



**Minutes of Board Meeting No. 95 held on Monday 20 December 2021 at 9.30 am 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  
Patricia Kelly, Legal Commissioner

**In Attendance:**

Frances McCandless, CEX  
Aubrey McCrory, Head of Corporate Services  
Punam McGookin, Head of Charity Services  
Rossa Keown, Head of Compliance & Enquiries  
Ciara McCann, Minutes  
Rob McCausland BL, Legal Counsel (agenda item 5a i)  
Collen Gallagher, Legal Advisor (agenda item 5a-b)  
Nicola Fisher, Finance & Admin Manager (agenda 6c)

**Apologies:** Maria Curry, Boardroom Apprentice

The Chair welcomed everyone to the meeting.

**1. Minutes of Board Meeting 94, 15 November 2021**

Following discussion the minutes of the Board Meeting No 94, held on 15 November 2021 were agreed, as a true and correct record, as proposed by Gerard McCurdy and seconded by Patricia Kelly.

**AP1: Minutes of Board Meeting No 94, 15 November 2021, to be published on CCNI website.**

**2. Conflicts of Interest**

No conflicts were noted. The Chair reminded Commissioners to raise any conflicts if they arose during discussion of agenda items.

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

The Chair noted the contribution Carmel Mullan had made to the Board and confirmed that flowers had been sent on behalf of the Board. Commissioners were advised of a potential delay of up to 18 months before a further public appointments process was run and in the meantime sponsor department was therefore seeking ways to make an appointment more quickly. The Board noted the need to have a qualified accountant on the Board to support work on charity accounts and development of the Charities Statement of Recommended Practice (SORP) and also that the Audit and Risk Assurance (A&RA) Committee benefited from having accountancy expertise. Following

discussion, co-opting an accountant to the A&RA committee, who could also advise the Board more broadly on regulatory work, was identified as the preferred way forward.

The Chief Commissioner outlined recent communications with sponsor department and the Northern Ireland Public Services Ombudsman.

The Board noted a draft 2022/23 Business Plan would normally be progressed to sponsor department at this time but in light of the Ministerial Review sponsor department were content this was delayed until meaningful plans could be drawn up.

**AP2: A&RA committee to take forward co-opting a qualified accountant.**

**4. Chief Executive's Report**

The Chief Executive highlighted a number of areas being progressed and confirmed further legal advice had been received regarding recent legal correspondence. Following discussion of a strategic approach to regulation and complaints the Board agreed to progress the approach outlined in the Chief Executive's report, on the basis that no additional resource was likely to be available, as proposed by Hugh McKeag and seconded by Séamus Magee.

Following discussion it was agreed additional staff would attend Board meetings to assist presentation of items on which they had been involved in preparing papers.

**AP3: Staff to progress business case for strategic approach to regulation and complaints.**

**5. Policies and Processes**

Rob McCausland BL and Colleen Gallagher joined the meeting at 10 am.

**a. Legal Issues -**

**i Settlement terms**

Counsel briefed the Board on the proposed terms of the settlement. A range of risk issues were discussed at length and further legal advice was provided by Counsel. In light of the advice and consideration of the pros and cons of the settlement it was agreed to accept the terms as proposed by Nicole Lappin and seconded by Gerard McCurdy.

Commissioners acknowledged the work of staff over the years and the positive consequences going forward for charity beneficiaries. The Chief Executive confirmed a process to identify any lessons learnt would be taken forward.

Rob McCausland BL left the meeting at 11.10am.

**ii Analysis of potential claims.**

The Board considered the paper and Colleen Gallagher addressed a number of queries. Arrangements for tracking cases going forward were agreed.

**AP4: Staff to put in place arrangements for tracking cases going forward.**

**b. Tribunal Reference**

The Board noted the process which the Charity Tribunal had undertaken in relation to an appeal. Following discussion it was agreed to write to the Tribunal indicating the Commission does not seek to be joined and to write again to the appellant clarifying that the decision under appeal is void, also informing the Tribunal of this correspondence, as proposed by Patricia Kelly and seconded by Séamus Magee.

**AP5: Commission to write to Charity Tribunal and appellant.**

Colleen Gallagher left the meeting at 11.40 am.

**c. Board Effectiveness Review Action Plan**

The Chief Executive introduced the paper and highlighted a number of areas in the action plan. The Board accepted work on the partnership agreement would be closed at this time and that action 6 would form part of the next external assessment exercise.

**6. Reports from sub-committees**

**a. Minutes of A&RA meeting 15 September 2021**

The minutes of the 15 September 2021 committee meeting were agreed as proposed by Gerard McCurdy and seconded by Séamus Magee. The Chair of the A&RA committee gave an update on its November 2021 meeting. Commissioners noted this included meeting with external and internal audit who again highlighted the cooperation and professionalism of staff. Arising from the latest effectiveness review the committee has agreed to include a deep dive of one corporate risk at each meeting going forward.

