

NI GUARDIAN AD LITEM AGENCY - BOARD MEETING

6th APRIL 2017

- Present:** Mr Bernard Mitchell, *Chair*
Mrs Gillian McGaughey, *Non-Executive Director*
Mr Peter Reynolds, *Chief Executive*
Mr Fred Smyth, *Non-Executive Director*
Mr David Watters, *Non-Executive Director*
- In Attendance:** Ms Teresa Fallon, *Assistant Director*
Miss Patricia O’Kane, *Assistant Director*
Mrs Brenda Sheeran, *Guardian Ad Litem – ITEM 14.17*
Ms Elly Farmer, *Service User – ITEM 14.17*
- Apologies:** Dr Karen Winter, *Non-Executive Director*
- Minute Taker:** Mrs Ann Andrew, *Administration Manager*

START TIME : 9.40am

14.17 SERVICE DELIVERY

- 14.17.1 Mr Mitchell welcomed Ms Brenda Sheeran (Guardian ad Litem) and Ms Elly Farmer (Service User) to the meeting and the Board introduced themselves in turn.
- 14.17.2 Ms Sheeran set the background to her involvement with Ms Farmer as her Guardian ad Litem approximately 16-17 years previously.
- 14.17.3 Ms Farmer confirmed that she had reconnected with NIGALA following her FOI request seeking information from her files. Ms Farmer indicated that she had initially made contact with an HSC Trust to retrieve information about her past but this had proven to be a difficult process, with issues still outstanding. She had later remembered her contact with Ms Sheeran her Guardian ad Litem and hence made contact with NIGALA.
- 14.17.4 Ms Farmer indicated she had a presentation for the Board entitled “The Child’s Perspective”. The presentation provided detailed analysis of her journey and outcome in seeking information through an FOI request, her thoughts and feelings on receipt of the information and feedback on the process.

- 14.17.5 Ms Farmer confirmed that throughout the process she had been kept informed and updated on progress at each stage by NIGALA. She noted when she had been contacted to confirm the files were ready for collection that she was met by Ms Sheeran who offered her support in going through the files given some of the information might be upsetting.
- 14.17.6 Ms Farmer gave her presentation to the Board noting her thoughts on the 'Commandments from a Child's Perspective'. She highlighted the following points:-
- Having the same Guardian ad Litem was invaluable. Throughout Ms Farmer's case she has had many social workers and it is difficult to get to know a new person on each occasion. With the same Guardian she felt more stabilised, can build relationships and trust. As a result Ms Farmer has never forgotten the involvement of the Guardian ad Litem.
 - Listening to the child is important. Ms Farmer noted she felt the Guardian listened to her story, took on board her wishes and feelings and fought for them. As she felt listened to and believed she found this refreshing.
 - Voicing opinions. Ms Farmer noted that whilst the Guardian's report was opinionated it was honest and open with 'positive language'.
- 14.17.7 The Board members thanked Ms Farmer for the quality and value of her presentation. Ms Fallon also noted it was a tribute to Ms Sheeran the Guardian ad Litem to recognise how her role assisted Ms Farmer through the proceedings.
- 14.17.8 Mr McAllister noted he was pleased to see that the NIGALA FOI process worked well and Mr Smyth as chair of the Information Governance Committee was in agreement.
- 14.17.9 Mr Reynolds indicated he was giving a presentation the next day to HSC Trusts and Solicitors and sought permission to share some of the learning and reflection with them. Ms Farmer was in agreement. He noted it was a powerful message, coming directly from someone who has been involved as a service user in the past.
- 14.17.10 The Board thanked Ms Farmer and Ms Sheeran for attending the meeting and proving such an insight into the experience of a service user.

Ms Farmer and Ms Sheeran left the meeting.

- 14.17.11 Mr Reynolds indicated that Ms Farmer had given agreement that he update the relevant Trust Director.

15.17 CONFLICT OF INTEREST

- 15.17.1 Mr Mitchell provided an opportunity for the Board Members to identify any conflicts of interest in respect of today's agenda. None were noted.

16.17 MINUTE OF PREVIOUS MEETING

- 16.17.1 The minute from the last meeting on 4th February 2017 was noted as an accurate record and approved.

17.17 MATTERS ARISING

- 17.17.1 The matters arising and action plan from the previous meeting were reviewed and the Board noted progress on the actions listed. Specific mention was made as follows:

- 17.17.2 **10.17 Information Governance Review:** Mr Mitchell acknowledged the response in respect of *seeking information around reporting arrangements within the other HSC organisations for identifying lessons learned*. He stressed the importance of lessons being shared amongst the HSC bodies and requested Mr McAllister liaise again with BSO to explore the possibility of an anonymised high level document being circulated annually highlighting lessons to be learned. Mr McAllister agreed to speak this BSO in this regard.

