

**CHILDREN'S COURT GUARDIAN AGENCY FOR NORTHERN IRELAND  
BOARD MEETING – 24th OCTOBER 2024**

**Present:** Mrs Gemma Loughran, Chair  
Ms Dawn Shaw, CEO  
Ms Veronica Callaghan, Non-Executive Director  
Mr David Douglas, Non-Executive Director  
Mr Lee Wilson, Non- Executive Director

**In Attendance:** Mrs Ursula Crickard, Assistant Director  
Mrs Ann Andrew, Corporate Services Manager (Interim)  
Ms Edel McKenna, incoming CEO  
Mr Chris Quinn, Commissioner, NICCY (*Item 59.24*)  
Mr Robert Hunter, Senior Legal & Investigations Officer, NICCY  
(*Item 59.24*)

**Minute Taker:** Ms Roisin Clarke, PS (Agency staff)

**START TIME: 9.30am**

Mrs Loughran and members of the Board warmly welcomed Ms Edel McKenna (in coming CEO) to the meeting.

**59.24 SERVICE DELIVERY**

- 59.24.1 Mrs Loughran welcomed Mr Chris Quinn, Commissioner and Mr Robert Hunter, Senior Legal & Investigations Officer from Northern Ireland Commissioner for Children & Young People (NICCY).
- 59.24.2 Mr Quinn gave a brief overview of his journey to NI Commissioner and left us with thought provoking information on the current level of crisis that children and young people are experiencing. He outlined his plans to try and end the systemic and endemic failures by the government and further expressed that this is a journey to change all the contributing factors that hinder a child's life.
- 59.24.3 He shared that 5000 children are homeless; 4134 children are in care with 1 in 4 children living in destitution. Alongside these unsettling statistics he gave us an overview of the other issues affecting children

today, such as legacy of conflict, discrimination, Covid-9 impact legacy and mental health and wellbeing.

59.24.4 Mr Hunter shared concerns about the lack of knowledge children and young people have regarding their rights. He also talked to the legal framework and its lack of use, his concerns of the high percentage of children aging out of Child and Adolescent Mental Health Services and getting lost in the system. Furthermore, he spoke of the failure of the Special Educational Needs system and how the legal wording of 'statements' can prevent children from accessing services.

59.24.5 Ms Callaghan queried if the agency would benefit from a working relationship with NICCY; Ms Shaw indicated she would be very keen to have a mutually informative and valuable relationship and suggested it would also be helpful if the Agency's Youth Board could link in with NICCY. Mrs Loughran added a supportive relationship with all agencies involved with children and young people could only be of benefit to all.

**ACTION: Mrs Loughran asked Ms Edel McKenna to make contact with NICCY when she joins the Agency.**

59.24.6 Mrs Loughran thanked Mr Quinn and Mr Hunter for taking the time to join the Board today and for providing information that was both informative and interesting.

## **60.24 DECLARATION OF INTERESTS**

60.24.1 Mrs Loughran provided an opportunity for the Board members to identify any conflict of interest in respect of today's agenda. None were noted in respect of business but Mr Wilson indicated he also chaired the Audit & Risk Committee of NICCY.

## **61.24 MINUTE OF THE LAST MEETING**

61.24.1 The minute from the last meeting of the Board on 12<sup>th</sup> September 2024 was reviewed and approved as an accurate record, proposed by Ms Callaghan.

## 62.24 MATTERS ARISING

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

## 63.24 CHAIR AND NON-EXECUTIVE'S BRIEFING

- 63.24.1 **Non-Executive Board Member Vacancy:** Mrs Loughran advised on the vacant Non-Executive Board Member (legal) position. She indicated that interviews have been completed and two names have gone before the Minister for final decision. Mrs Loughran indicated she anticipates the new member will be available for the first Board meeting of 2025.
- 63.24.2 **Draft Programme for Government:** Mrs Loughran indicated there was no need for the Agency to respond to the *Draft Programme for Government*, but note for information.

## 64.24 CHIEF EXECUTIVE'S BRIEFING

### Chief Executive's Briefing / Update Report

- 64.24.1 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, 22nd October there are a total of 179 unallocated cases, 79 of which are high priority. Ms Shaw stated the trend information shows a continued increase in the numbers across all Trusts; there has been an increase in the total number of children in care in August 2024, with an increase of 267 children and young people, from August 2023. She emphasised this is a very challenging situation for the Guardian Services Managers who are responsible for allocation and it puts a huge pressure and causes around managing the unallocated case list as they address court timetables. Ms Shaw stressed that the new Guardian Services Managers are still learning and require nurturing and support. Mrs Loughran highlighted the likelihood that Freeing for Adoption cases will move to the High Court, which will also have implications for the Agency.

