

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 3 SEPTEMBER 2018 AT 1.30PM
IN EQUALITY HOUSE, BELFAST

PRESENT:

MEMBERS

Gerard Campbell (Chair)
Joseph Campbell
Professor Dolores O'Reilly

IN ATTENDANCE

Eddie Lynch (Commissioner, COPNI)
Evelyn Hoy (Chief Executive, COPNI)
Ciaran Cunningham (Department for Communities)
Martin Walker (Department for Communities)
Peter O'Sullivan (Northern Ireland Audit Office)
Amanda McMaw (ASM – Internal Audit)
Helen Gault (Finance and Governance Manager, COPNI)
Eloise Gilmour (Office Manager, COPNI)

<p>Agenda Item 1: Apologies</p> <p>There were no apologies.</p>	<p>NOTED</p>
<p>Agenda Item 2: Chair's Business</p> <p>a) <u>Conflicts of Interest</u></p> <p>J Campbell reminded the Committee he is a Non-Executive Director of the Western Health and Social Care Trust, in relation to item 5(a) 'Dunmurry Manor - Home Truths Report', item 6(d) 'Investigation Expenditure Summary' and item 8(b) 'Corporate Risk Register Quarter 2 2018/19'.</p> <p>b) <u>Fraud</u></p> <p>No incidents were reported in this period.</p> <p>c) <u>Register of Gifts and Hospitality</u></p> <p>The six items were noted and it was signed by the Chair.</p> <p>d) <u>Register of International Conferences & Events</u></p> <p>There were no items for this period.</p>	<p>NOTED</p> <p>NOTED</p> <p>ARAC 09/18/2c APPROVED</p> <p>NOTED</p>

<p>e) <u>Direct Award Contracts</u></p> <p>The two items were noted.</p> <p>f) <u>Whistleblowing</u></p> <p>No incidents were reported in this period.</p> <p>g) <u>Annual Report on the Committee for 2017/18</u></p> <p>The Chair carried out J Campbell's annual assessment in August, and D O'Reilly's would be completed after the meeting. The last 12 months had been very challenging for COPNI, and he thanked his two colleagues for their professionalism and contribution to the Committee. The report was noted.</p>	<p>ARAC 09/18/2e NOTED</p> <p>NOTED</p> <p>ARAC 09/18/2g NOTED</p>
<p>Agenda Item 3: Draft Minutes of Meeting & Action Tracker</p>	
<p>a) <u>Draft Minutes of 4th June 2018</u></p> <p>Those present accepted the accuracy of the minutes, and J Campbell signed the minutes as he had chaired that meeting.</p> <p>b) <u>Action Tracker for 4th June 2018</u></p> <p>There were no actions arising from the previous meeting.</p>	<p>ARAC 09/18/3a APPROVED</p> <p>NOTED</p>
<p>Agenda Item 4: Matters Arising not already on the Agenda</p>	
<p>There were no matters arising.</p>	<p>NOTED</p>
<p>Agenda Item 5: Commissioner's Update</p>	
<p>a) <u>Dunmurry Manor – Home Truths Report</u></p> <p>The Home Truths report was launched on 13 June. There was significant media coverage and public interest, and it was well received by the families involved. The RQIA issued a press release criticising elements of the report and COPNI subsequently issued a further press statement in response to this.</p> <p>The Home Truths report contained 59 recommendations, and the relevant authorities have until 1 October 2018 to respond to COPNI outlining what action is to be taken in relation to those recommendations. No responses have been received to date. The Department of Health is co-ordinating the responses for the relevant authorities within its remit. COPNI expects it will take several weeks for the investigation team and experts to analyse all the responses. A press statement will be issued</p>	<p>NOTED</p>

in due course to update all stakeholders on the post-investigation process.

The Commissioner and Chief Executive met with Mr David Sterling, Permanent Secretary of the Executive Office and Head of the Northern Ireland Civil Service in July.

The Commissioner gave an update on communication with other bodies following the investigation, including the PSNI, Nursing and Midwifery Council (NMC) and political representatives. The PSNI has launched an investigation to determine if there is any criminal liability arising from actions or inactions by the relevant authorities and individuals.

In August, the Department of Health published the terms of reference for the Independent Review into Safeguarding and Care at Dunmurry Manor Care Home.

b) Engagement

In June, the Commissioner visited the Royal Mail sorting office in Belfast to see how it is working with the Scamwise partnership to reduce scam mail. He attended an information session about Translink's new Glider/Belfast Rapid Transit system. He also attended Advice NI's launch of two evaluation reports affecting older people. He spoke at the launch of Engage With Age's 'It's The People You Meet' project report with Queen's University Belfast. The Commissioner and Chief Executive attended a briefing by the Department of Health on the inquiry into Hyponatraemia-related deaths.

