



Minutes of HSE Board Meeting

Tuesday 20 and Wednesday 21 February 2024

A meeting of the Board of the Health Service Executive was held on Tuesday 20 and Wednesday 21 February 2024 in the Boardroom, Dr Steevens' Hospital

Present: Mr Ciarán Devane (Chairperson), Prof Deirdre Madden (Deputy Chairperson), Mr Brendan Whelan, Mr Aogán Ó Fearghail, Mr Fergus Finlay, Dr Yvonne Traynor, Mr Tim Hynes, Dr Sarah McLoughlin, Ms Anne Carrigy, Prof Fergus O'Kelly, Ms Michelle O'Sullivan and Mr Matt Walsh

In Attendance for Board Meeting:

Mr Bernard Gloster (CEO), Mr Brian Murphy, (Head of Corporate Affairs), Ms Niamh Doody (Executive Business Manager), Mr Dara Purcell (Corporate Secretary), Ms Niamh Drew (Deputy Corporate Secretary), Ms Patricia Perry (Office of the Board)

Joined the meeting:

Mr Stephen Donnelly (Minister for Health), Mr Robert Watt (Secretary General DoH), Mr Stephen Mulvany (CFO), Mr Damien McCallion (COO), Mr Patrick Lynch (A/CSO), Ms Anne Marie Hoey, (ND HR), Mr Mark Brennock (ND Communications), Mr Joe Ryan (ND OPI), Ms Grace Rothwell (ND Acute Operations), Dr Philip Crowley (ND Strategy & Research), Ms Miin Alikhan (AND Strategic Planning and Reporting), Mr Brian O'Connell (Interim ND Capital & Estates), Mr JP Nolan (ND Community Operations), Mr Bernard O'Regan (Head of Operations, Disability Services)

Minutes reflect the order in which items were considered and are numbered in accordance with the original agenda. All performance/activity data used in this document refers to the latest information available at the time.

1. Board Members Private Discussion

The Chairperson welcomed members to the meeting and provided an update to the Board during their private session on several matters.

2. Governance and Administration

2.1 Declarations of Interest

A Board member informed the Board that they have a family member who receives services from St John of God.



2.2 Chairperson's Remarks

The Chair noted that the Minister had written to the Board requesting a response setting out the plan and timelines with regards to the Implementation of the recommendations of the National Taskforce on Non-Consultant Hospital Doctors (NCHD) Plan. The Chair requested that the People and Culture Committee review the response and revert to the Board in March for further submission to the Minister.

2.3 Ministerial Correspondence

The Board noted correspondence received relating to:

- Correspondence from Minister for Health
 - 2023 Final Approved Level of Net Expenditure dated 26 January 2024;
 - National Service Plan 2024 dated 06 February 2024;
 - Implementation Plan National Taskforce on the NCHD Workforce Recommendations dated 07 February 2024.
- Correspondence from Minister for Children, Equality, Disability, Integration and Youth ref National Service Plan 2024 dated 06 February 2024

2.4 Minutes of Board meeting

The Board approved the minutes of the Board meeting of 26 January 2024.

3. Committees of the Board Briefings

3.1 Audit and Risk Committee

The minutes of the Committee meeting of 08 December 2023 and 25 January 2024 were noted.

The Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 19 February 2024 as follows.

The Committee noted the Interim Audit Plan 2024 and received an update in relation to the Internal Audit Strategic Review and Industrial Relations. An update was provided in relation to a tender for an outsourced ICT audit provider, and the Internal Audit Activity Report Q4 2023 was presented to the Committee noting 45 Reports issued and the key findings from 12 reports which showed a marked improvement in prior audit recommendations being implemented. Some moderate improvement in the audit ratings (Satisfactory, Moderate, Limited and Unsatisfactory) were noted, but were deemed still to be inadequate. The Committee discussed IA reports with regard to Garda Vetting and Mandatory Training, and the Chair of the People & Culture Committee noted the issue of Garda Vetting for the People and Culture Committee.

The Committee discussed the actions from the Risk Workshop relating to the Board Oversight of Risk



Management which is progressing, and considered the Corporate Risk Register (CRR) 2024, with members providing feedback to the CRO. The CRR will be presented to the Board at the April 2024 meeting.

