

## 12 CHILDREN'S COURT GUARDIAN AGENCY FOR NORTHERN IRELAND BOARD MEETING – 12<sup>th</sup> SEPTEMBER 2024

- Present:** Mrs Gemma Loughran, Chair  
Ms Dawn Shaw, CEO  
Ms Veronica Callaghan, Non-Executive Director  
Mr David Douglas, Non-Executive Director
- Apologies:** Mr Lee Wilson, Non-Executive Director
- In Attendance:** Mrs Ursula Crickard, Assistant Director  
Mrs Teresa Fallon, Assistant Director (*Item 54.24*)
- Minute Taker:** Mrs Ann Andrew, Corporate Services Manager (*Interim*)

### START TIME: 9.30am

Mrs Loughran and members of the Board warmly welcomed Mrs Ursula Crickard to the meeting. Mrs Crickard joins the Agency as Assistant Director, coming with extensive experience.

Mrs Loughran congratulated Mrs Andrew on her appointment as interim Corporate Services Manager.

#### 44.24 SERVICE DELIVERY

- 44.24.1 Mrs Loughran welcomed Mr Colin Reid (Head of Safeguarding & EA Social Work Lead) & Ms Nicola Topping (Head of Pupil Wellbeing Services) from the NI Education Authority (NIEA), providing education and youth services to children across Northern Ireland.
- 44.24.2 Mr Reid provided an overview of key educational statistics highlighting the focus of better opportunities in life, and happy children who are able to learn. The EA is a £2.6 billion organisation with managing authority for over 600 schools, there are another 600 schools for whom they have no managing authority. He noted the structure of education can be a difficult environment for those interfacing to navigate due to size and complexity. Mr Reid indicated it would be helpful for Children's Court Guardians to understand the structure and the significance of the numbers in order to know who the decision makers are. He detailed the safeguarding services in place, noting there are 20 designated officers who provide a service with ever increasing levels, due to a range of reasons such as health, social media, etc. He

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indicated that some of the regulations are outdated and do not reflect the modern world.

- 44.24.3 Mr Reid noted that the issues under Education welfare have also increased. A total of 160 staff work in this area, with the majority of transformation relating to support welfare. 20 staff work within the Intercultural education service working with Roma travellers and children in Northern Ireland through immigration.
- 44.24.4 Ms Topping summarised the work of Pupil Wellbeing Services which promote and support a trauma informed approach. She referred to post primary counselling and highlighted the Service Pathway which supports the core network around the child.
- 44.24.5 Ms Topping highlighted the Exceptional Teaching Arrangements in place which support children and young people who are unable to attend school due to physical and mental health, or for other exceptional reasons. There are about 90 teachers in Northern Ireland who teach approximately 400-500 of these children per year.
- 44.24.6 Ms Topping referred to Elective Home Education and confirmed that home education numbers have doubled since Covid-19, with the NIEA having limited power and authority in this area.
- 44.24.7 Ms Callaghan noted this was a fascinating presentation. She identified how helpful and informative this would be for guardians, and Ms Topping noted her willingness to assist in any training session. Mrs Loughran suggested any training include input about the nature and value of a personal education plan.
- 44.24.8 Mrs Loughran reiterated how keen she was to hear of the work of the EA in promoting the education of looked after children who perform less well than their peers and to be made aware of the resources available. Mrs Crickard agreed it was useful to understand the entry points and relationships in what is a complex environment. Mrs Loughran queried if there was anything the Agency could do for the EA? Mr Reid stressed the need to have dialogue around training and to have an understanding of the complexities.
- 44.24.9 Mrs Loughran thanked Mr Reid and Ms Topping for taking the time to join the Board today, providing input that was extraordinarily interesting and of such value.

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**45.24 DECLARATION OF INTERESTS**

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

**46.24 MINUTE OF THE LAST MEETING**

- 46.24.1 The minute from the last meeting of the Board on 27<sup>th</sup> June 2024 was reviewed and approved as an accurate record, proposed by Mr Douglas.

**47.24 MATTERS ARISING**

- 47.24.1 Mrs Loughran referred to the Actions from the last meeting and progress on each was noted.

**48.24 CHAIR AND NON-EXECUTIVE'S BRIEFING**

- 48.24.1 **Non-Executive Board Member Vacancy:** Mrs Loughran advised that the vacant Non-Executive Board Member (legal) position has been re-advertised. There have been 12 applications received and with shortlisting scheduled for next week. Mrs Loughran and Ms Shaw acknowledged the work with the Bar Council and Law Society proved beneficial in the process.
- 48.24.2 **ALB Chair's Forum:** Mrs Loughran confirmed that a meeting of the ALB Chair's with the Minister of Health is scheduled to take place in person this afternoon. She confirmed she plans to be in attendance.

