



**Minutes of Board Meeting No. 47 held on Monday 21 September 2015
at 10.30am, Duncairn Centre, Belfast.**

Present:

Tom McGrath, Chief Commissioner
Walter Rader, Deputy Chief Commissioner
Rosemary Connolly, Commissioner (Legal)
Geraldine Donaghy, Commissioner
Brenda Maitland, Commissioner
Seamus Magee, 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

1. Minutes of Meeting 22 June 2015

Following discussion of the minutes of the meeting held on 18 May 2015 they were proposed by Rosemary Connolly and seconded by Brenda Maitland, and subject to minor amendment, agreed as a true and correct record.

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.

3. Chair's Business, Correspondence and Meetings

The Chair advised the Board that he had recently attended the public meeting in London of the Charity Commission for England and Wales (CCEW) at no cost to the Commission. The Chair reminded members of their meeting with the Minister on 9th November 2015, subject to a Minister being in office. The Chair noted this would be Rosemary's last meeting and expressed thanks on behalf of all Board members and Senior Management to Rosemary Connolly for her contributions since joining in 2009. The Board recognised the

tremendous amount of work, reassurance on legislation and legal queries and noted recognition of her work would be published shortly within the legal profession.

4. Chief Executive's Report

The Chief Executive introduced her report to the Board and commented on some issues arising within the Commission. It was noted that there would be no Monitoring round in October, though the Department has confirmed that the Commission's recent budget request has been included in the latest Departmental Budget allocation. The Chief Executive advised that the Chair and she had met with the Minister regarding a number of issues including future premises needs and it had been reiterated that any decision would take account of the needs of the Commission. It was noted DSD's consultation on accounting regulations was going ahead and that the Minister had agreed the draft regulations prior to resignation. Details of FOI requests and a recent Information Tribunal ruling which supported the Commission's position were noted.

5a. A&RA Issues

Minutes from meeting 12 May 2015

The Chair of the Audit & Risk Assurance Committee (A&RA) introduced the minutes of the meeting 12 May 2015. It was agreed that the minutes were a true and accurate record of the meeting as proposed by Brenda Maitland and Geraldine Donaghy.

AP2: Minutes of A&RA Committee to be published on CCNI Website.

5b. Update 9 September 2015

The Chair of the A&RA Committee updated the Board on matters arising from the meeting 9 September 2015, advising that it was Walter Rader and Seamus Magee's first meeting with the Committee. The Chair advised that Terms of Reference had been agreed with Internal Audit for their first assignment, and a Committee Self Assessment exercise would take place in October.

5c. Risk Register

The Head of Corporate Services introduced the register to the Board and highlighted proposed changes. Following discussion of emerging risks it was agreed to increase risk 4 inherent and residual risk levels in light of increased ICT and resource budget uncertainty. It was agreed the November Board agenda would include discussion of risks in relation to the emerging strategic and business plans, and in particular communications risks. The revised risk register was agreed following proposal by Walter Rader and seconded by Seamus Magee.

5d. Report to those charged with Governance

The Chair of the A&RA Committee advised that the Northern Ireland Audit Office (NIAO) had reported a clear audit for the Commission which was as clean a report as could be imagined and praised the staff on delivering these results.

6a HR Issues

Minutes from meeting 17 June 2015

The Minutes of the Human Resources (HR) Committee meeting on 17 June 2015 were agreed as a true and accurate record as proposed by Geraldine Donaghy and seconded by Walter Rader.

AP3: Minutes of HR Committee to be published on CCNI website

6b. Update from meeting 10 September 2015

The Chair of the HR Committee updated the Board on issues arising from the meeting on 10 September 2015. Consideration was given to the latest tranche of policies, which were agreed in principle but further work on style and language would need to be completed prior to coming to the Board for approval. Assurance was given on the 2014/15 staff appraisals that had been carried out. It was agreed to mirror the NICS handbook structure as a direction of principle.

6c. Options for joining HR Connect

The Chair of HR Committee introduced the paper to the Board, highlighting that the committee had considered the options at its meeting in September and would recommend option 2 to the Board for approval and adoption. Following discussion it was agreed that the Commission would move all its payroll work and HR activities to HR Connect from 2016/17 subject to the Department making resourcing available. The Board were content to approve option 2, following proposal by Geraldine Donaghy and seconded by Seamus Magee.

AP4: Officers to progress resourcing and on-boarding needs with sponsor branch

7. Trustee Checks manual

The Head of Compliance and Enquiries introduced the manual to the Board and advised this is the first stage of checks that officers would perform prior to moving the case onto Monitoring and Compliance if required. Following discussion it was agreed that the reasons from Section 86 (1) of the Charities Act be listed on the Trustee Declaration form, so Trustees are fully aware of what they are signing. The Board agreed to adopt the manual subject to minor amendment following proposal by Norman Bennett and seconded by Brenda Maitland.

AP 5: Trustee Declaration form to be amended to include information from Section 86 (1) Charities Act

8. Freedom of Information manual

The Head of Charity Services introduced the paper to the Board highlighting areas that have been redeveloped and amended eg removing references to paper files, consideration of issues such as resources, reference to practical information on the Information Commissioner's (ICO) website and the introduction of a schedule document. During discussion of charging it was agreed to reflect this as a principle the Commission would employ. Following discussion, the Board agreed to adopt the manual subject to inclusion of charging as proposed by Walter Rader and seconded by Rosemary Connolly.

9. Memorandum of Understanding (MOU) - Big Lottery

The Head of Charity Services introduced the paper to the Board which set out the framework for co-operation and collaboration between the parties. The Board were content to proceed with the MOU following proposal by Brenda Maitland and seconded by Seamus Magee.

