

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, 13th June 2022 via COPNI Zoom**

PRESENT:

MEMBERS: Professor Dolores O'Reilly (Chair)
Joseph Campbell (JC)
Terry McGonigal (TMcG)

IN ATTENDANCE

Sarah Ferguson (SF)	(Department for Communities)
Catherine O'Hagan	(NIAO)
Catriona McHugh (CMcH)	(Moore NI)
Commissioner Eddie Lynch (EL)	(COPNI)
Evelyn Hoy (EH)	(Chief Executive, COPNI)
Paul Garrity (PG)	(Interim Finance and Governance Manager, COPNI)
David Murray (DM)	(Interim Head of Corporate Services, COPNI)
Michael Maguire (MM)	(Finance Assistant, COPNI)
Aoife Colgan (AC)	(Head of Legal, COPNI)

<p>Agenda Item 1: Apologies</p> <p>Apologies received from CMcH, who joined meeting at 10 am AC left the meeting at 10.40 am</p>	<p>Noted</p>
<p>Agenda Item 2: Chair's Business</p> <p>a. <u>Conflicts of Interest</u> No conflicts of interest were declared.</p> <p>b. <u>Compliance Paper</u> Committee noted this paper.</p> <p>c. <u>Register of Gifts and Hospitality</u> Committee noted one item on the Gifts and Hospitality Register.</p> <p>d. <u>Register of International Conferences and Events</u> Committee noted there were no items for this period.</p> <p>d. <u>Direct Award Contracts</u> Committee noted this paper. JC asked if the research into regional care home contract had been put out to tender and if</p>	

<p>it represented value for money. EH confirmed that a tender competition had received no response, and hence COPNI had sought permission to award a DAC. DM confirmed that CPD advice was obtained, and an official contract letter issued. SF asked for this information to be sent to the Department.</p> <p>DM asked the Committee members if all DACs, regardless of value, were to be shared and it was agreed that in the interests of transparency this should continue to be the case.</p>	<p>AP 211</p>
<p>Agenda Item 3: Draft Minutes of Meetings & Action Tracker</p> <p>a. <u>Draft Minutes – 7th March 2022</u></p> <p>Those present accepted the accuracy of the minutes.</p> <p>b. <u>Action Tracker</u></p> <p>DM discussed progress towards closure of all outstanding action points and noted that all points with the exception of one, had been closed.</p> <p>ACT 182 – JC asked for firm timeline for the Staffing Business Case to be completed and submitted to DfC. DM confirmed that significant progress had been made on this recently and it is expected that this will be submitted to DfC within 4 weeks.</p> <p>ACT 198 – TMcG noted that he would like to see the inclusion of targets on the Corporate Plan. EH confirmed that the Business Plan, that aligns with the Corporate Plan, contained these metrics.</p> <p>ACT 201 – DM confirmed that minutes of meeting would be sent out within 3 weeks of conclusion of the meeting.</p> <p>ACT 204/206 – A risk management training proposal attached within the papers. Committee agreed the proposal was adequate and a date for training to take place to be agreed with ARAC members by email.</p> <p>ACT 205 – Whilst the Business Plan has been submitted to DfC. SF mentioned that there were no budget figures included within it. DM agreed to take this forward.</p> <p>ACT 209 – DM discussed the proposal to adjust the ARAC meeting schedule. The Committee members agreed that this change would be beneficial and should be implemented going forward. DM agreed to arrange a suitable date for the summer meeting, which will likely be held in August owing to annual leave.</p>	<p>ARAC 03/22/3a APPROVED</p> <p>AP 212</p> <p>AP 213</p> <p>AP 214</p> <p>AP 215</p>

<p>ACT 210 - DM discussed the benefits presented by the procurement of Decision Time software, including those outside of the ARAC setting, which need to be considered against the annual subscription cost. The Chair suggested a cost benefit analysis would be prudent. DM confirmed that a business case would be completed to assess the options for secure delivery of meeting papers.</p>	<p>AP 216</p>
<p>Agenda Item 4: Matters arising not already on the Agenda</p> <p>The Legal Casework summary process discussed by AC, as requested by ARAC. The Chair asked how mitigation against IT failures would be achieved and received assurances that this event would be unlikely as regular backup ensures that records are secured, with any other potential losses able to be retrieved from email accounts.</p>	
<p>Agenda Item 5: Commissioner's Update</p> <p>a. <u>Engagements</u></p> <p>The Commissioner advised that with Covid-19 restrictions eased he and EH have been able to attend several events recently, noting that meeting people face to face has been very welcome. He recently had meetings with Age Scotland who are campaigning to get a Commissioner for older people in Scotland. An overview of the Commissioner's role and the history of COPNI was discussed in this meeting.</p> <p>The Commissioner also had a meeting with Patricia Donnelly (the head of vaccinations in Northern Ireland) and the Public Health Agency to discuss the way forward in respect of Covid-19, with an acceptance that the virus will remain an ongoing issue. He was advised that plans were in place to deal with the threat of new variants of concern emerging, and potential reduced efficacy of the vaccines. Further meetings have been planned as this will be an ongoing issue affecting older people. Over 75s will continue to be prioritised for vaccination.</p> <p>The Commissioner had a meeting with the relatives of older people who had died as a result of Covid-19 outbreaks in care homes. These relatives are currently being advised by a private legal firm about litigation. The Commissioner shared that this was a sad but useful meeting, enabling a better understanding of the views and experiences of relatives given the potential for a public inquiry into the impact of Covid-19 in care homes.</p>	

