Summary minutes of the Medical Council meeting held on 19th and 20th September, 2018 in Kingram House, Kingram Place, Dublin 2.

MEMBERS PRESENT – 19th September, 2018

Dr Rita Doyle (President)
Dr John Barragry
Ms Vicky Blomfield
Dr Marcus De Brun
Ms Teresa Bulfin
Dr Thomas Crotty
Dr Suzanne Crowe
Ms Mary Duff
Mr Joe O'Donovan
Professor Fidelma Dunne
Mr John Gleeson
Mr Paul Harkin
Professor Mary Leader
Dr Marina Lynch
Dr Erica Maguire
Dr Aoife Mullally
Dr Maeve Moran
Mr John Murray
Mr Tom O'Higgins
Mr Jim O'Sullivan

MEMBERS NOT PRESENT

Dr Anthony Breslin (Vice President)
Professor John Hyland
Ms Alison Lindsay
Ms Catherine McKenna
Professor Mary O'Sullivan

MEMBERS PRESENT – 20th September, 2018

Dr Rita Doyle (President)
Dr Anthony Breslin (Vice President) – Phone attendance
Ms Vicky Blomfield
Ms Teresa Bulfin
Dr Thomas Crotty
Ms Mary Duff
Mr Joe O'Donovan
Professor Fidelma Dunne
Mr John Gleeson
Mr Paul Harkin
Professor Mary Leader
Dr Marina Lynch
Dr Erica Maguire
Ms Catherina McKenna
Dr Maeve Moran
Dr Aoife Mullally
Mr John Murray
Mr Tom O'Higgins
Mr Jim O'Sullivan
Professor Mary O'Sullivan

MEMBERS NOT PRESENT

Dr John Barragry
Dr Marcus De Brun
Dr Suzanne Crowe
Professor John Hyland
Ms Alison Lindsay

In attendance – full meeting

Mr Bill Prasifka (CEO)
Ms Penelope Kenny (Head of Corporate Governance & Secretary to Council)
Mr William Kennedy (Director of Regulation)
Ms Jan Fitzpatrick (Corporate Governance & Council Manager)

In attendance – for the relevant parts of the meeting

Mr Philip Brady (Director of Registration and Business Process Improvement)
Ms Wendy Kennedy (Director of Corporate Services)
Ms Roseanne Fox (Assistant Financial Accountant)
Ms Jantze Cotter (Director of Professional Competence & Practice)
Mr John Sidebottom (Head of Inquiries, Health and Monitoring)
Ms Katie Mulroy (Head of Investigations & Complaints; Solicitor)
Ms Ruth Rock (Head of Investigations & Complaints; Solicitor)
Mr Alan Gallagher (Head of Communications)
Mr Colin Cooper (Head of ICT)
Ms Marion Mitchell (HR Manager)
Ms Jane Horan (Inquiries, Health & Monitoring Officer)
Ms Aoise O'Reilly (Accreditation Manager Undergrad)
Ms Aoife Fitzsimons (Accreditation Manager)

President's Business

Allowances for the President
The President absented herself for this matter and the Vice President, having been delayed had requested Mr O'Higgins to chair the meeting on his behalf for this item.

Council was advised of the Business Case contained in the brief regarding vouched locum expenses incurred by the President. Mr Kennedy outlined to Council that the business case outlines that precedence has been set by previous Presidents of the Medical Council to have locum expenses paid to cover the costs incurred by the President while fulfilling her duties as President of the Medical Council. Ms. Kennedy noted that this is also consistent with Section 22 of Medical Practitioners Act, 2007.

Council directed that the Presidents vouched locum cover expenses be covered by the Medical Council, to enable the President carry out the duties and functions of President of the Council, as required. Council acknowledged that the workload carried out by the President was quite extensive and could well increase in light of recent high profile health care matters. The approval of the expenses is subject to review and audit, as appropriate.

Management of Registration Applications

Mr Brady outlined to Council the proposal to streamline registration applications, regarded as "non-standard". In addition, Council was also advised of the proposal for the delegation of Sec 79 powers, to RCPC. Council queried if it was appropriate that The Registration and Continuing Practice

Committee (RCPC) has the final decision. There did not appear to be a means of appeal for the relevant applicant. Dr Breslin assured Council an independent review panel of 2 medics; 1 lay, which are currently in place, would remain; to which an applicant can have a decision reviewed. It was noted a final appeal to the High Court is provided for in the Medical Practitioners Act.

Council also raised the issue of the composition of the RCPC and the need for a specified number of Council members as committee members, and the need for a quorum for committee meetings. Mr Brady assured Council that the Terms of Reference will reflect this requirement and will have a 50% quorum and at least 3 Council members in attendance at meetings.

