



**Minutes of Board Meeting No. 99 held on Monday 28 June 2022
at The Mount Conference Centre, Belfast.**

Present:

Nicole Lappin, Chief Charity Commissioner (Chair)
Gerard McCurdy, Deputy Chief Charity Commissioner
Kieran Donaghy, Charity Commissioner
Alan Hunter, Charity Commissioner
Patricia Kelly, Legal Commissioner
Hugh McKeag, Charity Commissioner

In Attendance:

Frances McCandless, CEx
Aubrey McCrory, Head of Corporate Services
Punam McGookin, Head of Charity Services
Rossa Keown, Head of Compliance & Enquiries
David McGurk, Minutes
Maria Curry, Boardroom Apprentice
Nicola Fisher, Finance & Admin Manager (item 5a)
Rob McCausland, Legal Counsel (item 5b)

Apologies: Séamus Magee, Charity Commissioner

The meeting commenced at 9.30am. The Chair welcomed everyone to the meeting and highlighted that some items would be taken out of sequence due to attendee availability.

1. Minutes of Board Meeting 98, 16 May 2022

Following discussion, the minutes of the Board Meeting held on 16 May 2022 were agreed as a true and correct record, as proposed by Kieran Donaghy and seconded by Patricia Kelly.

The Board reviewed the action points and noted the Chair of the HR Committee had identified strategic HR issues for the next Board meeting. The Board also noted that the HR Committee would discuss training for Board and Committee members.

AP1: Minutes of Board Meeting No 98, 16 May 2022 to be published on CCNI website.

2. Conflicts of Interest

The Chair noted potential conflicts of interests as chair of a local Health trust and governor on a school board. Hugh McKeag noted that, as highlighted in his published interests on the website, he had previously worked for Wright Group reporting to its Chief Executive, who had no connection with the charity under investigation mentioned in one of the board papers. It was agreed that no conflicts arose regarding these interests in the context of the meeting papers.

5. Policies and Processes

a. Final 2021/22 Annual Report & Accounts

This item was taken out of sequence to facilitate the attendance of the Finance & Admin Manager, who introduced the draft 2021/22 Annual Report & Accounts and confirmed a series of minor changes to the annual report text reflecting previous Board discussion and to the accounting notes, following feedback during the audit process. It was agreed that the Chair and CEx should sign the Annual Report & Accounts at appropriate sections, as proposed by Hugh McKeag and seconded by Gerard McCurdy. The Board expressed thanks to the Finance & Admin Manager and other staff for all their hard work to bring the annual report and accounts to completion.

AP2: Chair and CEx to sign the final Annual report & accounts.

AP3: Annual report and accounts to be forwarded to sponsor team and laid with the Assembly.

Finance & Admin Manager left the meeting at 9.50am.

3. Chair's Business, Correspondence and Meetings

The Chair highlighted this was the Boardroom Apprentice's last meeting. Maria Curry commended the boardroom apprentice scheme as a great learning experience and thanked the Board and senior staff, noting especially her 'Board Buddy' mentor Hugh McKeag.

The Chair indicated confirmation of additional commissioner days to year end was still outstanding. She reported on discussions with an academic with an interest in charity law and attendance at the recent meeting of the Stakeholder Forum, which had been very positive. Finally the Chair highlighted that some items were postponed from this meeting's busy agenda and will go on the September board agenda.

4. Chief Executive's Report

The Chief Executive gave an update on ongoing litigation and on the recent regular meeting with Department for Communities (DFC) sponsor team. Planned research to underpin forthcoming work on the introduction of Charitable Incorporated Organisations (CIOs) was discussed. The Chief Executive's leave plans and timescale for a volunteer 'Board Buddy' to mentor the new Boardroom Apprentice were identified. It was agreed to re-introduce quarterly assessment of Board meetings with forms issued with the September papers to be completed and returned after the meeting.

AP4: Board Buddy to be arranged.

AP5: Board quarterly assessment forms to be issued with September's Board meeting papers.

