

NI GUARDIAN AD LITEM AGENCY - BOARD MEETING

11th SEPTEMBER 2018

Present:	Mr Bernard Mitchell, <i>Chair</i> Mrs Gillian McGaughey, <i>Non-Executive Director</i> Mr Peter Reynolds, <i>Chief Executive</i> Mr Fred Smyth, <i>Non-Executive Director</i> Dr Karen Winter, <i>Non-Executive Director</i>
In Attendance:	Mr Sean Brown, <i>Corporate Services Manager</i> Mrs Teresa Fallon, <i>Assistant Director</i> Miss Patricia O’Kane, <i>Assistant Director</i> Mr John Sheldon, <i>QA & Training Manager</i>
Minute Taker:	Mrs Ann Andrew, <i>Administration Manager</i>

START TIME : 2pm

51.18 SERVICE DELIVERY PRESENTATION

- 51.18.1 The scheduled service delivery presentation on *Signs of Safety* was postponed to the next Board meeting.

52.18 DECLARATION OF INTEREST

- 52.18.1 Mr Mitchell provided an opportunity for the Board members to identify any conflicts of interest in respect of today’s agenda. None were identified.

53.18 MINUTE OF PREVIOUS MEETING

- 53.18.1 The minute of the previous meeting of 5th July 2018 was agreed as an accurate record and approved.

54.18 MATTERS ARISING

- 54.18.1 The matters arising and action plan from the previous meeting were reviewed and the progress against the actioned noted. Specific mention was made to:-

- **19.18: Workforce Planning:** Mr Brown noted that workforce planning would be discussed at a joint Board/SMT workshop. Mr Mitchell indicated that the timing of the workshop would be dependent upon his replacement as Chair.
- **38.18 Audit & Risk Committee:** Mr Mitchell noted that training of Audit & Risk Committee Chairs was discussed at the Accountability Meeting. A formal response has since been received and whilst Chairs attending DoH Audit & Risk Committees is not believed to be practicable, other workshops will be arranged. Mr Mitchell asked that Mr Brown monitor this to ensure it happens and if possible extend the opportunity to attend to all Audit Committee members.
- **39.18 Shadowing Role Request:** Arrangements for the shadowing role have been agreed.

55.18 CHAIR'S BRIEFING/NED

- 55.18.1 **NIGALA Annual Report & Accounts 2017-18:** Mr Mitchell noted his thanks to Mr Brown and all concerned for ensuring all appropriate preparations were in place for the completion of the Annual Report and Accounts 2017-18.
- 55.18.2 **Chair/Non-Executive Director Positions:** Mr Mitchell confirmed that the replacement positions of Chair and Non-Executive Director are still pending and await final appointment by the Department. He indicated that he has liaised with Mr Reynolds and Mr Brown about the process of induction for the replacement positions and taken account of suggestions by Board Members.
- 55.18.3 **Accountability Meeting:** Mr Mitchell noted the Accountability Meeting took place on 17th July 2018. The discussion covered the issue of demand, the challenges of managing a waiting list, recruitment and related issues. Mr Mitchell noted Article 56 cases were discussed along with the considerations around them. He indicated he believes the DoH are well briefed on NIGALA's position and are they positive about the work of the staff and Agency. Mr Reynolds confirmed for information the areas covered at both ground clearing and accountability meetings.

56.18 CHIEF EXECUTIVE'S BRIEFING

- 56.18.1 Mr Mitchell referred to the *CEO Briefing Report* and Mr Reynolds spoke to this providing the Board with an update in respect of *Guidance for the Instructions of Experts in Public Law Proceedings* and the *Care Crisis Review*. He highlighted for information details of his CEO engagements since the last meeting.

57.18 PERFORMANCE AND FINANCE REPORT

- 57.18.1 Mr Mitchell referred to the *Performance and Finance Report* and Mr Brown spoke to this report which was for the period ended 31st August 2018.

