

**PHECC Council Meeting Minutes**  
**09 September 2021**  
**Via Videoconference**



**Present:**

Jacqueline Burke (Chairperson)

**Videoconference:**

Jason van der Velde (Vice-Chair)

Aidan O'Brien

Conor Deasy

David Menzies

Dennis Keeley

Fiona McDaid

Jimmy Jordan

Niamh Collins

Patrick Fleming

Tess O'Donovan

Tomás Barry

William Merriman

**Apologies**

Don Brennan

Hillery Collins

Martin O'Reilly

**In attendance:**

Richard Lodge, PHECC Director

Con Foley, Council Secretary (VC)

Brendan Cawley, PHECC Manager

Ray Carney, PHECC Manager

Karen O'Neill, Council Administrator

**1.0. Closed Session**

A closed session took place to allow Council to consider the following items.

- i. Council was informed of receipt of a letter of complaint regarding a decision of the Director. Council agreed that a panel consisting of, and chaired by, Tess O'Donovan (Chair Appeals Panel), Jason van der Velde (Vice-Chair Council), and Fiona McDaid (Chair Quality & Safety Committee) will be formed to progress same.

*The Director was present from item ii of the closed session onwards.*

- ii. Council noted the impending retirement of the Deputy Director and Registrar and endorsed the recommendation by the Finance Risk Audit and Compliance Committee [FRACC] to accept the external independent specialist advice and calculations in relation to the lump sum and annual payments due.
- iii. Amendments proposed by the Director to the staffing structure, which will be reflected in a revised staffing proposal and revisions to the 2021 Business Plan, were endorsed by Council. These proposals will result in a revised staffing proposal submission to DoH.

*The closed session concluded.*

The Chair officially opened the meeting by welcoming all attendees and noting apologies received. The Chair extended her deepest sympathies to PHECC Examinations Officer, Liz Dempsey, on the recent passing of her mother. Ar dheis Dé go raibh a hanam.

**2.0. Declarations of Interest**

Declarations of a possible Conflict-of-Interest received from the Chair and Tomás Barry in relation to Agenda Item 5.1.5 of the Director's Report 'UCD AP Programme Update' and from David Menzies in relation to Agenda Item 7.1 'Approval of GVF Site Assessment Reports & Publication', were noted. Each offered to recuse themselves from related discussions.

**3.0. Chairs Business**

**3.1. Correspondence**

No correspondence noted.

#### 4.0. Minutes & Matters Arising

##### 4.1. Draft Minutes 15 July 2021\*

The draft minutes of the previous meeting were reviewed, and Council passed the following resolution.

**Resolution:** That Council approves the minutes of the Council meeting of 15 July 2021.

**Proposed:** Jimmy Jordan

**Seconded:** Fiona McDaid

**Carried without dissent.**

##### 4.2. Matters Arising

An update on the filling of the approved committee membership and vacant posts was provided by the Director.

Correspondence has been issued by the Chair to all outgoing committee members, acknowledging their work on related committees of Council and thanking them for their contribution to pre-hospital emergency care in Ireland.

The DoH has indicated to the Chair that examination of PHECC legislative deficiencies will commence later this year. As the absence of adequate legislation is currently the greatest risk to PHECC, and due to its urgency and significance in our Strategic Plan, DoH officials have been informed that the matter will remain as a standard agenda item on all Council and PHECC-DoH meetings going forward. It has also been requested that reference to amending the legislation is included in our periodic Performance Delivery and Oversight Agreement with the DoH.

#### 5.0 Directors Report

##### 5.1 Directors Report to Council

###### 5.1.1 COVID-19 Arrangements

The Executive continue to modify the return to work, working remotely, office protocols and the deployment of staff in response to the most recent restrictions. It is planned that staff will return to working in the office on a phased basis; initially 2 days per week, with a view to working 3 days in the office by year-end. Both senior leadership team and staff meetings will take place face to face. Council meetings will need to be reviewed together with Council Committee meetings as to the optimum mix of face-to-face and virtual meetings. The matter of distance and travel time was also discussed relative to the time spent at meetings. The possibility of a combined training event for both Council and staff members at year end will be explored.

