

NI GUARDIAN AD LITEM AGENCY - BOARD MEETING

6th JULY 2017

- Present:** Mr Bernard Mitchell, *Chair*
Mr Peter Reynolds, *Chief Executive*
Mr Fred Smyth, *Non-Executive Director*
Dr Karen Winter, *Non-Executive Director*
- In Attendance:** Ms Teresa Fallon, *Assistant Director*
Ms Sarah Granleese, *Guardian Ad Litem (Item 30.17)*
Miss Patricia O’Kane, *Assistant Director (Item 40.17, 41.17, 42.17 by telephone)*
- Apologies:** Mrs Gillian McGaughey, *Non-Executive Director*
Mr David Watters, *Non-Executive Director*
- Minute Taker:** Mrs Ann Andrew, *Administration Manager*

START TIME : 9.45am

30.17 SERVICE DELIVERY

- 30.17.1 Mr Mitchell welcomed Ms Sarah Granleese (Guardian ad Litem) to the meeting and the Board introduced themselves in turn.
- 30.17.2 Ms Granleese indicated she had received correspondence from the Director of the HSC Trust following her involvement in a complicated case. The presiding Judge in the case had commented very positively about the excellent example of collaborative working between the HSC Trust and the Guardian ad Litem.
- 30.17.3 Ms Granleese provided an overview of the background in the case and the series of issues which presented. She noted the positive working relationship between the HSC Trust and the Guardian and how an open communicative collaborative model worked so well.
- 30.17.4 The Board talked to Ms Granleese about the issues in the case and the signs of safety social work model which was being used. Dr Winter queried about what opportunities the Guardian has had to train on the model; Ms Granleese indicated that she has working knowledge of this model as have a few Guardians in the Derry office. It is planned that Mr Jody Kirby (Guardian ad Litem) will be speaking to the Belfast PDG group about the signs of safety model.

30.17.5 Mr Mitchell thanked Ms Granleese for speaking to the Board on her recent experiences.

31.17 CONFLICT OF INTEREST

31.17.1 Mr Mitchell provided an opportunity for the Board Members to identify any conflicts of interest in respect of today's agenda. None were noted.

32.17 MINUTE OF PREVIOUS MEETING

32.17.1 The minute from the last meeting on 6th April 2017 was noted as an accurate record and approved.

33.17 MATTERS ARISING

33.17.1 The matters arising and action plan from the previous meeting were reviewed and the Board noted progress on the actions listed. Specific mention was made as follows:

- **17.17.2 Information Governance Review:** Mr McAllister indicated that the HSC Information Governance Forum (all HSC bodies) is chaired by Mr Hugh McPoland (BSO). He confirmed that it has been agreed that a quarterly or 6-monthly report will be prepared for sharing with all ALB's.
- **17.17.3 Access Requests to Guardian Records on Live Cases:** Mr Reynolds referred to the *Guidance on Subject Access Requests (SAR)* which provides some clarity around requests for Guardian's records/recording whilst cases are still live before the Court. He confirmed this was circulated to staff and then discussed at length at the staff meetings. Staff have been made aware of the obligations under Data Protection.

34.17 CHAIR & NON-EXECUTIVE DIRECTOR'S BRIEFING

34.14.1 **Accountability Review Meeting:** Mr Mitchell indicated that he had attended the Accountability Review Meeting with Mr Reynolds. He confirmed the Department recognised the good progress made in respect of the Culture & Climate Survey. He noted that Finance was discussed and that he and Mr Reynolds highlighted the issue of increased demand, possible imposition of a waiting list, staffing, etc. Mr Mitchell noted the commitment given by the Department to give serious consideration to the Agency's allocation.

Mr Mitchell noted that he also raised the Non-Executive Director vacancy and confirmed that he formally notified the Department of this on 10th May 2017. He indicated that once the appointment process is completed, in the absence of a Minister at present no progress can be made. The Board discussed the useful attributes of the specification for the position going forward.

