



Comhairle na nDochtúirí Leighis Medical Council

Summary minutes of the Medical Council meeting held on 17th & 18th July 2019 in Kingram House, Kingram Place, Dublin 2.

MEMBERS PRESENT – 17th July 2019

Dr Rita Doyle (President)
Dr Anthony Breslin (Vice President)
Dr John Barragry
Ms Vicky Blomfield
Ms Mary Duff
Professor Fidelma Dunne
Mr John Gleeson
Mr Paul Harkin

Professor Mary Leader
Professor Marina Lynch
Ms Catherine McKenna
Mr Joe O'Donovan
Mr Tom O'Higgins
Mr Jim O'Sullivan
Professor Mary O'Sullivan

MEMBERS NOT PRESENT

Dr Marcus De Brun
Ms Teresa Bulfin
Dr Thomas Crotty
Ms Alison Lindsay
Dr Erica Maguire
Dr Maeve Moran

Dr Suzanne Crowe
Professor John Hyland

Dr Aoife Mullally
Mr John Murray

MEMBERS PRESENT – 18th July 2019

Dr Rita Doyle (President)
Dr Anthony Breslin (Vice President)
Dr John Barragry
Ms Vicky Blomfield
Ms Mary Duff
Professor Fidelma Dunne
Mr John Gleeson
Mr Paul Harkin

Professor John Hyland
Professor Mary Leader
Professor Marina Lynch
Mr Joe O'Donovan
Mr Tom O'Higgins
Professor Mary O'Sullivan
Mr Jim O'Sullivan

MEMBERS NOT PRESENT

Dr Marcus De Brun
Ms Teresa Bulfin
Dr Thomas Crotty
Dr Suzanne Crowe
Ms Alison Lindsay

Dr Erica Maguire
Ms Catherina McKenna
Dr Maeve Moran
Dr Aoife Mullally
Mr John Murray

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 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 McMorro, (Head of Procurement & Facilities)
Ms Aoife Fitzsimons (Accreditation Manager)
Ms Kate Zalewska (Corporate Governance & Council Support)
Mr Neil Russell (Chief Risk Officer)

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

Presentation

Dr Gabrielle Colleran gave a presentation to Council on the impact of the Consultant recruitment and retention crisis on Consultants working in the Irish health system. Dr Colleran outlined the impact that the reduced number of consultants working in the health care system has on the delivery of safe and effective health care in Ireland.

Dr Colleran also highlighted the effect of the work conditions within the hospital system on health care providers and that the system, not the doctors, requires immediate improvement.

The President thanked Dr Colleran for her emotive and valuable presentation and advised that Council supports her efforts to advocate for change in the health care system and would provide assistance where appropriate.

CEO’s Business

CEO’s Report

The CEO provided a comprehensive report to Council on the various activities of the Executive, including:

- HR Workforce Planning and Recruitment, including absenteeism trends;
- Medical Council Away Day and Training Programme to date
- Current Procurement Processes including a new Financial Management System. It was noted that the current system is coming to its end of life and end of support.
- Trends and variances in the budget and that the process for flexing the budget for the remainder of the year.
- Long term trends on the Register for first time applications shows little variance over previous years.
- Education & Training accreditation activities for both undergraduate and postgraduate programmes, and Clinical Training Site Inspections.
- The revision of the Ethical Guide is in its final stages and will be ready for publication shortly.

- The review of the Maintenance of Professional Competence Model and Professional Competence Schemes has commenced with the engagement of Health Care Informed.
- The Your Training Counts 2017 Report was launched on 3rd July 2019 following briefings with various stakeholders.
- An update of the various Professional Standards cases and ongoing litigation was provided.
- Highlights of the numerous stakeholder engagements taken place since the last meeting, noting that Council remains in a good position regarding Brexit.

Media Log

Mr Gallagher updated Council on the Media Log and the activities surrounding the launch of the Your Training Counts Survey, highlighting the comprehensive coverage in the media. Mr Gallagher also confirmed to Council that the pre-launch briefing with the Stakeholders was received well. The CEO thanked the Communications Team and Ms O'Farrell for their considerable work on this project.

2018 Workforce Data Report - Draft

Ms Cotter provided Council with an update on the Report which provides more current data, showing consistency with the data and themes of the previous Your Training Counts Report. Ms Cotter highlighted the emerging focus on gender in relation to retention of practitioners on the register. The report highlights the concerns regarding working hours of doctors, as well as non-retention issues of doctors withdrawing from the Register following a short working period in this jurisdiction. Council noted that the report will be finalized with an outline of the key messages from the data in the Executive Summary.

Council approved the draft report and the plan to move forward with the process.

President's Business

President's Report

The President provided a comprehensive overview to Council on her various meetings since the last Council meeting, including:

- The Carlow/Kilkenny Clinical Society, in conjunction with Ms Mulroy, on "The Medical Council: How it works and future developments". The President noted that this was well received and involved a positive exchange of ideas.
- The Medical Council Away Day. The President confirmed that this has been the most productive Away Day she has attended with Council with the highlight on the improvement of Governance and the way in which Council does business. It was agreed that the outputs of the Away Day are plentiful and the Executive will compile a report as soon as possible.
- The meeting with the HSE regarding the development of a strategy for the reduction of benzodiazepine prescribing was very productive, noting that a further meeting will be held to progress matter.
- National Intern Gathering. The President was a key note speaker at this inaugural event in the Aviva Stadium and Council noted the significant impact the President had on the Interns attending.

