



**Minutes of Board Meeting No. 57 held on Monday 23 January 2017 at
8.45am
At CCNI, 257 Lough Road, Lurgan**

Present:

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

In Attendance:

Frances McCandless, Chief Executive
Aubrey McCrory, Head of Corporate Services
Punam McGookin, Head of Charity Services
Myles McKeown, Head of Compliance and Enquiries
Damien Smyth, IT Officer (for part)
Jennifer Black, Administrative Officer

The Board met in camera at 8.45 am, with the main Board meeting commencing at 11.15 am.

1. Minutes of Meeting 12 December 2016

Following discussion, the minutes of the meeting held on 12 December 2016 were agreed as a true and correct record, as proposed by Steven Cockcroft and seconded by Seamus Magee.

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 advised he and the Legal Commissioner had recently met with Ian Maye (Department for Communities Deputy Secretary) and Leo O'Reilly (DfC Permanent Secretary) who were planning further work on the Strategic Review. It was noted the Chair and Chief Executive met with Patricia McAuley in relation to the sponsor Department's review of Arms Length Bodies, and that terms of reference were awaited. Further to the Board's recommendation at its meeting in November 2016, it was agreed the Chair

sign off a business case in relation to the CEX's attendance at the forthcoming International Charity Regulators Meeting.

AP2: Chief Commissioner to sign off Business Case for IRF meeting.

4. Chief Executive's Report

The CEX informed the meeting that the absence of an agreed NI budget at the beginning of the next financial year would pose major risks for the Commission's work planning, and the potential for in-year cuts was likely. Details were highlighted of a Charity Tribunal ruling in December that the decision made by staff to register a charity had been taken lawfully, and the Board was updated in relation to upcoming Tribunal hearings.

The Board noted recent correspondence with the Northern Ireland Public Sector Ombudsman and that further communication was anticipated. The Chief Executive noted that casework was awaiting a Section 96 consent application from the Community Relations Council.

In relation to corporate risks the Chief Executive highlighted the number of Commissioners was at the legal minimum. It was agreed the next HR Committee meeting on 8 February should go ahead, with plans to ask the independent member of the Audit & Risk Committee to attend in the longer term if no new appointments to the Board have been made by May 2017. Issues in relation to premises access were discussed and it was agreed to raise these with the sponsor branch.

AP3: Chief Executive to write to sponsor branch to seek clarification on premises issues.

4a. Investigations update

The Head of Compliance & Enquiries outlined developments in the statutory inquiry into Newry & Mourne Carers. Plans to appoint an Interim Manager were noted, with further action dependent on findings in the Interim Manager's report. Following discussion it was agreed not to seek legal opinion on revoking orders in the circumstances described.

Ongoing cases were discussed and the Board noted a proportional approach was clearly being taken, with regulatory action being the norm, and that statutory powers were not used regularly. It was agreed to review the presentation of information in the investigation update. The Head of Compliance & Enquiries advised that a thematic report on the duty of Charity Trustees to notify of any change in its trustees' details entered in the register (Section 17 (3) of the Charities Act (Northern Ireland) 2008) was being prepared. The Board underlined the need for guidance for schools to be revised with further clarification provided on who is a Charity Trustee.

In relation to ongoing case handling, it was agreed to provide information on the website indicating lower risk concerns may take longer to process, and it was also agreed to flag this issue on the corporate risk register.

AP4: Review investigations update information

AP 5: Flag the issue of timescale for dealing with low risk concerns in the corporate risk register.

AP6: Add information on processing times for investigation of low risk concerns on website

5. Whistle-blowing – auditors’ and independent examiners’ duty to report matters of material significance – UK wide policy (update)

The Head of Compliance & Enquiries introduced the update which was developed in conjunction with the Charity Commission for England & Wales (CCEW) and the Office of the Scottish Charity Regulator (OSCR). After discussion the Board agreed to the updated policy as proposed by Norman Bennett, and seconded by Steven Cockcroft.

AP7: Updated policy on reporting matters of material significance to be published.

