

EASTERN HEALTH BOARD

Minutes of Proceedings of Meeting of the Eastern Health Board held in the Boardroom, 1 James's Street, Dublin on Thursday, 1st April, 1971 at 3 p.m.

Present:

Deputy P. Belton	Miss Eileen Horgan
Senator Dr. R. Belton	Dr. P. C. Jennings
Dr. F. de Burgh White	Miss Kay Kinseila
Deputy P. J. Burke	Cllr. A. Mahon
Cllr. M. Carroll	Dr. J. O'Connell, T.D.
Cllr. M. Clinton, T.D.	Dr. James McCormick
Deputy F. Cluskey	Dr. J. St. L. O'Dea
Dr. J. Cullen	Dr. B. O'Donnell
Cllr. M. Cunningham	Mr. Dermot O'Flynn
Cllr. H. P. Dockrell, T.D.	Dr. B. O'Herlihy
Cllr. James Dowling	Mr. K. O'Reilly-Hyland
Cllr. J. Dowling T.D.	Mr. Thomas Riordan
Mr. D. Gallivan, B.D.S.	Cllr. John Temple
Commissioner J. Garvin	Deputy Eugene Timmons
Cllr. P. Hickey, P.C.	

Apologies for absence:

Mr. J. Corcoran, M.B.	Deputy Ritchie Ryan
Mr. D. J. Kennelly, M.P.S.I.	Cllr. John Sweeney
Dr. A. Meade	Deputy G. Timmins

Dr. J. McCormick, Chairman, presided.

Officers in attendance:

Mr. E. O Caoimh, <i>Chief Executive Officer</i>	Mr. F. Donohoe
Mr. J. J. Nolan	Mr. F. McCullough
Mr. R. N. Lamb	Mr. P. J. Swords
Mr. J. Reynolds	Mr. A. O'Brien
Professor Ivor Browne	Miss K. Dolan
Dr. M. Crowe	Mr. J. A. Duggan (Wicklow)
Mr F. Elliott	Miss A. Farrington (Kildare)
Mr. J. Clarke	Mr. P. Sheehan (Kildare)

19/71 LETTER FROM AN TANAISTE

The Chairman informed the members that he had received the following letter dated 30th March, from Mr. Erskine Childers, T.D., Tanaiste and Minister for Health:—

"On 1st April, your board becomes responsible for the provision of the health services in its functional area. I wish you success in your work and am confident that the health boards, in co-operation with the Department and the special hospital bodies yet to be set up will achieve an organisation of health services in the future which will make the best use of our resources. Your board will have an opportunity to look over the whole field of health care and to co-ordinate the various parts of the services in its area in making their contributions to the problems which arise.

I am confident that the different interests represented on your board will make a contribution aimed at ensuring the success of your work. On this occasion, I would like to renew my thanks to each and every one of your members for participating in the work of the board and for the work which the board has done up to the present. I wish you all success in your future work.

I would be grateful if you would arrange to convey this message to the other members of your board".

20/71 APPOINTMENT OF OFFICERS TO THE
MANAGEMENT TEAM

The Chairman, having welcomed to the meeting Mr. J. J. Nolan (Programme Manager), Mr. R. N. Lamb (Functional Officer), and Mr. J. F. Reynolds (Finance Officer), said that the remaining appointments had yet to be made.

21/71 CONFIRMATION OF MINUTES

The Minutes of the Meeting of the Board held on 4th March, 1971, having been circulated, were confirmed—on a proposal by Mr. O'Flynn, seconded by Councillor Dr. Belton.

22/71 VISITING COMMITTEES — CONVENORS
OF MEETINGS

The Chairman suggested that a member from each of the four Visiting Committees convene a meeting to select a chairman and arrange visits.

The following members agreed to act as convenors:—
No. 1 Visiting Committee — Dr. J. Cullen.
No. 2 Visiting Committee — Miss K. Kinsella.
No. 3 Visiting Committee — Cllr. P. Hickey.
No. 4 Visiting Committee — Dr. B. O'Donnell.

23/71 MANAGEMENT OF ST. KEVINS AND JAMES
CONNOLLY MEMORIAL HOSPITALS

(a) The following Report No. 10/1971 together with the documents referred to therein were submitted:—

" 1. *St. Kevin's Hospital*

At its meeting on the 4th March last the Board decided to request the Minister for Health to defer the making of an Establishment Order under which St. Kevin's Hospital would be vested and managed by a joint corporate body representative of the Council of the Federated Voluntary Hospitals and the Dublin Health Authority. In a letter of the 24th instant (copy enclosed) the Minister has acceded to the Board's request.

It will be noted from the Minister's letter that he has decided that a 20-member Board should be provided for in the Establishment Order and he has asked the Eastern Health Board to submit the names of its ten nominees as soon as possible.

A copy of the draft Establishment Order together with copies of the correspondence referred to in the Minister's letter is circulated herewith; a copy of An Tanaiste's letter of the 12th March, 1971 to the Chairman of the Eastern Health Board is also enclosed.

2. *James Connolly Memorial Hospital Board*

The Minister made an Establishment Order on the 16th instant vesting the management of James Connolly Memorial Hospital in a joint corporate body whose members are as follows:—

Appointed by the Dublin Health Authority

Councillor P. Hickey, P.C.
Councillor M. Clinton, T.D..P.C.
Councillor H. P. Dockrell, T.D.
Councillor M. Carroll.
Surgeon H. McCarthy.
Mr. F. J. Elliott.

*Appointed by the Voluntary Hospitals**St. Laurence's Hospital:*

Professor W. A. L. MacGowan.
 Dr. H. E. Counihan.
 Mr. T. Stafford.

