

**Minutes of Board Meeting No. 104 held on Monday 27 March 2023  
at Marlborough House, Craigavon.**

**Present:**

Gerard McCurdy - Chair (Acting Chief Commissioner)  
Alan Hunter, Charity Commissioner  
Hugh McKeag, Charity Commissioner  
Patricia Kelly, Legal Commissioner  
Kieran Donaghy, Charity Commissioner  
Séamus Magee, Charity Commissioner  
Emma O'Neill (Boardroom Apprentice)  
Caron Alexander (Observer)

**In Attendance:**

Frances McCandless, Chief Executive  
Punam McGookin, Head of Charity Services  
Aubrey McCrory, Head of Corporate Services  
David McGurk, Minutes.  
Ann Breslin, Policy and Research Manager, items 5a and b.

The meeting commenced at 9.30am and the Chair welcomed everyone to the meeting.

**1. Minutes of Board Meeting 103, 30 January 2023**

Following discussion, the minutes of the Board Meeting held on 30 January 2023 were agreed, subject to minor amendment, as a true and correct record as proposed by Patricia Kelly and seconded by Kieran Donaghy. The Board noted the progress of the Action Points from the last meeting as highlighted by the Chief Executive.

**AP1: Minutes of Board Meeting No 103, 30 January 2023 to be published on CCNI website.**

**2. Conflicts of Interest**

The Chair noted no conflicts at this time.

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

The Chair welcomed Caron Alexander, independent member of the Audit and Risk Assurance Committee, as an observer to the meeting and welcomed back the Head of Compliance and Enquiries. The Chair outlined further correspondence on litigation and the Board were content to progress in line with legal advice received. It was agreed to meet with the Department for Communities (DfC) in relation to the consultation on a Scheme of Delegation. The Chair noted a forthcoming meeting with an MLA and, following discussion, the Board agreed to write to members of the Assembly Communities Committee regarding the Commission's future plans.

**AP2: Litigation to be progressed in line with legal advice.**

**AP3: FAO to collate dates from Commissioners for meeting with DfC about potential Scheme of Delegation.**

**AP4: Commission to write to Assembly Communities Committee members regarding future plans.**

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

The Chief Executive introduced her report and noted at this time two business plan targets will not be met by year end. Commissioners noted no date had yet been confirmed by sponsor team for the second charity regulation partnership and planning strategic workshop, anticipated to occur on a quarterly basis to deliver the Independent Review recommendations. The Board noted the Board Room Apprentice scheme has been working well and agreed to continue to participate. In light of media coverage of withdrawal of various government funding for charities the Commission will update the website guidance on managing the loss of funding and closing charities and create a vlog for charities affected by this.

**AP 5: CEX to liaise with sponsor team to confirm schedule of partnership meetings.**

**AP 6: Website guidance for charities on managing the loss of funding and closure to be updated and a vlog created.**

#### **5. Policies and Processes**

Ann Breslin joined the meeting at 10.10am

##### **a. Consultation Feedback Report**

The Policy and Research Manager introduced the Consultation Report and outlined the range of feedback. The Board thanked Ann Breslin for her report and noted the very positive responses, including overwhelming agreement with the new vision and mission statements. Changes to the Commission's values based on the feedback received and minor amendment to the feedback report were agreed as proposed by Hugh McKeag and seconded by Seamus Magee.

**AP 7: Amendments to be made to values and Consultation Feedback Report prior to publication.**

##### **b. Strategic and business plans**

The Head of Corporate Services introduced the Strategic and Business Plan draft. It was noted that updated plans will come back to the Board in June reflecting sponsor department's priorities, which should be decided in May, and the budget when it is known. The Board discussed Key Performance Indicators and were happy with the developments outlined subject to a paper from the Head of Charity Services in relation to the future approach to the Deemed List and registration targets, as proposed by Séamus Magee and seconded by Alan Hunter.

Ann Breslin left the meeting at 11am.

**AP8: Head of Charity Services to bring a paper on future approach to the deemed list and registration targets to the May Board.**

**c. Review of Equality scheme and disability action plan**

The Head of Corporate Services introduced the review report and discussion ensued. The Board noted that further training on equality would be beneficial for Commissioners and staff. The report was agreed for submission to the Equality Commission for Northern Ireland (ECNI), subject to minor amendments, as proposed by Patricia Kelly and seconded by Alan Hunter.

