

COMMISSIONER FOR OLDER PEOPLE FOR NORTHERN IRELAND (COPNI)

AUDIT AND RISK ASSURANCE COMMITTEE

**MINUTES OF A MEETING OF THE AUDIT AND RISK ASSURANCE COMMITTEE
HELD ON MONDAY 6 MARCH 2017 AT 1.30PM IN EQUALITY HOUSE, BELFAST**

PRESENT:

MEMBERS Gerard Campbell (Chair)
Julie Erskine
Don Mackay
Breidge Gadd

IN ATTENDANCE Eddie Lynch (Commissioner, COPNI)
Evelyn Hoy (Chief Executive, COPNI)
Janet Smyth (Department for Communities) arrived 2.15pm
Peter O'Sullivan (Northern Ireland Audit Office)
Jonathan Buick (ASM – Internal Audit)
Helen Gault (Finance and Governance Manager, COPNI)
Eloise Gilmour (Office Manager, COPNI)

<p>Agenda Item 1: Apologies</p> <p>The Chair welcomed everyone to the meeting. He expressed his gratitude to Rodney Allen and Kathy Doey (Northern Ireland Audit Office) for their diligence and support over the past few months. The Chair welcomed Peter O'Sullivan to the meeting and introductions were made.</p> <p>There were no apologies. It was noted J Smyth would join the meeting later.</p>	<p>NOTED</p>
<p>Agenda Item 2: Chair's Business</p> <p>The Chair highlighted this was the final meeting of this current committee, which had now been in place for five years. The Chair thanked the Committee for their support both to him and to the previous and current Commissioners during this time. The Chair highlighted COPNI's strong relationship with the Department for Communities and the Auditors.</p> <p>The Commissioner thanked the Committee for their support and advice which had reassured him during his first nine months in post. He recognised the important role of the Committee in getting the organisation to where it is today.</p> <p>E Hoy thanked each Committee Member for their support since the organisation was established and the Internal Auditors for their assistance. J Erskine indicated she had enjoyed her time with COPNI</p>	<p>ARAC 03/17/2</p>

<p>and thanked the Commissioner, E Hoy and the COPNI staff. D Mackay wished everyone well. B Gadd thanked the COPNI staff and the Committee for the goodwill and positive contribution, and paid tribute to G Campbell as Chair of the first Committee.</p> <p>a) <u>Conflicts of Interests</u></p> <p>J Erskine declared an interest in relation to item 5(c) as she has a close family member who resides in a Runwood Homes facility.</p>	<p>NOTED</p>
<p>b) <u>Fraud</u></p> <p>No incidents were reported in this period.</p> <p>c) <u>Register of Gifts and Hospitality Received</u></p> <p>The four items on the register were noted and it was signed by the Chair.</p> <p>d) <u>Register of Gifts and Hospitality Given</u></p> <p>The three items on the register were noted and it was signed by the Chair. E Hoy indicated the Department for Communities would confirm later in the meeting whether catering costs integral to engagement events should be recorded on the register.</p> <p>e) <u>Register of International Conferences & Events</u></p> <p>There were no entries for this period.</p> <p>f) <u>Direct Award Contracts</u></p> <p>The three items on the record were noted.</p> <p>g) <u>Whistleblowing</u></p> <p>No incidents were reported in this period.</p>	<p>NOTED</p> <p>ARAC 03/17/2c NOTED</p> <p>ARAC 03/17/2d NOTED</p> <p>ACT 137</p> <p>NOTED</p> <p>ARAC 03/17/2f NOTED</p> <p>NOTED</p>
<p>Agenda Item 3: Draft Minutes of Meetings & Action Tracker</p> <p>a) <u>5th December 2016</u></p> <p>The minutes were approved by Members and signed by the Chair.</p> <p>b) <u>Action Tracker</u></p> <p>The four actions were reported as complete.</p>	<p>ARAC 03/17/3a NOTED</p> <p>ARAC 03/17/3b NOTED</p>