Jervis Street Hospital:

Professor W. O'Dwyer
 Dr. J. Woodcock.
 Mr. C. Brennan.

Mater Misericordiae Hospital:

Professor E. O'Malley
 Dr. B. Alton.
 Mr. J. O'Hanlon.

Councillor Clinton, T.D., has been elected Chairman of the body. Members nominated by the Dublin Health Authority will hold office until June 1972 and the others for a period of five years.

The financing of the Hospital for the financial year commencing 1st April, 1971 will be in accordance with the following resolution adopted by the Dublin Health Authority:

That as an interim arrangement pending further information from the Department of Health in regard to the financing of hospitals which derive their main income from public funds, the operation of James Connolly Memorial Hospital be financed by payment to the joint Hospital Board, in monthly instalments in advance, of the sum provided in the Estimates of the Dublin Health Authority for the running of the Hospital in 1971/72 on the basis outlined in the Chief Executive Officer's report ".

Letter dated 24th March, 1971 from the Department of Health:—

"I am directed by the Minister for Health to refer to your letter of the 9th March arising out of the meeting of the Eastern Health Board held on the 4th March and to state that he has decided to accede to the request of the Board that the making of the Establishment Order setting up the corporate body to manage and develop St. Kevin's Hospital should be deferred until after the 1st April. The Minister is concerned to ensure that there should be no postponement of the assumption of effective responsibility by the new body and he would welcome the co-operation of the Eastern Health Board in arranging that outstanding matters will be

dealt with in time to enable the new body to manage St. Kevin's from the 1st May.

One outstanding question was the number of representatives of the Health Authority and the Federated Dublin Voluntary Hospitals to be appointed to the new body. This had been agreed at an early stage of the negotiations at 10 nominees of the Health Authority and 10 of the Federation. More recently Dublin Health Authority had proposed that these numbers should be increased by 2 on each side. The Minister has felt that a Board of 20 was rather large for the purpose in mind and that an increase to 24 would make it too unwieldy. The Chairman of the Federation has intimated that he also considers an increase beyond the total of 20 already agreed as being undesirable. In the circumstances the Minister has decided that a 20 member board should be provided for in the Establishment Order. I am to request that the Eastern Health Board will submit the names of its 10 nominees as soon as possible.

I am to enclose a draft of the Establishment Order to be made by the Minister under the Health (Corporate Bodies) Act, 1961. A copy of this draft has also been sent to the Federated Dublin Voluntary Hospitals. I am to enclose also a copy of a letter which was sent by the Minister to the Chairman, Dublin Health Authority in regard to the development of St. Kevin's Hospital. A Letter in similar terms was sent to the Chairman, Federated Dublin Voluntary Hospitals.

It is proposed that the new corporate body would hold St. Kevin's on lease and the terms of the lease would need to be settled in final form. At the appropriate time it will be necessary to pass resolutions under Section 6 of the Health Act, 1970, in regard to the leasing of St. Kevin's and under Section 38 in regard to its discontinuance as a health institution.

As regards the relationship between the Eastern Health Board and the new corporate bodies responsible for St. Kevin's and James Connolly Memorial Hospital, I am to point out that these bodies would function as independent authorities subject only to the constraints imposed under the provisions of the Establishment Orders and the leases.

It is envisaged that the financial requirements of the two bodies (other than capital expenditure) would be determined in the manner applicable to bodies financed out of local and departmental funds generally, and would, in so far as they are not met by other sources (e.g. receipts from or in respect of patients, payments by other health boards

etc.) be met by the Eastern Health Board on a basis acceptable to the two Boards".

DRAFT ESTABLISHMENT ORDER

Title to replace "St. Kevin's Hospital"

The Joint Negotiating Body on the establishment of a corporate body to take over the administration of St. Kevin's Hospital considered a number of names for the hospital but did not reach any finality in the matter. The following were considered:—

St. Kevin's Federated Hospital	South City Hospital
Dublin Federated Hospital	South Dublin Hospital
Central Federated Hospital	University Hospital
Dublin United Hospitals	Erskine Childers Hospital
Dublin City Hospital	Holy Trinity Hospital
United South-Western Hospital	Rialto Hospital
Eastern Regional Hospital	St. Kevin's Hospital

It is understood that the name which found most favour was "University Hospital". This might be held to suggest that the hospital would be the only one associated with a University and to avoid controversy it would be preferable not to choose this name.

"St. Kevin's Federated Hospital" was also considered and while it would raise no problem, it seems a rather clumsy title for a hospital.

It has long been the tradition in this country to name hospitals after saints. It would be desirable to change from the name of St. Kevin's as a reflection of the change intended in the type of treatment provided in the hospital. The name of St. James has long historical associations with the area surrounding St. Kevin's Hospital. The local Catholic Church is called the Church of St. James and the hospital itself is bordered by James' Street. There was formerly a Protestant parish of St. James in the locality though this no longer exists. Perhaps the most renowned landmark in that part of Dublin was formerly St. James' Gate, where the Guinness Brewery is located.

Having considered the various titles put forward, the Tanaiste considers that the most suitable one would be "St. James' Hospital" and subject to the views of both the Eastern Health Board and the Federated Dublin Voluntary Hospitals, he proposes to incorporate this name in the Establishment Order

for the new corporate body. The final draft of the Order has been drawn up on the assumption that the proposed title will be acceptable to both parties.

