



**Minutes of Board Meeting No. 50 held on Monday 25 January 2016  
at 09.15, CCNI, Lurgan.**

**Present:**

Tom McGrath, Chief Commissioner  
Walter Rader, Deputy Chief Commissioner  
Steven Cockcroft, Commissioner (Legal)  
Geraldine Donaghy, Commissioner  
Norman Bennett, Commissioner  
Brenda Maitland, Commissioner  
Seamus Magee, Commissioner

**In Attendance:**

Frances McCandless, Chief Executive  
Aubrey McCrory, Head of Corporate Services  
Punam McGookin, Head of Charity Services  
Kathryn Jennett, Administrative Officer

**Apologies:**

Myles McKeown, Head of Compliance and Enquiries

**1. Minutes of Meeting 17 December 2015**

Following discussion, the minutes of the meeting held on 17 December 2015 were, subject to minor amendment, agreed as a true and correct record as proposed by Steven Cockcroft and seconded by Walter Rader. The Chief Executive undertook to produce a note to the minutes of the Legal Adviser's briefing on the leave to appeal a matter concerning the right of individual Trustees to pursue an appeal to the Tribunal.

**AP 1: Board minutes to be published on CCNI website**

**AP2: CEX to produce a note to the minutes on the Legal Adviser's briefing on the leave to appeal matter**

**2. Conflicts of Interest**

The Chair reminded Commissioners of the Freedom of Information protocol and the need to declare any conflicts of interest prior to the meeting. No conflicts were declared at the outset.

### **3. Chair's Business, Correspondence and Meetings**

The Chair requested an update on the High Court action arising from the Attorney General's appeal against the Charity Tribunal's decision relating to Robert Crawford v CCNI. The Chief Executive provided an overview of the case and the recent submission by the Attorney General. The Board noted the Commission's skeleton argument and the Attorney's rejoinder. It was also noted Mr Crawford had not lodged an appeal himself, and the Charity Tribunal had refused the Attorney General permission to appeal to the High Court. Commissioners agreed it was incumbent on the Commission to oppose the Attorney General's application in line with the Tribunal's findings which upheld the Commission's removal order. The Board also noted recent correspondence on this matter.

The Board noted a new appointee was due to be announced to the Charity Tribunal.

### **4. Chief Executive's Report**

The Chief Executive introduced her report to the Board and highlighted a number of developments. The Board agreed that with no confirmation from the Department on future resourcing, the business plan target for calling organisations forward to register would be intentionally missed to avoid a build up of cases in the system.

The Chief Executive updated the Board on appeals to the Charity Tribunal concerning Victoria Housing Association. The Board noted all appeals have now been withdrawn and welcomed this outcome. It also heard the RUC Athletic Association had withdrawn an appeal against the Commission's decision to refuse registration as a charity.

The Board were updated on the quarterly Departmental accountability meeting on 19 January 2016 with senior departmental officials, including the Deputy Secretary Tracy Meharg. No decision has yet been made on the Department's consideration of the Commission's accommodation needs or the budget for 2016/17. Discussion took place of the Department's consideration of introducing provisions from the Protection of Charities Bill (England & Wales) into Northern Ireland legislation.

The Chief Executive detailed work to update the on-line register system with the Charity Commission for England & Wales, and the timetable for change over in April 2016. Potential impacts on the management and performance of the registration programme were noted. Following discussion, it was agreed a member of the legal team would join every other Board meeting to provide a briefing on legal work in hand and to extend the approach of using task & finish groups with Commissioners taking on the role of presenting work to the Board.

The Chief Executive updated Commissioners on the work with the education sector, and advised that correspondence had been sent by the Department of

Education to all Boards of Governors to advise how the Commission will be taking forward registration of schools.

In relation to the forthcoming board residential the working programme was agreed and the Chief Executive update that Leo O'Reilly (Permanent Secretary Designate of DfC) and Glenn Houston from the RQIA would be attending.

**AP3: Legal Adviser to attend every other Board meeting**

**5. ICT MOU with CCEW**

The Head of Corporate Services introduced the Memorandum of Understanding (MOU) paper and set out the context of the Commission's ICT strategy. This is based on operating on the NI Civil Service ICT system and obtaining ICT development and support services relating to the registration of charities, annual reporting and web site from the Charity Commission for England & Wales (CCEW). Noting the clear commitment from CCEW to support the Commission going forward the Board adopted the MOU as proposed by Geraldine Donaghy and seconded by Norman Bennett.

**AP4: Signed versions of MOU to be exchanged with CCEW**

**6. Cost / benefit analysis for HR Connect**

The Head of Corporate Services introduced the paper to the Board. Information relating to costs, configuration and possible changes to contractual terms were highlighted. The board considered the basis for change and agreed to amend the staff hours working week and annual leave year to be in line with NICS conditions to facilitate joining the HR shared services platform on a value for money basis. The Board agreed to adopt the recommended way forward (option 2) following proposal by Walter Rader and seconding by Seamus Magee.

**AP5: Option 2 for On boarding to be progressed.**

**7. Quarter 3 Business Plan report**

The Head of Corporate Services introduced the report of performance against the 2015-16 Business Plan and internal management information. Commissioners noted overall 67% of corporate KPI targets were achieved at the end of quarter 3. Going forward it was agreed that detailed activity information would not be included in the progress report, but would be collated and available if requested.

