

NI GUARDIAN AD LITEM AGENCY

BOARD MEETING – 29th April 2021

- Present: Mrs Gemma Loughran, *Chair*
Ms Dawn Shaw, *CEO*
Ms Veronica Callaghan, *Non-Executive Director*
Mr Fred Smyth, *Non-Executive Director*
Mr Lee Wilson, *Non-Executive Director*
- In Attendance: Mr Sean Brown, *Corporate Services Manager*
Ms Teresa Fallon, *Assistant Director (joined 9.45am)*
Miss Patricia O’Kane, *Assistant Director*
Mr John Sheldon, *QA & Training Manager*
- Apologies: Mrs Gillian McGaughey, *Non-Executive Director*
- Minute Taker: Mrs Ann Andrew, *Administration Manager*

START TIME: 9.30am

Meeting by zoom

17.21 DECLARATION OF INTERESTS

- 17.21.1 Mrs Loughran provided an opportunity for the Board members to identify any conflict of interest in respect of today’s agenda. None were noted.

18.21 MINUTE OF LAST MEETING

- 18.21.1 The minute from the last meeting of the NIGALA Board on 25th February 2021 was approved as an accurate record, proposed by Ms Callaghan.

19.21 MATTERS ARISING

- 19.21.1 Mrs Loughran referred to the Action List from the last meeting and the Board noted the progress on each. There were no outstanding actions for discussion.

20.21 CHAIR & NON-EXECUTIVE'S BRIEFING

20.21.1 **HSC ALB Chairs:** Mrs Loughran indicated the Chairs of HSC ALBs continue to meet with the Minister. The emphasis is currently on acute services and it is clear there are too many demands and too few resources. Mrs Loughran highlighted that NIGALA's arguments for further resources may not be met but we can but continue to argue for these. She indicated that the Minister heard all points made by the Chairs including the fact that receiving monies towards the end of the year makes planning extremely difficult.

Mrs Loughran indicated that for the next meeting she will be preparing a paper on what has gone well and what has gone badly throughout the pandemic. This is due for submission on Tuesday and any thoughts/comments on the matter will be welcome.

20.21.2 **Webinar on Non-Accidental Injury:** Mrs Loughran noted that The Inter Agency Childcare and Legal Issues Group are hosting their first seminar on *Non-Accidental Injury: Challenges for Practitioners in Family Court Proceedings*. She noted she has booked to attend this. Ms O'Kane confirmed there should be approximately 180 people in attendance providing a good representative cross section of social work, legal and guardians. She indicated that spaces are limited and that Mrs Loughran and Mrs McGaughey were invited to attend given their work background.

20.21.3 **Succession Planning:** Mrs Loughran noted that at the next Minister's meeting succession planning for non-executive directors for all ALBs is to be discussed. She indicated that the Agency will need two replacements at the end of year i.e. for Mrs McGaughey and Mr Smyth. She noted the Board will be required to look at the range of experts available/required prior to appointment.

Mr Wilson highlighted that terms now are based on a 4 year appointment and will not be automatically renewed for a second term, unless in exceptional cases.

Mrs Loughran noted her concern for loss of continuity and experience on the Board.

20.21.4 **Training:** Mrs Callaghan referred to a course being run by NISCC on *The Sexual Exploitation of Young Men*. She indicated it was free to attend and agreed to circulate the details.

20.21.5 **HSC Structures:** Mr Wilson noted that at a recent meeting of NISCC, a presentation on the future structures of the Health Service in Northern Ireland was shared. He indicated it would be useful to share with Board Members and hold a workshop to discuss. A representative from the Department will be leading on this.

It was suggested this might be a useful presentation to bring to the next Board Meeting. Mr Brown and Ms Shaw are to look into this further.

ACTION: Mr Brown & Ms Shaw to look at the Future Structures of the Health Service in Northern Ireland and bring for discussion to the next Board Meeting.