**49.24 CHIEF EXECUTIVE'S BRIEFING****Chief Executive's Briefing / Update Report**

- 49.24.1 Mrs Loughran referred to the *Chief Executive Briefing* and Ms Shaw spoke to her paper highlighting some areas for specific mention to:-

**Current Context (Workload):** Ms Shaw reported that as at Tuesday, 27<sup>th</sup> August there are a total of 180 unallocated cases in respect of 329 children and young people. (This includes the adoption cases which we put on hold until 6 weeks before the hearing date, 14 cases for 17 children). She emphasised this is a very challenging situation for the Guardian Services Managers who are responsible for allocation and puts a huge pressure of anxiety around managing the unallocated case list. Ms Shaw stressed that

the new Guardian Services Managers are still learning and require nurturing and support.

Ms Callaghan referred to the high and increasing number of return cases. Ms Shaw indicated that analysis of these numbers has not happened as yet, as the Agency needs to look at the trend. She noted the number of young children under 3yrs of age is concerning. There was discussion about the use of geomapping and what the Agency can offer from a regional perspective.

Mrs Loughran highlighted the increasing number of unallocated cases were raised at the Accountability meeting with the DoH. She stressed the Agency is a demand led service with no control over the numbers coming in or cases being closed. Ms Shaw indicated she did escalate her concerns about the high numbers to the Department and the anxieties this causes.

**Toil Policy:** Ms Shaw indicated at the recent meeting with the Unions the TOIL policy was raised. The Agency TOIL policy was last reviewed in 2018 and it was agreed this will be reviewed and updated. There was discussion about the use of TIL and flexible working vis-a-viz TOIL.

**Temporary Arrangements:** Ms Callaghan referred to the temporary arrangements and specifically the Guardian Services Manager positions. She queried what a review of the measure in place might look and how they would be reviewed? Ms Shaw suggested there would be an options appraisal about the temporary measure and consideration would be given to whether this was the right model. Formal consultation would have to take place if this was to be made permanent. Ms Shaw noted this would be for Ms Edel McKenna, the new incoming Chief Executive to undertake. Ms Callaghan suggested this be discussed at the next SCG Committee and consideration be given to what information should be gathered to inform this exercise.

Mr Douglas indicated it appears initially that the temporary arrangements are working effectively. He noted it was very positive that Mrs Crickard has started and is receiving a good induction through Ms Shaw and Ms Fallon. Mr Douglas noted it was excellent that the Guardian Services Managers are gelling as a team and the Agency is investing in them. He stressed the importance of good relationships which are key.

**ACTION: SCG Committee to discuss the information to be gathered for the review of temporary management arrangements in 2025.**

49.24.2 Mrs Loughran indicated that Mr Wilson queried if Mrs McKenna will be the Accounting Officer from day 1 of her joining the Agency? Ms Shaw advised

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that the Department of Health will issue all relevant correspondence about the Accounting Officer role and responsibilities.

- 49.24.3 Mrs Loughran indicated that Mr Wilson queried if the incoming CEO, Ms McKenna, has been booked onto an Accounting Officer course? Ms Shaw confirmed that Ms McKenna has already been booked onto the Public Accountability and Governance Training for Accounting Officers.
- 49.24.4 Mrs Loughran indicated that Mr Wilson queried the identified surplus. Ms Shaw confirmed despite there being a surplus identified at month 4, there are reasons for this, and it is unlikely the Agency will be in the situation of a considerable surplus at year end. The Agency would not be in position to confirm any surplus until January 2025 at the earliest.
- 49.24.5 Ms Shaw indicated she had attended a meeting of the Safeguarding Board yesterday and was notified of an incoming CMR. She indicated the Agency will be involved although this will be minimal as our involvement has been at the Court proceedings stage.

### **Business Plan Objectives**

- 49.24.6 Ms Shaw referred to the *Business Plan 2024-25* which was submitted to the Department and shared again for information at today's meeting.

The *Business Plan – Action Plan 2024-25* has been established for the new year, with some carry forwards of actions from the previous year. Ms Shaw noted the plan is now in the right order for Mrs McKenna and Mrs Crickard to take forward, and is based on the new objectives.

Ms Shaw indicated she had circulated a copy of the *Business Plan - Action Plan 2023-24* for completeness.

