

**MINUTES OF THE BOARD MEETING OF
HEALTH INFORMATION AND QUALITY AUTHORITY**

**23 January 2019, Smithfield Office
9.30am – 2.30pm**

Present:

Name	Details	Initials
Pat O'Mahony	Chairperson	POM
Paula Kilbane	Board Member	PK
Martin Sisk	Board Member	MS
Molly Buckley	Board Member	MB
Enda Connolly	Board Member	EC
Jim Kiely	Board Member	JK
Caroline Spillane	Board Member	CS
Mary Fennessy	Board Member	MF
Stephen O'Flaherty	Board Member	SOF

In Attendance:

Phelim Quinn	CEO	PQ
Kathleen Lombard	Board Secretary and Chief Risk Officer	KL

Apologies:

Deirdre Madden	Board Member	DM
Judith Foley	Board Member	JF

1. Quorum

It was noted that a quorum was present and the Board meeting was duly convened. A Board only session took place before the commencement of the formal Board business in line with the Code of Practice for the Governance of State Bodies.

During the Board only session, SOF, Chair of the Resource Oversight Committee (ROC) reported to the Board the results of the CEO's annual performance review which was conducted by the Chairperson of the Board and the Chair of the ROC in early January. The results of the performance review were endorsed by the

members of the ROC at their meeting on 15 January. The 2019 objectives for the CEO were also agreed, subject to some amendments suggested by the Chairperson.

SOF advised the Board that the ROC, in accordance with its remit for oversight of succession planning, had prepared a recommendation for the Board's consideration in respect of the CEO's position. The Board Secretary circulated the recommendation to the members. The ROC, having considered the matter in detail and in light of the CEO's strong performance, recommended to the Board that the Board writes to the Minister seeking a new contract for the CEO from 25 November 2019 to 31 December 2021.

The Board considered the report from the Chair of the ROC and agreed the outcome of the CEO's performance review. In addition, the Board agreed with the ROC's recommendation relating to the CEO's position. MF proposed approval of the recommendation for a new contract to extend the incumbent CEO's tenure and MB seconded the proposal; **accordingly it was resolved that the Board approved the recommendation and that the relevant Ministers be communicated with to seek their approval for a new contract to extend the current CEO's tenure to 31 December 2021.**

It was noted that with HIQA's expanding remit, an increase in remuneration should be considered. It was also noted that the salary will be an important factor in attracting suitably qualified candidates when the current CEO's tenure ends. The Chairperson acknowledged this point and will raise it with the appropriate parties.

The Chairperson also advised the Board that succession planning is being considered in the context of other senior management positions.

The Chairperson informed the Board that he had just received a communication from one of HIQA's Board members, Deirdre Madden (DM) who had advised him that she is resigning from the Board to take up a position on the HSE Board. DM also conveyed her compliments on the expertise of HIQA staff. The Board expressed their regret at her departure and congratulations on her new position. The Board's best wishes will be communicated to DM.

2. Conflict of Interest

No conflicts of interest were declared.

3. Board minutes of 4 December 2019

The minutes of the meeting of 4 December 2019 were reviewed by the Board. It was highlighted that there was an omission in the minutes in relation to the agenda item on the HPV vaccine for boys; it had been proposed that for future HTAs where there is a focus on children, a representative for children should be invited on the advisory group. Subject to this being amended, it was agreed that they were an accurate record. MB proposed approval of the minutes and MS seconded the

proposal; **accordingly it was resolved that the minutes of 4 December 2019 be approved by the Board.**

3.1 Formal note of email approval by the Board of the Service Charter

The email approval by the Board of the Service Charter and Action Plan was formally noted for the minutes.

4. Review of Actions

KL updated the Board on the actions arising from the meeting of 4 December and actions carried forward or recurring. It was noted that;

- the scheme of delegation is on the agenda
- a statement of outcomes will accompany the publication of the corporate plan which will include analysis of stakeholder feedback
- a number of updates have been included on the document to reflect the Executive management's response to the Board's suggestions for amendments to the 2019 Business plan
- the majority of the actions were either complete or on the agenda
- other actions were noted as complete.

It was noted that one of the action entries will be clarified to reflect that the February date refers to 2018.

5. Matters arising

It was noted by the Board that since the December Board meeting the HTA on the HPV vaccine for boys had been published and had been well received. The Board conveyed their congratulations to all involved in the HTA Directorate.

6. Suggestions for "AOB" items

There were no suggestions for any other business at the end of the meeting.

7. Health and Safety

There were no health and safety issues to report.

8. Digital and Data Strategy

Bala Krishnan (BK) Chief Information Officer joined the meeting for this item and was accompanied by two members of Clarion Consulting, Pat Miller and Ronan Foley.

