

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 14th DECEMBER 2020 AT 10.30AM
VIA ZOOM**

PRESENT:

MEMBERS

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

IN ATTENDANCE

Eddie Lynch (Commissioner, COPNI)
Evelyn Hoy (Chief Executive, COPNI)
Catriona McHugh (Moore NI - Internal Audit)
Helen Gault (Finance and Governance Manager, COPNI)
Catherine O'Hagan (Auditor, NIAO)
Zell Blake (Administrative Officer - Finance, COPNI)

Agenda Item 1: Apologies There were no apologies.	NOTED
Agenda Item 2: Chair's Business a) <u>Conflicts of Interest</u> No conflicts of interest were declared. b) <u>Fraud</u> No incidents were reported in this period. c) <u>Register of Gifts and Hospitality</u> There were no items to for this period. d) <u>Register of International Conferences and Events</u> There were no items for this period. e) <u>Direct Award Contracts</u> The two items were noted. f) <u>Whistleblowing</u> No incidents were reported in this period.	NOTED NOTED NOTED NOTED ARAC 12/20/2e NOTED NOTED
Agenda Item 3: Draft Minutes of Meetings & Action Tracker a) <u>Draft Minutes - 7 September 2020</u> The minutes were approved with no amendments.	ARAC 12/20/3a APPROVED

<p>b) <u>Draft Minutes - 19 October 2020</u> The minutes were approved with only a minor change to the date of meeting.</p> <p>c) <u>Action Tracker</u> There were no actions to report.</p>	<p>ARAC 12/20/3b APPROVED</p> <p>NOTED</p>
<p>Agenda Item 4: Matters arising not already on the Agenda There were no further matters arising.</p>	<p>NOTED</p>
<p>Agenda Item 5: Commissioner's Update</p> <p>a) <u>Engagement</u> Eddie Lynch reported on the regular engagement with a range of key health officials on a number of ongoing issues, such as care home visits, testing and vaccination throughout the Covid-19 crisis. He also discussed meeting with the Mental Health Champion for Northern Ireland, Professor Siobhan O'Neill and the impact of the pandemic on the mental health of older people. Eddie also outlined a meeting with the Task Force for bringing forward the new Programme for Government and ensuring better political commitment to issues affecting older people. On non-health related engagement, Eddie spoke about meeting with the Utility Regulator on concerns about 'topping-up' meters for vulnerable people and the new Chair of the Policing Board on matters of crime and justice. He noted the lack of ongoing engagement with older people except through Zoom.</p> <p>b) <u>Accountability Meeting</u> Eddie Lynch noted two issues were raised at the meeting, namely pay progression and the partnership agreement. Firstly, he reported the Department for Communities has agreed to award pay progression to COPNI staff and fund any back-pay. Secondly, Eddie discussed his concerns about the partnership agreement and a number of the statements around independence and linking COPNI's aims and outcomes of the Department's objectives and the Programme for Government.</p> <p>c) <u>Budget 2020/21</u> Eddie Lynch explained that due to the uncertainty caused by the pandemic, the Senior Management Team have had to prioritise some of the projects this year with the many competing issues being experienced.</p>	
<p>Agenda Item 6: Chief Executive's Update - Emerging Issues</p> <p>a) <u>Staffing Issues</u> Evelyn Hoy reported on the departure of Emer Boyle, Head of Legal and Policy Advice. She noted it was a significant loss for COPNI but believes a suitable replacement has been found on</p>	

an interim-basis for six months. A recruitment exercise for the post will be undertaken next financial year. Evelyn also discussed the current staffing pressures, particularly on the Legal Team, and advised that a business case was being drafted for submission to the Department to bid for additional staff.

b) Senior Management Team

Evelyn Hoy explained the Senior Management Team continues to meet informally daily and formally once a month to discuss the events and record all decisions that have happened during this time.

