



**Minutes of Board Meeting No. 85 held on Monday 9 November 2020 at 9:30am by video conference.**

**Present:**

Nicole Lappin, Chief Charity Commissioner (Chair)  
Gerard McCurdy, Deputy Chief Charity Commissioner  
Kieran Donaghy, Charity Commissioner  
Séamus Magee, Charity Commissioner  
Hugh McKeag, Charity Commissioner  
Carmel Mullan, Charity Commissioner

**In Attendance:**

Frances McCandless, Chief Executive  
Sarah Finnegan, Head of Compliance & Enquiries  
Aubrey McCrory, Head of Corporate Services  
Punam McGookin, Head of Charity Services  
Nuala O'Hare, Board Apprentice  
Clare McElherron, Minutes  
Alice Campbell, staff observing

Apologies: None

The Chief Charity Commissioner welcomed everyone to the meeting

**1. Minutes of Meeting 28 September 2020 No 84**

Following discussion the minutes of the meeting held on 28 September 2020 were agreed as a true and correct record subject to minor amendment, as proposed by Gerard McCurdy and seconded by Kieran Donaghy.

**AP1: Minutes of Board Meeting No 84 to be published on CCNI website.**

**2. Conflicts of Interest**

The Chief Executive declared a conflict of interest in regards to Item 4f Baume report and it was agreed she would recuse herself from that part of the meeting.

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

The Chair thanked board members for making time available since the last board meeting to be brought up to speed on actions taken as Chief Commissioner on media and complaints handling issues. It was agreed going forward to call an extraordinary board meeting to formally discuss and take decisions on matters arising from these issues.

The Chief Commissioner acknowledged all Board members had been giving more time to the role than envisaged at their appointment and indicated the need for recognition of this had been raised with the Permanent and Deputy Permanent Secretary in sponsor department. In the meantime the Chief Commissioner was being recognised for eight days commitment per month on a temporary basis. This encompassed the role of legally qualified Commissioner, for which a recruitment exercise would start next year.

The Chief Commissioner indicated she was reflecting on points arising from a series of meetings with individuals concerned with two early Commission statutory enquiries. Commissioners were updated on the June Board decision to engage legal counsel to review complaints into a statutory enquiry so assurances could be provided to sponsor department that learning from issues previously identified was in effect.

Following Board discussion of stakeholder engagement it was decided to include values in the external effectiveness review and to arrange a session focusing on concerns and complaints. It was also agreed Commissioners would attend staff welfare events to increase awareness of the impact of the pandemic on staff.

**AP2: Board to hold a session on concerns and complaints.**

**AP3: Commissioners are to join in on staff welfare events.**

#### **4. Policies and Processes**

##### **a) Ratification of ongoing proceedings re Bangor Provident Trust**

Following discussion the Board confirmed the decision made on 31 March 2020 regarding proceedings against Victoria Housing Estates also applied to Bangor Provident Trust and agreed to amend the minute of that meeting as proposed by Séamus Magee, and seconded by Carmel Mullan.

**AP4: Minutes of 31 March 2020 meeting to be amended and signed by the Chief Commissioner.**

##### **b) New enquiries 'concerns about charities' form**

The Head of Compliance and Enquiries outlined the development process and user acceptance testing of the new on line form. Following a number of queries the new form was proposed for adoption by Hugh McKeag and seconded by Kieran Donaghy.

**AP5: New enquiries 'concerns about charities' on line form to be implemented.**

##### **c) Draft Business plan 2021-22**

The Head of Corporate Services outlined changes to the initial draft plan reflecting discussion at the September Board meeting. Key assumptions in the foreword and the capacity to respond to new priorities eg risks in the

charity sector from the pandemic, were reviewed. Following discussion it was agreed to include additional performance indicators and highlight reputational risk. Commissioners recognised the plan's budget was based on initial parameters from sponsor department. Concern at relying again on in year bids and potential loss of staff on fixed term posts, and their associated knowledge and experience, were noted. A further draft plan is to be considered at the December meeting and submitted to sponsor department subject to updating when final budget parameters are known.

