Comhairle na nDochtúirí Leighis
Medical Council

Council Governance Meeting – Minutes

Date	24 July 2024	
Time	9.30 a.m.	
Location	In person - Kingram House, Dublin 2	
Meeting number	Summary Minutes	
Members present	Dr Suzanne Crowe (President) Dr Mary Davoren (Vice President) Ms Teresa Bulfin Ms Marie Culliton Dr Morgan Crowe Mr Ian Drennan Mr Paul Harkin Mr John Gleeson Dr Margaret O'Riordan Prof Mary O'Sullivan Ms Jill Long	Mr Jim O'Sullivan Prof Joe McMenamin Mr John Murray Prof Deirdre Murphy Prof Ronan O'Connell Prof Ronan Quirke Prof Edna Roche Dr Liqa Ur Rehman Ms Sinead Corcoran Dr Orla Muldoon
Apologies	Mr Nauman Nabi	
In attendance for the entire meeting - In Person	Mr Leo Kearns (CEO) Ms Gail McAuley (Head of Corporate Affairs and Secretary to Council) Ms Mellisa Tierney (Council Governance Manager)	
In attendance for relevant sections of the meeting	Mr Colm O'Leary (Executive Director of Strategy & Business services) Ms Roseanne Fox (Executive Director of Finance, IT & Digital Transformation) Ms Jantze Cotter (Executive Director of Regulatory Policy & Standards) Mr Paul Byrne (Executive Director, Regulation, Operations & Support Services) Mr Ciaran Buggle, (Executive Director of Complaints & Investigations) Ms Ruth Rock (Senior Services Legal Advisor & Associate General Counsel) Mr Alan Gallager (Head of Communications & Stakeholder Engagement) Ms Fiona Redmond (Chief Risk Officer and Governance & Compliance Manager) Ms Fiona McVeigh (Head of Regulatory Policy) Ms Bernadette Rock (Head of Research & Regulatory Data Insights) Ms Rachael Kelly (Research & Regulatory Data Insights Manager) Ms Collette O'Connor (Head of Monitoring) Mr Colm Reddan, CEO Solicitor (FTP Regulatory Investigations and Actions Solicitor)	

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

	Introduction	
	Council was introduced to Mr Buggle, new Director of Complaints and Investigations. Mr Buggle provided a brief overview to Council on his background. Council welcomed Mr Buggle. The President commended the work of the Executive in producing the papers for the pack.	
	Presidents Report	
	Council noted the Presidents attendance at various engagements, which highlighted a very productive period.	
	Audit and Risk Report	
	Council noted the Audit and Risk Committee reports and papers, contained in its meeting pack, presented by Mr Drennan, Chairperson of the ARC for 10 June 2024 and 11 July 2024. Mr Drennan confirmed that the report was for noting and thanked Ms Fox and Ms Redmond for their work on papers for the Committee.	
	Review of effectiveness of internal controls	
	Council considered the reports on the review of effectiveness of internal controls, contained in the meeting pack, presented by Mr Drennan. Council understood that foregoing confirmations are required to be stated expressly in the Statement on Internal Financial Control, which accompanies the annual statutory Financial Statements and which is to be signed by the President on behalf of Council. Council considered the Medical Council's Internal Auditors, Crowley's, report titled "*High-Level Review of Internal Controls 2023"* which had been presented to the ARC at its recent meeting. It was noted that in the report, a total of three findings were identified, all of which were deemed to be of low significance and that all findings are captured in the 2024 Business Plan to be progressed this year. Council noted its responsibility to ensure an external review of the performance of the Council and its Committees, at least every three years, in line with best practice. Council noted that the scoping and procurement process to secure an external consultant to complete the external performance review is being progressed by Mr. O'Leary and Ms. McAuley in Q3, 2024. It was noted that scheduling of and implementation of this would continue into early 2025. Council noted that a 1-year self-evaluation will progress in September 2024 with time reserved at its away day on 28 November 2024 for a facilitated session. Council was requested to decide whether, having regard to the totality of the information available to it, including: • the Medical Council's risk management processes, • the internal audit report titled "High-Level Review of Internal Controls 2023", • other internal Audit reports tabled to Council over the year, and	

