

Minute of the meeting of the
Board of the Health Service Executive
Thursday, 10th December 2009

Members present: L. Downey (Chairman), B. Drumm (CEO), N. Brennan, D. de Buitleir, P. Farrell, PJ Fitzpatrick, M. Gaffney, E. McCague, J. Mooney, W. O'Reilly, D. Power and A. Scott

Apologies: None

Attendees: D. Purcell (Secretary)

Joined the meeting: L. McGuinness, S. McGrath, L. Woods, B. White, J. Carolan, B. Gilroy, M. Mc Donald, M. Fitzgerald, J. Hennessy, A. Carrigy, E. Dunne and T. Keane.

Time & Location: HSE offices, Adelaide Road, Dublin at 8.00am

Item	Discussion / Comments	Action
1 Minutes of the previous meeting		
	The minutes of the meeting held on the 12 th November, 2009, were approved.	
2 Matters arising from minutes		
	The action points from the previous meeting were reviewed and noted. The Board requested that a briefing paper on the Cross Border Co-operation and Working Together (CAWT) programme would be circulated for information purposes and that implementation of the ICT Strategy would be on the agenda for the January 2010 Board meeting.	Secretary to arrange
3 Report from CEO		
	<p>The CEO spoke to the monthly report to the Board. He reported in particular on the outcome of the Government/social partnership negotiations and outlined the health service transformation measures that were being considered as part of these negotiations. He confirmed that management intend to continue to engage with the health sector unions on these transformation measures and that S. McGrath had written to the Unions on this matter.</p> <p>Following the discussion the report from the CEO was noted.</p> <p>The Chairman and CEO then reported on a meeting they attended with Barry Andrews, Minister for Children and Youth Affairs to discuss priority issues for inclusion in the National Service Plan 2010 and on the Cabinet Committee meeting on the 15th November 2009.</p>	
4 Reports from Committees of the Board		
	<p>Audit Committee Meeting on 5th December 2009: Prof. N. Brennan, Chairman of the Audit Committee, reported on the Committee meeting on 5th December 2009 which had considered progress of an ongoing audit.</p> <p>Remuneration & Organisation Committee meeting on 7th September 2009. D. de Buitleir, Chairman of the Remuneration and Organisation Committee, reported that the committee had met on the 7th December 2009 which had</p>	

	<p>considered correspondence from the CEO in relation to National Director assignments following a request from A. Doherty for a re-assignment from her position in the Integrated Services Directorate for personal reasons.</p> <p>The Committee recommended that the Board accept the proposal from the CEO that B. Gilroy would assume responsibility for the post of National Director, Reconfiguration in the Integrated Services Directorate in addition to his existing responsibility for Commercial and Support Services.</p> <p>The Board agreed to the recommendation from the Committee and expressed its appreciation to A. Doherty for the significant contribution she made in the management and reform of the National Hospitals Office during her time as National Director NHO.</p>	
5 Performance Report – October 2009 and Vote Position at 30th November 2009:		
	<p>A. Doherty, L. McGuinness, B. White, L. Woods, S. McGrath and J. Carolan joined the meeting for consideration of this item.</p> <p>L. Woods reported on the activity levels, employment levels and financial position as set out in the October 2009 Performance report and the Vote Expenditure report for November 2009. He reported the service provision commitments in the Service Plan were being delivered at, or very close to, targeted levels and that the primary drivers of the reported financial deficit to end November 2009 relate to pension costs and additional expenditure in both statutory and voluntary hospitals. He confirmed that the targets for VFM set in the Service Plan and the additional efficiency measures set earlier in the year are being delivered.</p> <p>L Mc Guinness reported that, as part of the establishment of the Integrated Services Directorate, the performance and financial management function has instituted a monthly performance review process within each of the HSE regions. This is designed to bring greater focus to key performance issues across all health services, addressing areas of significant variance, issues of concern and corrective action required. As part of the National Service Plan 2010 a performance contract will be agreed with each of the four HSE regions.</p> <p>Following a discussion of the reports, the Board noted that management will continue to monitor the pension costs and expenditure in the NHO, particularly HSE West, to year end to ensure the delivery of a balanced vote at year end.</p> <p>L. Woods also informed the Board that the Minister for Health and Children had introduced a supplementary estimate in the Oireachtas for the 2009 HSE Vote. This supplementary estimate relates to exceptional issues requiring increased revenue funding particularly shortfalls in health and pension levy receipts, growth in superannuation costs, additional costs associated with the H1N1 Pandemic and capital provisions relating to the development of mental health facilities to be financed from property disposals in previous years.</p>	
6 National Service Plan 2010		
	<p>A. Doherty, L. McGuinness, B. White, L. Woods, S. McGrath and J. Carolan remained in attendance for this item.</p> <p>J. Carolan updated the Board on the work that had taken place since the November 2009 board meeting to prepare the National Service Plan (NSP) 2010. She outlined the key areas of focus in the draft plan including the measures to address the priority areas set by the Minister for Health and Children in her letter to the Chairman dated 7th December, 2009.</p> <p>Following a discussion, the Board noted that the process of engagement was ongoing with the Department of Health and Children to finalise priority</p>	

