

**NI GUARDIAN AD LITEM AGENCY - BOARD MEETING
12th DECEMBER 2019**

Present:	Mr Bernard Mitchell, <i>Chair</i> Mr Peter Reynolds, <i>Chief Executive</i> Mr Lee Wilson, <i>Non-Executive Director</i> Mrs Gillian McGaughey, <i>Non-Executive Director</i>
In Attendance:	Mr Sean Brown, <i>Corporate Services Manager</i> Ms Breige Savage, <i>Guardian Ad Litem (left 10:17am)</i> Mrs Teresa Fallon, <i>Assistant Director (joined 9.40am)</i>
Apologies:	Mr Fred Smyth, <i>Non-Executive Director</i>
Minute Taker:	Mrs Colette Cronie, <i>Personal Assistant</i>

START TIME: 9.30am

Mr Mitchell expressed his sympathies to Mrs Andrew who was on bereavement leave.

66.19 SERVICE DELIVERY PRESENTATION: BY BREIGE SAVAGE, GUARDIAN AD LITEM

- 66.19.1 Mrs Savage joined the meeting and gave a presentation on 'Case Review of Guardian's Intervention Achieving Better Outcomes for Children experiencing Neglect'.

67.19 MINUTE OF LAST MEETING – 10TH OCTOBER 2019

- 67.19.1 The minute of the previous meeting of 10th October 2019 was agreed as an accurate record of the meeting and approved.

68.19 MATTERS ARISING

- 68.19.1 With regards to the action for 49.19.2, Mr Brown confirmed that this was complete and BSO would include reporting for Senior Managers over 60 in subsequent annual accounts. Mr Brown also noted that he has already met with PWC in relation to this year's annual accounts.

- 68.19.2 It was noted that Mr Wilson has been formally appointed as a member of the Information Governance Committee.
- 68.19.3 It was agreed that results of the staff survey would be shared with all staff, with a short preface setting out the context.
- 68.19.4 In the current climate of Industrial Action, Mr Mitchell asked Mr Reynolds to confirm the mid-year Accountability meeting was to proceed.
- 68.19.5 Mr Mitchell thanked Ms Savage and before she left the meeting, he advised the Board that she has now taken up the post of the new Guardian Principal Practitioner role.

Action: Mr Brown to share results of staff survey across NIGALA.

69.19 CHAIR AND NON-EXECUTIVE'S BRIEFING

- 69.19.1 **Dr Karen Winter** – Mr Mitchell referred to Dr Karen Winter's departure and acknowledged the important contribution she made to the Board and in her role as Chair of the Social Care Governance Committee. Mr Mitchell stated that he wished to record his thanks and appreciation to Dr Winter. Due to the fact that this may be Mr Mitchell's last meeting as Chair, he expressed his gratitude to the Board, SMT and wider staff group and acknowledged the good working relationship between himself and Mr Reynolds.
- 69.19.2 Mr Mitchell advised that he attended an external Awareness Session on Risk Management 9th December 2019 which was organised by the Department of Justice and briefed the Board on matters discussed with regards to Risk Registers.
- 69.19.3 The Board also heard from Mr Wilson, who attended a Departmental workshop on the publication of a draft 'Regional Board Handbook'. Mr Wilson stated that he found the document focused very heavily on Trusts and Boards' clinical issues. The Board discussed the document and how this can be utilised and it was agreed that the Agency would have to cross reference its framework document. It was agreed that an invitation to a subsequent session on the Handbook would be offered to Board Members.

Action: Board Members to be offered opportunity to attend forthcoming workshop on Board Handbook.