Performance Overview / Workflow Management

- 57.18.2 Mr Brown confirmed that staff are carrying 15 cases per wte. He noted the waiting list as of today is currently at 24 cases plus an additional 14 Article 56 cases.
- 57.18.3 Mr Brown noted that cases closure figures identify that cases are taking longer to close, currently 278 days.
- 57.18.4 Mr Smyth referred to the workflow figures and indicated that a qualitative assessment and reasoning behind the figures would be beneficial. Mr Mitchell noted that assurance is given by management that cases on the waiting list are being managed appropriately; work is also ongoing in respect of Article 56 cases and an agreement is being sought on how they are handled in a paper being prepared by NIGALA (with input from DLS) for presenting at the Shadow Family Justice Board. It was agreed that a further section should be added to the report to provide a context for the statistics. Mr Smyth noted the importance of connecting the figures with the core issues being addressed.
- 57.18.5 Mrs McGaughey noted that the new section is good to include as it provides assurance to Guardians that their issues with cases are being heard by the Board. Mr Sheldon also highlighted the recent 400+ days audit on cases and the reasons behind delay.

ACTION: Additional section to be added to the report detailing the qualitative information in support of the statistics.

Financial Performance

- 57.18.5 Mr Brown indicated that the Agency has a current surplus of £18k and is working towards breakeven at year end. He noted that he had received correspondence from DoH seeking urgent confirmation of the return of monies. He discussed this with the Board and it was agreed that any additional monies that are available, due to the delayed phasing of staff through recruitment exercises, should be returned. Mr Mitchell asked that careful consideration be given to the amount and front line services should be supported in-year wherever possible.

- 57.18.6 The Board discussed recruitment and the balance of employed staff and self-employed contractors, noting the importance of retaining flexibility in adapting recruitment to best meet the needs of the Agency.

Environmental Scan

- 57.18.7 The Board noted the various areas highlighted in the environmental scan and specifically reviewed the ‘children in care’ statistics, with the last 15 years showing a continual rise in cases numbers.

58.18 KEY PERFORMANCE INDICATORS

- 58.18.1 Mr Mitchell referred to the *Key Performance Indicators (KPIs)* paper which set out proposed measures against the Agency’s corporate goals for 2018-19. Mr Brown took the Board through the proposed KPIs and the Board considered each.
- 58.18.1 The Board reviewed each KPI and agreed a number of minor amendments to the KPIs paper. Mr Brown agreed to update the proposal accordingly.
- 58.18.2 Mr Mitchell referred to ‘feedback’ KPI and following discussion it was agreed that an internal executive report on feedback arrangements and outcomes should come to the Board routinely for information. This paper should also detail any service issues for concern and any development work being undertaken. SMT are to give consideration to a wider framework of feedback arrangements which strengthens the ‘independent’ and ‘what works well’ element for stakeholders
- 58.18.3 The paper is to come back as a working paper with a contextual piece at the front including the assurance process.

ACTION: Report on Feedback Arrangements to be presented at the Board routinely.

ACTION: SMT to give consideration to a framework of feedback arrangements.

59.18 EQUALITY UPDATE 2017-18

- 59.18.1 Mr Mitchell referred to the *Equality & Disability Annual Review of Progress 2017/18* and Mr Brown confirmed that on an annual basis the Accounting Officer approves and signs off the Equality and Disability Annual Review of Progress Report, in line with our statutory obligations. He highlighted the review report providing a summary of progress and summarising the actions and work undertaken against the Section 75 groups. He confirmed there were no Section 75 complaints in 2017-18.

- 59.18.2 Mr Brown noted that the Agency uses the Regional Interpreting Services and contract in place for translation. This information is available for all staff to access via the staff website.
- 59.18.3 The Board thanked Mr Brown for the summary and noted the *Equality & Disability Annual Review of Progress 2017/18*.