- 34.14.2 **Non-Executive Appraisals:** Mr Mitchell provided feedback on the suggestions provided by Non-Executive Directors at their recent appraisals. It was noted that it would be of interest to extend the service delivery presentation to Solicitors and Trust representatives; he noted there has been great value in having Guardians attend the Board meetings and this would be an added significance. Mr Mitchell noted it had also been raised that perhaps Board Members might be linked to either of the three offices or self-employed Guardians. It was agreed that Committee management would be discussed following Mr Watters’ resignation from his position on the Board.

35.17 CHIEF EXECUTIVE’S BRIEFING

- 35.17.1 Mr Reynolds referred to the *CEO Briefing for NIGALA Board* and updated the Board on a number of areas.

- 35.17.2 ***Overview of Child Protection in UK, came from the House of Commons Committee of Public Accounts – Children Protection 2016/17:*** Mr Reynolds provided an overview of a number of interesting points for the attention of the Board. The House of Commons Committee noted that a blame culture can make it difficult to recruit social worker in the UK. The use of social media was discussed and it was confirmed that NIGALA staff have undertaken training in respect of this. Mr Smyth indicated that it is important that this type of training is completed every year. It was agreed that this should be added to the NIGALA Risk Register for action.

ACTION: Use of Social Media by staff to be added to the NIGALA Risk Register.

- 35.17.3 ***Investors in People (IIP):*** Mr Reynolds confirmed that NIGALA had a follow-up visit by IIP on 4/7/17. As part of this meeting the recent findings (April 2017) from Internal Audit on the Agency’s Culture & Climate Survey were shared as evidence of ongoing progress. Mr Reynolds confirmed there was discussion about the new IIP Framework going forward and they have agreed to come to the next Board meeting to inform the Board. He indicated there would be a cost for future assessments which would be on a 3-yearly basis.

- 35.17.4 ***Advisory Visit by the ICO:*** Mr Reynolds confirmed that an advisory visit by the Information Commissioner’s Office will take place on Monday 10th July 2017. The report will be shared when available.

- 35.17.5 **Financial Update:** Mr Reynolds indicated that following a discussion with DoH it has been indicated that the Agency’s financial allocation will be similar to that of 2016-17 with no savings being sought from the Agency Mr McAllister indicated that an updated business case for £360k non-recurrent funding will need to be completed. Mr Reynolds indicated that subject to a business case an additional £100k may be available to help the Agency respond to increased demand.
- 35.17.6 **Fire Safety:** Mr Reynolds confirmed that in light of the recent tragedy at Grenfell Tower block in London all HSC organisations are being asked to seek clarity from the respective Landlords to confirm what cladding is used on their premises and this has been actioned.
- 35.17.6 **Trust Attendance at October Board Meeting:** Mr Reynolds confirmed that a representative from the Association of Executive Directors of Social Work will be attending the Board Meeting in October 2017 to discuss children's services in the HSC Trusts. Mr Smyth also raised the safety of employees and the need to share concerns.
- 35.17.7 **Recruitment Process:** Mr Reynolds confirmed that the recruitment process for the Corporate Services Manager position is ongoing with interviews taking place.
- 35.17.8 **BSO Governance Statement:** Mr Reynolds confirmed he now has the updated BSO Annual Assurance Statement for 2016-17. He indicated he did write to Mr McIvor stressing NIGALA’s concerns about the audit outcomes in respect of Recruitment and Payroll sections.
- 35.17.9 **CEO/Management Meetings/Stakeholder events.** Mr Reynolds highlighted for the Board’s information a number of meetings and training events attended by the CEO and members of the Management Team since the last Board meeting.

36.17 BUSINESS PERFORMANCE REPORT

- 36.17.1 Mr Mitchell referred to the *Business Performance Report* as at 31 May 2017. Mr McAllister took the Board through the report highlighting a number of areas for information.
- 36.17.2 Mr McAllister confirmed a 4% increase in Care Applications from the same period last year. The Board discussed increased workload demand and the diminishing staff resources following recent retirements. Mr McAllister confirmed that the Agency is funded for 48wte Guardians ad Litem (inclusive of self-employed); staffing numbers currently reflect 44.66wte. Mr Mitchell stressed that staff need to be clear that the Board is keen to appoint as many staff as they are allowed to by the Department in order to address the heavy workloads and provide more support to staff. Mr Reynolds

confirmed that he is moving quickly to bring the fully funded numbers of Guardians up to full quota and is advertising this week to recruit self-employed Guardians ad Litem.