5. Policies and Processes

b. Annual equality progress report

The Head of Corporate Services introduced the report and a number of queries were addressed. It was noted a review of the existing scheme would be undertaken this year and it was agreed to discuss how the Commission can better promote equality of opportunity and good relations within the sector. The Legal Commissioner noted that she would welcome a discussion

with staff on the operation of the scheme. Following review, it was agreed to submit the report to the Equality Commission for Northern Ireland as proposed by Kieran Donaghy and seconded by Gerard McCurdy.

AP6: Annual equality progress report to be submitted to ECNI
AP7: Meeting with Legal Commissioner re equality scheme to be arranged

c. Amended Communications plan

The Head of Corporate Services introduced the updated plan and changes reflecting previous Board discussions. Following a series of queries, the plan was adopted as proposed by Hugh McKeag and seconded by Alan Hunter.

d. Review of registration streamlining pilot

The Head of Charity Services introduced the report on the Registration Pilot review and a number of questions were addressed. All nine recommendations were accepted and, of those that required Board approval, the following was agreed:

- Recommendation 1: It was agreed to continue to make use of sole commissioner portfolios and processes, subject to minor amendment, as proposed by Gerard McCurdy and seconded by Kieran Donaghy.
- Recommendation 2: It was agreed to reduce the number of portfolios to one per month (with the total case numbers reflecting the sum of the previous separate portfolios) as proposed by Gerard McCurdy and seconded by Hugh McKeag.
- Recommendation 5: It was agreed to expand the types of cases considered by a sole commissioner to include Section 46 authorisations, incorporations, trustee anonymity requests and registration refusals whilst retaining the option to defer decision making to a committee of three Commissioners, as proposed by Kieran Donaghy and seconded by Patricia Kelly.

AP8: Identify unit cost related to sole Commissioner registration decision making after a further six month period.

e. Stakeholder Forum update

The Board noted the report, including feedback on potential strategic planning priorities. The Chair noted the Stakeholder Forum was meeting to assess its first year and broadening its membership. Commissioners agreed it was important the Stakeholder Forum had visibility with the Board and that there was a two-way flow of information. Following discussion of future working, the Board thanked Ann Breslin (Policy & Research Manager) for setting up and supporting the work of the Stakeholder Forum and ensuring it was working well.

AP9: Deputy Chief Commissioner to discuss membership and two way flow of information with Chair of Stakeholder Forum.

Gerard McCurdy left the meeting at 11.30am

f. Outline for strategic planning process

The Chief Executive introduced the paper and noted the outline approach incorporated feedback from the Stakeholder Forum. Commissioners discussed and agreed the agenda for a planning day in early September which would involve members of sponsor team and some staff. Following a query, it was confirmed the plan consultation process would run for twelve weeks and equality considerations would form part of the overall planning process.

g. Chief Executive performance objectives

Following discussion, minor changes were suggested and accepted to the objectives for the year agreed by the Chair and Chief Executive.

6. Reports from Committees

HR Committee

a) Minutes of meeting No 33 – 22 February 2022

The minutes of the HR Committee held on 22 February 2022 were approved for publication as proposed by Hugh McKeag and seconded by Kieran Donaghy. An update on the most recent HR Committee meeting chaired by Kieran Donaghy was noted.

AP10: Minutes of HR Committee meeting 22 February 2022 to be published on website.

b) Staff Handbook update

The Head of Corporate Services introduced the update and following discussion it was agreed to amend the Parental Leave policy to reflect the approach of the Northern Ireland Civil Service as proposed by Kieran Donaghy and seconded by Hugh McKeag.

AP11: Parental leave policy to be updated to reflect NICS approach.

c) Working Hours and Leave Policy

The Head of Corporate Services introduced two changes to the policy around bereavement and special leave to reflect the relevant recent legislative provision and the approach of the Northern Ireland Civil Service. These were agreed as proposed by Patricia Kelly and seconded by Hugh McKeag.

