

EASTERN HEALTH BOARD

Minutes of proceedings of Special Meeting
held on
Thursday 5 January 1989 at 6 pm
in the
Boardroom, St Mary's Hospital, Chapelizod, Dublin 20

PRESENT

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|---------------------|--------------------------|
| Mrs B Bonar | Cllr B Briscoe TD |
| Cllr I Callely | Cllr M Carroll |
| Mrs D Clune | Dr P Devitt |
| Cllr J Dillon Byrne | Cllr P Dunne |
| Cllr B J Durkan TD | Cllr Dr D Fitzpatrick TD |
| Cllr C Flood TD | Cllr M Gannon |
| Cllr A Glenn | Cllr A Groome |
| Cllr W J Harvey | Dr R Hawkins |
| Cllr P Hickey | Cllr F Hynes |
| Dr D I Keane | Dr P McCarthy |
| Mr G McGuire | Ms M Nealon |
| Dr J O'Boyle | Dr B O'Herlihy |
| Cllr L O'Neill | Cllr J Reilhy |

APOLOGIES

Cllr W J Harvey, Cllr P Hickey

IN THE CHAIR

Cllr Austin Groome

OFFICERS IN ATTENDANCE

Mr K J Hickey, Acting Chief Executive Officer
Mr J Doyle, Acting Programme Manager, Community Care
Mr L Kavanagh, Personnel Officer
Mr Martin Gallagher, Finance Officer
Mr Gerry Brennan, Technical Services Officer
Mr N McNee, Management Services Officer
Mr M O'Connor, Secretary

1/89

MEDIA REPORTS REGARDING THE HEALTH BOARD'S BUDGET FOR 1989

The Chairman informed the members that he had agreed to allow Dr B O'Herlihy to raise a question regarding reports relating to the discussions of our Board's Budget Working Group which had appeared in the Irish Times on the 29th and 30th of December 1988.

Dr O'Herlihy stated that he was surprised that details from a report presented to the Budget Staking Group should have appeared in the media and felt that the Health Board should express its grave displeasure. He suggested that an investigation should be carried out to see how an internal confidential document became available to the media.

Following a discussion to which Mrs Bonar, Cllr. Carroll, Cllr. Hynes and Cllr. Gannon contributed the Chairman stated that he had written to each member of the Budget Working Group expressing his grave concern regarding the leaking to the Press of confidential documents and that he had asked the Chief Executive Officer to check whether copies of the documents concerned could have been made available from an internal source.

2/89

CHEEVERSTOWN - MTEMM MANAGEMENT ARRANGEMENTS

The following report from the Acting Chief Executive Officer was submitted:

'At the November 1988 Board meeting three members were nominated ie Cllr A Groome, Chairman, Mrs D Clune, Chairman of the Special Hospital Committee and Cllr P Dunne, to represent our Board along with the Acting Chief Executive Officer at a meeting with the Minister for Health and representatives from Cheeverstown. This tripartite meeting took place on the 10 November to further discuss the ? proposals contained in the letter of 5 October 1988, from the Secretary of his Department, which had been accepted by our Board but rejected by the Board of Cheeverstown. Further discussions have been taking place between the Minister and senior officials of his Department separately with representatives of each side since 10 November. The following has now emerged as a final proposal for consideration by our Board:

Proposal

1. An Interim Management Committee to be appointed made up as follows:-
 - (i) A Chairman being a person of suitable standing to be nominated by the Minister for Health
 - (ii) (3 suitable persons nominated by the Eastern Health Board
 - (iii) Two voluntary organisations to nominate 1 suitable person each
 - (iv) Remaining 3 members to be selected by the Board of Cheeverstown House Ltd.

2. *Powers & Terms of Reference*
 - (i) (To manage the residential, day and workshop services of Cheeverstown
 - (ii) To plan and implement improvements in the delivery of those services
 - (iii) To work towards the full utilization of Cheeverstown's facilities with the object that all the residential places in Cheeverstown will be opened before the end of 1989.