**AP9: Amended review report to be submitted to ECNI.**

**AP10: Further training on equality for staff and Commissioners to be arranged.**

**d. Assurance statement**

The Board noted the assurance statement, which was agreed subject to minor amendments, as proposed by Hugh McKeag and seconded by Kieran Donaghy.

**AP11: Amended assurance statement to be submitted to sponsor department.**

**e. CCEW ICT MOU**

The Head of Corporate Services introduced the updated Memorandum of Understanding (MOU) with the Charity Commission for England and Wales (CCEW) for Information and Communication Technology Services in 2023/24. Queries regarding costings were addressed and Commissioners were content with plans for web site support. After discussion, the MOU was agreed and the is Chief Executive to sign on the Commission's behalf, as proposed by Hugh McKeag and seconded by Alan Hunter.

**AP12: Signed MOU to be provided to CCEW.**

**f. Legal update**

The Chief Executive introduced the Legal update. Advice on a range of issues was discussed. A final procedure for recruitment was agreed as proposed by Alan Hunter and seconded by Séamus Magee. The Board noted further litigation-related advice would be brought to the next meeting.

**g. Board self-assessment report and effectiveness action plan**

The Board noted the report and progress on the action plan. No further actions were added.

**h. MSFM compliance**

The report, with a minor update, was noted.

**i. Stakeholder forum update**

The Board noted the increase in membership and level of discussion involved at the last meeting of the forum.

## **6. Reports from Committees**

### **Audit and Risk Assurance Committee**

#### **a. Minutes of meeting No 54 – 24 November 2022**

Following discussion, the minutes of the Audit and Risk Assurance meeting held on 24 November 2022 were approved for publication, and it was agreed going forward to circulate draft minutes to committee members shortly after each meeting for agreement by correspondence, as proposed by Alan Hunter and seconded by Hugh McKeag. These can then be brought to the Board sooner.

**AP13: Minutes of A&RA Committee No 54 - 24 November 2022 to be published on the website.**

**AP14: draft A&RA Committee minutes to be circulated for agreement by correspondence going forward and brought to the subsequent Board meeting.**

#### **b. Corporate Risk Register**

The Chair of the Audit and Risk Assurance Committee gave an overview of the committee's discussion and assumptions around the register. The Board noted the committee had undertaken a deep dive discussion into risk two. Following discussion, the Board agreed to decrease three risks and increase one risk, as proposed by Alan Hunter and seconded by Hugh McKeag.

#### **c. Review of Fraud and Bribery Assessment**

The Chair of the Audit and Risk Assurance Committee introduced the report which was adopted by the Board as proposed by Alan Hunter and seconded by Kieran Donaghy. It was agreed to circulate the training presentation on Fraud and Bribery to the Board.

**AP15: Circulate training presentation on Fraud and Bribery to the Board.**

#### **d. Review of Audit and Risk Assurance Committee Terms of Reference**

The Chair of the Audit and Risk Assurance Committee introduced the review and one minor change identified by the committee was agreed, as proposed by Alan Hunter and seconded by Hugh McKeag

**AP16: Update Terms of Reference to be published on the website.**

#### **e. Draft Internal Audit Strategy 2023-2026**

The Chair of the Audit and Risk Assurance Committee highlighted that he and the Chief Executive had met with the Head of Internal Audit to inform the first high-level draft strategy, which would have more detail developed for the next meeting. The Board noted the potential introduction by the sponsor department of a hard charge for audit services in 2023/24. The high-level draft was agreed subject to future updating, as proposed by Hugh McKeag and seconded by Kieran Donaghy.

## **Human Resources Committee**

### **f. Minutes of meeting No 36 – 07 December 2022**

Following discussion, the minutes of the HR Meeting held on 7 December 2022 were approved for publication and it was agreed going forward to circulate the draft minutes to committee members shortly after each meeting for agreement by correspondence, as proposed by Kieran Donaghy and seconded by Hugh McKeag.

**AP17: Minutes of HR Committee No 36, 7 December 2022 to be published on the website.**

**AP18: Draft HR Committee minutes to be circulated for agreement by correspondence going forward and brought to subsequent Board meeting.**

### **g. Review of Conflict of Interest Policy**

The Head of Corporate Services introduced the report and the Board agreed the policy subject to minor amendment, as proposed by Séamus Magee and seconded by Patricia Kelly.

