



## **BOARD MEETING**

### **18 October 2016 @ 10.30am**

#### **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  
Tina McCann (**TMC**)                                      Head of Communications and Engagement  
Sarah Beare (**SB**) - minutes

### **1. Introduction and Apologies**

1.1. There were no apologies. **JT** welcomed **TMC** to her first Board meeting since taking up post as Head of Communications and Engagement.

### **2. Declaration of Interests**

2.1. All attendees confirmed they had no conflict of interests.

### **3. Minutes of Previous Meeting**

3.1. The minutes of the meeting on 23 September 2016 were agreed.

### **4. Action Notes**

#### **PPE's for Washington Trip & VSE Conference**

4.1. **JT** asked for an update on this action. **JB** advised that, as agreed on 23 September 2016, he would raise the PPE's for the Washington Trip and VSE Conference at the next Accountability meeting on 01 November 2016. **JT** highlighted the importance and business benefits of international engagement.

**ACTION: JB, CG**

#### **Pension Related Queries from Individuals/Organisations April-June 2016**

4.2. **JB** advised that he had spoken to the Commission's Legal Services Provider who advised that they did not specialise in this issue. The Legal Services Provider would be able to outsource specialist advice and **JB** hoped that a meeting would take place in the coming weeks.

#### **Business Case for Population-based Survey**

4.3. **AMN** provided an update, advising that he had contacted NISRA who would be unable to assist until the beginning of the new Financial Year. It was likely that the Commission would carry out a procurement exercise in the current Financial Year. **AMN** advised that a Business Case would be tabled at SMT on 14 November 2016.

### **Web Tool for Standards**

- 4.4. **AMN** advised that this action was ongoing and had not been progressed in light of other work priorities, as per discussion at the Board meeting on 23 September 2016. **JT** sought clarification on the dependencies between the Standards and PEACE IV/VSP funding and asked how the Standards would be accessed without a web tool. **AMN** advised that they would be available in hard copy and on the Commission's website until a web tool was developed.

**JT** advised that the Standards did not have to be finalised before a web tool could be progressed. **JT** requested that a web tool be progressed and an update provided at the November 2016 Board meeting. **JB** advised that the Budget would need to be considered as costs for a web tool were unknown at present.

**ACTION: JB and AMN**

### **Outcomes Based Accountability**

- 4.5. **JB** advised that there would no longer be a need for the Commission to arrange a workshop. **JB** advised that he was working on a Strategic Outcomes paper with the Chief Executive of the VSS and that the Executive Office had confirmed that an outcomes based accountability workshop for the VSS, CVS and Executive Office staff would take place on 14 December 2016. It was noted that the workshop would be facilitated by NISRA and that the Commissioner, Secretary to the Commission, SMT and the Policy and Research Officer's would attend.

**AMN** advised that he and the Research Officer had attended a Global Outcomes Based Accountability Summit on 10-11 October 2016 and had feedback to share.

### **Review of Information Security Policy**

- 4.6. **JB** advised that he had sought advice from the Commission's Legal Services provider on the Commission's Information Security Policy. The Legal Services Provider advised that the Commission's policies were comprehensive and covered all legal aspects of data protection. Training for staff had been suggested but no significant changes to the Commission's policies were recommended.

**JT** noted that this advice conflicted with the initial thoughts of one of the Partners and requested that **JB** follow up with the Legal Services Provider to ensure that both Partners agreed the advice provided to the Commission.

**ACTION: JB**

**CG** advised that a recommendations paper was being prepared for Data Protection training for all staff.

### **Birthday Honours 2017**

- 4.7. At the meeting on 23 September 2016, **JT** requested that SMT consider a response to the Birthday Honours Commissioning Note. **JB** advised that a nil return was submitted by the deadline of 07 October 2016 and explained the rationale for this response.

**JT** requested that the Commission's policy on nominations for Birthday Honours be reviewed prior to receipt of the next Commissioning Note and noted the importance of recognition. **TMC** suggested the consideration of the President's Awards and **JT** requested that this also be explored as a way of recognising exceptional contributions to work with Victims and Survivors.

