



Commissioner for Older People
for Northern Ireland

**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 20th January 2025**

PRESENT:

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

IN ATTENDANCE

Judith Woodburn (JW)	Department for Communities
Conor Shields (CS)	NIAO
Catriona McHugh (CMcH)	Cavanagh Kelly
Patrick Anderson (PA)	Interim Accounting Officer
Evelyn Hoy (EH)	COPNI
David Murray (DM)	COPNI
Gary Carpendale (GC)	COPNI

Agenda Item 1: Apologies No apologies were noted.	Noted
Agenda Item 2: Chair's Business The Chair welcomed Patrick Anderson, who is the Director of Belfast Regeneration Directorate. He has been appointed as COPNI's Interim Accounting Officer until a new Commissioner is appointed. a. <u>Conflicts of Interest</u> The Chair advised that if any members had any changes or updates to the Conflict of Interest declarations these needed to be updated and forwarded to DM/GC. b. <u>Compliance Report</u> It was noted that there was one new FOI request, and one complaint received in the period. It was agreed to keep the	Noted Noted Noted

<p>ARAC informed at year end of the numbers of complaints received on an annual basis.</p> <p>c. <u>Register of Gifts and Hospitality</u> The Committee noted this paper.</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>Agenda Item 3: Draft Minutes of Meeting and Action Tracker.</p> <p>a. <u>Draft Minutes of Meeting – 14th November 2024</u> Those present accepted the accuracy of the minutes and the Chair agreed to sign the minutes.</p> <p>b. <u>Action Tracker</u> DM discussed the measures taken against the action points and all action points are now completed.</p>	<p>Agreed</p> <p>Agreed</p>
<p>Agenda Item 4: Matters arising not already on the agenda.</p> <p>The Chair asked that the matter pertaining to the backdated pay in respect of Pay Progression be discussed at the end of the meeting as there was a conflict of interest for one of the attendees.</p>	
<p>Agenda Item 5: Commissioner's Update</p> <p>a. <u>Engagements</u></p> <p>EH advised that the Department of Health appealed the initial judgement in the case brought by COPNI in 2021, challenging the policy on Continuing Healthcare in Northern Ireland. The Court of Appeal in November 2024 upheld the appeal, finding in favour of the Department of Health, and in effect ruled that all older people in Northern Ireland will have to pay in full for their healthcare needs, which is a position that runs contrary to the rest of the United Kingdom.</p>	

EH attended a conference along with other colleagues, which explored the needs and issues affecting older people across the UK. It was acknowledged that there are many issues of commonality which affect older across the four nations, which were discussed at the conference.

Accounting Officer Matters

PA advised that although he had only been in his interim role for a short time, he had reviewed the papers ahead of issue to the ARAC, as well as approved the business case for the Supreme Court Appeal. He thanked EL and DM for the high quality of the submissions to date.

Agenda Item 6: Chief Executive's Update

a) Staffing issues

EH advised that staff continue to work on a hybrid which has worked well. Most of the posts approved within in the Strategic Review of Future Needs business case have now been recruited.

b) Senior Management Team

EH advised that COPNI continues to hold twice weekly SMT meetings.

c) Finance and Expenditure

DM advised that the Finance and Expenditure update showed an overspend against the current budget. A number of business cases have been approved by DfC, including for the COVID-19 Legal Officer, as well as counsel support for the COVID-19 Inquiry and the ongoing Judicial Appeal work. However, DM advised that to date no associated budgetary support has yet been confirmed to meet these inescapable pressures. DM advised that whilst there would be continued review of the budget to assess where further mitigations could be achieved, COPNI was wholly dependent on the January Monitoring Round outcome to meet existing pressures.

