



**Minutes of Board Meeting No. 90 held on Monday 17 May 2021 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, CEx  
Sarah Finnegan, Head of Compliance & Enquiries  
Aubrey McCrory, Head of Corporate Services  
Punam McGookin, Head of Charity Services  
Alice Campbell, Minutes  
Nicola Fisher, Finance & Admin Manager (item 6c only)

**Apologies:**

Nuala O'Hare, Board Apprentice

The Chair welcomed everyone to the meeting and noted that when it is possible to recommence face to face Board meetings, it will be reviewed and facilitated in a safe manner.

**1. Minutes of Board Meeting 89, 22 March 2021**

Following discussion the minutes of the Board Meeting held 22 March 2021 were agreed as a true and correct record, subject to a minor amendment, as proposed by Kieran Donaghy and seconded by Séamus Magee.

**AP1: Minutes of Board Meeting No 89, 22 March 2021 to be published on CCNI website.**

**2. Conflicts of Interest**

No conflicts were noted.

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

The Chair updated Commissioners on her recent appraisal of the CEx, and acknowledged the work of the wider management and staff team. The Board also expressed their appreciation for the efforts and achievements made by staff against the challenges of the pandemic and the Court of

Appeal ruling. The Chair also thanked the Board for their assistance in the delivery of a successful year's work.

The Chair reflected on the Board's recent meeting and positive engagement with the Minister's Review Panel and briefed the Board on the progress of the review by independent counsel. Commissioners noted the Chair had recently attended a very useful complaints conference and noted sponsor department's imminent plans to appoint a Legal Commissioner. The Chair advised she had met with the independent chair for the stakeholder forum, and arrangements were being made for this to convene for the first time in July.

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

The Chief Executive introduced her report and highlighted a number of strategic developments since the last meeting including progress of ongoing litigation. Following discussion, it was agreed to await a decision from the Tribunal before taking any further action in current proceedings as proposed by Nicole Lappin and seconded by Hugh McKeag.

Commissioners noted sponsor team officials had made a presentation to a recent Assembly Communities Committee meeting and there was now potential for the Commission to be invited to present.

The CEx confirmed the Charity Tribunal recently disposed of a case related to the Lough Neagh Rescue inquiry and that costs were not awarded against the Commission. It was noted the Chair had written to a number of parties to clarify claims subsequently made by the litigant.

Commissioners discussed potential publication of the review by independent counsel and agreed to ask counsel for a high level summary which could be shared with the Ministerial Review Panel and the NI Audit Office, subject to legal and statutory restrictions. It was agreed to consider publication once the report is received.

#### **5. Policies and Processes**

##### **a. Annual Report 2020-21 Text**

The CEx introduced the draft 2020/21 Annual Report and asked for initial views. A series of suggestions and comments were noted and, following discussion, the Board agreed to the first draft, subject to additions and amendment around risks, staff wellbeing actions and continuing registrations, as proposed by Gerard McCurdy and seconded by Carmel Mullan.

**AP2: Draft annual report text to be revised for further discussion at June Board meeting.**

**b. Protocol for Ministerial and Political Meetings**

The CEx presented the paper and Commissioners noted the background to the protocol. A number of queries were addressed and it was agreed to amend the approach as proposed by Hugh McKeag and seconded by Séamus Magee.

**AP3: Amendments to be made to protocol and circulated for agreement by correspondence.**

**c. Board Effectiveness Action Plan**

The CEx presented the report and highlighted areas in the action plan to be taken forward. Following discussion of the issue of succession planning, it was accepted this was a matter to be raised with sponsor team. The action plan was adopted as proposed by Kieran Donaghy and seconded by Carmel Mullan, with an update to be brought to the September Board meeting.

**AP4: Issue of Board succession planning to be raised with sponsor team.**

**AP5: Action plan update to be brought to September Board meeting.**

**d. Communications Plan 21-22**

Following consideration the Plan was agreed, subject to minor amendment as proposed by Gerard McCurdy and seconded by Séamus Magee. The Board requested a quarterly update on progress going forward and that ideas for the annual public meeting be explored. The impact of the Stakeholder Forum is to be measured via the Research Strategy.