**ST. JAMES' HOSPITAL BOARD (ESTABLISHMENT)
ORDER, 1971**

The Minister for Health in exercise of the powers conferred on him by sections 3 to 6 of the Health (Corporate Bodies) Act, 1961 (No. 27 of 1961), hereby orders as follows:—

1. This Order may be cited as the St. James' Hospital Board (Establishment) Order, 1971.
2. A body to be known as Bord Ospideil Naoimh Sheamuis or, in the English Language, the St. James' Hospital Board, is hereby established.
3. In this Order—
 - "the Board" means the St. James' Hospital Board established by this Order;
 - "the Chairman" means the Chairman for the time being of the Board;
 - "the Minister" means the Minister for Health.
4. The functions of the Board are as follows:—
 - (1) to conduct, maintain, manage and develop at the hospital heretofore known as St. Kevin's Hospital, Dublin, such hospital services as may, from time to time, be approved by the Minister.
 - (2) to provide such facilities for the teaching of medical, nursing and para-medical students and for the conduct of medical research as may from time to time be determined by the Minister after consultation with the Board.
 - (3) to provide such other services and facilities, as may, from time to time, be approved by the Minister, after consultation with the Board.
5. The Board shall consist of twenty members appointed by the Minister as follows:—
 - (a) ten on the nomination of the Eastern Health Board, which may include officers of the said Health Board or of any hospital board to which the said Health Board is entitled to nominate or appoint members.

- (b) ten on the nomination of the Central Council of the Federated Dublin Voluntary Hospitals.
6. The term of office of a member of the Board shall, unless he sooner dies, resigns or ceases to be a member under article 8 of this Order, terminate,
- (a) in the case of a member nominated by the Eastern Health Board who, on appointment, was a member of the Eastern Health Board on the day of the first meeting of the Eastern Health Board after an appointment of members made following a quinquennial election of the members of the local authorities appointing members of the said Health Board.
 - (b) in the case of a member nominated by the Central Council of the Federated Dublin Voluntary Hospitals who, on appointment, was a member of the said Central Council—on the day of the first meeting of the said Central Council after a triennial appointment of members to the said Central Council made in accordance with Section 7 of the Hospitals Federation and Amalgamation Act. 1961, (No. 21 of 1961).
 - (c) in the case of any other member of the Board, subject to sub-article (d) of this article,—at the end of five years in respect of the first members of the Board and, in respect of subsequent members of the Board—at the end of such period, not exceeding three years, as may be determined by the body nominating such members.
 - (d) in the case of a member who, on appointment, was an officer mentioned in article 5 (a) of this Order,—on his ceasing to hold such office during the period of his membership of the Board.
7. In the event of a casual vacancy arising through the death, resignation or cessation of membership under article 8 of this Order, of a member of the Board, the Minister shall fill the vacancy on the nomination of the appropriate nominating body and the person so appointed shall hold office as a member of the Board for the unexpired period of the term of office of the said member.
8. A member shall cease to be a member of the Board on his being requested by the Minister to resign, following a request to the Minister to exercise this function—
- (a) from the body by whom the said member was nominated or

- (b) contained in a resolution passed by a majority of the Board of at least two-thirds of the members of the Board.
9. (1) The Board shall at its first meeting and at each annual meeting elect a chairman and a vice-chairman.
 - (2) The chairman and vice-chairman shall be members of the Board who, on appointment, were members of the body by which they were nominated.
 - (3) The office of Chairman shall be filled in alternate years by a member of the Board who was, on appointment, a member of the Eastern Health Board and by a member of the Board who was, on appointment, a member of the central Council of the Federated Dublin Voluntary Hospitals.
 - (4) In a year in which the chairman is a member of the Board who, on appointment, was a member of the Eastern Health Board, the vice-chairman shall be a member of the Board who was, on appointment, a member of the Central Council of the Federated Dublin Voluntary Hospitals.
 - (5) In any year in which the chairman is a member of the Board who, on appointment, was a member of the Central Council of the Federated Dublin Voluntary Hospitals, the vice-chairman shall be a member of the Board who was, on appointment, a member of the Eastern Health Board.
 - (6) A chairman or vice-chairman shall hold office until his successor is appointed unless he sooner dies, resigns, or ceases to be a member of the Board under article 8 of this Order.
 - (7) A casual vacancy occurring in the office of chairman or vice-chairman shall be filled by election by the Board from among the members of the Board who on appointment were members of the body by which the member causing the vacancy was nominated.
 - (8) Whenever, at the election of a chairman or vice-chairman of the Board, there is an equality of votes for two or more persons, it shall be determined by lot which of those persons shall be chairman or vice-chairman of the Board.
10. The quorum of the Board shall be seven.

11. (1) The Board shall hold such and so many meetings as may be necessary for the performance of its functions.
 - (2) The Board shall have power to adopt standing orders governing the procedures to be followed at its meetings and the performance of its functions generally.
12. The proceedings of the Board shall not be invalidated by any vacancy or vacancies among its members or by any defect in the appointment of the Board or any member thereof.
13. (1) The Chairman may, at any time, call a meeting of the Board.
 - (2) If the Chairman refuses or fails to call a meeting of the Board after a requisition for that purpose, signed by six members of the Board has been presented to him, any six members of the Board may forthwith, on that refusal, call a meeting of the Board, and, if the Chairman (without so refusing) does not, within seven days after the presentation of the requisition, call a meeting of the Board, any six members of the Board may, on the expiration of these seven days, call a meeting of the Board.
14. At a meeting of the Board:—
 - (a) the Chairman shall, if he is present, be chairman of the meeting.
 - (b) if the Chairman is not present, the vice-chairman shall be chairman of the meeting.
 - (c) if neither the Chairman nor the vice-chairman is present, the members of the Board who are present shall choose one of their number to be chairman of the meeting.
15. Minutes of the proceedings of each meeting of the Board shall be entered in a book kept for that purpose and shall be signed by the Chairman of the meeting or of the next ensuing meeting.
16. (1) The names of the members at a meeting of the Board shall be recorded in the minutes of the proceedings of the Board.