**ACTION: JB, AMN, CG, TMC**

## 5. Accounting Officer's Update

### Performance Report

- 5.1. **JB** advised that he had met with the Executive Office at their request on 10 October 2016 to discuss the Commission's Corporate Plan 2016-19. At the meeting, **JB** was asked to consider further amendments.
- 5.2. **JB** outlined the changes made to the Corporate Plan 2016-19 and advised that the Executive Office accepted that the plan was not currently outcomes based pending training.
- 5.3. **JT** acknowledged the reasons for lack of outcomes based accountability in the Corporate Plan 2016-19 and noted that training would take place with the VSS and the Executive Office in December 2016.
- 5.4. **JT** asked for clarification that any changes required following training would be incorporated in the 2017-20 Corporate Plan. **JB** advised that this was correct and that the Corporate Plan 2016-19, once approved by the Board, would be resubmitted and considered by the Departmental Board.
- 5.5. The Board approved the Corporate Plan 2016-19 for submission to the Executive Office.
- 5.6. **JB** advised that the Business Plan 2016/17 had been updated at the end of the quarter (end of September 2016).
- 5.7. **JB** advised that the RAG Status relating to the Review of the Strategy had been amended to Red as the deadline of the end of September 2016 had not be met due to issues with the Report.
- 5.8. **JB** advised that the RAG Status of 1.5 Research was currently Amber pending the completion of the Standards.
- 5.9. It was noted that the narrative had been updated to include a Population-based Survey and that **CG** had reconciled the Budget to show allocation per area.
- 5.10. **JT** advised that she was content with the Business Plan 2016/17.

### Budget Report

- 5.11. **CG** provided an update on the current Resource Budget, noting that it had been updated following decisions on Research Proposals at the Board meeting on 23 September 2016 and highlighted uncommitted monies.
- 5.12. **JT** asked for an update on additional resources to assist with projects. **JB** advised that the pressing need for additional resources lay within the Communications and Engagement Team and acknowledged the potential pressure on the Policy and Research Team if the PEACE IV application was successful.
- 5.13. **CG** advised that a suitable candidate had been identified through a recruitment agency but that there was an issue with the duration of the contract. The agency had advised **CG** that the length of the contract was not attractive to good candidates. **CG** advised that SMT were currently considering offering a 10-12 month contract to an agency worker and deferring the recruitment of a permanent SO.
- 5.14. **TMC** advised that, in light of the organisational review, this would be her preferred option. **TMC** advised that she had a draft work programme for the role and noted a number of projects required initially which would not recur. **TMC** noted that it had been difficult to find a balance between Communications and Engagement.
- 5.15. **JT** asked if this option would help to expedite Business Cases and the implementation of the Communications Strategy. **JB** advised that it would help with immediate pressures within the Communications and Engagement Team and that he endorsed the use of an agency worker for a 10-12 month contract, deferring the recruitment of a permanent SO.
- 5.16. **JT** noted a strong rationale and an option which met business needs and approved a 10-12 month contract for an agency worker.

### **Update on Business Cases and Procurement**

- 5.17. The update on Business Cases and Procurement was discussed. **CG** advised that there had been no significant committed expenditure in the last month.

### **External Audit/Annual Report and Accounts**

- 5.18. **JB** noted that the Annual Report and Accounts had not been supplied to the Board, noting issues raised by NIAO at the ARAC meeting on 14 October 2016.
- 5.19. **JB** advised that a Priority 1 Recommendation had been received in relation to the quality of the Accounts and noted the ARAC's disappointment.
- 5.20. It was noted that there was an overspend of £2k. This was due to non cash depreciation relating to Capital. **JB** advised that this related to the Commission's accommodation move in 2015 which was exceptional.
- 5.21. **JB** advised that NIAO had asked the Commission to look at adjustments which would bring the accounts back within tolerance.
- 5.22. **JB** advised that he would carry out an internal review in relation to the quality of the accounts for both the ARAC and Board by December 2016.

#### **ACTION: JB**

- 5.23. It was noted that due to the issues listed above, the ARAC could not commend or sign off the Commission's Annual Report and Accounts.
- 5.24. **JT** advised that she had spoken with the ARAC Chair following a briefing from **JB**.
- 5.25. It was agreed to arrange an exceptional Board meeting to approve the revised Annual Report and Accounts.

#### **ACTION: SB**

### **Internal Audit**

- 5.26. **CG** advised that ASM completed fieldwork on 1 September on the Human Resource & Performance Management assignment. Satisfactory assurance was provided with three priority 3 recommendations accepted with management responses.
- 5.27. **CG** advised that the timelines for Complaints and Freedom of Information Handling and the Review of Programme/Project Management had changed and new Terms of Reference had been approved.
- 5.28. **JT** asked for an explanation for the change to timelines as above. **CG** advised that the fieldwork for Complaints and Freedom of Information Handling was changed due to the internal review of the Commission's External Complaints Policy (Agenda item 6).
- 5.29. It was noted that the Review of Programme/Project Management would focus on the Appointment of a Panel to Sustain Victims and Survivors Forum Membership and that a meeting with ASM would take place on 21 October 2016.
- 5.30. It was noted that the ARAC recommended that Internal Audit revise their audit programme to respond to risk.

