will be rolled out to anyone who was not in a position to attend.
- The Medical Council Away Day is planned for the 22nd & 23rd May 2019 which will encompass a Board Effectiveness Review and engender increased collegiality between members.
- An overview of high level trends on expenditure was provided with a 39% variance on the income budget in relation to Application Fees due to the slowdown in first time applications. The Executive will continue to monitor progress into Q2 as timing can impact on these figures.
- Slowdown in first time application continues and it was noted that this is a continuing trend over the last four years.
- The report on the Accreditation Visit to the RCSI is currently being finalised by the Education & Training Team. Plans are also being developed for the Accreditation of the University of Limerick and its Graduate Entry Medical Programme.
- It is intended to accredit the eight RCSI Surgical Programmes in September this year.
- Reports are being finalised for the inspection visits to nine hospitals across the Dublin Midlands Hospital Group and the Children's Hospital Group in November and December 2018.
- The inspection visits to clinical training sites within the RCSI Hospital Group are underway.
- The final edits to the Ethical Guide were approved at the ECM on 3rd April 2019 and are now undergoing NALA approval. Following this approval the Guide will be ready for publication.
- A full overview of Performance Assessment 2013 -2019 has been included in the CEO Report for information.
- An overview of the activities in the Directorate of Regulation is contained in the report which gives a full account of the number of cases ongoing. It was noted that recently there were some high profile cases resulting in significant media attention. Council was also advised that all cases are monitored and flagged if progress is going over the 12 month mark. It was agreed that an example of procedures for the progression of complaints would be available at the next meeting.
- A large number of Stakeholder meetings occurred since the last meeting, including a meeting with the Department of Health to discuss the Statement of Strategy. It was noted that the Department is satisfied with Council's strategy statement.

Medical Council Business Plan 2019 - Update

The CEO advised Council of the quarterly update on the Business Plan 2019 and confirmed that most actions are on track for Q1. It was noted that some items are out of our control due to the ongoing issues with Brexit, however the situation is being monitored continuously. Council was advised that the implementation of section 11 Rules are pending the enactment of the legislation, and this will be discussed in further detail later in the meeting. Council was also advised that the update does not capture all activity of the Executive, but that this is reported on in the CEO report.

Following a query, the CEO advised Council that the Executive has ongoing communications and a well developed working relationship with the GMC in the UK. It was noted that Council already has developed third party pathways with other international jurisdictions and Brexit should not prove too onerous no registering UK doctors to work in Ireland.

Council then agreed that quarterly reporting of the Business Plan will be reported to the SGC in the first instance, in accordance with the SGC Terms of Reference.

Media Log

Mr Gallagher updated Council on the Media Log and the activities surrounding the launch of the Workforce Intelligence Report. It was noted that the report has been received positively by the media and the profession and the President thanked Mr Gallagher and Ms Cotter for their efforts.

Amendments to the Medical Practitioners Act, 2007

The CEO updated Council on the status of the Amendments to the Act. It was noted that the proposed amendments are at Stage 3 – Committee State and it is expected to be enacted by the end of the year. It was noted that the proposed Bill will have an effect on other regulators and this should be taken into account with our expectations.

President's Business

President's Report

The President outlined the details of her meetings since the last Council meeting.

The President gave a presentation at the RCPI on “identifying the distressed Trainee” and was made aware of the lack of awareness of the role of the Health Committee within the profession. Council agreed that promoting the work of the Health Committee and its supportive role is a priority.

The President advised Council that Audit, Finance & Risk Committee will have to appoint a new member due to the withdrawal of a medical member. This matter is under consideration by the SGC. Following the establishment of the Ethics Committee, and the drafting of the Terms of Reference, expressions of interest for membership will be sought as per the regular process.

Telemedicine – Working Group Proposal

Council was advised that issues relating to telemedicine have been brought to Councils attention via numerous sources on a number of topics. It is proposed to establish a working group to examine the

issues relating to telemedicine, both commercial and non-commercial telemedicine. It will also examine the methods telemedicine is utilised in other jurisdictions.

Council agreed to the creation of a working group to consider the issues around Telemedicine. The President requested that any members interested in joining the Group should forward their expression of interest to Mr Gallagher.

Correspondence received from Dr Edel McGinnity

The President advised Council of correspondence received from Dr Edel McGinnity following her presentation to Council at a previous meeting. Council noted the proposal to increase funding by the Department in many areas.

Update on meeting with Dr Gabriel Scally – 11th April 2019

The Vice President advised Council of his meeting with Dr Scally on 11th May 2019 to discuss Council's progress on matters raised by Dr Scally in his report.

Committees:

Strategy & Governance Committee (SGC)

The report of the Strategy and Governance Committee meeting held 17th April 2019 was presented to Council.

Council was advised of an extraordinary meeting held by the SGC to consider the matter of extending the membership of the Fitness to Practise Committee temporarily to ensure the completion of a number of Inquiries. In order to facilitate this and to maintain the membership balance of the Committee a number of newly appointed members will have their appointment to the Committee delayed by three months.

Council was also advised that it is current practice that every Council member, save for the President and Vice President, should be a member of the FtPC or the PPC. Council members were reminded that if they are not currently a member they should declare their interest to the SGC.

Council approved the reports of the Strategy & Governance Committee.