- (2) Where a vote is taken on any question arising at a meeting of the Board the minutes shall show which members voted for and which against the question.

A person shall not receive any remuneration for acting as a member of the Board.

Members of the Board may be paid travelling and subsistence allowances in accordance with such scale as may from time to time be approved by the Minister.

18. (1) All acts of the Board and all questions coming or arising before the Board may be done and decided by the majority of such members of the Board as are present and where a vote is considered necessary, by vote at a meeting of the Board.
- (2) In case of equality of votes on any question arising at a meeting of the Board, the Chairman of the meeting shall have a second or casting vote.
19. (1) The Board may appoint committees, which may include persons who are not members of the Board, to assist the Board in relation to aspects of its day-to-day business and to furnish advice on particular aspects of its functions.
- (2) Any committee so appointed shall act subject to such directives as may be given by the Board, and any expenditure of monies by such committee shall be subject to the approval of the Board.
20. The seal of the Board shall be authenticated by the signature of the Chairman or some other member of the Board duly authorised by the Board to act in that behalf and the signature of an officer of the Board duly authorised by the Board to act in that behalf.
21. (1) The Board shall cause to be kept proper accounts of all income and expenditure of the Board, and of the sources of such income and the subject matter of such expenditure, and of the property, credits and liabilities of the Board.
- (2) The financial year of the Board shall be the period of twelve months ending on the 31st day of March in any year, and for the purposes of this provision the period commencing on the date of this Order and ending on 31st March, 1972, shall be deemed to be a financial year.

- (3) A statement of accounts of the Board for each financial year shall, as soon as may be after the end of such financial year, be prepared and after such preparation be audited by and be subject to a report by an auditor appointed for the purposes by the Minister after consultation with the Board.
 - (4) The expenses generally of such audit shall be paid by the Board as soon as may be after each audit.
 - (5) A copy of the accounts and the Auditor's certificate and report thereon shall be presented to the members of the Board and to the Minister.
 - (6) The Board and the officers thereof shall, whenever so requested by the Minister, permit any person appointed by him to examine the books and accounts of the Board in respect of any financial year or other period and shall facilitate any such examination, and the Board shall pay such fee therefor as may be fixed by the Minister.
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- (1) The Board shall, in each year, not later than such day as the Minister shall direct, make a report to the Minister of its activities during the preceding year.
 - (2) The Board shall submit to the Minister such information regarding the performance of its functions as the Minister may from time to time require.
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- (1) The Board may appoint such and so many officers and employ such and so many servants as the Board may, from time to time, think proper and in appointing any officer or employing any servant the Board shall comply with any directions given by the Minister relating to the procedure to be followed.
 - (2) Every officer of the Board holding office *in a permanent capacity* shall cease to hold office on attaining the age of sixty-five years.
 - (3) The Board shall determine the remuneration and condition of service of each officer and each servant.
 - (4) The Board shall, from time to time, assign such duties as they consider appropriate to each officer and servant of the Board and each such officer and servant shall perform the duties so assigned to him.

- (5) The Minister may, whenever and so often as he thinks fit, declare that any of the powers conferred on the Board by this article shall be exercisable only with the consent of the Minister, and whenever any such declaration is in force, the said powers may, in relation to any office or employment to which the declaration applies, be exercised only with such consent.
24. The Local Government (Superannuation) Act, 1956 (No. 10 of 1956) shall apply to the Board as if it were a local authority.
25. (1) For the purpose of the performance of its functions, the Board may, with the consent of the Minister, borrow money and purchase or take on lease any land.
- (2) The Board may, with the consent of the Minister, sell, exchange, let or otherwise dispose of any land vested in it.
26. (1) The Board may accept gifts or money, land and other property upon such trusts and conditions, if any, as may be specified by the donor.
- (2) The Board may not accept a gift if the conditions attached by the donor to its acceptance are not consistent with the functions of the Board.

*Given under the Official Seal of the
Minister for Health this
day of April. 1971.*

MINISTER FOR HEALTH

EXPLANATORY NOTE

This note is not part of the instrument and does not purport to be a legal interpretation.

The effect of this Order is to establish under the Health (Corporate Bodies), Act, 1961 a body to be known as the St. James' Hospital Board, which will take over St. Kevin's Hospital, Dublin, and provide a general teaching hospital there.

The Report of the Consultative Council on the General Hospital Services (Pr. 154) which was presented to the Minister for Health in June, 1968, recommended that the work

of the general hospitals in Dublin should be concentrated in four major hospital centres. One of the suggested centres was St. Kevin's Hospital owned by Dublin Health Authority. Following negotiations between that Authority and the Federated Dublin Voluntary Hospitals (the Meath, Adelaide, National Childrens. Dr. Steevens, Royal City of Dublin, Mercers and Sir Patrick Dun's Hospitals) agreement was reached on the setting up of the body provided for in this Order. Through the joint participation in the body of representatives of the Federated Dublin Voluntary Hospitals and the Eastern Health Board it is intended to develop medical and surgical services and teaching facilities in St. Kevin's Hospital (which will be renamed St. James' Hospital) in substitution for services now provided in a number of the constituent hospitals of the Federation.

Letter dated 16th March, 1971, from the Minister for Health to Chairman:—

"I understand that both Dublin Health Authority and the Federated Dublin Voluntary Hospitals wish to have on record an assurance as to the scale of development at St. Kevin's Hospital under the aegis of the new joint body which will assume responsibility for the hospital under the terms of the proposed Establishment Order to be made by me under the provisions of the Health (Corporate Bodies) Act, 1961.

