

Minute

**Health Service Executive  
Board Meeting**

Tuesday, 14<sup>th</sup> December 2010

**Members present:** F. Dolphin (Chairman), C. Magee (CEO), P. Farrell, J. Fitzgerald, N. Brennan, S. Langford, J. Lavelle, J. Mooney, D. Power, E. McCague, A. Scott and N. Hunt

**In Attendance:** D. Purcell (Secretary)

**Apologies:** None

**Joined the meeting:** S. McGrath, L. McGuinness, L. Woods, B White, B. Gilroy, S. Bresnan, E. O'Raw and J. Carolan

**Time & Location:** HSE Offices, Adelaide Road, Dublin 2, at 8.30am

Item	Discussion / Comments	Action
<b>1 Minutes of the previous meeting</b>		
	The minutes of the Board meeting held on the 11 <sup>th</sup> of November 2010 were approved.	
<b>2 Matters arising from minutes</b>		
	The action points from the previous meeting were reviewed and noted. Under matters arising, a briefing note on the CAWT programme would be circulated.	Secretary to arrange
<b>2A Reports from Committees of the Board</b>		
	<p><b>Remuneration &amp; Organisation Committee:</b> P. Farrell, Chairman of the Remuneration &amp; Organisation Committee reported on the Committee meeting held on the 9<sup>th</sup> December 2010. The CEO and National Director of HR had reported to the Committee on the following items: the outcome of the recruitment process for the appointment of a HSE National Director for Children and Family Services (agenda item 6A), the recruitment process for the post of Chief Operations Officer and the secondment process for the post of National Director of Quality Risk and Clinical Care; the progress of the Voluntary Early Retirement / Redundancy programmes and the contingency/re-deployment arrangements developed to address any critical vacancies that may arise.</p> <p><b>Audit Committee:</b> Prof. N. Brennan Chairman of the Audit Committee reported on the Audit Committee meeting held on 13<sup>th</sup> December 2010. The Committee had reviewed the SKILL Internal Audit report No. 2 (procurement), the SKILL Internal Audit report No. 3 (Backfill contributions and activity data) and the Internal Audit of the Health Service National Partnership Forum.</p> <p>The Committee expressed concerns at the weaknesses in controls, the lack of compliance/accountability culture and poor human behavioural issues demonstrated from the findings in these reports. The Board noted management is considering how the control/compliance issues arising from the internal audit reports would be addressed and a report would be provided to the Audit Committee/Board.</p> <p>The Audit Committee had also reviewed a report into foreign study visits by</p>	Report to be provided to Audit Committee/Board

	<p>HSE employees and paid for out of the SIPTU National Health and Local Authority Levy Fund which was commissioned by HSE management arising from the findings of the first Internal Audit report on the SKILL expenditure programme. This report was discussed with the Director of HR at agenda item 3 below.</p> <p>The Board noted that a report being conducted by SIPTU on the matters raised in the internal audit report was still awaited.</p> <p>The Board also noted the Internal Audit reports had been provided to the Public Accounts Committee (PAC) for consideration at its meeting on 16th December 2010 to consider the report of the Comptroller and Auditor General on the SKILL expenditure. The Audit Committee will update the communications protocol between the Audit Committee and the Office of the Comptroller and Auditor General's to take account of this new procedure.</p>	<p><b>Communications protocol /Audit Committee</b></p>
<b>3 Performance Report, October, 2010 and Vote Report, November 2010</b>		
	<p>The CEO spoke to the management overview of performance for October 2010 as set out in the monthly performance report, referring specifically to changes proposed to the Department of Health and Children to the current arrangements for charging and collecting income to simplify the process and achieve a better outcome for the HSE; the negotiations that have been ongoing with IPHA to achieve €200million savings in the price of drugs costs; the voluntary early retirements/severance schemes and the ongoing risk assessment on the implementation of the schemes and the contingency/ redeployment arrangements being put in place to fill critical vacancies that may arise, the transfer of Community Welfare functions to the Department of Social Protection from January 2011; the HSE South reconfiguration programme, which the CEO undertook to bring back to the Board; and measures to improve performance in the five EDs with below average performance.</p> <p>S. McGrath, B. White, L. McGuinness, L. Woods, B. White, S. O'Reilly and J. Carolan joined the meeting and reported on the finance, HR and service delivery performance as set out in the October monthly performance report and the November vote expenditure report.</p> <p>L. Woods was requested to provide a further report on the position of bank overdrafts in voluntary hospitals. L. McGuinness briefed the Board on the provision of homecare services, homecare packages and home helps and confirmed that a special information line had been established to deal with any concerns emerging from the recent Prime Time Investigates Programme on the provision of these services. She also informed the Board that the HIQA national review report of special care services provided by the HSE was due to be published later in the week. She confirmed that revised arrangements and action plans on the provision of special care and high support services had been put in place in July 2010.</p> <p>Following consideration of the PR and vote reports the Board noted that the service delivery targets in NSP 2010 are being achieved, and that overall the health service is achieving a small surplus in its budget although there are significant pressures in the acute hospitals.</p> <p>S. McGrath updated the Board in relation to management of the risks associated with the voluntary exit schemes and confirmed that the final numbers exiting under the scheme will be available by the end of this week. The report into foreign study visits by HSE employees which was commissioned by HSE management arising from the findings of the first Internal Audit report on the SKILL expenditure programme was discussed with the HR Director and certain reservations and concerns about the process and findings in the report were expressed.</p>	<p><b>CEO</b></p> <p><b>L. Woods</b></p>
<b>4 National Service Plan 2011</b>		
	<p>The CEO reported to the Board on the key provisions in the Service Plan 2011 (NSP 2011).</p>	

