

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

6 March 2019, 10.15am – 2.45pm  
City Gate Office, Cork

**Present:**

<b>Name</b>	<b>Details</b>	<b>Initials</b>
Pat O'Mahony	Chairperson	POM
Paula Kilbane	Board Member	PK
Martin Sisk	Board Member (vc from Smithfield office)	MS
Molly Buckley	Board Member	MB
Enda Connolly	Board Member	EC
Jim Kiely	Board Member	JK
Caroline Spillane	Board Member (by phone for part meeting)	CS
Stephen O'Flaherty	Board Member	SOF

**In Attendance:**

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

**Apologies:**

Judith Foley	Board Member	JF
Mary Fennessy	Board Member	MF

**1. Quorum**

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

**2. Conflict of Interest**

No conflicts of interest relating to the agenda items were declared.

**3. Board minutes**

**3a. Board minutes of 23 January 2019**

The minutes of the meeting of 23 January 2019 were reviewed by the Board and it was agreed that they were an accurate record of the meeting. MB proposed approval of the minutes and EC seconded the proposal; **accordingly it was resolved that the minutes of 23 January 2019 be approved by the Board.**

### **3b. Board minutes of 20 February 2019**

The minutes of the meeting of 20 February 2019 were reviewed by the Board and it was agreed that they were an accurate record of the meeting. JK proposed approval of the minutes and SOF seconded the proposal; **accordingly it was resolved that the minutes of 20 February 2019 be approved by the Board.**

### **4. Review of Actions**

KL updated the Board on the actions arising from the meeting of 23 January and actions carried forward. It was noted that the majority of the actions were either complete or in hand. In addition, it was noted that there has been no further update from the Department of Health on the legal advices shared with it regarding HIQA and the Chief Inspector having regard to HSE resources.

### **5. Matters arising**

There were no matters arising.

### **6. Health and safety matters**

No matters arising in relation to health and safety matters.

### **7. Suggestions for "AOB" items**

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

### **8. Unlocking HIQA's information potential; A Digital & Data transformation strategy**

Bala Krishnan (BK) Chief Information Officer and Pat Millar (PM) of Clarion Consulting joined the meeting for this item. PQ introduced the item and reminded the Board that following a detailed discussion at the January Board meeting, further work was done on the strategy. BK and PM advised the Board that in response to the Board's points, a number of updates are outlined in the slide deck as follows:

- The cost of the existing PRISM system compared with the strategy costs
- Additional detail has been added to clarify the net cost estimates for implementation of the strategy
- The intended reach of the strategy relating to future projects
- The risks associated with not implementing the strategy
- A number of options for the strategy title were considered and included
- The proposed governance for the implementation of the strategy.

The Board discussed the revised strategy and the following additional clarifications were provided in response to the Board's queries and observations:

- The strategy will be delivered at, or under the costs outlined
- In terms of future proofing for new functions and scalability, the system will be developed to align with the Authority Monitoring Approach (AMA) and structure on core activities such as receiving information, regulatory response action and enforcement activity
- It should be made clearer that operational costs for Prism from year 3 forward are incorporated in the strategy costs
- The strategy addresses 60% of projects planned under the Project Management Office and the other 40% of projects are not strategic projects but upgrades that need to be done in any event; this should be clearly explained in an introductory narrative
- The governance and structure were explained. In that context it was agreed that an external person with subject matter expertise be included in the Programme Governance Board
- The benefits to external stakeholders should be reflected in the introduction
- Further consideration to be given to the strategy name to reflect the business transformational nature of this strategy.

Subject to these additional points being reflected in the final strategy, PK proposed approval of the Digital and Data transformation strategy and EC seconded the proposal; **accordingly it was resolved that the Digital and Data transformation strategy be approved by the Board.**

BK and PM left the meeting at this point. CS, Board member, also left the meeting.

## **9. National Care Experience programme/service requirements**

Rachel Flynn (RF) Director of Health Information and Standards and Laura O'Connor (LOC) Senior Researcher joined the meeting for this and the next item on the agenda.

RF explained that the National Care Experience Programme (NCEP) is a tripartite programme with HIQA being the lead partner. As well as continuing the National Patient Experience Survey on an annual basis, the programme will expand to include a National Maternity Survey and a further two areas. To effectively manage this programme of work two tenders have been progressed; one for a national online solution and managed service to support the programme and the second for the provision of services relating to website hosting for the NCEP. In the paper before the Board, the costs relating to the various elements of the programme were presented.