In August, the Commissioner participated in a panel discussion on social isolation and loneliness at Féile An Phobail in Belfast. He also launched an arts exhibition in a west Belfast care home.

c) Accountability Meeting

The Commissioner and H Gault met with DfC on 23 August. The Business Plan and in year bids totalling £111,000 were discussed. COPNI has requested a further £57,000 for new workstreams arising from the Home Truths report including expert panel expenditure and legal counsel in relation to the PSNI and NMC interest. It is not yet known whether the report will be challenged legally. The proposed but unfunded 'Cost of Care' project which will cost £50,000 may be pushed back into the next financial year due to lead-in times having expired for the revision of the business case and the procurement of research services in-year.

The Chair requested an update on in year bids to Members via email and also at the ARAC meeting on 22 October.

NOTED

NOTED

ACT 163

d) Budget 2018/19

NOTED

COPNI has received £80,000 from DfC which addresses the £72,000 shortfall in the baseline budget for 2018/19 and some of the pressures arising from the Dunmurry Manor investigation expenditure.

e) Corporate Plan

NOTED

The Corporate Plan has been approved and published. The Commissioner referred to the Support Responder pilot to assist older victims of crime, which is in partnership with the PSNI, and involves volunteers from St John's Ambulance and Order of Malta. It will be launched in Ards and North Down, and Lisburn and Castlereagh in the autumn.

COPNI will publish its research on Older Victims of Crime in the autumn.

There has been a significant increase in new enquiries to COPNI since the Home Truths report, in particular regarding care homes.

D O'Reilly highlighted the tremendous impact the report has had already.

f) Chair and Members' Annual Performance Assessments

NOTED

The Commissioner carried out the Chair's annual assessment during August. He highlighted the valuable support the Committee has given him and the Chief Executive during a challenging year.

Agenda Item 6: Chief Executive's Update – Emerging Issues

a) Staffing Issues

NOTED

A Policy Officer from the NI Assembly has been seconded to COPNI.

Shortlisting for the Policy & Research Officer post was completed in July, however the post has not been filled. The post will be re-advertised.

The Communications and Engagement Assistant left her post in June. Interviews will be held in September.

The Communications and Engagement Manager will also leave her post in September. The post will be advertised, and a temporary manager is being sought until the post is filled.

There are two agency staff in the Administration Team. A review of all the Administration Team's roles has been carried out, after which a decision on recruitment will be made.

In response to a query from the Chair, E Hoy indicated it costs COPNI approximately £2,000 to advertise a post, and confirmed that exit

interviews are carried out. The primary reason staff leave COPNI is the current pay settlement on a single pay point and the lack of ability to rise to the next grade because of the size and scale of the organisation. The cost of recruitment over the last few years has outweighed what would have been the cost of introducing incremental pay.

The Chair asked DfC to provide statistics to the December meeting on the staff turnover in other ALBs, so that COPNI may benchmark. The staff turnover during the last seven years appeared high. However the Chief Executive asked that this be deferred pending the outcome of decisions with the Department of Finance.

M Walker highlighted that pay policy is a matter for the Department of Finance rather than DfC. DfC's Human Resources team may be able to carry out job evaluation and grading for COPNI staff, as COPNI does not have the budget for this.

b) Senior Management Team

Due to annual leave taken in August, the meetings will recommence in September. The Senior Management Team continues to be responsible for major decisions in relation to the Dunmurry Manor investigation.

c) Finance and Expenditure 2018/19

As at July, there was a pressure of £60,000 for the year to date. However in August, an additional £80,000 was allocated as well as £25,000 for the Dunmurry Manor investigation.

The additional objectives bid for £111,000 submitted along with the Business Plan had been approved however no funding has been allocated. DfC have asked for additional detail on these objectives.

The new budget for 2018/19 is £859,000. E Hoy confirmed that COPNI will adhere to this as it has done in all previous years. The delivery of the Corporate Plan is dependent on confirmation of funding.

d) Investigation Expenditure Summary

Total expenditure to July 2018 was £107,000. Expenditure to date was £10,000 less than anticipated.

J Campbell suggested including a column for projected expenditure in a future summary.

e) Quarterly Performance Report April – June 2018

The financial situation has progressed since the report was completed at the end of June. The member of staff with long-term absence

NOTED

ARAC 09/18/6c
NOTED

ARAC 09/18/6d
NOTED

ACT 164

ARAC 09/18/6e
NOTED

resigned in June 2018, therefore the absence figures in the next report should improve.

f) Quarterly Assurance Statement April – June 2018

**ARAC 09/18/6f
NOTED**

COPNI's General Data Protection Regulation (GDPR) plan was implemented in May. The Data Protection and Security policy was updated in July to include the use (where required) of exemptions such as the regulatory function (investigation). Where required (or on the advice of Counsel) the Commissioner may refuse to provide information in certain Subject Access Requests, to protect the privacy of the evidence given to the investigation.

Advice was received from the Information Commissioner's Office regarding the appointment of a Data Protection Officer. COPNI has decided that H Gault is the Data Protection Officer, with M Mullan (Human Resources Manager) as the alternate.

g) Business Plan 2018/19 – Progress on Objectives

**ARAC 09/18/6g
NOTED**

The 13 projects were all marked green. The 15 additional objectives were marked grey. The six post-investigation workstreams were noted.

h) Complaints

NOTED

No new complaints were received in this period.

i) ECNI Assurance Letter 2017/18

**ARAC 09/18/6i
NOTED**

This was noted.

j) ECNI Internal Audit Annual Report 2017/18

**ARAC 09/18/6j
NOTED**

This was noted.

