

<b>Title of Meeting</b>	58 <sup>th</sup> Confidential Meeting of the Public Health Agency Board
<b>Date</b>	20 August 2020 at 3.15pm
<b>Venue</b>	Fifth Floor Meeting Room, 12/22 Linenhall Street

**Present**

- Mr Andrew Dougal - Chair
- Mrs Olive MacLeod - Interim Chief Executive
- Mr Edmond McClean - Interim Deputy Chief Executive / Director of Operations
- Ms Michelle Tennyson - Assistant Director of Nursing and Allied Health Professionals (*on behalf of Mr Morton*)
- Professor Hugo van Woerden - Director of Public Health
- Alderman William Ashe - Non-Executive Director
- Mr John-Patrick Clayton - Non-Executive Director (*via video link*)
- Ms Deepa Mann-Kler - Non-Executive Director
- Alderman Paul Porter - Non-Executive Director
- Professor Nichola Rooney - Non-Executive Director
- Mr Joseph Stewart - Non-Executive Director

**In Attendance**

- Mr Paul Cummings - Director of Finance, HSCB (*via video link*)
- Dr Aideen Keaney - Director of Quality Improvement (*via video link*)
- Ms Marie Roulston - Director of Social Care and Children, HSCB (*via video link*)
- Ms Name Redacted - Boardroom Apprentice (*via video link*)
- Mr Name Redacted - Secretariat

**Apologies**

- Mr Rodney Morton - Director of Nursing and Allied Health Professionals

- C16/20 Item 1 – Welcome and Apologies**
- C16/20.1 The Chair welcomed everyone to the meeting. Apologies were noted from Mr Rodney Morton.
- Report on Muckamore Abbey Hospital*
- C16/20.2 Prior to the commencement of the main confidential session, the Chair invited Ms Roulston to give members an update on the recent report published regarding Muckamore Abbey Hospital.

- C16/20.3 Ms Roulston advised that she wished to update members on two matters relating to the report, the first of which was the report itself. At the outset, she agreed to bring a fuller briefing to the next meeting of the Board, but by way of background, she outlined that this report was commissioned by HSCB/PHA and through the HSC Leadership Centre a team of four members was appointed. She said that the terms of reference for the review were drafted by the Department of Health.
- C16/20.4 Ms Roulston explained that due to the pandemic there was a delay in the completion of the review and there were restrictions on the team being able to visit sites and meet with families. She advised that the final report contained 12 recommendations, 3 for the Department of Health, 3 for HSCB and 6 for the Belfast Trust. She noted three areas that the review team felt were missed opportunities – the lack of CCTV, the Ennis Report (2012), and the complaint that had been previously by the father of an inpatient. She added that issues relating to leadership and governance had been flagged up. In summary, she said that it was a sad report and the recommendations will need to be taken forward.
- C16/20.5 Ms Roulston moved onto the second matter she wished to bring to the attention of members. She outlined that when the report was completed there was a briefing held with the Minister and the Permanent Secretary and it was the Minister's wish that the families affected would be the first to see the report. She advised that a meeting was arranged with families to share the report and later that evening the report was published on the Department of Health website. Within the report there was an appendix which contained an extract from the previous Ennis Report and Ms Roulston explained that this contained the initial of Service Users and Staff and its publication constituted a data breach. She advised that this has now been redacted and the breach reported to the Information Commissioner's Office (ICO). She added that HSCB/PHA are working with the Belfast Trust on the data breach.
- C16/20.6 The Chair asked about the ownership of the report. Ms Roulston said that the report is owned by the Department of Health. Mr Stewart clarified that the Department is the publisher, and Ms Roulston confirmed this was the case.
- C16/20.7 Alderman Porter said that he had been in contact with one of the carers and asked what mechanisms are being put in place to support them through the outworking of the report. Ms Roulston advised that at the debriefing she attended, the issue of support for families was raised and each family has a Liaison Officer and she had the impression that the Officers had been well received by families.
- C16/20.8 Mr McClean noted that although HSCB/PHA commissioned this report, they had no role in quality assuring the report nor did they comment on

a draft version. He said that the independent panel produced the report and it was shared directly with the Minister as the Department felt that from a public confidence perspective, there should be no perception of any interference. Therefore, he said that it is a complex situation in terms of who owns the data if the report was commissioned by HSCB/PHA, but was published by the Department. The Chair asked who appointed the members of the panel. Ms Roulston explained that Mrs Brieghe Quinn (PHA) approached the Leadership Centre and it was the Centre who approached the reviewers.