I am glad to give this assurance in the following terms:—

I wish to see the planning and construction of new hospital facilities for in-patient and out-patient care with full supporting facilities (e.g. pathological, radiological) as well as appropriate medical teaching facilities proceed as rapidly as possible on the St. Kevin's site, such development to be on a scale represented by accommodation for not less than 350 new in-patient beds. Of this bed complement not less than 15% would be in single or two bedded rooms which, when not required on medical grounds for other patients, would be available for private or semi-private patients. It is my intention in programming schemes of hospital building to accord this project a high degree of priority. The financing of the building project as approved by me would be met by grants from the Hospital Trust Fund (which, as you know, is now inadequate to meet demands on it without considerable exchequer support) except to the extent that other funds became available such as grants provided by the Minister for Education, by Foundations and, subject to negotiation, by units of the Dublin Federated Voluntary Hospitals as a result of the sale of

hospital properties where the work of such units is transferred to St. Kevin's Hospital. My undertaking as regards the provision of monies from the Hospitals Trust Fund must, as will be appreciated, be subject to any limitations which the Minister for Finance and the Government may find it necessary to apply having regard to the state of the economy at the time when significant expenditure falls to be met but I would expect that, except in circumstances of gravest emergency, once tenders had been accepted with the approval of the Minister for Health for any particular section of the work, funds would be provided to complete such section".

Letter dated 12th March, 1971. from the Minister of Health to the Chairman:—

"Further to my recent telephone conversation with you about arrangements for the setting up of a corporate body to administer and develop St. Kevin's we have now received from Mr. O Caoimh a letter dealing with the meeting of the Eastern Health Board at which this question was discussed. The letter makes it clear that it is the wish of the Board that action by me to set up the new body for St. Kevin's should be postponed until after 1st April. This means that the responsibility for nominating the appropriate number of members to correspond with the number of Federation nominees would fall on the Eastern Health Board who would also lease the property to the new body. As I mentioned to you I am prepared to meet the wishes of the Eastern Health Board about this procedure and I intend to inform Dublin Health Authority to this effect.

One matter which, as you are aware, has been causing some difficulty is the total membership of the St. Kevin's body—whether it should remain at 20 as agreed in the early negotiations between the Federation and Dublin Health Authority or be increased to 24 as the Health Authority latterly had proposed. You are aware of my opposition to the increase because it would make a rather large Board even more unwieldy. Mr. Clarke, Chairman of the Federation has now approached the Secretary of the Department making it clear that in his view also an increase in the membership of the Board beyond the 20 agreed would be undesirable. In the circumstances I have decided to specify this number in the Establishment Order.

Senator Belton as Chairman of Dublin Health Authority has notified the recent decision of the Authority that they

should nominate five members of the St. Kevin's Board these being members of the Authority who are also members of the Eastern Health Board. While in the new situation it will rest with the Board to select all 10 nominees, I would hope that in recognition of the work which Dublin Health Authority put into these negotiations, the Board will find it possible to include these five members in its ten nominations.

You raised some questions with me about relationships between the Eastern Health Board and the new St. Kevin's body particularly bearing in financial matters. The new body would function as an independent authority subject only to the constraints imposed under the provisions of the Establishment Order and the lease. It would not be subject to the Eastern Health Board or the Federation and the influence which its sponsors could bring to bear on it would be exercised through their nominees. It is anticipated that the cost of capital works would be met by grants from the Hospitals Trust Fund. Current expenditure would be met from the resources of the Eastern Health Board, subject, of course, to part recoupment in the normal way from the Vote for my Department.*

As to the relationships between the Eastern Health Board the proposed Dublin Regional Hospital Board and my Department, firm decisions have not yet been taken. As you are aware we have been in consultation with the voluntary hospitals and other interests and until this process is completed I am not in a position to set out the precise arrangements which, in regard to the Regional Hospital Board, will need to be embodied in Regulations under the Health Act 1970".

"Perhaps I should explain further on this point that what I would envisage is that the St. Kevin's Board requirements (other than capital expenditure) determined in the manner applicable to bodies financed out of local and Departmental funds generally, should, in so far as they are not met by other sources (e.g. receipts from or in respect of patients, payments by other health boards etc.) be met by the Eastern Health Board on a basis acceptable to the two Boards".

**(b) SELECTION OF TEN REPRESENTATIVES FOR
PROPOSED JOINT CORPORATE BODY FOR ST. KEVIN'S
HOSPITAL**

Following a suggestion by the Chairman, it was proposed by Deputy E. Timmons. seconded by Dr Cullen and unani-

mously agreed that the following five members (previously nominated by the Dublin Health Authority) be selected:

Councillor Dr. R. Belton, Senator
Councillor M. Clinton, T.D.,
Councillor P. Hickey, P.C.,
Councillor M. Carroll,
Councillor H. P. Dockrell, T.D.

A lengthy discussion followed on the selection of representatives for the remaining five places. Contributions to the discussion were made by Dr. Cullen, Deputy Burke, Dr. Belton, Deputy Belton, Councillor Cunningham, Deputy Cluskey, Dr. O'Donnell, Mr. O'Reilly-Hyland, Dr. O'Dea and Miss Horgan.

It was proposed by Councillor Clinton, seconded by Councillor Burke and unanimously agreed that Mr. J. J. Nolan be selected.

Miss Horgan and Dr. O'Dea, having been duly proposed and seconded, indicated that they did not wish to have their names considered.

The Chairman then called for nominations for the remaining four places and the following were duly proposed and seconded:—

Dr. O'Connell, Deputy Burke, Professor Browne, Deputy Ryan, Dr. Blaney, Dr. Mahon, Councillor Mahon.

It was agreed that a ballot be taken and that the following act as scrutineers viz.. Councillor Dockrell, Messrs. Nolan and Lamb.

