



**Minutes of Board Meeting No. 42 held on Monday 15 December 2014
at 09:15 hrs, 257 Lough Road, Lurgan.**

Present:

Tom McGrath, Chief Commissioner
Walter Rader, Deputy Chief Commissioner
Norman Bennett, Commissioner
Rosemary Connolly, Commissioner (Legal)
Geraldine Donaghy, Commissioner
Brenda Maitland, Commissioner
Philip McDonagh, 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, CCNI

1. Minutes of Meeting 10 November 2014

Following discussion the minutes of the meeting held on 10 November 2014, were proposed by Rosemary Connolly and seconded by Philip McDonagh, and agreed as a true and correct record subject to a minor amendment.

AP 1: Board minutes to be amended and 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. The Deputy Chief Commissioner declared a potential conflict of interest in relation to East Belfast Mission.

3. Chair's Business, Correspondence and Meetings

The Chair highlighted ongoing developments regarding staffing issues and the recent Board residential. Attendees felt this was very valuable in terms of taking stock of how the Commission had learnt to operate charity regulatory services and the priorities that had to be focused on. Details of matters discussed at the recent DSD committee meeting were outlined. Commissioners noted MLAs had raised the issue of charging charities for

regulation and explored the differing regulatory approaches emerging in England & Wales, Scotland and the Republic of Ireland.

4. Chief Executive's report

The Chief Executive introduced the report and highlighted various activities and developments on a range of operational and policy matters. These included meeting with Departmental officials regarding delays in their development of accounting regulations for charities in Northern Ireland, which they had stayed pending new regulations in England & Wales. Unfortunately those anticipated new regulations were not fast tracked by the Cabinet Office, and progress would be delayed until well into next year. The lack of any accounting regulations in Northern Ireland meant religious designation, which was part of the registration process, could not proceed. It was noted one religious designation had been made in error due to a flaw in the operation of the on line application process. It was agreed the Chair should write to the Department underlining the hold up in proceedings, requesting officials meet to discuss legal advice, and point out a delay of up to a year will have significant impact on registration progress with associated risks.

The Chief Executive also highlighted delays by some appellants in making submissions to the Tribunal hearing concerning the Disabled Police Officer's Association Section 22 Inquiry.

AP 2: Chair to write to DSD re delays in making accounting regulations

AP 3: Officers to raise with DSD impact of recent tribunal processes.

5. Issues from A&R

a) Minutes of Meeting

Following review of the minutes of 9 September 2014 these were proposed by Norman Bennett and seconded by Walter Rader, and adopted as a true and correct record. The Chair of A&R committee noted a further meeting took place on 18 November which covered the results of the annual self assessment exercise and plans to recruit a replacement independent member of the committee.

AP4: A&R Minutes to be published on the web site

b) Finance Procedure Amendments

The Head of Corporate Services briefed the Board on amendments which arose as a result of audit recommendations. Following consideration and proposals by Norman Bennett and seconded by Walter Rader the procedure was adopted.

c) Risk Register

The Head of Corporate Services highlighted the revised register and details of progress. Following discussion of recent developments regarding future budgets it was agreed to increase risk 11 following proposal by Philip McDonagh and seconding by Geraldine Donaghy.

6. Corporate and Business plans 2015

The Head of Corporate Services introduced the plans which were redrafted following feedback at the last Board meeting and issued to Commissioners before a recent exercise was undertaken following a request from sponsor branch to identify potential budget cuts of up to 10%. In light of uncertainty around budgets and potentially significant impacts on service delivery assumptions and targets, the Board were unable to accept the redrafted plans. It was agreed the Chief Commissioner would write to the Department requesting a delay in the timescale for submitting draft plans until budget assumptions were known, and enclose a paper setting out the impact of resource reductions.

AP5: Officers to draft a paper setting out the impact of resource reductions.

AP6: Chief Commissioner to write to the Department requesting a delay in the timescale for submitting draft plans and enclosing paper on impact of reductions.

7. Investigation Manual

The Head of Compliance & Enquiries introduced the revised manual which had been considered by a task & finish group. He highlighted the background and changes as set out in Section 4 and timescales. The Board noted that on receipt of a concern the investigation was dealing with 'alleged' matters and that the risk assessment headings should reflect the range of low to high risk. In relation to appendix S - the waiver process, the Board discussed options and suggested some amendments. It was agreed the proposed process should be adopted except for some of the criteria in Section 8.2 on timescales, on which Counsel's opinion would be sought. Following further discussion, the revised manual was adopted with proposal by Rosemary Connolly and seconding by Walter Rader.

During discussion of the manuals it was agreed the next thematic report would highlight the Commission's range of statutory powers and their use.

AP7: Counsel opinion to be sought on proposed waiver timescales.

AP8: Thematic report to cover use of Commission's statutory powers

8. Plan for development of and consultation on next corporate plan

The Head of Corporate Services introduced the overall plan and noted the commitment at the Board residential to develop a fresh strategic plan for the

period 2016-19. Commissioners reviewed the key milestones across the coming twelve months and agreed the plan.

