

# MASTERCLASS

## for INMO Directors and Assistant Directors of Nursing Midwifery & Public Health Nursing Sections

**OPENING ADDRESS – Karen McGowan, INMO President**

**1. International updates**

Margrieta Langins, Nursing and Midwifery Policy Adviser, Health workforce and service delivery Unit, WHO

**2. Menopause**

Loretta Dignam, CEO & Founder The Menopause Hub

**3. NMBI & Fitness to Practise - the Preliminary Proceedings Committee Process**

David Miskell, Professional & Regulatory Services Officer

**4. Results from INMO COVID19 Psychological Survey**

Steve Pitman, Head of Education & Professional Development

**5. Mindfulness**

Aparna Shukla, Mindfulness Coach

**6. Toxic Leadership**

Prof Robert McMurray, Academic Director, Graduate School of Healthcare Management, RCSI

**CLOSING ADDRESS - Edward Mathews, Director of Professional and Regulatory Services, INMO**



**FREE LIVE ONLINE EVENT**  
for INMO members

**Thursday,**  
**30 September 2021**


From 2pm - 4.30pm

**2.5**  
**NMBI**  
**CEUs**

Booking your place is essential  
Tel: 01 640641/18 or email: [linda.doyle@inmo.ie](mailto:linda.doyle@inmo.ie)

**SCAN**  
**ME**






# Menopause the Case for Change


*Loretta Dignam  
The Menopause Hub*

30.9.21



1

## Why does menopause matter?



**A large cohort of people impacted**

- By 2030 = 1.1bn menopausal women globally & 47m pa
- 12.5% of the global population
- Ireland = 571k women & 350k in work
- UK = 13m women & 4.4m in work
- Average age menopause 51
- Average age perimenopause 45
- Average length 7.4 yrs

**Symptoms**

- 40+ Symptoms
- 80% of women will have symptoms
- 50% will be moderate to severe
- 25% will be severe / debilitating
- 25% consider giving up work\*
- 10% give up work\*

**In 1900s**

- Average age of menopause 47
- Average life expectancy 49

**Today**

- Average age of menopause 51
- Average life expectancy 83.6y

*\*UK data*

**Women will spend 1/3 to 1/2 of their lives post menopausal**

2

**Menopausal women are wives, partners,  
mothers, sisters, relatives, friends,  
colleagues, bosses, team-mates and so on...**



3

**(Research conducted online in Sept / Oct 2020  
among 1250 women in Ireland)**

- 80% of women say that they are or were **unprepared** for menopause
- 66% say that they knew **nothing or very little** about menopause beforehand
- 79% of women rate the level of information & support for menopause in Ireland as **poor/ very poor**
- **Level of Taboo** – 8 out of 10

*I have no idea what you're talking about!!!*



the menopause hub

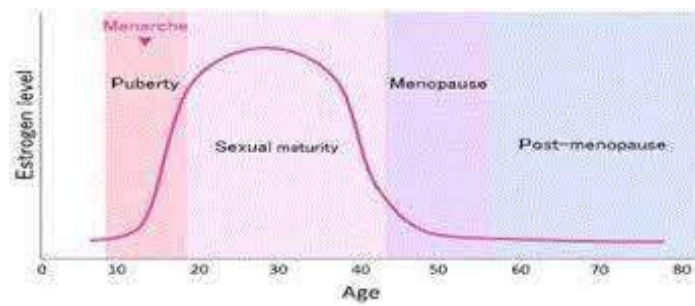
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## So what is menopause?



the menopause hub®

5




the menopause hub®

6

The Medical Centre,  
 31 The Rise, Mount Merrion,  
 Co. Dublin,  
 www.themenopausehub.ie  
 Tel: 01 210 7945 / 063 062 8141



