



**BOARD MEETING**  
**13 October 2015 @ 10.00am**

**PRESENT:**

Judith Thompson (Chair - **JT**)                      Commissioner

**IN ATTENDANCE:**

John Beggs (**JB**)                                      Secretary to the Commission  
Adrian McNamee (**AMN**)                      Head of Policy and Research  
Craig Gartley (**CG**)                              Head of Corporate Services  
Laura Kennedy (**LK**) - minutes

**1. Apologies**

1.1. There were no apologies.

**2. Declaration of Interests**

2.1. All attendees confirmed they had no conflict of interests in relation to creditors listed.

**3. Minutes of Previous Meeting**

3.1. The minutes of the meeting on 8 September 2015 were approved.

**4. Matters Arising**

4.1. It was confirmed that all members of the Audit and Risk Committee had agreed to continue their membership until April 2016.  
4.2. It was agreed to research options for personal resilience training for staff.

**5. Annual Report and Accounts**

5.1. **JB** presented the Annual Report and Accounts for review and approval.  
5.2. Following review of the Accounts the budget underspend in 2014-15 was noted.  
5.3. The Commissioner approved the Annual Report and Accounts and the Accounting Officer dated and signed the Annual Report and Accounts as required for submission to NIAO.

**6. Accounting Officer Update**

**Budget**

6.1. **JB** presented the Budget Report. It was noted that expenditure accrued to date was 41% of the total budget.  
6.2. **JB** advised the Departmental Accounting Officer had confirmed that there would be no change to the budget position following June monitoring round.  
6.3. As the Commissioner had taken up post later than expected there is no projected overspend in budget.  
6.4. The Department have confirmed that there is a possibility of increase in employer pension contributions being funded through the January Monitoring Round.  
6.5. It was noted that, due to the upcoming premises move, substantial savings would be returned to the budget and plans for additional research and programme expenditure were under consideration.

- 6.6. The Commissioner noted the potential risk of an underspend in 2015-16, advising she understood it was largely due to the absence of a Commissioner in the first part of the year. The Commissioner sought assurance from the Accounting Officer that plans were in place to address any potential underspend.
- 6.7. **JB** advised that the appointment of the Commissioner now offered the opportunity for the Commission to undertake new Policy work identified, and to present advice to Ministers, that could not have taken place in the absence of a Commissioner. A proactive Communications Strategy and Corporate Restructuring is also a priority work area. This should mitigate against a similar underspend in 2015-16.
- 6.7. It was agreed to keep plans for procurement and expenditure under review, highlighting any areas of risk and taking steps to address them in a timely fashion.

**ACTION: SMT**

**Update on Business Cases and Procurement (Delegated decisions)**

- 6.8. **JB** advised the Commission had received Departmental and DFP approval on 22 September 2015 for its Accommodation Business Case relating to relocation to Equality House on 9 November 2015.
- 6.9. The Commission had sought legal advice in relation to the MOTO. A number of amendments had been recommended.
- 6.10. The Commission's legal services were liaising directly with the ECNI legal team to ensure the changes were reflected in the MOTO prior to formally signing the agreement.
- 6.11. **JB** advised no Direct Award Contracts had been entered into during the last quarter.

**Performance Report**

- 6.12. **JB** advised the 2015-16 Business Plan and Progress Report highlighted all targets were on track for delivery.
- 6.13. It was noted that the Business Plan was still under review by Ministers.
- 6.14. The Commissioner queried the RAG status of all targets and requested individual targets be reviewed and re-categorised as Amber, if required, to reflect any potential risk to completion.
- 6.15. It was agreed to arrange a Forum Planning Meeting to consider the future work programme and recruitment.

**ACTION: AMN**

- 6.16. **CG** highlighted the proposed restructuring of the Commission, noting the recruitment of a Head of Engagement. It was agreed to arrange a meeting to discuss the Job Description for the Head of Engagement.

