

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

28 September 2022, 10am – 2pm
Board Room, Citygate, Cork

Present:

Name	Details	Initials
Pat O'Mahony	Chairperson	POM
Marion Meany	Board Member	MM
Martin O'Halloran	Board Member	MOH
Danny McConnell	Board Member	DMcC
Martin Higgins	Board Member (virtual)	MH
Tony McNamara	Board Member	TMcN
Michael Rigby	Board Member	MJR
Jim Kiely	Board Member	JK
Bernadette Costello	Board Member (virtual)	BC
Lynsey Perdisatt	Board Member (virtual)	LP

In Attendance:

Angela Fitzgerald	CEO	AF
Kathleen Lombard	Board Secretary and Chief Risk Officer	KL

Apologies:

Caroline Spillane	Board Member	CS
Paula Kilbane	Board Member	PK

1. Welcome and Quorum

The Chairperson welcomed Board members to the meeting and to LP, BC and MH who joined via Zoom. A quorum was confirmed and the Board meeting was duly convened. A short Board only session took place in line with the Code of Practice for the Governance of State Bodies.

Following the Board only session, AF joined the meeting.

2. Conflict of Interest

DMcC advised the Board that in the context of the work on the organisational review, he had become aware that some external analysis is being provided by the same

company for which he works. He wished to state for the record that the company for which he works is in a different jurisdiction and he has no relationship of any kind with the service that is provided to HIQA.

The Board noted this information and concluded that no conflict existed.

3. Minutes of Board meeting 13 July 2022

The minutes of the meeting of 13 July 2022 were reviewed by the Board and it was agreed that they were an accurate record of the meeting. MH proposed approval of the minutes and DMcC seconded the proposal; **accordingly it was resolved that the minutes of 13 July 2022 be approved by the Board.**

4. Review of Actions

KL advised that the majority of actions have been completed. A number of actions were noted as scheduled or will be implemented in line with project timelines.

5. Matters arising

A short discussion took place on item 13 from the July minutes and it was noted that communications that relate to HIQA's HTA role should reflect the wording of the function as set out in the Health Act.

6. Health and safety matters

There were no notifiable health and safety matters since the last Board meeting. The CEO advised that the Health and Safety statement is currently being revised and updated. She noted that given the changes to the working environment from a fully on-site to a hybrid model, there is a need for HIQA to examine new or additional factors relevant to health and safety requirements of employees.

7. CEO's Report – key strategic and operational matters

Carol Grogan (CG) Chief Inspector and Sean Egan (SE) Director of Healthcare joined the meeting for this item as some items on the CEO's report are relevant to regulatory and monitoring activities.

AF presented her CEO report and highlighted the following items:

- Interim Blended Working
HIQA's interim Blended Working Model is working well. Consideration is being given to ensuring positive employee engagement and a number of actions have been identified to address this including an enhanced internal communications strategy, promotion of social events and improved configuration of office layout.
- Organisational restructure project
This project has progressed well since the last Board meeting and there has been significant Executive management engagement. An exercise has been concluded which identified core capabilities within the organisation and those additional

capabilities required for future functions. In addition, consideration needs to be given to the integration of the organisation review with other major projects such as the Digitally Enabled Regulator (DER) project and workforce planning. Proposals will be developed during the next phase of engagement and will be presented to the Board at their next meeting.