## the menopause hub<sup>®</sup> Symptom Checker


Patient Details	Physical Symptoms																																																																																																																													
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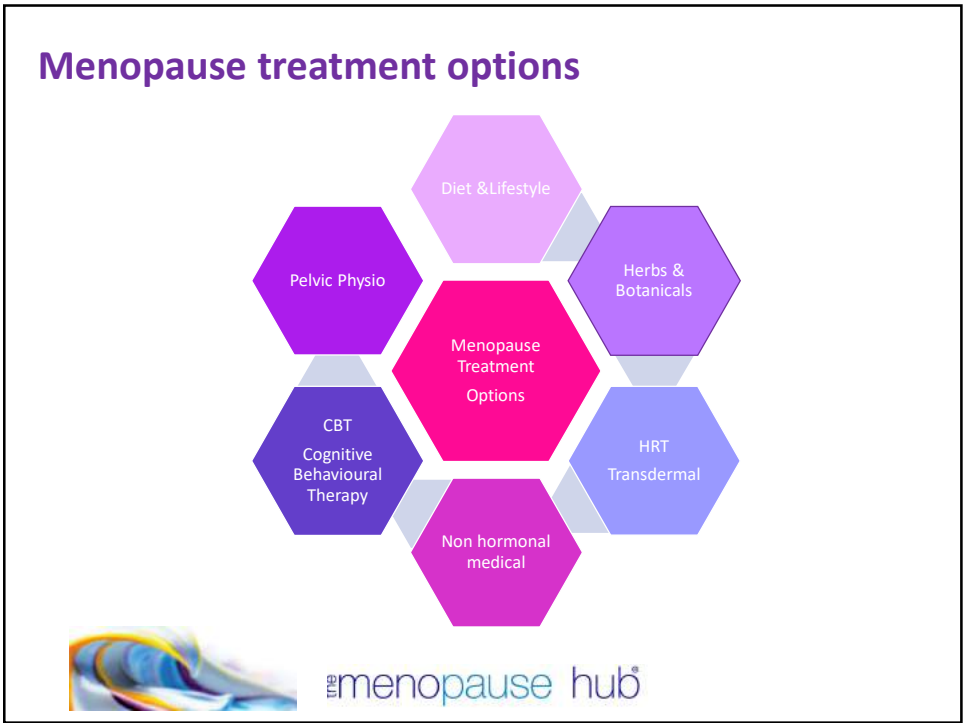
## Long term health impact of lack of oestrogen – Heart, Bone, Cognitive