**Interim Temporary Management Arrangements:** Ms Shaw updated on the interim positions and the positive impact this was having on the

Agency. She referred to vacancies within the Administrative team and indicated recruitment is currently in progress. It is hoped that this will reduce risk to staff and the Agency as a whole.

**Finance 2024/25:** Ms Shaw referred to the difficult external financial environment. She indicated the agency currently carries an underspend due to the difficulties in recruitment. This may mean the Agency will have to offer an easement to the Department on a non-recurrent basis in December 2024. Mrs Loughran agreed it was the Agency's duty to give back any non-recurrent monies that could not be used to fulfil their requirement, demonstrating a show of transparency and non-waste.

Mr Wilson queried if some of the budget could be used to bring in an outside Agency to look at communication. Ms Shaw explained that this was not needed. Communication within the Agency has improved and she continues to network as required. She referred to a forthcoming launch of the Agency's communication intranet (The Hub) explaining its role and use by staff. Ms Callaghan spoke to the fact that the issue around 'communication' had been brought up before and it had been agreed that this was not needed. Mr Wilson agreed with the evidence relayed to him.

### **Business Plan Objectives**

- 64.24.2 Ms Shaw referred to the update on the *Business Plan Objectives 2024-25*. Mr Douglas indicated that he liked how the Action Plan updated in relation to progress and he would like to see 'communication' changed to 'green' for next meeting.

**ACTION: The RAG rating on the Business Plan Objectives 2024-25 in respect of 'Communication' should be updated to 'green'.**

## **65.24 OPERATIONS REPORT Q2**

- 65.24.1 Mrs Loughran referred to the *Operations Report Q2 (July-Sept 2024)* and Mrs Crickard spoke to same and reiterated the workload pressures as previously highlighted by Ms Shaw.
- 65.24.2 Mrs Crickard updated on staffing. She confirmed two Band 7 staff commenced in October 2024 with one Band 8A commencing November

2024. The recruitment progress for an addition two Band 7 Guardians has commenced. The SCG Learning & Improvement Lead has been advertised with interviews planned for w/c 11<sup>th</sup> November.

- 65.24.3 Mrs Crickard spoke to the allocation process and current list of unallocated cases. The number of cases awaiting allocation over 100 days was highlighted and Mrs Crickard noted that there is some evidence of judges and making final orders without a guardian having been appointed. Mrs Loughran expressed concern that this was a risk to the role of the Guardian being eroded and to the making of orders without the court having an independent assessment of the welfare of the child or young person of his/her wishes and feelings. Mrs Loughran reiterated the need for the Agency to continue to communicate closely with the Solicitor to help prevent this emergent trend. She requested a breakdown of the number of cases that have been finalised thus far without a guardian being appointed come to the next meeting of the Board.

**ACTION: Breakdown of cases that have been discharged without guardian appointment to be reported at the next Board meeting.**

## **66.24 FINANCE**

- 66.24.1 Mrs Loughran referred to the *Finance Report* and Mrs Andrew spoke to report, as at Month 6 (September 2024). The Board noted the information detailed and Mrs Andrew highlighted the projected year-end surplus position along with the key drivers of the underspend.

## **67.24 RISK REGISTER**

- 67.24.1 Mrs Loughran referred to the *Risk Register*. Ms Shaw indicated the risk register was recently updated for the Audit & Risk Committee on 10<sup>th</sup> October 2024. It was confirmed that Mr Wilson, Mr Douglas and Ms Callaghan were all in attendance at the meeting and reviewed the register. Mr Wilson indicated no concerns were raised. Mr Douglas thanked Ms Shaw and Mrs Andrew for their work in this regard.
- 67.24.2 The *Risk Register* was agreed and no amendments were proposed.