- Healthcare Regulation

- The management positions for the core operational pillars of the new Healthcare Directorate have now been filled. An operational plan for the Directorate has been developed and will be presented at the next Regulation Committee meeting
- Good engagement on the Patient Safety Bill, expected to be commenced within the next 12 months, is underway with the Department of Health (DoH). Work on clarifying the scope of the services to come under HIQA's monitoring remit is also ongoing. In addition, work is in progress in relation to the receipt of statutory notifications for serious patient safety incidents
- The commencement project for monitoring International Protection Accommodation Services (IPAS - Direct Provision) is almost concluded. HIQA is waiting on the finalisation of the legislative framework
- Feedback has been provided on the draft Human Tissue Bill relating to HIQA's role and information is awaited on the further progression of the legislation. It is expected that commencement will occur mid 2023
- To date in 2022, inspections of 14 hospitals were carried out using the new monitoring approach for the National Standards for Safer Better Healthcare. Where appropriate, risks have been escalated to the HSE. As part of encouraging continuous improvement, good practice is highlighted as well as areas for improvement. HIQA will meet with the HSE to consider how best to extend beyond compliance and promote good practice nationally
- The function of Monitoring Exposure to Ionising Radiation is now established within the Healthcare directorate. HIQA will also set clinical audit standards in the area of medical exposures to ionising radiation
- HIQA is continuing to engage with the DoH on the regulation of homecare and is currently providing detailed feedback on the draft Heads of Bill for this function.
- The Protected Disclosures (Amendment) Act 2022 is expected to have a significant impact on operations. Key definitions within the Act have been expanded and this is likely to increase the number of protected disclosures submitted to HIQA which in turn will have implications for additional resource requirements. This will be considered further by the Commencements Governance Group and will be outlined to the Regulation Committee when complete.

- HTA Directorate

- Over 500 rapid evidence syntheses have been produced since March 2020 to inform the work of the national groups tasked with the public health response to COVID-19
- The HTA team has produced a number of outputs to inform the work of the Public Health Reform Advisory Group (PHREAG), established by the Minister to make recommendations on an operating model to optimise delivery of public health

- Work is ongoing to support the development of the National Clinical Guidelines on Healthcare Acquired Infection
 - At an international level, a group was established in 2021 whose membership are Heads of HTA Agencies from 17 EU countries. The aim of the group is to advance strategic collaboration in HTA. In addition, HIQA has been formally nominated by the DoH to represent Ireland in the coordination group to implement the EU HTA regulation.
- Health Information and Standards Directorate (HIS)
 - An initial meeting with the DoH on the content of the new Health information Bill took place recently. The Bill is expected to propose a new health information entity, the remit of which is likely to include the development of eHealth and the management of a number of key national data collections. The CEO is due to meet with senior officials in the DoH to explore the proposed remit of the new entity
 - The Health Infrastructure Division of the DoH is leading on a revision of the e-health strategy. The HIS team met with the Division recently to discuss this topic
 - HIQA is in the final phase of a review of national waiting list data within the HSE as part of assessing compliance with the information management standards for national health and social care data collections. The report of this review is due for publication at the end of 2022
 - The National Maternity Bereavement Experience Survey was launched on 2 September and will close on 31 October. The stakeholder group includes women and their partners who experienced a second trimester miscarriage from 14 weeks of pregnancy, the stillbirth of a baby or the early neonatal death of a baby
 - National Standards for Homecare Support - HIQA has provided a response to the DoH's public consultation on the draft regulations for homecare. Following analysis by the DoH of the consultation and finalisation of the regulations, HIQA will be in a position to finalise the Homecare standards.
 - Prism Replacement Project/DER project

Engagement is ongoing with the selected provider on the Commitment of Understanding and the Statement of Work for Implementing the Digitally Enabled Regulation (DER) project. When these documents have been finalised, they will be brought to the ROC for review and approval for signing of the contract will be sought from the Board.
 - Quality and Risk

The Quality and Risk function will need to be considered as part of the wider organisation review to ensure it meets the needs of a growing organisation with additional functions.

In response to the Board's queries and observations on the CEO's report, it was clarified that:

- The projected numbers of protected disclosures is based on a look back at information received in the past in the context of the expanded definition for protected disclosures under the Protected Disclosures (Amendment) Act 2022.

- It is intended to examine all memoranda of understanding (MOUs) to ensure if the means of engagement remains appropriate to current circumstances.

The Board thanked AF for the comprehensive and informative report.

