

**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, 21st August 2023**

PRESENT:

MEMBERS: Alan Walker (AW) (Chair)
Lee Wilson (LW)
JP O'Doherty (JP O'D)

IN ATTENDANCE

Valerie McCloskey (V McC)	Department for Communities
Sarah Heanen (SH)	NIAO
Caitlin Toye (CT)	NIAO
Rosemary Peters Gallagher (RPG)	Moore NI
Catriona McHugh (CMcH)	Cavanagh Kelly
Commissioner Eddie Lynch (EL)	COPNI
Evelyn Hoy (EH)	COPNI
David Murray (DM)	COPNI

<p>Agenda Item 1: Apologies</p> <p>Apologies received from Sharon Russell, Department for Communities.</p>	<p>Noted</p>
<p>Agenda Item 2: Chair's Business</p> <p>AW opened the meeting by welcoming back EH after a period of sickness, and commented that new Committee looked forward to working with her going forward.</p> <p>a. <u>Conflicts of Interest</u></p> <p>LW advised that he was a member of the Labour Relations Agency Board but has no operational input in individual cases. This was noted by the Committee, and no conflict of interests was deemed to have arisen.</p>	<p>Noted</p>

<p>b. <u>Compliance Report</u> The Committee noted this paper.</p> <p>c. <u>Register of Gifts and Hospitality</u> DM presented this paper along with the completed 2022/23 register, to include hospitality offered by COPNI. The Committee agreed that in future this register can include only gifts received by COPNI, although they were grateful for the transparency of the 2022/23 register.</p> <p>d. <u>Register of International Conferences and Events</u> There were no items for this period.</p> <p>e. <u>Direct Award Contracts</u> There were no Direct Award Contracts in this period.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
<p>Agenda Item 3: Draft Minutes of Meeting and Action Tracker.</p> <p>a. <u>Draft Minutes of Meeting - 24th April 2023</u> Those present accepted the accuracy of the minutes.</p> <p>DM further represented the minutes from 27.03.2023, having noticed there was an individual's name included when arranging for these to be uploaded to the website. It was agreed that individual names, outside of those in attendance at the meeting, would not be included in minutes that are in the public domain. The revised minutes were accepted on this basis.</p> <p>b. <u>Action Tracker</u></p> <p>DM discussed the actions taken against the outstanding action points, and the Committee agreed all could now be closed.</p>	<p>Agreed</p> <p>Agreed</p> <p>Agreed</p>
<p>Agenda Item 4: Matters arising not already on the agenda.</p> <p>It was noted that two ARAC members had no issues accessing the password protected papers for the meeting, but the Chair had to call to the office to collect a paper copy due to issues with downloading the papers. A more robust arrangement for transfer of papers to members is being pursued.</p>	<p>AP244</p>
<p>Agenda Item 5: Commissioner's Update</p>	

<p>a. <u>Engagements</u></p> <p>The Commissioner stated that he had undertaken an increasing number of speaking engagements over the last few months, including the Communications Union, Deeds, and the University of 3rd Age at Greenmount College. The Commissioner also met with members of the Islamic Centre in Belfast, as part of a multi-organisational event, and with Hear NI at City Hall, where particular concern was raised about the situation in Care Homes.</p> <p>The Commissioner also responded to the consultation on Bus Passes for 60-64 years old, making clear that the age of eligibility should not be amended going forward.</p> <p>EL confirmed that a range of Ageism events are to take place across all six counties of Northern Ireland in September 2023, and that it was important that COPNI obtained feedback from older people on issues important to them.</p> <p>b. <u>Accounting Officer Matters</u></p> <p>EL confirmed that COPNI are still awaiting confirmation of approval of the Strategic Review of Future Needs (Staffing) business case and are therefore still unable to permanently recruit the temporary roles that have been a success in the staffing pilot. EL reiterated that this approval is critical to COPNI going forward and would present significant risks if the issue went on any longer.</p> <p>EL also discussed Pay Progression and impact the delay in approving this business case was having on staff morale. EL commented it is critical that this business case is approved, and staff are moved to the point of the pay scale that aligns to their length of service and are paid any eligible backpay.</p>	
<p>Agenda Item 6: Chief Executive’s Update</p> <p>a) <u>Staffing issues</u></p> <p>EH thanked the Committee for the warm welcome back.</p> <p>EH reiterated EL’s comments in respect of the outstanding staffing business case, and the need for this to be approved. EH commented that there had been considerable staff churn over the past two years and stability was required, particularly with the current Commissioner’s term coming to an end in June 2024.</p>	

EH noted that the previous Head of Policy had left in March, and whilst that role has recently been filled by a temporary promotion, the Policy team has been reduced from four team members to two. There are plans to now recruit the two vacant Policy Officer roles in Q3.

