Summary minutes of the meeting of the Medical Council held in person on the 24th January 2024 in Kingram House, Dublin 2.

MEMBERS PRESENT – 24th January 2024

Dr Suzanne Crowe (President)
Dr Mary Davoren (Vice President)
Ms Teresa Bulfin
Ms Marie Culliton
Dr Morgan Crowe
Ms Sinead Corcoran
Mr Paul Harkin
Ms Jill Long
Dr Margaret O'Riordan
Prof Mary O'Sullivan
Mr Jim O'Sullivan
Prof Joe McMenamin
Mr John Murray
Prof Deirdre Murphy
Mr Nauman Nabi
Prof Ronan O'Connell
Prof Ronan Quirke
Prof Edna Roche
Dr Liqa Ur Rehman

APOLOGIES
Mr Ian Drennan
Mr John Gleeson

In attendance for the entire meeting - In Person
Mr Leo Kearns (CEO)
Ms Mellisa Tierney (Corporate Governance & Council Manager and Interim Secretary to Council)
Mr Colm O'Leary (Executive Director of Strategy & Business services)
Ms Roseanne Fox (Executive Director of Finance, IT & Digital Transformation)
Ms Mairead Britton-Doyle (Executive Director of Fitness to Practise & Monitoring)
Mr Paul Byrne (Executive Director, Regulation, Operations & Support Services)
Ms Jantze Cotter (Executive Director of Regulatory Policy & Standards)
Mr Alan Gallager (Head of Communications & Stakeholder Engagement)

In attendance for relevant sections of the meeting
Ms Fiona Redmond (Chief Risk Officer and Governance & Compliance Manager)
Ms Fiona McVeigh (Head of Regulatory Policy)
Ms Collette O'Connor (Head of Monitoring)
Ms Niamh Dunne (Head of Liaison)
Mr William Kennedy (Head of Legislative Affairs)
Ms Debbie Chappat (Legal Change Project Manager)

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

CEO's Business
CEO's Report
Mr Kearns, CEO welcomed Mr Colm O'Leary, Executive Director of Strategy & Business services to the organisation. Mr Kearns took the CEO Report, Business Plan 2023 and Section 60 Report as read and welcomed any questions. The Council discussed a number of items arsing in the report including registration issues, protected disclosures, Council indemnity, WRC complaints and the deliverability of the 2024 business plan based on the 2023 plan. The Council noted the content of the CEO Report, Business Plan 2023 and Section 60 Report. Council also complemented the new format of the Section 60 report.

Ms O'Connor and Ms Dunne joined the meeting.

Monitoring Paper
This matter was presented to Council by Ms Britton Doyle and Ms O'Connor. Ms O'Connor delivered a PowerPoint presentation to Council. Council was informed that currently the Monitoring Committee is limited in their remit to monitoring practitioners with conditions only. It was outlined that the long-term plan being proposed is that monitoring activities would be delegated to the Executive, with the appropriate governance structures and supports put in place. Council was informed in that context, when the Executive is fully established and operational, the plan proposes that the Monitoring Committee would be stood down. The current Chair of the Monitoring Committee voiced her support for the standing down of the Committee in line with the plan presented to Council. Council was informed that this is consistent with the arrangements of other similar regulatory bodies, and facilitates the centralisation all monitoring activities, the development of a more consistent and coordinated approach, and, over time, the building of knowledge & expertise in the area. Council was informed of the proposed plan which is set out in three phases over the next two years. Council discussed the matter and highlighted their support for the proposed plan. Council approved the proposed plan.

Liaison and Support Service
This matter was presented to Council by Ms Dunne. Council was informed that the Liaison and Support Services will serve as a vital link between the Medical Council and its diverse stakeholders. With a mission to implement support mechanisms, the service navigates stakeholders through the complexities of the regulatory environment with compassion and clarity. Ms Dunne outlined in detail the background and the six objectives of the Liaison & Support Services Framework as well as the next steps. Council discussed the matter and raised questions on the types of supports that will be offered and were assured that there would be a strict remit and boundaries to the services offered. Council requested that an update be brought to Council in September 2024 of the progress and examples of issues that the service was able to deal with. Council approved Liaison & Support Services Framework.

Ms O'Connor and Ms Dunne left the meeting and Ms McVeigh, Ms Redmond, Mr Sidebottom and Mr Kennedy Joined the meeting.