8. Chief Inspector (CI) report

CG introduced her report and advised that she has structured it with a strategic and operational focus. The following was highlighted:

- Designated Centres for Older Persons (DCOP)
 - o There has been a number of nursing homes closures since the beginning of the year, with the rate increasing since mid-July. These nursing homes are primarily smaller community based homes. A number of new centres have opened with a much larger number of beds per centre. These centres are not aligned to where the centres have closed with the result that residents may need to move to a nursing home outside of his/her community.

These developments have been brought to the attention of the DoH.

- o The impact of COVID 19 on residents has significantly reduced. A regulatory notice has been issued by the Chief Inspector updating the reporting requirements and aligning them to the Health Protection Surveillance Centre (HPSC) guidance. Monitoring the incidence of COVID-19 in nursing homes can be scaled up again if rates increase over the coming months.
- o Summary of inspection activity including
 - The number of inspections undertaken to date in 2022
 - The regulations where compliance is lowest and
 - The number of new registrations, applications to vary or remove conditions and registration renewals.
- Designated centres for People with a Disability (DCD)
 - o There is a shortage of available residential places in designated centres for people with disabilities. Inspectors are prioritising applications to register new centres so that people can be accommodated in their new homes as quickly as possible
 - o At the end of 2021, 2,419 people with disabilities live in congregated settings. The annual overview report shows evidence that people with disabilities living in congregated settings are at a higher risk of experiencing unsafe or poor quality services
 - o A number of providers have indicated challenges in their capacity to meet the needs of service users within current budgets. The HSE has established a Stability and Sustainability Office to review base line funding of nominated organisations. In two cases where regulatory activity had been initiated, the Office engaged with the providers. Inspections of these centres have noted improvements in compliance since that intervention

- The Disability pillar has, in a number of cases, engaged with providers at an organisational level in relation to governance and management, rather than responding solely at an individual centre level. This approach has had good results in a number of large organisations
- Summary of inspection activity including
 - the numbers of inspections undertaken to date in 2022
 - the regulations where the lowest rates of compliance are recorded
 - the numbers of applications to register new centres, registration renewals and applications to vary conditions and
 - a summary of regulatory actions being taken.
- Children's Services
 - Tusla is experiencing challenges in relation to recruitment and retention of staff which has an impact of child protection and welfare services. This issue has been escalated and a meeting is due to take place with Tusla during October when an update will be provided on this and a number of other issues
 - Summary of inspections undertaken to date in 2022 including
 - Areas where improvements are required in foster care services
 - Areas where improvements are required in the Child Protection Notification system and
 - Positive levels of compliance with the National Standards and Regulations for Children's residential centres.

CG also referred the Board to a number of other activities outlined in her report including:

- the volume of information received to date in 2022 by the Information Handling Centre
- the number of Freedom of Information requests received to date in 2022
- an outline of the Directorate's regulatory learning and support activity
- research commissioned by the DoH on international approaches to the regulation of nursing home care is progressing well
- a review of the impact of human rights training delivered to inspectorate staff found that the human rights based approach was being implemented in practice and
- a summary of legal and court proceedings.

Arising from the CI report, the following items raised by the Board were noted or clarified

- The challenges experienced by Tusla in recruiting staff reflect challenges in the wider labour market generally. CG advised that a Quality Unit is to be established within Tusla and the children's team will engage with this Unit on plans to address the issues identified
- A focus on wider infection control in nursing homes will be deployed during the influenza season
- CG will ascertain if nursing home staff are receiving flu vaccination as at the same time as residents
- In the context of the update in the report on the Patient Safety Bill, a new provision is being proposed which would require the Chief Inspector to undertake or

commission patient safety reviews of specific incidents in nursing homes such as unexpected deaths. The draft heads for this Bill will be shared in the near future. This provision could potentially have a significant impact on workload.

The Board thanked CG for her report and CG and SE left the meeting at this point.