- C16/20.9 Professor Rooney noted that she had been previously informed that PHA had no role in this work, and she sought clarity on what PHA's role is. The Chair asked whether PHA's involvement was due to its role vis-à-vis Serious Adverse Incidents, and Ms Roulston advised that this was correct.
- C16/20.10 Mr Clayton declared a potential interest in that some of the staff may be members of his organisation. He noted Mr McClean's explanation of where the responsibility for the data breach may lie, but he asked which organisation reported the breach as he noted the penalties for breaches can be severe and there could also be reputational damage. Ms Roulston said that there has been ongoing discussion over the last number of days with the Department regarding this and that HSCB/PHA submitted a notification to the ICO today. Mr Clayton expressed that HSCB/PHA submitted the notification when the report belonged to the Department. Ms Roulston advised that when the Department spoke to the ICO, the advice was that HSCB/PHA should report the breach caused by the manner of publication.
- C16/20.11 The Chair asked if the ICO was aware of the roles of the various organisations. Ms Roulston said the ICO was aware. Mr McClean said that the situation that led to the data breach will be explained more fully to ICO but the initial breach had to be reported to the ICO within 72 hours. The Chair noted that PHA will have to review any lessons arising from this breach.
- C16/20.12 Mr Stewart said that the report should be read by all NEDs as there are lessons in terms of leadership and visibility of NEDs. The Chair asked that the report is placed on the agenda of the next meeting.
- C16/20.13 Alderman Ashe asked how PHA can be responsible for a breach when it did not publish the information. The Chair agreed and said that there are also lessons to be learnt on this issue. He thanked Ms Roulston and Mr McClean for their update on this matter.

**C17/20 Item 2 – Declaration of Interests**

- C17/20.1 The Chair asked if anyone had interests to declare relevant to any items on the agenda. No interests were declared.

**C18/20 Item 3 – Minutes of Previous Meetings**

- **Minutes of Meeting held on 18 June 2020**
- **Minutes of Extraordinary Meeting held on 9 July 2020**

C18/20.1 The minutes of the meeting held on 18 June 2020 were approved as an accurate record of that meeting, subject to an addition to record that Alderman Porter was unable to participate in the meeting due to technological issues.

C18/20.2 The minutes of the extraordinary meeting held on 9 July 2020 were approved as a record of that meeting.

**C19/20 Item 4 – Matters Arising**

C19/20.1 There were no matters arising.

**C20/20 Item 5 – Update on Review of Epidemiology**

C20/20.1 The Interim Chief Executive advised that the Agency Management Team has reviewed the recommendations of the Report and unanimously accepts the recommendations with one exception. She said that a report on the progress against each recommendation will be brought to the next meeting. She reported that recruitment has commenced on some posts which will deal with some of the issues raised. She informed members that PHA is now producing a weekly epidemiological report instead of a monthly report.

C20/20.2 The Chair asked about the recommendation to appoint an Assistant Director (Epidemiology). The Interim Chief Executive advised that this post will be recruited on a temporary basis as part of the bid for COVID-19 funding. When asked by the Chair when this post would be recruited, the Interim Chief Executive said that an internal “expressions of interest” exercise will commence shortly.

C20/20.3 Mr Stewart asked if NEDs could receive a copy of the Report. The Interim Chief Executive undertook to provide this.

C20/20.4 Mr Clayton said that he had been concerned at the previous meeting to the reference made to “special measures” at the meeting of 9 July, and he noted that this has now abated. The Chair stated that it is important for PHA to maintain good relations with its Sponsor Branch.

C20/20.5 Professor Rooney asked about a meeting with the Chief Medical Officer. The Interim Chief Executive advised that a meeting is being set up.

**C21/20 Item 6 – Any Other Business**

C21/20.1 The Interim Chief Executive advised that PHA has dealing with an issue relating to a meat processing plant and has been trying to

support this plant over the last 3 weeks. However she said that the issue may now need to be resolved through a legal route.

**C22/20 Item 7 – Details of Next Meeting**

*To be confirmed.*

Signed by Chair:

Date: