

**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, 24th April 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)
Barry Mitchell (BM)	(NIAO)
Rosemary Peters Gallagher (RPG)	(Moore NI)
Commissioner Eddie Lynch (EL)	(COPNI)
David Murray (DM)	(Interim Head of Corporate Services, COPNI)
Gary Carpendale (GC)	(Finance Officer, COPNI)

<p>Agenda Item 1: Apologies</p> <p>Apologies received from Evelyn Hoy, Chief Executive, COPNI, Sharon Russell, Department for Communities, and Caitlin Toye, NIAO.</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 Report</u> The Committee noted this paper.</p> <p>c. <u>Register of Gifts and Hospitality</u> No Gifts or Hospitality received.</p> <p>d. <u>Register of International Conferences and Events</u> There were no items for this period.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

<p>e. <u>Direct Award Contracts</u> There were no Direct Award Contracts in this period.</p>	<p>Noted</p>
<p>Agenda Item 3: Draft Minutes of Meeting and Action Tracker.</p> <p>a. <u>Draft Minutes of Meeting - 27th March 2023</u> Those present accepted the accuracy of the minutes.</p> <p>Matters arising</p> <p>It was noted that ARAC members had no issues accessing the password protected papers for the meeting.</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>DM reminded the Committee that ARAC/effective governance training was arranged for new ARAC Committee members and COPNI SMT on 15th May 2023. DM confirmed that any representatives from the Sponsor Branch were welcome to attend.</p> <p>c. <u>Re-drafted Minutes of Meeting - 24th October 2022</u></p> <p>The redrafted minutes with one amendment was accepted by the ARAC Committee.</p>	<p>Agreed</p> <p>Noted</p> <p>Agreed</p> <p>Agreed</p>
<p>Agenda Item 4: Matters arising not already on the agenda.</p> <p>There were no matters arising not already on the agenda.</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 engagements over the last few months.</p> <p>The Commissioner had met with the Belfast Health and Social Care Trust which was a very constructive meeting. The Trust</p>	

has experienced significant pressures over the last number of months in respect of their services.

The Commissioner attended the 70th AGM of the Civil Service Pensioners Alliance which was held in City Hall in April.

The Commissioner met with Geraldine Hanna, the Designate Commissioner for Victims of Crime, for the launch of the report undertaken by COPNI on “A different Crime: Offending Against Older People”. The report is an in-depth analysis into older people’s experiences as they pass through the criminal justice system and compares the findings with a similar report undertaken four years prior.

The Commissioner met with the Department of Infrastructure to discuss changes proposed to Bus passes for 60–64-year-olds, in addition to smart passes for over 65s. The proposed changes run contrary to the policies in place to support an aging population. It would potentially mean more car congestion as more people over 60 would potentially use cars to attend appointments and other commitments if they have to pay for public transport.

Finally, proposals for potential water charges are being considered which would have a disproportionate impact on older people.

b. Accounting Officer Matters

DM confirmed that the indicative budget for COPNI 2023-24 has been confirmed by DfC which is a 10% reduction on COPNI’s revised baseline figure of £1.375million.

DM confirmed the indicative budget raises a number of challenges for COPNI. Two members of the policy team, including the Acting Head of Policy, have left in the last month for roles elsewhere and COPNI is not in a position to recruit to fill these roles in the current financial environment. DM confirmed COPNI is reviewing how to best meet the challenges in the policy Department because of the reduction in staff numbers. The Head of Communications has also requested a return from maternity leave on a part-time basis. COPNI will shortly be advertising for a part-time job share role for this post.

DM advised that the Business plan was currently been reviewed in light of the indicative budget.

DM confirmed the evaluation of the staffing pilot had been returned to DfC and was with the DfC economist at present.

DM advised that there had been no update yet on the pay progression. LW asked if pay progression formed part of the contract of employment for COPNI staff. EL explained that when COPNI was set up in 2013 it was in a time of austerity and pay progression did not form part of the staff contracts at that time. It is an equality issue as other ALBs have contractual obligations for staff pay progression.

LW asked if former employees are entitled to the same pay progression. EL advised that COPNI had received legal advice that the pay progression award only applied to existing staff.

DM advised that the costs of the COVID-19 Public Inquiry will not be funded by DfC, as per recent correspondence. COPNI will be writing to the Public Inquiry to request that they fund COPNI's costs. COPNI need to be financially resourced for this substantial piece of work. DM confirmed the funding was needed to cover the costs of Senior and Junior Councils, as well as a full-time solicitor. It was not possible to continue to fund the costs of COPNI's participation from the existing budget. AW asked that the letter should be sent to the Inquiry before the end of April requesting funding for COPNI's continued participation.

EL advised that COPNI's Legal Team had a substantial case load at present in addition to the COVID-19 inquiry. In light of the current budget constraints a review was needed of targets and timescales. If no funding for the COVID-19 Inquiry was forthcoming, then COPNI would find it untenable to continue as part of the Public Inquiry due to the resourcing and financial pressures.

EL also advised that he had commitments to a substantial number of invitations to various events over the coming months. This was expected to generate an increased volume of inquiries for the Legal team to deal with.

AP242

Agenda Item 6: Chief Executive's Update

a) Staffing issues

DM reported in the Chief Executive's absence.

DM noted that many of the staffing pressures had been covered in the Accounting Officer update, but that all hoped that the CEO would return to work soon after a period of absence.

b) Senior Management Team

DM reiterated that the Agency staff member who was Head of Policy left at the end of March. As a result of the budget cuts this

role would not be recruited for at present. The Head of Communications is due to return from maternity leave in May, and this will bolster the SMT.

c) Finance and Expenditure

DM advised that with the indicative budget COPNI was in a position to keep the staff which were currently in post. The posts which have become vacant cannot be filled at this time under the current budget constraints. COPNI will await a final budget before making further staffing decisions.

d)) Quarterly Performance Report

Hybrid working – Staff continue to work mainly from home. It was agreed by the SMT that all staff will now attend the office on a Wednesday in order that all staff can work together in the office at least one day a week. COPNI's staff comprises of approximately 15 people. DM advised that the SMT currently comprised of four staff members the, Head of Corporate Services, Head of Legal and the Commissioner. The CEO is on sickness leave and the Head of Communications is due to return in May 2023.

DM advised that the Governance review has been completed. V McC thanked the Chair AW for agreeing to meet with the Department's appointed representative, who undertook the review. EL advised that he was due to meet with this representative the following day to discuss the findings of the assignment.

DM advised work was progressing on the 2022/23 Annual Accounts. The Pay Award for COPNI 22/23 was accrued on the basis of 2.5% potential pay increase which was an over accrual based on the award confirmed with Department of Finance of £552 per staff member. The estimated outturn against budget for COPNI in 22/23 was approx. £10k of an underspend.

The Depreciation budget was £10k which is a non-cash item of expenditure. It was underestimated at the start of the year, with the final Depreciation outturn expected to exceed the allocation by £2k.

In terms of capital, DM advised that £55k was awarded in 2022/23 for procurement of a new website but this did not materialise as the lead in period was too short, and thus this was surrendered. The £8k capital allocation for updating office equipment had been spent.

<p>LW asked that the overhead breakdown in the Finance and Expenditure update was further broken down into the main areas of expenditure and summarised so the ARAC could have greater transparency over the figures summarised. In particular, areas such as professional fees and training costs. DM agreed this would be included in future finance papers.</p> <p>AW noted that the staff training expenditure for COPNI 22/23 was low at £8,164. There should be greater investment in staff training however with the current Budget constraints this was difficult.</p> <p>e) <u>Quarterly Assurance Statement</u></p> <p>Paper was noted by the Committee.</p>	<p>AP243</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>JP O'D noted that there was a noticeable difference in the risk register's risk profile. EL stated that as the indicative budget had been agreed it allowed for more clarity and certainty on COPNI's position around such issues as staffing. EL stated that one of the risks at present was having SMT made up of Agency members of staff who are employed on a temporary basis meaning that they may be enticed to move for permanent roles in other organisations if such positions became available. The Head of Policy leaving due to uncertainty over the 2023/24 budget was evidence of this.</p> <p>The CEO was currently on sick leave there was some uncertainty over when she will return to work. SMT are currently sharing some of the additional duties in the interim.</p> <p>V McC advised that there was no update on the pay progression.</p> <p>JP O'D advised that with the reduction in staff numbers from 4 to 2 in the Policy team, the welfare of staff needed to be monitored. EL advised that currently there was no budget available to replace staff which have left this team. The existing staff have to be supported and it was not reasonable to expect two members of staff to do the work of four people. The work commitments of the policy section would need to be prioritised, including the business plan objectives.</p>	

<p>COPNI have now been issued with papers for separate industrial Tribunal proceedings.</p> <p>There has been a reduction in the risks associated with the impacts of COVID-19. The office was using a system of Hybrid working which staff have embraced.</p> <p>There was one new risk which was that COPNI without sufficient staffing as a result of budget cuts may be unable to adequately fulfil its statutory powers. EL advised that it was important for COPNI to respond to any developments which affect older people. Not having the resources to respond to developments would not be acceptable to the public. EL advised that for any speaking events which he attends the Policy team would put together a briefing paper on the issues. This was much more difficult with the reduction in staff numbers in the team.</p>	
<p>Agenda Item 9: Comment from Department for Communities.</p> <p>V Mc advised that the indications this year were that the budget position would be very challenging.</p> <p>V Mc advised that the report from the recent governance assignment was nearing completion, and it would be with the Commissioner shortly. The initial feedback from the report was positive.</p>	
<p>Agenda Item 10: Update from Internal Audit</p> <p>RPG advised that the Internal Audit on Data Protection and Information Governance was completed, and the report issued within the ARAC papers. There were four priority three recommendations which were accepted. DM advised that he was in touch with the auditor regarding the prior year follow up report.</p> <p>The ARAC accepted the findings and recommendations of the report on Internal Audit and Data Protection.</p>	<p>Noted</p>
<p>Agenda Item 11: Update from External Audit</p> <p>BM advised that the External Audit fieldwork would begin in August and would be undertaken in COPNI's offices. It would be condensed into 5 days over a two-week period.</p>	<p>Noted</p>

<p>Agenda Item 12: Audit Recommendation Tracker</p> <p>DM confirmed COPNI were currently working with Internal Audit to complete the follow-up of 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> <p>AW noted that going forward with the clarification of the indicative budget the situation was more optimistic than at the previous month. He thanked COPNI staff for all the hard work over the last number of months.</p>	
<p>Date of Next Meeting</p> <p>DM confirmed that the next ARAC meeting would be held on Monday 24th July at 1.30pm.</p>	<p>Agreed</p>

Signed: Alan Walker
Chairperson

Date: 21/08/2023