9. Report from Board Committees

Audit Risk and Governance Committee (ARGC) 20 September 2022

BC, Chair of the ARGC, reported that the Committee reviewed the following items at the meeting:

- the status of the internal audit plan and work currently underway
- the internal audit report on compliance with the Code of Practice for the Governance of State bodies which showed a high level of compliance with no gaps and some minor areas for improvement
- the finance report to the end of July (on the Board agenda)
- the proposal for a new account with Danske bank (on the Board agenda).

In addition, there was a presentation from the internal auditors on emerging risk areas which highlighted a number of areas where the ARGC will focus as part of its future work.

Resource Oversight Committee (ROC) 2022

LP, Chair of the ROC reported that a detailed update was provided on the DER project and the discussions that are underway on the contractual commitments and statement of work. As advised by the CEO during her report, further work is ongoing to ensure clarity of requirements from the outset.

The committee was also briefed on the organisational review project. A lot of work has been undertaken recently and the ROC are looking forward to receiving more detail on proposed changes at their November meeting.

Finally, as reported by the Chairperson during the Board only session, LP reported that she and the Chairperson had carried out the CEO's mid-year performance review given that AF is now in position for almost 6 months. The review will be reported to the ROC at their next meeting and to the Board subsequently.

SIRT Committee - 2022

MJR, Chair of the SIRT committee reported that the Committee had reviewed two items that are on the agenda for Board approval;

- Draft Recommendations on ICT Enablement of Older Persons Services and
- The Process Outline for Standards for Information Management in Health and Social Care.

In addition, the committee received a presentation on the work over the past year of the COVID 19 and HRB-CICER teams. The Committee acknowledged the volume and quality of outputs which had been delivered during this period and commended the teams' commitment in this regard.

The Chairperson thanked the Chairs of the Committees for their reports and acknowledged the support that the committees provide to the Board.

10. Draft Recommendations on ICT Enablement of Older Person's services

RF, Director of Health Information and Standards joined the meeting to present on this item.

RF explained that the Nursing Homes Expert Panel, set up during the COVID 19 pandemic, made a recommendation for an integrated IT system for Older Persons services given the need for electronic management of patient care and planning. As a result, HIQA undertook the development of recommendations for ICT enablement of older person's services. RF advised that the recommendations were developed using the Directorate's Quality Assurance Framework. In addition, she clarified that the recommendations align with the Health Information position paper produced a year previously.

RF advised that this report was presented to the SIRT committee and a number of minor edits were made to the document subsequently. These are outlined in the statement of assurance accompanying the draft recommendations.

MJR, Chair of the SIRT committee confirmed that the committee had reviewed the recommendations and wished to recommend the report for approval by the Board. MJR proposed approval of the draft recommendations on ICT enablement of older persons services and JK seconded the proposal; **accordingly it was resolved that draft recommendations on ICT enablement be approved by the Board.**

11. Process Outline for Standards for Information Management in Health and Social Care

RF presented the Process Outline for the developing Draft National Standards for Information Management in Health and Social Care. She advised that the Process Outline had been reviewed by the SIRT committee at their recent meeting.

RF explained that the plan is to significantly revise the standards which were first published in 2017 and expand the scope to include all organisations that process health and social care information. The change in scope impacts the timeline for finalising the standards.

MJR, Chair of the SIRT committee confirmed that the committee had reviewed the process outline and considered the change in timeline reasonable in the context of the expanded scope. On behalf of the Committee, he recommended both the scope and the timeline for the development of the standards to the Board for approval.

MM proposed approval of the Process Outline and timeline for the development of Draft National Standards for Information Management in Health and Social Care and MJR seconded the proposal; **accordingly it was resolved that the Process Outline and timeline for the Draft National Standards for Information Management in Health and Social Care be approved by the Board.**

12. Bank Mandate

SA advised that the proposal to open a new bank account with Danske Bank to replace existing arrangements with Ulster Bank had been reviewed by the ARGC at its recent meeting.

