



**MINUTES OF THE BOARD MEETING OF  
THE HEALTH INFORMATION AND QUALITY AUTHORITY (The Authority)**

**Teleconference  
23 November 2012**

**Present:**

<b>Name</b>	<b>Details</b>	<b>Initials</b>
Pat McGrath	Chairperson	<b>PMcG</b>
Philip Caffrey	Board Member	<b>PC</b>
Sam McConkey	Board Member	<b>SMcC</b>
Cillian Twomey	Board Member	<b>CT</b>
Grainne Tuke	Board Member	<b>GT</b>
Sheila O'Malley	Board Member	<b>SOM</b>
David Molony	Board Member	<b>DM</b>
Darragh O'Loughlin	Board Member	<b>DOL</b>

**In Attendance:**

Tracey Cooper	Chief Executive Officer	<b>TC</b>
Kathleen Lombard	Board Secretary	<b>KL</b>
Richard O'Sullivan	Legal Adviser	<b>ROS</b>
Phelim Quinn	Director of Regulation	<b>PQ</b>
Hilary Coates	Head of Operations and Learning	<b>HC</b>
Marty Whelan	Head of Communications	<b>MW</b>
Jane Grimson	Director of Health Information	<b>JG</b>

**1. Purpose of meeting**

The Chairperson thanked the Board Members for making themselves available again and stated that the purpose of the meeting was to consider clarifications requested during yesterday's conference call where it had been agreed in principle to undertake a section 9 (1) investigation into circumstances surrounding the death that occurred at Galway University Hospital.

Before continuing, the Chairperson asked if Board members and members of the Executive could confirm the privacy of their surroundings so that confidentiality could be assured. This was confirmed.

## **2. Quorum**

It was noted that a quorum was present and the Board meeting was duly convened.

## **3. Conflict of interest**

No declarations of interest were made in relation to the matter under discussion.

## **4. Further clarifications on the issue under discussion**

### **4.1 Detailed briefing**

HC provided a comprehensive briefing and context on the events leading up to and surrounding the circumstances of Savita Halappanavar's death as informed by information received by the HSE. She also clarified that the Authority had written to the HSE when this issue became public to seek information in relation to the procedures and controls the hospital has in place for managing patients with deteriorating conditions. This was discussed in detail.

A discussion also took place regarding the letter that the Chief Executive had received from the Director General Designate for the HSE the previous afternoon, and shared with the Board, requesting the Authority to undertake an investigation into the care received by Savita Halappanavar.

ROS clarified the legal thresholds that the Board should satisfy itself are met to instigate "an investigation as to the safety, quality and standards of the services" and outlined that an investigation can be undertaken:

- a) at the instigation of the Board if there are "reasonable grounds" that "there is a serious risk to the health and welfare of a person receiving those services" under section 9(1) of the Act
- b) if requested by the Minister for Health under Section 9(2) of the Act

The Board also has to be satisfied that the risk is "as a result of any act, failure to act or negligence" on the part of the Executive or a service provider.

For information, TC advised the Board that she and the Chairperson had received a letter from the Irish Council for Civil Liberties (ICCL) which stated that it welcomed any action HIQA might take to complement the HSE review but at the same time clarified that Praveen Halappanavar is entitled to an effective official investigation into his wife's death. TC read the letter in full to the Board members.

The Board thanked the Executive for a very comprehensive and clear briefing.

### **4.2 Draft terms of reference**

Following the Board conference call meeting on the previous day, the Executive had developed draft terms of reference for discussion with the Board. It was agreed that the terms of reference should assess whether the services provided complied with the *National Standards for Safer Better Healthcare* and national and international evidence on achieving best outcomes. It was agreed that the terms of reference

should reflect relevant points made by the Board during the meeting and that a further meeting of the Board should take place to formally approve the redrafted terms of reference.

#### **4.3 Engagement with affected parties**

TC advised the Board that she had spoken with Praveen Halappanavar's (PH) solicitor and had extended the sympathy of those in the Authority to Mr Halappanavar. She had related that the Board were currently considering instigating an investigation and were considering the information received and the request by the HSE.. She invited Mr Halappanavar to engage with the Authority and offered a meeting at any point over the coming days to suit Mr Halappanavar.

#### **4. Conclusion**

The Board unanimously agreed that the investigation should proceed. The Executive will work on the terms of reference so that they appropriately address the wider concerns of the safety of patients, including pregnant women, at risk of clinical deterioration as reflected in the care and treatment provided to Savita Halappanavar and present them to the Board for consideration and approval in the coming days.

There being no further business, the meeting was concluded.

**Signed:**

  
Pat McGrath  
**Chairperson**

  
Kathleen Lombard  
**Board Secretary**

#### **Actions arising from the meeting on 23 November 2012:**

<b>No</b>	<b>Action</b>	<b>Person Responsible</b>	<b>Timeframe</b>
1	Arrange a board conference call for finalisation of the terms of reference	KL	Early in week beginning 26 Nov

