



**Minutes of the Board meeting 8 March 2007  
Silverbirch Hotel, Gortin Road, Omagh**

**Present**

Ian Carson (Chairman)  
Richard Adams  
Jim Jamison  
Lilian Jennett  
Ruth Laird  
Allen McCartney  
Patricia McCoy  
Connor Mulholland  
Una O'Kane  
Colin Reid  
Austin Smith

**Officers of the Board present**

Stella Burnside (Chief Executive)  
Robert Graham (Committee Administrator)  
Theresa Nixon (Director of Operations, Social  
Services)  
Phelim Quinn (Director of Operations, Nursing)  
John Stewart (Director of Corporate Services)

**Apologies**

Geraldine Donaghy  
Joan Harbison

**Apologies**

Caroline Humphrey (Medical Director)

**PUBLIC SESSION**

**07.19 Welcome and Chairman's remarks**

07.19.1 The Chairman welcomed Board members and Officers of the Board to the Board meeting.

07.19.2 Apologies were noted from Geraldine Donaghy and Joan Harbison.

**07.20 Minutes of the meeting of the Board held on Thursday 8 February 2007, Board Room, Riverside Tower, Belfast [Paper min/Feb/07]**

The Board **APPROVED** the minutes of the meeting of the Board held on 8 February 2007.

**07.21 Matters arising from minutes**

**07.6.1 Work with Northern Ireland Audit Office**

- 07.21.1 The Director of Corporate Services advised the Board that he had met with Stephen McCormick from the Northern Ireland Audit Office to discuss NIAO assistance with financial inspections and also possible NIAO involvement on the Clinical and Social Care Governance Reviews.
- 07.21.2 The Director of Corporate Services also advised the Board that he would be meeting Barry Edgar from NIAO to discuss Value for Money studies and to look at the NIAO methodology for this work.
- 07.21.3 The Director of Operations, Nursing, advised the Board that he had met with Sean McKay from NIAO concerning the Muckamore Abbey Hospital investigation and the possibility of joint working between NIAO and RQIA in a Mental Health and Learning Disability Review.
- 07.21.4 The Chief Executive said that RQIA wished to work with NIAO on joint projects once RQIA had decided which thematic reviews it wished to conduct in 2007/08.

**07.7.1 Financial Memorandum with DHSSPS**

- 07.21.5 The Chief Executive advised Board members that she had received correspondence from the Permanent Secretary, Andrew McCormick, instructing her to sign the financial memorandum. The Chief Executive explained that it was her intention to seek further guidance to clarify the appropriateness before signature.
- 07.21.6 Board members agreed that the £10,000 limit imposed on the Chief Executive for capital expenditure was restrictive and supported the view that advice should be sought and the limit should be challenged.

**07.10.2 Organisational Development Strategy**

- 07.21.7 The Director of Corporate Services updated the Board on efforts to secure external consultancy for the RQIA Organisational Development strategy. He advised that tenders had been received and that a meeting with Regional Supplies Service to discuss these had been rearranged. He acknowledged the support of Ruth Laird who had agreed to assist in considering the tenders.

**06.106 Overall Assessment**

- 07.21.8 A Board member asked if progress had been made in arranging a

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workshop with the Head of Statistics in the HPSS Information Branch and the Service Improvement Manager concerning information sharing to assist in the preparation of an overall assessment. The Chairman advised that it was still his intention to arrange this workshop in June or July.