### **Risk Management**

- 5.31. **JB** advised that the Risk Register had been updated at the end of Quarter 2 (end of September 2016).
- 5.32. **JB** advised that at the ARAC meeting on 14 October 2016, he had proposed revising CR3 Failure to engage effectively with the Forum and the victims and survivors sector and to reflect the views of victims and survivors from Red to Amber as the Commission had appointed 10 new Forum Members. The ARAC did not approve the change and agreed to review its decision at the January 2017 meeting.

- 5.33. **JT** asked if there were any plans for the ARAC to meet the Forum. **JB** advised that the ARAC had been invited to the Forum Residential but that they had been unable to attend. Following discussion, it was agreed to invite the ARAC to the Forum meeting on 11 November 2016.

**ACTION: TMC**

- 5.34. The Commission's Corporate Risk Register currently contains 1 high rated risk with Red status, 2 medium rated risks with Amber status and 2 low rated risks with Green status.

**Pay Award 2015/16**

- 5.35. **CG** advised that queries had been received from the Executive Office on 22 September 2016 which related to Employer National Insurance Contributions. **CG** advised that he responded on 04 October 2016 and would follow up with the Executive Office weekly.

**Staffing**

- 5.36. It was noted that the Commission currently had one vacancy.  
5.37. It was noted that, as per 5.12-5.16, the Commission would defer the permanent recruitment of an SO and offer a 10-12 month contract to a suitable agency worker in the interim.

**Organisational Structure**

- 5.38. At the meeting on 23 September 2016, **JT** requested that SMT consider the Commission's current organisational structure, particularly in relation to the Policy and Research Team and the level of projected demand on that team.  
5.39. **JB** advised that he had prepared Terms of Reference for the review which stated that the Budget for the assignment would be no more than £5k including VAT.  
5.40. It was noted that the aim of the review would be to advise the Commissioner/Board on the current organisational structure, including the capability and capacity of the Commission to meet its statutory duties and to 'future proof' the organisation for upcoming developments.  
5.41. **JB** advised that he recommended engaging CIPFA to carry out the review noting their suitability, public sector experience and independence.  
5.42. **JB** advised that given the time restrictions around this assignment a DAC may be required with approval from the Accounting Officer within the Commission. This would be brought to the attention of the Executive Office and ARAC as part of due process.  
5.43. **JB** advised that as Accounting Officer, he could approve a DAC of up to £5k.  
5.44. It was noted that a Business Case was being progressed and the review would commence late October/early November with a final report completed by the end of November 2016.

**Review of the Commission**

- 5.45. It was noted that at the ARAC meeting on 14 October 2016, the Executive Office reported that the next Review of the Commission would take place late November/early December and would cover 2011 – 2016.  
5.46. It was agreed to seek confirmation of the review timeline and Terms of Reference at the next Accountability meeting on 01 November 2016.

**ACTION: JB, CG**

**Forum**

- 5.47. **TMC** provided an update on the Forum, noting that the next meeting would take place on 11 November 2016.  
5.48. It was noted that the Forum and the Panel would meet on 09 December 2016.  
5.49. **TMC** advised that she and **SB** were liaising with the Secretary of State's office and Mr Boucher's office to arrange meetings with the Forum as requested by **JT**. It was noted that mutually suitable dates had not yet been agreed.

- 5.50. **TMC** asked if **JT** was content to proceed with the meeting on 11 November 2016 noting that the date had previously been agreed with Forum members, the majority of whom had sought time off from their employers.
- 5.51. **JT** thanked **TMC** for her work in relation to the replenishment of the Forum. **JT** agreed that the meeting on 11 November 2016 should proceed and that exceptional meetings could be held to facilitate Mr Boutcher and the Secretary of State if necessary.
- 5.52. It was agreed to request a meeting for the Forum with the First and deputy First Ministers.
- ACTION: TMC**
- 5.53. **JB** asked that **TMC** contact the office of the Lord Chief Justice as he may wish to meet with the Forum again. **JT** noted that she had spoken to the Lord Chief Justice who had requested a meeting with the new Forum.

**ACTION: TMC**

**Complaint**

- 5.54. It was noted that no complaints had been received.

**Freedom of Information**

- 5.55. It was noted that no Freedom of Information requests were received in the last quarter.