PQ introduced this item and referenced a review in 2016 of HIQA's ICT structures and how those structures supported the business. A number of recommendations were made including the restructuring of ICT related areas into one unit under the management of a Chief Information Officer. In addition it was highlighted that HIQA

needed to develop its strategic direction on how HIQA's current and future business functions are robustly supported by ICT, business intelligence and project management methodologies. A Digital and Data strategy has been developed and is now for Board consideration. BK and the members of Clarion Consulting delivered a presentation on the strategy with detailed analysis of the following;

- the strategic context for HIQA, including increasing demands arising from new legislation and functions
- an analysis of the current state of the information division and identifying the target state
- the initiatives required for various facets of the business and how those initiatives will support our corporate plan
- the projects necessary to effect the strategy and
- the costs for delivery the strategy.

The Board discussed the proposed strategy and the information that has been presented. The following points emerged from the Board's discussion;

- it would be useful to identify organisations that have done this well
- the return on investment should be articulated
- the governance and accountability arrangements need to be robust
- a need to highlight annualised benefits and that the benefits extend beyond 5 years
- the name conveys a narrow focus – it's about an evidence driven, quality focussed organisation with strategic and integrational objectives
- change management and culture will be considerable elements to the delivery of the strategy and would need significant attention
- cost perspective needs to be included such as a comparison of existing projects with costs of delivering this programme and the percentage increase of additional staff on current payroll and
- a need to emphasise VFM and new functions and to identify the risks and exposures if we do not take this approach.

The Board expressed their agreement in principle and it was agreed that the Executive will consider the points raised by the Board and reflect as appropriate in an amended document. It was agreed that a revised version of the Digital and Data Strategy will come to the March Board meeting where it will be considered for approval.

9. Scheme of Delegation

PQ advised the Board that the Scheme of Delegation is an important part of HIQA's governance framework in that it describes the delegations by the Board to the CEO (scheme of delegation) and the onward delegation from the CEO to management (scheme of sub delegation).

The scheme of delegation is reviewed regularly to ensure that it fully reflects the current environment. The current version has been revised as follows;

- the scheme of delegation has been separated from the scheme of sub delegation
- to provide for HIQA as the Competent Authority for the European Union (Basic Safety Standards for Protection Against Dangers Arising from Medical Exposure to Ionising Radiation) Regulations 2018 (S.I. 256/2018).

MF proposed approval of the Scheme of Delegation and SOF seconded the proposal; **accordingly it was resolved that the amended Scheme of Delegation be approved by the Board.**

The Chairperson then signed the Scheme of Delegation.

PQ also advised that the scheme of sub delegation has also been revised to reflect the delegation of aspects of the communications strategy to the Directors of functions and to include compliance monitoring of GDPR legislation.

PQ informed the Board that the new regulations giving HIQA responsibility for Medical Exposure to Ionising Radiation function (MIRE) also requires HIQA to appoint "authorised persons" and to provide authorised persons with certificates of appointment. In this context, PQ sought Board approval for the seal to be applied to the certificates of appointment which shall be furnished to each authorised person for the purpose of ensuring compliance with the European Union (Basic Safety Standards for Protection Against Dangers Arising from Medical Exposure to Ionising Radiation) Regulations 2018 (S.I. No. 256 of 2018).

MS proposed approval of the application of the seal to the certs of appointment for authorised persons for the purposes of ensuring compliance with the European Union (Basic Safety Standards for Protection Against Dangers Arising from Medical Exposure to Ionising Radiation) Regulations 2018 and SOF seconded the proposal; **accordingly it was resolved that the Board approved the application of the seal to the certs of appointment for the (MIRE) functions under the regulations S.I. 256 of 2018.**

10. Board Work Plan 2019

KL advised that the annual Work Plan for the Board is to ensure that all matters that require Board attention are set out and addressed during the course of the year. MF proposed approval of the Work Plan 2019 and MB seconded the proposal; **accordingly it was resolved that the Board Work Plan for 2019 be approved by the Board.**

11. Board Expenses Policy

KL explained that in order to ensure timely submission of expense claims that a change to the policy is proposed to include a shorter timeframe for submission of expenses. The Board reviewed the proposed changes. SOF proposed approval of the

Board expenses Policy and MB seconded the proposal; **accordingly it was resolved that the revised Board Expenses Policy be approved by the Board.**

12. SIRT Committee Terms of Reference (TOR)

KL advised that the SIRT committee had reviewed its TOR and some changes had been agreed.