Publications Policy
This matter was presented to Council by Ms McVeigh. Council was reminded that at the meeting of Council on 12th December 2023, a presentation was given to Council on the draft publications policy and background brief on the regulatory context of the policy drafting. Council members were asked to consider the documents and the content of the presentation and make any recommendations for change in advance of this Governance meeting. To date there have been no changes suggested outside of edits recommended at the December meeting. Council approved the Publications Policy subject to some further edits. Council was advised that there will be internal operations put in place by the

Executive to prepare for implementation and that Council will be advised of a “go-live” date in due course.

Ms McVeigh and Mr O’Sullivan left the meeting.

Draft Memo for Govt – potential amendments to Parts 7 & 9 of principal Act
This matter was presented to Council by Mr Kennedy. Council was reminded that at the meeting of Council on 12th December 2023, a presentation was given to Council on the draft Memo for Govt – potential amendments to Parts 7 & 9 of principal Act. Council was reminded that the primary amendments concerned: The provision of PPC opinions to the Council for decision, and the imposition of sanctions by Council following a finding by the FTPC. In addition to the primary amendments, Council was also informed that it was also intended to seek amendments to section 105 of the Principal Act. Council was asked to make a decision to approach the Department of Health to pursue these amendments to the Principal Act. Council discussed the matter and approved the decision to approach the Department of Health to pursue these amendments to the Principal Act.

Prof Murphy joined the meeting.

Appointment of Council Member on FtPC
Dr Morgan Crowe withdrew for the meeting for this item. This matter was presented to Council by Ms Tierney. Council was reminded that vacancies arose on the Fitness to Practise Committee due to the recent resignations of two Council Members from Council. Council was informed that Dr Morgan Crowe was invited to submit an expression of interest to be appointed to the Fitness to Practice Committee. Council was requested to approve the proposed appointment of Dr Morgan Crowe to the Fitness to Practise Committees with effect from the 24th January until the 31st May 2026. Council approved the appointment of Dr Morgan Crowe to the Fitness to Practice Committee.

Ms Tierney also provided Council with an update in relation to the current vacancies on Council.

Protected Disclosures Policy
This matter was presented to Council by Ms Redmond. Council was reminded that at the meeting of Council on 12th December 2023, training was provided on Protected Disclosures and was informed that the Protected Disclosures Policy would be brought to their next meeting. Ms Redmond took the policy as read and invited any questions. Council discussed the matter in detail and requested that an update be made to Council in six months with redacted examples of the types of issues which have been dealt with under Protected Disclosures and the number of issues which have been raised. Council approved the Protected Disclosures Policy.

Fitness to Practise Committee 2023 Activity Report
This matter was presented to Council by Ms Britton-Doyle. The report was taken as read and Ms Britton-Doyle welcomed any questions. Council discussed the content of the report, including legacy cases and highlighted that the data provided was extremely helpful.

Ms Redmond, Mr Sidebottom and Ms Long left the meeting.

Business Plan 2024 & Budget
Following on from the discussion of the draft Business Plan at the December Governance meeting, the Business Plan and Budget for 2024 was before Council for approval. Mr Kearns outlined the key themes underpinning the plan, these being: consolidation and embedding of organisation changes following significant transformation in 2023; addressing strategic challenges such as the

implementation of the 2020/23 Acts, with a focus on PPC and FTP; developing a policy regarding the overall complaints model; and dealing with a range of operational challenges regarding the day-to-day business of the Council. As in previous years, sustainability remains a major challenge, both in terms of the burden being placed on Council members and the significant cost pressures being experienced, largely driven by legal costs. The plan is based on the existing statement of strategy but given that the new statement of strategy will be finalized by Council by mid-year, a re-calibration of the plan will occur at that point. This will also allow for the fact that at the time of drafting there is still uncertainty about some aspects of the plan, for example the timeline for commencement of legislation which is a matter for the DoH. The budget anticipates a significant deficit for 2024, and this issue was discussed at length. As had been flagged at previous Council meetings during 2023, this deficit is primarily the result of a very significant increase in legal spend, resulting from a major increase in referrals of complaints from PPC to FTP. Other factors include the considerable increase in activity in other areas, particularly Registration. While Council has significant reserves which allows it to cover this deficit, this is not a sustainable position. Various options regarding income enhancement were discussed, enhancing financial controls, and options relating to reducing expenditure. Key among the latter is the necessity to re-envisioning of the complaints model, and the 2024 plan includes an objective to have an agreed policy on this by year-end. Council requested the Executive to report at each Governance meeting on progress on this issue. Following lengthy discussion, Council approved the Business Plan & Budget for 2024.

Registration & Continuing Practice Committee Report
Council noted the contents of this report.

RAP Report
Council noted the contents of this report.

Any other Business

The in-person meeting concluded at approx. 3.15pm for the day.