## **68.24 ANNUAL REPORT & ACCOUNTS 2023-24**

- 68.24.1 Mrs Loughran referred to the Agency's *Annual Report & Accounts 2023-24*. Ms Shaw summarised on the issues around the treatment of the Agency's licence agreement with James House and how the NI Audit Office and Deloitte now believe this should be treated as a lease agreement within the Annual Accounts. The Board previously noted their concern at the delay of NI Audit Office certifying the accounts; no final sign-off can be made until the NI Audit Office has completed its investigations with DoF and DoH.
- 68.24.2 Mr Wilson noted his concern that the Agency been given incorrect advice and that BSO, NI Audit Office and Deloitte had previously agreed the agreement should be treated as a 'licence'. Ms Shaw reiterated the Agency followed the advice given at the time and had no reason to believe it to be incorrect.
- 68.24.3 Mrs Loughran stated the Annual Report & Annual Accounts 2023-24 should not be submitted in a 'qualified' manner and should await the resolution of the query by the NI Audit Office.

## **69.24 SODA – Scheme of Delegated Authority**

- 69.24.1 Mrs Loughran referred to the *SODA – Scheme of Delegated Authority* and Mrs Andrew spoke to same. She confirmed the SODA detailed the authorisation limits to designed staff within the Agency. She indicated it is good audit practice for the Board to review this on an annual basis.
- 69.24.2 The Board approved the *SODA – Scheme of Delegated Authority*.

## **70.24 Children's Social Care Services Strategic- Reform Programme**

- 70.24.1 Mrs Loughran referred to the *Children's Social Care services Strategic Reform Programme*. Ms Shaw indicated the Annual Report 2023/24 and Delivery Plan 2024/25 have been shared for information purposes and the Board noted same.

## **71.24 Board Self-Assessment 2024-25**

71.24.1 Mrs Loughran referred to the *Board Self-Assessment 2024-25* and highlighted the work undertaken in updating the self-assessment and proposed amendments. Mr Douglas noted he was content with all updates and had no further comments to make. He noted his thanks to Mrs Loughran and Mrs Andrew for their work on this. Ms Callaghan and Mr Wilson both noted their agreement and the *Board Self-Assessment 2024-25* was approved.

## **72.24 Board Committee Meeting Since the last Meeting of the Board**

72.24.1 Mrs Loughran indicated there have been two Committee meetings since the Board last met.

72.24.2 **Social Care Governance Committee:** The SCG Committee met on 26<sup>th</sup> September 2024. Ms Callaghan and Mr Douglas were both in attendance

72.24.3 **Audit & Risk Committee:** The Audit & Risk Committee met on 10<sup>th</sup> October 2024. Mr Wilson, Ms Callaghan and Mr Douglas were all in attendance.

72.24.4 The Board spoke collectively that they were happy with all evidence resulting from the above-mentioned committees. They felt the work to be outstanding and were happy overall.

## **73.24 Departmental/ Other Correspondence**

73.24.1 Mrs Loughran referred to correspondence Ref No: *HE1/24/474362, Departments Report to those charged with Governance (RTTCWG) – ALB Implementation of Audit Recommendations*, from DoH. The Board noted the communication and Mr Wilson confirmed the Audit & Risk Committee have also had sight of same.

**74.24 Any Other Business**

**Ms Dawn Shaw – Retirement:**

74.24.1 Mrs Loughran, on behalf of the Board, congratulated Ms Shaw on her upcoming retirement. She noted her thanks for her commitment and spoke to the legacy she would be leaving. Mrs Loughran highlighted the improvements to structure, policy, data and administration, all taken forward by Ms Shaw.

Ms Shaw noted her thanks to the Board for their continued support.

**75.24 Confidential Business**

75.24.1 There was no confidential business for discussion.

**END TIME: 12.15pm**

**DATE OF NEXT BOARD MEETING: 19<sup>th</sup> DECEMBER 2024, 9.30am**



## ACTION LIST

Ref	Action	By Whom	Progress Noted for Meeting
<b>51.24 Children &amp; Young People's Engagement and Participation Strategy</b>	Implementation Plan for the Children & Young People's Engagement and Participation Strategy to be tabled at the December meeting of the Board.	Mrs Crickard	
<b>58.24 Services Delivery Presentation</b>	Mrs Loughran asked Ms Edel McKenna to make contact with NICCY when she joins the Agency.	Ms McKenna	
<b>64.24.2 Business Plan Objectives</b>	The RAG rating on the Business Plan Objectives 2024-25 in respect of 'Communication' should be updated to 'green'.	Ms Shaw / Ms McKenna	
<b>65.24.4 Operations Report Q2</b>	Breakdown of cases that have been discharged without guardian appointment to be reported at the next Board meeting.	Ms Crickard	