**AP 6: A quarterly update on communications plan progress to be provided going forward.**

**AP7: Chair and CEx to discuss ideas for the annual public meeting.**

**AP8: Impact of the Stakeholder Forum to be measured via the Research Strategy.**

**e. Draft of further paper for Ministerial Review panel**

The Board noted the significant work staff had put into preparation of the paper. A number of additions and two minor amendments were identified. It was agreed to share the finalised paper with the panel under the powers available to the Commission within the legislation as proposed by Carmel Mullan and seconded by Gerard McCurdy.

**AP9: Further paper to be shared with Ministerial Review panel.**

**f. Amendments to the Access to Information manual**

The Head of Corporate Services introduced the paper and, following discussion, the updates were agreed as proposed by Kieran Donaghy and seconded by Carmel Mullan.

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

### **Issues from A&AR Meeting**

#### **a. Minutes of meeting of 2 March 2021**

The minutes were agreed as proposed by Carmel Mullan and seconded by Séamus Magee.

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

The Chair of the A&RA committee outlined the committee's review and the proposed changes to risk levels were agreed as proposed by Gerard McCurdy and seconded by Carmel Mullan.

#### **AP10: Information on other regulators' risk register approaches to be collated for Board risk workshop.**

Nicola Fisher joined the meeting at 11.00 am.

#### **c. Review of Draft Accounts**

The Chair welcomed Nicola Fisher, Finance & Admin Manager, to the meeting. The Finance & Admin Manager introduced the draft accounts and outlined the basis of the accounts preparation. An overview of the financial position and cash flows, and detailed expenditure and supporting notes was given. Commissioners noted good progress in achieving a decrease in the cash held at year end and areas of spend changes impacted by COVID-19 and the Court of Appeal judgment. A number of queries were addressed. The Board thanked the Finance & Admin Manager and staff for their work and the quick turnaround of the draft accounts. The draft accounts were agreed as proposed by Carmel Mullan and seconded by Séamus Magee.

Nicola Fisher left the meeting at 11.40 am.

#### **d. Draft Governance Statement**

The Chief Executive introduced the draft statement, highlighting the information outlined on risks managed during the year. The Chair thanked the Chief Executive for her report which was accepted by the Board subject to some amendments as proposed by Gerard McCurdy and seconded by Kieran Donaghy.

#### **e. A&RA Annual Report**

The Chair of the A&RA committee outlined the report, summarising the actions over the past year and activities for incoming year. The report was noted by Commissioners.

#### **f. Internal Audit Plan 21-22**

Following discussion the Internal Audit Plan for 2021-22 was accepted as proposed by Carmel Mullan and seconded by Hugh McKeag.

### **g. Internal Audit Second Assignment Report 2020-21**

The Chair noted that there were no priority 1 or 2 recommendations and welcomed the satisfactory assurance and clean bill of health as outlined in the report. In particular, Commissioners noted that during the year a range of HR issues had been brought to the Board and welcomed the related assurances from the audit assignment.

### **h. Internal Audit Year-End Report 2020-21**

The Chair noted the two satisfactory assurances received during the year and there were no Priority 1 or 2 recommendations. It was acknowledged that the Commission proceeded fully with its audit programme during the year despite the pandemic and remote working, while other organisations had deprioritised this work. The Board commended management and staff on their commitment to good governance and assurance processes.

## **Schedule 1 Committee**

**i. 19 March 2021** - noted

**j. 16 April 2021** - noted

The Chair reminded that there was legal support available for Schedule 1 meetings if requested.

## **7. Charity Services Report**

The Head of Charity Services introduced their report and Commissioners noted the range of casework in progress. Commissioners noted a pre-action protocol letter had been received. Plans for the Public Trust & Confidence research report launch were discussed. Commissioner attendance was encouraged by the Chair as part of increased virtual engagement with stakeholders.