Mr Brady also supplied Council with revised wording for the ToR to reflect Council's decision therein. Council approved the proposal for the management of registration applications including the delegation of Sec 79 MPA2007 to RCPC.

Fitness to Practise Committee Inquiry Calendar

Council noted this item.

Clinical Review of the Maternity Services at Portiuncula Hospital

The Education and Training section of the executive informed Council that Portiuncula University Hospital was inspected as part of the regional visit to SUHG pursuant to Part 10, Section 88 (3)(e) and 88 (4)(e), which asserts that Council shall inspect places with approved posts for the purposes of intern and specialist training. The regional inspection visit to Portiuncula Hospital focused on the quality of the clinical learning environment and the report is dated August 2018.

Amendments to the Medical Practitioners Act, 2007

Mr. Kennedy updated Council on the proposed Amendments to the Medical Practitioners Act, 2007, providing a schedule of the amendments, contained in the Health Miscellaneous Provisions Bill

Mr Kennedy outlined that the amendments have been accepted and agreed with the Department of Health.

Proposed Council meeting dates for 2019

Council noted this item.

Committee Establishment – Phase 2

Ms. Kennedy presented the proposal to Council on the establishment of the Phase 2 Committees:

- Audit Finance & Risk Committee
- Registration and Continuing Practice Committee
- Education and Training Committee
- Monitoring Committee

- Health Committee
- Property Acquisition Group

Ms. Kennedy thanked everyone for going through the process. Council was advised that the establishment of the Committees has been conducted with a phased approach to give Council the opportunity to familiarize themselves with the Committee structures and determine the best approach and for drafting Terms of Reference for the Committees.

Council was also advised that the Committees would be subject to a self-review as well as a Council review in order to maximize the effectiveness of each Committee.

Council was then brought through additional elements of the proposal regarding the reporting structure of the Strategy & Risk Committee for the nomination of Chairs and members to Committees.

Council approved the Phase 2 Committee proposal.

Committee Terms of Reference – Template

Ms. Kennedy outlined the template for the Committee Terms of Reference. Council agreed with the requirement for consistency across the board with regards to the establishment of Committees. Council approved the document.

Scally Report – Medical Council references

Council considered Dr Gabriel Scally's Report of the scoping inquiry into the CervicalCheck Screening Programme.

Council welcomed the report and acknowledged its importance in enhancing healthcare as a whole in Ireland. Following a lengthy discussion Council agreed on a series of actions to ensure the implementation of Dr Scally's report and that further improvements are made in line with the spirit of the report's recommendations.

Council agreed that the following actions:
Hold an Extraordinary Council meeting to discuss the Report with the following aims in view:

- Establish a Working Group to decide on the approach to the report.
- Review the Ethical Guide in light of the report's recommendations
- Consider the role and conduct of medical practitioners in the matter
- Detail a proactive approach to communicate with the women and families involved.
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CEO's Business

CEO's Report

The CEO advised Council that the Oireachtas Joint Committee on Health took place that morning at 9.45am, with representatives from the Medical Council, Irish College of General Practitioners, the Institute of Obstetricians and Gynaecologists and the Royal College of Physicians of Ireland.

The Oireachtas Committee considered the matter of 'Clinical Guidelines' being prepared in light of the impending legislation introduction of abortion services in Ireland. The Medical Council was represented by Dr Suzanne Crowe and Bill Prasifka attended the Council meeting at 13.00 following their appearance.

The CEO noted performance assessment cases, and the analysis. He also noted the importance of *The Safe Start* booklet issued by the Medical Council's Professional Competence division, for doctors starting practice in Ireland.

The CEO updated Council on the establishment of the final phase of the proposed Council Committees, which will be discussed under a separate agenda item , and encouraged Council members to find the most relevant Committee and email their expressions of interest to the Strategy & Governance Committee.

Council was informed of the progress on the requirement for additional meeting space in the short term. Following a review of available properties in the area, an initial three month agreement for one meeting room has been entered into with *Iconic*. This may be extended at a later date.

Stakeholder meetings of note were highlighted as HSE, Department of Health and meetings on the issue of Consultants not on the specialist register.

Communications Update

Head of Communications, presented the Communications Report to Council outlining the remit and make-up of the Communications team. Council were informed of the key areas of focus of the Communications function, including;

- **Media Relations**
- **Public Affairs**
- **Website**
- **Social Media**
- **Fitness to Practise Inquiries**
- **Internal Communications**
- **Digital and Design**
- **Presentations**

Council discussed the importance of raising public awareness of the role of the Medical Council, highlighting certain incidences where incorrect accounts of Council's role have occurred within the media.

