



**Minutes of Board Meeting No. 61 held on Monday 18 September 2017
at 10am
At Malone House, Malone Road, Belfast**

Present:

Tom McGrath, Chief Commissioner
Norman Bennett, Commissioner
Geraldine Donaghy, Commissioner
Séamus Magee, Commissioner
Steven Cockcroft, Commissioner (Legal)

In Attendance:

Frances McCandless, Chief Executive
Punam McGookin, Head of Charity Services
Myles McKeown, Head of Compliance and Enquiries
Aubrey McCrory, Head of Corporate Services
Margaret Craig, Board Apprentice
Natasha Mann, Finance & Admin Officer

The Chair opened the meeting by welcoming everyone and introducing and welcoming Margaret Craig, Boardroom Apprentice.

1. Minutes of Meeting 26 June 2017

Following discussion, the minutes of the meeting held on 26 June 2017 were agreed as a true and correct record, as proposed by Séamus Magee and seconded by Geraldine Donaghy.

AP1: Board minutes to be published on CCNI website.

2. Conflicts of Interest

No conflicts of interest were declared at the outset.

3. Chair's Business, Correspondence and Meetings

The Chair consulted Commissioners on the potential reappointment of Kieran Donaghy to the A&RA Committee as independent member and it was agreed that he should be reappointed when his current term ends. He also noted that Board and Committee meeting dates had been circulated for 2018 and that Board appraisals were planned for October 2017. The Board expressed its shock and regret that Ian Maye, Deputy Secretary – Community Cohesion, Culture and Sport, DfC, had passed away and noted that the Chief Commissioner had attended the funeral.

AP2: Letter extending Kieran Donaghy's appointment to be issued early December 2017.

AP3: Sample appraisal forms to be sent to all Commissioners including the Chair.

4. Chief Executive's Report

The CEX introduced her report, noting a recent meeting with the Ombudsman. Commissioners noted the secondments for NICS staff in casework would finish at the end of September 2017 and that the impacts of this will be closely monitored.

The CEX informed the Board that the next accountability meeting with Arthur Scott would be held on 27 September 2017.

The CEX informed the meeting that the Commission has requested a meeting with the Attorney General's office to review the existing voluntary protocol. Following discussion, the Board agreed the current protocol is more resource intensive than anticipated and that discussion around reducing the Commission's obligations would be welcomed.

The CEX updated the Board regarding a meeting with a local MLA and informed the Board about requests from two other local MLAs in relation to registration requirements.

5. Charity Services Report

The Head of Charity Services outlined current work including the issue of HMRC decisions on charitable tax exemptions and advice awaited regarding indemnity for trustees.

The Head of Charity Services also informed the meeting that the Fundraising Regulator is expected to open registration to Northern Ireland charities in November.

The Board noted other work including a manual check of the published registration list planned for Q3 to ensure accuracy, follow up with the Arts Council after the Failure to Apply pilot, discussions on registering schools and that the Section 96 appeal is listed for 4 December 2017.

AP4: Policy to send Chair briefing on fundraising regulator.

6. Compliance & Enquiries Report

The Head of Compliance & Enquiries outlined details of various work in hand including investigations. The Board was asked to consider changes to the Annual Monitoring Return for 2017. It was noted that these amendments will not be mandatory for the 2017 return, however, the Annual Monitoring Return for 2018, for which consultation has opened, will include these questions as mandatory. Following discussion, the Board agreed the 2017 changes.

The Head of Compliance & Enquiries outlined recommendations on assessing concerns received and, following discussion, the Board agreed criteria as recommended in the paper. It was agreed that this would be reviewed after six months as proposed by Norman Bennett and seconded by Steven Cockcroft.

AP5: Head of Compliance and Enquiries to bring assessment on concerns received up to end March 2018 to May Board meeting.

7. Corporate Services Report

The Head of Corporate Services presented an update on a range of issues including the scheduling of low priority recurring work, capital allocation and premises issues.

Following a query, the Head of Corporate Services detailed recent correspondence with NIPSO regarding a complaint.