c) Finance and Expenditure 2020/21

Helen Gault gave an update on the management accounts at the end of November 2020. She explained that expenditure was £10,448 less than budget caused by a variance in salaries from the timing of maternity pay and start of the job share in the Office Manager post. Commissioned work was £3,910 less than budget due to timing of Counsel fees and a difference of £791 under Non-Discretionary due to the non-attendance of conferences. On overheads, Helen reported £3,245 less than budget due to HR and staff training but noted future costs are anticipated with the recruitment of a new Chair for ARAC. Also, depreciation was less than budget, capital expenditure was within budget with the purchase of laptops for staff working from home. Helen noted the emergence of new pressures of £10,000 - £20,000 caused by staffing pressures - handover period for the replacement for Emer Boyle, legal work pressures and the judicial review.

d) Quarterly Performance Report July - September 2020

The report was noted.

e) Quarterly Assurance Statement July - September 2020

The report was noted.

f) Business Plan 2020/21 - Progress on Objectives

Gerry Campbell noted the progress of the business plan up to December 2020. Evelyn Hoy gave a brief overview and stated two or three projects were on hold due to Covid-19 with the Crime and Older People project seeing some movement with the right ethical framework.

Professor Dolores O'Reilly asked about The Contract for Nursing Homes. Evelyn Hoy explained how the project relates to homes using the eviction of an older person as a means to deal with disputes or complaints from families. She outlined how the contract is between a local Trust and private provider and leaves an older person with very few rights. Evelyn stated it has been

ARAC 12/20/6c
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<p>seen as an emerging theme through legal casework and COPNI has had some success in stopping evictions. She added the project has been de-prioritised because of Covid-19 and now specialist technical advice is required which there is no budget for at present.</p> <p>Joseph Campbell asked whether Trusts can advocate on behalf of an older person and noted it is an issue he could raise at the Western Health & Social Care Trust. Evelyn stated it was often difficult for Trusts to improve relationships between residents and providers and easier to move residents to another home. She added there have been some excellent cases where Trusts have intervened.</p> <p>g) <u>Complaints</u> There were no complaints to report.</p>	
<p>Agenda Item 7: Draft Business Plan 2021/22</p> <p>Evelyn informed that it has not been possible this year to provide a draft business plan due to the uncertainty caused by Covid-19 and the range of issues the Senior Management Team are facing. She advised the Senior Management Team have a firm understanding of what should be included but much is still shrouded in uncertainty, such as the efficacy of the vaccine on older people, the organisation's limited resources for casework and the outcome of the judicial review on whether private providers are breaching the human rights of residents.</p> <p>Evelyn assured the Chair a draft plan would be produced before the end of January 2021 for review by the Department for Communities and a copy would be circulated to members by e-mail. Eddie iterated Evelyn's comments and also highlighted the need to be flexible during these uncertain times.</p>	
<p>Agenda Item 8: Risk Matters</p> <p>a) <u>Corporate Risk Register Quarter 3 2020/21</u></p> <p>Evelyn indicated the Risk Register had been updated to reflect the ongoing risks posed by Covid-19. She added that Equality Commission NI has proposed for all bodies under its Service Level Agreement move from physical servers to cloud-based which will contribute both to improving security of information and creating a more agile workforce. She noted Equality Commission NI have been excellent as a service provider.</p> <p>She highlighted the review if the current organisation structure and work pressures, notably a rise in the complexity of legal case work. She explained the reputational risk around the CPEA reports on complaint-handling.</p>	<p>ARAC 12/20/8</p>