The Powers and Terms of Reference of the Committee are subject to the following exceptions and conditions:-

- (a) The acquisition, disposal and any change of use of significant assets would require the approval of the Board of Cheeverstown House Ltd. and (if appropriate) of the Association (of that Company)
 - (b) That full and proper records and books of account continue to be maintained and that reports be made available to the Board of Cheeverstown House Ltd. on a regular and reasonable basis.
 - (c) That all admissions to residential accommodation are consistent with an admissions policy to be agreed between the Board of Cheeverstown House Ltd, the Minister and the Eastern Health Board.
 - (d) That the property and environment at Cheeverstown be maintained to current standards.
 - (e) That co-operation be afforded to Cheeverstown Home Ltd. in the use by it of the property for voluntary activities in harmony with the provision of care for the mentally handicapped.
3. The Interim Management Committee shall in any event cease to exist on 31st December 1989.

Comments

- (i) For reasons of legal technicality the Interim Management Committee must be a Committee of the Board of Cheeverstown House Ltd. and the appointment of all nominees must be ratified by that Board. This is acceptable on the basis of it being a legal formality only. However, a point of more fundamental importance is that the present Board of Cheeverstown House Ltd. agrees to stand aside from involvement in items (i) to (iii) of the Powers and Terms of Reference of the Interim Management Committee as set out above except through its representatives on the Committee and to the extent referred to in the exceptions, i.e. (a), (b) and (c) above
- (ii) (The condition at (b) above regarding the keeping of full and proper records and books of account by the Interim Management Committee is of course essential and this is taken to include separate Bank account(s). The making available of reports on a regular and reasonable basis to the Board of Cheeverstown House Ltd. is in addition to reports back from their representatives on the Committee. In view of this and the tripartite admissions policy to be agreed (see Condition c) it is reasonable that reports be also made by the Committee on a regular and reasonable basis to the Minister and to the Eastern Health Board. It is of course essential that the requirement to give such reports should not in any way impede the work of the Committee under its terms of reference
- (iii) The most obvious point requiring comment is of course that it is only an Interim Management Committee which is being proposed and that it is due to go out of existence on 31st December, 1989. The short-term nature of the Committee contrasts with the long-term aspects of its terms of reference as contained in paragraphs (ii) and (iii). It can only be hoped that

under the guidance of a suitable and very experienced independent Chairman that a new spirit of understanding and cooperation may emerge which will give our Board's representatives the necessary confidence to recommend that further investment of our Board's resources in Cheeverstown should take place. If a positive response to our Board's overall responsibilities and policies in relation to the development of services for the mentally handicapped does not emerge or if the Interim Management Committee does not function effectively then the matter can be further reviewed. However in the interests of the mentally handicapped and of maximizing the potential use of the facilities at Cheeverstown provided at public expense, and following detailed consideration of same with our Board's representatives, the above proposal is recommended to the Eastern Health Board for acceptance as a base from which future progress is possible'

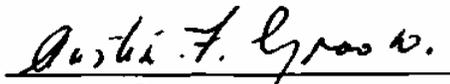
During a lengthy discussion to which Cllr Hynes, Mrs Clune, Cllr Glenn Mrs Bonar, Cllr Gannon, Cllr Carroll, Dr O'Herlihy, Mr McGuire, Dr McCarthy, Deputy Flood, Cllr Dunne, Cllr Reilly, Deputy Durkan, Cllr Hickey, Deputy Dr Fitzpatrick and Dr Hawkins contributed, and to which Mr McKay A/Chief Executive Officer replied, members expressed reservations about the one year Me-span of the Committee, its likely effectiveness, and especially the likely Difficulties surrounding the provision of additional resources in 1989 to work towards the full utilization of Cheeverstown facilities and the uncertainty about any suitable arrangement to oversee the continued management of the services there after the end of 1989.

The adoption of the report was agreed, which strong reservations, on the proposal of Dr O'Herlihy seconded by Dr Hawkins. With regard to the nomination of three persons to be members of the interim Management Commutes it was unanimously agreed to nominate Mr K Hickey, Acting Chief Executive Officer, Mrs D Clune, Mr G McGuire, Cllr A Groome, Cllr M Carroll, Dr P Devitt and Cllr P Dunne were proposed and seconded for the remaining two positions.

Following a secret ballot the Chairman informed the members that Mrs D Clune and Cllr A Groome had received the highest number of votes and declared them duly nominated.

The meeting concluded at 8.20 pm.

CORRECT K J Hickey
Acting Chief Executive Officer


Chairman