The Chairman announced that, as a result of the ballot, the following were selected:—

Deputy Burke, Professor Ivor Browne, Dr. O'Connell and Councillor Mahon.

On a proposal by Mr. O'Flynn, seconded by Dr. Belton, it was unanimously agreed to pass the resolutions referred to in the fourth paragraph of the Department's letter of 24th March, 1971.

24/71

HEALTH ACT, 1970

The following Report No. 11/1971 from the Chief Executive Officer was noted:—

1. Commencement Orders

The Minister has made orders bringing most of the sections of the Health Act 1970 into operation. Departmental Circular 13/71 (received today) on Regulations made under the Act will be circulated later.

2. Administration of Public Assistance

Notification has been received from the Wicklow County Council that it will continue to administer Public Assistance in its own functional area after 1st April 1971. This Board will administer Assistance on behalf of Dublin Corporation, Dublin County Council and Kildare County Council.

3. Assignment of Duties

Requests have been received from all five local authorities that duties under the Housing, Sanitary and Planning Acts, at present performed by officers who will be transferred to the Eastern Health Board on 1st April 1971, should continue to be discharged by them. Arrangements are being made accordingly pursuant to the provisions of Section 25 (3) of the Health Act 1970.

4. Apportionment of Local Share of Expenditure

Agreement has been reached between the five local authorities, each of which have adopted a resolution in the following terms:—

"That subject to the consent of the Minister for Health, the apportionment of expenses of the Eastern Health Board over the five Rating Authorities concerned viz: Dublin, Kildare and Wicklow County Councils, Dublin and Dun Laoghaire Corporations, be, for the years 1971/72 and 1972/73 in accordance with the percentage distribution of the net requirement (expenditure less state grants and other receipts) for 1969/70 as follows:—

Dublin County Council.	14-13%
Kildare County Council	7-32%
Wicklow County Council.	6-55%
Dublin Corporation.	66-32%
Dun Laoghaire Corporation.	5-68%

and that this agreement be subject to review within the two-year period referred to".

5. A copy of the Health Act 1970 is enclosed".

Departmental Circular 13/71 on Regulations made under the Health Act 1970 (circulated on 29th March, 1971) was also noted.

25/71 ADMINISTRATION OF PUBLIC ASSISTANCE

The following Report No. 9/1971 from the Chief Executive Officer was submitted:—

"Public Assistance is administered under the provisions of the Public Assistance Act, 1939, Section 18 and 19 of which provide:—

- '18. (1) A poor person who is unable to provide by his own industry or other lawful means the necessaries of life (other than medical, surgical or dental treatment, medicines, and medical, surgical or dental appliances) for himself or any persons whom he is liable under this Act to maintain shall be eligible for general assistance.
19. Subject to the provisions of this Act, it shall be the duty of every public assistance authority to give, in accordance with this Act, to every person in their public assistance district who is eligible for public assistance such public assistance as shall appear to them to be necessary or proper in each particular case and to make, in accordance with this Act, due provision for that purpose*.

Section 24 provides for the burial by a public assistance authority of certain deceased persons. Sections 28 and 29 provide that persons receiving assistance, or persons liable to maintain them, are liable to repay it, or contribute towards the cost.

The duties of officers administering assistance, and the way in which it is to be administered, are set out in great detail in the Public Assistance (General Regulations) Order 1942.

Up to 1960 public assistance was administered in the Dublin City and County areas by the following bodies:—

Dublin Board of Assistance (City and part of County)
Balrothery Board of Assistance (North County)
Rathdown Board of Assistance (South County and
Dun Laoghaire).

The Health Authorities Act 1960 provided that public assistance would be administered by the unified health authorities.

The Health Act 1970 provides that Dublin Corporation and Dublin County Council will assume the functions under the Public Assistance Act 1939 in their respective areas.

Dublin City and County is divided into 38 areas each with a Home Assistance Officer. There are in addition a Superintendent Assistance Officer assisted by a Deputy Superintendent Assistance Officer and 3 Home Assistance Inspectors, who act as supervisors. The cost of salaries during 1970/71 is estimated at £75,000, including clerical staff. It is estimated that, overall, 20% of Home Assistance Officers' time is spent attending to health matters, e.g. applications for medical cards, payment of health allowances etc.

Assistance is distributed by the Dublin Health Authority in the following ways:—

- (1) Cash payments (£413,000 — 1970/71)
- (2) Assistance in kind (i.e. clothing, bedding — £37,000 — 1970/71)
- (3) Contributions to bodies providing meals on wheels for the elderly (£23,000 — 1970/71).

Cash Payments

The attached table shows the numbers and categories of cases receiving home assistance and the total amounts disbursed in the last week of February 1971, February 1970 and February 1967 respectively.

Included in these cases (Code T) are people receiving payments to enable them to pay for persons to provide home help (£25,000 approximately 1970/71). The Dublin Health Authority had no statutory power to employ and provide home helps for the elderly or others, but an improvised service has been provided in this way for some years. The Health Boards will have power under Section 61 of the Health Act, 1970 to provide home help for specified classes of people.

Assistance in Kind — Clothing and Bedding

These are distributed from a Central Stores situated in James's Street. Clothing and bedding are purchased in bulk, mostly from contractors listed in the Local Government Combined Purchasing List and are of good quality. Beds and bedding are delivered to the homes of recipients. Clothing is generally collected as it is necessary to ensure proper fitting. There is a fitting room attached to the stores premises.

Where there are not suitable clothes in the Central Stores, arrangements are made for supply of clothing directly by city shops. There are only a small number of these cases.

Beds and bedding account for about one-third of amount expended on this form of assistance.

Assistance in kind may also be provided, in emergency, by way of an order to a shop to supply food.