60.18 QUALITY REPORT

- 60.18.1 Mr Mitchell referred to the *Annual Quality Report 2017-18* and Mr Sheldon confirmed the report is due to be lodged with the DoH by Friday 14th September 2018. The report is the 5th report completed by the Agency and follows an agreed layout. Mr Sheldon took the Board through the report reflecting the good work undertaken throughout the year.
- 60.18.2 Dr Winter noted she liked the report; she referred to the section on ‘Strengthening the Workforce’ and discussed whether the use of professional development groups should also be included. Mr Sheldon confirmed that area was more heavily addressed last year. There was discussion around the extensive networking that is undertaken and it was agreed that this area could be developed more in the report. The work of Ms Fallon in feedback and engagement of children and young people was highlighted and it was suggested this could also be more prominent.
- 60.18.3 Mr Smyth queried the audience for the report suggesting more pictures and an easier read version. He also queried the focus of the report, detail of what has been done and how much more is there to do. Mr Mitchell noted the section on how we communicate should be detailed further.
- 60.18.4 The Board approved the *Annual Quality Report 2017-18* subject to proposed amendments.

61.18 DRAFT MID-YEAR ASSURANCE STATEMENT

- 61.18.1 Mr Mitchell referred to the *Draft of the Accounting Officer Mid-Year Assurance Statement*. Mr Reynolds spoke to his draft statement.
- 61.18.2 Mr Brown highlighted that the wording of the statement follows a template prepared by the DoH. The statement is informed by the opinion of Head of Internal Control, but that report is not available as yet. Mr Brown indicated that a paragraph about Brexit has been inserted beyond the suggested template.

- 61.18.3 The Board confirmed they were satisfied with the content and noted the *Draft of the Accounting Officer Mid-Year Assurance Statement* subject to receipt of the HIA opinion.

62.18 BOARD COMMITTEE MEETINGS SINCE LAST BOARD MEETING

- 62.18.1 There were no meetings of the Board Committees since last NIGALA Board meeting.

63.18 DEPARTMENTAL CORRESPONDENCE

- 63.18.1 **Internal Audit Report on Travel:** Mr Brown referred to a recent internal audit on NIGALA's Compliance with DoH Permanent Secretary's Instructions on Travel. This was an audit directed to all ALB's to confirm they were complying in full with the instructions set out in the Permanent Secretary's letter dated 27 September 2016 in respect of travel. NIGALA was been given **Satisfactory Assurance**. Mr Brown indicated that he requested that that 'judicial instruction' for travel also be included. The Travel Policy has been updated accordingly and will be coming to the Audit Committee for approval.

64.18 ANY OTHER BUSINESS

- 64.18.1 **Business Plan 2019-20:** Mr Brown indicated that discussions for the 2019-20 Business Plan will be undertaken in the coming weeks/months. It is hoped a draft Business Plan will be available by December 2018. A workshop with staff and another with Board members will be scheduled for October/November to allow early opportunity for discussion. Mr Mitchell agreed it was necessary for the Board to be involved at an early stage to highlight key issues and priorities. Mr Brown/Mr Reynolds to liaise and agree about the timing of the workshop and next meeting of the Board.

ACTION: Mr Brown/Mr Reynolds to agree the arrangements for the Board Workshop to discuss the business plan and the next Board meetings.

65.18 CONFIDENTIAL ITEMS

- 65.18.1 There were no confidential items for discussion.

END TIME: 4.30pm
DATE & TIME OF NEXT MEETING: 11th OCTOBER @ 9.30am

Mr Bernard Mitchell, Chair NIGALA

BOARD MEETING - ACTION LIST

Ref	Subject	Action	Person Responsible	Progress
57.18	Performance and Finance report	Additional section to be added to the report detailing the qualitative information in support of the statistics.	Mr Brown	
58.18	Key Performance Indicators	Report on Feedback Arrangements to be presented at the Board routinely. SMT to give consideration to a framework of feedback arrangements.	Ms Fallon SMT	
64.18	Business Plan 2019-20	Mr Brown/Mr Reynolds to agree the arrangements for the Board Workshop to discuss the business plan and the next Board meetings.	Mr Brown/ Mr Reynolds	