	• the activities of the ARC and the associated assurance provided, it is satisfied to authorise the President to provide the relevant confirmations in the Statement on Internal Control, which will be published together with the audited Financial Statements.	
	Council approved the authorisation of the President to provide the relevant confirmations in the Statement on Internal Control, which will be published together with the audited Financial Statements.	**Decision**
	2023 Financial Statements	
	Council considered the financial statements in respect of the year ended 31 December 2023, contained in its meeting pack.	
	Council approved; **i. the financial statements in respect of the year ended 31 December 2023,** **ii. authorise the President and Chief Executive Officer respectively to sign the Financial Statements on Council's behalf;**	**Decision**
	Risk Report	
	Ms Redmond, Chief Risk Officer presented on the Risk Reports, contained in the meeting pack. Council was updated on: - new, open, and closed risks - progress on a draft updated risk policy, which includes a risk appetite statement for review by the Audit and Risk Committee in Q3 - further training to be provided on the new policy for each team - its red risks, including rating updates, control changes, closed risks and reassigned risks A clarification was raised in relation to the matrix in the risk report which Ms. Redmond captured for consideration. Council noted the contents of the presentation and expressed thanks to Ms Redmond and the Executive for the large volume of work on the risk register which provided it with a high level of assurance and sight of risks across the organisation. *Ms Redmond left the meeting	
	CEO Report (inc KPIs and Metrics)	
	Mr Kearns, CEO, took the CEO report as read and welcome questions from Council. A discussion was held on the complaints model project, which was noted to be on the meeting agenda, later. It was recapped that the project was to develop a more sustainable and risk-based approach to managing complaints. The CEO alerted Council to the inclusion of key performance indicators in the Performance Framework 2024 included in the meeting papers, and for Council to consider their value and appropriateness.	

	Discussion was held on the panel of experts required to complete expert reports for the FtP process. Council members advised they may be able to assist the Executive to identify experts across different specialties. A suggestion was made to use the newsletter and forums to reach out for potential recruitment of experts. Council also noted that the Executive will soon be in a position to conduct a review of its current briefing letters and briefing documentation. It was advised that training for the panel of experts was being considered in the 2025 business plan. *Mr Reddan left the meeting.	
	Flexed Budget / Financial Planning Update 2024-2027	
	Ms Fox gave a presentation on the Financial Planning Overview 2024-2027. Council was presented with a current overview of the ongoing significant financial sustainability challenge faced due to the unprecedented increase in FtP case referrals which has doubled in the past 3 years. Council was provided with an overview of: • Financial projections based on assumptions for known operational expenditure, varied revenue projections for 2024-2028 and the impact on reserves across this period • Cost control measures which have been implemented • Revenue stream considerations • Projected trends to Year end and unknown factors A broad discussion was held by Council which noted the following: • there has been a significant increase in inflation over the past 4 years across all expenditure budget line items and a substantial increase in legal fees due to unprecedented increase in the volumes of FtP cases • a review of revenue increases from other professions over the past 10 years would be beneficial • consideration for a communication plan to support any potential revenue increase Council agreed that significant priority is needed on the financial plan to reduce costs and increase revenue with a decision required before the end of 2024.	
	Guide to Professional Conduct and Ethics	
	Ms Cotter gave a presentation to Council on the representations made to Council/Minister relating to the Guide to Professional Conduct and Ethics. Council noted the representations provided in the meeting papers which raised concerns about the exclusion of paragraph 46.9, contained in the 8th edition of the Guide, to the 9th edition. Council was refreshed on the project which took place to review the Guide to Professional Conduct and Ethics, over a 2-year period to include the governance in place, extensive consultative approach, process followed and rationale for removal of the paragraph.	

	A Council member raised a concern that a specific group of doctors involved in the care of patients, at the end of life, had found the paragraph in the guide a useful tool for communication with families, prior to its removal. Council held a detailed discussion on how the concerns of doctors could be addressed through supplemental guidance and agreed that this was the best approach for complex and evolving matters. Council requested that guidance on end-of-life care be developed by the Regulatory Policy Unit, and that the Communications Team produce improved messaging to update stakeholders and provide reassurance.	
	Council agreed that the Guide to Professional Conduct and Ethics would remain unchanged, but that supplementary guidance would be produced for end-of-life care. **Council noted that supplementary guidance will require at least one year to be developed due to resources and business planning.**	**Decision**
	Statement of Strategy	
	Mr O'Leary gave a presentation to Council on the Statement of Strategy. Council was updated on; • The consultation process which took place • The milestones of development to date • Key feedback and analysis • The revised vision, purpose and values • The strategic themes Council noted the next steps will be a public consultation process, planned for August / September. Council welcomed the updated version of the strategy and felt its previous observations had been incorporated. Further feedback was provided to the Executive to be incorporated prior to the next stage of consultation. Council was requested to advise communications of any additional stakeholder groups that should be reached out to in public consultation.	
	Council approved the Statement of Strategy, to progress to the next stage of public consultation subject to final amendments.	**Decision**
	*Mr Byrne, Mr Buggle and Ms Clancy left the meeting.	
	Physician Associates	
	*Ms McVeigh joined the meeting. Ms McVeigh presented a paper to Council on Physician Associates, contained in the meeting pack. Council commended the paper and held a detailed discussion on the matters presented for consideration in agreeing to the preparation of a position paper.	