<p>Professor Dolores O'Reilly asked about the report in more detail. Evelyn explained how the Senior Management Team were not content with some of CPEA's comments about the role of the Commissioner in handling complaints about health and social care. She indicated CPEA had misunderstood the role of the Commissioner and attacked its independence, resulting in COPNI seeking legal advice and writing to the Minister.</p> <p>Evelyn continued with the new risk of urgent/emergency Covid-19 related priorities and the size, scale and effect on older people which has led to a review on the handling of casework. She highlighted the apparent powerlessness of health officials to influence care home providers. Wider team have been very supportive in offering additional help and assistance. Eddie shared Evelyn's concerns about the complexities facing both families and care homes and the inconsistent measures from providers in allowing visits.</p> <p>Joseph Campbell asked about the impact of remote working on the security of information. Evelyn assured additional measures had been put in place such as restricting access to contact details and providing lockable boxes for printing confidential documents at home.</p>	
<p>Agenda Item 9: Update from Department of Communities No representative(s) were in attendance.</p>	
<p>Agenda Item 10: Update from Northern Ireland Audit Office</p> <p>a) <u>Report To Those Charged With Governance</u> Catherine O'Hagan indicated there were no changes to the draft report previously presented to the Committee. The RTTCWG was finalised after the Comptroller and Auditor General had certified the accounts. She added that after Christmas the planning for the 2020/21 audit would begin.</p>	<p>ARAC 12/20/10a</p> <p>NOTED</p>
<p>Agenda Item 11: Update from Internal Audit</p> <p>a) <u>Human Resources</u> The report provides limited assurance with one priority one finding, two priority two findings and six priority three findings. COPNI management have accepted all recommendations. The Priority one recommendation related to the handing of a staff grievance.</p> <p>Catriona McHugh noted that the grievance case was unusual in nature. She advised to learn from the lessons and implement any recommendations as quickly as possible.</p>	<p>ARAC 12/20/11a</p> <p>NOTED</p>

<p>b) Finance</p> <p>The report provides satisfactory assurance. Catriona McHugh noted the strength of the systems and financial controls she tested. There were 5 Priority 3 recommendations. She highlighted the single most important recommendation was the timely approval of Purchase Orders and ensuring staff are aware of this importance in the overall system of control.</p> <p>Professor Dolores O'Reilly noted it was an excellent report and reflects COPNI's teamwork and cooperation with Catriona.</p>	<p>ARAC 12/20/11b</p> <p>NOTED</p>
<p>Agenda Item 12: Audit Recommendations - Progress to Date</p> <p>Gerry Campbell noted that the Casework Management recommendation was one long recommendation with a series of key elements that dated back to around the start of the Covid-19 crisis. Evelyn Hoy explained it was only a quick review of the process and could not be signed-off without a more thorough analysis. She also said the Case Management System was likely to be affected by the change to cloud-based servers. The members were content with the update.</p>	<p>ARAC 12/20/12</p> <p>NOTED</p>
<p>Agenda Item 13: Accountability and Financial Management Guidance Update</p> <p>The update was accepted and noted. Helen Gault advised that the increase in the Remuneration of Chairpersons and Members of Public Bodies would be implemented on 1 April 2021. The Chair rate increases from £324 to £330, the members' rate increases from £268 to £273 per meeting.</p>	<p>ARAC 12/20/13</p> <p>NOTED</p>
<p>Agenda Item 14: COPNI Updated Policies</p> <p>Gerry Campbell commended COPNI on the strength of its guidance, policies and procedures and the rigour of their application. He noted it will be a very useful document for the new Committee coming on-board in April 2021 and provides assurance that policies are reviewed.</p>	<p>ARAC 12/20/14</p> <p>NOTED</p>
<p>Agenda Item 15: Annual Review of ARAC Terms of Reference</p> <p>Gerry Campbell asked whether there might be any changes to the Terms of Reference. Helen Gault explained they had been updated to reflect the forthcoming end of the Chair's second term in office and the recruitment exercise for the appointment of a new Chair. She also advised the Terms of Reference would be reviewed again at the ARAC meeting in June 2021.</p>	<p>ARAC 12/20/15</p> <p>NOTED</p>
<p>Agenda Item 16: Any Other Business (AOB)</p> <p>There was no other business to discuss.</p>	
<p>Agenda Item 17: Date of Next Meeting</p>	

The next meeting will be held on Monday 1st March 2021 from 10.00am - 12.30pm via Zoom.

The meeting closed at 12.40pm.

Signed:
Chairperson

A handwritten signature in dark ink, appearing to be 'C. A.', written over a horizontal dotted line. The signature is cursive and somewhat stylized.

Date: 01/03/2021