**AP6: Minutes of A&RA committee 15 September 2021 to be published on website**

**b. Corporate Risk Register & Action Plan**

The Head of Corporate Services updated Commissioners on risk 3 and a further increase to the rating was agreed as proposed by Séamus Magee and seconded by Nicole Lappin.

Nicola Fisher joined the meeting at 12.20pm.

**c. Review of Finance Procedures**

The Chair introduced the paper and Nicola Fisher (Finance & Admin Manager) provided an overview of the changes and addressed a number of queries. Following consideration the revised procedure was agreed, subject to minor amendment, as proposed by Kieran Donaghy and seconded by Hugh McKeag.

**AP7: Amended Finance procedure to be implemented.**

Nicola Fisher left the meeting at 12.30pm.

**d. Review of 2021/22 Internal Audit Plan 2<sup>nd</sup> assignment.**

The Chair highlighted the proposed changes which were discussed and agreed as proposed by Nicole Lappin and seconded by Gerard McCurdy.

**e. Minutes of HR committee meeting 13 October 2021**

The minutes of the HR committee on the 13 October 2021 were adopted as proposed by Hugh McKeag and seconded by Kieran Donaghy. The Chair of the HR committee gave an update on the committee meeting in November 2021.

**AP8: Minutes of HR committee 13 October 2021 to be published on website**

**f. People Strategy & Action Plan**

The Chair of the HR committee introduced the Strategy & Action plan and following discussion it was agreed to adopt the strategy and action plan, subject to taking forward work on organisational culture as part of the next strategic planning process, as proposed by Kieran Donaghy and seconded by Hugh McKeag.

**AP9: HR dashboard to be included in Corporate Services update going forward.**

**g. Staff Handbook Section 3 – Hybrid working policy & guidance**

The Chair of the HR committee introduced the proposed policy and noted there are risks for a small organisation adapting the approach of the Northern Ireland Civil Service, which is a much larger organisation. A number of queries were addressed by the Head of Corporate Services and it was noted the pilot would not commence until the Executive pandemic restrictions eased. Following discussion it was agreed to adopt the policy subject to piloting as proposed by Séamus Magee and seconded by Kieran Donaghy.

**AP10: Hybrid working policy to be implemented on a pilot basis as permitted by Executive pandemic restrictions.**

**h. Staff Handbook Section 3 – Absence Management Policy**

The Chair of the HR committee introduced the proposed policy and it was adopted as proposed by Hugh McKeag and seconded by Gerard McCurdy.

**AP11: – Absence Management policy to be implemented.**

**i. Staff Handbook Section 1 to 3 – Statement approach to HR Processing Related policies.**

The Chair of the HR committee introduced the proposed policy approach which, following discussion, was adopted as proposed by Hugh McKeag and seconded by Kieran Donaghy.

**AP12: HR Processing Related policy approach to be implemented.**

**j. Pulse Staff Survey Results Q2 – 2021/22**

The Board noted the results and welcomed the very positive feedback.

**7. Charity Services Report**

The Head of Charity Services highlighted aspects of the report and noted a service level agreement was now in place for legal support from the Crown Solicitors Office as part of the registration pilot exercise. The Board noted Angela Hare had been recruited to the post of Policy and Research Officer.

**8. Compliance and Enquiries Report**

The Head of Compliance and Enquiries outlined their report and noted default notifications would be amended to accommodate changes when the legislative amendment was passed by the Assembly. Pressures relating to SORP project workload were noted.

**9. Corporate Service Report**

The Head of Corporate Services highlighted elements of the report including budget spend and current workload priorities.

**a. CCEW MOU**

The Head of Corporate Services introduced the Memorandum of Understanding (MOU) for Information & Communication Technology services with Charity Commission for England & Wales (CCEW). Annual cost increases were noted and the MOU was agreed, subject to minor amendment, to be signed by the Chief Executive, as proposed by Gerard McCurdy and seconded by Séamus Magee.

**AP13: Signed MOU to be shared with CCEW.**

**10. Issues for next meeting 24 January 2022**

- Ministerial Review Report (if available), Independent Counsel Review Action Plan update, Legal Update, Board Self-Assessment exercise.

**11. Agreement to share Board papers with DfC**

Proposed by Gerard McCurdy and seconded by Patricia Kelly.

**AP14: Board papers to be shared with DfC.**

**12. A.O.B**

Forthcoming training for section 24 was noted.