Agenda Item 7: Draft Annual Report and Financial Statements 2017/18

**ARAC 09/18/7
NOTED**

E Hoy thanked H Gault for preparing a first draft. Members were content with the ARAC section and governance statement. Minor amendments to the Annual Report were suggested by Members.

C Cunningham indicated he has re-submitted the Management Statement and Financial Memorandum for approval to the Department of Finance. The delay was due to a technical problem.

Members were content with the Financial Statements. P O'Sullivan confirmed the NI Audit Office will complete fieldwork in COPNI by the end of September, and this should be straightforward.

<p>The Committee will meet on 22 October to consider the final draft of the Annual Report and Financial Statements, and the draft management responses to the Report to those Charged with Governance.</p> <p>Members commended the draft report which demonstrated the good work of the COPNI team.</p>	
<p>Agenda Item 8: Risk Matters</p> <p>a) <u>Corporate Risk Strategy</u></p> <p>The draft Strategy was reviewed and endorsed by Members. There was a discussion on the format of the risk matrix. The Strategy is next due for review in September 2020.</p> <p>b) <u>Corporate Risk Register Quarter 2 2018/19</u></p> <p>Some tranches of money had not been approved at the point when the register was done, therefore some risks would now be lower.</p> <p>Risk 5 'Long term vacancies' and Risk 7 'Staffing issues' were discussed. J Campbell suggested retitling Risk 7 as 'Staff Retention' as they were not issues with COPNI staff per se.</p> <p>All current risks related to the Dunmurry Manor investigation had been extracted from the investigation risk register into the Corporate risk register (Risks 8, 9 and 10). Members requested that the full investigation risk register will be tabled at the October meeting.</p> <p>Risk 6 'Training and Development unaffordable' would now be a medium rather than high residual risk as the two Legal Officers in post do not require further investigatory training.</p> <p>COPNI has professional staff who require funding for their continuing professional development. Such training is prioritised. However it is recognised that this may lower morale in non-professional staff whose training is not affordable.</p>	<p>ARAC 09/18/8a APPROVED</p> <p>ARAC 09/18/8b NOTED</p> <p>ACT 165</p> <p>ACT 166</p>
<p>Agenda Item 9: Update from Department for Communities</p> <p>There was no further update.</p>	<p>NOTED</p>
<p>Agenda Item 10: Update from Northern Ireland Audit Office</p> <p>H Gault will submit the draft Annual Report and Financial Statements to the NI Audit Office.</p>	<p>NOTED</p>

<p>Agenda Item 11: Update from Internal Audit</p> <p>The areas for review in the 2018/19 plan were Business Planning (December 2018), Project and Programme Management (January 2019) and Follow Up (January 2019).</p> <p>COPNI was invited to suggest how the two contingency days may be used.</p>	<p>NOTED</p>
<p>Agenda Item 12: Audit Recommendations – Progress to date</p> <p>There was one recommendation, regarding the Business Continuity test, with a target date of March 2020.</p>	<p>ARAC 09/18/12 NOTED</p>
<p>Agenda Item 13: Accountability and Financial Management Guidance Update</p> <p>The five items in the report were noted.</p>	<p>ARAC 09/18/13 NOTED</p>
<p>Agenda Item 14: COPNI Updated Policies</p> <p>The six policies listed in the report were noted.</p> <p>E Hoy indicated some policy review timelines had been impacted by the investigation.</p>	<p>ARAC 09/18/14 NOTED</p>
<p>Agenda Item 15: Any Other Business</p> <p>There was no other business.</p>	<p>NOTED</p>
<p>Agenda Item 16: Dates of next meetings</p> <p>The next meetings will be held on Monday 22nd October 2018 at 9.30am and Monday 3rd December at 1.30pm.</p> <p>The first part of the October meeting will not include the Commissioner, Chief Executive or COPNI staff and should last around 15 mins. The remainder of the meeting will focus on the final draft of the Annual Report and Financial Statements. Members will also have an opportunity to review the draft Report to those Charged with Governance prior to the management responses being finalised. Tender documents for the Internal Audit contract will be considered, and the Dunmurry Manor investigation risk register will be tabled.</p> <p>C Cunningham, M Walker, P O’Sullivan and A McMaw left the meeting at 3.40pm.</p>	<p>NOTED</p>

Agenda Item 17: Discussion of the use of Microsoft Surfaces for Members

Staff from the ECNI ICT Department provided training on Microsoft Surfaces, which were provided to Members in order to access electronic copies of Committee papers for future meetings.

The meeting closed at 4.00pm.

Signed:
Chairperson

A handwritten signature in black ink, appearing to be 'C. Kelly', written over a horizontal line.

Date:

3/12/18