MS proposed approval of the SIRT committee TOR and PK seconded the proposal; **accordingly it was resolved that the TOR for the SIRT Committee be approved by the Board.**

13. Board Evaluation 2018

KL presented the Board evaluation for 2018. While overall there was a strong level of satisfaction expressed by the members in terms of key areas such as delivery of their role, effectiveness of the Board, stakeholder engagement, internal controls and risk management, some observations indicate that there is room for improvement in areas such as clarity around HIQA's succession planning process, the process for receipt of feedback from stakeholders and the length of Board papers and board meetings. It was agreed that the Chairperson will discuss the issues identified through the commentary with the CEO and the Board Secretary. KL will revert with the outcome of this discussion.

14. Corporate Performance and Risk Report

Sean Angland, Acting Chief Operating Officer, joined the meeting for this item. SA explained that the report before the Board was a full report on all the 2018 objectives and provided an overview on the overall level of implementation and where objectives had not been achieved as planned. Explanations were provided in the report for those objectives that had not met their targets. For those objectives that had not met their delivery dates, the majority of these will be delivered in early 2019.

In the context of the reviews carried out during the year of the health information data collections, it was agreed that the Director of Information will brief the SIRT committee on subsequent engagement with the stakeholders involved and any related developments that have taken place since the reviews.

SA also drew the Board's attention to the financial report, the HR report and the Risk report and the following was highlighted;

- a significant underspend against budget for 2018
- there is significant recruitment activity underway
- sickness absence is below the public sector average.

The Board observed that the low sickness level reflects positively on the wellbeing initiatives carried out as part of the People strategy.

The Board noted the report and SA left the meeting.

15. CEO's Report

PQ provided a summary of the main items arising since his last report to the Board including;

- the completion of the development of the Digital and Data strategy which the Board discussed earlier in the meeting
- the review of HIQA's HR operating model has been completed
- the designation of HIQA as the Competent Authority for ensuring compliance with the Regulations on the Medical Ionising Radiation Exposure.

The Board noted the full report provided by the CEO.

16. Chief Inspector's Report

Mary Dunnion (MD) Chief Inspector and Director of Regulation and John Tuffy (JT) Regional Manager – Ionising Radiation, joined the meeting at this point.

MD presented a report to the Board on the implementation of the Directorate's objectives, risks and related activities. The report included a summary of inspection and related activities in each of the following pillars;

- older persons' services
- disability services
- childrens' services and
- healthcare services.

Current issues within older persons' services include poor progress on implementing the national capital plan to renovate/replace buildings with the necessary upgrades unlikely to be completed by December 2021. This will bring a number of HSE centres into regulatory non-compliance. MD explained that non-compliance is not just about old buildings but is in the context of compliance with fire regulations. In response to queries from the Board, MD clarified that the regulations for older persons' centres include a specific fire regulation and that two of HIQA's inspectors are fire engineers. In some instances where high risks have been identified in centres, these centres are referred to the Chief Fire Officer.

MD also highlighted an issue identified through inspection and which will be examined in detail during 2019; this relates to access by residents to health care professionals, who are often refused or placed on a long waiting list.

An overview report of older persons' services will be published towards the end of Quarter 2.

Within disability, the following was highlighted;

- the number of centres requiring registration continues to increase due to decongregation of settings with 129 new centres being processed during 2018
- the second cycle of registration of disability centres commenced on 1 November 2018. Renewal activity to date indicates that sustained improvement is not being demonstrated by some centres.

An overview report of Disability services will be published during 2019 which will reflect the 5 year inspection activity.

Within children's services;

- three special care units have been registered
- insufficient progress on the implementation of the recommendations from the investigation report into the management of allegations of child sexual abuse has been identified by the Expert Advisory Group established by the Department of Children and Youth Affairs (DCYA) to oversee the implementation of the report. HIQA concurs with this finding.
- an overview of foster care services is due to be published. The absence of adequate numbers of professional staff is a significant factor in the quality of services. The DCYA will be briefed on the report before publication on the key findings.

Within the healthcare service;

- a review of maternity services has identified resource issues, particularly in midwifery and anaesthesia skills
- an overview report will be published by Quarter three and the DoH will be briefed on the review prior to publication.

Other issues of note included;

- the outcome of a judicial review taken against a decision of the Chief Inspector on 14 December. Since the judgement, a costs order has been made in favour of the Chief Inspector. The Board commended the Chief Inspector on the robust systems and processes that were essential to the process
- a second judicial review is being taken against a decision of the Chief Inspector to cancel the registration of a nursing home, with the first court date now set for 5 March 2019
- a learning and support strategy has been launched to enhance the competence and confidence of the staff in the Regulation Directorate.

