



**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, 23rd October 2023**

PRESENT:

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

IN ATTENDANCE

Valerie McCloskey (VMcC)	Department for Communities
Sarah Heanen (SH)	NIAO
Caitlin Toye (CT)	NIAO
Catriona McHugh (CMcH)	Cavanagh Kelly
Commissioner Eddie Lynch (EL)	COPNI
David Murray (DM)	COPNI
Gary Carpendale (GC)	COPNI

<p>Agenda Item 1: Apologies</p> <p>Apologies were received from Evelyn Hoy, Chief Executive Officer, COPNI.</p>	<p>Noted</p>
<p>Agenda Item 2: Chair’s Business</p> <p>a. <u>Conflicts of Interest</u> There were no conflicts of interest.</p> <p>b. <u>Compliance Report</u> The Committee noted this paper.</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>Noted</p> <p>Noted</p> <p>Noted</p>

<p>Agenda Item 3: Draft Minutes of Meeting and Action Tracker.</p> <p>a. Draft Minutes of Meeting – 21st August 2023</p> <p>Those present accepted the accuracy of the minutes and the Chair agreed to sign the minutes.</p> <p>b. <u>Action Tracker</u></p> <p>DM discussed the measures taken against the action points and all action points had been completed.</p> <p>It was noted that the ARAC members are in receipt of new laptops from COPNI. The rationale for this measure was to ensure that all correspondence and communications with ARAC members could be transacted across a secure COPNI email address in addition to ensuring that documentation sent to ARAC from COPNI could be stored securely, replacing password protected delivery of documents. AW reiterated that the laptops should only be used for COPNI business and that any policies relating to use of IT equipment should be forwarded to ARAC members. DM advised that, going forward, it was the intention to set up a Teams channel from which the ARAC members could access the ARAC papers via a shared link.</p>	<p>Agreed</p> <p>Agreed</p> <p>AP248</p>
<p>Agenda Item 4: Matters arising not already on the agenda.</p> <p>DM asked that the Internal Audit plan presented at the last meeting be formally approved. The Committee members agreed that the plan should be implemented as presented.</p>	<p>Agreed</p>
<p>Agenda Item 5: Commissioner’s Update</p> <p>a. <u>Engagements</u></p> <p>The Commissioner advised that the last number of months have been the busiest time for the Commissioner since before the COVID-19 pandemic. COPNI had launched a series of events on Ageism and exploration of the issues affecting older people in NI, with the events held at venues across all six counties. A report will be published based on the findings from the events.</p> <p>The Commissioner advised that he had attended a number of speaking events in Belfast addressing the issues affecting older people.</p> <p>The Commissioner recently launched two of the new ‘Chatty Benches’ in Antrim. The benches were hand crafted from recycled</p>	

timber, by members of AMH New Horizon's Antrim Steeple Men's Sheds. The benches are designed to be used by people using green spaces at Regional Office, Antrim and on the Holywell Hospital site.

The Commissioner also attended a conference run by the British Geriatrics society which discussed the issues surrounding the Healthcare of older people.

The Commissioner attended a conference on Dementia in Queens University which explored the challenges facing people suffering with Dementia and those who cared for them.

The Commissioner advised that the BBC and Libraries NI annual book week was held recently. One of the key themes from this year's book week was tackling loneliness and isolation. The Commissioner noted that libraries can be used as a warm space hub for older people, to provide a social outlet and encourage interaction with others.

The Commissioner attended a Global Ageism Conference in Glasgow. The Conference had speakers from 50 countries. The theme of the conference was prevention of ill health and keeping people active for as long as possible.

b. Accounting Officer Matters

EL advised that the last DfC Accountability meeting was postponed. DfC wanted to make progress on COPNI's Strategic Review of Future Needs (Staffing) business case before meeting. These meetings are traditionally held quarterly but VMcC confirmed this arrangement is now changing to twice a year between DfC and COPNI.

EL advised that it be noted that COPNI's Chief Executive is currently working a three-day week.

DM advised that two Policy Officer posts in COPNI were recently advertised and both posts successfully recruited subject to pre-employment checks.