**AP6: further draft plan is to be considered at the December meeting.**

#### **d) Results of staff pulse survey**

The CEx introduced the survey results which reflected clear understanding amongst staff of the steps taken to manage service delivery and address well-being concerns during the pandemic. Commissioners welcomed the overwhelmingly positive feedback and recognised the outstanding business results delivered during this time. The need for a longer term remote working methodology and support arrangements were accepted and it was agreed to run the next quarterly pulse survey as part of the forthcoming bi annual staff engagement survey exercise.

**AP7: Run the next quarterly pulse survey as part of the forthcoming bi annual staff engagement survey exercise.**

#### **e) Policy Development Plan**

The Head of Charity Services introduced the plan which was noted.

11.35am CEx left the meeting

#### **f) Baume report**

Commissioners recognised legal action related to the report was pending, although not being brought by the Commission. The Board noted it had no knowledge of the report or its content before it was issued to a complainant. The Chair indicated she was very disappointed with the report which she had asked to be withdrawn given the process did not involve the Commission or afford individuals criticised the opportunity to respond.

The Board noted, given the seriousness of the allegations being raised, the need for appropriate investigation. The Chief Commissioner had in the circumstances written to ask the Ombudsman to exercise her own initiative investigative powers and a response was awaited.

Commissioners discussed the capacity for further reflective action on how previous statutory enquiries were carried out against the wish to move on

and focus resources on delivering the Commission's purpose with a future emphasis on better regulation of the sector.

Media handling arrangements were discussed and additional support arrangements confirmed.

12.00pm CEx joined the meeting

## **5. Reports from sub-committees**

The CEx advised that during their first assignment this year Internal Audit had undertaken a review of operation of Schedule 1 procedures and identified that a note of a meeting in March 2020 had not been brought to the Board for information. This would be brought to the Commission in December.

Schedule 1 Minutes

a) 4 September 2020

Noted.

b) 18 September 2020

Noted.

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

The CEx introduced her report and outlined plans to support and recognise staff well-being. Following discussion the Board agreed to issue an email to staff from all Commissioners indicating they took note of pulse survey results and supported a well-being day as proposed by Hugh McKeag and seconded by Kieran Donaghy.

An overview of discussions at the recent liaison meeting with sponsor team was provided. Plans for officials to prepare a further submission to the Minister on the way forward following the Court of Appeal judgment (Feb 2020) were highlighted. The CEx confirmed sponsor department's Governance Unit was involved in considerations related to the recruitment of the legally qualified Commissioner and the outstanding draft partnership agreement. An update on the relocation timescale was provided and potential external support for the Board Effectiveness review was accepted by Commissioners.

Following discussion of future implementation of the complaints about service and concerns about the Commission procedures and Commissioner involvement it was agreed to review the manual at the December Board meeting.

**AP8: CEx to procure external support for the Board Effectiveness Review.**

**AP9: December Board meeting to review the complaints about service handling process.**

**7. Charity Services Report**

The Head of Charity Services introduced her report and highlighted the current procurement exercise to undertake a public trust and confidence survey. Following a number of queries Commissioners requested additional information on progress of older casework to be included in the next Board report. Commissioners asked for slides from the recent Charity Law Conference to be circulated.

**AP10: HCE to bring forward additional information on progress of older cases in the next Board report.**

**AP11: Slides from the recent Charity Law Conference to be circulated.**

**8. Compliance and Enquiries report**

The Head of Compliance & Enquiries introduced her report and highlighted the continuing levels of annual report and accounts being published by charities on the Commission's web site. Commissioners requested additional information on progress of older cases to be included in the next Board report.

The Board discussed arrangements to manage the timing of responses to statutory orders made by the Schedule 1 committee to avoid individuals falling into disobedience and potential follow up. It was agreed SMT would consider bringing forward proposals for sharing of information in relation to a number of concerns to next Schedule 1 committee.