17. Medical Ionising Radiation Exposure

JT presented an overview on the commencement of the new function conferred on HIQA under EU regulations and S.I. 256 of 2018 on 14 January 2019. He outlined the nature and scope of the regulation function and the plan for regulation of medical exposures to ionising radiation.

The Chairperson advised the Board that he was currently providing some advice to a company involved in developing new technology for proton therapy. While it does not constitute a conflict of interest currently, he will advise the Board should a conflict arise in the future.

Following the presentation, the Board raised a number of queries and the following clarifications/points were made;

- the Environmental Protection Agency (EPA) has a remit in relation to the quality of the equipment used which is different and separate to HIQA's role
- HIQA's role is in respect of the provider of the service, for example, dentists, hospital radiology and radiotherapy departments, cardiology departments and DEXA units
- there are EU and national dose reference levels; responsibility for dose level lies with the professional and a justification must be provided when a dose delivered varies from the set levels
- accidental or unintended exposures must be notified to HIQA as part of the providers undertaking
- HIQA has established contact with the European Network of Competent Authorities in respect of the EU Directive on ionising radiation exposure
- the Regulation Directorate will work with the HTA Directorate on particular areas such as population dose estimation from medical exposures
- the issue of lifetime exposure is problematic as there is no unique healthcare identifier to facilitate recording of each episode of radiation exposure
- this is the first time there will be enforcement powers in healthcare and it extends across public and private providers.

The Board thanked JT for his presentation and noted that this function will be complex and challenging as it is the first time this area has been regulated. In addition, the Board emphasised the need for appropriate dialogue and quality of communication with the relevant stakeholders. It was noted that additional staff will be required to effectively perform this function. The CEO confirmed that he is currently working on this and the Chairperson advised that he will raise it with the Minister when he meets with him in March.

18. Chairperson's Report

The Chairperson's report was noted.

19. Board Committees report

The report from the Board Committees was noted.

SOF, member of the Audit Risk and Governance Committee (ARGC) presented a report to the Board which had been compiled by the ARGC to address the Board's role in reviewing the effectiveness of HIQA's internal controls and to provide assurance to the Board in this regard prior to signing off the Annual report and

annual accounts. The report includes a review by the Board committees of the internal controls for each of HIQA's functions and corporate activities, internal audits that were carried out during 2018, the audit of internal controls by the C&AG, a report on risk management and the review of the financial statements. The ARGC concluded that the exercise carried out as outlined in the report provided evidence of solid assurances around HIQA's internal controls. The Board received the report.

It was also noted that the DoH and HIQA had agreed a performance delivery agreement. The performance delivery agreement will be reviewed in light of the corporate plan.

20. Correspondence

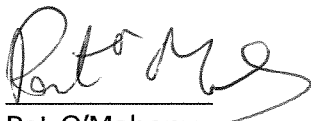
The correspondence included with the Board papers is for members' information.

21. Any other business

KL reminded Board members to:

- complete their annual statements of interest
- that the next meeting of the Board would be on 6th March in Cork
- that any outstanding expense claims for 2018 should be submitted.

Signed



Pat O'Mahony
Chairperson



Kathleen Lombard
Board Secretary

Actions arising from the Board meeting on 23 January 2019

No	Action	Person Responsible	Timeframe
1	Seek approval from relevant Ministers for a new contract to extend the current CEO's tenure to 31 December 2021	POM	February 2019
2	Board's best wishes to be communicated to DM	POM	Immediate
3	Amend minutes to reflect omission on the agenda item - HTA vaccine for boys	KL	Immediate
4	Revise Digital and Data strategy to reflect Board discussion and return to Board	BK	March 2019
5	Chairperson will discuss the issues identified in the Board evaluation with the CEO and the Board Secretary. KL will revert with the outcome of this discussion.	POM/KL	July 2019
6	brief the SIRT committee on engagement with stakeholders following reviews of health information data collections	RF	February 2019

Carried forward Actions

No	Action	Person Responsible	Time-frame
1	an analysis of the level of feedback that other regulators receive when consulting on documents such as corporate plans and customer charters	MW	An analysis of feedback received by similar organisations when consulting on corporate documents is underway and will accompany HIQA's published corporate plan. This has been included within Comms and stakeholder engagement action plan and will be reported to the ROC
2	<ul style="list-style-type: none"> - legal advice regarding the provision for having regard to HSE resources to be shared with DoH - the Chairperson and CEO to raise the matter with the Minister and his officials at their meeting in mid-February 2018 (date elapsed) - Concerns with regard to future legislative developments, for example, the licensing framework and the importance of ensuring that the dual approach to regulation would not be repeated for future functions. 	PQ	Letter has issued. Advice under consideration by DoH advisors. No further update as of January 2019