21.21 CHIEF EXECUTIVE’S BRIEFING

- 21.21.1 Mrs Loughran welcomed Ms Shaw to her first formal meeting of the Board. She referred to the *CEO Board Paper* and Ms Shaw spoke to same. She advised this is a brief paper given she is only in post wef 1st April 2021. She highlighted some of the meetings she has attended to date.
- 21.21.2 Ms Shaw noted that in terms of ongoing situations she wished to immediately highlight to the Board the current situation around allocation. The number of cases awaiting allocation is very high and concerning; a total of 72 cases are currently on the list.
- 21.21.3 Ms Shaw advised that steps are being taken to profile all Guardians in terms of their cases in the hope that will create some capacity to allocate. In addition to that she intends to take some time to look at the structure and underpinning structures of the Agency. She indicated with Mr Sheldon retiring, the Agency will be advertising for two temporary Principal Guardian Practitioners, undertaken by expression of interest. Ms Shaw noted this would give the Senior Management team time to look at the role and the wider situation with the structure.
- 21.21.4 Ms Shaw noted that she and the senior managers had an extremely useful meeting with CAFCASS Cymru who have also had experience of restructure. She noted it was helpful to listen to what they had to say and given the ongoing situation around work pressures, it is understood this will be quite a big piece of work.
- 21.21.5 Mr Smyth referred to the interim measures on allocation, structure and future change and suggested there is a need to flesh out interim arrangements to make sure that they provide assurance that the management team are able to meet the priorities. He noted the need for an interim plan as well as long-term plan which will look at resources, allocation, etc.
- 21.21.6 Mrs Loughran indicated that Ms Shaw and she are reviewing information about allocation and the new approach by the guardians, which has been shared with the judiciary and the Shadow Family Justice Board.

22.21 FINANCE & PERFORMANCE REPORT

- 22.21.1 Mrs Loughran referred to the *Finance & Performance Report* and Mr Brown updated the Board on same.

22.21.2 He indicated this is the ‘end of year report’ and will also be included in the Annual Report which is due to be lodged with the DoH by 17th May 2021. The draft Annual Report will be circulated to Board Members today for consideration and comments which should be returned by Friday 7th May 2021.

Performance Overview

22.21.2 Mr Brown highlighted the key performance indicators as at 31st March 2021. He noted that Covid-19 has had a major impact especially in relation to the allocation of cases (KPI-1 and KPI-2).

22.21.3 Mr Brown confirmed that the Feedback report (KPI-3) will be included in the Annual report.

22.21.4 Mr Brown confirmed that the Agency reached ‘breakeven’ with a surplus of £13k (KPI-5). He indicated he had received the end of year monies he requested and hoped the Department would see that the Agency has been prudent in its management of resources. Mr Brown noted that he has submitted a business case and a pressures paper for additional funds for Guardians ad Litem; these will be considered as part of the June monitoring round.

22.21.5 Mr Brown confirmed an attendance rate of 98% for the 2020-21 year (KPI-6).

Workflow Management

22.21.6 Mr Brown referred to the *Workflow Management* section of his paper. He indicated there is concern that the statistics do not yet reflect the impact that Covid has had on children and young people. He noted that as at 1st April 2021, there were a total of 928 cases in the system (number of live cases).

22.21.7 Mrs Loughran referred to the meeting with Ms McDaniel last month where she had indicated an inconsistency with NIGALA data and data provided by Trusts. Mrs Loughran emphasised the need for accuracy and suggested a meeting with the Department about the figures to get assurance and understanding of the consistency of data with DFS and NIGALA. Ms Callaghan indicated she felt it was about how our data was presented and felt there is a need to break down figures to give a better understanding, e.g. return cases, new case for allocation, etc. Mr Brown indicated that work on the Trust data has already started and he can share same. Ms Shaw suggested that detailed charts on children coming into care and cases of children coming to court and the Guardian being appointed might provide a useful comparative approach.

- 22.21.8 Mr Brown noted that the Business Case to the Department reflected Mr Smyth's comments. He noted he is starting to work on this particular issue. In the short term NIGALA will be going through a modernisation programme but the fundamental issue of not enough resources will remain.
- 22.21.9 The Board discussed children in care voluntarily, the substantial number of discharge of care/contact applications issued by parents, etc. Mrs Loughran requested that information be gathered by Trust area to demonstrate children who are in voluntary care vs children placed in care by the Trust, separated by return applications, new applications, and applications by parents.
- 22.21.10 Mrs Loughran stressed the Agency cannot seek further resources from the DoH until our statistics are clearly supported by an accurate narrative.
- 22.21.11 Ms Shaw indicated that she also will link with Mr Doherty to seek access to Trust information. She will also see if our information is of benefit to him in terms of what information they might want. Ms Shaw highlighted that we must be mindful of fact that it is expected there will be an increase in the number of children coming into care, and expectations of that is quite high – there will not be less demand, it will be greater.
- 22.21.12 Mrs Loughran asked that the Executive Team get all the available information as soon as possible in order to push for resources from the DoH. Mr Brown indicated that he will have this in the next few weeks and will circulate for information at that point.

