

**Minutes of Board Meeting No. 103 held on Monday 30 January 2023
at Marlborough House, Craigavon.**

Present:

Gerard McCurdy - Chair (Acting Chief Commissioner)
Alan Hunter, Charity Commissioner
Hugh McKeag, Charity Commissioner
Patricia Kelly, Legal Commissioner
Kieran Donaghy, Charity Commissioner
Emma O'Neill (Boardroom Apprentice).

In Attendance:

Frances McCandless, CEx
Punam McGookin, Head of Charity Services
Aubrey McCrory, Head of Corporate Services
David McGurk, Minutes.

Apologies: Séamus Magee, Charity Commissioner, Rossa Keown, Head of Compliance & Enquiries.

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

1. Minutes of Board Meeting 102, 19 December 2022

Following discussion, the minutes of the Board Meeting held on 19 December 2022 were agreed, subject to minor amendment, as a true and correct record as proposed by Hugh McKeag and seconded by Patricia Kelly.

AP1: Minutes of Board Meeting No 102, 19 December 2022 to be published on CCNI website.

2. Conflicts of Interest

The Chair noted a potential conflict regarding Féile an Phobail and confirmed he would not take part in any decision regarding the charity.

3. Chair's Business, Correspondence and Meetings

The Chair discussed recent media coverage and further correspondence regarding the Independent Counsel Action Plan. The Chair also mentioned the recent engagement visit to a charity and noted it was very productive.

4. Chief Executive's Report

The Chief Executive introduced her report and advised a claim was received regarding the Commission's Pension Scheme and Commissioners agreed to pursue a joined up defence with other parts of the government. The Chief Executive also gave an update on litigation and discussion ensued. Recruitment procedures were discussed and an interim approach was agreed. A temporary amendment was agreed to Schedule 1 Terms of Reference wording which is to be agreed by correspondence as proposed by

Kieran Donaghy and seconded by Alan Hunter. The Chief Executive noted a case in the Charity Tribunal had been withdrawn. It was also noted that NIPSA had given notice of balloting for proposed strike action. The Board sent best wishes to the Head of Compliance & Enquiries.

AP 2: Amendments to be made to Schedule 1 Terms of Reference and circulated for final agreement.

5. Policies and Processes

a. Revised privacy notice

The Head of Corporate Services introduced the paper and highlighted various developments. Following discussion, proposed revised wording was agreed subject to minor amendments as proposed by Patricia Kelly and seconded by Hugh McKeag.

AP 3: Revised wording of Privacy notice to be published.

b. Selection criteria for Monitoring & Compliance checks

The Chief Executive introduced the paper in the Head of Compliance & Enquiries' absence and set out proposed selection criteria set for monitoring checks to allow targets to be met by year end. This was agreed as proposed by Alan Hunter and seconded by Kieran Donaghy.

AP 4: Criteria set out for selection of charities to be implemented.

c. Legal update

The Head of Charity Services introduced the report. The Board confirmed their previous decision that current and former staff are included in the Commission's defence of High Court actions as proposed by Alan Hunter and seconded by Kieran Donaghy. The Board asked the Chief Executive to write to the Sponsor Department to stress the urgency of a response on a number of different matters including Commissioner recruitment, business case approval, litigation approach and progress on a scheme of delegation. Discussion ensued and the Board noted the remainder of the Legal update.

AP5: Chief Executive to write to the Sponsor Department to stress the urgency of a response on a number of different matters.

d. Board self-assessment plans

The Board noted they had been provided with self-assessment forms to complete and return to the Chief Executive by 24 February 2023.

AP6: Board to complete self-assessment forms and return by 24 February 2023.

e. Stakeholder forum update (14 Dec meeting)

The Board noted the update from the Chair of the Forum and the Acting Chief Commissioner provided further information on recent Forum activities.

A discussion ensued on the future composition of the Forum to ensure broad representation.

f. Update on independent Counsel action plan

In the absence of the Head of Compliance & Enquires, the Chief Executive introduced the Independent Counsel Action Plan update which highlighted progress across a range of items. Following the discussion, it was agreed to include additional detail on progress.

6. Reports from Committees

Schedule 1 Decisions

Commissioner registration decisions 9 December 2022

Decisions were noted.

Commissioner registration decisions 14 December 2022

Decisions were noted.

7. Charity Services Report

The Head of Charity Services introduced the report and highlighted a decision to extend the consultation on the strategic plan and engagement strategy to 6 March 2023. It was agreed the Policy Manager is to send a letter to stakeholder forum members to ask them to use their contacts and networks to raise awareness of opportunities to participate in the consultation.

AP 7: Policy Manager to write to stakeholder forum members to ask them to use their contacts and networks to raise awareness of opportunities to participate in the consultation.

8. Compliance and Enquiries Report

The Chief Executive introduced the report which was noted by the Board. Alan Hunter raised a potential Conflict of Interest as he is a former Board member of one of the charities in the update. This was noted, but the Board agreed no action was required.

9. Corporate Service Report

The Head of Corporate Services introduced the report and gave an update on accommodation issues. Commissioners agreed to deal with any finalised side letter regarding the accommodation licence by correspondence. Following discussion, minor changes to the Casework Manager job description were agreed as proposed by Alan Hunter and seconded by Patricia Kelly.