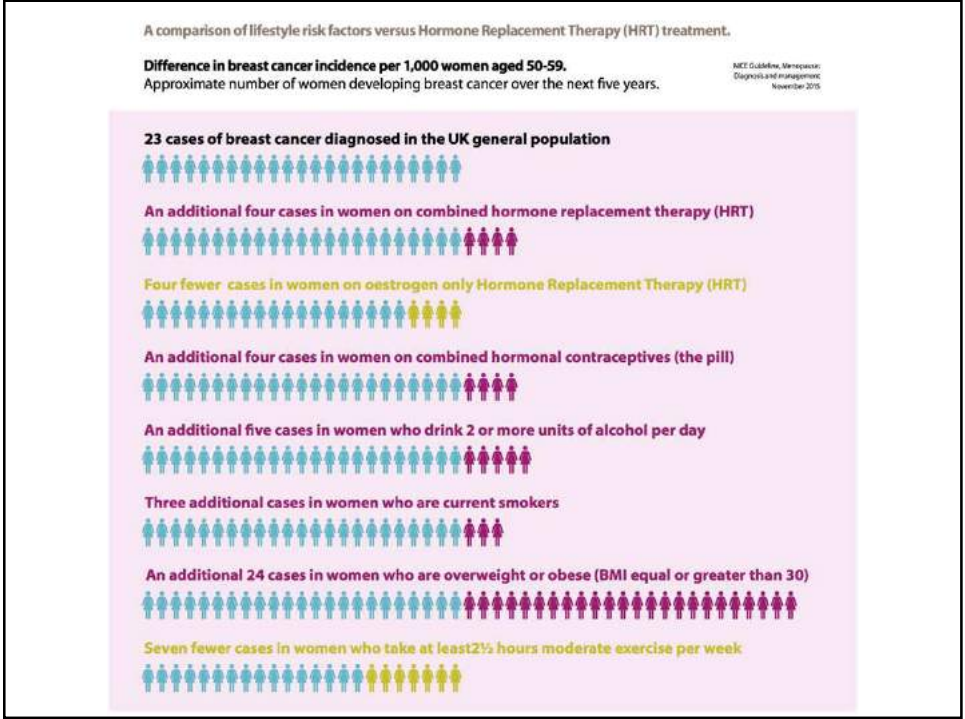




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10

## Why change the way we think?

The benefits case for changing the way we think



Safety and Wellbeing



Performance



Talent  
attraction and  
Retention

Legislation is coming in the UK and in turn, Ireland



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11

## Menopause in the Workplace - Top 10 Tips

1. Raising awareness (talks, posters, health programmes, management training)
2. Organising social support (Menopause champions, lunchtime support)
3. Flexible and agile working, job sharing, working from home (RA Passport?)
4. Temperature of work environment (air con, desk fans)
5. A rest room / area /easy access to bathroom facilities / changing facilities
6. Cold drinking water
7. Uniforms, work clothes
8. Encourage women to discuss how they feel as these feelings are very normal, but discuss don't prescribe
9. Become a supportive manager
10. Menopause in the Workplace Policy



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12



To contact us:

[info@themenopausehub.ie](mailto:info@themenopausehub.ie)/ 01 2107948

[www.themenopausehub.ie](http://www.themenopausehub.ie)



the menopause hub®



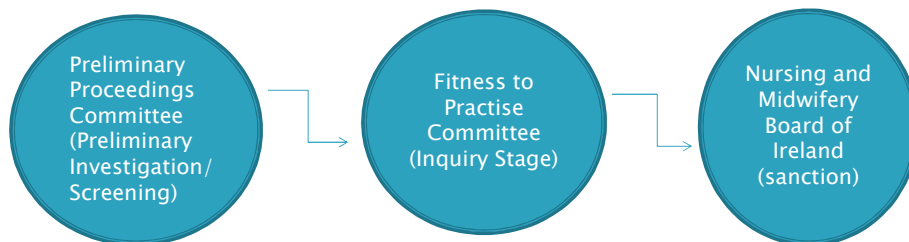
## Preliminary Proceedings Committee NMBI

*David Miskell*  
**Professional & Regulatory Services Officer**  
The Irish Nurses & Midwives Organisation  
The Whitworth Building  
North Brunswick Street  
Dublin 7

1

## Complaints Process

- ▶ A 3 stage process



2

## *Preliminary Proceedings Committee?*

- Who are they?
  - ▶ Statutory Committee of Nursing and Midwifery Board of Ireland established under Nurses and Midwives Act 2011.
  - ▶ Lay Majority.
  - ▶ Chairperson/Member of Board.
  - ▶ At least 1/3 Members of Board.
  - ▶ 10 Members.
  
- What is their role?
  - ▶ Consider complaints referred to it against registered nurses/midwives.
  - ▶ Investigate complaints.
  - ▶ Form an opinion as to whether or not further action is warranted.

3

## *Origins of Complaints*

- ▶ Complaints are made to the PPC.
- ▶ Any person can make a complaint.
  - Other healthcare professionals
  - Employers
  - Regulators
  - Members of the public
  - The Board
  
- ▶ Obligation to make a complaint/Inform Regulator?
- ▶ What if a complaint is made anonymously?
- ▶ A complaint is a protected disclosure under Health Act 2007

4

## *NMBI Statistics*

### ▶ 2018 Report

- ❖ 191 new complaints (78 from 2017)
- ❖ 71 no further action taken (Board disagreed in 3 cases)
- ❖ 24 referred forward for Inquiry
- ❖ 7 complaints withdrawn

5

## *NMBI Statistics*

- ▶ 12 complaint's related to more than one registrant, with a range to two to seven registrants.
- ▶ Clinical Practice - medication management most common issue, followed by failure to assess a patients condition, identify deterioration, and/or failure to take appropriate action during deterioration.
- ▶ Behaviour - allegations of verbal or physical abuse.

