



**Minutes of Board Meeting No. 73 held on Monday 13 May 2019
at 9:00am, at Charity Commission for Northern Ireland office, Lurgan**

Present:

Tom McGrath, Chief Charity Commissioner
Gerald McCurdy, Deputy Chief Charity Commissioner
Steven Cockcroft, Charity Commissioner (Legal)
Kieran Donaghy, Charity Commissioner
Séamus Magee, Charity Commissioner
Geraldine Donaghy, Charity Commissioner

In Attendance:

Frances McCandless, Chief Executive
Aubrey McCrory, Head of Corporate Services
Punam McGookin, Head of Charity Services
Myles McKeown, Head of Compliance & Enquiries
Beth Compston, Administration Officer

Apologies: Jenny Dougan, Board Apprentice

1. Minutes of Meeting No 72 – 25 March 2019

Following discussion the minutes of the meeting held on 25 March 2019 were agreed as a true and correct record as proposed by Steven Cockcroft and seconded by Kieran Donaghy.

AP1: Minutes of Board Meeting No 72 to be published on CCNI website.

2. Conflicts of Interest

No conflicts of interest were declared.

3. Chair's Business, Correspondence and Meetings

The Chair highlighted correspondence from the Attorney General, regarding the exercise of powers under section 47 of the Charities Act (Northern Ireland) 2008, which has been acknowledged and is under consideration.

The Chair noted that the post of Chief Commissioner is being re-advertised by the Department for Communities (DfC) and that until an appointment was made he would continue in post under a temporary arrangement.

4. Chief Executive's Report

The CEx introduced her report and highlighted issues discussed at the recent UK & Ireland Regulators' Forum. It was agreed to take up an offer of a briefing by the Fundraising Regulator for all Commissioners and staff when the new board was in place.

The Board noted year end results with all KPIs achieved except budget which was underspent by 1.2% against a target of 1%, and that the 2018/19 business plan has been signed off by DfC Permanent Secretary following minor amendment. A further update on relocation was anticipated at end of June.

Following the Chair and Chief Executive's meeting with the DfC Permanent Secretary in March 2019 consideration is being given to a capacity building programme. It is hoped this will build trustee knowledge and help reduce failures to comply and annual reporting errors.

Stephen Cockcroft provided a briefing on Legal Advisory Group meeting on 3 April 2019.

AP2: CEX to arrange Fundraising Regulator briefing for all Commissioners and Staff.

5. Charity Services Report

The Head of Charity Services outlined aspects of her report and the Board considered a number of changes to the existing registration manual covering removal of failure to submit information stage, introduction of three month deadline for update of governing documents, and an administrative change to the removals procedure. The Board approved these updates to version 12.0 to create version 13.0 of the registration manual as proposed by Steven Cockcroft and seconded by Geraldine Donaghy.

The Head of Charity Services highlighted the approach to consideration of applications for Trustee anonymity which focused on assessing potential harm. A number of recent applications included arguments related to human rights implications which staff were assessing. A number of queries were responded to regarding casework and Commissioners noted plans for pre-registration workshops in June which they were welcome to attend.

AP3: Updates to registration manual version 12.0 to be implemented.

6. Compliance & Enquiries Report

The Head of Compliance & Enquiries introduced his report noting work to bring forward live enquiries and cases. Commissioners noted steps to remove five organisations from the register would be completed following the public notice which produced no responses.

Following discussion the Board approved a change to the Compliance procedure version 3.0 to stop checking all Annual Monitoring Returns submitted on line in Portable Document Format (PDF) at submission, and instead include this action within the basic compliance check performed on a sample of returns as part of ongoing compliance work, as proposed by Steven Cockcroft and seconded by Gerard McCurdy.

The Board discussed the effectiveness of issuing Section 23 Orders and agreed to send orders to all organisations in default and to write to Trustees directly as proposed by Stephen Cockcroft and seconded by Gerard McCurdy.

The Head of Compliance and Enquires updated Commissioners on the statutory inquiry into Morning Star House and plans to publish an inquiry report

AP4: Updates to Monitoring Manual version 3.0 to be implemented (making the new manual version 4.0)

7. Corporate Services Report

The Head of Corporate Services outlined several aspects of the report including the year end budget position and forthcoming meetings with Charity Commission for England & Wales regarding Information and Communication Technology (ICT) support and assurances. The Board noted a number of changes would be made to the draft 2019/20 business plan targets and actions to reflect decisions made under agenda items 5 and 6.

A number of queries were responded to in relation to the future direction of the Commission's ICT agenda and recruitment spend to date.

AP5: draft 2019/20 Business Plan to be amended and resubmitted to DfC sponsor branch.

8. Reports from A&RA committee

a) Minutes 26 February 2019

Following discussion the minutes of meeting No 39 held on 26 February 2019 were agreed as a true and correct record as proposed by Séamus Magee and seconded by Kieran Donaghy.