**07.22 Chairman's report [Paper A/02/07]**

- 07.22.1 The Chairman presented his report to the Board and drew the Board's attention to the presentation he had included following the workshop he had attended on a Northern Ireland Bereavement Strategy.
- 07.22.2 The Chairman thanked Board members who attended the joint workshop with the Mental Health Commission on 5 March.
- 07.22.3 Board members agreed that they had noted initial reservations from the Mental Health Commission staff about the merger but felt the workshop had made great progress in allaying those fears and agreed that a future programme of joint work was the most appropriate way forward.
- 07.22.4 The Chief Executive expressed her wish to create a project group consisting of 3 RQIA Directors, 2 Board members, the Chair of the Mental Health Commission, Daphne Elliot, the MHC Chief Executive, Joy Peden, and 2 Commissioners. The Board agreed and the Chairman invited Board members to contact him with expressions of interest.
- 07.22.5 The Director of Operations, Nursing, advised the Board that a merger project group had been established by DHSSPS and that a meeting would be taking place on 9 March. He advised he could not attend but would send a representative.
- 07.22.6 The Chief Executive advised that she had written to DHSSPS seeking action and clarity on the effective management of the proposed merger and as yet had not received replies to the correspondence. Given the impact of the proposal on the Authority, RQIA needs to ensure that its part is managed effectively and that the Mental Health Commission were engaging with RQIA.
- 07.22.7 A Board member asked where the overall accountability lay for the success of the merger and the Chairman explained that this was with the Permanent Secretary.
- 07.22.8 It was agreed that Mental Health Commission staff should be invited to future RQIA Board meetings to gain a better understanding of RQIA's

work.

**Resolved action**

**Committee Administrator to contact Mental Health Commission and advise of future RQIA Board meeting dates.**

The Board **NOTED** the Chairman's report.

**07.23 Chief Executive's report [Paper B/02/07]**

- 07.23.1 The Chief Executive presented a report to the Board detailing key activities of the Authority since the last Board meeting.
- 07.23.2 The Director of Operations, Nursing, provided an update on the Clinical and Social Care Governance Reviews and stated that 20 had now been completed. He advised that the programme had gone well despite some difficulties in populating review teams and hoped that after next week the process of completing the reports would begin.
- 07.23.3 The Chief Executive advised on the role of the Quality Assurance Group which comprised a Senior Clinical Advisor from the Healthcare Commission, the Chief Social Services Inspector from Social Care Commission Wales and a Northern Ireland lay member from the Health and Social Services Councils.
- 07.23.4 The Director of Corporate Services updated the Board on the development of the new RQIA website and advised that the work was due to be completed on schedule.
- 07.23.5 The Chief Executive announced that 2 new Assistant Directors had been appointed and they would take up post on 20 March. She also advised that more inspectors had been appointed but were not ready to take up post due to notice periods. The role of the new inspectors would be to enable RQIA to undertake additional regulatory work as required.
- 07.23.6 The Chief Executive delivered a short presentation highlighting the key issues from the White Paper concerning the Regulation of Health Professionals in the 21<sup>st</sup> Century and advised on the significance of this paper for RQIA and the regulation of services. Future opportunities for the Board to develop strategic direction would be developed through the NISCC workshop on general issues of professional regulation and specifically at future workshops.
- 07.23.7 The Chairman initiated a discussion around an e-mail that had been circulated to Board members from Christine Smyth in the DHSSPS

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about user involvement. Board members agreed that there were concerns about the number of different organisations who would have responsibility for monitoring health service provision and the extent of overlap between these organisations and how there was a lack of clarity in what was being proposed. It was agreed that a response would be made to Christine Smyth inviting her to engage with RQIA.

The Board **NOTED** the Chief Executive's report.

**07.24 Approval of Business Plan for 2007/08 - Director of Corporate Services [Paper C/02/07]**

07.24.1 The Director of Corporate Services presented to Board members a revised Business Plan based on comments received at the last Board workshop and queries raised by DHSSPS. He pointed out that a new "outcomes" column had been added and that completion dates had been inserted.

07.24.2 A Board member suggested that the patient/client survey and the HPSS survey be combined but queries were raised about the methodology for conducting these surveys. The Chief Executive advised that no discussion had taken place as yet concerning how these surveys would be carried out but discussions would take place with experienced providers of these surveys which are established in England and Scotland.

07.24.3 A Board member asked if provision had been made for an annual assessment for 2006/07 to be completed. The Chief Executive confirmed that this was the case.