6

## 10 Grounds of Complaint

- a) Professional Misconduct
- b) Poor Professional Performance (**defined term**)
- c) Non-Compliance with the Code of Professional Conduct.
- d) A relevant medical disability (**defined term**)
- e) A failure to comply with a relevant condition (**defined term**).
- f) A failure to comply with an undertaking or to take any action specified in a consent given in response to a request under Section 65(1).
- g) A contravention of a provision of this Act.
- h) A failure to comply with: (i) the Regulations made under Section 13(2) of the Health (Pricing and Supply of Medical Goods) Act 2013 and (ii) a provision of the Health Identifiers Act 2014 applicable to the nurse or midwife in his or her capacity (if any) as a health service provider within the meaning of Section 2 of that Act (not yet in force).
- i) An irregularity in relation to the custody, prescription or supply of a controlled drug under the Misuse of Drugs Acts 1977 and 1984 or another drug that is likely to be abused.
- j) Conviction for an offence triable on indictment.

7

## Types of Complaints

- ▶ Failure to provide adequate nursing care i.e. serious medication errors, especially if there is an attempt to cover same up, poor record keeping/documentation.
- ▶ Allegations of abuse e.g. shouting, speaking inappropriately, slapping, dragging elderly/intellectually disabled patients.
- ▶ Misappropriation of drugs including falsifying records – often tied in with medical disability issues.
- ▶ Complaints re clinical skills i.e. failure to respond or act appropriately – very often after employer has tried to put in place supervision.
- ▶ Failure to recognise sepsis in a patient and deteriorating condition/seek medical intervention.
- ▶ Failure to manage or ensure facility is managed in a safe and appropriate manner including records maintained and staffing levels.
- ▶ Complaint by patient treatment not in a timely way and dissatisfied with treatment.
- ▶ Complaint against number of nurses caring for patient where patient had sustained an injury.

8

## Professional Misconduct

No definition in 2011 Act of professional misconduct – derived from case law

*O’Laoire –v- Medical Council (1995)*

- (1) Conduct which is infamous or disgraceful in a professional respect.
- ▶ Conduct which would not be infamous or disgraceful in another person may be so if done by a practitioner in relation to his or her profession.
  - ▶ Infamous or disgraceful conduct is conduct involving some degree of moral turpitude, fraud or dishonesty.
  - ▶ A wrongly but honestly formed opinion cannot of itself amount to infamous or disgraceful conduct.
- (2) “A serious falling short” of the standards of conduct expected of the professional if it is connected with a registrant’s profession.

*Perez –v- The Nursing and Midwifery Board (2005)*. A serious falling short whether by omission or commission of the standards of conduct expected amongst nurses – irrelevant that such misconduct may be attributable to honest mistake.

9

## Poor Professional Performance

- ▶ Introduced in 2011 Act as “*a failure by the nurse or midwife to meet the standards of competence (whether in knowledge and skill or the application of knowledge and skill or both) that can reasonably be expected of a registered nurse or registered midwife as the case may be carrying out similar work*”.
- ▶ *Corbally –v- The Medical Council (2015)*
  - Poor Professional Performance requires a threshold of seriousness.
- ▶ Not necessary that the Act or omission for poor professional performance or professional misconduct occurred in this State.

10

## *Other Main Grounds*

- ▶ Non compliance with the Code of Professional Conduct.
- ▶ A relevant medical disability is defined as a physical or mental disability of the nurse or midwife (including addiction to alcohol or drugs) which may impair his or her ability to practice nursing or midwifery or a particular aspect thereof.
- ▶ A failure to comply with a relevant condition attached to the registration of the nurse/midwife.
- ▶ Conviction for an offence triable on indictment.
  - PPC must refer such a complaint to the Board to consider if they are of the opinion that:
    - (a) The offence rendered the nurse/midwife permanently unfit to continue to practice; and
    - (b) It is in the public interest to act immediately.
  - Board can then cancel nurses/midwives' registration or can refer back to the PPC to deal with the complaint.