**AP12: HCE to bring forward additional information on progress of older cases in the next Board report.**

**AP13: SMT to consider bringing forward proposals for sharing of information in relation to a number of concerns to next Schedule 1 committee.**

**9. Corporate Services Report**

The Head of Corporate Services outlined the report and addressed a number of queries regarding service performance and budget spend.

**10. Issues for next meeting 14 December 2020**

Issues proposed for the next meeting were noted.

**11. AOB**

It was noted Commissioner Appraisals had been completed.

Meeting ended at 1.10 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</b>
85(1)	09/11/20	1	Minutes of Board Meeting No 84 to be published on CCNI website.	HCoS	Complete
85(2)	09/11/20	3	Board to hold a session on concerns and complaints.	CEx	Underway
85(3)	09/11/20	3	Commissioners are to join in on staff welfare events.	HCos	Underway
85(4)	09/11/20	4a	Minutes of 31 March 2020 meeting to be amended and signed by the Chief Commissioner.	HCos	Underway
85(5)	09/11/20	4b	New enquiries 'concerns about charities' on line form to be implemented	HC&E	Underway
85(6)	09/11/20	4c	Further draft business plan is to be considered at the December meeting.	HCoS	Underway
85(7)	09/11/20	4d	Run the next quarterly pulse survey as part of the forthcoming bi annual staff engagement survey exercise.	HCoS	Underway
85(8)	09/11/20	6	Procure external support for the Board Effectiveness Review.	CEx	Underway
85(9)	09/11/20	6	December Board meeting to review the complaints about service handling process.	CEx	Underway
85(10)	09/11/20	7	Bring forward additional information on progress of older cases in the next Board report.	HCE	Underway
85(11)	09/11/20	7	Slides from the recent Charity Law Conference to be circulated.	HCS	Complete

85(12)	09/11/20	8	Bring forward additional information on progress of older cases in the next Board report.	HCE	Underway
85(13)	09/11/20	8	Consider bringing forward proposals for sharing of information in relation to a number of concerns to next Schedule 1 committee.	SMT	Complete
84(2)	28/09/2020	3	Arrange a meeting to update Commissioners on forthcoming meetings with various correspondents.	Chief Comm	Complete
84(3)	28/09/2020	3	Template to be circulated and Chief Commissioner to progress Board assessments with Commissioners.	HCorpS	Complete
84(5)	28/09/2020	4	Commissioners to complete and return any updates to their Conflict of Interest declarations.	Comms	Complete
84(6)	28/09/2020	5	Registration Manual version 16.0 to be implemented.	HCS	Underway
84(9)	28/09/2020	8c	Revised Finance procedures (version 12.0) to be implemented	HCorpS	Complete
84(10)	28/09/2020	8d	Chief Commissioner to nominate a Board member to undertake the oversight role.	Chief Comm	Underway
84(12)	28/09/2020	9a	Draft Strategic Plan 2020-23 to be finalised and submitted to sponsor department for approval.	HCorpS	Complete
84(13)	28/09/2020	9b	Draft ICT strategy to be finalised and implemented.	HCorpS	Complete
84(14)	28/09/2020	9c	Monthly SCH 1 committee meetings to be trialled until Christmas and then reviewed.	HCS	Underway
83 (6)	22/06/2020	7	Séamus to raise, through the A&RA Chairs' forum, the need for those using the NICS shared ICT services to have software to effectively support remote working.	S Magee	Underway

79 (8)	27/01/2020	9d	Development of CSR strategy to be included in 2021/22	HCorpS	Underway
73 (2)	13/05/19	4	CEx to arrange Fundraising Regulator briefing for all Commissioners and Staff	CEx	Underway
73 (8)	13/05/19	9(d)	Research strategy to include a baseline and evaluation of comms work	HCS	Underway
56-12	12/12/16	18	MOU with CRA to be drafted	HCS	Underway