The Protected Disclosures Statutory Report was noted and approved for submission to the Minister for DPER, and an update was provided to the Committee in relation to the Central Compliance Control Function.

The CSO provided updates to the Committee in relation to the Review of Capital Plan 2023 outturn, Capital Plan 2024, the Quarterly Report on Delegated authority for property transactions under market value, and the Donation of Medical Equipment and Supplies Annual Report 2023. The Committee had considered the detail of proposed capital and commercial contracts and properties, and recommended approval to the Board.

The Committee received a number of updates in relation to YTD Expenditure; Health Budget Oversight Group; IFMS; Controls Assurance Review Process; AFS 2024 timelines, significant issues and judgements, and noted that the final draft AFS would be brought to the March Board meeting for approval.

The Committee noted that a review of the Office of Legal Services had commenced and welcomed the proposed approach.

3.2 People and Culture Committee

Appointment of External Member

The Chairperson of the Committee requested that the Board approve the appointment of Ms Doreen Gerety as an external member of the People and Culture for a term of 3 years until 19 February 2027, which the Board approved. **Board Decision No.: 200224/03.**

3.3 Planning and Performance Committee

The minutes of the Committee meeting of 17 January 2024 were noted and the Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 16 February 2024.

The Committee received an update on current HSE media coverage, particularly in relation to the transfer of service provision by St John of God to the HSE, the National Service Plan 2024 and trolley numbers in University Hospital Limerick.



The Committee were presented with the monthly COO Performance Report and Performance Profile (December Data), noting that due to the Fórsa industrial action, data was unavailable for some areas.

Key strategic and operational updates were provided to the Committee with a particular focus on Urgent and Emergency Care, Therapy Waiting Lists, CAMHS, Cancer Services, and the Performance Accountability Framework (PAF) 2024. The Committee discussed cancer services and requested that expected timelines for improvement of Cancer Service KPIs are included in the COO Report going forward and noted that the improvement plan in Cork University Hospital has now been accepted. A discussion relating to the assurance for the continuation of cancer services during the roll out of the Health Regions took place.

The Committee noted that 8 Hospital/CHOs remain formally escalated to National Directors under the PAF and that work is in progress to develop the PAF 2024 cognisant of the organisational changes, and that the National Performance Oversight Group would be stood down following the Health Regions transition period.

The Committee discussed the upcoming Commission on Care for Older Persons, and the importance of HSE representation at this Commission.

The Committee noted the Quarterly Progress Report relating to the Roadmap for Service Improvement 2023 – 2025 Disability Services for Children and Young People, and discussed the recruitment being carried out to implement the Roadmap. The Committee noted the draft Waiting List Action Plan 2024 and were provided with two best practice projects, Gynaecology Waiting List Management ULHG and Implementation of the Overweight & Obesity Pathway.

3.4 Safety and Quality Committee

The minutes of the Committee meeting of 18 January 2024 were noted. The Committee Chairperson provided a verbal report on the matters considered at the Committee meeting that took place on 15 February 2024.

The monthly Chief Clinical Officer's report was presented to the Committee, which included an update on measles and the decline in the MMR vaccine uptake. The Committee noted their concern in the falling vaccination rates and welcomed the current focus on rolling out catch up vaccines to reach certain areas/communities.

Also included in the CCO report was an update on the Department of Health NCHD Taskforce report published on 7th February 2024, which recommended a target of 6,000 consultant posts by 2030, and



the Committee discussed the number of posts which would be in community roles and the expansion of training places for NCHDs. An update was provided on the process for the management of Coroner's Recommendations, with the Coroner's Core Governance Group established; the HSE CHI Independent Review, with the risk assessment, the first phase of the review expected in April 2024; National Screening Services; and Organ Retention.

The Committee received an update on the Health Regions Programme and discussed the safe transfer of care during the transition period, particularly the role of technology in enabling this, the education of staff and culture around the change, and patient engagement in the Health Regions.

The Committee were presented with an update on the clinical governance operating model in the Health Regions, and it was highlighted that the Committee and Board should be suitably involved to ensure the appropriate focus on clinical governance is not lost.

The Committee received an update in relation to how the Healthcare Audit (HCA) function will operate in the Health Regions, and highlighted that tracking the implementation of current recommendations will be critical and past recommendations cannot be considered as legacy and not receive follow up.

