Summary minutes of the Medical Council meeting held virtually on 1st & 2nd September 2021 through Zoom Meeting App.

MEMBERS PRESENT – 1st September 2021

Dr Suzanne Crowe (President)
Dr Thomas Crotty (Vice President)
Ms Vicky Blomfield
Ms Teresa Bulfin
Ms Marie Culliton
Dr Mary Davoren
Prof Paul Finucane
Mr John Gleeson
Mr Paul Harkin
Prof John Hyland
Ms Jill Long
Dr Michael McGloin
Prof Joe McMenamin
Dr Aoife Mullally
Dr Margaret O'Riordan
Mr Jim O'Sullivan
Prof Mary O'Sullivan
Prof Edna Roche

APOLOGIES

Dr Anthony Breslin
Mr Ian Drennan
Prof Marina Lynch
Mr John Murray
Mr Ronan Quirke

In attendance
Mr Leo Kearns (CEO)
Mr Philip Brady (Director Strategic Projects & Registration)
Ms Lorna Purcell (Head of Corporate Governance & Secretary to Council)
Mr William Kennedy (Director of Regulation, Solicitor)
Ms Jantze Cotter (Director of Professional Competence & Research)
Ms Úna O'Rourke (Director of Education & Training)
Ms Katie Mulroy (Head of Investigations & Complaints; Solicitor)
Ms Johanna Morris (General Counsel)
Ms Ruth Rock (Head of Investigations & Complaints; Solicitor & Legal Advisor)
Ms Treasa Walsh (Solicitor & Legal Advisor)
Mr John Sidebottom (Head of Inquiries, Health and Monitoring)
Ms Ann Curran (Head of Registration)
Ms Ciara McMorrow (Head of Procurement & Facilities)
Ms Roseanne Fox (Head of Finance)
Mr Alan Gallagher (Head of Communications)
Mr Colin Cooper (Head of ICT)
Ms Marion Mitchel (Head of HR)
Ms Bernadette Rock (Head of Research)
Ms Fiona Healy (Head of Performance, Professional Conduct and Ethics)
Ms Janet O'Farrell (Senior Research Officer)
Ms Marion Brosnan (Accreditation Executive)
Ms Carol Fitzgerald (Complaints & Investigations Manager)
Ms Jan Fitzpatrick (Corporate Governance & Council Manager)

Ms Fiona Redmond (Information Governance Manager)
Ms Kate Zalewska (Corporate & Council Officer)

MEMBERS PRESENT – 2nd September 2021

Dr Suzanne Crowe (President)
Dr Thomas Crotty (Vice President)
Ms Vicky Blomfield
Ms Teresa Bulfin
Ms Marie Culliton
Dr Mary Davoren
Prof Paul Finucane
Mr John Gleeson
Mr Paul Harkin
Prof John Hyland
Ms Jill Long
Prof Marina Lynch
Dr Michael McGloin
Prof Joe McMenamin
Dr Aoife Mullally
Mr John Murray
Dr Margaret O'Riordan
Mr Jim O'Sullivan
Prof Mary O'Sullivan
Mr Ronan Quirke
Prof Edna Roche

APOLOGIES

Dr Anthony Breslin
Mr Ian Drennan

In attendance

Mr Leo Kearns (CEO)
Mr William Kennedy (Director of Regulation, Solicitor)
Ms Ann Curran (Head of Registration)
Ms Johanna Morris (General Counsel)
Ms Lorna Purcell (Head of Corporate Governance & Secretary to Council)
Mr John Sidebottom (Head of Inquiries, Health and Monitoring)
Ms Katie Mulroy (Head of Investigations & Complaints; Solicitor & Legal Advisor)
Ms Ruth Rock (Head of Investigations & Complaints; Solicitor & Legal Advisor)
Ms Treasa Walsh (Solicitor & Legal Advisor)
Ms Jan Fitzpatrick (Corporate Governance & Council Manager)
Ms Kate Zalewska (Corporate & Council Officer)

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

The President welcomed the newly appointed Council member Ms Marie Culliton.

CEO'S Business

CEO report

The CEO advised Council that the CEO report contains an update on activity against the 2021 Business Plan, aligning with the Council's Statement of Strategy up to 13^{th} August 2021. Council was advised that all of the 2021 objectives have been reviewed and the current status is outlined in the report.

Council was then advised that the commencement of the relevant parts of the new Act - Regulated Professions (Health and Social Care) (Amendment) Act 2020 – has been delayed until most likely early 2022. This was due to the Dept of Health carrying out some amendments to same.