11

## *Powers of PPC*

- ▶ Require the complainant to verify by Affidavit or otherwise anything contained in the complaint.
- ▶ Require complainant to supply more information.
- ▶ Require that information to be supplied by means of Statutory Declaration.
- ▶ Opportunity for nurse/midwife to supply any information that they believe should be considered by PPC.
- ▶ Board can appoint case officers to assist the Preliminary Proceedings Committee whose functions are:
  - a) Interviewing persons
  - b) Recording in writing the statements given and answers made by persons while being interviewed
  - c) Reporting to the PPC on results of those interviews
  - d) Requesting persons to provide the PPC with statements in writing
  - e) Providing PPC with any other advice or assistance required in relation to preparation of its reports
  - f) Statements provided are not under oath

12

PPC Process	
	Complaint Received
Sent to Nurse/Midwife	
	PPC consider complaint
Case Officer carries out directions from PPC e.g. obtaining medical records, expert reports etc.	
	Information gathered and sent to nurse/midwife
Response of nurse/midwife sent to complainant	
	Complainant can respond to nurse/midwife's submissions
Final submissions of nurse/midwife	
	Decision of PPC

13

## *Decision making process of the PPC*

- ▶ PPC must consider:
  - (a) Any information supplied concerning the complaint.
  - (b) Whether the complaint is trivial or vexatious or without substance or made in bad faith.
- ▶ Decide whether there is sufficient cause to warrant further action being taken in relation to the complaint.
  - Test to be applied
    - Is there sufficient information to make the decision.
    - Does the complaint fall within the grounds for making a complaint.
    - Whether there is any real prospect of the complaint being established at an Inquiry ("Real Prospect Test")
    - In view of the standard of proof any doubt being resolved in favour of holding an Inquiry.
    - PPC does not seek to resolve substantial conflicts of interest - matter for Hearing Committee.
- ▶ Requirement to provide reasons for decision
- ▶ Matter at this stage dealt with in private.

14

## *Decision of PPC*

- ▶ Where PPC is of the opinion that:
  - a) There is not sufficient cause to warrant further action being taken.
  - b) The complaint should be referred to another body or authority or to a professional competence scheme.
  - c) The complaint is one that could be resolved by mediation or other informal means.  
It should inform the Board of that opinion.
- ▶ PPC shall refer the complaint to the Fitness to Practise Committee where:
  - There is a prima facie case to warrant further action being taken in relation to a complaint; or
  - The Board directs that further action be taken.

15

## *Where a complaint is withdrawn*

- ▶ The Committee may with the Board's agreement:
  - (a) Decide that no further action is to be taken;  
or
  - (b) Proceed as if the complaint had not been withdrawn.
- ▶ The Committee needs to consider if it is in the public interest to proceed having regard to:
  - (a) Conduct complained of;
  - (b) Effect of withdrawal on complaint.

16



## *Legislative Changes*

- ▶ Complaints are made to the CEO (2011 Act PPC).
- ▶ CEO investigates the complaint/appointing authorised officers to carry out the investigation (2011 Act PPC).
- ▶ New ground of complaint – the imposition of a prohibition or restriction on nurse or midwife providing one or more than one kind of health or social care.
- ▶ CEO forwards complaint and investigation report to PPC for consideration.
- ▶ PPC have additional powers i.e. can request nurse/midwife:
  - (a) To undertake not to repeat the conduct the subject of complaint.
  - (b) To demonstrate competencies to the Board.
  - (c) Take steps as specified by the Board including education training, clinical practice, experience for updating skills and knowledge.
  - (d) Consent to undergo medical treatment.
  - (e) Consent to censure.

If nurse/midwife accepts this then investigation is at an end otherwise proceeds as if no request had been made – this is a new power which previously had been given to the Fitness to Practise Committee.