Meeting ended at 1.30pm

### 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>
95 (1)	20/12/2021	1	Minutes of Board Meeting No 94, 15 November 2021 to be published on CCNI website.	HCorpS	Complete
95 (2)	20/12/2021	3	A&RA committee to take forward co-opting a qualified accountant.	Séamus Magee	Underway
95 (3)	20/12/2021	4	Staff to progress business case for strategic approach to regulation and complaints.	HC&E, HCorpS	Underway
95 (4)	20/12/2021	5 aii)	Staff to put in place arrangements for tracking cases going forward.	HCS	Underway
95 (5)	20/12/2021	5 b)	Commission to write to Charity Tribunal and appellant.	CEx	Complete
95 (6)	20/12/2021	6 a)	Minutes of A&RA committee 15 September 2021 to be published on website.	HCorpS	Underway
95 (7)	20/12/2021	6 c)	Amended Finance procedure to be implemented.	HCorpS	Complete
95 (8)	20/12/2021	6 e)	Minutes of HR committee 13 October 2021 to be published on website.	HCorpS	Complete
95 (9)	20/12/2021	6 f)	HR dashboard to be included in Corporate Services update going forward.	HCorps	Underway
95 (10)	20/12/2021	6 g)	Hybrid working policy to be implemented on a pilot basis as permitted by Executive pandemic restrictions.	HCorps	Underway
95 (11)	20/12/2021	6 h)	Absence Management policy to be implemented.	HCorps	Complete
95 (12)	20/12/2021	6 i)	HR Processing Related policy approach to be implemented.	HCorps	Complete

95 (13)	20/12/2021	9a	Signed MOU to be shared with CCEW.	HCorpS	Complete
95 (14)	20/12/2021	11	Board papers to be shared with DfC.	CEX	Complete
94 (1)	15/11/21	1	Minutes of Board Meeting No 93, 18 October 2021 to be amended and published on CCNI website.	HCorpS	Complete
94 (2)	15/11/21	5a	Staff to take forward a further drafting of the business plan for consideration at the December Board meeting.	HCorpS	Postponed
94 (3)	15/11/21	5a	Corporate Social Responsibility policy to be developed as part of the next strategic planning process.	HCorpS	Underway
94 (4)	15/11/21	5c	Amended standing Orders to be published.	CEX	Complete
94 (5)	15/11/21	5d	Approach Internal Audit to explore assurances on action plan implementation.	CEX	Complete
94 (6)	15/11/21	5d	Action plan to be finalised and shared with DfC prior to publication	CEX	Complete
94 (7)	15/11/21	5e	Chair to forward governance assurances to DfC on behalf of the Board	Chair	Complete
94 (8)	15/11/21	6	Minutes of HR Committee meeting 25 August 2021 to be published.	HCorpS	Complete
94 (9)	15/11/21	6	Implementation of changes to Ordinary Parental Leave policy to be negotiated	HCorpS	Underway
94 (10)	15/11/21	6	Communications plan to be developed linked to mediation outcome.	CEX	Underway
94 (11)	15/11/21	8	Paper to be developed on strategic approach to a current concern.	CEX	Complete
94 (12)	15/11/21	11	Board papers to be shared with DfC.	CEX	Complete
93(2)	18/10/21	3	Approach sponsor department for their views and agreement on pursuing option 4 as the preferred way forward	CEX	Complete

93(4)	18/10/21	4	Registration pilot manual' version 1.0 to be implemented to facilitate the pilot.	HCS	Complete
93(6)	18/10/21	4	Board to review its standing orders at November meeting.	CEx	Complete
93(7)	18/10/21	7	Staff Handbook Child Protection Policy to be implemented.	HoCS	Underway
93(8)	18/10/21	7	Organisational approach to safeguarding to be developed.	CEx	Underway
92(6)	27/09/21	5b	Existing MOUs to be reviewed.	HChS	Underway
92(13)	27/09/21	6c	HR policies on Child & Vulnerable Adults Protection, Inefficiency Sickness and Inefficiency Performance to be implemented.	HCorpS	Underway
92(14)	27/09/21	6d	Office recovery plan to be implemented.	HCorpS	Underway
92(18)	27/09/21	7	Charity Tribunal to be informed of change to Commission's Decision Review Process and timeframes.	HChS	Underway
92(19)	27/09/21	7	Revised Decision Review process to be implemented and information to be published on the Commission's website.	HChS	Underway
92(20)	27/09/21	8	2021/22 Business Plan to be amended and changes submitted to sponsor department.	HCE/ HCorpS	Complete
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
89(3)	22/03/21	4	A session on the transformation project and organisational risks to be organised and independent member of A&RAC Committee to be invited to attend.	HCorpS	Underway
89(12)	22/03/21	6l	People strategy action plan to be updated and brought to the June Board meeting.	HCorpS	Complete
88(3)	25/01/2021	4	Demo of risk assessment framework to be arranged for Commissioners.	HCorpS	Underway

86(2)	14/12/2020	3	Commissioners to be booked to attend the 2021 Leadership and Governance conference.	HCorpS	Complete
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
84(10)	28/09/2020	8d	Chief Commissioner to nominate a Board member to undertake the oversight role.	Chief Comm	Underway
83 (6)	22/06/2020	7	Séamus Magee 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