AP9: Key milestones to be incorporated into relevant Board and SMT agenda during 2015-16

9. Corporate governance framework

The Head of Corporate Services introduced the proposed framework which had been developed in light of the 2013/14 internal audit programme. Commissioners reviewed the specific elements set out in Section 6 and agreed to adopt the framework subject to addition of organisational policies & procedures, and reference to the HR Strategy when development is completed.

AP10: Governance framework to be finalised and published on the website.

10. Review scheme of Board and Management Responsibilities

The Board discussed the scheme and identified a series of minor amendments.

AP11: Scheme of responsibilities to be revised

11. Budget Report

The Head of Corporate Services introduced the report to the Board. During review and discussion it was noted sizeable additional costs for admin support to the registration process had been managed by flexing the budget in year. The Board also discussed potential implications of the current pay remit causing pressures next year, along with available resources to defend any corporate legal challenges, fill vacancies or meet the Commission's accommodation needs as the lease is due to run out in the next business plan. It was agreed to produce an accommodation needs business case before the lease expired, for board consideration.

AP12: Business Case of accommodation needs to be produced.

12. Casework Update

The Chief Executive highlighted the report including volumes being called forward for registration, levels of registrations and refusals. The Board noted progress on piloting rejection of poor quality applications and that the timescale for registration of the Presbyterian Church was dependent on the General Assembly making acceptable changes to governing documents. The Board discussed business plan targets and noted a warning that level of decisions on applications for registration at year end could be below the levels projected in October.

13. Investigation & Compliance Update

The Head of Compliance and Enquiries highlighted the update and outlined cases closed and information on organisations currently under statutory inquiries. In particular the Board noted the USPCA had recently held an AGM and as new Trustees and procedures were in place the Commission was closing its statutory enquiry, although a regulatory enquiry would continue to monitor the organisation.

14. Amendments to interim reporting requirements to comply with new SORP from January 2015

The Board noted the briefing on amendments which was very useful.

15. Press Clippings

The Board noted the coverage.

16. Hospitality Register

Noted

17. Review of Meeting

Noted.

18. Issues for next meeting 26 January 2015

A number of issues were highlighted for possible inclusion.

19. AOB

A draft submission of evidence to the Joint Committee on the draft Protection of Charities Bill was circulated and Commissioners agreed to review the text and provide any comments to the Chief Executive.

AP13 : Commissioners to provide comments on the submission of evidence re draft Protection of Charities Bill

The meeting concluded at 12:40

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 (2)	22/9/14	Chair's Business, Correspondence and Meetings	Officers to progress HR Connect support for strategic review of policies	HCorpS	Complete
40 (3)	22/9/14	Chief Executive's Report	Legally qualified commissioner to engage with colleagues in the legal profession	Rosemary Connolly	Underway
40 (6)	22/9/14	Amendment to Legal Manual	Legal officers to Draft a template letter for use when instructing counsel.	Legal Advisors	Underway
40 (10)	22/9/14	Casework Update	Commission to seek definite timetable for registration from the Presbyterian and the Methodist churches.	CEx	Underway
40 (13)	22/9/14	AOB	Chair to finalise Commissioner appraisals and submit to DSD	Chief Commissioner	Complete
42 (3)	10/11/2014	Issues from HR&R; First Steps towards a HR Strategy	Progress steps towards a HR strategy	HCorpS	Underway
42 (4)	10/11/2014	Issues from HR&R; Staff Survey	Board ownership and specific items to be included in staff survey action plan	HCorpS	Complete
43 (1)	15/12/2014	Minutes of Meeting 10 November 2014	Board minutes to be amended and published on CCNI website	Kathryn	Complete
43 (2)	15/12/2014	Chief Executive's report	Chair to write to DSD re delays in making accounting regulations	Chair	Complete

43 (3)	15/12/2014	Chief Executive's report	Officers to raise with DSD impact of recent tribunal processes.	CEO	Underway
43 (4)	15/12/2014	Issues from A&R Minutes of Meeting	A&R Minutes to be published on the web site	Kathryn	Complete
43(5)	15/12/2014	Corporate and Business plans 2015	Officers to draft a paper setting out the impact of resource reductions	HCorpS	Complete
43 (6)	15/12/2014	Corporate and Business plans 2015	Chief Commissioner to write to the Department requesting a delay in the timescale for submitting draft plans and enclosing paper on impact of reductions.	Chair	Complete
43 (7)	15/12/2014	Investigation Manual	Counsel opinion to be sought on proposed waiver timescales	HCE	Underway
43 (8)	15/12/2014	Investigation Manual	Thematic report to cover use of Commission's statutory powers	HCE	Complete
43 (9)	15/12/2014	Plan for development of and consultation on next corporate plan	Key milestones to be incorporated into relevant Board and SMT agenda during 2015-16	HCorpS	Underway
43 (10)	15/12/2014	Corporate governance framework	Governance framework to be finalised and published on the website.	HCorpS	Underway
43 (11)	15/12/2014	Review scheme of Board and Management Responsibilities	Scheme of responsibilities to be revised	HCorpS	Complete
43 (12)	15/12/2014	Budget Report	Business Case of accommodation needs to be produced	HCorpS	Underway
43 (13)	15/12/2014	AOB	Commissioners to provide comments on the submission of evidence re draft Protection of Charities Bill	HCorpS	Complete