

NI GUARDIAN AD LITEM AGENCY

BOARD MEETING – 28th APRIL 2022

Present:	Mrs Gemma Loughran, <i>Chair</i> Ms Dawn Shaw, <i>CEO</i> Ms Veronica Callaghan, <i>Non-Executive Director</i> Mrs Gillian McGaughey, <i>Non-Executive Director (joined 9.45am)</i> Mr Fred Smyth, <i>Non-Executive Director</i> Mr Lee Wilson, <i>Non-Executive Director (joined 10am)</i>
In Attendance:	Mr Sean Brown, <i>Corporate Services Manager</i> Ms Patricia O’Kane, <i>Assistant Director</i> Mrs Teresa Fallon, <i>Assistant Director</i>
Minute Taker:	Mrs Ann Andrew, <i>Administration Manager</i>

START TIME: 9.30am

Meeting by zoom

17.22 SERVICE DELIVERY PRESENTATION

- 17.22.1 Mrs Loughran welcomed Mr Brendan Whittle, Director of Social Care and Children, Strategic Planning and Performance Group (SPPG) previously known as the Health and Social Care Board (HSCB).
- 17.22.2 Mr Whittle noted that the SPPG became operational as from 1st April 2022. It is a group within the Department of Health and arranges or ‘commissions’ health and social care services for the population of Northern Ireland; it is accountable to the Minister of Health and plans and designs a range of health and social care services that deliver high quality and safe outcomes for patients and service users, are of good value for the taxpayer, and comply with statutory duties.
- 17.22.3 Mr Whittle provided a presentation for information and detailed the core responsibilities and directed statutory function of the Group. He highlighted future planning arrangements in development.
- 17.22.4 Mr Whittle confirmed that new arrangements will not impact NIGALA.
- 17.22.5 Mrs Loughran indicated that wider HSC discussions tend to be more adult focused and queried if there was anything specifically that represented child and young people who are vulnerable. The Children and Young People’s Strategy Partnership was discussed and how NIGALA might support and feed into it through outcome groups already established.

- 17.22.6 Mr Whittle referred to the fundamental review of children services which will take place over the next 10 months. This will be a review rather than a rebuild agenda.
- 17.22.7 Mr Smyth noted the importance of information sharing and queried if there would be any change in the information systems used? Mr Whittle confirmed that the SPPG is largely reliant on the existing information systems. He also referred to Encompass which has a programme of working for the coming years.
- 17.22.8 Ms Callaghan referred to directed statutory functions, integrating care planning and queried how to keep a focus on our children's services. She noted the importance of children's statutory functions and stated that NIGALA would be keen to collaborate around the reporting mechanisms and identify what NIGALA can bring to the table. Mr Whittle referred to the strengthening of the statutory functions and highlighted the changes for Trusts and what they are required to do in law.
- 17.22.9 Ms Shaw noted that despite there being little impact on NIGALA with the establishment of the SPPG, she felt that NIGALA could have a wider contribution to make and give a different perspective on the lives of those children who have come through public law proceedings. She noted that it seems that NIGALA is not thought about in terms of the wider picture. Mr Whittle agreed that there are clearly wider opportunities and that he would be happy to work with Ms Shaw going forward.
- 17.22.10 Mrs Loughran thanked Mr Whittle for taking time from his busy schedule to speak to the Board on what was a fascinating and comprehensive explanation of the work and overview of what is happening within the Strategic Planning and Performance Group.

18.22 DECLARATION OF INTERESTS

- 18.22.1 Mrs Loughran provided an opportunity for the Board members to identify any conflict of interest in respect of today's agenda; none were noted.
- 18.22.2 It is noted that Mr Wilson is a member of the NISCC Board and has agreed to excuse himself from any conversation involving NISCC, as deemed relevant.

19.22 MINUTE OF LAST MEETING

- 19.22.1 The minute from the last meeting of the NIGALA Board on 24th February 2022 was approved as an accurate record, proposed by Mr Wilson.

20.22 MATTERS ARISING

- 20.22.1 Mrs Loughran referred to the Action List from the last meeting and the Board noted the progress on the actions detailed.

21.22 CHAIR & NON-EXECUTIVE'S BRIEFING

- 21.22.1 Mrs Loughran provided an update for Board members in respect of a number of areas and members were also invited to share.
- 21.22.2 **Health Summit Engagement Workshop:** Mrs Loughran indicated that she and Ms Shaw attended the Health Summit Engagement Workshop; all questions related to health and social care but focused mainly on health rather than children. She stressed that in every forum attended that she will promote children's welfare and the importance of discussing same.