AW advised that it was recently that a 3% salary increase from August 2024 and 6% from August 2025 was proposed for staff on NICS terms and conditions. This proposed increase meant that it was increasingly difficult for COPNI to live within budget. AW acknowledged that this would mean that, moving forward, there needed to be an increase in COPNI's baseline budget, with the only alternative cuts to COPNI's staffing complement

<p>and a reduction in services. EH advised that there were several one-off costs this financial year pertaining to litigation and costs of the Judicial review. EH advised that a conversation was required with the new Commissioner in respect of COPNI's baseline budget. DM advised that the training requirements for COPNI were £40k however due to budget constraints less than £6k has been spent on training this year. DM emphasised that a number of COPNI's staff have professional qualifications, with it being a requirement of membership that a set level of CPD is completed annually. COPNI is only able to cover the minimum level of CPD requirements currently, but this situation cannot continue as other specialist training is also required. AW reemphasised that there was either going to have to be a change in COPNI's baseline budget or a change in the scope of what COPNI does going forward.</p> <p>d) <u>Quarterly Performance Report</u></p> <p>It was noted that ECNI are tendering for the procurement of an IT provider. COPNI was too small an organisation to tender for IT services alone.</p> <p>e) <u>Quarterly Assurance Statement</u></p> <p>Paper was noted by the Committee.</p>	<p></p> <p>Noted</p> <p>Noted</p>
<p>Agenda Item 7 : Business Plan 2024/25</p> <p>EL advised that the Business plan for 2025-26 has been prepared. The priorities in the Business plan may change and were dependent on what areas the new Commissioner wished to prioritise when appointed.</p>	<p></p>
<p>Agenda Item 8: Risk matters</p> <p>DM presented the Risk Register and discussed the main areas of risk.</p> <p>DM advised that there are currently three vacant posts in COPNI, the Commissioner, the Finance Assistant, and Legal Officer. The Finance Assistant role cannot be filled at present due to budgetary constraints. The Legal Officer role has only recently become vacant following settlement of an Industrial Tribunal case and would be recruited for in 2025/26. It was noted on page 5 that the staffing residual risk was now green due to oral assurances from DfC that staffing costs would be met until the end of the financial year.</p>	<p></p>

<p>EH confirmed that COPNI were working with DfC to assess the outworkings of the ALB review. COPNI were awaiting the appointment of a new Commissioner to take the review forward.</p> <p>EH advised that the legislation pertaining to the powers and duties of the Commissioner would be taken forward once a new Commissioner was in place.</p>	
<p>Agenda Item 9: Comment from Department for Communities.</p> <p>JW advised that sponsor team were working with DfC finance colleagues to see how the increase in NI wage costs could be met for 2025/26.</p>	
<p>Agenda Item 10 : Update from Internal Audit</p> <p>C McH advised that the Terms of Reference for the Financial Systems audit have been agreed and a copy of which had been sent to the ARAC. C McH confirmed payroll will be the area which will undergo the most significant testing as it is clearly COPNI's largest area of expenditure.</p>	
<p>Agenda Item 11: Update from External Audit</p> <p>CS advised that the comments have been updated to reflect the fact that COPNI intended to carry out a disposal of assets no longer in use during 2023/24 but were unable to do so due to constraints with CPD's disposal framework. In addition, the third finding in relation to agency staff business cases has been removed entirely.</p> <p>CS confirmed the Accounts will need to be reviewed ahead of signing, and adjustment updated.</p>	<p>ACT267</p>
<p>Agenda Item 12: Audit Recommendation Tracker</p> <p>DM confirmed that the tracker has been updated to reflect the recommendation from external audit.</p>	<p>Noted</p>
<p>Agenda Item 13: Accountability and Financial Management Guidance Update</p> <p>This was noted by the ARAC.</p>	<p>Noted</p>
<p>Agenda Item 14: Schedule of meetings for coming year.</p>	

Revised dates would be issued for April meeting.	ACT268
Agenda item 15: AOB: There was no other business.	
Date of Next Meeting DM would confirm the date of the next ARAC meeting by email. EH, and GC left the meeting to allow the committee to discuss the issue relating to the discrimination case referenced earlier in the meeting.	

Signed: _____
Chairperson

Date: _____