17

## *INMO Submissions*

- ▶ Potential unintended consequence of removing the requirement for a nurse/midwife to sit on the Preliminary Committee/Fitness to Practise Committee when dealing with a nursing/midwifery matter;
- ▶ Consequences of exposure to publicity where all sanctions require court confirmation;
- ▶ Consequences of exposure to publicity where all sanctions must be published.
- ▶ Submissions made by the INMO to the Oireachtas Health Committee and relevant political parties health spokespersons on the Bill by Dr Edward Mathews, Deputy General Secretary (Designate).

18

## *Interim Suspensions*

### *Effect of an Interim Suspension*

- ▶ Suspends the Registrant from practice pending an Inquiry into the Registrant's conduct/health
- ▶ Required for the protection of the public
- ▶ A registrant may be provided with notice of meeting to consider suspending Registrant and given an opportunity to make submissions
- ▶ Requires High Court Order suspending the Registrant
- ▶ Balances the right of the public to be protected versus the right of the Registrant to continue practice and earn a livelihood

2

19

## *O'Ceallaigh –v– An Bord Altranais*

**Barron J** in *O'Ceallaigh –v– An Bord Altranais*

- ▶ The issue is whether it is in the public interest that the nurse concerned should be restrained from practicing his or her profession for a period to be indicated
- ▶ The relevant matters to be considered whether the matter is sufficiently urgent to apply to the Court are:
  1. The nature of the complaint upon which the application for an Inquiry before the Fitness to Practise Committee is based
  2. The apparent strength of the case against the nurse, and
  3. Whether in the event of an adverse finding the appropriate sanction would be to strike off the nurse either permanently or for a definitive period

3

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### *O'Ceallaigh -v- An Bord Altranais (continued)*

- ▶ Whether or not the matter constitutes a threat to public interest will be dependent upon the facts of a case i.e. threat to patients
- ▶ Undertakings to Regulator/the Court
  - An Undertaking to the Regulator does not have the effect of a Court Order
  - High Court will have discretion as to whether to accept such undertakings

21

### *Key Issues - Senior Nursing/Midwifery Managers*

- ▶ Rise in complaints against Senior Nurse/Midwife Managers.
- ▶ Covid-19 Pandemic - unprecedented challenges.
- ▶ Primarily relate to dissatisfaction with the overall care regime in operation.

22

### *Key Issues – Senior Nursing/Midwifery Managers*

- ▶ Existence of comprehensive policies & procedures.
- ▶ Staff Training (records, frequency, review of training requirements)
- ▶ Care planning (on admission/update)
- ▶ Auditing of care (Midwifery/Nursing notes, policies/protocols)
- ▶ HIQA Reports

23

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24



**RCSI** GRADUATE  
SCHOOL of  
HEALTHCARE  
MANAGEMENT

# Pain & Toxicity

Professor Robert McMurray




1

## Necessary pain of organising

Organising and organisations are engines for collective progress. They are a means of mobilising expertise, values and resources to achieve that which can not be achieved alone. They offer collaborative advantages and synergistic progress. There can be no local or national healthcare without organising, managing and leading

But organisational life, and organising, can be challenging, difficult, painful and even destructive

Sometimes working with other people can be hell!



2

**“Sick and tired’: Why Ireland’s nurses are leaving in their droves’** *The Journal.ie* (2017)

**‘Toxic leadership is becoming increasingly prevalent in nursing’** (Labrague et al 2020)

**Outcry from student midwives over bullying “rife in our Irish hospitals”** *Trinity News* 2018

**More than 180 nurses resigned from Northern Ireland’s largest health trust in the first half of this year** (BBC 2021)

**Toxic culture affects one in three midwives according to top professional** (*Daily Record*, 2017)

**‘Toxic leadership becomes a real problem in nursing administration. Its toxicity harms the nursing staff’s progress and creates a challenging work environment full of struggles’** (Hamdy, 2020)

**Employers must stop the rot of the toxic workplace** (*The Herald*, 2021)



3

## Frost & organisational pain

‘Pain is a fact of organisational life. Companies will merge, bosses will make unrealistic demands, people will lose their jobs’. (Frost, 2003:12)