## **8. Compliance and Enquiries report**

The Head of Compliance & Enquiries introduced their report and highlighted a range of developments regarding enquiries that were underway. The Board welcomed the good rates of voluntary filing rates for Annual Reports and Returns which continued to be published on the Commission's website.

## **9. Corporate Services Report**

The Head of Corporate Services highlighted a series of points included in the update report. The Board was advised a complaint about service concerning a Board member had been upheld. An amendment to the complaints policy will be brought to the next Board meeting. Commissioners noted the independent member of the A&RA committee been briefed on the programme of Information and Communication Technology work and the Transformation Project. It was noted that there had been excellent performance during the past year against the business plan in terms of key performance measures and actions. Board remuneration was discussed and it was agreed to review related arrangements.

**10. Issues for next meeting 17 May 2021**

In addition to standing items, issues proposed for the next meeting were:

- Final Annual report & Accounts
- Annual equality progress report
- Annual review of Board Operating Framework, Code of Conduct, Standing Orders
- CEx performance objectives
- Report from Independent Counsel
- Legal update
- Policy Development Plan
- Review of social media policy
- Trust & confidence research

**11. AOB**

Following discussion, Commissioners agreed to share board meeting papers with sponsor department as per the powers available under the Charities Act 2008 as proposed by Kieran Donaghy and seconded by Séamus Magee, and that this would be a standing item on the agenda going forward.

**AP11: Board papers to be shared with sponsor department**

**AP12: Sharing board papers to be a standing item on the agenda.**

Meeting ended at 12.50pm

### 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>
90(1)	17/05/21	1	Minutes of Board Meeting No 89, 22 March 2021 to be published on CCNI website.	HCorpS	Complete
90(2)	17/05/21	5a	Draft annual report text to be revised for further discussion at June Board meeting.	HCorpS	Complete
90(3)	17/05/21	5b	Amendments to be made to protocol and circulated for agreement by correspondence.	CEx	Complete
90(4)	17/05/21	5c	Issues of Board succession planning to be raised with sponsor team.	CEx	Underway
90(5)	17/05/21	5c	Action plan update to be brought to September Board meeting.	CEx	Underway
90(6)	17/05/21	5d	A quarterly update on communications plan progress to be provided going forward.	HCorpS	Complete
90(7)	17/05/21	5d	Chair and CEx to discuss ideas for the annual public meeting.	Chair/ CEx	Complete
90(8)	17/05/21	5d	Impact of the Stakeholder Forum to be measured via the Research Strategy.	HChS	Underway
90(9)	17/05/21	5e	Further paper to be shared with Ministerial Review panel.	CEx	Complete
90(10)	17/05/21	6b	Information on other regulators' risk register. approaches to be collated for Board risk workshop.	HCorpS	Underway
90(11)	17/05/21	11	Board papers to be shared with sponsor department.	CEx	Complete

90(12)	17/05/21	11	Sharing board papers to be a standing item on the agenda.	CEx	Complete
89(3)	22/03/21	4	A session on the transformation project and organisational risks to be organised and independent member of A&RAC to be invited to attend.	HCorpS	Underway
89(10)	22/03/21	5f	Sharing of information in relation to Casework, Enquiries and Monitoring & Compliance manuals to be set out in an agreed paragraph in each manual as agreed.	HChS, HCE	Underway
89(12)	22/03/21	6l	People strategy action plan to be updated and brought to the June Board meeting.	HCorpS	Underway
89(13)	22/03/21	6m	Admin team to develop a repository of documents.	HCorpS	Underway
89(14)	22/03/21	7	Version 2.0 of the Casework Manual to be implemented.	HChS	Underway
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	Underway
86(18)	14/12/2020	9	Paper to February HR Committee on remote working.	HCorpS	Postponed
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 to raise, through the A&RA Chairs' forum, the need for those using the NICS shared ICT services to have	S Magee	Underway

			software to effectively support remote working.		
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