###### 5.1.2 Emergency Ambulance Crewing Model

To date, no requests have been received from CPG providers to move from the current minimum crewing level standard, as agreed at the April 2020 Council meeting and specified in the minutes of same.

###### 5.1.3 Publication of GVF QIPs \*

A discussion took place surrounding the publication of Quality Improvement Reports [QIPs] given that those due to be published now were generated in 2019 and 2020. Following consideration Council passed the following resolution:

**Resolution:** That Council approves that no QIP reports are published by PHECC from the cohort of GVF reports ready for publication, and that the matter of whether PHECC should publish another organisations QIP is referred to the Quality & Safety Committee for consideration and a recommendation back to Council.

**Proposed:** Pat Fleming **Seconded:** Niamh Collins

**Carried without dissent.**

#### **5.1.4 FAR Certification**

Since Council's approval that *upon expiration of Responder certification, a restoration period of 3 months will apply during which a 2-day refresher course must be completed, otherwise a full 3-day course must be completed in order to re-certify*, a small number of enquires have been received in relation to the burden this places on organisations who are required to hold in date certificates by other regulators. The importance of maintaining expertise and the need for a full 3-day course after 2 year and 3 months, was confirmed.

*The Chair and Tomás Barry recused themselves for item 5.1.5 due to a potential conflict-of-interest. Item 5.1.5 was chaired by the Vice-Chair, Jason van der Velde.*

*William Merriman departed the meeting.*

#### **5.1.5 UCD AP Programme Update**

A formal response has been received from UCD's legal advisors in relation to conclusion of the UCD AP Training Programme. Council endorsed to follow legal advice as obtained on the matter.

*Jacqueline Burke resumed her position as Chair. Tomás Barry re-joined the meeting.*

#### **5.1.6 Correspondence from Director NAS and Chief Fire Officer DFB**

A meeting was agreed between the Statutory Providers [NAS & DFB] and PHECC to discuss their proposed implementation plans for the new Priority Dispatch Standard and to explore any concerns in relation to potential conflicts with current IAED requirements.

#### **5.1.7 Journalist Enquiries**

Several journalist requests are in the course of being dealt with, one of which is a Freedom of Information request, in relation to pronouncement of death by Paramedics and the progression of both the 'Critical Care and Community Paramedics'. Also requested was an update on PHECC's previous calls for legislative change to ensure PHECC is fully empowered to perform its regulatory role, in particular an update on the development of 'Critical Care and Community Paramedics' and legislative reform required to ensure the rollout of these roles.

#### **5.1.8 Legal Advice Sought**

Legal advice is currently being sought on two CPG Provider related items. The first is in relation to the extension of privileging to practitioners who operate for a separate non-PHECC recognised service provider. It is expected that the existing GVF standards will provide guidance to address same.

The second, is in relation to the transportation of patients by ambulance to and from hospital appointments, by both PHECC Licensed and non-licensed CPG Providers. Council was of the view that if no clinical service is being provided or medications administered, the expectation is that PHECC licensing is not required as it is purely a transportation issue and is not a PHECC registration criterion. However, the definitions of an ambulance and PHECC's regulation of same is unclear, as is the provision, or otherwise of 'an ambulance service' in relation to CPG provider status. Therefore, legal advice has been sought.

Related legal advice under Agenda item 11.3 & 11.4 were considered later in the meeting.

*Dennis Keeley departed during the above discussion.*

#### **5.1.9 Retirement of Registrar\***

Council agreed to formally delegate the powers of the Registrar to the Director upon the retirement of the Deputy-Director/Registrar until such time as a new Registrar is appointed. The recruitment process will commence in the coming weeks, and it is hoped that the position will be filled within 3-months.



**Resolution:** That Council approves those decisions and authority currently delegated by Council to the Registrar will be temporarily delegated to the Director until such time as a new Registrar is in post, at which time they will again be delegated to the new Registrar.