The Commissioner confirmed that a priority for COPNI at present is the cost-of-living crisis, with older people particularly affected. He has been engaging with DfC on this issue to establish the protections that can be put in place for older people for the upcoming winter season, with a focus on fuel poverty. He welcomed the support announced recently by Westminster. Related to this, the Commissioner emphasised the importance of promoting the 'make the call' campaign to ensure eligible individuals have signed up to receive pension credit, as this would be of obvious benefit at this time. An illustration of the current concern amongst older people was illustrated recently at an event that the Commissioner attended in Coleraine where within minutes of arriving he was approached by several older people who were extremely worried about how they were going to heat their homes this coming winter.

The Commissioner recently had a meeting with Deirdre Hargey (Minister for Communities of Northern Ireland) along with other bodies to discuss the cost-of-living crisis and assess what further measures can be taken. He will continue to meet regularly with the Emergency Leadership Group of DfC, chaired by Minister Hargey, as there is already an acceptance that the current situation will likely have a more adverse impact than the most recent energy cost crisis a few years ago, when excess winter deaths increased due to fuel poverty. The current crisis is expected to see a further increase in excess deaths as costs continue to increase dramatically. The Commissioner has also met with energy providers to establish if anything that can be done to alleviate the energy cost crisis.

The Commissioner spoke about recommendations arising from the Home Truths report and subsequent meetings with the RQIA. This is an ongoing piece of work. The RQIA are tracking progress against key recommendations of the Home Truth's report.

The Commissioner also had a meeting with Dr Alan Stout, the Chair of the GP committee, focused on citizens access to GP services. There are currently issues around closure of GP surgeries, especially in rural areas, and the new approach to contacting GPs by phone. The Commissioner confirmed that he was advised that GPs are working at full capacity and this ensures that people that need to see a GP after an initial telephone conversation will get an appointment sooner than they previously would have. This should be a benefit to older people as it is this group that need to be seen face to face by their GP. The Commissioner confirmed that this is ongoing issue and something that COPNI need to continue to monitor closely, as we are beginning to hear complaints of poor access to GP services.

The Commissioner also attended recent meetings with The Belfast Mission, Lisnaskea women's group, a care home in Bangor for intergeneration week, and was invited to speak at the National Pensioners convention. The Commissioner stated that these events were valuable in establishing a better understanding of the issues facing older people. Issues raised included scams and age discrimination, enabling the Commissioner to promote COPNI's campaigns in respect of these issues.

The Commissioner also stated that he had been involved in several media broadcasts by Radio/TV across various issues. He was also invited onto the Sunday Sequence radio programme, talking about the new census results, as well as wider issues that government need to prioritise.

Upcoming events include promoting awareness of the issue of loneliness, in conjunction with the red cross on a BBC program, and various other meetings in care homes.

The Commissioner confirmed that the Adult Social Care report will be published shortly, and that there has been regular engagement with UK counterparts regarding the care home visiting pathway.

b. Accounting Officer Matters

Referring to the upcoming Internal review of COPNI, the Commissioner and EH have met with Edgar Jardine and Brendan McDonald, where various matters were discussed, including COPNI's role and legislation. COPNI have provided a list of stakeholders to be contacted as part of this review.

The Commissioner confirmed that he has recently met with a representative from DfC for his annual appraisal but has not received any further correspondence since the meeting.

The Commissioner stated that pay progression issues for most staff should be resolved soon.

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Agenda Item 6: Chief Executive's Update

a) Staffing issues

EH confirmed that the acting Head of Legal is leaving (Aoife Colgan) in June, and that COPNI had already sourced a new agency staff member as a replacement, with a handover period currently being undertaken. This has meant that Aoife's substantive role, Legal Officer (DP grade) will now become vacant and could be recruited permanently. EH confirmed that this means all SMT members are now temporary with the exception of herself, which presents a significant risk. EH

confirmed that work continues on the Staff Restructuring business case and this should be submitted to DfC before the July holidays.

EH shared that the other permanent Legal Officer is sick leave for 5 weeks. On a positive note, an Advocacy Officer who also had been on a period of long-term sickness leave has just returned to work this week.

EH shared that the permanent Head of Comms and Engagement postholder is now on maternity leave, with the role being covered in an agency staff member who is doing an excellent job and comes with vast experience.

EH confirmed that the Staff Officer Accountant role recruitment process is currently ongoing, with interviews expected to take place in the next few weeks.

Referring to staff retention, JC questioned whether pay scales were a contributing factor in retaining staff. EH acknowledged that whilst this may be a factor, the size and scale of COPNI, and the lack of progression through multiple grades in-house, is a greater contributing factor. COPNI trains and develops staff well, giving them excellent and interesting experience, and therefore they are attractive candidates when applying to other jobs.

b) Senior Management Team

EH confirmed that SMT continues to meet 3 times per week informally, and once a month formally to confirm all decisions made for audit purposes.