EL confirmed that COPNI is still awaiting confirmation of approval of the Strategic Review of Future Needs (Staffing) business case at present. COPNI is currently unable to recruit permanently for temporary roles agreed in the staffing pilot. The posts affected include the Head of Policy and Research, Head of Legal and Advocacy and the Head of Corporate Services. This matter has been ongoing for a considerable length of time and has led to uncertainty for staff in these roles. There is a significant risk that staff temporarily employed in these roles may gain permanent employment elsewhere. AW advised that the ARAC noted that all the SMT roles in COPNI were on a temporary basis, with the exception of the Head of Communications role, and that this continues to represent a significant risk to the organisation.

<p>DM advised that an agency worker is starting in the new Finance Assistant role on a temporary basis at the start of November.</p>	
<p>Agenda Item 6: Chief Executive’s Update</p> <p>a) <u>Staffing issues</u></p> <p>It was noted that work undertaken by the legal department on the COVID-19 Public Inquiry was an area where funding could be utilised. COPNI have been granted Core Participant status for Module 2c which is likely to require significant time commitments for the Legal team, and the case for additional resource for this team has already been presented in the Strategic Review of Future Needs business case.</p> <p>b) <u>Senior Management Team</u></p> <p>DM confirmed that the Senior Management Team continue to meet twice weekly and discuss budgetary constraints, business plan progress and any other strategic matters.</p> <p>c) <u>Finance and Expenditure</u></p> <p>DM presented the Finance report. DM advised that DfC have provided an additional £161k of funding. COPNI’s initial resource allocation was £1,306k and this would bring COPNI’s full budget allocation for 2023-24 to £1,467k. DM confirmed that COPNI had previously been working towards a resource budget of £1,306k and therefore it may be a challenge to utilise the full additional allocation at this point in the year but further analysis of spend will be undertaken in Q3.</p> <p>DM advised that spend on training was lower than projected, in large part due to the fact the majority of SMT roles remain temporary, and it would not be a prudent use of public money to incur expenditure on training for agency staff who could leave the organisation without notice.</p> <p>DM confirmed an Article-21 Review is due to be undertaken on COPNI’s legislation.</p> <p>DM confirmed COPNI had received £80k for capital expenditure, with £55k allocated for a new website.</p> <p>LW asked that at the next meeting the ARAC should be presented with a projection of spend until the end of the year. DM advised that, in the absence of any confirmation of easement at this point COPNI are forecasting full expenditure of the budget, as per DfC instruction. The figures presented in the Q3 meeting in January will have a confirmed final forecast figure.</p>	<p>AP249</p>

d) Quarterly Performance Report

V McC advised that there was a resolution to the business case for Pay Progression for COPNI staff. EL advised that he wrote to the Permanent Secretary in DfC at the end of August, raising the issue of prolonged delay in the processing of business cases, and received confirmation that a response to the outstanding issues would be provided by the end of September. AW stated that the approval of the Pay Progression case was indicative of progress being made, but also asked V McC if there was any progress made on the staffing business case. V McC advised that although the funding for the posts was available this year, Finance colleagues in DfC were concerned that the funding may not be available in subsequent years considering the current budgetary constraints. A response to the funding for the business case would be forthcoming from DfC by mid-November. It was noted that the NICS has lifted the embargo on recruitment and posts in the wider civil service have been advertised.

JP asked for an analysis of what the costs are currently for the SMT composed of agency staff and what the cost would be if the posts were recruited on a permanent basis. DM noted that COPNI could afford to recruit within its current 2023/24 budget allocation but if there were further budget cuts in subsequent years this would impact directly on staffing with no other area to make mitigating cuts.

EL advised that the consequences would be catastrophic for COPNI if there was no funding to enable revised staffing structure to deliver services. AW advised that if there was no movement on the staffing business case by the 15th of November, he would seek an update from DfC. V McC advised that although the embargo on NICS recruitment was lifted every post recruited would have to be justified.

AP250

V McC advised that the business case for the staff Pay Progression had been agreed by DfC. All eligible staff can move up to the agreed point on the salary progression scale. EL advised that all eligible staff will see a benefit in their pay before Christmas. EL advised that the pay progression approval addresses the requirements of all eligible staff with two exceptions.

Noted

COPNI has applied for funding through the UK Public Inquiry to cover the costs to COPNI as a Core Participant in Module 2c, but this was initially rejected. COPNI has submitted a second application and the Inquiry has engaged with COPNI in relation to the funding issue and has requested information on the quantum of funding required. EL advised that COPNI was seeking clarification of costs from Counsel. AW advised that it was vital that COPNI received confirmation on whether funding would be made available as soon as possible.