AP6: Minutes of A&RA committee meeting No 39 to be published on CCNI website.

b) Draft Accounts

Kathleen McLoughlin, Finance & Admin Manager, introduced the draft accounts noting the basis of the accounts preparation. She provided an overview of the financial position and cash flows, and detailed expenditure and supporting notes. Commissioners noted a reduction in the cash held at

year end compared to the previous year. The Board thanked the Finance & Admin Manager and staff for their work and the quick turnaround of the draft accounts. The Board accepted the draft accounts as proposed by Séamus Magee and seconded by Geraldine Donaghy.

c) A&RA committee annual report

The Chair of the A&RA Committee highlighted the report which provided a summary of the Committee's activities during the year. The Board acknowledged the work taken forward by the previous committee chair Norman Bennett.

d) Governance statement

The Chief Executive introduced the report highlighting the various information published on risks managed during the year. The Chair thanked the Chief Executive for her report which was accepted by Board as proposed by Steven Cockcroft and seconded by Kieran Donaghy.

e) New risk register

The Chair of the A&RA committee introduced the new risk register noting the reduction in risks and plans by the committee to review the register to ensure the focus of Internal Audit work in the coming years was appropriate. Following discussion the Board agreed the new risk register as proposed by Gerard McCurdy and seconded by Kieran Donaghy.

f) Internal audit report and strategy

The Chair of the A&RA Committee introduced the annual Internal Audit report which had an overall satisfactory assurance rating. The Board noted a good report on the second audit assignment, and in particular acknowledged the low staff absence rate. Following discussion of the new 2019-23 audit strategy the Board agreed to adopt the various reports and audit strategy as proposed by Gerard McCurdy and seconded by Kieran Donaghy.

9. Policies and processes

a) Annual report text

The Chief Executive introduced the draft text and invited comments, noting the final draft would come to the June Board meeting. A number of additional issues for inclusion were identified, and the Board agreed the draft annual report, subject to minor amendments, as proposed by Steven Cockcroft and seconded by Geraldine Donaghy.

AP7: minor amendments to be made to draft Annual Report.

b) Transformation update

The Head of Corporate Services outlined project work since the last Board update. Commissioners were content to adopt the proposed 'future state' processes for Compliance, Removals, and Enquiries. The planned programme

of work to achieve various future state processes over the next three years and the initial priority actions for 2019/20 were accepted.

c) Legal advice on litigation outcomes

Commissioners discussed legal advice on the authority case heard at the High Court during February 2019, and the Chair undertook to arrange a Board meeting following receipt of the judgement as appropriate.

d) Annual Communications plan

The Head of Corporate Services introduced the 2019/20 communications plan derived from the Board agreed three-year strategy. A number of queries in relation to key messages were addressed, and it was agreed to develop a baseline and evaluation of this work as part of the research strategy in the coming years.

AP8: Research strategy to include a baseline and evaluation of communications work.

11. Issues for next meeting

Issues noted.

12. AOB

The Board agreed to send a card to a former member of staff.

Meeting ended at 11:30am

Register of Outstanding Action Points

Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
73(AP1)	13/05/2019	1	Minutes of Board meeting no 72 to be published on CCNI website	HCorpS	Underway
73(AP2)	13/05/2019	4	CEx to arrange Fundraising Regulator briefing for all Commissioners and Staff	CEx	Underway
73(AP3)	13/05/2019	5	Updates to registration manual version 12.0 to be implemented	HCS	Underway
73(AP4)	13/05/2019	6	Updates to monitoring manual version 3.0 to be implemented	HC&E	Underway
73(AP5)	13/05/2019	7	Draft 2019/20 business plan to be amended and resubmitted to sponsor branch	HC&E	Underway
73(AP6)	13/05/2019	8	Minutes of A&RA committee meeting no 39 to be published on CCNI website	HCorpS	Underway
73(AP7)	13/05/2019	9(a)	Minor amendments to be made to draft Annual report	HCorpS	Complete
73(AP8)	13/05/2019	9(d)	Research strategy to include a baseline and evaluation of comms work	HCorpS	Underway
72(AP3)	25/03/2019	4	Arrange briefings and board development sessions when remaining board appointments made.	CEx	Underway
72(AP6)	25/03/2019	6	Provide information on current wavier application.	HC&E	Underway
72(AP7)	25/03/2019	6	Investigate current amalgamation with Health Trusts.	HCS	Underway

72(AP10)	25/03/2019	10d	Briefing on complaints handling to be provided as next board meeting.	HCorpS	Underway
71(AP2)	29/01/2019	4	Legal team to provide additional information on ongoing litigation	Legal	Complete
71(AP9)	29/01/2019	8c	Minor amendments to the Compliance manual	HC&E	Underway
71(AP10)	29/01/2019	8d	Minor amendments to the Trustee anonymity process	HCS	Underway
56-12	12/12/2016	18	MOU with CRA to be drafted	HCS	Underway