10. Commission action in the event of an injunction or judicial review

The Head of Compliance and Enquiries introduced the paper to the Board highlighting the ongoing legal proceedings and the Commission considering the need to take protective action. It was noted none of these actions would be taken in an enquiry without a Section 22 investigation being opened by the Commission first. Following discussion the Board agreed the need to take action as detailed in the paper as proposed by Geraldine Donaghy and seconded by Rosemary Connolly.

11. Q1 Business plan progress report

The Head of Corporate Services introduced the report to the Board who noted the overall position regarding business results. The Board discussed those not coming forward for registration and planned work to ensure contact information was up to date. It was pointed out future progress reports would contain additional charts/graphs and a brief explanatory narrative. Following discussion the Board were content with the layout and with additional information going forward.

12. Budget update to include reduction scenarios

The Head of Corporate Services introduced the budget update to the Board and clarified that additional budgetary pressures in Quarter 2 were communicated and contained in the Department's budget allocation. The Chief Executive introduced the budget reduction scenarios. She outlined that the Commission could bid into the Voluntary exit scheme for next year, if one was available, and all options would be explored. A range of budget

reduction scenarios were discussed and it was noted that the next stage would be to develop a menu of work that could be stopped, but that living with cuts would have to be premised on the Department making no more commencement orders. The Board agreed the areas of work highlighted for prioritisation and deprioritisation.

13. Casework Update

The Head of Charity Services introduced the paper to the Board highlighting some key issues, noting that as of Friday 19 September 2015 the Commission had registered 2,500 charities. Commissioners noted that procedures for pursuing those who fail to apply are now under active consideration and progress on the position regarding the registration of schools has been made with the Department of Education. The Board agreed a future development day agenda would look at refusals to register and those registrations which were borderline. Commissioners discussed the fact that current powers and resources did not allow the Commission to provide advice and guidance when registration applications were turned down. The Board discussed the opportunity to identify lessons from refusals and if resources became available a thematic report on refusals could be developed.

14. Investigation Update

The Head of Compliance and Enquiries introduced the paper to the Board highlighting key information and figures, Commissioners noted the report. The Board noted the Interim Manager appointed to Bangor Provident Trust was progressing their assignment and had given an initial position highlighting a range of risks to charity assets. The Head of Compliance and Enquiries set out planned future action in this and a related case.

15. Monitoring and Compliance Update

The Head of Compliance and Enquiries introduced the paper to the Board; Commissioners noted the progress of the team.

16. Report on consultation on the development of the strategic plan

The Head of Corporate Services introduced the paper to the Board advising that the Commission had received feedback from 23 organisations with suggestions and views on the draft strategic agenda. Feedback was broadly positive and will assist in the development of a draft strategic plan 2016-19 which the Board would consider at its meeting in November. Commissioners noted the outcome of the consultation.

17. Review MSFM Compliance

The Chief Executive introduced the paper to the Board advising that the MSFM is reviewed on a 6 monthly basis. Commissioners noted the review and that the Commission is currently in compliance with its MSFM.

18. Update on Accounting and Reporting Guidance and DSD consultation

The Head of Compliance and Enquiries updated the Board on DSD's consultations and advised that a Commission Task and Finish group have met and a summary guidance document will be circulated in December.

19. Brief on online annual monitoring return

The Head of Compliance and Enquiries introduced the paper to the Board and asked Commissioners to note the key information on the public display of information received through the new Annual Monitoring Return. Commissioners noted this short term position.

20. Brief on publishing decision

The Chief Executive introduced the paper to the Board and asked Commissioners to note the decisions the Commission publishes on its website and the reasoning behind publication. Commissioners noted the paper and suggested that a further paper be on the next Board meeting Agenda.

AP6: Publishing Decisions to be added to next Board meeting Agenda

21. Press Clippings

Noted.

22. Review of Meeting

No issues were noted.

23. Issues for next meeting 9 November 2015

Publishing decisions
Waiver

24. AOB

The meeting concluded at 14.30

Register of Outstanding Action Points					
Board Meeting and Action Point Number	Date Raised	Agenda Item	Action	Owners	Status
34 (10)	11/11/2013	Press Clippings	MOU with RQIA to be developed	HCE	Underway
40 (3)	22/9/14	Chief Executive's Report	Legally qualified commissioner to engage with colleagues in the legal profession	Rosemary Connolly	Complete
41 (3)	10/11/2014	Issues from HR&R; First Steps towards a HR Strategy	Progress steps towards a HR strategy	HCorpS	Underway
46 (4)	22/06/2015	Registration Manual	Project to address the key risk of failure to apply to be completed by the end of quarter 3.	HCS	Underway
47 (1)	21/09/2015	Minutes of Meeting 22 June 2015	Board minutes to be published on CCNI website	Kathryn	Complete
47 (2)	21/09/2015	Minutes from meeting 12 May 2015	Minutes of A&RA Committee to be published on CCNI Website	Kathryn	Complete
47 (3)	21/09/2015	Minutes from meeting 17 June 2015	Minutes of HR Committee to be published on CCNI website	Kathryn	Complete
47 (4)	21/9/15	Options for joining HR Connect	Officers to progress resourcing and on-boarding needs with sponsor branch	HCorpS	Underway

47 (5)	21/9/15	Trustee Checks manual	Trustee Declaration form to be amended to include information from Section 86 (1) Charities Act	HCS	Underway
47 (6)	21/9/15	Brief on publishing decision	Publishing Decisions to be added to next Board meeting Agenda	Kathryn	Complete