In response to the Board's queries, it was confirmed that public procurement rules have been followed and that a due diligence exercise will be carried out on the preferred provider.

SOF proposed approval to conclude the tender processes, the costs outlined and the award of contract to the successful providers of:

- A national online solution and managed service to support the NCEP and
- Provision of services for website hosting and development for the NCEP.

MB seconded the proposal and **accordingly it was resolved that the award of contracts as described, to support the National Care Experience programme, be approved by the Board.**

## **10. Knowledge Sharing and Impact Framework**

Mairin Ryan (MR) Director of HTA joined the meeting for this item.

PQ explained that the development of this framework is in response to the Board's interest in establishing a mechanism for considering the impact of HIQA's work; as is reflected in objectives in the Corporate Plan. LOC presented on work that has commenced within the Health Information and Standards Directorate which aims to build an analysis component into future work programmes around HIQA's outputs, its reach, engagement and change achieved. It was noted that in examining the framework, PQ and MR had agreed that the framework could apply to the HTA Directorate. The Board made a number of observations including:

- The focus of evaluation should be tangible, e.g. where HIQA standards are disseminated, are they implemented and has there been improvement?
- The commencement of a new function (regulating ionising radiation exposure) provides a good opportunity to implement the framework and
- The need to be prudent in making claims of our impact in a space where many different players are involved in other initiatives to improve services.

In response to the Board's comments it was advised that this will be a slow process and because there is little work done elsewhere on impact measurement, the framework may need to be revised as HIQA gains more knowledge and expertise in the area. MR advised the Board that the HTA Directorate has revised its 2019 objective on the impact of HTAs to include its other outputs. The Board expressed the importance of HIQA seeking to demonstrate that its work is having an impact and its strong support for this initiative.

MR, RF and LOC left the meeting at this point.

## **11. Organisational structure and succession planning**

PQ presented on HIQA's organisational structure and explained the changes he believes are required as HIQA expands to include new functions. He outlined the current organisational structure and a proposed new structure which would include a Chief Operating Officer and a Director of Healthcare. The Board having reviewed the organisational structure in light of the new functions and proposed growth, emphasised the importance of having a Director with strong human resources experience and expertise. It was noted that a submission for a Chief Operating Officer was made to the DoH in 2012 but no progress has been made. There was strong agreement that there needs to be a robust corporate and business support function as the organisation continues to expand. It was noted that PQ had submitted business cases for the post of COO and Director of Healthcare Regulation in February. It was

agreed that this matter should be raised with the Minister when the CEO and the Chairperson next meets with him. It should also be raised with the Secretary General of the DoH when the next meeting occurs.

## **12. Health and safety report**

The Board noted the annual Health and Safety report.

## **13. CEO's report**

The Board noted the CEO's report.

## **14. Chief Inspector's report**

Mary Dunnion (MD) Chief Inspector and Director of Regulation joined the meeting for this item. MD updated the Board in relation to two court proceedings that are currently in progress; one is an appeal of a judgement of the High Court delivered on 14 December when the judicial review was dismissed in its entirety and the second relates to a case where the High Court has granted a provider, on 14 January, permission to judicially review a decision of the Chief Inspector (CI) and HIQA to cancel a registration of a designated centre. MD advised that while it was judged that HIQA is entitled to costs for defending proceedings in December, because the case is being appealed, it is likely to take a period of two years before costs can be pursued.

### **14.1 Regulatory risk re Impact on compliance with regulations and capital development plan for adult social care services**

Finbarr Colfer (FC) Deputy Chief Inspector for Disability services and Susan Cliffe (SC) Deputy Chief Inspector for Older persons' services joined MD to present on this item. The presentation outlined the challenges in maintaining and/or granting renewal registration in disability and older persons' services, arising from regulatory non-compliance.

It was explained that the deadline for the registration of disability centres was extended for two years to October 2018 to allow providers more time to come into compliance with regulations as there was recognition that there was considerable work required of the sector in this regard. This included addressing issues of privacy and dignity of residents, overcrowding in centres and fire upgrade works. FC provided an overview of centres registered with conditions and centres that are outside of the timeline for compliance, together with the number of residents affected.