### **h. Review of Hybrid Working Policy**

The Head of Corporate Services introduced the report and the Board noted various points and a discussion ensued. It was agreed to extend the pilot for six months as proposed by Patricia Kelly and seconded by Seamus Magee.

**AP19: Hybrid working pilot to be extended by six months.**

## **Schedule 1 Decisions**

### **Commissioner registration decisions 20 January 2023**

Decisions were noted.

### **Commissioner registration decisions 17 February 2023**

Decisions were noted.

### **Update from LAG meeting – 27 February 2023**

Patricia Kelly gave an update on various aspects of the Legal Advisory group (LAG) meeting and it was agreed the LAG notes would be circulated.

**AP20: LAG Notes to be circulated.**

## **7. Charity Services Report**

The Head of Charity Services introduced the report and highlighted a number of aspects. The Board noted that the registration target had been met. The Board agreed two proposals from the Head of Charity Services. First to support UK-wide research mapping the voluntary sector subject to any information sharing requests being approved by commissioners and second a minor change to the publication policy revising how orders, directions and schemes are published online, as proposed by Patricia Kelly and seconded by Séamus Magee.

**AP21: Letter of support to be sent to the research project.**

**AP22: Publication policy version 7.0 to be implemented going forward.**

**8. Compliance and Enquiries Report**

The Head of Compliance and Enquiries introduced the report and highlighted various aspects which were noted by the Board. During the update on casework the Chair and Legal Commissioner noted a previous declaration of a conflict of interest regarding Féile an Phobail. Remaining Commissioners agreed arrangements to receive legal advice to inform decision making. It was also agreed to arrange further Commissioner training on Matters of Material Significance and Serious Incident Reporting.

The Board recognised work progressed by staff to develop a traffic light display relating to reporting submission of Annual Monitoring Returns (AMR) and, following feedback from the sector, were content to continue with the approach agreed at the December board meeting as proposed by Patricia Kelly and seconded by Séamus Magee. Discussion on extensions to the AMR deadlines resulted in the Board recognising the current practice and noting it will continue.

**9. Corporate Service Report**

The Head of Corporate Services introduced the report and gave an update on various issues including risks to year end budget spend. Following discussion, the Board agreed a variation on the 2022/23 MOU for ICT services as proposed by Alan Hunter and seconded by Kieran Donaghy.

**AP23: Arrangements for variation to 2022/23 MOU for ICT services to be progressed.**

**10. Issues for next meeting**

The Chair noted the following items to be included at the next meeting on 15 May 2023:

- Annual report text
- Updated version of Strategic and Business plans
- Engagement strategy draft
- Options for simplified registration process for smaller organisations
- Proportionality examples for monitoring and compliance manual
- Paper on costs of counsel and internal legal support
- Comms/engagement update
- Legal update
- Issues from Audit and Risk Assurance Committee including draft 2022/23 annual accounts.

**11. AOB**

It was noted that a working lunch would be arranged to follow the next Board meeting and 'Issues for next meeting' are to be added to Decision time going forward.

Meeting ended at 12.45 pm

### Register of Outstanding Action Points

<b>Board Meeting and Action Point Number</b>	<b>Date Raised</b>	<b>Agenda Item</b>	<b>Action</b>	<b>Owners</b>	<b>Status (target)</b>
104(1)	27/03/2023	1	Minutes of Board Meeting No 103, 30 January 2023 to be published on CCNI website.	Comms	Complete
104(2)	27/03/2023	3	Litigation to be progressed in line with legal advice.	CEx	Ongoing (Q2 23/24)
104(3)	27/03/2023	3	Collate dates from Commissioners for meeting with DfC about potential Scheme of Delegation.	FAO	Ongoing (Q2 23/24)
104(4)	27/03/2023	3	Commission to write to Assembly Communities Committee members regarding future plans.	Comms	Ongoing (Q2 23/24)
104(5)	27/03/2023	4	Liaise with sponsor team to confirm schedule of partnership meetings	CEX	Complete
104(6)	27/03/2023	4	Website guidance for charities on managing the loss of funding and closure to be updated and a vlog created.	HChS	Complete
104(7)	27/03/2023	5a	Amendments to be made to values and Consultation Feedback Report prior to publication.	Policy Manager	Ongoing (Q2 23/24)
104(8)	27/03/2023	5b	Bring a paper on future approach to the deemed list and registration targets to the May Board.	HChS	Ongoing (Q2 23/24)
104(9)	27/03/2023	5c	Amended review report to be submitted to ECNI.	HCorpsS	Ongoing (Q2 23/24)
104(10)	27/03/2023	5c	Further training on equality for staff and Commissioners to be arranged.	HCorpsS	Ongoing (Q2 23/24)