<p>Agenda Item 4: Matters Arising not already on the Agenda</p> <p>There were no matters arising.</p>	
<p>Agenda Item 5: Commissioner's Update</p> <p>a) <u>Last Meeting</u></p> <p>The Commissioner again thanked the members' for their support and advice.</p> <p>b) <u>Engagement</u></p> <p>The Commissioner gave a brief outline of his recent engagements.</p>	<p>ARAC 03/17/5</p> <p>NOTED</p> <p>NOTED</p>
<p>c) <u>Investigation of Dunmurry Manor</u></p> <p>The Commissioner stated that he had commenced an investigation into the alleged failures of care at Dunmurry Manor Care Home, Belfast. He said that COPNI had begun to receive complaints about the standards of care and safety of residents living with dementia in Dunmurry Manor Care Home from family members and former employees on 8th December 2016. COPNI had contacted the South Eastern Health and Social Care Trust, and had been reassured that appropriate measures were in place, and had also spoken to the RQIA.</p> <p>The Home had been under a 'Notice of Failure to Comply' from the RQIA; this expired at the end of January 2017 at which point the Home remained in failure to comply with the minimum standards for nursing homes. The Commissioner considered whether to exercise his powers under Schedule 2 of the Commissioner for Older People Act (Northern Ireland) 2011. COPNI approached the Department for Communities for funding for the investigation, to cover an expert panel, resources and equipment. The Department was supportive, and approved £25,000 to the end of March 2017.</p> <p>Six members of staff are accredited in Advanced Investigatory Practice.</p> <p>The Committee was briefed on and discussed:</p> <ul style="list-style-type: none"> • The impact of the investigation on the normal operations of COPNI. • The use of the investigatory powers (for the first time) and the inherent risks therein. • The expert panel members supporting the investigation, their role and contribution. • The Dunmurry Manor Investigation risk register. • Themes emerging from interviews to date. • Liaison with PSNI and peer support from senior investigators from the NI Public Service Ombudsman's office. 	<p>NOTED</p>

<p>J Smyth joined the meeting during this item.</p> <p>The Chair asked for details of the budget for the investigation. E Hoy explained the Business Plan scoping the investigation estimated external and programme costs of £29,000. She felt this was accurate at the point of commencing the investigation however, legal costs could increase the figure significantly. Because the investigation did not commence until 15th February, it was anticipated £15,000 would be spent by the end of March, and £14,000 from April onwards. The Department's £25,000 may not be spent by the end of March, due to the investigation beginning late in the financial year and no year-end flexibility.</p> <p>The Chair advised COPNI should have enough funding to complete the investigation. J Erskine highlighted the importance of not letting down any of COPNI's stakeholders. The Commissioner confirmed that the investigation will take priority over all aspects of work moving into 2017/18. He said that the pressures on the baseline funding have not eased and that in-year bids for additional funding will be required. He understands that there is no certainty around this, especially in the immediate term with political uncertainty, but he will work with the Department to ensure that funds coming to COPNI will be allocated to the investigation in the first instance. He highlighted COPNI's understanding and commitment to work within its budget parameters.</p>	
<p>d) <u>Programme for Government Event</u></p> <p>The Commissioner reported there had been a good attendance and positive tone at the event held by COPNI on 13 December 2016. The speakers and political representatives were supportive of COPNI's position on the need for older people's issues to be included in the Programme for Government. Katrina Godfrey, Head of Programme for Government, The Executive Office, represented the Department for Communities and the Executive Office. She gave a presentation and indicated she would feedback from the event to Ministers.</p> <p>The NI Assembly had subsequently collapsed in January 2017, therefore the status of the document is unknown. However the work COPNI has undertaken on this issue over the past six months should be taken into consideration if the Programme for Government is relaunched by a new Assembly. It was noted there had been limited reference to older people's issues by candidates standing in the recent NI Assembly election on 2 March 2017.</p>	<p>NOTED</p>
<p>e) <u>Accountability Meeting</u></p> <p>COPNI has received confirmation of its opening budget allocation of £817,000 for 2017/18. Two members of the Department for Communities finance team met with H Gault on 15 February 2017. The</p>	<p>NOTED</p>