The Committee were presented with the HCA Report for Q4 2023 which highlighted key findings in certain sites, and requested that going forward high and medium rated recommendations which are overdue are brought to Committee's attention.

The Committee noted the Healthcare Audit update re Assisted Decision Making Committees.

It was noted that there will be a Joint Planning and Performance Committee and Safety and Quality Committee meeting to consider mental health on 14 March 2024, and Board members are welcome to attend.

4. Review of Ministerial priorities 2024

CEO joined the meeting

The Chair welcomed the CEO to the meeting and the Board discussed the healthcare priorities for 2024 in advance of the meeting with Minister for Health and Secretary General of the Department of Health.

5. Meeting with Minister for Health

The Chairperson welcomed Minister Donnelly and the Secretary General to the meeting of the Board. The Minister acknowledged the good progress and the continued driving of reform that was delivered



by the HSE in 2023 in key areas such as waiting lists and urgent care. He emphasised the need to ensure the focus is maintained throughout 2024 to ensure good progress is continued and reflected in the delivery of the Urgent & Emergency Care Plan 2024 and the Waiting List Action Plan 2024.

The Minister informed the Board that he wanted to hold a discussion on Healthcare Priorities 2024, the actions required to achieve them and the role of the Board. The Minister commenced by acknowledging the good progress and the continued driving of reform that has been carried out by the CEO since his commencement.

Key challenges for 2024 were considered including improving access to care; recruitment & organisation (workforce capacity); Infrastructure/capital plans; eHealth; Productivity (Taskforce and roll out of the Health Performance Visualisation Platform Programme (HPVP)) and the benefits to be delivered from the new Public Only Consultant Contracts and the potential impacts on waiting lists and trolleys.

The open and transparent publication of accurate performance data was noted as being extremely important to inform decision making and its continuation and further development will be welcomed. The Minister highlighted that the three top priorities for the year should be reducing acute waiting lists, minimising waiting on trolleys and developing and measuring productivity. The Board agreed they will remain focused on these strategic priorities with the overall aim to continue to improve patient experience and outcomes in the health service. The Board echoed the Minister's support of the work of the CEO, agreeing that ongoing organisation and culture changes are challenging but positive progress is being made.

The meeting broke at 17.30 and reconvened on Wednesday 21 February 2024 at 09.00.

6. Board Members Private Discussion

The Chairperson held a private session with Board members.

7. Chief Executive Officer

CEO, Head of Corporate Affairs, Executive Business Manager joined the meeting

7.1 CEO Report

The Chair welcomed the CEO to the meeting and the CEO Report was taken as read. The CEO reported to the Board on a number of the key significant areas as set out in the report relating to operational matters, strategic objectives, Ministerial priorities and organisational change.

Discussions were held on the following aspects of the report.



St John of God (SJOG)

The CEO informed the Board that correspondence had been received from SJOG informing him of proposals to address an accumulated deficit and provide adequate funding to ensure the ongoing financial and operational sustainability of SJOG Community Services had not been reached between the HSE and SJOG and therefore a decision had been made by SJOG to transfer all service provision from SJOG to the HSE with immediate effect. A communication had issued to service providers users / family guardians by SJOG informing them of the decision to transfer.

The CEO reported on his meeting with SJOG CEO and its Board Member over the weekend of 17 – 18 February where he had requested them to reconsider the decision to transfer responsibility for service provision to the HSE and to continue to deliver important care to the 8,000 children and adults using their services.

The Board acknowledged the essential, high quality service in providing intellectual disability and mental health services provided by SJOG but expressed concern that their notice of transfer of services will have caused significant uncertainty and stress for thousands of service users and their families.

The CEO informed the Board that following his engagement with SJOG he had issued correspondence to them which was currently being considered. This correspondence which had been circulated to the Board for information required SJOG to immediately rescind the 'notice' to withdraw from service provision without qualification and sign a Service Arrangement for 2024. In return, a time bound process would take place to deal with two matters requested by SJOG regarding historical deficit and ongoing additional revenue requirements. The CEO noted there were many variables and computations to these matters. The CEO confirmed that engagement remained ongoing and the HSE was open to further meetings to discuss the resolution of this serious matter.