	Key areas of focus were guidelines/clarity being necessary for the role and scope of Physician Associates, clinical governance matters and statutory regulation.	
	Council approved the Executive drafting a position paper on the statutory regulation of Physician Associates, to return to Council, for approval, at a later date.	**Decision**
	*Ms McVeigh left the meeting.	
	Revised bank mandate	
	This item was taken before following item 8, before item 9. Ms Fox presented the revised bank mandate to Council, contained in the meeting pack.	
	Council approved the revised bank mandate and investments mandate signatories, as per the revised mandate dated 24 July 2024.	**Decision**
	Finance Advisory Committee - Terms of reference	
	This item was taken before following item 8, before item 9. *Ms R Rock joined the meeting. Ms Fox presented the Finance Advisory Committee Terms of Reference to Council, contained in the meeting pack. Council noted that the revised terms of reference incorporated the recommendations given by Council at the April Governance meeting. Council was requested to encourage membership for the Committee.	
	Council approved the terms of reference for the Finance Advisory Committee.	**Decision**
	*Ms R Rock and Ms Fox left the meeting.	
	Revised RCPC - Terms of reference	
	Ms Bulfin presented the revised Registration and Continuing Practice Committee (RCPC) terms of reference to Council, contained in the meeting pack. Council noted the terms are subject to annual review. Ms Bulfin provided Council with an overview of the changes.	
	Council approved the terms of reference for the Registration and Continuing Practice Committee.	**Decision**
	Delegation of Monitoring from the Council to the Executive / Revised Terms of Reference	
	*Ms O'Connor joined the meeting. Ms O'Connor presented the draft delegation of the Medical Council's monitoring functions to the CEO and the revised terms of reference of the Monitoring Committee, contained in the meeting pack.	

	Council approved the - **inclusion of Section 53 conditions in the delegation of the Medical Council's monitoring functions to the Chief Executive Officer (the CEO)** - **delegation of the Council's monitoring functions to the CEO in the terms as set out in the draft Delegation (Appendix 1 of the meeting papers)**	**Decision**
	Council approved the terms of reference for Monitoring Committee.	**Decision**
	Dissolution of Monitoring Assessor Panels in Professional Development	
	*Ms Brosnan joined the meeting. Ms Brosnan presented the dissolution of panels paper to Council, contained in the meeting pack. Council was updated on: - the background to the monitoring assessor panels supporting the undergraduate and postgraduate annual returns monitoring process - the recommendation from the Education and Training Committee to dissolve these panels - an overview of the rationale for dissolving the panels and the efficiencies that this will bring to the process.	
	Council approved to dissolve the Monitoring Assessor Panels, supporting the postgraduate and undergraduate function, and in place of the panels, the Executive will assume full responsibility for the annual returns monitoring process.	**Decision**
	*Ms Brosnan left the meeting.	
	Panel Member Extension – Professional Competence Assessors Panel	
	Ms O'Connor presented the panel members extension paper to Council, contained in the meeting pack.	
	Council approved the extension of Dr Diarmuid Quinlan's membership for 2 years from 15 May 2024 until 31 May 2026 on the Professional Competence Performance Assessors Panel.	**Decision**
	*Ms O'Connor left the meeting.	
	Change of provisional ECM dates from half day to full day	
	Ms Tierney presented the change of meeting scheduling paper to Council, contained in the meeting pack. Assurance was sought from Council members for equal sharing for meeting attendance across its increasing volume of meetings.	
	Council approved; - **the change of provisional half day ECM dates to provisional full day meetings to accommodate the increase in the volume of Section 60 matters** - **an additional ECM date for 27 August** - **Council "Away Day" date for 28 November**	**Decision**

	*Prof Ronan O'Connell left the meeting	
	Complaints Model	
	*Ms McVeigh, Ms B Rock joined the meeting. Ms Cotter, Ms McVeigh and Ms B Rock presented an update to Council on the progress of the complaints model project to include: - Latest developments - Milestones achieved - Upcoming activities Council was also provided with comparisons of complaints and disciplinary procedures in European Union jurisdictions. Ms Rock presented an update to Council on the focus groups that were held with patients and doctors and an overview of the key themes arising from this work. Council noted that it was in the early stages of a conceptual complaints model, but that it was anticipated that recommendations on the model is hoped to be presented at the end of the year. It was noted that any legal review would be sought at the appropriate time. A recommendation was made to ensure pilot testing takes place, with a proportion of complaint cases when the model is determined. Council expressed thanks for the detailed work that had taken place to date. *Ms McVeigh left the meeting.	
	Workforce Intelligence Report	
	*Ms Kelly joined the meeting Ms B Rock and Ms Kelly presented the medical workforce intelligence report 2023 to Council, contained in the meeting pack. Council noted that the report analyses and presents robust data provided by doctors who completed the Medical Council's annual retention process in 2023. It was noted that the data in the report could be used to inform recruitment and retention strategies, medical education and training development and health policy in Ireland. Council noted that data reporting would be moving towards multi annual reporting to further identify trends and insights on an ongoing basis. *Ms B Rock and Ms Kelly left the meeting.	
	RCPC report	
	Council noted the RCPC report, contained in its meeting pack.	
	RAP report	
	Council noted the RAP report, contained in its meeting pack.	
	Overprescribing report	

	Council noted the report of the Multiagency Working Group on examining the overprescribing of Benzodiazepines, Z drugs and Gabapentinoids in Ireland, presented by Dr O'Riordan.	
	The in-person meeting concluded at approximately 17.00.	