

**Minutes of Board Meeting No. 109 held on Monday 18 December 2023
at Marlborough House, Craigavon.**

Present:

Gerard McCurdy - Chair (Chief Commissioner)
Kieran Donaghy, Charity Commissioner
Patricia Kelly, Legal Commissioner
Alan Hunter, Charity Commissioner
Hugh McKeag, Charity Commissioner
Terence McGonigal, Charity Commissioner

In Attendance:

Frances McCandless, Chief Executive
Punam McGookin, Head of Charity Services
Rossa Keown, Head of Compliance and Enquiries
Aubrey McCrory, Head of Corporate Services
Maeve Curley, Boardroom Apprentice
David McGurk, Minutes
Ian Croskery, Finance & Admin Manager (item 5a)
Colleen Gallagher, Legal Advisor (item 5b, c & d)
Tanya Martin, Legal Advisor (item 5b, c & d)

Apologies:

None

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

1. Minutes of Board Meeting 108, Monday 13 November 2023

Following discussion, the minutes of the Board Meeting held on 13 November 2023 were agreed as a true and correct record as proposed by Patricia Kelly and seconded by Alan Hunter. The Head of Corporate Services outlined progress on various outstanding action points since the last meeting.

AP1: Minutes of Board Meeting No 108, Monday 13 November 2023 to be published on CCNI website.

2. Conflicts of Interest

The Chair and Legal Commissioner highlighted previously advised conflicts as regards Féile an Phobail and the Head of Charity Services highlighted a potential perceived conflict relating to item 5d.

3. Chair's Business, Correspondence and Meetings

The Chair updated the Board on recent meetings regarding the overall budget situation and Department for Communities (DfC's) plans to have a Deputy Chief Commissioner recruited by May 2024.

4. Chief Executive's Report

The Chief Executive introduced her report and undertook to provide a short briefing for Commissioners regarding the forthcoming meeting with the DfC Permanent Secretary. The Chief Executive reminded Commissioners about Board Effectiveness review arrangements. Following discussion, it was agreed that any feedback would be provided to managers on Schedule 1 committee papers by the committee chair or sole commissioner, as appropriate. An update was provided on DfC's progress with a scheme of delegation.

AP2: Schedule 1 committee chair or single commissioner to provide any feedback on papers to managers as appropriate.

5. Policies and Processes

Ian Croskery joined the meeting at 10.00am

a. Draft 2024-25 Business Plan

The Head of Corporate Services introduced the draft plan which was updated following Board feedback in November. Commissioners noted the uncertainty around public sector funding for 2024/25 and a range of planning scenarios and high-level budget assumptions were discussed. It was noted sponsor department were yet to sign off on the draft 2023/26 strategic plan and 2023/24 business plans. A series of queries were addressed and following discussion, it was agreed to submit the draft 2024/25 business plan, subject to amendment of budget workings and addition of an internal key performance indicator, as proposed by Terry McGonigal and seconded by Alan Hunter.

AP3: amended draft 2024/25 business plan to be submitted to sponsor department.

Ian Croskery left the meeting, and Colleen Gallagher and Tanya Martin joined the meeting at 10.20 am.

b. Policy on employment and remuneration of trustees and connected persons

Tanya Martin introduced the paper which had legal privilege, and a series of queries were addressed and legal advice offered. The Board agreed that, although the number of applications was low, the Chair would write to sponsor department highlighting that the legislation requires amendment, and in the meantime the Commission would maintain its current policy, as proposed by Hugh McKeag and seconded by Terry McGonigal. It was noted such papers would be marked as legally privileged going forward.

AP4: Chair to write to DfC highlighting the need for an amendment to the current legislation.

c. Updated Thematic Reports for Publication

The Chief Executive introduced the paper, noting work undertaken on two reports. Following discussion, it was agreed a schedule 1 committee would take decisions on these and all other thematic reports, as proposed by Terry McGonigal and seconded by Alan Hunter.