The President then invited Council to reflect on their first year in office, noting that considerable progress has been made on many matters, however there is still plenty more work to do. The President encouraged Council members to engage with her on any issues they feel she should be aware. Council

unanimously agreed that the President and Vice President are excelling in their roles as leaders of Council and formulating a positive culture throughout Council and the Executive. The President thanked the CEO for his ongoing support.

Update on Open Disclosure

The Vice President updated Council on the recent meeting held with Ms Angela Tysall from the HSE on Open Disclosure and the potential impact of the Civil Liabilities Act and pending Patient Safety Bill. Mr Kennedy outlined to Council the current processes under the Civil Liabilities Act for a doctor making an open disclosure and the apparent limitations of the current legislation.

Committees:

Strategy & Governance Committee (SGC)

The report of the Strategy and Governance Committee meeting held 12th June 2019 was presented to Council.

Council was advised of four items to note:

- The Business Plan will be aligned to the Statement of Strategy when reporting for reporting purposes.
- The Terms of Reference of the Registration Adjudication Panel were approved.
- The Terms of Reference of the Ethics Committee required a number of amendments and will be approved following a further meeting conducted by the Circulation of Papers.
- The Committee will consider the distribution of Council Members' Committee workload

Council was also advised that the outcomes from the Board Effectiveness Review will fall under the auspices of the Strategy & Governance Committee from now on, to include the delineation of Governance and Regulation; and Strategic vs Operational, and the streamlining of the Council Brief and meetings.

It was noted that the streamlining of the Fitness to Practice reports and subsequent Sanction Hearings will remain under the auspices of the Streamlining Group and work will continue in this regard.

Council approved the reports of the Strategy & Governance Committee.

Registration Adjudication Panel – Expressions of Interest sought

Council was advised that Expressions of Interest for appointment to the Registration Adjudication Panel are sought from Council Members, to be forwarded to Ms Purcell or Mr Brady.

Education & Training Committee (ETC)

The report of the Education & Training Committee meeting held on 26th June 2019 was presented to Council.

Council was advised that there were no items for decision, and a number of items for noting, including:

- Qualitative and Quantitative data from the Postgraduate Annual Returns for the academic year 2017-2018, noting that this is the first time a standardised Annual Returns Process had

been produced. The findings show a high level of entry at BST Grade and that there is good progression low attrition rates.

Council approved the report of the ETC.

Registration & Continuing Practice Committee (RCPC)

The report of the Registration & Continuing Practice Committee meeting held 19th June 2019 was presented to Council.

Council was advised that there were no items for decision and Dr Breslin outlined a number of items for noting, including:

- Correspondence was received seeking clarification on arrangements referred to as “Acting UP”, and Council noted the decision of the Committee that the current guidance should not be amended, that acting up should only occur in the final few months of training.

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

Health Committee

The report of the Health Committee meeting held on 3rd July 2019 was presented to Council.

Council approved the report of the Health Committee.

Monitoring Committee

The report of the Monitoring Committee meeting held on 4th July 2019 was presented to Council.

Council approved the report of the Monitoring Committee.

Matters 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

FTP Inquiry calendar of provisional dates – Sept – Dec 2019

This item was noted by Council.

Section 60 Report

This matter was noted by Council.

Report of the Fitness to Practise Committee

The report of the Fitness to Practise Committee meeting held on 20th June 2019 was presented to Council.

Council was advised that this was the first meeting of the Committee as a whole and it proved to be a useful and informative meeting.

Council was advised that the Committee has reviewed and accepted the Terms of Reference following an amendment of 1(c) to exclude Parts 7 & 9 of the Act.

Ms Duff invited members of Council to attend Inquiries and High Court Applications for their information.

Council was advised that further training will take place in November and a Committee meeting will take place in advance of the training to reduce costs. Ms Duff thanked the Executive for their role in organising the training and Committee meeting.

Council approved the inaugural report of the Fitness to Practise Committee.

Any other Business

Delegate Audio System

Council was advised of the need for a repair or replacement of the current delegate audio system in the Council room, which has experienced poor performance and malfunction, and is deemed no longer fit for purpose. An option to repair proved both costly and challenging as the original supplier has gone out of business. Alternative repair options have been discounted as the system is deemed at end of life.

Council was advised of a tender process to replace the audio system, under the oversight of the AFRC, and was assured of that the winning bid will support the needs of the Council and Executive. It was noted that the spec of the new audio system will include the resource room and would be transferable to alternative locations should the need arise. It was also noted that phase 2 of the system will include a video option.

Council approved the request for the letting of the tender for a replacement delegate audio system, as set out in the report.

Date and Time of next meeting

The next scheduled meeting will be held on 12.30pm on Wednesday 4th September 2019 and at 09.30am on Thursday 5th September, 2019

There being no further business the meeting concluded at 17.20pm