Meals on Wheels

Contributions of 2/6 per meal are paid to voluntary community bodies who provide a delivered meals service for elderly persons or who provide a sit-down meal in a day centre or club.

There are 35 such bodies providing 4,019 meals per week to 1,449 persons. The numbers of bodies providing this service is growing and it is planned to encourage growth so as to extend this service over the whole of the Authority's area as far as is practicable.

Burials

The Authority makes a contract each year with a city funeral undertaker which provides for a coffin, removal to church and burial of deceased persons. Where relatives prefer to make their own arrangements a grant, which is usually not less than the amount that would be paid to the contractor, is made".

Home Assistance—Cash Payments*Last week of February:*

	1971		1970		1967	
	<i>Cases</i>	<i>Cost £</i>	<i>Cases</i>	<i>Cost £</i>	<i>Cases</i>	<i>Cost £</i>
SUBSIDIES TO PERSONS RECEIVING OTHER BENEFITS						
A. Old Age Pension/Widows Pension (contributory) — —	1,418	1,306	1,276	1,214	705	590
B. Old Age Pension/Widows Pension/Blind Pension (non-contributory) — — —	953	898	988	946	833	727
C. Disability Benefit	362	399	436	439	341	310
D. Unemployment Benefit	84	133	93	160	44	61
E. Unemployment Assistance	156	229	178	240	339	278
F. Infectious Diseases. Maintenance Allowances. Disabled Persons Allowance	535	634	536	604	551	548
G. Small Earnings	52	87	38	108	26	49
INTERIM PAYMENTS TO PERSONS AWAITING OTHER BENEFITS						
H. Awaiting Old Age Pension/Blind Pension/Widows Pension	29	124	31	110	16	46
I. Infectious Diseases Maintenance Allowance/Disabled Persons Allowance	57	189	38	108	53	117
J. Disability Benefit	95	474	73	313	40	135
K. Unemployment Assistance/Unemployment Benefit	103	612	156	511	83	358
L. Wages or Support	62	238	40	175	22	82
M. Workman's Compensation	7	28	2	9	6	18
MISCELLANEOUS						
N. Sick, no benefits _____	156	611	153	512	212	562
O. Unemployed, no benefits	98	349	106	325	137	248
P. No support (desertions) _____	186	969	196	918	149	525
Q. Prison cases _____	65	345	54	243	32	132
R. Rent payments _____	21	108	21	74	17	51
S. E.S.B.. Gas payments	7	32	—	—	2	8
T. Home Helps _____	172	597	162	462	43	134
U. Board and Lodging payments	17	66	12	23	14	58
V. Fares — — — — —	7	41	2	2	1	4
W. Others — — — — —	77	96	100	74	60	75
TOTALS	4,719	8,565	4,689	7,570	j 3,784	5,116

The Report was noted. Members, having commented on anomalies and inadequacies in the existing service, agreed to await a report from the Programme Manager, Community Care, and that in the meantime the Chief Executive Officer should examine the feasibility of supplying clothing through outfitting contractors.

26/71 HEALTH SERVICES IN THE AREA OF THE EASTERN HEALTH BOARD

The following Report No. 8/1971 from the Chief Executive Officer was noted:—

"A Report (No. 1/1970) on the Health Services in the Dublin area, circulated to members with the Agenda for the Board Meeting on 17th December, 1970, indicated that a further report would be submitted on the services in Counties Kildare and Wicklow. Copies of Reports prepared by the Staff Officers in these areas are circulated herewith. It is proposed to include all three Reports as an Appendix to the Minutes of May meeting".

27/71 NOTICE OF MOTION

The following motion was proposed by Councillors Cunningham, Dowling and Mahon:—

"That, in view of the inconvenience caused by the holding of the Board's meetings at 3 p.m. consideration be given to holding future meetings at 5 p.m.".

The Chairman explained that under Standing Orders a rescinding or amending motion proposed within six months of the original resolution required the support of not less than ten members of the Board. It was indicated that a notice of motion in proper form would be tabled for the next meeting.

28/71 AUTHENTICATION OF SEAL

It was proposed by Councillor Clinton, seconded by Dr. Belton and unanimously resolved:—

"That each member of the Board be authorised to authenticate, by his signature, the seal of the Board, under Article 26 of Standing Orders".

29/71

CORRESPONDENCE

(a) Central Mental Hospital, Dundrum

The following letter dated 26/3/1971 from the Department of Health was circulated to the meeting:—

"In confirmation of our discussions on Friday 12th instant, regarding the provisions in the Health Act, 1970, for the transfer of the Central Mental Hospital, to the Eastern Health Board, I am directed by the Minister for Health to say that he proposes to make an Order giving effect to these provisions as from 1st June, 1971. I am to request that you will be good enough to bring this matter before the Board at its next meeting.

The Act provides that any person who was, immediately before the commencement of Section 44, an officer of the Minister employed in the Central Mental Hospital and who opts within a period of six months beginning on such commencement to be appointed to an office under the Health Board shall be so appointed by the Chief Executive Officer. Details have already been furnished to the Health Authority of the staff employed, so that consideration can be given to the question of what staff can suitably be transferred to employment under the Board. Prima facie, it seems that at least 20 members of the staff will not opt for such employment. Apart from the provision of alternative employment by the Board this will create a number of vacancies at the Hospital. The Minister is anxious that the Hospital should be staffed, as soon as practicable, by psychiatric nurses instead of attendants. He appreciates that the change over has to be carried out over a period. He suggests as an immediate measure, however, that steps should be taken to fill 4 posts as Charge Nurse or Ward Sister, 4 posts as Deputy Charge Nurse or Deputy Ward Sister and 12 posts as Psychiatric Nurse. Applicants would be sought, in the first instance, from the Board's staff. If sufficient suitable applicants are not obtained the posts could then be widely advertised.