	<p>He confirmed that considerable discussions had taken place between the Department of Health and Children and the HSE on the format and content of the NSP 2011 and that the directions and priorities set by the Minister for Health and Children in her letters dated the 1<sup>st</sup> and 8<sup>th</sup> of December 2010 had been taken into account in the formation of the NSP 2011.</p> <p>He reported the NSP 2011 is a challenging plan which preserves service delivery levels while meeting the budgetary reductions for 2011. He confirmed reductions in expenditure have been targeted at non service impacting areas and outlined the key service developments and change programmes to be implemented in 2011.</p> <p>The Board considered the NSP 2011 and noted the priorities in the Plan are to maintain the levels of service provided in 2010 by delivering cost reductions and restructuring programmes to enable the maintenance of these service levels within the overall reduced budget, continue to ensure the delivery of high quality and safe services, accelerate the reform programme to reconfigure core services and, in line with HSE strategy, deliver an appropriate balance between hospital and community services as well as best care models in childcare, disability, mental health and older persons services; and implement the national clinical change programmes and new service developments.</p> <p>Approval of the NSP 2011 (incl. Capital Plan) was proposed by P. Farrell seconded by D. Power and agreed by the Board (<b>HSE Board Decision No. 14.12(33)2010</b>). The CEO undertook to revert to the Board again with a more in-depth consideration of the capital plan.</p> <p>The Board noted that the NSP 2011 had to be submitted to the Minister for Health and Children by 18<sup>th</sup> of December, 2010 and agreed that if any additional drafting/minor revisions need to be made to the approved plan those would be approved by the CEO and Chairman.</p>	CEO/B Gilroy
5	<b>Contract Approvals - Legal Services</b>	
	<p>E. McCague left the meeting for consideration of this item to avoid any potential conflict of interests.</p> <p>B. Gilroy remained in attendance and S. Bresnan and E. O’Raw joined the meeting for consideration of this item.</p> <p>B. Gilroy spoke to the briefing paper on the tender for the provision of legal services (solicitor services) as circulated to the Board. He outlined the current contracting environment for services procured from solicitors by the HSE, the proposed new operating model, the procurement process carried out to select a preferred bidder and the qualitative benefits and financial benefits to be delivered to the HSE under the new contracting model.</p> <p>In noting the innovative approach and potential cost savings from the new contract, the Board discussed a number of issues including the proposed new operating model involving a single provider, the involvement of the preferred bidder in establishing an escrow account for the National Cancer Screening Services which was referred to in Chapter 42 of the 2009 C&amp;AG report and the difficulties of putting a professional legal firm in charge of managing professional costs. Management confirmed that, while the new contracting model will result in a fully managed legal service at national level for a fixed annual fee, local operational legal advices and services will be delivered by 35 individual legal firms through four (4) geographical panels; each panel representing the HSE’s Administrative Areas.</p> <p>Approval to place a contract with the preferred bidder (Arthur Cox Solicitors) in accordance with the outcome of the tender evaluation process was proposed by D. Power, seconded by S. Langford and agreed by the HSE</p>	B Gilroy/Jan 2012