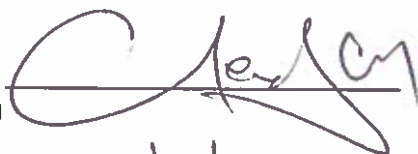
<p>Commissioner thanked the Department for Communities for their swift response regarding funding for the investigation of Dunmurry Manor.</p>	
<p>f) <u>Draft Budget 2017/18</u></p> <p>The draft budget of £817,000 was notified to COPNI, along with a letter indicating that a 5% cut may be required. The opening allocation does not fully cover staff and overheads costs. The Commissioner has written to Leo O'Reilly to explain that no further efficiencies are possible without reducing staff (through compulsory redundancy) and directly affecting front-line services. Therefore COPNI will make bids for funding in year for legal casework costs, research and engagement, and the investigation.</p>	<p>ARAC 03/17/5f NOTED</p>
<p>Agenda Item 6: Chief Executive's Update – Emerging Issues</p> <p>a) <u>Recruitment and Induction</u></p> <p>E Hoy reported the vacant Legal Officer post is being filled by an agency worker who is a trained barrister, and is a member of the Investigation Team. The vacant Communications and Engagement Manager post is being filled by the Communications Administration Officer acting up. The recruitment of the two vacant posts is on hold due to the human and time resources being taken up by the investigation.</p> <p>The recruitment of the Chair and two Members of the new Audit and Risk Assurance Committee is in progress.</p> <p>Mr Mackay indicated he was aware of guidance sent recently to some Arms' Length Bodies from the Department for Communities regarding the need to seek approval for the recruitment of managers at Deputy Principal grade or above. E Hoy confirmed COPNI had not received this guidance. J Smyth agreed to check whether the guidance should apply to COPNI.</p> <p>b) <u>2016/17 Finance and Expenditure</u></p> <p>As at 31 January there was a small projected underspend of £328 for the year. The final budget was £892,000 due to successful bids in year and the £25,000 funding for the investigation of Dunmurry Manor. There were no new areas of expenditure. The document was noted.</p> <p>c) <u>Quarterly Performance Report</u></p> <p>E Hoy referred to the report and indicated 19 projects in the Business Plan were on target and two were behind.</p>	<p>ARAC 03/17/6 NOTED</p> <p>ACT 135</p> <p>ARAC 03/17/6b NOTED</p> <p>ARAC 03/17/6c NOTED</p>

<p>d) <u>Senior Management Team</u></p> <p>The Team continues to meet monthly, and it is also now the Project Board for the investigation of Dunmurry Manor.</p>	<p>NOTED</p>
<p>e) <u>Complaints</u></p> <p>No new complaints were received in this period. E Hoy gave an update on a closed complaint.</p>	<p>NOTED</p>
<p>f) <u>2016/17 Business Plan – Progress on Objectives</u></p> <p>E Hoy indicated the 2017/18 Business Plan had been recast due to the investigation of Dunmurry Manor. It will be submitted to the Department for Communities. COPNI appreciated the Department's patience. All projects in the 2016/17 Business Plan within COPNI's control are complete. The report was noted.</p> <p>Regarding the Department for Communities' Active Ageing Strategy 2016-2021, E Hoy highlighted COPNI has not received a report on progress of implementation of the Strategy. J Smyth indicated the government is working to address older people's issues, and is developing a social strategy for consultation, which has been halted due to the collapse of the NI Assembly. The Department is not obliged to produce an annual report on the Strategy. It was agreed to discuss how the Department could update COPNI going forward.</p>	<p>ARAC 03/17/6f NOTED</p> <p>ACT 136</p>
<p>g) <u>Assurance Statement April 2016 – September 2016</u></p> <p>The document was noted.</p>	<p>ARAC 03/17/6g NOTED</p>
<p>h) <u>Assurance Statement October 2016 – December 2016</u></p> <p>The document was noted.</p>	<p>ARAC 03/17/6h NOTED</p>
<p>Agenda Item 7: Risk Matters</p>	
<p>a) <u>Corporate Risk Register 2016/17 Quarter 4</u></p> <p>E Hoy referred to the four risks in the register and indicated Risk 5 regarding Programme for Government was struck out as it is on hold until a new Assembly is formed.</p> <p>J Erskine indicated it is clear COPNI is managing its risks efficiently.</p>	<p>ARAC 03/17/7a NOTED</p>
<p>b) <u>Dunmurry Manor Investigation Risk Register</u></p> <p>B Gadd indicated there could be a reputational risk in not recruiting for the Legal Officer post until after the investigation, and suggested the routine work should be carried out by a Paralegal on a temporary basis.</p>	<p>ARAC 03/17/7b NOTED</p>