The current Commissioner's term finishes in June 2024 but with the recruitment process is in the early stages there may be no new

<p>Commissioner in place when the current incumbent finishes his term. It was noted that it is a time bound role, and the Commissioner can only undertake two four-year terms of office. VMcC confirmed the recruitment process is undertaken by the Executive Office, and that the Permanent Secretary can appoint a new Commissioner and it did not require Assembly approval. AW raised the question of how an induction process would take place if the current Commissioner has left prior to a new Commissioner taking up the role. VMcC advised that aspects of the induction would likely be undertaken by the Chief Executive and the SMT. VMcC confirmed the Permanent Secretary could ask the CEO to take on the Accounting Officer role in the absence of a newly appointed Commissioner. AW asked EL what his notice period was to which EL replied he would have to serve 3 months. AW asked VMcC about the current recruitment process, and VMcC replied that a JESP evaluation needed to be completed for the current Commissioner's role. Once complete VMcC confirmed DfC would approach TEO to ask them to start the process of recruitment of a new Commissioner. JP asked if there was any scope to extend EL's term if he was involved in the UK COVID-19 Public Inquiry. AW noted that EL was the Commissioner during the COVID-19 pandemic and his testimony would be required by the Inquiry, and that the Commissioner's finishing date is the 16th June 2024. VMcC advised that if the Inquiry goes past EL's leaving date there could be no extension under current legislation. EL raised the question as to what access he would have to information within COPNI if he was called by the Inquiry after his departure. EL stated that he had concerns as to the timeline of the Public Inquiry as well as the level of work commitment required may require his participation after his departure.</p> <p>EL advised that the Commissioner's View report on the Regional Care Home Contract was a large piece of work which involved a considerable work commitment from both the Head of Policy and Research and the Head of Legal and Advocacy. JP advised that it was an added risk to have the Head of Legal and Advocacy in a temporary post as there was a risk that a permanent role could be obtained elsewhere.</p> <p>AW voiced his concern that the COVID-19 Public Inquiry required the collation of a large amount of information and required a large volume of work for which no funding has been secured. EL advised that he is concerned that COPNI did not have the funding from DfC necessary to provide assurance that the work required by the Inquiry could be completed to the quality required.</p> <p>e) <u>Quarterly Assurance Statement</u></p> <p>Paper was noted by the Committee.</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>It was noted that all staff should be made aware of the importance of Data Protection while working in the current hybrid environment.</p> <p>It was noted that the current Commissioner term is ending next year. DM advised that the status of this risk may change as the date for the end of the current Commissioner’s term of office gets closer.</p>	
<p>Agenda Item 9: Comment from Department for Communities.</p> <p>V McC confirmed that the Sponsor Branch would be pressing for a resolution to the outstanding business case for staffing.</p> <p>V McC asked that COPNI advise of any budget easements at the soonest possible opportunity.</p>	<p>AP251</p>
<p>Agenda Item 10: Update from Internal Audit</p> <p>C McH confirmed that the review of Corporate Governance would take place and a report would be ready for the next ARAC meeting. The Internal Audit planning stage had already been discussed with COPNI’s management. The Terms of Reference would be issued at the beginning of November. Five Internal Audit days in November have been allocated for this review.</p>	
<p>Agenda Item 11: Update from External Audit</p> <p>SH advised that in the Report to those charged with Governance the Financial Statement adjustment of almost £11k under misstatements and irregular expenditure had been removed, and a revised report would be issued. The other finding was pertaining to a significant increase in the bank balance at year end 2022/23. SH advised that COPNI should keep the bank balance to a minimum in line with the managing public money guidelines. DM advised that if COPNI had not drawn down the full cash allocation by the end of the 2022/23 financial year to cover the accruals the funding may not have been able to draw down in the following financial year. DM advised that the bank balance was £155k and the accruals amounted to £150k. DM also advised that the previous year’s 2021/22 end of year bank balance was artificially low as the full cash allocation was not drawn down.</p> <p>DM stated that it was unnecessarily confusing to draw down funds from a previous year in a new financial year. JP asked what the alternative was to the drawdown of the full financial allocation to meet accrual commitments in a financial year. JP added that at any time COPNI needed to have the funds to meet its accrual commitments. AW advised that it was his understanding that any drawdowns requested after 1st April in a new financial year was</p>	



Commissioner for **Older People**
for Northern Ireland

Signed: _____
Chairperson

Date: _____