22.22 CHIEF EXECUTIVE'S BRIEFING

Chief Executive Briefing - Update Report

- 22.22.1 Ms Shaw referred to the *CEO Briefing* paper which provided an update to the Board on a number of areas which were duly noted.
- 22.22.2 Ms Shaw indicated a recent meeting with the judiciary was hampered by technical issues; a new date to meet has been set for 24th May 2022.
- 22.22.3 Ms Shaw noted that the Minister of Health appointed Professor Ray Jones to undertake a review of Children's Services. She indicated she hopes to set up a meeting between him and the Guardians.
- 22.22.4 Ms Shaw indicated of the 7 staff engagement sessions planned for April/May, a total of 2 have been completed to date; these were well attended and provided rich conversation in addition to a welcome opportunity to meet face to face.
- 22.22.5 Ms Shaw referred to the Health Summit Engagement Workshop which was an interesting meeting and will help set the agenda post-election. In a similar vein the NICON (Northern Ireland NHS Confederation) shared a draft manifesto for the future priorities of Health and Social Care as part of a pre-election briefing. This too, was very health focused and did not adequately reflect the contribution of social care within our integrated system, and specifically children's social care. This was

raised directly with NICON and the final briefing includes reference to social care including the reviews currently underway into both adult and children's social care.

- 22.22.6 Ms Shaw confirmed that she is now in post for a year and thanked the senior leadership team who have been very supportive. Mrs Loughran noted on behalf of the Board they were delighted with the dynamism and hard work brought to the Agency.

Consolidated Action Plan

- 22.22.7 Ms Shaw referred to the *Consolidated Action Plan* which combines the CEO Action Plan and feedback from staff engagement sessions. She indicated the plan will underpin the structure for the corporate plan going forward.
- 22.22.7 Mr Smyth indicated that the consolidated action plan requires some estimated dates, even if they might change. Ms Shaw acknowledged the absence of timeframes but indicated after her planned meeting with Ms Jocelyn Harpur, she should be in a position to add timeframes. She indicated that the plan is still in the process of being shared with staff. An updated consolidation action plan will come to the next meeting of the Board. Mr Smyth suggested there may also be a need to include a Board action plan as well ensuring inclusivity. Ms Shaw stressed it is about timing and the expectations from the DoH; the strategic plan and corporate plan will become aligned and then it would be appropriate to look to the Board for their contribution then.
- 22.22.8 Ms Callaghan indicated she was delighted with the consolidation action plan and agreed the need to monitor and evaluate. She queried where updates in terms of highlight reports will be provided. Ms Shaw confirmed she will update the Board at each of its meeting to be held to account.
- 22.22.9 Mr Wilson congratulated Ms Shaw and the Senior Leadership Team on the work completed to date and bringing people along with them. He indicated there is always room for improvement especially around the quality of data but governance has been improved.
- 22.22.10 Mrs McGaughey noted her agreement with all comments and highlighted her reassurance of the process. She congratulated all concerned.
- 22.22.11 Mrs Loughran thanked Ms Shaw for the detailed plan and relating documents.

23.22 FINANCE REPORT

- 23.22.1 Mrs Loughran referred to the *Finance Report* providing an overview of the Agency's financial planning as at 31st March 2022. Mr Brown spoke to the report and confirmed that the Agency has met its breakeven target at year end with a surplus of £6,705. He confirmed that accruals include a carry over on annual leave and dilapidation costs for vacating Centre House. Mr Brown highlighted that the budget has diminished in real terms over a number of years and the core budget no longer meets the operational needs of delivering an effective service for children and young people.
- 23.22.3 Mrs Loughran queried if the DoH would be sympathetic to NIGALA seeking budget for more self-employed guardians. Mr Brown and Ms Shaw both indicated it was unlikely given the current budget for the DoH. Mrs Loughran referred to the position of data analyst; Ms Shaw indicated they had been unable to recruit for this position, however, it was felt that skilled staff within the admin/corporate team may be provided with an opportunity to skill up for this role. Mr Smyth suggested it would be helpful to have someone spend time in other appropriate organisations to get a wider sense of the data and become an expert in their systems as well as our own. Mr Wilson suggested that NISCC might also share their experience of this role.
- 23.22.4 The Board approved the *Finance Report*, proposed by Mr Smyth.

