



**Minutes of Board Meeting No. 49 held on Thursday 17 December 2015  
at 09.00, CCNI, Lurgan.**

**Present:**

Tom McGrath, Chief Commissioner  
Walter Rader, Deputy Chief Commissioner  
Stephen Cockcroft, Commissioner (Legal)  
Geraldine Donaghy, Commissioner  
Norman Bennett, Commissioner

**In Attendance:**

Frances McCandless, Chief Executive  
Aubrey McCrory, Head of Corporate Services  
Myles McKeown, Head of Compliance and Enquiries  
Punam McGookin, Head of Charity Services  
Kathryn Jennett, Administrative Officer

**Apologies:**

Brenda Maitland, Commissioner  
Seamus Magee, Commissioner

**1. Minutes of Meeting 9 November 2015**

Following discussion, the minutes of the meeting held on 9 November 2015 were, subject to minor amendment, agreed as a true and correct record as proposed by Norman Bennett and seconded by Geraldine Donaghy.

**AP 1: Board minutes to be published on CCNI website**

**2. Conflicts of Interest**

The Chair reminded Commissioners of the Freedom of Information protocol and the need to declare any conflicts of interest prior to the meeting. No conflicts were declared at the outset.

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

The Chair outlined plans to hold a board development event in early March, and Commissioners agreed to forward suggestions for an external speaker to the CEX.

**AP 2: Commissioners to forward external speaker suggestions to CEX**

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

The Chief Executive introduced her report to the Board and highlighted a number of developments. She confirmed that the Department for Social Development (DSD) will introduce Accounting and Reporting regulations in January 2016. It was noted that the annual income threshold at which accrual accounts must be prepared and independently examined by a qualified person had changed from £100,000 to £250,000 following consideration by the Minister for Social Development.

The Board reviewed the recent International Regulators Event which was co hosted with the Republic of Ireland's Charities Regulatory Authority (CRA), and included a dinner event hosted by the DSD Minister at Stormont. The Chief Executive offered a number of useful learning points which were noted by Commissioners. The Board agreed to set up a meeting with the Board of CRA in 2016, around an agenda which the Chair was drafting.

#### **AP 3: Chief Commissioner to draft agenda for board meeting with CRA**

An update was provided on several statutory decisions. In relation Bangor Provident Trust the Supreme Court recently rejected an application to hear an appeal against a High Court ruling the organisation was a charity. The Charity Tribunal has set a further date for a hearing on Victoria Housing Association, which was previously remitted to it by the High Court. The Board asked that Counsel opinion be sought on the recent High Court decision regarding appeal rights and any appropriate action.

#### **AP 4: Counsel opinion to be sought on the recent High Court decision regarding appeal rights.**

The Chief Executive advised that she attended a stakeholder event on 16 December about the new Department for Communities, which will be the Commission's new sponsor department from next year.

#### **5. Items from Audit & Risk Assurance Committee**

##### **5a. Minutes 9 September 2015**

The Chair of the Audit & Risk Assurance Committee (A&RA) introduced the minutes of the meeting on 9 September 2015. It was agreed that the minutes were a true and accurate record of the meeting as proposed by Walter Rader and Geraldine Donaghy.

#### **AP5: Audit & Risk Assurance minutes to be published on CCNI website**

**5b. Update from meeting 18 November 2015**

The Chair of the A&RA Committee updated the Board on matters arising from the meeting on 18 November 2015, which included agreeing a schedule of governance policies to be reviewed during the year by the Committee. The Board noted this and several other initiatives which arose as a result of the committee self assessment exercise undertaken in September. The Chair advised he had attended an event at which the Comptroller & Auditor General had made a number of positive comments regarding the standard of accounts being prepared and submitted by bodies including the Commission.

**5c. Risk register**

The Chair of A&RA Committee introduced the risk register which had been considered at their last meeting in November. It was noted Risk 4 - Resourcing, remains critical due to uncertainty about future budget levels. The corporate risk register was agreed as proposed by Norman Bennett and seconded by Walter Rader.

**5d. Business Continuity Plan**

The Head of Corporate Services introduced the updated plan and highlighted a number of developments following Internal Audit recommendations and as a result of A&RA committee consideration. During discussion of communication arrangements the committee agreed that if a serious incident was declared all members of the Board should be notified. The updated plan was agreed, subject to minor amendment, as proposed by Norman Bennett and seconded by Walter Rader.

**5e. Internal Audit report**

The Chair of the A&RA Committee highlighted the first phase report to the Board, and stated the overall audit view was 'satisfactory', with 3 low priority recommendations. The Board noted there had been a good discussion at the Committee meeting with the auditors, and management were taking prompt action.

**6. Items from Human Resources Committee**

**6a. Minutes from 10 September 2015**

The minutes of the meeting on 10 September 2015, were agreed as a true and accurate record as proposed by Norman Bennett and seconded by Walter Rader.

**AP6: HR minutes to be published on CCNI website**

**6b. Update from meeting 1 December 2015**

In the absence of the Chair of the HR Committee, Geraldine Donaghy updated the Board on matters arising from the committee meeting on 1 December 2015. Commissioners were briefed on work to join HR Connect and update a number of HR policies. It was noted the performance

management process agreed by the Board previously had been reviewed by the committee and the two box marking process would be implemented going forward. The Board noted the first draft of a People Strategy had been discussed and a number of further developments identified. Another draft would be considered by the committee in February before the strategy would be submitted to the Board in March. Overall, the Board welcomed the committee's aim to focus more on developing the organisation's culture and supporting delivery of the strategic plan. Following discussion it was agreed that each autumn Board meeting agenda would focus on HR issues.