AP6: Head of Corporate Services to contact VSS to request sharing of a policy.

8 Reports from sub-committees:

Audit & Risk Assurance Committee issues

8a. Minutes of A&RA Committee meeting 9 May 2017

Following discussion, the minutes of the meeting held on 9 May 2017 were agreed as a true and correct record, as proposed by Séamus Magee and seconded by Geraldine Donaghy.

Norman Bennett briefed the meeting on the outcome of the NIAO Report to Those Charged with Governance, informing the meeting that only one minor recommendation was noted. He noted this was an excellent outcome.

AP7: A&RA Committee minutes to be published on Commission website.

AP8: NIAO report to be included in Board update on 21 September 2017.

8b. Risk Register

Following discussion, the Board approved the minor amendments to the risk register as proposed by Séamus Magee and seconded by Geraldine Donaghy.

8c. Review of financial procedures

Following discussion, the Board approved the minor amendments to the finance procedures as proposed by Séamus Magee and seconded by Geraldine Donaghy.

8d. Update from legal advisory group

Steven Cockcroft updated the meeting with input from the Head of Compliance and Enquiries on an advisory group meeting held on 7 August 2017.

9 Policies & Processes

9a. MOUs – Fundraising Regulator, HMRC, CIC, CCEW, Housing Regulator

Following discussion, the Board approved all MOUs as proposed by Séamus Magee and seconded by Steven Cockcroft.

9b. Review of Equality Scheme and action plan

The Head of Corporate Services outlined the summary report of the review of the equality scheme to the meeting. Following discussion, the Board approved the document as proposed by Steven Cockcroft and seconded by Geraldine Donaghy.

AP9: Summary report to be submitted to ECNI.

9c. Policy Development Plan

The Head of Charity Services outlined the changes to the policy development plan to the meeting, identifying eight priority gaps. Following discussion, the Board agreed the changes as proposed by Norman Bennett and seconded by Séamus Magee.

9d. Transformation Project Initiation Document

The Head of Corporate Services presented the document on the integrated risk framework which defined the project, formed the basis of its management and assessment of overall success. Following discussion, the Board agreed the paper as proposed by Séamus Magee and seconded by Geraldine Donaghy.

9e. Business Case for outsourcing routine telephone queries

The Head of Corporate Services presented the draft business case outlining costs and options. Following discussion, the Board agreed that the recommended option should be pursued as proposed by Séamus Magee and seconded by Geraldine Donaghy.

9f. Policy response to HMRC: approach to granting charitable tax exemptions

The Head of Charity Services presented the paper and outlined the options to the Board. Following discussion, the Board approved the preferred option, subject to the guidance being updated and protocol wording being agreed with HMRC as proposed by Norman Bennett and seconded by Séamus Magee.

AP10: Head of Charity Services to change guidance and agree protocol wording with HMRC in relation to granting tax exemptions to charities.

9g. Business Plan report Q1 2017/18 and Data Hub

Noted.

9h. Review of compliance with MSFM

Noted.

9i. Proposed arrangements for managing actual/perceived conflicts

Noted

9j. Hospitality register

Noted

10. Issues for next meeting – 5 November 2017.

It was noted that the next meeting would take place on 5 November 2017 in CCNI offices at 9:30am.

11. AOB

None.

Meeting ended at 1:40pm.

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
61(AP1)	18/09/2017	1	Minutes of meeting 60 to be published on website	HCorpS	Completed
61(AP2)	18/09/2017	3	Letter extending Kieran Donaghy's appointment to be issued early December 2017	CEX	Underway
61(AP3)	18/09/2017	3	Sample appraisal forms to be sent to all Commissioners including the Chair	CEX	Completed
61(AP4)	18/09/2017	5	Policy to send Chair briefing on fundraising regulator	HCS	Underway
61(AP5)	18/09/2017	6	Head of Compliance and Enquiries to bring assessment on concerns received up to end March 2018 to May Board meeting	HC&E	Underway
61(AP6)	18/09/2017	7	Head of Corporate Services to contact VSS for policy	HCorpS	Underway
61(AP7)	18/09/2017	8a	A&RA Committee minutes to be published on Commission website	HCorpS	Completed
61(AP8)	18/09/2017	8a	NIAO report to be included in Board update on 21 September 2017	CEX	Completed
61(AP9)	18/09/2017	9b	Summary report to be submitted to ECNI	HCorpS	Completed
61(AP10)	18/09/2017	9f	Head of Charity Services to change guidance and agree protocol wording with HMRC in relation to granting tax exemptions to unregistered charities	HCS	Underway