24.22 QUARTERLY OPERATIONS REPORT

- 24.22.1 Mrs Loughran referred to the *Operations Report (Quarter 4)* and Mrs Fallon spoke to same providing an overview of operations performance for the period 1 April - 31 March 2022.
- 24.22.2 Mrs Fallon noted that in recent weeks the number of unallocated cases has decreased slightly; this has been affected by a number of factors e.g. an increased number of cases closed and a different allocation team, hence the dynamics have changed. She noted that the 3 Principal Guardian Practitioners who undertake allocation discuss allocation at weekly operational managers' meetings and look at current caseload, cases closed, number of children, capacity, etc.
- 24.22.3 Mr Smyth referred to the unallocated cases and noted he understands the need to have milestones and stressed the requirement for commentary around the presentation of data. He indicated the need for further qualitative information about case type, duration, reasons, etc. He noted the need for clarity around the reasons why cases are outside the KPIs and what might be distorting the figures.

- 24.22.4 Ms O’Kane referred to the pilot in respect of care duration and ongoing work with the 5 HSC Trusts; she assured the Board that regular conversations occur with the Trusts where workload and contributions to delay are discussed at length.
- 24.22.5 Ms Callaghan noted the Quarterly Operations Reports are hugely helpful and informative and she is keen on thematic analysis from time to time; the reports can be discussed further at the SCG Committee meetings. She stressed the oversight and the management of cases awaiting allocation has been phenomenal and is content with the progress made to date.
- 24.22.6 Mr Wilson added that the data provided for members of the Board facilitates challenge which supports the governance arrangements in the Agency.
- 24.22.7 Mrs Loughran referred to the case numbers held by guardians and indicated she would like further analysis of that along with details of genuine reasons why some individuals might carry a lower caseload than others e.g. case complexity, retirement, sickness, personal circumstances, etc. She highlighted that unallocated cases are a risk for NIGALA and she would like an exercise completed to provide assurance that all staff are cooperating to best of their ability.
- 24.22.8 Ms Shaw assured the Board that the Senior Leadership Team is undertaking a case grading exercise; this will reflect the complexity of a case and not merely be a number. She noted work on this exercise has already started. Ms Shaw indicated that she is also moving to consolidate the role of the Principal Guardian Practitioner and the job description is being finalised; the Union at the JNF meeting yesterday were supportive of this and the hope is to recruit internally.
- 24.22.9 The *Quarterly Operations Report (Q4)* was approved by the Board, proposed by Mrs McGaughey.

ACTION: Qualitative information in respect of unallocated cases to be detailed at the next meeting.

ACTION: Detailed breakdown in respect of caseloads held by Guardians to be reported at the next meeting of the Board.

25.22 BUSINESS PLAN 2021-22 - END OF YEAR UPDATE ON PROGRESS

- 25.22.1 Mr Brown referred to the *Business Plan 2021/22 – End of Year Update on Progress* indicating the report provides feedback on the Business Plan objectives and how those have been realised in-year.

- 25.22.2 Mr Smyth referred to the KPI in respect of meeting breakeven which should now move from *Amber* to *Green* RAG. He noted the need to ensure alignment to the action plan is consistent with what say our priorities are.
- 25.22.3 Mr Smyth highlighted he is still awaiting end of year confirmation in respect of figures around absence rating, breakeven, etc. He noted the draft absence rate for the year is 2.60% for the year, reportedly one of the best for the region.
- 25.22.4 The Board approved the report on the *Business Plan 2021/22 – End of Year Update on Progress*, proposed by Mr Wilson.

ACTION: Business Plan 2021/22 – End of Year Update on Progress to be updated in light of conversations.

26.22 GOVERNANCE STATEMENT 2021-22 (DRAFT)

- 26.22.1 Mrs Loughran referred to the draft *Governance Statement 2021-22* and Mr Brown spoke to same. He indicated that he is awaiting two paragraphs for inclusion in the Governance Statement, i.e. wording in respect of funding for the year from the DoH and secondly the opinion of the Head of Internal Audit; both are expected soon.
- 26.22.2 Ms Callaghan indicated that as suggested by Mr Brown, information about workload pressures, capacity issues, etc should be included in the statement.
- 26.22.3 The Board were unanimous in their approval of the Governance Statement 2021-22.