36.17.3 The Board acknowledged that Guardians are under considerable pressure to close cases whilst continuing to take on new cases. Mr Mitchell stressed that the Board is profoundly grateful for the standards being maintained by staff and for their responsiveness to case allocation. He indicated that the Department should be kept informed of the strains and staff should also be kept aware of actions taken.

36.17.4 Mr McAllister confirmed that there is currently a data collection process recording the time-in-lieu of Guardians. SMT are currently gathering a range of data eg sick leave, case duration, etc in order to support a case for additional staffing.

36.17.5 Mr McAllister highlighted for the Board the statistics for file returns, absence and appraisal performance.

37.17 FINANCIAL PERFORMANCE REPORT

37.17.1 Mr Mitchell referred to the *Financial Budget and Performance Report 2017/18 as at 31 May 2017* detailing expenditure against budget to the end of May 2017 based on indicative Revenue Resource Limit (RRL) Allocation. Mr McAllister confirmed that last year's RRL (inclusive of the £360k additional non-recurring funds) is being used to form the budget plan in the absence of a confirmed allocation.

37.17.2 Mr McAllister took the Board through the pay and non-pay areas confirming that a 1% pay award has been profiled into the budget but this has yet to be approved by the DoH. He noted that NIGALA continues to employ two business critical agency posts to support the Care Proceedings Pilot and ICT support. This position will be reviewed again the August 2017.

37.17.3 Mr McAllister confirmed that the Prompt Payment target is on track to meet the KPI.

37.17.4 Mr McAllister indicated that whilst the RRL for 2017-18 has not been received, NIGALA has been informed that we should expect the same RRL as in 2016-17. Mr McAllister confirmed that an additional allocation of £3k has been issued to support the Care Proceedings Pilot and a further £2.5k to support time required for CPP data collection through to December 2017.

37.17.5 Mr McAllister confirmed and £8k refund was received from the Rates Collection Agency. He confirmed that a capital notification of £8k to facilitate the e-enabling of the 'About Me' and 'About Court' workbooks has been received.

38.17 ANNUAL REPORT AND ACCOUNTS

- 38.17.1 Mr Mitchell referred to the NIGALA Annual Report and Accounts 2016-17. Mr Smyth confirmed that the Audit & Risk Committee had reviewed the report and accounts and all proposed amendments had been made. He noted that all changes had been made in conjunction with Grant Thornton, External Auditor and they have certified all the statements and issued an unqualified audit opinion. Mr Smyth noted that the Audit & Risk Committee recommended the NIGALA Annual Report and Accounts 2016-17 to the Board for approval.
- 38.17.2 Mr Mitchell thanked everyone for the work put in the Annual Report and Accounts which had undertaken a lot of scrutiny and this provided the Board with assurance.
- 38.17.3 The Board formally approved the NIGALA Annual Report and Accounts 2016-17.

39.17 PROGRESS REPORT ON ACTIONS FROM STAFF CULTURE & CLIMATE SURVEY AND IIP

- 39.17.1 Mr Mitchell referred to the *Progress Report for NIGALA Board on Actions from Staff Climate Survey and IIP*. Mr Reynolds confirmed the report had been circulated to all staff with feedback indicating that the report accurately records outcomes/evidence.
- 39.17.2 Mr Reynolds took the Board through the overarching actions identified to support the change management process and detailed the progress of work undertaken by the Agency since September 2016 to date.
- 39.17.3 The Board acknowledged the immense amount of work undertaken and noted the ongoing actions. Mr Reynolds confirmed that mechanisms for staff support and engagement will continue to be ongoing.
- 39.17.4 Mr Reynolds referred to the benefits of IIP framework to keep under review the Agency's performance in respect of management and culture and noted that despite the cost of future assessments, it could be used as a useful baseline to continue to review and monitor the culture and climate of NIGALA.
- 39.17.5 In summary, the Board acknowledged that the work arising out of the original survey has satisfactorily been embedded into the Agency. It was also agreed that the Board does not want to lose focus on the culture of the organisation and would be content that consideration is given to IIP in the future. It was confirmed that the NIGALA Board would receive a talk from the IIP explaining the future processes and cost to assessments.