104(11)	27/03/2023	5d	Amended assurance statement to be submitted to sponsor department.	CEx	Complete
104(12)	27/03/2023	5e	Signed MOU to be provided to CCEW.	HCorpsS	Complete
104(13)	27/03/2023	6a	Minutes of A&RA ctte No 54 24 November 2022 to be published on the website.	Comms	Complete
104(14)	27/03/2023	6a	Draft A&RA Committee minutes to be circulated for agreement by correspondence going forward and brought to the subsequent Board meeting.	HCorps	Ongoing (Q2 23/24)
104(15)	27/03/2023	6c	Circulate training presentation on Fraud and Bribery to the Board.	HCorpsS	Complete
104(16)	27/03/2023	6d	Updated A&RA ctte Terms of Reference to be published on the website.	HCorpsS	Complete
104(17)	27/03/2023	6f	Minutes of HR ctte No 36, 7 December 2022 to be published on the website.	Comms	Complete
104(18)	27/03/2023	6f	Draft HR Committee minutes to be circulated for agreement by correspondence going forward and brought to subsequent Board meeting.	HCorpsS	Ongoing (Q2 23/24)
104(19)	27/03/2023	6h	Hybrid working pilot to be extended by 6 months	HCorpsS	underway (Q3 23/24)
104(20)	27/03/2023	6h	Circulate LAG notes.	Comms	Complete
104(21)	27/03/2023	7	Letter of support to be sent to the research project.	HChS	Ongoing (Q2 23/24)
104(22)	27/03/2023	7	Publication policy version 7.0 to be implemented going forward	HChS	Ongoing (Q2 23/24)

104(23)	27/03/2023	9	Arrangements for variation to 2022/23 MOU for ICT services to be progressed.	HCorpS	Complete
103(8)	30/01/2023	9	Side letter to accommodation licence to be agreed by correspondence.	Board	Complete
103(9)	30/01/2023	9	Agreed approach to procuring software licence to be pursued.	HCorpS	Complete
102 (5)	19/12/2022	5b	Further clarification to be provided on which section of the Act covers which aspects of information sharing.	HC&E	Underway (Q4-22/23)
102 (8)	19/12/2022	5e	A review of accommodation to be undertaken in early 2023.	HCorpS	Underway (Q2-23/24)
102 (9)	19/12/2022	5e	Resource returns and a strategic resource business case to be prepared and submitted to sponsor team based on option 3.	HCorpS	Underway (Q4-22/23)
102 (10)	19/12/2022	5f	Action plan including disposal schedule to be implemented.	HCorpS	Underway (Q4-22/23)
101(9)	14/11/2022	5g	HR business case to be progressed	HCorpS	Complete
100(10)	26/09/2022	6d	Risk Workshop to be planned for later this year or early next year.	HCorpS	Underway (Q2-23/24)
99 (8)	27/06/2022	5d	Identify unit cost of registrations	HChS	Underway (Q4-22/23)
99 (14)	27/06/2022	6e	Statement approach to HR Connect processing related policy to be implemented.	HCorpS	Ongoing (Q1-23/24)
98 (7)	16/05/2022	5e	Training in complaint handling and dealing with trauma to be arranged.	CEx/ HCorpS	Trauma element Complete
94 (3)	15/11/21	5a	Corporate Social Responsibility policy to be developed as part of the next strategic planning process.	HCorpS	Ongoing (Q4-23/24)
90(8)	17/05/21	5d	Impact of the Stakeholder Forum to be measured via the Research Strategy.	HChS	Ongoing (Q4-23/24)
90(10)	17/05/21	6b	Information on other regulators' risk register approaches to be collated for Board risk workshop.	HCorpS	Ongoing (Q2-23/24)

85(5)	09/11/20	4b	New enquiries `concerns about charities' on line form to be implemented	HC&E	Complete
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