ACTION: Governance Statement 2021-22 to be updated to include a paragraph in respect of workload pressures.

27.22 ANNUAL REPORT 2021-22 (DRAFT)

- 27.22.1 Mrs Loughran referred to the *Annual Report 2021-22 (draft)* and Mr Brown noted this was very much a first draft which was work in progress. He indicated it needed refinement and additional commentary but requested that members of the Board review the report to date and confirm if they are content with the direction of travel and provide any feedback on the report to date. Board Members were asked to forward any comments on the report and indicate any additional aspects to be included by Wednesday 4th May 2022.

- 27.22.2 Mr Brown indicated that the annual accounts would not be received until next week. The Annual Report & Accounts is due for submission to the NI Audit Office and DoH in two weeks.
- 27.22.3 Ms Callaghan referred to the section on complaints and reflected that issues about individual Guardians were not included. It was confirmed that the complaints focused on complaints from service users and issues around conduct are not included. She asked that further work be done in this regard to ensure that we have a proper governance procedure in place.
- 27.22.4 Mr Smyth referred to the KPI's and indicated that KPI 2 should be amended to *amber* instead of *red*. He indicated it might also be helpful to provide a narrative in respect of the KPI's.
- 27.22.5 Mrs Loughran acknowledged that considerable work has been put into the preparation of the draft to date. She noted that the graphics used were very helpful and enhanced the report. Comments from Board Members should be returned as requested.

ACTION: Board Members to provide feedback in respect of the NIGALA Annual Report 2021-22 by Wednesday 4th May 2022.

28.22 ANNUAL REPORT OF THE AUDIT & RISK COMMITTEE

- 28.22.1 Mrs Loughran referred to the *Annual Report of the Audit & Risk Committee* detailing the work of the Committee over the past year. Mr Smyth reflected this had been a challenging year but all statutory requirements had been achieved and breakeven met.
- 28.22.2 Mr Smyth spoke to the report. He highlighted the change in external auditor and confirmed appointment of Deloitte by the NI Audit Office. Mr Smyth highlighted that all internal audit reports were very clean reports with no Priority 1 issues highlighted. He confirmed that he had met with the Head of Internal Audit to agree the schedule of audits for the year.
- 28.22.3 Mr Smyth confirmed that he was comfortable with all business and noted his thanks to all involved. The Board approved the *Annual Report of the Audit & Risk Committee*, proposed by Mr Wilson.

29.22 ANNUAL REPORT OF THE SOCIAL CARE GOVERNANCE COMMITTEE

- 29.22.1 Mrs Loughran referred to the *Annual Report of the Social Care Governance Committee* providing the Board with an overview of the work carried out by the committee over the last year.
- 29.22.2 Ms Callaghan spoke to the informative report which clearly details all the work undertaken and progress made. She noted the committee is now better focused and has a clear direction with an audit schedule also being put in place with Internal Audit.
- 29.22.3 Ms Callaghan noted that an audit of recording has been completed; from that an improvement plan is being put in place, which goes to the heart of practice. She indicated that the area around Engagement with Children and Young People will be given some focused consideration at a future meeting.
- 29.22.4 Mrs Loughran confirmed that she attended the last meeting of the SCG Committee and was very impressed with the work undertaken. She noted she would like to see a service presentation involving a young person at a future Board meeting.
- 29.22.5 The Board approved the *Annual Report of the Social Care Governance Committee*, proposed by Mr Smyth.

30.22 JAMES HOUSE

- 30.22 Mr Brown provided a verbal update on the move to James House. He indicated that the move is likely to be delayed for all clients moving to James House; NIGALA is expected to move around October 2022 but this has yet to be confirmed. Mr Brown noted he would keep the Board informed.

31.22 DOH SOCIAL WORK REVIEW NI 2022

- 31.22.1 Ms Shaw shared a copy of the *Social Work Workforce Review NI 2022* for information purposes.

32.22 CHILDREN'S SERVICES UPDATE

- 32.22.1 Ms Shaw provided a copy of a presentation made available at one of the AD Forums for information; this shows a good picture of children across Northern Ireland and reported on details of HSC Trust referrals to children's services, unallocated cases,

registrations to the child protection register, looked after children, placement patterns and time in care prior to discharge.