<p>E Hoy said she would consider B Gadd's comments. The Commissioner acknowledged the risk to casework and existing clients due to the team being required to conduct the investigation.</p> <p>E Hoy explained the investigation process. The Older People's Commissioner for Wales and the NI Public Services Ombudsman have offered support to COPNI during the investigation.</p> <p>In response to a query from D Mackay regarding the impact of the investigation on staff's routine work, E Hoy explained that the investigation team's time is ring-fenced, and a Paralegal temporary post is being costed to backfill and take on some of the priority casework. While these measures should partially mitigate the risk, she is certain there will be an operational impact.</p>	
<p>Agenda Item 8: Update from Department for Communities</p> <p>J Smyth indicated the Department for Communities will meet COPNI regarding the Management Statement and Financial Memorandum next week.</p> <p>The Department is taking legal advice in relation to a letter from NIPSA regarding the pay dispute. The Department has written to COPNI regarding new processes for job grading.</p> <p>It will discuss the Business Plan with COPNI. It has met with COPNI regarding the Arms' Length Body Review, and the report will be circulated to David Malcolm by the end of March.</p> <p>The Department's Finance team recently met H Gault. COPNI's pay remit is with the Department of Finance to review. Regarding agenda item 2(d), J Smyth agreed to forward advice to H Gault the following week.</p>	<p>NOTED</p>
<p>Agenda Item 9: Update from Northern Ireland Audit Office</p> <p>a) <u>Letter re Change of Director</u></p> <p>The letter was noted regarding Denver Lynn now having responsibility for the Department for Communities and its Arms' Length Bodies. P O'Sullivan indicated the Audit Strategy will be sent to COPNI in the next few weeks.</p>	<p>ARAC 03/17/9a NOTED</p>
<p>Agenda Item 10: Update from Internal Audit</p> <p>a) <u>Performance Management Report</u></p> <p>J Buick gave an overview of the report which had looked at both the financial and non-financial performance of the organisation. It had a satisfactory audit opinion with four recommendations. Two were</p>	<p>ARAC 03/17/10a NOTED</p>

<p>complete and one would be actioned within the 2017/18 Business Plan. COPNI had not accepted one recommendation, and ASM were content to leave this as a best practice recommendation. J Erskine said this was an excellent report and congratulated staff.</p> <p>J Buick confirmed the Internal Audit Plan 2017/18 and Annual Assurance Report will be available for the June meeting.</p>	
<p>Agenda Item 11: Audit Recommendations – Progress to date</p> <p>The status of the four recommendations was noted.</p>	<p>ARAC 03/17/11 NOTED</p>
<p>Agenda Item 12: Update on Dear Accounting Officer and Finance Director Guidance</p> <p>The report was noted, and H Gault agreed to circulate the Pay Remit Guidance web link to the Committee for information.</p>	<p>ARAC 03/17/12 NOTED</p> <p>ACT 138</p>
<p>Agenda Item 13: Summary of Key Issues from Public Accounts Committee</p> <p>There were no issues to note for this period.</p>	<p>NOTED</p>
<p>Agenda Item 14: COPNI Updated Policies</p> <p>a) <u>Fraud Policy and Fraud Response Plan</u></p> <p>The list of 11 updated policies and the Fraud Policy and Fraud Response Plan were noted.</p>	<p>ARAC 03/17/14</p> <p>ARAC 03/17/14a NOTED</p>
<p>Agenda Item 15: Revised Business Continuity Plan</p> <p>The document was noted. E Hoy highlighted that bodies similar to COPNI do not carry out full tests of their plans, and the Equality Commission carries out a bi-annual test of the ICT element of COPNI's plan.</p>	<p>ARAC 03/17/15 NOTED</p>
<p>Agenda Item 16: Any Other Business</p> <p>There was no other business. The Chair thanked everyone for their contributions to the Committee.</p> <p>The meeting closed at 3.40pm.</p>	

Signed:
Chairperson



Date:

9/8/17.