Statement of Strategy – Update

Council was updated with the status of the Statement of Strategy. Mr Harkin outlined a supporting document condensing the strategic objectives of the strategy into “three sets of two”, which may assist Council in implementing its strategy. It was agreed that the document would be circulated to Council following the meeting.

Mr Gallagher updated Council on the next steps involved in publishing the Strategy, and it is intended that the document will be sent to the Minister for approval following the completion of the design and translation to Irish stage. Following the Minister's approval, the Strategy will be put before the Houses of the Oireachtas and there may be an invitation to appear before the Joint Health Committee.

Council approved the Statement of Strategy.

Audit, Finance & Risk Committee (AFRC)

The report of the Audit, Finance & Risk Committee meeting held on the 9th May 2019 was presented to Council.

Council was advised of the 2018 Financial Statements, noting some minor adjustments as requested by the Comptroller & Auditor General Office (C&AG). The Executive continue to await the draft management Letter, however there should be no further changes to the financial statements.

Council was updated on the procurement of a new wireless audio system for both the Council Room and the Resource Room. Council noted that due to the level of expenditure the AFRC will review the outcome of the tender process.

Council approved the report of the Audit, Finance & Risk Committee.

Appointment of Chief Risk Officer (CRO)

Council was advised that following the resignation of the previous CRO, expressions of interest were requested internally for the back fill of the role. Mr Neil Russell, Freedom of Information Executive, was appointed on a probationary twelve month basis. Mr Russell will receive training necessary to the role.

Council approved the appointment of Mr Russell as CRO.

Risk Register – Quarterly update

The Acting CRO, Ms Purcell, provided an update to Council on the Risk Register. It was noted that there has been one item added to the Risk Register to take into account the spatial limitations of Kingram House.

Education & Training Committee (ETC)

The report of the Education & Training Committee meeting held on 17th April 2019 was presented to Council.

Council was advised that the Executive wrote to the Faculty of Sports and Exercise Medicine and requested a copy of the correspondence issued to trainees intending to complete the programme of SEM notifying them about the fact that in the future, the SEM Programme (once added to Annex V of the Directive) may not benefit from automatic recognition under the Directive. Council noted that a response has not yet been received.

Council approved the report of the ETC.

Your Training Counts – presentation

Ms Janet O'Farrell gave a presentation to Council on the findings of the Your Training Counts Survey. Ms O'Farrell advised Council that the most common themes emerging from the survey are:

- Health and Quality of Life
- Bullying

- Mental Health
- Working Time
- Adverse Events
- Retention/Migration

Council agreed that the gravity of this matter requires further discussion by Council, and should be placed on the agenda for the Away Day later in the month.

Panel of Assessor of Specialist Training – request for Council member nomination

Dr Mullally outlined the workload of the Panel of Assessors of Specialist Training, and requested one or two Council members to become members of the Panel. Any members who are interested should forward their names to the Executive as soon as possible.

Registration & Continuing Practice Committee (RCPC)

The report of the Registration & Continuing Practice Committee meeting held 24th April 2019 was presented to Council.

Council was advised of correspondence received from Professor Cathal O'Donnell, National Ambulance Service, regarding the medical practice in Ireland of Northern Ireland based doctors who work on Air Ambulance, Northern Ireland. Council was advised that these doctors working with the Air Ambulance should apply for Visiting EEA registration for a twelve-month period but would be required to retrospectively notify the Medical Council whenever they had responded to an emergency in Ireland.

Council was also advised of correspondence received from Professor Arnold Hill, RSCI, Beaumont Hospital, regarding the Physician Associate Project. Council noted that there is no provision in the Medical Practitioners Act 2007 to regulate Physician Associates and therefore, the Medical Council has no remit with regards to this cohort of healthcare providers. Council advised Mr Brady that further research into the regulation of these roles is required and further information may be sought from the HSE.

The President directed to the Executive that the ARAF should include the question "Have you got a GP?". It was agreed to include this on the ARAF for next year.

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

Health Committee

The report of the Health Committee meeting held on 8th May 2019 was presented to Council.

Council approved the report of the Health Committee.

Monitoring Committee

The report of the Monitoring Committee meeting held on 2nd May 2019 was presented to Council.

Council approved the report of the Monitoring Committee.

Matters to be considered by Council under Parts 6, 7, 8 and 9 of 2007 Act

A number of matters were considered by Council under Parts 6, 7, 8 and 9 of 2007 Act

Council noted this matter.

Section 60 Report

Council noted this item.

Child Protection Policy & Safeguarding for Vulnerable & Adults Medical Council Child Protection Policy and Procedures

Council was advised of two documents; Medical Council Child Protection Policy and Procedures and Standard Operating Procedure for Reporting of Safeguarding and Concerns for Vulnerable Adults

Council was advised that training will be rolled out to Council and the Executive, and a Guidance document will be issued to all Chairs of Committees. It was agreed that a check system would be included on all Committee Reports requiring confirmation that consideration has been given to any safeguarding concerns relating to each matter on the agenda.

Council approved the Child Protection Policy & Safeguarding for Vulnerable & Adults Medical Council Child Protection Policy and Procedures

Date and Time of next meeting

The next scheduled meeting will be held on Wednesday, 17th July, 2019 at 12.30pm and Thursday, 18th July, 2019 at 8.30am.

There being no further business the meeting concluded at 16.15pm.