	<p>areas and performance indicators. The HSE Senior Management team would be meeting on 14th and 15th December 2009 to finalise the draft NSP 2010 taking account of budget day provisions for health services and Government/Ministerial directions. This final draft will be presented to the Board for consideration and submission to the Minister for Health and Children in accordance with the statutory time provisions in the Health Act 2004.</p>	
7	Postgraduate Medical and Dental Board - Accounts 2008	
	<p>L. Woods spoke to the briefing paper on this item which had been circulated prior to the meeting.</p> <p>He reported that responsibility for the Postgraduate Medical and Dental Board (PgMDB) had been transferred to the HSE under the provisions of the Medical Practitioners Act, 2007 with effect from 1st January 2009. In compliance with the statutory provisions, the HSE had responsibility to prepare accounts of monies received and expended by the PgMDB during 2008.</p> <p>He confirmed that the accounts were forwarded for audit to the Comptroller and Auditor General (CAG) and the HSE Audit committee had reviewed, with the C&AG's officials, the accounts at its meeting on the 6th November 2009. At that meeting, it had been agreed with officials from the C&AG's office that, to properly reflect the responsibility for the accounts, the former Chairperson of the PGMDB would be required to certify that the former board were responsible for keeping proper accounts in 2008. The accounts, signed by the HSE, would rely on this certification for the purpose of making a statement of Board members' responsibilities.</p> <p>The adoption of the accounts was proposed by E. McCague, seconded by A. Scott and agreed by the Board. (<i>HSE Board Decision No. (10.12 (24)/2009</i>). It was noted that these accounts would now be signed by the CEO and Chairman.</p>	
8	Report of the Education, Training and Research Management Committee – Principles and Recommendations for ETR in the HSE	
	<p>S. McGrath remained in attendance for consideration of this item and M. McDonald and Professor M. Fitzgerald joined the meeting.</p> <p>S. McGrath introduced this item and outlined the process that had been followed to prepare the report. The Education, Training and Research (ETR) management committee which produced the report was established arising from the implementation plan for the integration of education training and research in the HSE previously approved by the management team and Board. The membership of the committee was representative not only of relevant HSE directorates but also educational partners in health education institutes and training bodies across various health care disciplines.</p> <p>M. Mc Donald outlined the principles and recommendations in the report to enable the HSE meet its statutory and policy responsibilities for education training and research across all healthcare disciplines. He highlighted in particular the recommendation to develop a function in the HSE to ensure greater alignment and integration of education, training and research on an interdisciplinary basis. He outlined the recommendations in the report on the characteristics of the ETR function in the HSE, including its purpose, its structure and positioning.</p> <p>Following discussion, the Board noted the report and endorsed its recommendations.</p>	
9	Property transactions	
	<p>B. Gilroy joined the meeting for consideration of this item.</p> <p>Transfer of lands to the RPA relating to the existing Luas line at St. James's Hospital.</p>	

