Summary minutes of the meeting of the Medical Council held in person on the 5th September 2023 in Kingram House, Dublin 2.

MEMBERS PRESENT – 5th September 2023

Dr Suzanne Crowe (President)
Dr Mary Davoren (Vice President)
Ms Teresa Bulfin
Ms Marie Culliton
Mr John Gleeson
Mr Paul Harkin
Ms Jill Long
Dr Margaret O'Riordan
Mr Jim O'Sullivan
Prof Mary O'Sullivan
Mr John Murray
Dr Liqa Ur Rehman
Ms Joan Heffernan
Prof Ronan O'Connell

APOLOGIES

Mr Ian Drennan
Ms Sinead Corcoran
Prof Catherine Godson
Prof Joe McMenamin
Prof Deirdre Murphy
Mr Nauman Nabi
Prof Ronan Quirke
Prof Edna Roche

In attendance - In Person

Mr Leo Kearns (CEO)
Ms Lorna Purcell (Head of Corporate Governance & Secretary to Council)

In attendance for relevant sections of the meeting

Ms Niamh Webb (Head of Information Governance)
Mr Alan Gallager (Head of Communications & Stakeholder Engagement)
Ms Roseanne Fox (Head of Finance)
Ms Fiona Redmond (Chief Risk Officer and Governance & Compliance Manager)
Ms Jantze Cotter (Executive Director of Regulatory Policy & Standards)
Ms Fiona McVeigh (Head of Regulatory Policy)
Ms Caren Shanley (Senior Solicitor Complaints and Investigations)
Ms Johanna Morris (General Counsel Office of the CEO)
Ms Mairead Britton-Doyle (Director of Fitness to Practise)
Ms Yvonne Clancy (Interim Head of HR)
Ms Meadhbh Fitzgerald (PWC)
Mr David Keane (PWC)

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

Presentation on Information Governance incorporating Data Protection & Freedom of Information
Ms Niamh Webb, Head of Information Governance, gave a presentation of the importance of adhering to good practice regarding Data Protection and Freedom of Information principles. She outlined the types of information processed, what a data breach is, the core principles of data protection, what a record is, common pitfalls and the importance of security of all information held. There was a discussion around the challenges of the roll out of the @mcirl email addresses, and Ms Webb committed to taking this information away and discussing potential solutions with a smaller group of Council members.

The Council members thanked Ms Webb for her presentation and she left the meeting.

President's Business

President's Report
The President went through her list of engagements and highlighted a very productive meeting with the Board of Children's Health Ireland.

Statement of Strategy
Mr Alan Gallagher joined the meeting and gave a verbal update on the progress made so far regarding the development of the Statement of Strategy for the Medical Council, explaining that there have been 95 responses from a variety of stakeholders and good engagement from staff and Council members. He reminded Council of the Stakeholder Workshop taking place on October 6th where the Strategy development will be discussed further. Mr Gallagher left the meeting.

Chair Appointments
Ms Lorna Purcell, Head of Corporate Governance, presented a memo on the Chair appointments process, and sought Council approval for the appointment of Chairs for the various Committees. Council approved the Chair appointments as set out in the memo.

Committees

Audit & Risk Committee (ARC)
Ms Roseanne Fox, Head of Finance, joined the meeting. The ARC report was presented to Council. Mr O'Sullivan requested Council approval for the payment of the Practitioner Health Matters Programme donation as outlined in the Memo. Council approved this proposal.

There was a discussion around the Management Accounts and Council was reassured that the ARC carries out a detailed review of the Management Accounts and that they are audited by the Comptroller & Auditor General (C&AG). It was agreed that it may be useful for information on the variances outlined on the Statement of Income & Expenditure to be added. Mr Leo Kearns explained that a Finance Committee will be established in 2024. There was also a discussion around the increase in pension costs and the longer-term implications of this.

Risk Report
Ms Fiona Redmond, Chief Risk Officer, joined the meeting and presented the Risk Report. She outlined the work being carried out on Decision Time and also addressed some queries around the risk appetite of the organisation.

Ms Fiona Redmond and Ms Roseanne Fox left the meeting.

Ethical Guide to Professional Conduct and Ethics (9th edition)
This item was chaired by Dr Mary Davoren. Ms Jantze Cotter, Executive Director of Regulatory Policy & Standards and Secretary to the Ethics Committee joined the meeting. She opened by acknowledging the hard work of the Ethics Committee and her team, specifically Ms Fiona Healy, in the development of the draft Ethical Guide to Professional Conduct and Ethics (the Guide).

She explained the process undertaken to date, and the next steps to be followed if Council was to approve the Guide. Council members then highlighted areas of the Guide that they felt needed some modification and where there was general agreement these items were noted by Ms Cotter. The Guide was approved in principle, subject to the implementation of the agreed changes. Ms Cotter left the meeting.

CEO's Business

CEO Report & Appendices
Mr Leo Kearns went through the CEO Report. There was a discussion around how the Medical Council have several tools other than the Fitness to Practice (FtP) route to ensure patient safety, and that more time and consideration should be given by Council to this and how to develop other mechanisms to address patient safety concerns. It was agreed that the new Liaison function would help in this area but that other measures need to be considered. It was suggested as a topic to be addressed at an upcoming 'Away Day' for Council.

There was also a discussion around the number of FtP cases disposed of and a request that information be provided to Council regarding the outcomes of the cases disposed of. There was also a query around the backlog in Registration, and the Council were assured that serious efforts were being made to address it.

Business Plan mid-year review (including the Flex Budget)
There was a discussion around the increase in Section 60 applications and a suggestion that some intelligence is distilled from the information coming through at Section 60 stage.

Regulatory Policy Priorities
Ms Fiona McVeigh, Head of regulatory Policy and Ms Jantze Cotter joined the meeting. Ms Fiona McVeigh presented Council with the Regulatory policy gaps to be addressed for the remainder of 2023 & 2024. Ms McVeigh presented a list of policy priorities and sought approval from Council to use the list set out in an appendix to the Memo. She explained that all policies must be workable by Council and that the Policy team will draw on the expertise of the rest of the organisation when formulating and drafting the policies.

Sec 57 Delegation
Ms Caren Shanley, Ms Johanna Morris & Ms Mairead Britton-Doyle joined the meeting.
Ms Caren Shanley also presented this item, requesting that Council delegate decisions made under Section 57 (1) of the Medical Practitioners Act 2007 to the Chief Executive Officer as per the reasoning set out in the Memo and the detailed Delegation document included as an Appendix to the Memo. After some discussion Council approved the proposal.

Legal Spend
Ms Britton Doyle presented a memo for information on the rising levels of organisational expenditure, setting out the reasons for the increase and how it can be addressed. She finished by stating that a strategic analysis will be carried out regarding how to best address this and that this will be presented

to Council in due course for consideration as part of its new Statement of Strategy. Council expressed strongly that this should be an area of serious priority for the Council.

Legal Services Tender
Ms Britton – Doyle presented a memo for information on the new Legal Services tender, outlining the approach, timeline, and the key points for Council arising from the Legal Services tender.

Mr John Gleeson, Ms Caren Shanley, Ms Johanna Morris & Ms Mairead Britton-Doyle left the meeting.

Organisation Design – Detailed Design
Ms Yvonne Clancy, Interim Head of HR, Ms Meadhbh Fitzgerald & Mr David Keane from PWC presented an update on the Organisational Design project.

Any Other Business

No other business was raised.

The in-person meeting concluded at approx. 4pm for the day and resumed on September 6th 2023 at 9.00am, for Day 2 – Regulatory, held virtually.