Patient Safety Protocol

The Board were informed that the HSE and CHI oversight work under Mr. Nayagam, appointed to review matters associated with Spinal Surgery is continuing and that the priority remains to conduct a risk assessment of the full range of domains of surgical practice associated with the findings of the completed review reports and to make recommendations in accordance with HSE Lookback Policy. The CEO informed the Board that the Minister is adopting a specific and separate initiative on access in respect of Spinal Surgery and has established a separate Taskforce. He is currently engaged with stakeholders and the HSE is included in this process.



Health Performance Visualisation Platform (HPVP)

The Board noted concerns regarding a small number of Hospitals including Section 38 Organisations, in Phase 1 of the HPVP roll-out, who have yet to enter into data sharing agreements and engage with the HPVP programme in its full roll-out.

The CEO informed the Board that that he was concerned that in the case of hospitals signed up that there is little evidence of utilisation as a management tool or performance measurement/management. He told the Board that he had sought confirmation from all sites in Phase 1 (whether within HSE or Section 38 organisations) to confirm that they are now fully signed up and that all sites who are already signed up are now at hospital manager level actively utilising the platform. He expected any outstanding matters would be attended to as a matter of urgency. It was noted that the Minister had also written to the Board on the 20th February 2024 about this matter.

Employment Control & Industrial Relations

The CEO informed the Board of a settlement agreement reached in confidential mediation with an employee. This has been completed with the approval of the Department of Health (DoH) and the Department of Public Expenditure NPD Delivery and Reform (DPENDR) and in line with government policy.

The Board were also informed of a Consultant Surgeon who has been put on administrative leave pending investigation in accordance with the provisions of the Buckley contract and related legal proceedings.

The Board welcomed that the Fórsa industrial action had been stood down pending a framework on the future filling of posts.

The CEO updated the Board on the uptake of the Public Only Consultant Contract (POCC) noting there are a total of 1,923 Consultants, with 380 New Entrants, and 1,543 Change in Contract. He reported there are clear improvements as are result of POCC'23, including scheduling Consultants to work outside of the hours 08:00 – 17:00 Monday-Friday. Extended days are being used to clear patient backlogs after the weekend and several Hospital Groups have reported that Consultants are being scheduled to work on Saturdays.

University Hospital Limerick (UHL) Case – Patient A

The CEO updated the Board on the UHL current position re Assurance pending investigation.



MMR Immunisation Campaign Business Plan

The CEO informed the Board that following a reported case of measles in an adult which had resulted in death, he had convened a national process which has in turn led to an oversight process for the next period. The Board welcomed that the HSE has now recommended that a MMR catch up campaign be offered to people who are not immunised or incompletely immunised and noted this has been raised with the Chief Medical Officer (CMO) who will advise the Minister.

Organisational Change

The CEO updated the Board on the final senior assignments at the HSE Centre and the arranging of the onboarding of the REO's, he noted that he is consulting with the CCO on both Clinical Governance and Patient Safety in the new and emerging structures.

The Board welcomed the commencement of the six REOs and it was agreed to hold a briefing online with Board members as part of their introduction programme.

The change of functions at the centre in respect of Disability Services and Mental Health Services were considered by the Board and the Board welcomed the split of Adult and Children Services at national leadership level noting that it is proving beneficial based on feedback to date and that the new centre structures will allow for more developmental as opposed to operational use of the national teams involved in this work.

The Board also welcomed the provisions in the new Centre design for enhanced capacity on the development aspect of Disability.

7.2 Urgent & Emergency Care Performance for the Winter Period 2023 - 2024

EMT members joined the meeting

The Board welcomed the UEC Interim Review Report and that all indicators saw improvements in 2023 and during the surge period. A discussion was held on the UEC 2023 lessons learned and how these learnings will be implemented going forward. The Board highlighted the benefits of developing practices which facilitate integrated working and the importance of sharing these practices and knowledge transfer. The CEO confirmed that a suite of best practice resources and toolkits alongside practical supports to enable delivery are currently being implemented.

