

**Minutes of Board Meeting No. 101 held on Monday 14 November 2022
at Marlborough House, Craigavon.**

Present:

Séamus Magee, Charity Commissioner (Chair)
Kieran Donaghy, Charity Commissioner
Alan Hunter, Charity Commissioner
Patricia Kelly, Legal Commissioner

In Attendance:

Frances McCandless, CEx
Punam McGookin, Head of Charity Services
Rossa Keown, Head of Compliance & Enquiries
Aubrey McCrory, Head of Corporate Services
David McGurk, Minutes
Colleen Gallagher, Legal Advisor (items 5b-e)
Leona Gillen, Barrister (item 5g)

Apologies: Gerard McCurdy (Deputy Chief Charity Commissioner), Hugh McKeag (Charity Commissioner), Emma O'Neill (Boardroom Apprentice).

The meeting commenced at 9.40am. The Chair welcomed everyone to the meeting and acknowledged he was chairing the meeting on a temporary basis.

1. Minutes of Board Meeting 100, 26 September 2022

Following discussion, the minutes of the Board Meeting held on 27 June 2022 were agreed, subject to a minor amendment, as a true and correct record as proposed by Alan Hunter and seconded by Kieran Donaghy.

**AP1: Minutes of Board Meeting No 100, 26 September 2022
to be published on CCNI website.**

2. Conflicts of Interest

None were noted.

3. Chair's Business, Correspondence and Meetings

The Chair noted Nicole Lappin had stood down as Chief Commissioner, expressed thanks on behalf of the Commission and wished her well in her new role as chair of the Northern Ireland Housing Executive. The Board noted efforts to reduce the size of the meeting pack and agreed to provide further feedback going forward.

4. Chief Executive's Report

The Chief Executive highlighted a number of issues in her report including the proposed introduction of a registration threshold for charities. The Board discussed in depth possible timescales and impacts on the organisation. It was noted the Commission will work through this announcement with the Department for Communities (DfC). The Board discussed forthcoming recruitment exercises for Commissioners, skills gaps were identified, and

possible remedies were agreed. The Chief Executive undertook to pass these onto DfC and to raise the issue of Commissioner time allocation and remuneration.

AP2: Chief Executive to write to DfC re Commissioner recruitments, time allocation and remuneration.

5. Policies and Processes

a. Amended draft strategic plan consultation document

The Chief Executive gave an overview of the proposed change to the text in the consultation document to reflect the introduction of a registration threshold recently announced by DfC. It was confirmed a business case would be developed reflecting various options for the delivery of the strategic plan. Following discussion of accessibility of consultation materials, the proposed changes in text and production of an easy read version were agreed as proposed by Kieran Donaghy and seconded by Séamus Magee.

AP3: Easy read version of consultation document to be produced.

Legal Advisor joined the meeting at 10.15am.

b. Legal advice re decision making procedures

The Legal Advisor outlined recent advice received and potential arrangements going forward. Following discussion, it was agreed in the meantime to suspend relevant processes, as proposed by Alan Hunter and seconded by Séamus Magee. The Board noted further legal advice was planned and communications support was being put in place.

AP4: Decision-making process in related manuals to be suspended.

c. Legal update re Information Management

The Legal Advisor introduced the paper and outlined advice received. Following discussion, the Board agreed to the creation of action plan as proposed by Kieran Donaghy and seconded by Alan Hunter.

AP5: Action plan to be developed re Information Management.

d. Process for S54 decisions

The Legal Advisor introduced the paper and the context to internal guidance for staff on Section 54 decisions. Following discussion, the guidance was agreed as proposed by Séamus Magee and seconded by Alan Hunter.

AP6: S54 staff guidance to be implemented.

e. Policy re handling past transfers

The Legal Advisor outlined a proposed policy for handling past transfers for which Commission consent had not been sought. Following discussion, the policy was agreed as proposed by Alan Hunter and seconded by Séamus Magee.

Legal Advisor left the meeting at 11.15 am

AP7: Policy re handling past transfers to be implemented.

f. Safeguarding Policy

The Head of Corporate Services introduced the policy which was based on DfC guidance. Feedback from the recognised trade union and plans for staff and commissioner training were noted. Following discussion, the policy was adopted as proposed by Alan Hunter and seconded by Patricia Kelly.

AP8: Safeguarding policy to be implemented.

Leona Gillen BL joined and all staff except the CEx and Head of Charity Services left the meeting at 11:30am.

g. HR Business Case

Leona Gillen BL advised the Board on the contents of her advice, which accompanied the Board paper. Clarification was provided on a range of issues. Based on this legal advice, weighing of the risks and benefits of each option presented, discussion of commercial considerations and consideration of the duty of care and health and safety obligations to staff, it was agreed, subject to amendment of the lower end of the proposed range, that the business case should be submitted to DfC for approval and, following completion of related processes, it would be brought back to the Board for final approval, as proposed by Séamus Magee and seconded by Alan Hunter.

AP9: HR business case to be progressed.

