



**Minutes of Board Meeting No. 44 held on Monday 18 May 2015
at 09:30 hrs, 257 Lough Road, Lurgan.**

Present:

Tom McGrath, Chief Commissioner
Walter Rader, Deputy Chief Commissioner
Rosemary Connolly, Commissioner (Legal)
Geraldine Donaghy, Commissioner
Brenda Maitland, Commissioner
Philip McDonagh, Commissioner
Norman Bennett, Commissioner

In Attendance:

Frances McCandless, Chief Executive
Aubrey McCrory, Head of Corporate Services
Myles McKeown, Head of Compliance and Enquiries
Punam McGookin, Head of Charity Services
Kathryn Jennett, Administrative Officer
Kieran Donaghy, Independent member - Audit & Risk Assurance committee (A&RA)

The Chair welcomed Kieran Donaghy, Independent member of the A&RA committee to the meeting, and advised that Eamonn O'Reilly, Internal Audit and Andrew Hamilton, DSD Permanent Secretary will be joining the meeting.

1. Minutes of Meeting 9 March 2015

Following discussion of the minutes of the meeting held on 9 March 2015, they were proposed by Geraldine Donaghy and seconded by Walter Rader, and agreed as a true and correct record subject to a minor amendment.

Several matters arising were noted. In relation to registration of the Presbyterian Church, the Chief Executive set out the Commission's anticipated timescale i.e. to start calling churches forward from September 2015, and highlighted while the Presbyterian church had raised a concern in relation to who can and cannot be a Trustee, any change to take this issue outside the remit of the charity regulator would require amendment of the legislation.

It was also noted religious designation status could not be granted until the outstanding accounting regulations were made by the Department in January

2015. The Chief Executive confirmed that in the meantime the Commission intends to continue registering churches. Once these regulations were made a separate process would operate regarding applications for religious designations of religious charities.

The Chief Executive confirmed that the Church of Ireland are registering, arrangements are in hand for the Catholic Churches and therefore the Commission will call forward the Presbyterian Churches in the autumn. It was agreed the Chief Executive would write to the Minister to advise of the situation and the that the Churches will be called forward as planned.

The Chair noted this was Philip McDonagh's last meeting and thanked him for his contribution to the Board since the Commission was set up in 2009, noting his work as chair of the A&RA committee and the valuable time he had provided.

AP 1: Board minutes to be published on CCNI website

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.

3. Chair's Business, Correspondence and Meetings

The Chair advised that he had met with the Minister regarding correspondence received from several MLAs about investigations into concerns about charities and appeals. He had also met Lord Hodgson regarding the Third Party Campaigning review, and thanks was noted to the Commission's Policy Manager for her briefing and follow up.

4. Chief Executive's report

The Chief executive introduced her report to the Board and highlighted areas of interest. In particular she brought to the Boards attention the recent DPOANI direction hearing and a further hearing on 12 June 2015, and that the Commission was defending a Tribunal decision in the High Court regarding the non standing of a single appellant claiming to represent a Ltd company. Changes and potential impacts arising from the restructuring of Executive Department and creation of the Department for Communities were also outlined.

It was reported that the 2014/15 target of 1,300 registered Charities was met by the end of March 2015, and the focus is now moving to risk assessment work and calling forward grouped organisations. The Chief Executive also advised the Board that the International Regulators' Forum will take place in Dublin 24-26 November 2015.

5. A&RA Issues

5a Audit & Risk Assurance Committee Minutes

The minutes of the A&RA Committee meeting on 10 February 2015 were agreed as a true and accurate record as proposed by Walter Rader and seconded by Rosemary Connolly.

AP2: Minutes of A&RA Committee to be published on CCNI website

5c. A&RA Annual Report

The Chair of the Audit & Risk Assurance (A&RA) Committee introduced the report to the Board which summaries the A&RA committee activities during 2014-15. The Board noted the report which sets out the committee's opinion on the adequacy and effectiveness of the Commission's arrangements for risk management, control governance and value for money.

5d. Risk Register

The Head of Corporate Services detailed recommended changes identified following recent discussion by A&RA committee and Senior Management Team, in particular that risk 2 be increased and risk 4 be reduced. Following discussion the register was agreed as proposed by Brenda Maitland and seconded by Norman Bennett.

6. Annual Report and Accounts

The A&RA committee chair noted the committee had met that morning and following discussion had agreed the draft accounts. It was noted the NIAO had made no recommendations this year, and several minor amendments had been reflected in the draft accounts.

The Head of Corporate Services introduced the draft Annual Report & Accounts 2014-15 to the Board and highlighted a proposed change to accounting policies regarding the introduction of provisions in the accounts. The relevant entries were noted and following discussion the change in policy were agreed as proposed by Philip McDonagh and seconded by Walter Rader. The Board noting several areas highlighted by the Finance & Admin Manager and discussed the draft report and accounts, which were approved following proposal by Norman Bennett and seconded by Geraldine Donaghy subject to minor amendment.

The Board thanked staff for their work which was progressed in a very tight turnaround.

AP3: Annual Report & Accounts to be submitted to Comptroller and Auditor General for certification.

AP4: Following certification Annual Report & Accounts to be laid before the Assembly.

