

**Minutes of Board Meeting No. 105 held on Monday 15 May 2023  
at Marlborough House, Craigavon.**

**Present:**

Gerard McCurdy - Chair (Interim Chief Commissioner)  
Alan Hunter, Charity Commissioner  
Hugh McKeag, Charity Commissioner  
Patricia Kelly, Legal Commissioner  
Kieran Donaghy, Charity Commissioner  
Séamus Magee, Charity Commissioner

**In Attendance:**

Frances McCandless, Chief Executive  
Punam McGookin, Head of Charity Services  
Aubrey McCrory, Head of Corporate Services  
Rossa Keown, Head of Compliance and Enquiries  
David McGurk, Minutes.  
Nicola Fisher, Finance and Admin Manager, item 6b.

**Apologies:**

Emma O'Neill (Boardroom Apprentice)

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

**1. Minutes of Board Meeting 104, 27<sup>th</sup> March 2023**

Following discussion, the minutes of the Board Meeting held on 27 March 2023 were agreed, subject to a minor amendment, as a true and correct record as proposed by Patricia Kelly and seconded by Hugh McKeag. 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 104, 27 March 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 updated the Board on recent meetings and correspondence, and noted Department for Communities (DfC) progress recruiting a new Commissioner and Chief Commissioner. The Board noted the Chief Executive's appraisal had been completed by the Interim Chair and objectives for 2023/24 would come to the June Board meeting for agreement. It was agreed to hold a session on information sharing for Commissioners and staff after the June Board meeting.

**AP2: A session on information sharing to take place for Commissioners and staff after the next Board meeting on 26 June.**

**4. Chief Executive's Report**

The Chief Executive introduced her report giving an update on recent budget discussions with the DfC Permanent Secretary and noted the current moratorium on recruitment. Considering DfC's Budget Equality Impact Assessment (EQIA) consultation timescale the Board undertook to agree the commission's response by correspondence. An update was given to the Board on the current litigation and the Chief Executive highlighted a letter was received from DfC regarding capital underspend at year end.

**AP3: Board to agree a response to DfC's Budget EQIA consultation by correspondence.**

**5. Policies and Processes**

**a. Annual report text**

The Chair introduced the report and noted his input to drafting the report, and a range of comments and suggestions were noted. The Board commended staff on the large amount of work achieved during 2022-23 as reported in the text, which was adopted subject to minor amendment as proposed by Patricia Kelly and seconded by Séamus Magee.

**AP 4: Finalised annual report text to be included in June Board agenda.**

**b. Proportionality examples for monitoring and compliance manual**

The Head of Compliance and Enquiries introduced the paper and highlighted the four failed compliance themes and related scenarios. Following discussion these were agreed on the basis that it will make annual reporting follow up more proportionate going forward as proposed by Kieran Donaghy and seconded by Hugh McKeag.

**AP5: Monitoring and Compliance Manual to be updated with four new compliance failure themes and related scenarios.**

**c. Response to scheme of delegation consultation**

The Chief Executive introduced the response and noted it incorporated the Commissioners' views from the meeting on 5 May 2023. Following discussion, the Board agreed a Scheme of Delegation was necessary and that a response to the DfC consultation would be submitted subject to any amendment following the meeting with Departmental officials after this Board meeting, as proposed by Séamus Magee and seconded by Hugh McKeag.

**AP6: Scheme of Delegation consultation response to be agreed and submitted to DfC.**

#### **d. Budget**

The Head of Corporate Services outlined the content of the paper and gave an update on recent communication from sponsor department regarding indicative 2023/24 resource and capital budgets. The Board expressed concern that the budget reductions mean that the Commission would be unable to deliver its full range of Statutory functions alongside the recommendations arising from the Independent Review of Charity Regulation. The Board agreed that draft strategic and business plans will need to be amended to be a realistic reflection of this balance. The Board accepted the 2022 staff pay award and agreed with the approach outlined to manage budget cuts by protecting staffing roles to enable essential services to be delivered. Commissioners asked that the training budget be protected as much as possible and were very concerned that the communications budget had to be reduced substantially. It was noted that confirmation of Budget was anticipated by the end of June.