ACTION: Mr Brown / Ms Shaw to review statistics to ensure accuracy and relating qualitative data.

Financial Performance

- 22.21.13 Mr Brown indicated that the Annual Accounts will come to Audit Committee in May 2021 before going to the Board.
- 22.21.14 Mr Brown indicated that funds for a 1% pay award have been secured. He indicated that he is expecting an increase in outgoings due to the apprenticeship levy, upgrade in roles and an increase in charges for services (BSO). He noted that whilst the Agency made savings in staff travel in 2020-21 it is likely that this area of the budget will need careful management as Guardians start to increase their visits to children and young people.
- 22.21.15 Mr Brown noted that when NIGALA moves to James House there will be a saving in rent and rates which can be moved to front line services.

- 22.21.16 Mr Wilson queried about the costs for the move to James House; Mr Brown confirmed that these will be paid for by DoF. He indicated his concern is around dilapidation costs which he is told need to be negotiated at the end of the lease in Centre House. There was brief discussion about the space requirements as we move forward with more staff working from home on occasion.
- 22.21.17 Ms Callaghan also noted that consideration should be given to the requirements of an office in the Armagh/L'Derry areas and if these expenses were required. She emphasised the need to carefully monitor reasonable travel expenditure and not to return it to the position it was previous to Covid.
- 22.21.18 Mr Brown indicated the Agency has issued a survey to query about what has worked well and what has not during the pandemic.
- 22.21.19 Mr Smyth highlighted it would be helpful to have an overview of expected papers over the coming months, where they go for information and approval, etc. He asked that Mr Brown prepare a framework to reflect this.
- 22.21.20 Mr Brown highlighted the 'Duty of Candor' consultation. He indicated this will have an impact on all HSC organisations and the SMT will be looking at this.
- 22.21.21 Mr Wilson congratulated Mr Brown on achieving breakeven for the Agency.
- 22.21.22 The Board approved the *Finance & Performance Report*.

ACTION: Mr Brown to prepare a framework highlighting the range of expected papers/reports and whether they are for information, approval, etc.

23.21 BUSINESS PLAN 2020-21 YEAR-END UPDATE

- 23.21.1 Mrs Loughran referred to the *Business Plan 2020-21 Year-end Update* which updated the Board on the progress on each business plan objective as detailed in the agreed Business Plan for the year.
- 23.21.2 The Board approved the *Business Plan 2020-21 Year-End Update*.

24.21 AUDIT & RISK COMMITTEE ANNUAL REPORT

- 24.21.1 Mrs Loughran referred to the *Audit & Risk Committee Annual Report 2020-21* and Mr Smyth spoke to same confirming the work of the Committee over the last year.

- 26.21.2 The *Audit & Risk Committee Annual Report 2020-21* was approved, proposed by Mr Smyth.

25.21 INFORMATION GOVERNANCE COMMITTEE ANNUAL REPORT

- 25.21.1 Mrs Loughran referred to the *Information Governance Committee Annual Report 2020-21* and Ms Wilson spoke to same.
- 25.21.2 The *Information Governance Committee Annual Report 2020-21* was approved, proposed by Ms Callaghan.

26.21 SOCIAL CARE GOVERNANCE COMMITTEE ANNUAL REPORT

- 26.21.1 Mrs Loughran referred to the *Social Care Governance Committee Annual Report 2020-21* and Ms Callaghan spoke to same indicating this was a very busy committee whose information sits with the core business of the Agency and with core governance.
- 26.21.2 The *Social Care Governance Committee Annual Report 2020-21* was approved, proposed by Mr Smyth.