EH confirmed that the Head of Communications job share arrangement had now commenced, and that it had been a very positive start, with the new recruit bringing with them a wealth of experience.

EH added that there was an additional knock-on impact of the failure to secure approval of the business case, in that COPNI is unable to provide substantial training in areas of organisational importance to temporary members of staff, which is a position that cannot be sustained.

EH commented that the Pay Progression issue has been outstanding for a very long time and COPNI staff remain on the bottom point of the NICS scales, with no progression. EH confirmed, that to her knowledge, COPNI remain the only that body on these terms, and this has had a significant impact on the ability to recruit. EH confirmed that whilst the current arbitrary date for backpay (April 2020) will satisfy some staff, it will not satisfy everyone.

EH confirmed that the recruitment process for the next Commissioner had been started, and that COPNI were fully engaging with DfC in the process.

EH, in respect of the COVID-19 Public Inquiry, confirmed that there are two significant strands of work. The first strand represents the work as a Core Participant, which requires the Commissioner to act as a witness at the Inquiry hearing. The second strand of the work includes the requirement to submit responses to Rule 9 requests, which are required by the Inquiry regardless of Core Participant status. To date these have been completed by COPNI's Legal team, without loss of other work, mainly due to the goodwill of staff within that team but this is an unsustainable position. EH assessed that both strands of work require up to two solicitors to allow the volume of work to be undertaken, and to that end, it was likely that a further business case would be submitted to the Department, requesting additional resources in respect of the work involved in responding to Rule 9 requests. EH said that the current capacity constraints would inevitably mean a choice between COPNI's

normal work and the Public Inquiry, and this was not an acceptable position.

LW asked if there was a possibility funding could be provided by the Northern Ireland Office and EH confirmed that she and EL had discussed this. AW asked if it would be beneficial to speak to the Secretary of State, but EH felt that this conversation would depend on the timing of a return to the Executive.

b) Senior Management Team

EH confirmed that the Senior Management Team continue to meet twice weekly and discuss budgetary constraints, business plan progress and any other strategic matters.

c) Finance and Expenditure

DM advised that, with the 5% budgetary reduction confirmed, had been forced to make savings in Q1, with these savings coming predominantly in the staffing budget. COPNI had not replaced the Head of Policy until July 2023, and this had reduced pressure on the budget but had the inevitable negative consequence of constraining the work of the Policy team. DM confirmed that further savings had been made in agency costs, with agency staff taking annual leave in Q1, and that savings made in the period would be recycled into the Commissioned Costs budget to enable vital project work to be undertaken. DM confirmed that the budget position would be monitored carefully in Q2.

DM advised that moving forward, COPNI's Finance team would be fully engaging with NIAO in respect of the audit of the Annual Report and Accounts, as well engaging with CPD to ensure the procurement of a new website was completed prior to Christmas, to enable all work to be completed in the current financial year.

d)) Quarterly Performance Report

EL confirmed that, owing to the reduction in staffing capacity in the Policy team, the Business Plan had been trimmed, with the Cost-of-Living and Loneliness and Social Isolation elements now removed. Whilst these are important areas that the Commissioner will continue to comment on, EL felt that these were areas where COPNI could have the least direct impact in the current resource environment.

Noted

<p>AW confirmed that the staffing situation remains a significant concern. AW asked VMcC how confident she was that the business case would be approved, given that the risk has been red for 3 meetings in a row. VMcC confirmed the Sponsor Team are seeking a response from Departmental economists on a regular basis. EH confirmed that COPNI have discussed the ongoing delays with the Sponsor Branch at the recent Accountability meeting and that it has been made clear that if there is no resolution to both the Staffing and Pay Progression business cases by the end of August, this issue will be escalated to senior officials within the Department. AW commented that the loyalty of staff has been pushed to the limit, and that the Committee, without swift resolution, may have to register a concern with the Department about the failure to manage this risk.</p> <p>AW asked if there would be Monitoring Rounds in the current financial year, and VMcC responded that Departments are conducting internal exercises to establish pressures at this point.</p> <p>e) <u>Quarterly Assurance Statement</u></p> <p>Paper was noted by the Committee.</p>	<p>Noted</p>
<p>Agenda Item 7 : Business Plan</p> <p>Paper was noted by the Committee.</p>	<p>Noted</p>
<p>Agenda Item 8: Risk matters</p> <p>DM presented the updated Risk Register.</p> <p>All present agreed that the Staffing risk did not require further analysis as this had already been discussed at length.</p> <p>AW asked for a timetable for the Pay Progression Business case. VMcC confirmed Sponsor Branch were working to a deadline at the end of August 2023.</p> <p>AW and LW both asked questions around current processes for FOIs, and DM confirmed that checks are in place, and that no spreadsheets are forwarded to requestors, but rather the requested data is extracted and provided in narrative form.</p> <p>LW asked if the risk relating to the Public Inquiry should be noted as High rather than Medium, but EH confirmed that this risk has been mitigated in part by the participation in the UK Public Inquiry.</p>	