7.3 Waiting List Action Plan

The Board welcomed the continued strong performance as reported for the end of 2023 as recorded in the January WLAP Report and the funding allocated to deliver further improvements in 2024. It



was noted a total of €437m (2023 allocation equated to €443m) has been allocated to address the overall waiting lists in the Health sector. €362m of this total allocation is associated with the WLAP 2024. The CEO reported that the 2024 WLAP is currently in final draft and undergoing sign off by both HSE and DoH. The CEO will continue to report on the plan throughout the year in his monthly CEO report.

8. Reserved Functions of the Board

8.1 Contracts & Properties

The CEO presented to the Board the following papers which were recommended by the Audit & Risk Committee for approval, to which the Board considered and approved.

- i. Contract Approval Request (CAR) for the OGP Tender on behalf of HSE/Health Sector for the Provision of Natural Gas Supply **Board Decision No.: 210224/04**
- ii. Contract Award for Single Party Framework for SVUH – upgrade of Fire Alarm **Board Decision No.: 210224/05**
- iii. Contract Award for New Community Nursing Unit to provide replacement beds at Merlin Park University Campus **Board Decision No.: 210224/06**
- iv. Contract Award for Electrical Infrastructure upgrade at Cavan General Hospital **Board Decision No.: 210224/07**
- v. Contract Award for Trauma Phase 1b at Mater Hospital **Board Decision No.: 210224/08**
- vi. Proposed Strategic Acquisition of Elm Park Green Property Portfolio **Board Decision No.: 210224/09**

8.2 Oversight Agreement – HSE and Department of Children, Equality, Disability, Integration & Youth

The CEO recommended to the Board the Proposed Oversight Agreement between the DCEDIY and HSE, which clarifies the respective roles and sets out the appropriate governance and oversight arrangements for DCEDIY and HSE. It was noted that the DCEDIY have advised that an update of the Agreement will be required in due course to take account of evolving reforms in HSE organisational structures, processes and roles.



The Board approved and recommended the signing by the Chair and CEO of the Oversight Agreement for submission to the DCEDIY. **Board Decision No.: 210224/10.**

8.3 Donation of Medical Equipment and Supplies – Annual Report 2023

The CEO presented to the Board the Donation of Medical Equipment and Supplies Annual Report 2023, which is a requirement of the HSE donations policy, effective from January 2023. The Board noted that the HSE donated 5,241,165 items with a book value of €98,092.50 in 2023, with a commercial value of €2,480,109.

9. Board Strategic Focus

9.1 Board Strategic Scorecard Development for 2024

The ND Strategy and Research presented the final draft Board Strategic Scorecard (BSS) for 2024 which is based on specific considerations and feedback from the Board meeting of 26 January 2024 and subsequent reconciliation and quality assurance exercise undertaken by the national team to ensure the following were taken on board:

- Emphasis on greater strategic (versus operational) development,
- Rationalised number of KPIs in each scorecard, focusing on the indicators that best reflect performance and delivery in the service/functional area,
- Indicators reflecting productivity, taking into account the service user perspective and experience,
- Clarity of context and framing underlying KPIs and targets,
- Coherence and alignment between ambition statements, KPIs and deliverables.

The CEO advised the Board that as part of the new HSE Centre Design, the National Director for Performance and Planning reporting directly to the CEO will lead on performance data going forward.

The Board considered the BSS presented and provided feedback:

- Summary page of 4 Quadrants relating to Quality and Safety; Access and Integration; Finance, Governance & Compliance; and Workforce was welcomed and provided a balanced view of overall activity and performance management but needed to be more selective.
- BSS 8 Prevention and Early Intervention: it was noted that no change had been included in relation to the KPI indicators being developed to drive improvements in social inclusion and the provision of services for marginalised groups in the population.



The Board noted that completed scorecards with January data will be available for review at the March Board meeting (data reported 2 months in arrears).

9.2 2023 End of Year Board Strategic Scorecard

The CEO presented the 2023 End of Year Board Strategic Scorecard, as circulated prior to the meeting, noting that due to the recent industrial action, reporting was incomplete for 14 of 19 Scorecards.

The Board approved the 2023 End of Year Board Strategic Scorecard for submission to the Minister for Health, and a copy to be sent to the Minister for Children, Equality, Disability, Integration and Youth.

10. Any Other Business and Close

There was no further business. The meeting concluded at 12.08.

Signed:

Ciarán Devane
Chairperson

Date: 27th March 2024