40.17 PROPOSALS TO MANAGE INCREASED WORKLOAD DEMAND WITH EXISTING STAFF CAPACITY

- 40.17.1 Mr Mitchell referred to the paper *Proposals to Manage Increased Workload Demand with Existing Staff Capacity* and Miss O’Kane spoke to this detailing the options appraisal to manage caseload demand within the existing capacity.
- 40.17.2 Miss O’Kane confirmed the paper was written in conjunction with Mr Sheldon and Ms Fallon. Legal advice has indicated that NIGALA may be breaching its statutory functions should it instigate a waiting list, hence the need to undertake a number of actions to help NIGALA manage its increasing demand.
- 40.17.3 Miss O’Kane highlighted there has been a 13% increase in workload demand in 2016/17 and noted the additional pressures on staff. She indicated the options appraisal identifies three options for consideration and classifies the immediate, medium and longer term measures for managing allocation with existing staff capacity in an effort to maintain the best possible service for children and avoid a waiting list.
- 40.17.4 Miss O’Kane took the Board through the various options for their consideration noting the positives and negatives for each. It was confirmed that should a formalised waiting list need to be applied then a plan detailing the actions required to support it should be prepared.
- 40.17.5 The Board gave careful consideration to each option provided and recommended the Agency move forward with *Option 2: Refine prioritisation by screening, informed by objective criteria, alongside the facility to increase the allocation KPI from 8 to 14 days.*
- 40.17.6 The Board recommended the need for medium to long-term planning and suggested the Agency take things forward as the operational team feel appropriate. It was agreed that an action plan should come to the next Board Meeting for further discussion.

ACTION: Action Plan for the Proposals to Manage Increase Workload Demand with Existing Staff Capacity to be discussed at the next Board Meeting.

41.17 EQUALITY ANNUAL REVIEW OF PROGRESS

- 41.17.1 Miss O’Kane referred to the *Equality and Good Relationship Duties Annual Review of Progress 2016-17* which has been prepared for Board approval and submission to the Equality Commission by the end of August 2017.

- 41.17.2 Miss O’Kane outlined the Agency’s Equality Scheme and Disability Action Plan highlighting how the Agency intends to meet its legislative duties and setting out its commitment to making equality an integral part of its work. She noted the focus on outcomes and emphasised the joint actions of NIGALA/BSO in conjunction with others.
- 4.17.3 The Board acknowledged the ongoing work and Mr Mitchell noted the establishment of the HSC Disability Forum “Tapestry”.
- 4.17.4 Mr Mitchell referred to Page 52 where he confirmed that Board Members have not undertaken the HSC e-learning module on Disability but have undertaken Equality/Disability training as part of their induction. Miss O’Kane agreed to update the report.
- 4.17.5 The Board approved the *Equality and Good Relationship Duties Annual Review of Progress 2016-17*.

42.17 SUPERVISION POLICY

- 42.17.1 Mr Mitchell referred to the *Operationalisation and Delivery of the Supervision Policy*. It was agreed that this would be deferred for discussion at the next meeting of the Board. Timelines and action plans should be included.

ACTION: Operationalisation and Delivery of the Supervision Policy to be deferred to the next meeting. Timelines and actions plans should be included.