**Gifts and Hospitality**

- 5.56. It was noted that all Gifts and Hospitality for the last quarter had been recorded and approved by the Accounting Officer and would be available on the Commission's new website.

**Audit and Risk Assurance Committee**

- 5.57. It was noted that an Audit and Risk Assurance Committee (ARAC) meeting took place on 14 October 2016.

## **6. External Complaints Procedure**

- 6.1. **CG** provided an update and highlighted revisions to the External Complaints Policy.
- 6.2. It was noted that a 3<sup>rd</sup> stage had been added to the procedure enabling those unhappy with the result of a stage 2 complaint to escalate this to the Commission's Board before contacting the Ombudsman.
- 6.3. **JT** asked what information would be available to the person against whom a complaint had been made and if this would be within the scope of the paper. **CG** advised that it was not currently covered with the External Complaints Procedure but that he would investigate this further.

**ACTION: CG**

- 6.4. It was agreed to cross reference the External Complaints Procedure with the Internal Complaints Procedure.

**ACTION: CG**

- 6.5. **JT** asked if this was contingent on any other timeframes. **CG** advised that Internal Audit were due to review Complaints and Freedom of Information Handling on 07 November but that the timeline could be revised should the Board not approve the External Complaints Procedure.
- 6.6. It was agreed to revise the timeline for Internal Audit's review of Complaints and Freedom of Information Handling.

**ACTION: CG**

## 7. Safeguarding Young People, Children and Adults at Risk Policy

- 7.1. **CG** provided an update on the Safeguarding Policy, advising that the point of contact had been revised from the Engagement Support Officer to **JB**.
- 7.2. **JT** noted that the document was comprehensive, providing more detail around identifying and reporting issues.
- 7.3. **JT** advised that the flowchart was helpful and requested that it be moved to the beginning of the document.

### **ACTION: CG**

- 7.4. **JT** requested an update on Training at the next Board meeting.

### **ACTION: CG**

## 8. Annual Report and Accounts

- 8.1. See 5.17 – 5.25.

## 9. User Authorisation Forms

- 9.1. **JB** advised that current financial procedures allow members of SMT to approve bank payments of up to £50k.
- 9.2. A bank mandate to add **TMC** as a user was approved and signed by **JT** and **JB**.

## 10.AOB

### **Review of the Strategy**

- 10.1. A discussion took place regarding the Review of the Strategy.
- 10.2. It was noted that a final draft report was expected by 18 October 2016.
- 10.3. **JT** requested a copy of the final draft report noting that clear direction had been provided by the Steering Group and if the report was not reflective of this, further action would be required.

### **ACTION: JB, AMN**

### **Standards**

- 10.4. **AMN** provided an update on the Standards outlining the major themes and advising that 2 consultation workshops remained and would take place on 20 and 21 October 2016.
- 10.5. It was noted that there had not been many written responses received to date.
- 10.6. **AMN** advised that the Policy Officer was working on a consultation responses document which would evolve throughout November.
- 10.7. It was agreed to update the VSS and the Executive Office on emerging issues/responses early w/c 24 October 2016 and on an ongoing basis.

### **ACTION: JB, AMN**

- 10.8. **JT** asked if the Forum had been consulted regarding the draft Standards. It was agreed that consultation with the Forum would take place at the meeting on 11 November 2016.

### **ACTION: TMC, AMN**

- 10.9. It was agreed to arrange an internal meeting regarding the Standards.

### **ACTION: SB**

### **PEACE IV**

- 10.10. **AMN** advised that there was no update in relation to PEACE IV and that the VSS would proceed with the launch of the VSP at the end of November 2016.

### **Co-Design Workshops**

10.11. It was noted that the VSS had sent out invitations to the Co-Design Workshops 26-28 October 2016 with an Agenda to follow.

10.12. It was agreed that **JB** would seek clarification on what was required from the Commission from the Executive Office.

**ACTION: JB**

### **Staff Briefings**

10.13. It was agreed to raise/discuss the following items at the staff briefing on 18 October 2016;

- Procedure for website requests (**TMC**)
- Forum and Panel Update (**TMC**)
- Review of the Commission (**JB**)
- Organisational Structure Review (**JB**)
- Pay Remit (**CG**)
- Corporate Planning Day (**CG**)
- Update on Standards (**AMN**)
- Update on Co-Design Workshops (**AMN**)
- Clarification on Commissioner's role in Victims Focus Group (**JT**)
- Update on Stormont House Agreement (**JT**)

NAME: **Judith Thompson**

SIGNED:



DATE: 14/11/16