EH confirmed that representatives had attended the Legal & Finance committee to discuss potential cases where COPNI may wish to get involved. EH confirmed that the last case presented to COPNI did not meet the criteria to be taken forward.

EH confirmed that with the recent change in government guidance around working from home, COPNI is now developing their Hybrid working policy, based on the NICS policy and co-ordinating with ECNI on the premises matters with a view to commencing Hybrid Working formally by September 2022. A number of staff are already working agile patterns that are either including in-office time, or regular meetings across NI with clients and authorities.

c) Finance and Expenditure

DM presented the March (Year End) management accounts presented within ARAC papers. Significant work has since been conducted on working papers and review of the figures, and DM confirmed that a single legal accrual remains the final element of the accounts to be confirmed before final figures can be confirmed, but there is expected to be an underspend against the current budget. DM, in the interests of transparency, noted an overspend in capital of £180. DM also noted the need for a debtor

balance in the accounts as recognition of the fact that COPNI had not drawn down the balance of the cash allocation in the financial year. COH confirmed she would speak to DM separately about the best approach to this issue ahead of submission of the accounts.

DM also presented the April and May (tabled) management accounts, noting an underspend in salary costs in both months. DM explained that whilst COPNI is currently declaring an underspend against the profiled budget this should not be interpreted as COPNI's budget being adequate for the financial year. DM confirmed that COPNI had written to DfC to notify of potential pressures within the current budget envelope, across staffing, commissioned work, capital and depreciation. The quantum of these pressures will become clearer in the next couple of months, and no bid for additional funding has been made.

TMcG mentioned that the management accounts paper was difficult to interpret. DM confirmed that this issue would be addressed in the next quarterly budget report.

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d) Quarterly Performance Report

Paper was noted by the Committee.

e) Quarterly Assurance Statement

Paper was noted by the Committee.

The only additional point to mention was that the external assurance on Adult Safeguarding Policy has been commissioned and will be completed this quarter. is now in progress.

f) Review of COPNI – Terms of Reference

Paper was noted by the Committee.

Agenda Item 7: Budget 2022/23

DM had already discussed budgetary pressures during the agenda item 6c.

TMcG commented that it was encouraging to have a solid opening budgetary position. SF shared that the budget allocation is for the 2022/23 year only and should not be interpreted as a new baseline for future years, and that this would need considered when undertaking recruitment exercises.

<p><u>Agenda Item 8: Risk matters</u></p> <p>DM explained that while some marginal improvements have been made to the register, it is best to wait until the risk management training before making significant changes to the structure.</p> <p>DM then presented the current risks within the Corporate Risk Register, updated in May 2022.</p> <p>EH noted that the risk concerning staffing in the Legal department could now be lowered as an employee has returned from sickness leave.</p> <p>JC asked whether it was possible for former staff members to take COPNI to a tribunal over the issue of back pay. EH stated that although the likelihood of this occurring was low, the reputational risk if it did happen was high. Counsel advice is that any such case would be unsuccessful if staff have left COPNI. TMcG stated that it was possible to take a high court contract case and it was agreed that risk should remain high considering this.</p>	
<p><u>Agenda Item 9: Update from Department for Communities.</u></p> <p>SF, referring to the pay progression, stated that she has been in contact with relevant bodies (DoF and DSO) to establish the rationale for the proposed date of April 2020, and will forward details in due course.</p> <p>SF also confirmed that DfC have not received the business case for a recent juggling exercise. EH explained that this information forms part of the staffing business case under development, but she would also have it extracted and provided separately if this was required.</p>	<p>AP 219</p> <p>AP 220</p>
<p><u>Agenda Item 10: Update from Internal Audit</u></p> <p>CMcH covered the 4 internal audit papers, including recommendations within the Case Management audit paper, and opened the room for questioning.</p> <p>TMcG stated he was pleased to see all recommendations have been accepted by management and asked whether the implementation date of December 2022 for recommendations was reasonable when staff turnover in the Legal Department was taken into account. EH confirmed that she was content that this allowed sufficient time for recommendations to be implemented.</p>	

<p><u>Agenda Item 11: Update from External Audit</u></p> <p>No work carried out since last Audit committee.</p>	
<p><u>Agenda Item 12: Audit Recommendation Tracker</u></p> <p>Paper was noted by the Committee.</p>	
<p>Agenda Item 13: Accountability and Financial Management Guidance Update</p> <p>Paper was noted by the Committee.</p>	
<p>Agenda Item 14: Schedule of meetings for coming year.</p> <p>The Committee accepted this proposal. It was suggested that Workshop and next ARAC meeting be on the same day in person.</p>	AP213/215
<p>Agenda item 15: AOB:</p> <p>None</p>	
<p>Agenda Item 16: Date of Next Meeting</p> <p>DM to confirm in due course.</p>	AP215

Signed: _____
Chairperson

Date: _____