

**Minutes of a meeting of the Board
26th October 2017, Smithfield
5 pm – 6.30 pm**

Present:

Name	Details	Initials
Brian McEnery	Chairperson (via phone)	BMcE
Una Geary	Board Member (acting Chair)	UG
Mary Fennessy	Board Member	MF
Martin Sisk	Board Member	MS
Stephen O'Flaherty	Board Member	SOF
Judith Foley	Board Member	JF
Paula Kilbane	Board Member	PK
Anne Carrigy	Board Member	AC
Barbara O'Neill	Board Member	BON

In Attendance:

Kathleen Lombard	Board Secretary & Chief Risk Officer	KL
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Apologies:

Molly Buckley	Board Member	MB
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1. Welcome

It was noted that as the Chairperson was dialling in from overseas, UG would chair this meeting of the Board.

2. Quorum

It was noted that a quorum was present and the Board meeting was duly convened.

3. Conflict of Interest

Before the item commenced, SOF advised the Board that it could be perceived that he could have a conflict of interest in the item under discussion and he therefore absented himself before the item commenced.

4. Briefing on HIQA's appearance before the Public Accounts Committee (PAC) on the 19th October and the focus by the PAC on conflict of interest issues in relation to the Chairperson

The Chairperson advised the Board that he wished to make a statement to the Board, following which he would absent himself so that the remaining members of the Board could discuss the matter without the Chairperson present.

The Chairperson apologised in the first instance for being unable to be physically present at the meeting in Dublin.

The Chairperson stated that he appreciated that the current focus of attention as conveyed at the PAC on 19th October was unwelcome for all in HIQA. He explained that in October 2015 he had been invited to speak at a conference held by Nursing Homes Ireland (NHI). At that event, he had spoken on financial matters including the Fair Deal scheme and NHI issues generally. It had been made clear to the PAC that the HIQA Board has no remit in relation to the financial matters of nursing homes. The Chairperson believes that PAC's focus had been prompted by a nursing home provider who is currently engaging in a regulatory process with the Office of the Chief Inspector. He explained that the provider had written to him and this correspondence had been copied to a member of the PAC (copies of correspondence from the provider to the Chairperson were included with Board papers).

The Chairperson explained that the reason he had applied for the position of Chair of the HIQA Board was that he had significant experience and understanding in relation to the area. This is true of all Board members and he acknowledged that people with valuable experience, expertise and insight may face challenges of this nature when serving on state boards. It is also true that the regulatory role of HIQA does not come without risks or controversies.

The Chairperson advised that he had contacted all Board members following last week's appearance before the PAC and was appreciate of their support. He is happy to continue as Chairperson of HIQA as he believes that he has acted with propriety in relation to HIQA matters and is compliant with the governance arrangements that HIQA has in place.

UG thanked the Chairperson for his statement and advised that she would inform him of the Board's discussions following the meeting. The Chairperson left the meeting at this point.

The Board Secretary advised that the Board could continue the meeting to discuss the issues arising from the PAC meeting of the 19th October in accordance with the policy for Board only sessions. In that context UG advised that if any decisions emerged from the discussion, the Board Secretary would be invited to rejoin the meeting to record the decision. The Board Secretary left the meeting.

Following the Board only discussion, the Board Secretary rejoined the meeting at UG's request and recorded the Board's views from their consideration of the issues arising from the PAC meeting of Thursday 19th October 2017.

The Board noted that some of the matters discussed at the PAC meeting are the subject of an investigation by the Competition and Consumer Protection Commission.

The Board reviewed the correspondence dated 18th July to the Chairperson from the owners of the nursing home which had been circulated to the Board in advance of the meeting. The Board considered that the correspondence appears to contain misconceptions with regard to the role of the Chairperson and the role of the Chief Inspector.

Having considered the Chairperson's statement and the subsequent discussion in the absence of the Chairperson, the Board expressed its support of the Chairperson and noted that he had been open and transparent in relation to his professional roles. The Board does not consider that his professional roles are in conflict with his function as Chairperson of HIQA.

The Board also expressed its support for the CEO and the Chief Inspector and all HIQA staff at this time.

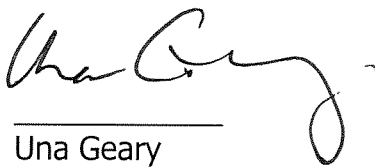
In the context of the PAC proceedings, the Board considered the reputational risk to HIQA. The Board recognised that the PAC proceedings are ongoing and in light of this, determined that no further comment should be made at this point.

The CEO was invited to rejoin the meeting by UG and the views of the Board were communicated to him.


6. Any other Business

There was no other business and the meeting was concluded.

Signed



Una Geary
Acting Chairperson



Kathleen Lombard
Board Secretary