#### **e. Paper on analysis of combined/deemed list**

The Head of Charity Services introduced her report outlining various aspects of the Combined list in relation to registration and the two proposals along with associated risks. The Board noted the complexities in completing registration and, noting the risks which might be involved, agreed Option 2, which allowed for removal of the combined list at the earliest opportunity, as proposed by Kieran Donaghy and seconded by Alan Hunter.

**AP7: Option 2 to phase out the Combined list to be progressed.**

**AP8: Board papers to highlight any required decisions at the beginning of the cover paper.**

#### **f. Communications/ Engagement update**

The Head of Corporate Services introduced the report highlighting various aspects of progress which was noted by the Board and welcomed.

#### **g. Legal update**

Gerard McCurdy and Patricia Kelly noted they may have a perceived Conflict of Interest with one of the charities mentioned in the report and would not participate in any decision making. The Head of Charity Services introduced the report which was noted by the Board following discussion.

### **6. Reports from Committees**

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

##### **a. Minutes of meeting No 55 – 7 March 2023**

Following discussion, the minutes of the Audit and Risk Assurance (A&RA) meeting held on 7 March 2023 were approved for publication, as proposed by Gerard McCurdy and seconded by Patricia Kelly.

**AP9: Minutes of A&RA Committee No 55 – 7 March 2023 to be published on the website.**

The Finance and Admin Manager joined the meeting at 11.50am

**b. Draft Accounts 2022-23**

The Chair thanked Nicola Fisher, Finance and Admin Manager, for attending the meeting. The Finance & Admin Manager introduced the draft accounts and outlined the basis of the account's preparation. An overview of the financial position and cash flows, and detailed expenditure and supporting notes was given. Attention was drawn to new additional text related to the accommodation lease and a number of queries were addressed. The Board thanked the Finance and Admin Manager and staff for their work and the quick turnaround of the draft accounts which were agreed, as proposed by Gerard McCurdy and seconded by Hugh McKeag.

The Finance and Admin Manager left the meeting at 12.05pm

**c. Draft Governance Statement**

The Chief Executive introduced the Draft Governance Statement, which was discussed and agreed by the Board as proposed by Gerard McCurdy and seconded by Hugh McKeag.

**d. Review of Risk Management Policy and Assurance Framework**

The Head of Corporate Services introduced the review of Risk Management Policy and Assurance Framework which proposed no change to the overall management approach but new business plan-related risk appetites. Following discussion these were agreed subject to a minor change to appetites as proposed by Alan Hunter and seconded by Kieran Donaghy. Commissioners noted the positive assurances and development suggestions related to enquiry and casework files following an external assurance exercise taken forward as part of the risk policy.

**e. Draft 2023-24 Corporate Risk Register**

The Head of Corporate Services introduced the draft risk wording and highlighted the Audit & Risks Assurance committee had undertaken to do further work to finalise and agree the register by correspondence for consideration at the June Board meeting. This approach was accepted by the Board.

Séamus Magee left the meeting at 12.15pm

**f. Draft CCNI Internal Audit Strategy 2023-26 & 2023-24 Action Plan**

The Head of Corporate Services introduced the report and following discussion both the Internal Audit Strategy 2023-26 and the Action Plan for 2023-24 were agreed as proposed by Kieran Donaghy and seconded by Gerard McCurdy.

The Board noted the Internal Audit Action Plan 2023-24 includes a consultancy assignment which relates to a letter to the Chair from DfC seeking assurance as part of a public sector-wide exercise regarding the Commission's Concerns about the Commission policy.

### **g. Internal Audit second assignment and final report 2022-23**

The Head of Corporate Services introduced Internal Audit second assignment report which included a satisfactory assurance and two level three recommendations which were noted by the Board.

### **h. A&RA Committee Annual Report**

The Head of Corporate Services introduced the report highlighting the various areas covered and overall satisfactory assurances which were noted by the Board.

## **Schedule 1 Decisions**

### **Commissioner registration decisions 24 March 2023**

Decisions were noted.

### **Commissioner registration decisions 14 April 2023**

Decisions were noted.