AP5: Thematic reports to be submitted to schedule 1 committee for decision on publication.

d. Legal update

Colleen Gallagher provided an update on advice on a range of matters and litigation. The information management implications of the introduction of a registration threshold were discussed.

Colleen Gallagher and Tanya Martin left the meeting at 11.15am

e. Independent Counsel action plan update

The Head of Compliance & Enquiries introduced the update, and the contents were noted by the Board.

f. Review of Hospitality Register (past six months)

The Chief Executive introduced the review showing the past six months' worth of entries on the Commission's hospitality register which the Board noted.

6. Reports from Committees

Audit & Risk Assurance Committee

Hugh McKeag gave an update on his first Audit & Risk Assurance (A&RA) committee meeting as chair and highlighted issues covered at training provided through the Chief Executive's Forum.

AP6: CE forum training materials to be sourced.

a) Minutes of meeting No 58 – 20 November 2023

The minutes of the meeting on 20 November 2023, which were previously agreed by the Committee, were agreed for publication by the Board as proposed by Terry McGonigal and seconded by Kieran Donaghy.

AP 7: Minutes of meeting No 58 – 20 November 2023 to be published on the website.

b) 2023/24 Corporate Risk Register

It was noted that the A&RA Committee agreed to add a cyber security risk and, following a recent assessment by SMT, it was agreed to adopt the risk register subject to minor amendment of the risk ratings, as proposed by Hugh McKeag and seconded by Kieran Donaghy.

c) Review of Conflict of Interests policy

The Head of Corporate Services introduced the outcome of the review and, following discussion, the committee's recommendation to keep the current policy with enhanced assurance checking was agreed as proposed by Hugh McKeag and seconded by Alan Hunter.

d) Review of Business Continuity Plan

The Head of Corporate Services introduced the outcome of the review and, following discussion, the committee's recommendation to keep the current continuity arrangements with additional back up notification arrangements were agreed as proposed by Terry McGonigal and seconded by Kieran Donaghy.

Human Resources Committee

Kieran Donaghy gave an overview of the most recent Human Resources (HR) Committee meeting and follow up actions were noted.

e) Minutes of meeting No 39 – 20 October 2023

The minutes of the HR Committee meeting held on 20 October 2023 were approved for publication, as proposed by Patricia Kelly and seconded by Terry McGonigal.

AP8: Minutes of HR Committee No 39 – 20 October 2023 to be published on the website.

f) Review of Hybrid Working Policy

The HR Committee chair introduced the policy and outlined his positive view of the Commission's approach. A review of the policy will be undertaken within six months. The policy was agreed as proposed by Alan Hunter and seconded by Hugh McKeag.

AP9: Hybrid working policy to be adopted and a review undertaken within six months.

g) & h) Schedule 1 Decisions

Commissioner registration decisions 23 November 2023

Decisions were noted.

7. Charity Services Report

The Head of Charity Services introduced her report and highlighted a number of key aspects. The Chair noted the recent stakeholder forum meeting which was well received and commended the staff interaction.

8. Compliance and Enquiries Report

The Head of Compliance and Enquiries introduced his report. Following discussion of various cases, it was agreed to reconvene a Schedule 1 meeting to consider reviewing a recent decision.

9. Corporate Service Report

The Head of Corporate Services introduced the report and gave an update on various issues including future accommodation in light of the closure of Marlborough House at the end of June 2025. Following discussion, it was agreed to indicate to Department of Finance a wish to renew the lease in anticipation of sponsor department's project to relocate the Commission, as proposed by Kieran Donaghy and seconded by Alan Hunter.

Commissioners noted progress against business plan targets and the budget position including pressures related to inescapable spend.

AP10: Commission to write to DoF regarding renewal of accommodation lease.

10. Issues for next meeting

The Chair noted the following items to be included at the next meeting on 29 January 2024:

- Electronic signatures policy
- ICT strategy
- Stakeholder forum update
- Meeting with Permanent Secretary

11. AOB

The Chair thanked staff for their hard work during a challenging year.