Leona Gillen BL left and staff re-joined the meeting 12:25 pm.

6. Reports from Committees

HR Committee

a. Minutes of meeting No 34 – 15 June 2022

The minutes of the HR Committee held on 15 June 2022 were approved for publication as proposed by Kieran Donaghy and seconded by Séamus Magee.

AP10: Minutes of HR Committee meeting 15 June 2022 to be published on website.

b. Staff hybrid working survey September 2022

Following discussion, the Board noted very positive initial results regarding the hybrid working policy which was being piloted for six months.

Schedule 1 Decisions

c. Three Commissioner registration decisions September 2022

Decisions were noted.

d. Sole Commissioner registration decisions September/October 2022

Decisions were noted.

7. Charity Services Report

The Head of Charity Services introduced the report which was noted by the Board.

8. Compliance and Enquiries Report

The Head of Compliance and Enquiries introduced the report. Various queries were addressed and progress noted.

9. Corporate Service Report

The Head of Corporate Services introduced the report and following discussion it was agreed to de-prioritise and carry into next year five business plan actions set out in appendix 3, as proposed by Kieran Donaghy and seconded by Séamus Magee. The Board noted feedback on recent radio advertisements.

AP11: Business Plan progress report to reflect de-prioritisation of relevant actions.

10. Issues for next meeting

Amendments to Registration Manual
Amendments to Enquiries Manual
Decision on the traffic light system for AMRs
Update on Independent Counsel Action plan
Legal update
Issues from A&RA committee
Issues from HR committee
Quarterly review of meetings

11. AOB

It was noted that alternative venue will be sought for the next Board meeting on 19th December 2022.

Meeting ended at 1.00 pm

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
101(1)	14/11/2022	1	Minutes of Board Meeting No 100, 26 September 2022 to be published on CCNI website	HoCS	Complete
101(2)	14/11/2022	4	Chief Executive to write to the Department re Commissioner time allocation and remuneration	CEx	Complete
101(3)	14/11/2022	5a	Easy read version of consultation document to be produced	CEx	Complete
101(4)	14/11/2022	5b	Suspension of related Manuals re decision making process	Legal	Complete
101(5)	14/11/2022	5c	Action plan to be developed re Information Management	Legal	Complete
101(6)	14/11/2022	5d	S54 staff guidance to be implemented	Legal	Underway
101(7)	14/11/2022	5e	Policy re handling past transfers to be implemented	Legal	Underway
101(8)	14/11/2022	5f	Safeguarding policy to be implemented	HCorpS	Underway
101(9)	14/11/2022	5g	HR business case to be progressed	HoCS	Underway
101(10)	14/11/2022	6a	Minutes of HR Committee meeting 15 June 2022 to be published on website	HCorpS	Complete
101(11)	14/11/2022	9	Business Plan progress report to reflect de-prioritisation of relevant actions	HCorpS	Complete

100(2)	26/09/2022	4	Meetings with other regulators to involving Commissioners to be set up	CEx	Underway
100(3)	26/09/2022	5a	Consultation on strategic plan priorities and engagement strategy to be amended and progressed	CEx	Complete
100(5)	26/09/2022	5c	Discussion to be held with DfC on preparation of business case.	Legal	Underway
100(10)	26/09/2022	6d	Risk Workshop to be planned for later this year or early next year.	HCorpS	Underway
100(12)	26/09/2022	7	Regularising decisions step to be removed from manuals.	HCS	Underway
99 (7)	27/06/2022	5b	Meeting with Legal Commissioner re equality scheme to be arranged	HCorpS	Underway
99 (8)	27/06/2022	5d	Identify unit cost of registrations	HCS	Underway
99 (14)	27/06/2022	6e	Statement approach to HR Connect processing related policy to be implemented.	HCorpS	Underway
99 (15)	27/06/2022	7	DfC to be asked to look at options related to how the Commission accesses legal advice and how legal officers are supported and remunerated.	CEX	Underway
98 (7)	16/05/2022	5e	Training in complaint handling and dealing with trauma to be arranged.	CEx/ HCorpS	Underway
98 (13)	16/05/2022	7	Amended Publication Policy version 6.0 to be implemented going forward.	HCorpS	Underway
95 (10)	20/12/2021	6g	Hybrid working policy to be implemented on a pilot basis as permitted by Executive pandemic restrictions.	HCorps	Underway
94 (3)	15/11/21	5a	Corporate Social Responsibility policy to be developed as part of the next strategic planning process.	HCorpS	Underway
92(6)	27/09/21	5b	Existing MOUs to be reviewed.	HChS	Underway
90(8)	17/05/21	5d	Impact of the Stakeholder Forum to be measured via the Research Strategy.	HChS	Underway

90(10)	17/05/21	6b	Information on other regulators' risk register approaches to be collated for Board risk workshop.	HCorpS	Underway
85(3)	09/11/20	3	Commissioners are to join in on staff welfare events.	HCorpS	Underway
85(5)	09/11/20	4b	New enquiries `concerns about charities' on line form to be implemented	HCE	Underway