## **7. Charity Services Report**

The Head of Charity Services introduced the report and highlighted a number of aspects. The Board discussed and agreed a minor amendment to the unincorporated powers internal guidance relating to 'resolutions taking effect unless the Commission objects' as proposed by Kieran Donaghy and seconded by Hugh McKeag. A second decision was postponed pending the sharing of legal advice. The Board also agreed a plan for filling an imminent vacancy pending confirmation of budget as proposed by Kieran Donaghy and seconded by Hugh McKeag.

**AP10: Legal advice on unincorporate powers guidance to be circulated.**

**AP11: Plan for filling an imminent vacancy to be progressed.**

## **8. Compliance and Enquiries Report**

The Head of Compliance and Enquiries introduced the report and highlighted various aspects including high profile and notable cases and that several actions were completed in relation to the Independent Counsel Action Plan and noted that further legal advice is to be sought as previously agreed.

## **9. Corporate Service Report**

The Head of Corporate Services introduced the report and gave an update on various issues with the Board noting expenditure at year end and progress against the Business Plan. Following discussion, the Board agreed to a direct award approach to contracting in relation to website services as proposed by Alan Hunter and seconded by Patricia Kelly. After considering the outcome of a review of Customer Charter Service Standards a minor amendment to response times was agreed as proposed by Hugh McKeag and seconded by Kieran Donaghy.

**AP12: Direct award approach to contracting in relation to website services to be progressed.**

**AP13: Amended Customer Charter Service Standards to be implemented.**

## **10. Issues for next meeting**

The Chair noted the following items to be included at the next meeting on 26 June 2023:

- Strategic and business plans
- Annual report and Accounts
- Annual review of Board Operating Framework, Code of Conduct, Standing Orders
- CEx performance objectives
- Version control protocol
- Legal manual review
- PSNI MOU
- Engagement strategy
- Potential Legal Resources paper

## **11. AOB**

Alan Hunter sent his apologies for the next Board meeting on 26 June 2023.

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>
105(1)	15/05/2023	1	Minutes of Board Meeting No 104, 27 March 2023 to be published on CCNI website	Comms	Complete
105(2)	15/05/2023	3	A session on information sharing to take place for Commissioners and staff after the next Board meeting on 26 June	HCorpS	Complete
105(3)	15/05/2023	4	Board to agree a response to DfC's Budget EQIA consultation by correspondence	CEx	Complete
105(4)	15/05/2023	5a	Finalised annual report text to be included in June Board agenda	HCorpS	Complete
105(5)	15/05/2023	5b	Monitoring and Compliance Manual to be updated with four new compliance failure themes and related scenarios	HC&E	Ongoing (Q1 23/24)
105(6)	15/05/2023	5c	Scheme of Delegation consultation response to be agreed and submitted to DfC	HCorpS	Complete
105(7)	15/05/2023	5e	Option 2 to phase out the Combined list to be progressed	HChS	Ongoing (Q1 23/24)
105(8)	15/05/2023	5e	Board papers to highlight any required decisions at the beginning of the cover paper	SMT	Complete
105(9)	15/05/2023	6a	Minutes of A&RA Committee No 55 – 7 March 2023 to be published on the website	Comms	Complete
105(10)	15/05/2023	7	Legal advice on unincorporate powers guidance to be circulated	HChS	Complete
105(11)	15/05/2023	7	Plan for filling an imminent vacancy to be progressed	HChS	Complete

105(12)	15/05/2023	9	Direct award approach to contracting in relation to website services to be progressed	HCorpS	Complete
105(13)	15/05/2023	9	Amended Customer Charter Service Standards to be implemented	HCorpS	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	Complete
104(4)	27/03/2023	3	Commission to write to Assembly Communities Committee members regarding future plans.	Comms	Ongoing (Q2 23/24)
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	Complete
104(9)	27/03/2023	5c	Amended review report to be submitted to ECNI.	HCorpsS	Complete
104(10)	27/03/2023	5c	Further training on equality for staff and Commissioners to be arranged.	HCorpsS	Ongoing (Q2 23/24)
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	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.	HCorpS	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(21)	27/03/2023	7	Letter of support to be sent to the research project.	HChS	Complete

104(22)	27/03/2023	7	Publication policy version 7.0 to be implemented going forward	HChS	Ongoing (Q2 23/24)
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	Complete
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)
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	Complete
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)