Meeting ended at 12.00pm

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status (target)
109(1)	18/12/2023	1	Minutes of Board Meeting No 108, Monday 13 November 2023 to be published on CCNI website	Comms	Complete
109(2)	18/12/2023	4	Schedule 1 committee chair or single commissioner to provide feedback on papers to managers as appropriate	Sch 1	Ongoing Q4 23/24
109(3)	18/12/2023	5a	Amended draft business plan to be submitted to sponsor department	HCorpS	Complete
109(4)	18/12/2023	5b	Chair to write to DfC highlighting the need for an amendment to the current legislation on employment and remuneration of trustees and connected persons to a charity	Chair	Complete
109(5)	18/12/2023	5c	Thematic reports to be submitted to schedule 1 committee for decision on publication	SMT	Complete
109(6)	18/12/2023	6	CEX forum training materials to be sourced	FAO	Complete
109(7)	18/12/2023	6a	Minutes of meeting No 58 – 20 November 2023 to be published on the website	Comms	Complete
109(8)	18/12/2023	6e	Minutes of HR Committee No 39 – 20 October 2023 to be published on the website	Comms	Complete
109(9)	18/12/2023	6f	Hybrid working policy to be implemented and a review undertaken within six months	HCorpS	Ongoing Q1 24/25
109(10)	18/12/2023	9	Commission to write to DoF regarding renewal of accommodation lease.	HCorpS	Complete
108(6)	13/11/2023	6d	Hybrid working policy to be brought to December Board.	HCorpS	Complete

108(7)	13/11/2023	6d	Lone Worker policy to be updated.	HCorpS	Ongoing (Q4 23/24)
108(8)	13/11/2023	6e	Finalised Safeguarding policy to be considered at the HR Committee meeting.	HCorpS	Ongoing (Q4 23/24)
108(11)	13/11/2023	7	Legal advisors on call for Sch 1 decisions to be reviewed in March 2024	HChS	Ongoing (Q4 23/24)
108(12)	13/11/2023	9	Chair to write to sponsor department regarding recruitment and retention of Staff Officer Accountant post	CEx/ HCorpS	Complete
107(6)	25/09/2023	5b	Amended Records Management Policy to be submitted to PRONI for sign off.	HCorpS	Ongoing (Q4 23/24)
107(7)	25/09/2023	5c	Further data sharing paper to future Board meeting.	HChS	Ongoing (Q4 23/24)
107(9)	25/09/2023	5d	Personal specification and job description to be drafted for Senior Legal post.	HChS	Ongoing (Q4 23/24)
107(10)	25/09/2023	5f	Legal team to pursue Board's preferred option in conjunction with sponsor department.	Legal	Ongoing (Q4 23/24)
107(13)	25/09/2023	6d	Updated Information Security policy and information manual to be implemented.	HCorpS	Complete
107(14)	25/09/2023	6e	Updated Governance Framework to be published on website and implemented.	HCorpS	Complete
107(17)	25/09/2023	7	Amended Legal manual to be implemented and reviewed in one year.	HChS	Ongoing (Q4 23/24)
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 24/25)
104(2)	27/03/2023	3	Litigation to be progressed in line with legal advice.	CEx	Ongoing (Q4 23/24)

104(4)	27/03/2023	3	Commission to write to Assembly Communities Committee members regarding future plans.	Comms	Ongoing (Q4 23/24)
104(10)	27/03/2023	5c	Further training on equality for staff and Commissioners to be arranged.	HCorpsS	Ongoing (Q4 23/24)
102 (10)	19/12/2022	5f	Action plan including disposal schedule to be implemented.	HCorpS	Underway (Q4-23/24)
100(10)	26/09/2022	6d	Risk Workshop to be planned for later this year or early next year.	HCorpS	Underway (Q1 - 24/25)
98 (7)	16/05/2022	5e	Training in complaint handling 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 (Q1-25/26) when premises known
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 (Q1 - 24/25)