70.19 CHIEF EXECUTIVES BRIEFING

- 70.19.1 With respect to the Shadow Family Justice Board Mr Reynolds reported that The Lord Chief Justice has asked that it look at the issue of ‘delay’ in Public Law Proceedings. A subgroup has now been established to be chaired by Mr Justice Kinney. Ms O’Kane is the NIGALA representative. Mr Reynolds noted he has shared with Judge Kinney recent research by Professor Judith Masson on ‘Outcomes for Children’ post care proceedings reform in England & Wales.
- 70.19.2 Mr Reynolds advised that he has a meeting with the HSC Trusts and HSC Board in January 2020 with regards to taking forward work on Article 56 directions.
- 70.19.3 **Five Nations** – Mr Reynolds briefed the Board on the workshop and thanked everyone for their contribution in his absence. It is hoped that those involved would now establish this as a stand-alone forum for peer organisations.
- 70.19.4 **Industrial Tribunal (IT)** – Mr Reynolds advised that he has met with DLS with regards to the outcome of the IT hearing and is currently progressing any impact on use of self-employed Guardians. There is also a date in the diary for the SMT to meet with self-employed Guardians in January 2020.
- 70.19.5 **Industrial Strike Action** – Mr Reynolds and Mr Brown have met with Trade Union representatives and the forthcoming 24-hour strike action on the 18th December 2019 was discussed. A communication to all staff has been drafted and NIGALA is working in line with the rest of HSC in its approach. It was noted that the ongoing ‘Action Short of Strike’ from the 19th December 2019, may have more significant impact going forward.
- 70.19.6 **Accountability Review** – This is scheduled for the 17th December 2019.

71.19 FINANCE AND PERFORMANCE REPORT

- 71.19.1 Mr Brown spoke to the Financial Performance Report and the respective Key Performance Indicators. It was noted that additional funding was expected to cover any shortfall in funding. Business cases to the Department had been submitted in support of this.
- 71.19.2 Discussion took place surrounding workflow. Due to a “spike” in absence amongst Guardians there is pressure on allocating cases. Mr Mitchell suggested that the Agency should think imaginatively in taking whatever actions are required to address

the current capacity issues stating that the Board will support the SMT in actions to mitigate the risk of a growing waiting list.

ACTION: SMT to consider any mitigating actions that can be taken in light of the impact of current absence on workflow.

72.19 RISK REGISTER

- 72.19.1 The Board discussed the Risk Register. The key risk is still non achievement of breakeven It was noted that the Business Case has been submitted to the Department to cover the shortfall
- 72.19.2 The Board discussed the emerging risk of the unforeseen spike in Guardians absence and the impact of the Agency's ability to cope with demand and a limited amount of flexibility. It was agreed that this matter would be escalated from a moderate to a high risk.
- 72.19.3 The Board also discussed the emerging risk relating to the lease of Centre House which has expired. The landlord has asked for a significant increase in rent. Negotiations are underway with the Department of Health and Reform of Property Management to extend the lease, and also meet the increase in costs. It was noted that the issue is under active consideration and should be resolved within the current financial year. The Board noted an additional emerging third risk of industrial action impacting on the Agency's ability to deliver on its statutory functions.

73.19 DEPARTMENTAL CORRESPONDENCE

Partnership Agreement

- 73.19.1 Mr Brown agreed to liaise with Mr Smyth on his return with regards to this matter. It was noted that this is a work in progress.

74.19 ANY OTHER BUSINESS

- 74.19.1 There was no other business for discussion.

75.19 CONFIDENTIAL ITEMS

75.19.1 There were two items for discussion.

DATE OF NEXT MEETING: 20TH FEBRUARY 2019 AT 9.30 AM

Chair of the Board

ACTION LIST

	Action	By Whom	Progress Noted for Meeting
68.19. Matters Arising	<i>Mr Brown to share results of staff survey across NIGALA.</i>	Mr Brown	
69.19 Chair and Non-Executive's Briefing	<i>Board Members to be offered opportunity to attend forthcoming workshop on Board Handbook.</i>	Board	
71.19 Finance and Performance Report	<i>SMT to consider any mitigating actions that can be taken in light of the impact of current absence on workflow.</i>	SMT	