60(AP2)	26/06/2017	4	PID and timeline for Transformation Project to be brought to September Board	CEX	Completed
60(AP3)	26/06/2017	5	Task and Finish group to be set up for Schemes and Orders manual development	HCS	Underway
60(AP4)	26/06/2017	5	Head of Charity Services to progress changes to reporting of high risk/high profile cases with Head of Monitoring and Compliance	HCS	Underway
60(AP5)	26/06/2017	6	CEX to call meeting of legal advisory group in late summer	CEX	Completed
60(AP8)	26/06/2017	9b	Final version of business plan to be forwarded to department	HCorpS	Completed
60(AP10)	26/06/2017	9d	Annual Equality Report to be submitted to the Equality Commission	HCorpS	Underway
60(AP11)	26/06/2017	9e	Legal to prepare two signed copies of MOU with Information Commissioner to be sent to ICO	CEX	Completed
60(AP12)	26/06/2017	9f	MOU with Board Apprentice Scheme to be signed and induction to be arranged during summer	CEX	Completed
60(AP13)	26/06/2017	9g	Board TOR, Code of Conduct and Standing Orders to be published on website	HCorpS	Completed
60(AP14)	26/06/2017	9i	Policy on accompaniment at meetings to be amended, recirculated and published once agreed	HCorpS	Complete
60(AP15)	26/06/2017	9j	Key communications message to be developed to increase public awareness in relation to organisations which fail to apply	HCorpS	Underway
60(AP16)	26/06/2017	9k	CEX performance objectives to be redrafted and amended version shared with the Board along with performance objectives for all of SMT.	HCorpS	Complete

60(AP17)	26/06/2017	10	Prepare lines to take for Chief Commissioner	CEX	Completed
59(AP2)	15/05/2017	4	SMT to develop options and bring firm proposals to Board at a later date.	SMT	Completed
59(AP3)	15/05/2017	5	Further communications on issue of legal refusals to be explored.	HCS	Completed
59(AP4)	15/05/2017	6	Head of Compliance & Enquiries to present new format to November 17 Board	HC&E	Underway
59(AP5)	15/05/2017	7	ICT risks to be discussed at next Audit & Risk Assurance Committee meeting	HCorpS	Completed
59(AP7)	15/05/2017	8g (additional paper)	Paper to be brought back to next Audit and Risk Committee meeting	HCorpS	Completed
59(AP10)	15/05/2017	9d	Compliance Manual to be updated to include approved addendum	HC&E	Completed
59(AP11)	15/05/2017	9d	Head of Compliance & Enquiries to update Board on the granting of AMR dispensations in June 2018	HC&E	Underway
59(AP13)	15/05/2017	10	Board Terms of Reference, Code of Conduct and Standing Orders to be reviewed at June meeting	CEX	Completed
58 (AP11)	15/03/2017	6	Develop guidance on serious incident reporting.	HC&E	Underway
58 (AP21)	15/03/2017	11	Reconsider Commission values as part of strategic plan	HCorpS	Underway
58 (AP22)	15/03/2017	12	Share lessons learned on Waiver Decision with CCEW and OSCR	CEX	Underway
56-12	12/12/2016	18	MOU with CRA to be drafted	HCS	Underway
54-4	19/9/2016	3	Develop a protocol for attending meetings and producing an agreed note	CEX	Underway

54-5	19/9/2016	3	Arrange enhanced vetting for all Commissioners.	HCorpS	Underway
53-8	19/9/2016	6	Monitor and review 7 month reminders and report to March/April 18 Board	HC&E	Underway