Council was updated on the Workforce Plan. It was noted that the plan requires approval from the Dept of Health and the Executive are currently in discussion with the Dept to progress further. It was also noted that the Dept of Health are also in discussion with the Dept of Public Expenditure and Reform regarding approval of the plan.

Council was advised that that a review of the fees structure will be undertaken, with consideration to doctors not in active clinical practise and trainee doctors. Further information will be provided in due course.

The CEO informed Council that, to date, there had been 25 Council meetings since the beginning of the year, which represents a significant increase in the workload of both Council and the Executive.

Council was then advised that progress continues of the development of the Risk Register on Decision Time. It was noted that the structure of the Risk Framework requires some updating, but this will be dependent on the availability of suitable resources.

Change Plan Update.

Mr Brady gave a presentation to Council to update on the progress of the Change Programme. Council was advised that work is ongoing to identify the priorities for the remainder of 2021 and for 2022 with an overview of the priority projects and business as usual activities.

Mr Brady then provided an overview and update on the varying programmes:

- Kingram House/Return to Work
- Governance & Strategic Alignment
- People
- Major Changes to Regulatory Functions
- Complaints, Investigations & Hearings
- Operational Performance
- Next Steps

The President confirmed to Mr Brady and the CEO that they have the full support of Council, and this extends to every member of the Executive Team.

Media Log

Mr Gallagher presented the Media Log to Council. Council was advised of the purpose and content of the report on media coverage from 1st July 2021- 18th August 2021.

Council noted this item.

Your Training Counts

Ms Bernadette Rock gave a presentation to Council on the outcomes of the 'Your Training Counts' survey 2019/2020. Council was advised that the survey is an investigation of Trainee wellbeing and their experiences of clinical learning environment in Ireland.

Council was given an overview of the data emerging from the survey with a comparison on the previous year, including:

- Demographic of participants
- Quality of life
- General Health of respondents
- Frequency of bullying
- Working Hours
- Experiences
    - Resources
    - Rostering & Hours
    - Training
    - Flexibility
- Next steps

Council was also taken through a number of direct quotes from respondents, highlighting their personal experiences.

Council agreed that there were some worrying trends emerging and it would be important for the Medical Council to prioritise strategic and high-level stakeholder engagement to drive for change.

Workforce Intelligence Data

Ms O'Farrell gave a presentation on the Workforce Intelligence Report 2021, focusing on retention in the context of a challenged health system. The presentation outlined the context for the 2021 report, including an outline of the source of data. Ms O'Farrell then provided an overview of the data to Council, including:

- Retention numbers: 2020 & 2021
- Doctors retaining registration 2021 and clinically active in Ireland
    - Number
    - Role
    - Average hours worked
- Divisional status and region of qualification 2021
- Role and region of qualification 2021: NTSD posts

- Number of doctors providing telemedicine services
- Intern Progression – 2015 cohort
- Voluntary withdrawals 2020 – 2021 to date
- Location of doctors who relocate
- Analysis of trends and areas of concern
- Recommendations

The CEO advised Council that the structure of the training programme for doctors was resultant from the Fottrell Report, and it was agreed that this report was no longer applicable to the Irish context. Council was advised that this has been highlighted to the Dept of Health and is an ongoing concern.

The President then invited Ms O'Farrell to present further findings at the October Council meeting resulting from the 2021 retention process.

Fitness to Practise Inquiry List

Mr Kennedy gave a presentation to Council of the latest information on the outstanding Fitness to Practise Inquiries to be heard.

Mr Kennedy outlined to Council a detailed analysis of the number and status of the outstanding complaints, with a comparison on previous years.

Council was then given an insight into the Case Management process, the newly introduced Remote Platform for hearing Inquiries and a schedule of Hearings planned for the remainder of the year and into 2022.

Mr Kennedy then informed Council on the progress of the status of the Regulated Professions Act 2020, and Council noted that it would most likely be next year before the relevant sections are commenced, due to amendments being made by the Dept of Health.

President's Business

President's Report

The President gave a high-level overview of her public activities with a variety of stakeholders as outlined in her report to Council. Council was advised that the President continues to progress the work of the former President in a number of areas including the Overprescribing Working Group and the Education & Training Consultative Forum.

Council then noted the President's report.

Interim Chair of the Audit, Finance & Risk Committee

Ms Purcell presented this item outlining the status of the Chair of the Audit, Finance & Risk Committee (AFRC).