43.17 HEALTH, SAFETY & WELLBEING REPORT 2016/17

- 43.17.1 Mr Mitchell referred to the *Health, Safety & Wellbeing Report 2016/17* providing assurance that health, safety and wellbeing is being managed appropriately within NIGALA and that recommendations for improvement have been identified.
- 43.17.2 The Board noted the training, risk assessments and fire safety initiatives undertaken throughout the year. They acknowledged the ongoing work and plans for the incoming year.
- 43.17.3 The Board discussed the recent incidents in the Dobbin Centre and sought assurance that remedial action was being taken as soon as practicable. . Mr McAllister confirmed that as an interim arrangement a security officer for the premises has been identified in addition to CCTV being installed. He confirmed that Ms Casey was taking forward all the actions in his absence.

43.17.4 The Board approved the *Health, Safety & Wellbeing Report 2016/17*.

44.17 BOARD GOVERNANCE MANUAL

44.17.1 Mr Mitchell referred to the *NIGALA Board Governance Manual* which summarises the governance arrangements within the Agency and the expectations of both Board Members and staff.

44.17.2 The Board reviewed the manual and agreed same. They indicated that the Terms of Reference for the Remuneration Committee has recently been reviewed and agreed that when the amendments are approved the Terms of Reference and details of the Committee's business should be updated. NIGALA also recently established a 'Young People's Forum' and this too should be incorporated into the Board Governance Manual.

44.17.3 The Board approved the *NIGALA Board Governance Manual* subject to the proposed updates. A final copy is to be issued to Board Members for their information.

ACTION: NIGALA Board Governance Manual to be updated. A copy is to be issued to Board Members for their information.

45.17 TERMS OF REFERENCE – BOARD COMMITTEES

45.17.1 An annual review of the *Terms of Reference* for the Social Care Governance Committee, Information Governance Committee and Remuneration Committee was undertaken. The Board agreed that this item would be deferred to the next meeting.

ACTION: Board Committee Terms of Reference review deferred to the next meeting.

46.17 ANNUAL REPORTS OF THE COMMITTEES

46.17.1 Mr Mitchell referred to the Annual Reports of the Social Care Governance Committee, Information Governance Committee, Remuneration Committee and Audit & Risk Committee. The Board reviewed all reports and approved same.

47.17 BOARD EFFECTIVENESS ACTION PLAN

47.17.1 Mr Mitchell referred to the *Update on Board Effectiveness Action Plan* which was reviewed by the Board. Everyone was in agreement with the action plan and noted their approval. The Board acknowledged the *NIGALA Board Training Programme* which

highlighted the responsibilities, financial constraints and support for Board training from within the Agency and approved same.

48.17 ANY OTHER BUSINESS

48.17.1 **Presentation to Mr McAllister (Corporate Services Manager):** Mr Mitchell presented Mr McAllister with a gift on behalf of the NIGALA Board. Members noted that it had been a pleasure to work with Mr McAllister and acknowledged the value to the organisation over many years of his knowledge, expertise and optimism, and expressed their best wishes for the future.

49.17 CONFIDENTIAL ITEMS

49.17.1 There were no confidential items for discussion.

END TIME: 12.50pm

DATE & TIME OF NEXT MEETING: 31st AUGUST 2017 @ 9.30am

Mr Bernard Mitchell, Chair NIGALA

ACTION LIST

Ref	Subject	Action	Progress noted for Board meeting on 31 st August 2017
NEW ACTIONS			
35.17	Chief Executive’s Briefing: Overview of Child Protection in UK, came from the House of Commons Committee of Public Accounts – Children Protection 2016/17	<i>Use of Social Media by staff to be added to the NIGALA Risk Register.</i>	
40.17	Proposals to Manage Increased Workload Demand with Existing Staff Capacity	<i>Action Plan for the Proposals to Manage Increase Workload Demand with Existing Staff Capacity to be discussed at the next Board Meeting.</i>	
42.17	Supervision Policy	<i>Operationalisation and Delivery of the Supervision Policy to be deferred to the next meeting. Timelines and actions plans should be included.</i>	
44.17	Board Governance Manual	<i>NIGALA Board Governance Manual to be updated. A copy is to be issued to Board Members for their information.</i>	
45.17	Terms of Reference – Board Committees	<i>Board Committee Terms of Reference review deferred to the next meeting.</i>	