**Proposed:** Fiona McDaid

**Seconded:** Jimmy Jordan

**Carried without dissent.**

*Jimmy Jordan & Tess O'Donovan departed the meeting.*

*William Merriman rejoined the meeting.*

*Council took a short recess.*

## **5.2. Delegated Decisions of the Director**

The report as included in Council papers was noted.

## **6.0. Clinical Matters**

### **6.1. Community Paramedicine Update**

Council was updated on recent developments surrounding community paramedicine following the appointment of Tomás Barry as Chair of the related MAC sub-committee. The PHECC report titled 'The Introduction of Community Paramedicine into Ireland' is now available on the PHECC website with an opportunity to provide feedback on the report via an online form.

Preparations for the upcoming Community Paramedicine webinar on 22 September are progressing with engagement from numerous stakeholders confirmed. Council was reminded of their invitation to attend this event.

Plans are also underway to undertake a focused literature review and scoping exercise in parallel with development of the Community Paramedicine Standard.

The issue of legislative deficit as an impediment to the development of this new branch of paramedicine was noted, as was the importance of the legislative framework in framing options for how practitioners will be registered. This item was discussed further when related legal advice included under Agenda item 11.4 was considered later in the meeting.

### **6.2. 2021 CPG Release**

Council was advised that the new 2021 suite of CPGs for all clinical levels have been released via the PHECC website. Work on updating the Field Guide in line with the new suite of CPGs is progressing well and it is anticipated that a final draft will be completed by the October Council meeting.

A discussion took place regarding the process and framework for upskilling registrants which included the following:

- Council, at their meeting on 17 June 2021, approved the application for approval to deliver CPG Training Courses to registered practitioners.
- Though the process is robust in terms of faculty and training, the importance of high-level clinical and educational expertise in the development and delivery of upskilling courses was emphasised.
- PHECC's responsibility in protection of the public, setting standards and oversight of the educational framework was noted.
- Approval of the application process lies with PHECC however, development of course content and accreditation reside with the RI/ATI/Licensed CPG Provider

David Menzies, on behalf of MAC and in liaison with Tomás Barry and Ray Carney, offered to identify those CPGs which require additional clinical/educational expertise outside the scope of current APs. The importance of integration between MAC and Education to bridge any concerns raised in relation to clinical/educational competencies was noted. The outcome of all high-level upskilling courses will be paused until the matter is reported on at the next Council meeting.

*Dennis Keeley rejoined the meeting during the above discussion.*

*Jason van der Velde departed for a short period during the above discussion.*

*David Menzies recused himself from item 7.1 below due to a potential conflict-of-interest.*

## **7.0 Quality & Safety**

### **7.1. GVF Site Assessment Reports Approval & Publication\***

Council considered two further GVF site assessment reports for the voluntary sector (Dublin Wicklow Mountain Rescue Team & the Irish Red Cross) as presented in Appendix 1 of Council papers and passed the following resolution:

**Resolution:** That Council approves the publication of the two additional GVF site assessment reports as per Appendix 1 of Council papers.

**Proposed:** Hillery Collins

**Seconded:** Tomás Barry

**Carried without dissent.**

### **7.2. GVF 3-Year Cycle Update**

An update on the current GVF cycle was presented to Council. As the current 3-year cycle is nearing completion, the GVF model will be formally reviewed to support its continued development. The evaluation will be designed and progressed through the Quality & Safety Committee, who are due to meet in early October, and Council will be kept informed of any proposed changes to the GVF model as they arise.

*Aidan O'Brien departed the meeting.*

## **8.0 Examinations**

### **8.1. Examinations Update**

An update on the status of examinations for the current quarter was provided, as included in Council papers. Due to the uptake of Pro-Proctor MCQ examinations, additional EMT OSCE examinations have been scheduled in September to satisfy the current demand.

A review of examination content, to update the question bank in line with 2021 CPGs, is nearing completion. It is envisaged that examination content will be updated and completed for September and examined at both EMT and Paramedic level MCQ and OSCE examinations from November 2021. Liz Dempsey's oversight of the above events were acknowledged during a very difficult time.