Negative emotional impact of organising

Negative emotional impact of work

Negative emotional impact of managers, leaders and colleagues

Negative emotional impact of clients, patients or customers

4

## Frost 7 INS

### IN...

Intention: →

Incompetence: →

Infidelity: →

Insensitivity: →

Institutional: →

Inevitability: →

Intrusion: →

### Nature

purposefully degrade others (bullying)

lacking the ability to meaningfully craft relations  
(poor communication, co-ordination and  
organising)

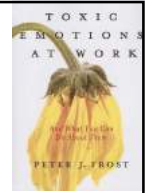
erosion of trust or betrayal (unkept pay promises)

lack of compassion, empathy or political  
appreciation (wellbeing ignored, inter-  
professional power and politics)

policies that hurt and erode confidence (appraisal)

unintended consequences of change or sudden  
events (service reform)

work-life balance issues (covid)



5

## Sources of pain (examples)

- Lack of autonomy
- Direct orders
- Unpleasant tasks
- Excess work
- Unclear communications
- Mis-matched expectations
- Misaligned or inhuman systems



6

## What about...



- Abusive managers
- Leaders who give free rein to their own emotions (shout, demand, punish, poor communication...)
- Bullying co-workers
- Aggressive professional cultures

7

## Case study – Health Inc



8



## The issue

- Poor staff survey responses
- Suggestions of bullying
- Work environment needs improving

### Response

- Research informed workshops to understand problems and identify pathways to improvement



9



## Key Finding 1

- Some of the pain that people experienced was *inevitable* in nature arising from recent reforms and last-minute demands.
- Lack of information threatened to engender mistrust. Managers would say “I don’t know what will happen” but this created a sense of hidden agendas.
- Delays in information giving further eroded trust between senior and junior team members (infidelity). This in turn leads people to question whether they are valued.

10

## Key Finding 2

- There was evidence of *incompetence* in respect of aggressive behaviour and speech (however unintentional)
- The appearance of always being angry
- Unthinking responses to others
- Unclear requests
- Excessive use of email (rather than walking to the next desk)



11

*While team members understand how such behaviours arise from work pressures, communication styles, tight time scales and lack of insight on the part of the worker/manager in terms of the effect they are having on co-workers, all agree that such behaviours were not acceptable. They go against codes of conduct, they are counter-productive (as people take time to make sense of the negative encounter) and, they are probably not how any of us want to see ourselves.*



12

*These behaviours matter because they leave people feeling dissatisfied, angry, upset, undervalued, stressed and isolated. They increase absence, resistance and exit.*

*The higher up the person exhibiting these behaviours (e.g. senior management) the greater the potential negative effects.*

*This is why managers & leaders have the greater responsibility for avoiding such pain.*



## When pain becomes toxic

### Frost notes that pain

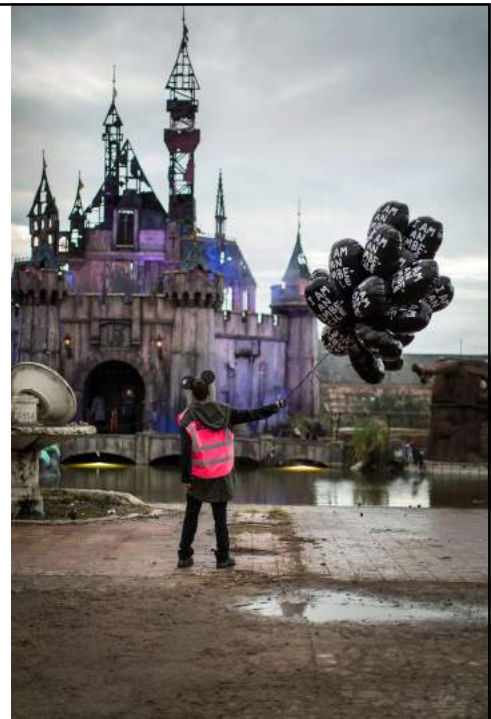
'...isn't in itself toxic; rather, it's how that pain is handled throughout the organization that determines whether its long-term effects are positive or negative. What turns emotional pain into toxicity, especially in organizational settings, is when others respond to that pain in a harmful, rather than healing, way'. (2003:12)