07.24.4 A Board member added that the Business Plan should include a section on the Board members' continual professional development as agreed at the last meeting.

Despite the lack of clarity concerning funding from DHSSPS the Board **APPROVED** the Business Plan for 2007/08 subject to some minor amendments.

**07.25 Provisional Revenue and Capital Budgets for 2007/08 - Director of Corporate Services [Paper D/02/07]**

07.25.1 The Director of Corporate Services outlined the provisional revenue and capital budgets for 2007/08 and advised that these had been sent to the DHSSPS alongside the Business Plan.

07.25.2 In response to a query from a Board member concerning the additional

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funding required, the Director of Corporate Services pointed out to Board members that the Business Plan was clearly linked to the needs of the DHSSPS and objectives in the Corporate Plan 2006/09 and that the additional funding requirements should not present any surprises.

- 07.25.3 A Board member noted the non payroll budget and the large variances in the last financial year. The Director of Corporate Services confirmed that the 2007/08 figures were a more accurate reflection as the Authority had built up better intelligence in these areas.
- 07.25.4 A Board member asked if RQIA could expect an increase in fee income. The Director of Corporate Services pointed out that fee income was difficult to predict because of the increase in the number of regulated services RQIA will have responsibility for in 2007/08.
- 07.25.5 The Director of Corporate Services assured Board members that RQIA would be seeking a response from DHSSPS as quickly as possible in this matter.

The Board **APPROVED** the provisional revenue and capital budgets for 2007/08.

**07.26 Audit Committee - Verbal report of meeting, 1 March 2007 - Chairman of Audit Committee**

- 07.26.1 The Chairman of the Audit Committee updated the Board on the recent Audit Committee meeting.
- 07.26.2 The Committee Chairman advised that the Communications Manager had been asked to prepare a short report on feedback from the Annual Report.
- 07.26.3 The Committee Chairman alerted Board members to a change in accounting policy where the Grant-in-Aid RQIA received from DHSSPS will in future be included as a finance item on the balance sheet. This will bring RQIA accounts in line with other non-departmental public bodies.
- 07.26.4 The Committee Chairman reported that the Internal Audit report had shown an improvement and expressed his thanks to the hard work of the staff to obtain this standard.
- 07.26.5 The Committee Chairman reported that other issues discussed had included the future of shared services after the closure of the Central Services Agency and the possible appointment of an external accountant to assist the work of the Audit Committee.

The Board **NOTED** the report from the Chairman of the Audit Committee.

**07.27 Governance and Risk Management sub-committee - Verbal report of meeting, 13 February 2007**

07.27.1 The Chairman of the Governance and Risk Management sub-Committee updated the Board on the recent Committee meeting.

07.27.2 The sub-committee Chairman advised Board members that the terms of reference of the sub-committee had been referred back by the Audit Committee and required further work.

07.27.3 The sub-committee Chairman updated the Board on the Risk Management work being carried out by PriceWaterhouseCoopers and advised the Board this work should be completed by the end of March 2007.

07.27.4 The sub-committee Chairman expressed Committee concerns about the workload on the Senior Management Team and the potential risks this presents. In respect of this, another Board member assured the Senior Management Team that they could call upon the assistance of Board members if required.

The Board **NOTED** the report from the Chairman of the Governance and Risk Management sub-committee.

**07.28 Appointments and Remuneration Committee - Verbal briefing of meetings, 8 and 22 February 2007 - Chairman**

07.28.1 The Chairman updated the Board on the last two meetings of the Appointments and Remuneration Committee and advised Board members that a meeting had been held with the Chief Executive to discuss her objectives for 2007/08 and that a further meeting will be held on 22 March to finalise these.

The Board **NOTED** the report from the Chairman of the Appointments and Remuneration Committee.