7. Internal Audit Report

Eamonn O'Reilly, Internal Audit, joined the Board meeting and introduced the reports to the Board which noted an overall satisfactory opinion. Eamonn detailed the four areas of work examined and highlighted the five recommendations arising from fieldwork. Overall a robust framework of governance, risk management and control had been established across the areas audited. It was recognised that some of the registration targets that the Commission had initially set were optimistic at the time in the context of new processes. In relation to casework it was clear the Commission was challenging and scrutinising charity registrations and Internal Audit had no concerns about the decisions examined. The Board welcomed the assurance from Internal Audit that the procedures examined within the Commission were robust and comprehensive, and controls were adequate and effective.

8. Legal manual amendments

The Head of Charity Services introduced the manual to the Board and highlighted processes that have been amended to allow the legal team to carry out their work. Following discussion the Board agreed the amendments as proposed by Walter Rader and seconded by Brenda Maitland.

9. Section 22- Publication Policy

The Head of Compliance and Enquiries introduced proposed changes to the publication policy to the Board with regard to confirming the opening of a section 22 Inquiry. Following discussion it was agreed to adopt the revised policy as proposed by Rosemary Connolly and seconded by Brenda Maitland.

10. Waivers update

The Head of Compliance and Enquiry highlighted to the Board recent advice and introduced the proposed change to the procedure that no 'repeat' applications for waiver are accepted within six months of a previous decision. It was noted advice and assurance had been obtained from Counsel. Following discussion it was agreed to adopt the revised policy as proposed by Rosemary Connolly and seconded by Geraldine Donaghy.

11. Annual Review of performance against plan

The Head of Corporate Services introduced the report to the Board, highlighting a broad range of areas of achievement against the business plan. The Board were content with the overall outcome and going forward agreed to continue reporting on the various Key Performance Indicators.

12. Review of Committee membership

The Chair updated the Board on planned changes to the make up of both standing committees. It was noted the A&RA Committee would be chaired by Norman Bennett and include Walter Rader and one of the soon to be appointed new Commissioners. The Human Resources & Remuneration Committee would be chaired by Brenda Maitland and include Geraldine Donaghy and one of the soon to be appointed new Commissioners.

13. Casework Update

The Head of Charity Services introduced the update to the board and advised that 1,607 charities had been registered to date. It was noted at present the casework officer case load had increased following applications relating to recent and previous Tranche deadlines leading to a delay in the processing time. Following discussion the Board agreed to accept longer processing times, they also accepted changes to the presentation of performance information and the layout of the update report.

14. Investigation and Compliance Report

The Head of Compliance and Enquiries introduced the report to the Board, which highlighted new concerns, outlined cases closed and information on organisations currently under statutory inquiry.

15. Budget Report

The Head of Corporate Services introduced the report and confirmed that an in year bid had been made to the Department for resources to facilitate resourcing of registration work to year end and capital for the ICT strategy. It was also noted a business case would be drawn up and brought to the June Board meeting regarding the Commission's future accommodation needs.

16. Update on Tribunal and court cases

The Chief Executive introduced the update to the Board and summarised the position of the ongoing cases involving the Commission in court and tribunals. The Board noted the update.

17. Arrangements for First Annual Public meeting 21 September 2015

The Chief Executive advised the Board that the first annual public meeting will take place on 21 September 2015 in the Duncairn Arts Centre, Belfast.

18. Press Clippings

The Board noted the various coverage and in particular press reports about regulatory work by the Charity Commission for England & Wales into the Plymouth Brethern.

19. Review of Meeting

No issues were noted.

20. AOB

21. Issues for next meeting 22 June 2015

Noted.

The meeting concluded at 12:10pm

Register of Outstanding Action Points					
Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
34 (10)	11/11/2013	Press Clippings	MOU with RQIA to be developed	HCE	Underway
40 (3)	22/9/14	Chief Executive's Report	Legally qualified commissioner to engage with colleagues in the legal profession	Rosemary Connolly	Underway
40 (6)	22/9/14	Amendment to Legal Manual	Legal officers to Draft a template letter for use when instructing counsel.	Legal Advisors	Complete
40 (10)	22/9/14	Casework Update	Commission to seek definite timetable for registration from the Presbyterian and the Methodist churches.	CEx	Underway
41 (3)	10/11/2014	Issues from HR&R; First Steps towards a HR Strategy	Progress steps towards a HR strategy	HCorpS	Underway
42 (7)	15/12/2014	Investigation Manual	Counsel opinion to be sought on proposed waiver timescales	HCE	Complete
42 (9)	15/12/2014	Plan for development of and consultation on next corporate plan	Key milestones to be incorporated into relevant Board and SMT agenda during 2015-16	HCorpS	Complete
42 (10)	15/12/2014	Corporate governance framework	Governance framework to be finalised and published on the website.	HCorpS	Complete
42 (12)	15/12/2014	Budget Report	Business Case of accommodation needs to be produced	HCorpS	Underway
45 (1)	18/5/15	Minutes of Meeting 9 March 2015	Board minutes to be published on CCNI website	Kathryn	Complete

45 (2)	18/5/15	Audit & Risk Assurance Minutes	Minutes of A&RA Committee to be published on CCNI website	Kathryn	Complete
45 (3)	18/05/15	Annual Report and Accounts	Annual Report & Accounts to be submitted to Comptroller and Auditor General for certification.	HCorpS	Complete
45 (4)	18/05/15	Annual Report and Accounts	Following certification Annual Report & Accounts to be laid before the Assembly	HCorpS	Complete