AP12: Working Hours and Leave policy to be updated to reflect new bereavement and special leave approach.

d) Travel & Subsistence – Mileage & Expenses

The Head of Corporate Services introduced the change to reflect the 'lesser of rule' to mirror the approach of the Northern Ireland Civil Service which were agreed as proposed by Hugh McKeag and seconded by Kieran Donaghy.

AP13: Travel & Subsistence – mileage expenses policy to be updated to reflect NICA approach.

e) Various HR Connect administered policies

The Head of Corporate Services highlighted the proposed approach to Section 4 to 9 of the Staff Handbook in terms of taking a statement approach to HR Connect processing-related HR policies, noting the HR

Committee's considerations. The proposed policy approach was agreed as proposed by Hugh McKeag and seconded by Kieran Donaghy.

AP14: Statement approach to HR Connect processing related policy to be implemented.

f) Staff survey results

The Board welcomed the very positive survey results and that going forward the Commission would revert to a biennial survey rather than an annual exercise as had been operated during the pandemic. Following a recent staff session reflecting on survey results and desired outcomes a range of feedback was discussed and future joint training and development was identified. The Board noted action points would be added to the people strategy action plan which would be kept under review by the HR Committee.

g) People Strategy 2022/23 (including training plan)

The Head of Corporate Services introduced the strategy and a number of queries were addressed. The Chair reminded the Board of the Commission's people vision and welcomed the role of the HR Committee to keep the strategy under review. It was noted future development would involve Commissioners and committee members in the overall people training plan and reflecting more on competencies.

h) Training Evaluation Report 2020/21

The Board noted the report and welcomed the results.

Schedule 1 Decisions

i) Commissioner registration decisions May 2022

Noted.

j) Commissioner registration decisions June 2022

Noted.

k) Note of Schedule 1 Committee – 13 May 2022

Noted.

l) Note of Schedule 1 Committee – 10 June 2022

Noted.

7. Charity Services Report

The Head of Charity Services introduced the report and Commissioners welcomed progress on older casework and that registrations were currently ahead of target. The report also highlighted that registration refusals were no longer published on the website as per a recommendation for the Commission in the Independent Review of Charity Regulation report. Following a staff resourcing update the Board agreed there was a need for DfC to look at options related to how the Commission accesses legal advice and how legal officers are supported and remunerated.

AP15: DfC to be asked to look at options related to how the Commission accesses legal advice and how legal officers are supported and remunerated.

Kieran Donaghy left and Rob McCausland joined the meeting at 12.30pm

5. Policies and Processes

h) Complaint regarding a closed charity

Counsel provided a legal briefing and background context. Following consideration of papers Commissioners agreed that for present purposes they believed it was appropriate to treat this as a request for information under section 24 of the Charities Act (Northern Ireland) 2008 for the purposes of enabling or assisting the Police Service of Northern Ireland (PSNI) to exercise its functions. It was agreed to provide a letter from the Chair containing the information in the draft statement within the papers and further agreed to write under separate cover to the PSNI regarding the consequences of the Court of Appeal decision as proposed by Hugh McKeag and seconded by Alan Hunter.

AP16: Draft letters to be circulated for review by the Board before issue.

8. Compliance and Enquiries Report

The Head of Compliance and Enquiries introduced their report and provided an update on casework and forthcoming plans to release a statutory enquiry report. The Board discussed details of actions progressed to completion relating to Independent Counsel's review of complaints, and it was noted further details will be included in the next quarterly update.

9. Corporate Service Report

The Head of Corporate Services introduced their report and provided an update on budget and business plan progress.

a) Corporate Risk register

The register was agreed as proposed by Alan Hunter and seconded by Hugh McKeag.

b) CCEW MOU for ICT Services

The Board adopted the MOU with the Charity Commission for England and Wales and agreed it should be signed off by the CEX as proposed by Alan Hunter and seconded by Hugh McKeag.