- 49.24.7 Mrs Loughran referred to the action point on *Communications*. Ms Shaw indicated the Agency did have a Communications Manager who left a few years ago and was not replaced. Ms Callaghan highlighted the extensive communication work which has happened in-house and externally should be included in the action plan, along with details of the framework tying it altogether, along with examples of how it has improved; any identified gaps should also be identified. Ms Shaw agreed to update this area.

**ACTION: Ms Shaw to update the *Business Plan - Action Plan 2024-25* accordingly.**

49.24.8 Ms Shaw referred to the *Interim Management Arrangements Action Plan* shared for information. She indicated that at the last meeting with Internal Audit present, they requested an action plan around the temporary arrangements be confirmed. She noted that additional actions can be added which will provide the required evidence.

## 50.24 OPERATIONS REPORT Q1

50.24.1 Mrs Loughran referred to the *Operations Report Q1* and Ms Shaw spoke to same, for the period April – June 2024. She reiterated the workload pressures as previously highlighted, and referred to the caseload analysis for information. Mrs Loughran highlighted the pressures on individual guardians and the Board reviewed the information provided.

50.24.2 Ms Shaw and the Board discussed delay, incidences of cases come too late into the system, no proper pre-proceeding initiatives, too many expert reports, etc. There was considerable discussion and Mrs Loughran referred to the draft Delay Pilot report. Ms Shaw indicated the Agency should consider the timing of that report; she referred to the Professional Standards just launched in the Agency and also to the number of cases running over 12 months. It was agreed if timescale of cases reduced from start to finish in the Courts, the unallocated waiting list would also decrease. Ms Shaw and Mrs Crickard agreed to review the draft Delay Pilot report and consider how best to take it forward. Ms Callaghan suggested any inhouse work could be completed in tandem with discussions at the SCG Committee.

50.24.3 Mrs Loughran suggested completing a deep dive through a sample of cases examining the factors contributing to delay. Ms Shaw indicated this could be looked at in the audit schedule, especially around identifying good practices in addition to how we avoid delay. Ms Callaghan indicated an agreed audit plan of thematic SCG audits needs to be agreed and can be discussed at the SCG Committee. Ms Shaw highlighted that we do not have the staff at the moment to undertake these. Self-auditing was discussed and the need for a more collaborative piece of work to be considered. Ms Shaw indicated that discussions in staff supervision will refer to the Professional Standards being met, which will highlight good practice and also give a track to any delay the guardian contributed to.

50.24.4 Ms Shaw indicated the Operations Report Q2 would be available at the next meeting of the Board. She suggested the Agency look at that information and highlight how the Agency demonstrates they are working at capacity. Mr Douglas suggested an joint approach with an HSC Trust to examine potential cases and look at delay. It was agreed the executive team would give consideration to this case audit, identify cases of delay and resolution.

**ACTION: Executive Team to give consideration to a case audit to identify cases of delay and resolution.**

## **51.24 DRAFT CHILDREN & YOUNG PEOPLE'S ENGAGEMENT AND PARTICIPATION STRATEGY**

- 51.24.1 Mrs Loughran referred to the *Draft Children & Young People's Engagement and Participation Strategy* and Ms Fallon spoke to same.
- 51.24.2 Ms Fallon noted the Strategy has been developed under the overarching framework of the NI Executive Children and Young People's Strategy. Meetings have taken place on two occasions with 8 of the young people and she detailed the work at the sessions, finding out what mattered to the young people, and agreeing they were content the finalised Strategy reflected what they said.
- 51.24.3 Ms Callaghan noted she was pleased at the way the Lundy Model was documented throughout the Strategy. Mr Douglas indicated it should be highlighted that the Strategy is written this way due to the engagement with children and young people.
- 51.24.4 Ms Fallon emphasised the work of all those involved and highlighted the involvement of the parents and carers who enabled the young people to participate. Mrs Loughran referred to the acknowledgement page and suggested a sentence detailing the development of the Strategy would not have been possible without the co-operation of those detailed.
- 51.24.5 Mrs Loughran queried who would be continuing the work with the Youth Board? Ms Shaw confirmed that Mrs Crickard will have overall responsibility but Ms Corinne Gorman has noted her interest in this area of work. She indicated if there was any available money within the budget this would be used to forward the work of the Youth Board.
- 51.24.6 Mrs Loughran indicated it was a very interesting and full paper. The Board formally approved the *Children & Young People's Engagement and Participation Strategy*. It was agreed that an implementation action plan should be prepared for the December meeting of the Board. The Board thanked Ms Fallon for her excellent work with the Youth Forum and with our young people generally.