The committee had been briefed in detail on the steps taken by HIQA to exercise due diligence. In addition, SA outlined to the Board the controls established by HIQA to ensure good financial management.

The Board considered that all elements of the new banking arrangements had been examined in detail. SA invited the Board to approve the opening of an account with Danske Bank.

BC proposed approval of the following, which was seconded by MOH;

- The account be opened as described in the mandate for Statutory Body Opening Accounts in the attached form
- That HIQA should confirm its agreement to the Bank by issuing to the Bank a copy of the agreement and this minute, duly signed by the signatories below (Pat O'Mahony, Chairperson and Kathleen Lombard, Board Secretary).

Accordingly it was resolved that the above proposal be approved by the Board of HIQA.

13. Corporate Performance report and Corporate Risk review

- Corporate performance

SA advised the Board that of the annual business objectives, two objectives have not been achieved in line with the target date and 4 are unlikely at this point to be achieved by the target date. The rationale for these variances are included in the report. The remaining objectives are on target.

- Risk management

KL advised that the changes to the corporate risks are set out in the cover page to the risk register. Four risks had been closed and two new risks opened as a result of members of the Executive management reviewing common areas of risk.

The Board noted both reports.

14. Finance report

SA presented the finance report to the end of July and advised that the report was considered in detail by the ARGC on 20 September. Results to the end of August were presented to the EMT earlier this week.

SA highlighted the proposed salary increases which will result in a large unfavourable variance in payroll.

The Board discussed this matter in detail and considered the options in terms of meeting these costs. These included seeking additional funding to cover the costs associated with the pay award. It was considered that if possible, HIQA's existing budget should be managed in such a way so as to absorb the payroll costs, given the current demands on government spending. However, the Board emphasised the need for the budget allocation for 2023 to reflect these increased costs.

SA advised that the finance team are completing a reforecasting exercise and the revised budget will be closely monitored for the remainder of the year.

SA left the meeting at this point.

15. Chairperson's report

The Chairpersons report was noted.

16. Human Capital report

The CEO provided a brief overview of the human capital report which was reviewed in detail by the ROC at their recent meeting. The following points were noted from the Board discussion:

- Additional analysis by HR and Finance should be considered to assist financial projections in terms of those taking up positions and those leaving HIQA
- The increase in sick leave in two periods during the year were COVID 19 related but overall sick leave absence compares favourably to relevant benchmarks and
- While increases in staffing has provided opportunities for promotion internally, it also creates the challenge of backfilling these positions.


17. Any other Business

The Chairperson thanked everyone for their contributions during the meeting. There being no further business, the meeting was closed.

Signed



Pat O'Mahony
Chairperson



Kathleen Lombard
Board Secretary

Actions arising from Board meeting on 28 September 2022

No	Action	Person Responsible	Time-frame
1	Proposals on the org structure will be presented to the Board at their next meeting.	AF	30 Nov
2	An operational plan for the Healthcare Directorate will be presented at the next Regulation Committee meeting	SE	17 Nov
3	Impact of new Protected Disclosure Act on operations will be considered further by the Commencements Governance Group and outlined to the Regulation Committee when complete.	CG	When commencements group concludes work
4	When relevant documents for the DER project have been finalised, they will be presented to the ROC for review and then to the Board for approval the contract	AF/BK	As soon as complete
5	Clarify if nursing home staff are receiving flu vaccination as at the same time as residents	CG	October
Actions carried forward from previous meetings			
1	Regulation committee to maintain oversight of developments on OPCAT. A report will come back to the Board at the appropriate time.	JK/KL	When appropriate
2	Review of MOU arrangements will come to the ROC for further discussion.	AF/Head of Legal	Nov
3	Consideration to be given to stratifying different age groups as part of the analysis of the number of younger residents in nursing homes. Consider also including some analysis of the financial costs	CG	In line with project timing

On hold actions

1	CEO and Chairperson to meet with the HRB to explore what is being done in the area of technology research	POM/PQ	To be activated now that new CEO is in position
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