**07.29 Outcome on Consultation on Proposed new Methodology for Inspection - Director of Operations and Chief Social Work Advisor [Paper E/02/07]**

07.29.1 The Director of Operations, Social Work, presented to the Board the main findings from the consultation for the proposed new methodology

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for the inspection of regulated services.

- 07.29.2 Board members were informed that 956 stakeholders had been invited to comment on the proposals and that RQIA had organised 12 roadshows over a 13 week period and had received 74 written responses.
- 07.29.3 The Director of Operations, Social Work, advised Board members that there was widespread support for the new methodology, but concerns had been raised about further training in some aspects of the methodology including a better understanding of the risk consequence matrix.
- 07.29.4 The Director of Operations, Social Work, pointed out that most providers were content with RQIA determining the frequency of inspection but stated but that a change in legislation could be difficult to obtain.
- 07.29.5 In response to a query from a Board member concerning how Inspectors would be trained in the new methodology, the Chief Executive advised that 2 Senior Quality Reviewers had been appointed and the Authority was seeking to employ 2 more in 2007/08. The Director of Operations, Social Work, informed the Board that inspectors had undergone training in report writing and investigative practice which had been facilitated by a London company, Bond Salon.
- 07.29.6 The Board congratulated the Director of Operations, Social Work, in her work in completing the new methodology for inspection and acknowledged that this represented a milestone in the work of the Authority.

The Board **NOTED** the findings of the report and **APPROVED** the introduction of the new methodology.

The Board also **APPROVED** that further roadshows should be held to increase provider awareness.

The Board **APPROVED** the request to DHSSPS to seek a revision to the frequency of inspection within the regulations.

**07.30 Any other business**

There was no further business and the Chairman drew the Public Session of the Board meeting to a close.



**PRIVATE SESSION**

**07.31 Confidential minutes of the meeting of the Board held on Thursday 8 February 2007, Board Room, Riverside Tower, Belfast [Paper min/Feb/07]**

The Board **APPROVED** the confidential minutes of the Board meeting of 8 February 2007.

**07.32 Matters arising from the confidential minutes**

**07.17.1 Cuan Mhuire**

07.32.1 The Director of Operations, Nursing, advised that the report was in the process of completion and would be brought to the next Board meeting after it had been legally proofed.

**07.17.3 Health and Social Care Services in prisons**

07.32.2 The Director of Operations, Nursing, confirmed that he had met with Dr. Philip McClements who advised that the transfer of health and social care services to DHSSPS would take place from 1 April 2007 but there were still many unresolved issues around the transfer of staff.

**07.18.2 Four Seasons**

07.32.3 The Chief Executive advised the Board that both the Director of Operations, Nursing and Director of Operations, Social Work, were following up issues of concern directly with Four Seasons.

**07.18.3 Enteral Feeding Investigation**

07.32.4 The Chief Executive advised that the investigation team was finishing its work and the report would be available at the next Board meeting. Difficulties in obtaining suitable expertise had caused a delay in the completion of the investigation.

**07.18.4 Staffing Issues**

07.32.5 The Chief Executive updated the Board in relation to the Medical Director and advised that she was awaiting information from the HPSS Superannuation Branch.

07.32.6 The Chief Executive confirmed that once a decision had been made, the recruitment process for a new Medical Director would commence

immediately. The Chief Executive further advised that an advertisement for a Primary Care post would be in the press shortly.

**07.33 Verbal Confidential briefing - Chief Executive**

**HPSS Complaints Procedure**

07.33.1 The Chief Executive advised the Board that the deadline for responses to the consultation on the new HPSS Complaints Procedure had been extended but she drew the Board's attention to issues concerning RQIA's role in the handling of complaints.

07.33.2 The Chief Executive explained to Board members that under the new proposed procedure unresolved complaints would immediately be dealt with by the Northern Ireland Ombudsman. However, it was noted that this would reduce the opportunity for the HPSS to learn from complaints due to the potential creation of a blame culture as the Ombudsman would make judgements for or against the complainant. The Chief Executive had raised the possibility of an intermediate stage within the HPSS but the Chief Executive of the Strategic Health Authority did not share this view.