## **7. Capacity Review**

The Chief Executive introduced the review to the Board noting the calculations were largely based on work by DSD's Staff Resource Unit (SRU). This unit had undertaken an objective assessment of the inputs required to undertake a range of key business processes. It had concluded, using Treasury benchmarks, that Commission staff were already operating at a very high level of efficiency. The Board noted a significant amount of work had been involved in drafting the review and identifying delivery options based on the budget parameters identified by DSD. Subject to a number of enhancements, including development of an option reflecting the capacity required to deliver a full compliance monitoring regime, the Board agreed the review report would be submitted to the Department in mid January.

**AP7: Option reflecting the capacity required to deliver a full compliance monitoring regime to be developed and review report to be submitted to DSD by mid January.**

### **8a. Draft strategic and business plans**

The Head of Corporate services introduced the draft plans to the Board, noting the overlap with the capacity review. A number of further developments were identified and following proposal by Geraldine Donaghy and seconding by Walter Rader, it was agreed to submit a draft of the plans to DSD before the end of December in line with governance requirements.

**AP8: Draft Strategic and Business plans to be forwarded to the sponsor department before end December.**

### **8b. Risk appetite for new plan**

The Board noted the broad areas and notional risk levels identified and agreed that the A&RA Committee would look in detail at the risk appetite and develop assurance levels.

**AP9: A&RA committee to look in detail at the risk appetite and develop assurance levels.**

**9. Religious designation step in Registration manual**

The Head of Compliance and Enquiries introduced the proposed procedure to the Board, and highlighted a number of risks related to operating the religious designation provisions in the legislation. The Legal Commissioner agreed there were risks arising from the wording of the statute. It was noted that under the proposed procedure the Commission intended to grant religious designation to the highest level body, and all designations would be quality reviewed at head of service level. Following discussion it was agreed to adopt the religious designation step and operate this as part of the registration manual, as proposed by Norman Bennett and seconded by Walter Rader.

**10. Draft 2016 Annual Return regulations**

The Head of Compliance and Enquiries introduced the regulations to the Board and highlighted the minor changes to the regulations made previously in 2015. The potential to ask all charities for information about the number of volunteers in 2017 was noted. Following discussion the 2016 regulations were agreed as proposed by Norman Bennett and seconded by Geraldine Donaghy.

**AP10: 2016 Annual Return regulations to be published.**

*Geraldine Donaghy left the meeting 10.50hrs.*

**11. Accounting and reporting summary document and guidance contents**

The Head of Compliance and Enquiries introduced the summary document, noting the work undertaken by the Task & Finish group. The Board noted the summary document approach and plans to go out for consultation on the five pieces of guidance shortly.

**12. Premises Update**

No further update was available.

**13. Performance Information Report**

The Head of Corporate Services introduced the report, which the Board noted.

**14. Casework Update**

The Chief Executive introduced the paper to the Board highlighting some key issues, noting that at that time the Commission were 9% ahead of the annual target for registration decisions. Commissioners noted the position and welcomed the progress.

**15. Investigation Update**

The Head of Compliance and Enquiries introduced the update to the Board highlighting key information and figures, and Commissioners noted progress.

**16. Monitoring and Compliance Update**

The Head of Compliance and Enquiries introduced the update to the Board. Commissioners noted the progress of the team and the challenge of completing the tasks in hand.

**17. Budget**

The Head of Corporate Services introduced the report to the Board which noted the overall spend and variances.

**18. Briefing paper on forthcoming UK Whistleblowing consultation**

Noted.

**19. Press Clippings**

Noted.

**20. Review of Meeting**

No issues were noted.

**21. Issues for next meeting 25 January 2016**

Noted.

**24. AOB**

None.

The meeting concluded at 12.25 hrs

Resulting from discussion following a presentation by the Commission's legal advisor, which occurred after the meeting had concluded, the Board again considered the recent High Court decision regarding appeal rights. It was decided that Counsel opinion be sought on whether an appeal should be mounted and that that advice should be followed.

<b>Register of Outstanding Action Points</b>					
<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>
48 (3)	11/11/2015	Chief Executive's Report	Commission to contact the Law Society regarding placement students	HoCS	Underway
48 (5)	11/11/2015	First draft strategic and business plans	Amendments to be made to plans and a further draft to be considered by the Board at the December meeting	HCopS	Complete
49 (1)	17/12/2015	Minutes of Meeting 9 November 2015	Board minutes to be published on CCNI website	Kathryn	Complete
49(2)	17/12/2015	Chair's Business, Correspondence and Meetings	Commissioners to forward external speaker suggestions to CEX.	Commissioners	Underway
49(3)	17/12/2015	Chief Executive's Report	Chief Commissioner to draft agenda for board meeting with CRA	Chief Commissioner	Underway
49(4)	17/12/2015	Chief Executive's Report	Counsel opinion to be sought on the recent High Court decision regarding the standing of individual Trustees.	Legal	Complete
49(5)	17/12/2015	Items from Audit & Risk Assurance Committee Minutes 9 September 2015	Audit & Risk Assurance minutes to be published on CCNI website	Kathryn	Complete

49 (6)	17/12/2015	Items from Human Resources Committee Minutes from 10 September 2015	HR minutes to be published on CCNI website	Kathryn	Complete
49(7)	17/12/2015	Capacity Review	Option reflecting the capacity required to deliver a full compliance monitoring regime to be developed and review report to be submitted to DSD by mid January.	HCorpS	Underway
49(8)	17/12/2015	Draft strategic and business plans	Draft Strategic and Business plans to be forwarded to the sponsor department before end December	HCorpS	Complete
49(9)	17/12/2015	Risk appetite for new plan	A&RA committee to look in detail at the risk appetite and develop assurance levels	HCorpS	Underway
49(10)	17/12/2015	Draft 2016 Annual Return regulations	2016 Annual Return regulations to be published	HCorpS	Complete