**8. Capacity Review**

The Chief Executive introduced the review report which was submitted to DSD on 15 January 2016. The Department had been asked to consider Option 1 (full compliance resourcing) to enable the Commission to effectively deliver its overall statutory remit. Following the Department's agreement of the capacity review and resourcing going forward, strategic and business

plans with associated budgets will be finalised and submitted to the Department for approval. Following discussion, the Board were content with the review and the recommended option 1.

**AP6: Following agreement of the capacity review and resourcing going forward, Strategic and Business plans to be submitted to the Department.**

**9. Casework Update**

The Head of Charity Services introduced the paper to the Board highlighting some key issues, in particular that at that time the Commission were 12% ahead of the annual target for registration decisions. Commissioners noted the position and welcomed the progress. The Head of Charity Services introduced a report on the work load of registration applications at the end of quarter 3. There were 935 being progressed by the Commission, 68% of these are at further information, which means the commission is awaiting information from the applicant. Following discussion, it was agreed that the four month timeframe for assessing a complete application should be reworded in line with current processing times. It was agreed the Commission should communicate with banks regarding the difficulties new charities are facing with registration if they are unable to open a bank account.

**AP7: Head of Charity Services to communicate with banks regarding charities opening bank accounts.**

**10. Investigation Update**

The Chief Executive introduced the update to the Board highlighting key information and figures, noting all appeals to the Charity Tribunal relating to Bangor Provident Trust and Victoria Housing Association had been withdrawn. Commissioners noted the progress of the Interim Manager in these charities and the general progress of concerns.

**11. Monitoring and Compliance Update**

The Chief Executive introduced the update to the Board. Commissioners noted the progress of the team and the challenge of completing the tasks in hand. The team successfully launched the consultation on the Accounting and Reporting Guidance on 18 December 2015. Four events will be held in January and February 2016, the consultation will continue until March 2016. There are significant resource pressures on the team, however, two new temporary staff have been recruited and are tasked with reducing the backlog of cases and developing a range of guidance. The Chief Executive updated the Board on 3.1 of the compliance paper in relation to ratio analysis of accounts, and advised that the Commission will switch back to the original online version of charity accounts which did not use ratios, in case these are confusing to the public.

**12. Budget**

The Head of Corporate Services introduced the report to the Board which noted the overall spend and variances. A number of risks relating to potential under spend at year end were noted, in particular, relating to legal case work that was not now going ahead following withdrawal of appeals or cases which were scheduled to proceed in the new financial year.

**13. Press Clippings**

Noted.

**14. Review of Meeting**

No issues were noted.

**15. Issues for next meeting 7March 2016**

Noted.

**16. AOB**

The Chief Executive advised the Board that the next self-assessment exercise was due and the form would be circulated. Commissioners indicated they would welcome an external expert to do some development work with them, along with the self-assessment.

**AP8 : Chief Executive to procure external expert for Board development exercise.**

The meeting concluded at 12.25 hrs

<b>Register of Outstanding Action Points</b>					
<b>Board Meeting and Action Point Number</b>	<b>Date Raised</b>	<b>Agenda Item</b>	<b>Action</b>	<b>Owners</b>	<b>Status</b>
48 (3)	11/11/2015	Chief Executive's Report	Commission to contact the Law Society regarding placement students	HoCS	Underway
49(2)	17/12/2015	Chair's Business, Correspondence and Meetings	Commissioners to forward external speaker suggestions to CEX.	Commissioners	Complete
49(3)	17/12/2015	Chief Executive's Report	Chief Commissioner to draft agenda for board meeting with CRA	Chief Commissioner	Underway
49(7)	17/12/2015	Capacity Review	Option reflecting the capacity required to deliver a full compliance monitoring regime to be developed and review report to be submitted to DSD by mid January.	HCorpS	Complete
49(9)	17/12/2015	Risk appetite for new plan	A&RA committee to look in detail at the risk appetite and develop assurance levels	HCorpS	Complete
50 (1)	25/01/16	Minutes of Meeting 17 December 2015	Board minutes to be published on CCNI website	Kathryn	Complete
50 (2)	25/01/16	Chief Executive's Report	CEX to produce a note to the minutes on the Legal Adviser's briefing on the leave to appeal matter	CEO	Complete
50(3)	25/01/16	Chief Executive's Report	Legal Adviser will attend every other Board meeting AP2:	CEO	Complete
50 (4)	25/01/16	MOU with CCEW	Signed versions of MOU to be exchanged with CCEW	HCorpS	Underway

50 (5)	25/01/16	Cost / benefit analysis for HR Connect	Option 2 for On boarding to be moved forward	HCorpS	Complete
50 (6)	25/01/16	Final version of Capacity Review	Strategic and Business plans to be submitted to the Department	HCorpS	Underway
50 (7)	25/01/16	Casework Update	Head of Charity Services to communicate with banks regarding Charities opening bank accounts	HCS	Underway
50 (8)	25/01/16	AOB	Chief Executive to enquire about an external expert for Board development exercise.	CExO	Complete