07.33.3 The Chairman drew parallels with the experience of the Healthcare Commission and advised that RQIA should consider its response to the complaints document very carefully.

07.33.4 A Board member queried the role of the Mental Health Commission in complaints. The Chairman advised that RQIA is only responsible for dealing with complaints in the regulated sector but the Director of Operations, Nursing, explained that RQIA would have to maintain the MHC's role in complaints under mental health legislation.

07.33.5 It was AGREED that RQIA should respond to the HPSS Complaints Procedure and that the response would be circulated to Board members prior to being submitted to the DHSSPS.

**Complaints against RQIA [Paper F/02/07]**

07.33.6 The Chairman explained that the interim procedure for complaints against the Authority needed Board approval and he invited the Director of Corporate Services to outline the key aspects of the proposed procedure.

07.33.7 The Director of Corporate Services advised that an interim procedure had been in place since December 2006 but noted that clarity was required on the role of the Chairman and Board members if the

complainant was not satisfied with the original investigation.

- 07.33.8 The Chairman advised that he was dealing with a complainant who was dissatisfied with RQIA's investigation of a complaint and who wished to proceed to second stage. The Chairman requested Richard Adams (Vice Chairman) to convene a complaints review group, along with fellow Board members Una O'Kane and Colin Reid, to undertake a review of the complaint on behalf of the Board.

Board members **APPROVED** the procedure subject to some minor amendments.

#### **Senior Executive Pay Award**

- 07.33.9 The Chairman clarified the nature of the Senior Executive Pay Award and explained that it was a prospective rather than a retrospective award.

#### **McGrillen Investigation**

- 07.33.10 The Chief Executive outlined to Board members details of a complaint concerning the care of Dolores McGrillen. The RQIA has been endeavouring to find a resolution between the family, the provider, the home and the trust.
- 07.33.11 The Chief Executive advised that RQIA has received information that the home has served a notice to cease providing a service to the client and RQIA will work with all parties to minimise the difficulties.

#### **Armagh Care Home**

- 07.33.12 The Chief Executive advised Board members that a care home in Armagh will be issued with 15 failure to comply notices as the home had displayed little evidence that it is implementing improvement plans.

#### **RQIA Capacity and Capability Review**

- 07.33.13 The Chief Executive advised Board members that, at a recent business meeting with DHSSPS colleagues, RQIA had agreed a mini review of resources which would be short and sharp to inform progress with the proposed Business Plan.
- 07.33.14 The Chairman further commented that he had been asked to an urgent meeting with the Chief Medical Officer, whose branch in the DHSSPS has taken on the sponsorship of RQIA, and he was informed of the

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Department's approach to the review. The Chairman confirmed the Chief Medical Officer's full support of the role of RQIA.

- 07.33.15 Subsequently RQIA received correspondence, dated 5 March 2007, from the Chief Medical Officer outlining the terms of reference and further details of the "Capacity and Capability Review" (copies were provided for Board members). The Chief Executive outlined her uneasiness and the inappropriateness of the review at this time and explained that she had expressed these concerns to Dr. Maura Briscoe, DHSSPS, at recent meetings.
- 07.33.16 The Chairman recognised and accepted the concerns of the Chief Executive and the views of some Board members that the timing of review appeared unusual and had the potential to undermine the work of the Authority but he recommended to the Board that it was in the current and long term interests of RQIA to co-operate fully with the DHSSPS in the review.

**Cherry Lodge Review**


- 07.33.17 The Director of Operations, Social Work, updated Board members on the Cherry Lodge review and advised that a report would be available at the next Board meeting.

**Date of next meeting:**

**12 April 2007 at 2pm**

**Northern Ireland Social Care Council Headquarters, Great Victoria Street, Belfast**

Signed

  
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Dr Ian Carson  
Chairman

Date

12<sup>th</sup> April 2007