SC advised of issues relating to the registration of designated centres for older people and explained that a change in Government policy in 2016 resulting in SI 293 extended the time frame to 2021 to allow for providers to come into compliance with the regulations. A national capital investment plan was published in 2016 which was to provide for the refurbishment or replacement of approximately 90 centres. SC updated the Board on the status of this plan and explained that approximately 50% of these centres will not have the required capital works implemented by 2021. In

addition, there are currently 7 centres that cannot be registered due to poor regulatory compliance and a regulatory decision will be made on these by the end of April 2019.

MD summarised the issue stating that there will be a considerable number of designated centres in the disability and older persons' sectors that will not be compliant with capital related requirements, with consequent direct impact on the quality and safety of the service provided to the people who live there. If the CI does not take enforcement action, then the Office of the Chief Inspector is not applying the regulations appropriately as is required by the Health Act.

The Board observed that in line with HIQA's overall object of promoting quality and safety in health and social care services for the benefit of the public, that this matter should be discussed with the Minister when the Chairperson meets with him next. It was also emphasised by the Board that a strategy and policy for addressing these concerns must be formed.

MD agreed and stated that significant improvements particularly in older persons could nonetheless be achieved outside of the capital investment work and this will form part of the discussions with the HSE

It was noted that this matter has been raised with the DoH and the HSE throughout 2018 and in early 2019. MD advised that she will be again meeting with the HSE the following day and with the DOH in the coming week where HIQA's concerns will be discussed. In addition, a formal position paper is currently being drafted and will be submitted to the DoH setting out the regulatory non compliances, the impact on the lives of residents and the regulatory actions that will be required.

The Board thanked MD and her team for the detailed update and asked that a further update is provided at the next Board meeting. MD, SC and FC left the meeting.

It was agreed that the Chairperson should write to the Minister reflecting the Board's concerns in respect of the direct impact on the quality and safety of the service provided to the people who live in these centres, and asking that this matter is tabled as an agenda item for the next planned meeting with the Minister.

## **15. Corporate Performance and Risk report**

The Board noted the Corporate Performance and Risk report.

## **16. Wellbeing Staff programme**

This item was deferred.

## **17. Chairperson's report**

The Board noted the Chairperson's report

**18. Board Committees' report**

The Board noted the Board Committees' report

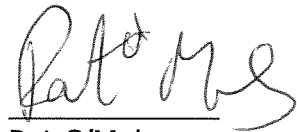
**19. Correspondence**

The Board noted the correspondence included in the Board pack.

**20. Any other business**

There was no further business and the meeting was brought to a close.

**Signed**



Pat O'Mahony  
Chairperson



Kathleen Lombard  
Board Secretary

## Actions arising from the Board meeting on 6 March 2019

No	Action	Person Responsible	Timeframe
1	<p>Include feedback from Board in the final Digital and data strategy including:</p> <ul style="list-style-type: none"> <li>- clarifying that operational costs for Prism from year 3 forward are incorporated in the strategy costs</li> <li>- an introductory narrative clarifying that 40% of projects are not strategic projects but upgrades that need to be done in any event</li> <li>- an external person with subject matter expertise be included in the Programme Governance Board</li> <li>- the benefits to external stakeholders should be reflected in the introduction</li> <li>- consideration to be given to the strategy name to reflect the business transformational nature of this strategy.</li> </ul>	BK	When finalising the document
2	a due diligence exercise to be carried out on the preferred provider for the NCEP programme	RF	Before awarding the tender
3	The issue of a COO position to be pursued with the Minister and the Secretary General	PQ/POM	Next mtg with Minister
4	Non-compliance of designated centres with the capital requirements to be discussed with the Minister	POM/PQ	April meeting
5	Further update on regulatory non-compliance at next Board meeting	MD/PQ	April meeting

### Carried forward Actions

No	Action	Person Responsible	Time-frame
	<ul style="list-style-type: none"> <li>- legal advice regarding the provision for having regard to HSE resources to be shared with DoH</li> <li>- the Chairperson and CEO to raise the matter with the Minister and his officials at their meeting in mid-February 2018 (<i>completed Feb 2018</i>)</li> <li>- 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.</li> </ul>	PQ	Letter has issued. Advice under consideration by DoH advisors. No further update as of 6 March 2019