The Minister would also be prepared to agree to the creation of a post of Chief Nursing Officer — the person appointed to have responsibilities in regard to Ushers Island and other aspects of forensic psychiatry, in addition to responsibilities at the Central Mental Hospital.

It is understood that the Office of Public Works will furnish details regarding the staff at present employed in the Hospital on maintenance work".

It was agreed to appoint a Working Party of the following persons who would visit the Hospital and Report to the Board at the next meeting:—

Dr. McCormick, Professor Browne, Dr. Cullen, Mr. O'Flynn, Councillor Clinton, Councillor Hickey, Deputy Cluskey, Councillor Temple. Councillor Mahon, Mr. Riordan.

(b) *Psychiatric Services in County Kildare*

It was noted that by letter of 12th March. 1971 the South Eastern Health Board had agreed to continue the existing services pending the making of alternative arrangements.

(c) *Circular Letter on Travelling and Subsistence Allowances*

To be circulated with agenda for next meeting.

30/71 CHAIRMAN'S CHAIN OF OFFICE

Deputy Burke said that Mr. Matt Gallagher, who had presented a valuable Chain of Office to him as Chairman of Dublin Health Authority in 1967, had very kindly consented that the Chain should pass to the Eastern Health Board.

Dr. Belton said that he would be pleased, as Chairman of Dublin Health Authority until its dissolution on 31st March, to present the Chain to the Chairman of the Board at the next meeting.

Dr. McCormick, Chairman, thanked the former Chairmen and said he was very pleased to accept.

**31/71 VISITATION OF ST. KEVIN'S AND JAMES
CONNOLLY MEMORIAL HOSPITALS**

Dr. Cullen enquired, as Convenor of No. 1 Visiting Committee, if St. Kevin's Hospital was to be included in any visiting programme the Committee might decide on. The Chairman indicated that it would be necessary to consult with the new Boards for St. Kevin's and James Connolly Memorial Hospital and that the matter be placed on the agenda for the next meeting.

32/71 STAFF ARRANGEMENTS

Councillor Clinton referred to the anxiety of Senior Officers as to what their position would be under the new Board. The

CENTRAL MENTAL HOSPITAL, DUNDRUM

**C.1/71 Memorandum on Visit of Working Party on
7th April. 1971**

"The following Board members were present:

Dr. J. McCormick, *Chairman* Mr. O'Flynn and
Councillor Temple Mr. Riordan
Dr. Cullen

They were accompanied by the Chief Executive Officer and Dr. Ivor Browne.. Chief Psychiatrist.

The Department of Health was represented by Dr. Ramsey, Assistant Inspector of Mental Hospitals and Messrs. Darby and Harrington.

Also present from Department of Justice were Messrs. Terry and Crowe.

The Visiting Group were received by the Governor. Dr. E. O'Brien and Dr. Cassin, who conducted the group on a tour of the Hospital buildings and exercise yards. It was noted that the construction and layout of the buildings did not materially differ from that of the traditional old-style Mental Hospital except that sleeping accommodation was mainly provided in single cells along the corridors.

On the conclusion of the tour there was an informal discussion with the officers of the Hospital in the course of which they outlined the categories of patients admitted and the facilities and requirements for their care and treatment. Broadly speaking, the patients fall under two categories viz.,

- (a) the older and long-term patient needing custodial care
and
- (b) the younger short-term patient requiring care and remedial therapy.

Dr. O'Brien gave it as her opinion that facilities for the segregation of patients was an essential prerequisite for a more effective programme of care and treatment.

Dr. Browne stated that it would be necessary to have a thorough psychiatric and psychological assessment of the patients carried out before he could advise on medical and nursing requirements. Such an assessment would enable a

programme to be worked out for the differing needs of the various categories of patients. He felt that the present complex of buildings was totally unsuited to meet requirements and that new building would be needed. He was arranging an early assessment of patients and would submit his recommendations on the Minister's request as soon as possible.

On conclusion of the meeting members paid a brief visit to the Drug Addiction Unit in the Grounds of the Hospital."

The memorandum was noted.

C.2/71 REPORT OF THE CHIEF PSYCHIATRIST

"Section 44 of the Health Act, 1970. provides that the Minister for Health may. by Order, arrange for the transfer of the administration of the Central Mental Hospital, Dundrum, to the Eastern Health Board, in a letter dated 26th March, 1971, which was considered at the April meeting of the Board, the Department of Health intimated that the Minister proposes to make an Order giving effect to this provision as from 1st June. 1971.

The Act of 1970 does not make any amendment of the legal provisions regulating the procedures for the admission and detention of patients in Dundrum. These patients are classified as criminal lunatics. Criminal lunatics may be described as any person who while in custody has been certified to be insane in any one of the following circumstances:—

- a) while on remand or waiting trial;
- b) while undergoing sentence either in a local or convict prison or in St. Patrick's Institution.
- c) while awaiting the pleasure of the Government, having been found insane by a jury on arraignment, or
- d) while awaiting the pleasure of the Government, having been found "guilty but insane" by a jury.

The legal provisions now in force may be summarised as follows:—

Admission and Detention Procedures

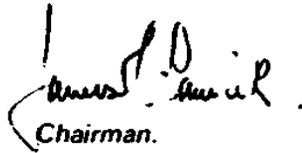
The Central Criminal Lunatic Asylum Act, 1845, made special provision for insane convicts and other criminal lunatics and it was under this Act that the Central Asylum at Dundrum

Chairman stated that steps had been taken, and would continue to be taken to get the position clarified.

The meeting concluded at 4.50 p.m.

CORRECT:

EOGHAN O CAOIMH,
Chief Executive Officer.



Chairman.