Council acknowledged the importance of informing the various stakeholders of our role and agreed that a public awareness campaign is a necessity. Council also requested that the Communications Team advise Council in advance of Press Releases, Interviews, External Newsletters being issued, where practical.

Quarter 2 Business Plan Update

Ms Kennedy, Director of Corporate Services, presented Council with an overview of the status of the Q2 Business Plan. Ms Kennedy highlighted the progress made under each of the six Strategic Objectives.

Quarter 2 – Management Accounts

Council was updated on the Management Accounts by Ms. Fox.

Council approved the Management Accounts.

Quarter 2 - Flexed Budget 2018

Ms Kennedy presented Council with the Q2 Flexed Budget 2018. Council noted that there is an increase in application fees, however, for the first time, there is a reduction in first time applicants. Council observed that this may be as a result of doctors' uncertainty regarding "Brexit", as well as the limited access for Non EU doctors to the Training Division of the Register.

Council approved the Flexed Budget 2018

Decision on Updating the Bank Mandates

Council approved the updated bank mandates to reflect the changes in staff of the Medical Council and the President signed same.

Council Business – Strategy

Business Strategy Workshop

A business strategy workshop facilitated by Alpha Consultants was held. The new strategy is being developed to comply with Part Sec 13 of MPA2007; to submit a statement of strategy within 6 months of the beginning of the term of office of each new Council.

Risk Update

Risk Report for Council – September 2018

The acting Chief Risk Officer provided an update to Council on the Risk Register, compiled in September 2018.

Council Induction and Training

Council Governance Forum - maximising the contributions of Council members

Professor Niamh Brennan was invited to conduct a Corporate Governance forum with Council to assist them to maximize the contributions of Council members. Professor Brennan outlined to Council the importance of the Corporate Governance structure within the Medical Council. Council discussed the role of consensus decision versus a vote, and which option worked best for Council. Council also agreed the importance of hearing each member's opinion on the matter in hand to ensure a balanced decision.

Professor Brennan encouraged Council to look at its Committee and reporting structure, in order to streamline Council business and improve the effectiveness of Committees. This allows the relationship between Council and the Executive to be more cohesive, and while it is uniquely different to other Boards, the MC works in this environment. It was agreed that the role of the Executive is to put Council in an informed position to make decisions.

Professor Brennan acknowledged the challenges facing Council regarding its structure within the existing legislation, and it was agreed that efforts would be made to streamline activities as much as possible, with a view to reducing the number of committees, and workload of Council.

Council thanked Professor Brennan for her insightful presentation and workshop.

Strategy & Governance Committee

The report of the Strategy and Governance Committee was presented to Council

Council was advised that the Committee has agreed its revised terms of reference. Following a proposal by Mr O'Donovan, seconded by Dr Lynch, Council approved the Committee's Terms of Reference.

Council was then updated that the Committee has begun the process to populate other Committees based on skill sets and expressions of interest received. Mr Harkin thanked all of the Council members who have responded to the request for expressions of interest in Chair and membership of the Council Committees. Mr Harkin acknowledged that the significant workload of Fitness to Practice Committee and the Preliminary Proceedings Committee reduced potential membership of other Committees, and thanked the relevant chairs and members for their commitment. Mr Harkin informed Council members that the Committee will continue to focus their efforts on populating the Committees of Council.

Council was updated on the proposed membership of the Ethics Working Group.

Council approved the report of the Strategy & Governance Committee.

Education, Training & Professional Development Committee (ETPDC)

The report of the Education, Training and Professional Development Committee was presented to Council.

Registration & Continuing Practice Committee (RCPC)

Council was advised that these reports are before Council in the absence of the RCPC being established. Following its establishment, all similar reports will be put directly before the Committee.

Maintenance of Professional Competence Compliance

Council considered material in relation to a number of doctors, concerning their participation in Professional Competence Schemes as established under Part 11 of the Act. The material considered by Council in relation to each practitioner included a Certificate of Registration with Council, their completed declarations in their Annual Retention Application Form (ARAF) and correspondence between Council and each doctor concerning their continuous professional development.

Performance Assessment

Council received an update on current performance assessments underway.

Section 60 Report

Council noted this item.

Case officer Warrant of Appointment

Council reviewed papers in relation to the proposed appointment of a Case Officer to assist the PPC under section 58 of the Medical Practitioners Act, 2007.

On the approval of Council, the President and CEO signed the warrant of appointment on 20th September 2018.

Health Committee

Report of the Health Committee meeting

The report of the Health Committee meeting was presented to Council.

Monitoring Committee

The report of the Monitoring Committee meeting was presented to Council.

Council approved the report of the Monitoring Committee.

Media Log

Council noted this Item.