**Action: Implementation Plan for the Children & Young People's Engagement and Participation Strategy to be tabled at the December meeting of the Board.**



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**52.24 FINANCE**

- 52.24.1 Mrs Loughran referred to the *Finance Report* and Mrs Andrew spoke to same. She noted the report provides an overview of financial management for the year 2024-25, as at Month 4 (July 2024). The budgeted Income and Expenditure is reporting a breakeven position.
- 52.24.2 Mrs Loughran indicated that Mr Wilson had queried the increase in IT costs in 2024/25. Ms Shaw confirmed that additional IT costs relate mainly due to the appointment of new Band 7 Guardians.
- 52.24.3 The Board approved the report, proposed by Ms Callaghan.

**53.24 INDEPENDENT REVIEW OF CHILDREN'S SOCIAL CARE SERVICES – CONSULTATION ANALYSIS REPORT**

- 53.24.1 Mrs Loughran referred to the *Independent Review of Children's Social Care Services – Consultation Analysis Report* detailing the findings and recommendations. Ms Shaw indicated the report was for information purposes and confirmed the Implementation Board continues to work through the recommendations.

**54.24 ANNUAL REPORT & ACCOUNTS 2023-24**

- 54.24.1 Mrs Loughran referred to the *Annual Report and Accounts 2023-24* and Ms Shaw indicated that these have yet to be signed off by the NI Audit Office and the audit certificate provided. She confirmed the delay relates to the accounting treatment of the licence for James House and discussions between the Deloitte and the NI Audit Office continue.
- 54.24.2 There was extensive discussion about the process and how the accounts were previously agreed, along with the treatment of the licence, at the Audit & Risk Committee with the NI Audit Office and Deloitte both present.
- 54.24.3 Mrs Loughran requested that Ms Shaw raise the Board's disappointment in the process with Deloitte. It was agreed it would be helpful if any concerns could be raised with the Chief Executive in a measured way in advance of future meetings to allow for consideration and clarity being sought.
- 54.24.4 Ms Shaw indicated that Deloitte and the NI Audit Office are due to meet to discuss agreement of a way forward and she will confirm as soon as she is



aware of that outcome. Mr Douglas suggested that Ms Shaw keep the Department of Health (DoH) informed of the situation.

**ACTION: Ms Shaw to write to Deloitte to highlight the Board's disappointment with the Annual Report & Accounts process.**

**ACTION: Ms Shaw to write to sponsor branch to keep them informed of the Annual Report & Accounts situation.**

## **55.24 BOARD COMMITTEES SINCE LAST MEETING OF THE BOARD**

55.24.1 Mrs Loughran indicated there have been no meetings of the Board Committees since the last meeting of the Board.

## **56.24 DEPARTMENTAL/OTHER CORRESPONDENCE**

56.24.1 Mrs Loughran referred to Circular *HSC(F) 14-2024 Payment of Travelling & Other Allowances to Members Determination (NI) 2024*, shared for information purposes.

## **57.24 ANY OTHER BUSINESS**

57.24.1 There was no other business for discussion.

## **58.24 CONFIDENTIAL**

58.24.1 The confidential minute from the meeting on 18<sup>th</sup> July 2024 was approved at time that meeting with members.

Mrs Loughran noted her thanks to everyone for their attendance and for preparation of papers. She also thanked Ms Andrew for taking the minute of the meeting. The meeting was brought to a close.

**END TIME: 12:15am**

**DATE OF NEXT BOARD MEETING: 24<sup>th</sup> OCTOBER 2024**

## ACTION LIST

Ref	Action	By Whom	Progress Noted for Meeting
20.24 Absence Report	Ms Shaw to seek confirmation with BSO about the timing of the next HSC staff survey.	Ms Shaw	<b>Confirmation sought from BSO</b>
49.24 Chief Executive's Briefing:  Business Plan Action Plan  Temporary Arrangements	Ms Shaw to update the <i>Business Plan - Action Plan 2024-25</i> accordingly.  SCG Committee to discuss the information to be gathered for the review of temporary management arrangements in 2025.	Ms Shaw  Ms Shaw Ms Callaghan	
50.24 Operations Report Q1	Executive Team to give consideration to a case audit to identify cases of delay and resolution.	Ms Shaw	
51.24 Children & Young People's Engagement and Participation Strategy	Implementation Plan for the Children & Young People's Engagement and Participation Strategy to be tabled at the December meeting of the Board.	Mrs Crickard	
54.24 Annual Report & Accounts 2023-24	Ms Shaw to write to Deloitte to highlight the Board's disappointment with the Annual Report & Accounts process.  Ms Shaw to write to sponsor branch to keep them informed of the Annual Report & Accounts situation.	Ms Shaw  Ms Shaw	