

**MINUTES OF THE BOARD MEETING OF
HEALTH INFORMATION AND QUALITY AUTHORITY
8 March 2017 - Teleconference**

Present:

Name	Details	Initials
Brian McEnery	Chairperson	BMcE
Martin Sisk	Board Member	MS
Mary Fennessy	Board Member	MF
Una Geary	Board Member	UG
Sheila O'Malley	Board Member	SOM
Paula Kilbane	Board Member	PK
Molly Buckley	Board Member	MB
Stephen O'Flaherty	Board Member	SOF
Barbara O'Neill	Board Member	BON

In Attendance:

Phelim Quinn	CEO	PQ
Kathleen Lombard	Board Secretary & Chief Risk Officer	KL
Mary Dunnion	Director of Regulation/Chief Inspector	MD
Rachel Flynn	Director of Health Information	RF
Mairin Ryan	Director of Health Technology Assessment	MR
Ann Ryan	Head of Children's Services	AR
Bronagh Gibson	Inspector Manager	BG
Eva Boyle	Inspector Manager	EB
Kelly Jones	Executive Officer Regulation	KJ
Marty Whelan	Head of Communications and Stakeholder Engagement	MW
Eddie Evans	Legal Adviser	EE

Apologies:

Judith Foley	Board Member	JF
Anne Carrigy	Board Member	AC
David Molony	Board Member	DM

1. Quorum

It was noted that a quorum was present and the Board meeting was duly convened. The Chairperson thanked the Board for making themselves available to attend an additional meeting of the Board, the purpose of which is to consider the letter from

Minister for Children and Youth Affairs requesting HIQA to undertake an investigation into Tusla's practices and management of referrals of allegations of sexual abuse. The Chairperson also welcomed Eddie Evans, legal advisor, who has reviewed the terms of reference drafted by the team. He also welcomes a number of staff members who will form part of the investigation team.

2. Conflict of Interest

No conflicts of interest were declared.

3. Request for investigation into management by Tusla of child abuse allegations

PQ introduced the item by advising that a letter had been received from the Minister of Children and Youth Affairs requesting this investigation. He clarified that this request is provided for under Section 9.2 of the Act. Since receipt of the letter, careful consideration has been given to the drafting of terms of reference in the context of the requirements set out in the letter and legal input has been sought in this regard.

3.1 Briefing on the background, available information and the preparation for undertaking the investigation.

MD provided a comprehensive briefing to the Board outlining the:

- Chronology of events leading to the request for the investigation.
- A summary of findings arising from child protection and welfare inspections and monitoring activity conducted by HIQA in recent years.
- An analysis of the specific areas identified by the Minister for inclusion in the investigation.
- Reference to other investigations and enquiries ongoing within Tusla by other state agencies.

In addition MD provided assurances and clarifications to the Board with regard to:

- Ensuring that the investigation will not interfere with the functions of other statutory bodies as set out within Section 9(3) of the Health Act.
- Governance and reporting arrangements for undertaking the investigation including the investigation team and legal support.

A Board discussion followed the briefing and key considerations arising from the discussion included:

- Whether the terms should be broadened to include the management of peer abuse allegations
- Whether exclusions from the terms of reference should be explicitly stated.

It was clarified that there are a number of reviews and investigations currently underway into various aspects of Tusla. By adhering to the specific areas highlighted in the Minister's letter, it will prevent overlap and undue burden on all parties. MD explained that the draft terms of reference allow for the extension of the investigation, should specific areas of concern or risk be identified in the course

of the investigation, into these areas. In addition, HIQA's monitoring function can be exercised, to review areas of concern, where necessary.

It was agreed that it would be useful to be more explicit about the exclusions to the terms of reference and this will be considered in the final draft.

MS proposed approval of the draft terms of reference for the investigation into Tusla's national practices and management of referrals of allegations of sexual abuse. MB seconded the proposal; **accordingly it was resolved that the terms of reference for the investigation into Tusla's national practices and management of referrals of allegations of sexual abuse as presented be approved by the Board.**

As part of the governance arrangements for undertaking the investigation, a delegation to MD for the purposes of the investigation referred to in the terms of Reference was presented for approval. The delegation is in accordance with Section 6, Table 1 of the Scheme of Delegation of Functions approved by the Board of the Health Information and Quality Authority, 25 May 2016, in accordance with Section 14(2) of the Act.

It was agreed that SOM, being authorised to authenticate the seal, would sign the delegation on behalf of the Board.

4. Confidential Matter for Board discussion

The CEO indicated that he wished to brief the Board on a confidential matter. All external participants and members of the Executive left the meeting at this point, with the exception of the CEO and the Board Secretary.

[Excerpt containing detail removed from published minute]

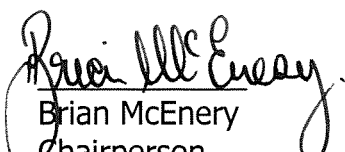
5. Approval for the application of the seal to the statutory instrument for a superannuation scheme for HIQA


It was agreed that this item would be progressed via email approval.

6. Any other Business

There was no other business and the Chairperson closed the meeting.

Signed


Brian McEnery
Chairperson


Kathleen Lombard
Board Secretary