<p>AW questioned the High-risk rating for the Commissioner’s use of his powers. EH responded that there may be times where constraints in staff and resource mean that work is unable to be completed, including work set out in statute. EH said that the COPNI Act impacts on all of the work of the organisation.</p> <p>EH asked if the Committee felt the current register was useful and all agreed it set out the risks clearly. LW did request that the risk colours be updated as the current colours, although aligned to the ratings, were not easy to follow.</p> <p>LW also asked if headings could be included on each page of the Risk Register to enhance the reading experience.</p> <p>JP O’D asked if COPNI had considered a separate Corporate Risk Register but EH confirmed that due to the relatively small size of COPNI this would not be of benefit, and all risks are captured in the current Risk Register.</p>	<p>AP245</p> <p>AP246</p>
<p>Agenda Item 9: Comment from Department for Communities.</p> <p>V McC confirmed that the Sponsor Branch would be pressing for approval of the outstanding business cases.</p> <p>VMcC confirmed that the NDNA Report would be sent to COPNI from DfC.</p>	<p>AP247</p>
<p>Agenda Item 10: Update from Internal Audit</p> <p>RPG advised this would be her last meeting with the ARAC as the contract with COPNI had now ended and a new provider was now in place.</p> <p>RPG confirmed that Follow-Up recommendations had all been addressed and that the Annual Report, incorporating the two areas audited during the year, had concluded with a Satisfactory outcome.</p> <p>AW, on behalf of the ARAC, thanked RPG for the work undertaken, and the assurances provided, across the period of the contract. AW noted that COPNI had responded well to the recommendations raised.</p> <p>CMcH confirmed that the 3-year Audit Plan has been drafted and includes areas to be audited across this time period. CMcH noted that the plan could be adapted according to arising needs,</p>	<p>Noted</p>

<p>and identified the Public Inquiry risk as a potential area where an audit assignment may be undertaken in the future, given the resource constraints.</p> <p>CMcH noted that the two assignments to be undertaken in the current financial year were in the areas of Communications and Policy, and Corporate Governance, and that an allowance of 15 days per annum was provided in the contract for all Internal Audit activity.</p> <p>LW asked if it would be useful to look at an audit of Human Resources in the current year, but CMcH confirmed this area had been highly scrutinised in previous audits, and with all recommendations now implemented, there was no immediate necessity for an audit in the current year.</p>	
<p>Agenda Item 11: Update from External Audit</p> <p>SH advised that the External Audit fieldwork would begin at the end of August 2023 and would be partly undertaken in COPNI's offices.</p> <p>DM confirmed that the draft Annual Report had been issued with the papers and the Committee were asked to review this and advise of any changes to be made ahead of finalising.</p>	<p>Noted</p>
<p>Agenda Item 12: Audit Recommendation Tracker</p> <p>DM confirmed COPNI were currently working towards completion of outstanding prior year recommendations. The paper was noted by the Committee.</p>	<p>Noted</p>
<p>Agenda Item 13: Accountability and Financial Management Guidance Update</p> <p>Paper was noted by the Committee.</p>	<p>Noted</p>
<p>Agenda Item 14: Schedule of meetings for coming year.</p> <p>The Committee accepted this proposal.</p>	<p>Agreed</p>
<p>Agenda item 15: AOB:</p>	

AW thanked COPNI staff for all the hard work over the last number of months and looked forward to progress being made on outstanding issues ahead of the next meeting.	
Date of Next Meeting DM confirmed that the next ARAC meeting would be held on Monday 23 rd October at 1.30pm.	Agreed

Signed: Alan Walker
Chairperson

Date: 23.10.2023