15

## Health Inc

- At one level recognised the pain and that something had to be done (good) – they call an external in to tackle... to prevent it becoming toxic
- At another, more important, level they failed
  - Accepted recommendations but then did nothing with them
  - Raised expectations of action only to betray them (infidelity) making the situation worse



16



- ‘The word *toxicity* may sound overly dramatic applied to aspects of everyday life, but in many ways is it uniquely appropriate. It suggest elements that can poison, whether a person or an entire system; toxins spread and seep, often undetected, in varying degrees. And toxins can be eliminated if you know the cure’ (Frost 2003:5)



17

## Toxicity Signs & Impact

- Absenteeism
- Declining physical and mental health
- Psychological withdrawal
- Organisational misbehavior / sabotage
- Turnover
- Reputational damage
- Productivity loss
- Erosion of person’s (worker) well-being
- Fear
- Silence
- Failure to recruit
- Those exposed to toxicity may become toxic themselves – a source of pain



18

## The manager's duty of care

- Explicit processes for handling organisational pain
  - Explaining actions / decisions
  - Acknowledge that directions may not be welcome
  - Training in empathetic listening
  - Formal & inform debriefing
  - Time to regroup & go again
  - Attend to physical & mental well being
- An ethic of care (Ward & McMurray, 2016)
  - Recognize our interdependence (while not denying individuality)
  - Open up to others rather than imposing own solutions
  - Prioritize needs and care of other
  - Offer support on worker's terms
  - Make space for and reward care
  - Recognize difference – radical alterity



19

## How not to deal with pain & toxicity

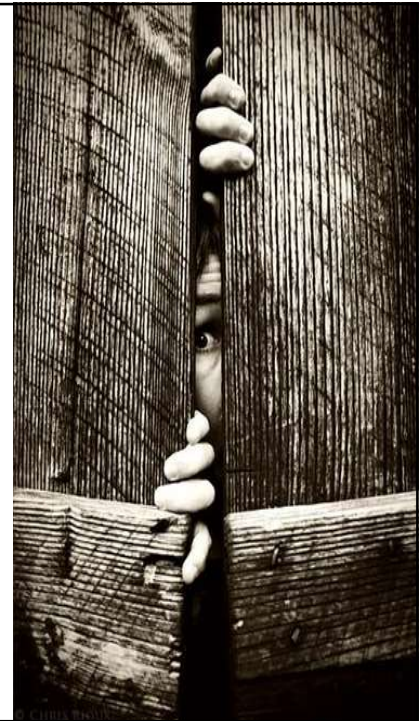
- Ignore it
- State that problems are the issues of individuals
- Silencing those who question
- Manage as if emotions should and can be checked at the door
- Be insensitive to emotional pain
- Belittle, deny, blame,
- Failure to provide adequate of support
- Reinforce that individuals do not matter
- Bad apples and isolated cases



20

## Possible solutions

- Ensure openness, transparency and candour
- Move away from blame cultures
- Acknowledge & encourage discussion of difficult emotions / emotional situations
- Identify & reward toxin handlers
- Support handlers
  - LT exposure can burnout
  - Review the effects of systems, processes, policies, contexts and demands
- Address our own pain inducing behaviors
  - Check you have communicated clearly.
  - Be aware of the effect of your emotions on others.
  - No bad & bullying practice



21




## Want explore toxicity?

John Carreyrou (2018 ) *Bad Blood: Secrets as lies in Silicon Valley Start Up*. Picador (or Audible)

Theranos & Elizabeth Holmes

- Unicorn Start up (\$9bn)
- Mass diagnostics from a single drop of blood
  - Narcissistic leadership
  - Bullying
  - Deception & patient harm
  - Cover up
  - Ignoring pain & persecuting whistle blowers

22



# Thank you

Final thoughts or questions

Professor Robert McMurray