Council was advised that**, f**ollowing the resignation of Mr Joe O'Donovan, the AFRC approved Mr Jim O'Sullivan to act as interim Chair of the committee, in order to ensure the continuation of the normal business of the committee at its meeting on 13th August 2021.

The President invited Council members, with appropriate qualifications and experience, to either verbally submit their expression of interest for the position of Interim Chair or approve Mr O'Sullivan to that position until such time that Council formally approves a new Chair for the committee

At the direction of the President, a process to request expressions of interest from current Council members for the position of Chair of the AFRC in accordance with the requirements set down by the Code of Practice for the Governance of State Bodies, 2016, will be undertaken by the Corporate Governance team following the Council meeting.

Council approved Mr O'Sullivan's appointment as Interim Chair of the AFRC.

Council Meetings 2022 – draft schedule of meetings

Ms Purcell presented a draft schedule of the Council Meeting for 2022.

Council approved the schedule of the Council Meeting for the next year.

Committee Reports:

Audit Finance & Risk Committee (AFRC)

The report of the Audit, Finance & Risk Committee held on 13th August 2021 was presented to Council.

Council was advised that there were items for decision:

1. **Appointment of Interim Chair of the AFRC**
   This matter was dealt with under agenda item 4.2.

2. **Internal Audit Schedule 2021 – 2023**
   Council was given an overview of the draft three-year internal audit schedule to include the following activities for 2021:

   - Governance- Freedom of Information (FOI)
   - Professional Competence- Performance Assessment
   - Finance- Internal Financial Controls

   Council was also informed that the IA Plan will allow flexibility to adjust priority areas based on risk and emerging risks, and the AFRC would take advice in this regard from Crowleys (IA Provider).

   Council approved the Internal Audit Schedule 2021 – 2023, including the plan for flexibility.

Strategy & Governance Committee (SGC)

The report of the Strategy and Governance Committee meeting held on 28th July 2021 was presented to Council.

Council was advised that there were no items for decision from the Strategy and Governance Committee.

Council was advised that the SGC strongly endorses the Change Programme proposed by the CEO and recognises the scale of the required change and the challenge of balancing change with business as usual. Mr Harkin informed Council that the SGC can undertake an oversight role on the Change Programme on behalf of Council.

Council was updated in regard to Council members' appointment to Committees. It was noted that it may be necessary to recruit additional external members of the Preliminary Proceedings Committee to ensure appropriate expertise is available.

Mr Harkin informed Council that following the recent appointments of Prof Mary O'Sullivan and Dr Margaret O'Riordan to the SGC, there is an imbalance within the medical/non-medical ratio. Council was advised that the SGC will review the matter and bring back to Council for approval.

Council was informed that, following the resignation of the Chair of the AFRC, there is a gap in the procedures for the appointment of Chairs to Committees within the Medical Council Governance Framework. Council was advised that the SGC will work with the Corporate Governance section to develop an appropriate process.

Council was then advised that following Dr Anthony Breslin's resignation as Vice President, he was not assigned to either the Fitness to Practise Committee (FtPC) or the Preliminary Proceedings Committee (PPC), in accordance with Council's usual procedures. It was noted that the impact of the pandemic continues to be a burden on Dr Breslin's availability, but once he has more availability the SGC will recommend his appointment to the FtPC.

Council approved the report of the Strategy & Governance Committee.

Education and Training Committee (ETC)

The report of the Education & Training Committee meeting held on 28th July 2021 was presented to Council.

Council was advised that there were no items for decision from the Education & Training Committee, and Prof O'Sullivan then gave a high-level overview of items to note, contained in the report.

Council approved the report of the Education & Training Committee meeting of 28th July 2021.

Ethics Committee

The Report of the Ethics Committee meeting held on 21st July 2021 was presented to Council. Council was advised that there were no items for decision from the Ethics Committee, and the President then gave a high-level overview of items to note, contained in the report.

Council approved the report of the Ethics Committee.

Registration & Continuing Practice Committee (RCPC)

The report of the Registration & Continuing Practise Committee meetings held on 10th June & 15th July 2021 was presented to Council.

Council was advised that there were no items for decision from the RCPC and was provided with a high-level overview of items to note, contained in the report.

Council approved the report of the Registration & Continuing Practise 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

Date and Time of next meeting

The next scheduled meeting is on Wednesday 6th October 2021. (Regulatory)

There being no further business, the meeting concluded at 12.45pm.