**ACTION: CG**

- 6.17. **JB** advised procurement to engage services to draft a Communications Strategy was being progressed.

**Internal Audit**

- 6.18. It was noted that ASM would begin fieldwork on the follow up review for Financial Reporting and Budgetary control in the week commencing 30 November 2015, with fieldwork to begin on Information Management and Security in the week commencing 7 December 2015.

**Risk Management**

- 6.19. It was noted that the Commission's Corporate Risk Register was reviewed at the last ARC Meeting on 7 October and, as a result of a new Commissioner being appointed, it detailed 3 medium rated risks with amber status and 2 low rated risks with green status.
- 6.20. It was agreed to update Corporate Risk 1 to highlight current developments with the Stormont House Agreement and associated risks and action being undertaken by the Commission.

**ACTION: CG**

- 6.21. Discussion took place regarding the target RAG status for CR1 and CR2 in the context of the current 3x3 matrix preferred by NIAO and the ARC. It was agreed to amend both targets to 3, Amber reflecting the inherent high impact of both of these risks.

**ACTION: CG**

**Review of the Commission**

- 6.22. It was noted the next triennial review of the Commission had been further postponed by the Department and would now take place in early 2016/17.

**Freedom of Information**

- 6.23. It was noted that no FOI requests had been received this quarter.

**Complaints**

- 6.24. It was noted that no Complaints had been received this quarter.

**Audit and Risk Committee – New Members Recruitment**

- 6.25. **JB** advised the Commission was currently drafting a Business Case to progress recruitment for new members of the ARC with the aim that they would be in position from May 2016, in order to facilitate their first meeting in July 2016.
- 6.26. The Commission was also using this opportunity to review and update the Terms of Reference for the Audit and Risk Committee and would liaise with OFMDFM throughout the process.
- 6.27. The approved minutes of July's ARC meeting were noted.

**Gifts & Hospitality**

- 6.28. All Gifts and Hospitality for the last quarter had been recorded and approved by the Accounting Officer.
- 6.29. There had been no exceptional gifts or hospitality received or provided.
- 6.30. All Registers for the last quarter would be made available on the Commission's website.

**ACTION: CG**

**Fraud**

- 6.31. There have been no reported instances of fraud during the reported period.

**7. Business Plan 2015-16**

- 7.1. As per Accounting Officers update.

**8. Risk Register**

- 8.1. As per Accounting Officers update.

**9. Business Case – Review of the VS Strategy**

- 9.1. **JB** provided a background update of the Business Case to the Commissioner.
- 9.2. Discussion was undertaken regarding the risks of the perceived independence of the Commission undertaking research of this nature. It was agreed that the Commission's independence was evidenced in its legislation and current programme of work, although measures to mitigate against any perceived conflict of interest will be built into the Terms of reference and agreed with the Department.
- 9.3. The Commissioner agreed the procurement limits of the Business Case were expedient and necessary to begin work as quickly as possible.
- 9.4. The Business Case was approved.

**10. Pension for the Severely Injured – Policy Advice**

- 10.1. **AMN** provided a background update of the paper to the Commissioner.
- 10.2. The paper was approved for submission to the Department as advice to officials ahead of the next SHIG meeting.

**ACTION: AMN**

- 10.3. It was agreed to share the paper with the Forum for discussion.

**ACTION: AMN**

**11. Jurisdiction Scoping Paper**

- 11.1. **JB** provided a background update of the paper to the Commissioner, noting that the paper was consistent with Commission policy and would be submitted to the Department officials as information and not as advice to Ministers.
- 11.2. The Commissioner requested the paper be presented to the NI Affairs Committee on their scheduled visit on 23 October 2015.

**ACTION: JB**

- 11.3. It was agreed to send the paper to the Department including amendments as discussed.

**ACTION: AMN**

NAME: **Judith Thompson**

SIGNED: 

DATE: 10/12/2015