	<p>B. Gilroy spoke to the briefing paper on this item which had been circulated prior to the meeting and confirmed that the freehold interest in lands over which the existing Luas line through St. James's Hospital runs was not formally completed at the time of the sale of the lands by the former ERHA to CIE in 2001. This transaction is required to rectify this matter. He confirmed that the approval of the Board is required for this transaction as it is set below market value. The transfer of the lands was proposed by PJ Fitzpatrick, seconded by E. McCague and agreed by the Board ((HSE Board Decision No. (10.12 (25)/2009).</p> <p>Mental Health Capital funding – Budget 2010</p> <p>B. Gilroy informed the Board that Budget 2010 provided funding for a multi-annual programme of capital investment in high priority mental health facilities from the proceeds of the sale of mental health assets. In 2010 the HSE will proceed to dispose of such assets and invest an initial sum of €43 million in the mental health capital programme as outlined in the Mental Health strategy – <i>A Vision for Change</i>. He also reported that the budget had provided innovative funding to support transition from institutional to person-centred models of care in disability and mental health services.</p>	
10	Implementation of Consultants' Contract 2008 – Progress report on measurement of public - private practice activity.	
	<p>J. Hennessy joined the meeting and B. Gilroy, L. McGuinness, B. White and S. McGrath remained in attendance for consideration of this item.</p> <p>B. Gilroy introduced this item and outlined the provisions in the Consultants' Contract 2008 in relation to the regulation of public private practice activity and the sanctions and remedies provided under the contract provisions for non-compliance with these provisions.</p> <p>J. Hennessy spoke to the report which had been circulated prior to the meeting on the measurement of clinical activity for the period March to May 2009. He confirmed that each Consultant receives an individualised report outlining their private practice details and this information provides the basis for hospital managers and clinical directors to follow up with individual consultants who are exceeding their specified private practice ratio to ensure compliance going forward.</p> <p>Following a discussion the Board noted the report. The Board re-emphasised the necessity for management to ensure public private practice activity is managed in line with the 2008 contract provisions and requested that future reports would include information to allow an assessment of the impact of non-compliance with the provisions of the contract on public waiting.</p>	B. Gilroy
11	Progress Report on the implementation of the Quality and Risk management standard	
	<p>A Carrigy and E. Dunne joined the meeting for consideration of this item and B. White remained in attendance.</p> <p>B. White reported that implementation of the quality and risk agenda was now part of the responsibilities for the newly created Quality and Clinical Care Directorate.</p> <p>E. Dunne spoke to the briefing paper which had been circulated prior to the meeting and outlined the key organisational measures and actions in place to progress the implementation of the quality and risk management standard as adopted by the Board in October 2007</p> <p>A Carrigy reported on the work of the Serious Incident Management Team which had been established in April 2008 following the Fitzgerald Report. Two main work streams had been pursued by the team. Firstly, the review of the existing or historic serious incidents in the health system, and,</p>	

	<p>secondly, the development of a suite of documents that support managers in responding to future serious incidents.</p> <p>Following a discussion the Board noted the report and acknowledged the active and constructive engagement of the Board's Risk committee with management to monitor and implement the quality and risk agenda in the HSE.</p>	
12	Progress Report on Implementation of the Cancer Control Programme	
	<p>T. Keane joined the meeting for consideration of this item and spoke to the briefing note which he had circulated prior to the meeting.</p> <p>He provided a summary to the Board on progress over the past 2 years in implementing the National Cancer Strategy. He outlined in particular, the progress made to centralise breast cancer, diagnosis and surgery in 8 cancer centres, improvements in access to cancer diagnostic clinics, progress on implementation of the national plan for radiation oncology, developments in the community oncology programme and the development of national cancer programme infrastructure. He also informed the Board that the national screening service (Breast Check and Cervical Screening) will be subsumed into the HSE National Cancer Control Programme with effect from 1st April 2010.</p> <p>He confirmed that the secondment agreement between the BC Cancer Agency and the HSE which had allowed him assume the role of the Interim Director of the NCCP was due to conclude shortly and that the HSE had activated the recruitment process for a permanent Director of the NCCP.</p> <p>Following a discussion, the Board noted the progress report and expressed its appreciation to Professor Keane for the significant contribution he had made in the role as Interim Director of the National Cancer Control programme to reform and improve cancer care services.</p>	
13	Any Other Business	
	<p>The secretary informed the Board that a special Board meeting was provisionally scheduled for the 21st December 2009 to consider the National Service Plan 2010.</p>	

The meeting concluded at 12.30pm.

Signed:

Date:

Liam Downey
Chairman