27.21 GOVERNANCE STATEMENT

- 27.21.1 Mrs Loughran referred to the *Draft Governance Statement*. Mr Brown indicated that the Governance Statement forms a fundamental part of the Annual Report. He confirmed that he reviewed the Statement with Mr Reynolds on his last day prior to his retirement.
- 27.21.2 Mr Wilson highlighted that whilst the Governance Statement covers the accounting period 1 April 2020 – 31 March 2021 any major issues of concern, right up until the point of submission to the Department in the Annual report, should be included in the Statement and signed off by Ms Shaw.
- 27.21.3 The Board approved the Governance Statement.

28.21 BOARD COMMITTEE MEETINGS SINCE LAST MEETING OF THE BOARD

- 28.21.1 Mrs Loughran noted that there were two meetings of Board Committees since the last meeting of the Board.

28.21.2 **Information Governance Committee:** There was a meeting of the Information Governance Committee on 9th March 2021. Mrs Loughran referred to paper summarising the business of the meeting and the Board noted same.

28.21.3 **Audit & Risk Committee:** There was a meeting of the Audit & Risk Committee on 11th March 2021. Mrs Loughran referred to the paper summarising the business of the meeting and the Board noted same.

29.21 DEPARTMENTAL/OTHER CORRESPONDENCE

29.21.1 **DoF – James House:** Mrs Loughran referred to the correspondence from the Department of Finance in respect of the James House move on 1st July 2022. The Board noted same.

29.21.2 **COVID-19 – Pause to Sponsorship & Governance Activities Update:** Mrs Loughran referred to correspondence from La' Verne Montgomery dated 23rd March 2020 referring to *Covid-19 Pause to Sponsorship and Governance Activities Update*. The Board noted the update.

29.21.3 **The Payment of Remuneration of Chairs and Non-Executive Members Determination (NI) 2021:** Mrs Loughran referred to the Circular HSC(F) 14-2021 issued on 14th April 2021. Mr Brown confirmed any relevant monies have been accrued.

29.21.4 **Accounting Officer Confirmation:** Mrs Loughran referred to the *Accounting Officer Confirmation, RP5743, SSUB-0193-2021* formally designating Ms Shaw as the Accounting Officer, wef 1 April 2021.

30.21 ANY OTHER BUSINESS

30.21.1 **Bank Mandates:** Mr Brown referred to an *Update on Bank Mandates* and sought the permission of the Board to add Ms Shaw as a signatory. The Board were in agreement. Mrs Loughran confirmed that she would sign the Bank Mandate to that effect and that Mr Reynolds' role as signatory should be terminated.

30.21.2 **Social Work Awards:** Ms Shaw confirmed that NIGALA are going to submit two applications for the Social Work Awards, one in relation to the *Lifetime Achievement Award* and the other in respect of *Co-Production Work*. Mrs Loughran requested that the applications are copied to the Board in the first instance.

30.21.3 **Retirement of Mr Sheldon, Quality Assurance & Training Manager:** Mrs Loughran noted that today's meeting is the last Board meeting for Mr Sheldon who retires on 7th March 2021.

Mrs Loughran noted the Board's deep gratitude to Mr Sheldon for his valued contribution to the Board meetings in what has been a challenging role in last few years. She noted her warmest wishes for what is a new chapter in his life.

Mr Sheldon thanked Mrs Loughran and the Board for their kind wishes.

30.21.4 **Next Board Meeting:** Mrs Loughran suggested that at the next meeting there should be a presentation by one or more guardians of an aspect of their work and Ms Shaw agreed that the SMT would consider this suggestion.

31.21 CONFIDENTIAL ITEMS

31.21.1 The Board updated on confidential business.

END TIME: 11.55am

Chair of the Board

A C T I O N L I S T

Ref	Action	By Whom	Progress Noted for Meeting
20.21.5 Chair & Non-Executive Directors Briefing: HSC Structures	Mr Brown & Ms Shaw to look at the Future Structures of the Health Service in Northern Ireland and bring for discussion to the next Board Meeting.	Mr Brown/ Ms Shaw	
22.21 Finance & Performance Report	<p>Mr Brown / Ms Shaw to review statistics to ensure accuracy and relating qualitative data.</p> <p>Mr Brown to prepare a framework highlighting the range of expected papers/reports and whether they are for information, approval, etc.</p>	<p>Mr Brown/ Ms Shaw</p> <p>Mr Brown</p>	