6. Development of Complaints Policy, Guidance and Internal Procedure

The Head of Corporate Services outlined proposed changes to the Commission’s overall approach to handling complaints about service, including extending the timescale for individuals to lodge a complaint and for the Commission to investigate and respond. Following discussion the Board approved the amended policy and guidance, subject to minor amendments as proposed by Geraldine Donaghy, seconded by S Cockcroft. It was agreed the existing internal procedure would be revised to reflect the Board’s final decision.

AP8: Revised Complaints Policy to be published and existing internal procedure updated.

7. ICT Strategy 2017-20

The Information Technology Officer gave an overview of the new ICT strategy, which built on work progressed over the past three years. The Board noted plans to make more use of on line intuitive forms and provide charities with access to a range of new digital services. There was discussion around the implications of further ‘piggy backing’ certain CCEW ICT systems based on a Memorandum of Understanding (MOU) and potential risks if their strategic direction changed. Plans to update the MOU were agreed and the Board adopted the ICT Strategy 2017-20 as proposed by Norman Bennett and seconded by Geraldine Donaghy.

AP9: Publish new ICT Strategy and update MOU accordingly.

8. 2016-17 Quarter 3 Business Plan Progress Report and Data Hub Information

The Head of Corporate Services outlined the revised Business Plan Progress Report format and the overall assessment of progress to the end of December. The Board noted the good progress made in quarter 3 and the overall performance across the range of key indicators.

9. Budget

The Board noted the overall position at the end of Quarter 3 and planned spend to meet targets by year end across revenue and capital budgets.

10. Strategic Review

The meeting was advised the Commission was still awaiting the outcome of the Strategic Review, and that the Minister had been engaged in the process. The Board noted its concern that the Review Team appeared to have gone beyond the initial Terms of Reference shared with Commissioners in relation to the range of bodies consulted.

11. Press clippings.

Noted.

12. Review of meeting.

Noted.

13. Issues for next meeting – 6 March 2016.

It was agreed to move the next Board to Wednesday 15 March at 9am.

AP10: Next Board meeting moved to 15 March 2017 at 9am.

14. AOB

The Board agreed that the next Board development session be arranged for 27 February 2017, to discuss the Committee self-assessment recommendations, NIAO Board Effectiveness Good Practice Guide, and development of the Corporate Governance Framework.

AP11: Arrange Board Development Day for 27 February 2017

Meeting ended at 1.10 pm

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
57 (AP1)	23/01/2017	1	Board minutes to be published on CCNI website	Admin	Complete
57 (AP2)	23/01/2017	3	Chief Commissioner to sign business case for International Regulators Forum	CEX	Complete
57 (AP3)	23/01/2017	4	Write to Arthur Scott to seek clarification on premises issues	CEX	Complete
57 (AP4)	23/01/2017	4a	Review layout of investigations information	HC&E	Complete
57 (AP5)	23/01/2017	4a	Risk register to be updated to reflect timeframe of investigations	HCorpS	Complete
57 (AP6)	23/01/2017	4a	Add notice on processing times for investigation of low risk concerns on website	HC&E	Complete
57 (AP7)	23/01/2017	5	Updated policy on matters of material significance to be published	HCorpS	Underway
57 (AP8)	23/01/2017	6	Revised Complaints policy and guidance to be published and existing internal procedure updated.	HCorpS	Underway
57 (AP9)	23/01/2017	7	Publish ICT Strategy 2017-20 and update CCEW MOU	HCorpS	Complete

57 (AP10)	23/01/2017	13	Date of next Board meeting to move to Wednesday 15 March 2017 at 9am		Complete
57 (AP11)	23/01/2017	14	Arrange Board development day for Monday 27 February 2017	CEX	Complete
56-10	12/12/2016	10	Corporate Governance Framework to be amended following Board development day (for consideration at May Board)		Underway
56-12	12/12/2016	18	MOU with CRA to be drafted	HCS	Underway
56-13	12/12/2016	18	Meeting between CCNI and CRA to be arranged	HCS	Underway
55-13	07/11/2016	8	Disseminate Records Management Policy to staff when agreed with PRONI	HCorpS	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 Board	HM&C	Underway
53-10	19/9/16	9	Review arrangements for removing inappropriate material from the website register	HCorpS	Underway