AP17: CCEW MOU for ICT Services to be signed off by CEX

10. Issues for next meeting 22 September 2022

- Assurance statement
- Issues from A&RA
- Review of MSFM
- Comms and engagement update
- Legal update
- Draft strategic plan consultation document
- Annual review of Board Operating Framework, Code of Conduct, Standing Orders
- Board effectiveness action plan review
- Action plan from Review by Independent Counsel

11. Agreement to share Board papers with DfC

Proposed by Patricia Kelly and seconded by Hugh McKeag.

AP17: Board papers to be shared with DfC.

12. AOB

None

Meeting ended at 13.45 pm

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
99 (1)	27/06/2022	1	Minutes of Board Meeting No 98, 16 May 2022 to be published on CCNI website.	HCorpS	Complete
99 (2)	27/06/2022	5a	Chair and CEx to sign the final Annual report & accounts.	Chair and CEX	Complete
99 (3)	27/06/2022	5a	Annual report and accounts to be forwarded to sponsor team and laid with the Assembly.	HCorpS	Complete
99 (4)	27/06/2022	4	Board Buddy to be arranged	CEX	Complete
99 (5)	27/06/2022	4	Board quarterly assessment forms to be issued with September's Board meeting papers	HCorpS	Complete
99 (6)	27/06/2022	5b	Annual equality progress report to be submitted to ECNI	HCorpS	Complete
99 (7)	27/06/2022	5b	Meeting with Legal Commissioner re equality scheme to be arranged	HCorpS	Underway
99 (8)	27/06/2022	5d	Identify unit cost of registrations	HCS	Underway
99 (9)	27/06/2022	5e	Deputy Chief Commissioner to discuss membership and two way flow of information with Chair of Stakeholder Forum.	Deputy Chair	Underway
99 (10)	27/06/2022	6a	Minutes of HR Committee meeting 22 February 2022 to be published on website.	HCorpS	Complete
99 (11)	27/06/2022	6b	Parental leave policy to be updated to reflect NICS approach.	HCorpS	Complete

99 (12)	27/06/2022	6c	Working Hours and Leave policy to be updated to reflect new bereavement and special leave approach.	HCorpS	Complete
99 (13)	27/06/2022	6d	Travel & Subsistence – mileage expenses policy to be updated to reflect lesser of rule.	HCorpS	Complete
99 (14)	27/06/2022	6e	Statement approach to HR Connect processing related policy to be implemented.	HCorpS	Underway
99 (15)	27/06/2022	7	DfC to be asked to look at options related to how the Commission accesses legal advice and how legal officers are supported and remunerated.	CEX	Underway
99 (16)	27/06/2022	5h	Draft letters to be circulated for review by the Board before issue	CEX	Complete
99 (17)	27/06/2022	9b	CCEW MOU for ICT Services to be signed off by CEX	HCorpS CEX	Complete
98 (2)	16/05/2022	4	Board strategic planning event to be arranged in the early autumn.	CEX	Complete
98 (6)	16/05/2022	5e	Amended Registration Policy version 6.0 and internal manual version 17.0 to be implemented going forward.	HCS	Complete
98 (7)	16/05/2022	5e	Training in complaint handling and dealing with trauma to be arranged.	CEX/ HCorpS	Underway
98 (10)	16/05/2022	6b	Amended Risk Management Policy to be highlighted to staff and implemented going forward.	HCorpS	Complete
98 (13)	16/05/2022	7	Amended Publication Policy version 6.0 to be implemented going forward.	HCorpS	Underway
98 (14)	16/05/2022	7	Amended Registration manual version 17.0 to be implemented going forward.	HCS	Complete
95 (2)	20/12/2021	3	A&RA committee to take forward co-opting a qualified accountant.	Séamus Magee	Complete
95 (10)	20/12/2021	6g	Hybrid working policy to be implemented on a pilot basis as permitted by Executive pandemic restrictions.	HCorps	Underway

94 (3)	15/11/21	5a	Corporate Social Responsibility policy to be developed as part of the next strategic planning process.	HCorpS	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(14)	27/09/21	6d	Office recovery plan to be implemented.	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	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