## **9.0 Research**

### **9.1. Draft Research Committee Terms of Reference & Membership\***

The draft Research Committee Terms of Reference, as included in Council papers, were presented for approval. Reference was made to the creation of this Committee of Council marking a new departure as it provides an opportunity for PHECC to be at the centre of pre-hospital emergency care in Ireland. The fact that research is also a key element of our current Strategic Plan and is detailed in our Statutory Instrument was noted.

Though currently at the oversight phase, the committee's primary focus will be the establishment of a strategic policy framework for research going forward. Subject to a few minor adjustments to the draft TORs, Council passed the following resolution.

**Resolution:** That Council approve the draft Research Committee Terms of Reference as included in Council papers, subject to a few minor adjustments agreed.

**Proposed:** Tomás Barry                      **Seconded:** Fiona McDaid

**Carried without dissent.**

*Jason van der Velde returned to the meeting.*

## **10.0 Governance & Finance**

### **10.1. Management Accounts to 31 August 2021**

The Management Accounts to 31 August 2021 were presented to Council together with comparisons with the same period in 2020. The impact of COVID on the projected financial out turn for the year was noted. The following additional projects were agreed in principle pending full costing.

- i. A comprehensive review of paramedic education – EMT, P, AP & SP. (Education Manager)
- ii. Professional advice on securing legislative amendments. (Director)
- iii. The development of an appropriate platform for communicating with practitioners (Vice-Chair)
- iv. Training programme for Council (Secretary)

## **11.0. Register**

### **11.1. Register Report**

The report, as included in Council papers, was noted. Statistics on the gender breakdown of each level of the Register was provided by the Director.

### **11.2. Draft Registration Committee Terms of Reference & Membership Proposal\***

Following review of the draft Registration Committee TORs, Council passed the following resolution subject to a caveat regarding lay membership:

**Resolution:** That Council approves the draft Registration Committee TORs subject to lay membership being revised to two representatives.

**Proposed:** Patrick Fleming                      **Seconded:** Fiona McDaid

**Carried without dissent**

*Niamh Collins & Dennis Keeley departed the meeting.*

### **11.3. Legal Advice – PHECC FTP Procedures Compatibility with the Constitution**

PHECC's Legal Advisors have presented documents to PHECC regarding the recent resolution of the "Zalewski Case" and the further impacts this may have in the matter of fitness to practise, the administration of justice generally and compliance, in particular, with Article 34 of Bunracht na h-Éireann [the Constitution].

Given the importance of this case and the frailty of PHECC's legislative under-pinnings, particularly regarding fitness to practise matters, it was considered prudent that the Director seek Senior Counsel's written advice on this matter as soon as practical.

### **11.4. Legal Advice – PHECC Register**

Further legal advice regarding matters relating to the establishment of new divisions on the PHECC Register (i.e., Critical Care, Community Paramedicine) and development of supplementary legislation to strengthen PHECC's role as a regulator was noted. It was concluded that the current PHECC



Statutory Instrument [SI] defines registration classes limited to EMT, P, & AP. The creation of a 'Specialist' Registration Class would require legislative amendments.

The appropriateness of the application of core & non-core CPGs as a possible solution will need to be explored further. Council strongly encouraged the initiative to pursue legislative change and requested the Director to record examples of issues impacted by the weakness of our legislative position for presentation to the DoH at the appropriate level.

The Chair of MAC will formally write to the Chair of Council raising concerns regarding legislative limitations and it was agreed that the Director will explore what assistance our legal advisors can provide to progress the matter further.

Concerns expressed in relation to practitioners with serious criminal convictions being on the PHECC Register or applying to return to the Register were noted.

## 12.0 AOB


The Chair advised that the matter of the last unfilled position at Council has been highlighted to the DoH and efforts are being made to progress same.

The Chair wished Barry O'Sullivan, Deputy-Director and Registrar, a long and happy retirement, and acknowledged that the work he has done for PHECC, since its inception, will have a lasting impact on the future of Pre-Hospital Emergency Care.

Next Council Meeting is on October 14th next at 10:00.

The meeting concluded at 15:35 approx.

Signed:

  
Jacqueline Burke  
Chairperson

Date:

14<sup>th</sup> October 2021.