33.22 BOARD COMMITTEE MEETINGS SINCE LAST MEETING OF THE BOARD

13.22.1 There have been two Board Committee meetings since the Board last met on 24th February 2022.

Audit & Risk Committee

13.22.2 A meeting of the Audit & Risk was held on 10th March 2022 and Mr Wilson indicated he had chaired the meeting. There was a presentation from Mr Mark Bradley, BSO who had answered all questions from the committee. He advised a communication team has been employed in order to improve communicate directly with staff and customers. Mr Wilson noted that as BSO will be taking on more responsibility from the HSCB and that the Agency should monitor services to ensure no there is no detriment to NIGALA.

Mr Wilson confirmed that Deloitte are the new auditors and indicated they attended the last meeting.

Mr Brown noted that the supplier for HRPTS which houses payroll, recruitment, staff information, etc has recently gone into administration. He noted this should be added to the Risk Register and will go to the next meeting of the Audit & Risk Committee for discussion.

Social Care Governance Committee

13.22.3 A meeting of the Social Care Governance Committee took place on 22nd March 2022. The Board noted the business covered in the Assurance report provided by Ms Fallon. Ms Callaghan indicated she had nothing further to add.

34.22 DEPARTMENTAL/OTHER CORRESPONDENCE

34.22 The following items of correspondence were shared with members of the Board for information purposes:-

- A. *DoH - Update RQIA Resignation Report Action Plan*
- B. *DoH - Implications of a Budget not Being Agreed*

- C. *DoH – 2021-22 End Year Governance & Accountability Arrangements & Restart of ALB Sponsorship Governance Activities from 2022-23*
- D. *DoH – Agreed DoH Plan – NDNA Review of ALBs*
- E. *Migration of the Health & Social Care Board*

35.22 ANY OTHER BUSINESS

Information Governance - Data Breach BSO

- 35.22.1 Mr Brown referred to his briefing paper on the Data Breach in BSO. He indicated the breach involved 1656 staff in HSC, which includes 4 members of NIGALA. The breach has been reported to the Information Commissioner's Office and an update on progress of the investigation by BSO is expected soon. Mr Brown advised that information about the data breach will go to the Audit & Risk Committee at its next meeting.
- 35.22.2 Mrs Loughran emphasised that the breach of privacy is very disturbing. She noted that any member of staff involved in the breach should receive all extra help required from Inspire, supported by NIGALA.
- 35.22.3 Mr Smyth queried the status of the Information Governance Committee and Mr Brown confirmed it had been 'stood down' with all business going to the Audit & Risk Committee. Mr Smyth advised of the need to ensure sufficient time is given to information governance work.
- 35.22.4 Ms Callaghan noted the breach of data was very concerning. Mr Brown confirmed that no bank details were provided on NIGALA staff members, although this was the case for others. He confirmed those involved have been informed.
- 35.22.5 Mr Wilson questioned the motivation behind the data breach which resembles some attempt at fraud. He noted he would like to see measures in place to ensure this would not recur again e.g. restricted download, etc. He noted it was a major weakness in BSO processes to allow this to happen.

36.22 CONFIDENTIAL ITEMS

- 36.22 There was one confidential item for discussion.

Mrs Loughran noted her gratitude for the excellent papers prepared for the meeting and for the excellent work by Mrs Andrew in preparing the minutes of meetings of the Board.

END TIME: 11.30am

DATE OF NEXT BOARD MEETING: 28th APRIL 2022, 9.30AM

Chair of the Board

ACTION LIST

Ref	Action	By Whom	Progress Noted for Meeting
24.22 Quarterly Operations Report	<p>Qualitative information in respect of unallocated cases to be detailed at the next meeting.</p> <p>Detailed breakdown in respect of caseloads held by Guardians to be reported at the next meeting of the Board.</p>	<p>Mrs Fallon / Ms O’Kane</p> <p>Mrs Fallon / Ms O’Kane</p>	
25.22 Business Plan 2021/22 – End of Year Update on Progress	Business Plan 2021/22 – End of Year Update on Progress to be updated in light of conversations.	Mr Brown	
26.22 Governance Statement 2021-22	Governance Statement 2021-22 to be updated to include a paragraph in respect of workload pressures.	Mr Brown	
27.22 Annual Report 2021-22	Board Members to provide feedback in respect of the NIGALA Annual Report 2021-22 by Wednesday 4 th May 2022.	NIGALA Board	