The approach to procuring a software licence which may be required if existing shared service arrangements cannot be extended was agreed, including a potential direct award, as proposed by Alan Hunter and seconded by Patricia Kelly.

An update was provided on the website project. The potential for a further direct award to continue existing support service arrangements while a new site is being developed was identified in 2023/24. The Budget position was

discussed including the potential for a bid to cover accommodation costs to year end.

AP 8: Final side letter to accommodation licence to be agreed by correspondence.

AP 9: Agreed approach to procuring software licence to be pursued.

10. Issues for next meeting

The Chair noted the following items to be included at the next meeting on 27 March 2023:

- Board self-assessment summary
- Strategic and business plans
- Issues from HR committee
- Issues from A&RA committee
- MSFM compliance
- Stakeholder forum update
- Review of Equality scheme and Disability action plan.
- Review of Conflicts of interest policy
- ICT MOU with CCEW 2023/24.

11. AOB

The Chair noted the shorter Board pack for this meeting at it was welcomed by all members.

Meeting ended at 11.30 am

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status (target)
103(1)	30/01/2023	1	Minutes of Board Meeting No 102, 19 December 2022 to be published on CCNI website	HCorpS	Complete
103(2)	30/01/2023	4	Amendments to Schedule 1 Terms of Reference	CEx	Complete
103(3)	30/01/2023	5a	Revised wording of Privacy notice to be published.	HCorpS	Complete
103(4)	30/01/2023	5b	Criteria set out for selection of charities to be implemented.	HoCE	Complete
103(5)	30/01/2023	5c	Chief Executive to write to the Sponsor Department to stress the urgency of a response on a number of different matters	CEx	Complete
103(6)	30/01/2023	5d	Board to complete self-assessment forms and return by 24 February 2023	Board	Complete
103(7)	30/01/2023	7	Write to stakeholder forum members to ask them to use their contacts and networks to raise awareness of opportunities to participate in the consultation.	Policy Manager	Complete
103(8)	30/01/2023	9	Side letter to accommodation licence to be agreed by correspondence.	Board	Ongoing (Q4-22/23)
103(9)	30/01/2023	9	Agreed approach to procuring software licence to be pursued.	HCorpS	Ongoing (Q4-22/23)

102 (3)	19/12/2022	5b	Enquiries Manual v9.0 to be implemented.	HoCE	Complete
102 (5)	19/12/2022	5b	Further clarification to be provided on which section of the Act covers which aspects of information sharing.	HoCE	Underway (Q4-22/23)
102 (6)	19/12/2022	5c	Registration Manual v18.0 to be implemented.	HoCS	Complete
102 (7)	19/12/2022	5e	Department of Finance to be asked to provide a side letter to address an error in the current licence.	HCorpS	Complete
102 (8)	19/12/2022	5e	A review of accommodation to be undertaken in early 2023.	HCorpS	Underway (Q2-23/24)
102 (9)	19/12/2022	5e	Resource returns and a strategic resource business case to be prepared and submitted to sponsor team based on option 3.	HCorpS	Underway (Q4-22/23)
102 (10)	19/12/2022	5f	Action plan including disposal schedule to be implemented.	HCorpS	Underway (Q4-22/23)
102 (11)	19/12/2022	5a	CEx to seek further Counsel advice and bring back a further proposal to a future board meeting.	CEx	Complete
102 (13)	19/12/2022	6c	Raising Concerns about Commission policy v2.0 to be implemented	HCorpS	Complete
102 (17)	19/12/2022	9	Media Handling protocol and procedures v 3.0 to be implemented going forward.	HCorpS	Complete
101(8)	14/11/2022	5f	Safeguarding policy to be implemented	HCorpS	Complete
101(9)	14/11/2022	5g	HR business case to be progressed	HoCS	Ongoing (Q4-22/23)
100(2)	26/09/2022	4	Meetings with other regulators to involving Commissioners to be set up	CEx	Complete

100(10)	26/09/2022	6d	Risk Workshop to be planned for later this year or early next year.	HCorpS	Underway (Q2-23/24)
99 (7)	27/06/2022	5b	Meeting with Legal Commissioner re equality scheme to be arranged	HCorpS	Complete
99 (8)	27/06/2022	5d	Identify unit cost of registrations	HCS	Underway (Q4-22/23)
99 (14)	27/06/2022	6e	Statement approach to HR Connect processing related policy to be implemented.	HCorpS	Ongoing (Q1-23/24)
98 (7)	16/05/2022	5e	Training in complaint handling and dealing with trauma to be arranged.	CEx/ HCorpS	Trauma element Complete
95 (10)	20/12/2021	6g	Hybrid working policy to be implemented on a pilot basis as permitted by Executive pandemic restrictions.	HCorps	Complete
94 (3)	15/11/21	5a	Corporate Social Responsibility policy to be developed as part of the next strategic planning process.	HCorpS	Ongoing (Q4-23/24)
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 (Q2-23/24)
85(5)	09/11/20	4b	New enquiries 'concerns about charities' on line form to be implemented	HCE	Ongoing (Q4-22/23)