	<p>Board. One Board member dissented</p> <p>The Board requested that a full review of the operation of the contract would be carried out by management at the end of the first year and the outcome reported to the Board in January 2012.</p>	
<b>6A</b>	<b>Approval of the appointment of National Director for Children and Family Services</b>	
	<p>The CEO reported that the candidate being recommended for appointment as the National Director for Children and Family Services was Mr. Gordon Jeyes.</p> <p>P. Farrell, Chairman of the Remuneration and Organisation Committee, reported that the Committee had, at its meeting on 9<sup>th</sup> December 2010, considered the appointment and supported the CEO's recommendation.</p> <p>The Chairman confirmed that appointments at National Director level are a reserved function of the Board.</p> <p>Approval of the appointment of Mr. Gordon Jeyes as the new National Director for Children and Family Services was proposed by P. Farrell, seconded by J. Mooney and agreed by the Board (<i>HSE Board Decision No. 14.12(34)2010</i>).</p>	
<b>6</b>	<b>Property Transactions</b>	
	<p>B. Gilroy remained in attendance for consideration of this item and spoke to the briefing papers on the following property transactions as circulated prior to the Board meeting. He confirmed Board approval for these transactions was required in accordance with the HSE governance protocol.</p> <p><b>Centralised National Control Centre Project (Ambulance Services)</b> Approval to acquire a building at Tallaght Cross, Tallaght, Dublin 24 for the National Ambulance Control Centre was proposed by S. Langford, seconded by A. Scott and agreed by the HSE Board (<i>HSE Board Decision No. 14.12(35)2010</i>), subject to the sale of the property by the receiver being approved by NAMA. B.Gilroy undertook to revert to the board with details of the terms and conditions for staff in relation to this initiative.</p> <p><b>Lease of accommodation for HSE Innovation Centre</b> Approval to enter into a lease with the IDA for a unit in the Airways Industrial Estate, Santry at nominal rent for a five year period was proposed by E. McCague, seconded by J. Mooney and agreed by the HSE Board (<i>HSE Board Decision No. 14.12(36)2010</i>). B.Gilroy undertook to bring a paper on the Innovation Centre to the Board in the next few months.</p> <p><b>10 year Lease at St. Patricks Hospital Carrick on Shannon, Co. Leitrim</b> Approval to grant a lease at nominal rent to the Carrick on Shannon Heritage Group, to develop a famine museum and reading room (attic space) in St. Patricks Hospital was proposed by J. Fitzgerald, seconded by D. Power and agreed by the HSE Board (<i>HSE Board Decision No. 14.12(37)2010</i>).</p> <p><b>10 Year Lease to North West Hospice</b> Approval to provide a 10 Year Lease at nominal rent to North West Hospice to purchase a building attached to Sligo General Hospital was proposed by A. Scott, seconded by N. Hunt and agreed by the HSE Board (<i>HSE Board Decision No. 14.12(38)2010</i>).</p> <p><b>Community Nursing Unit Programme</b> B. Gilroy also spoke to the briefing paper on the Community Nursing Unit Programme which was noted. B. Gilroy tabled at the meeting an information note on the Dingle and Tralee Community Nursing Unit Projects.</p> <p><b>Co location – Update</b> N. Hunt and E. McCague left the meeting for consideration of this item to</p>	<p>B.Gilroy</p> <p>B.Gilroy</p>

	<p>avoid any potential conflict of interest-</p> <p>B. Gilroy informed the Board that Synchrony have sought an extension of the deadline in the project agreement for the St. James Hospital co-location project to 31<sup>st</sup> March 2011 and that an extension of the Beacon co-location projects was also required. The Department of Health and Children have been consulted and support the extension request. B. Gilroy requested delegated authority to extend the projects if required. Approval of the request was proposed by S. Langford, seconded by N. Brennan and approved HSE Board (<i>HSE Board Decision No. 14.12(39)2010</i>).</p>	
<b>7</b>	<b>National Paediatric Hospital</b>	
	<p>B. Gilroy and L. McGuinness remained in attendance for this item.</p> <p>The briefing paper as circulated on the progress on the National Paediatric Hospital was noted. B. Gilroy reported on the progress of the capital project and that the hospital network management group and Clinical Director were working to ensure that services are working as one unit across the three sites maximising resource utilisation and synergies.</p> <p>The Board noted the report and requested that quarterly updates be provided on the progress of the National Paediatric Hospital.</p>	<b>B. Gilroy / L. McGuinness</b>
<b>8</b>	<b>Any other Business</b>	
	<p>The Board meeting schedule for 2011 was noted.</p> <p>The Board approved the change in the banking resolution, tabled at the meeting, providing for the appointment of Cathal Magee as an authorised office for HSE banking matters.</p>	

The meeting concluded at 1.00 pm

Signed:

Date:

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F. Dolphin  
Chairman