ACTION: Mr McAllister to speak with BSO again to explore mechanisms for routinely sharing lessons learned with ALBs.

- 17.17.3 **86.16 Access Requests to Guardian Records on Live Cases:** Mr Reynolds referred to the *Guidance on Subject Access Requests (SAR)* which provides some clarity around requests for Guardian's records/recording whilst cases are still live before the Court. He updated members on the principles of valid consent if cases are live before the court, in response to FOI and Data Protection requests.

Mr Reynolds indicated the importance of Guardians being aware of subject access requests whilst completing their day to day work and indicated he would update the paper before circulating to staff for their information and discussion.

ACTION: Mr Reynolds to update paper before circulation and discussion with staff.

18.17 CHAIR & NON-EXECUTIVE DIRECTOR'S BRIEFING

18.17.1 **Corporate Services Manager:** On behalf of members, Mr Mitchell congratulated Mr McAllister on his recent new appointment and wished him well in the future. He indicated that the Board noted his loss to NIGALA and appreciated his support and professionalism over the past years. Other members spoke in similar vein.

18.17.2 **NIGALA Board Self-Assessment:** Mr Mitchell thanked the Board members for their attendance at the Board Self-Assessment Workshop. He indicated this was a good workshop with productive discussion. He indicated a synopsis will be forwarded to all members by email for agreement.

ACTION: Mr McAllister to forward all Board Members a synopsis of the meeting of the NIGALA Board Self-Effectiveness Workshop for agreement.

19.17 CHIEF EXECUTIVE'S BRIEFING

19.17.1 Mr Reynolds referred to the *CEO Briefing for NIGALA Board* and updated the Board on a number of areas.

19.17.2 **Ongoing Work Associated with Information Breaches:** Mr Reynolds confirmed an Action Plan has been drafted to take cognisance of the recommendations from both information breach reviews. In addition the ICO has agreed to undertake an advisory visit to NIGALA.

19.17.3 **Breakeven:** Mr Reynolds confirmed that breakeven has been achieved. He indicated that further information is available in the Finance Report.

19.17.4 **Whistleblowing Review:** Mr Reynolds confirmed that a review of the 'Whistleblowing' arrangements within RQIA, NIFS and NIGALA was undertaken on behalf of the DoH by Public Concern at Work (PCaW). PCaW met with staff groups on 22/23 March 2017 and a meeting between SMT and Cathy James OBE [Chief Executive, PCaW] took place on 23rd March 2017. Mr Reynolds confirmed a high level report relative to the three organisations will be provided. Specific feedback relating to NIGALA will be available when the review is completed.

19.17.5 **Review of SMT Structures and Functional Areas:** Mr Reynolds confirmed that work is ongoing with BSO to review the SMT Structure/Functional Area.

- 19.17.6 **Recruitment Process:** Mr Reynolds referred to the Corporate Services Manager position noting it is an opportunity to look at the core elements of the role and the job description. He indicated he is currently working with BSO about the job description and recruitment process.
- 19.17.7 **CEO/Management Meetings/Stakeholder Events:** Mr Reynolds referred to the list of CEO, Management and Stakeholder meetings providing oversight of discussions.
- 19.17.8 **Social Work Strategy & Meeting with the DoH:** Mr Reynolds confirmed a further meeting in respect of the Social Work Strategy was held on 29th March 2017 and updated on discussions.
- 19.17.9 **Climate & Culture Survey Audit Report:** Mr Reynolds indicated that the audit report on the re-run *Climate & Culture Survey* has just been received and shared with the Chair; this will now be shared with the Audit Committee. Mr Mitchell reported that while it will come to the Board in due course, it is a positive report and a tribute to the work undertaken by Mr Reynolds and the SMT since his appointment.

20.17 BUSINESS PERFORMANCE REPORT

- 20.17.1 Mr Mitchell referred to the *Business Performance Report* as at February 2017.
- 20.17.2 Mr McAllister confirmed that cases numbers have increased by 12% in total and Care applications specifically have increased by 31% in comparison to the same period last year. The Board discussed the continued rise in case numbers. Ms Fallon advised she was aware of a further 55 children awaiting appointment in pre-proceedings within the Western HSC Trust area.
- 20.17.3 Mr Reynolds indicated that the South Eastern HSC Trust recently finished their contract with Thorndale. In addition Extern who offer support to vulnerable families and children/young people have also recently finished their contract so this will also have changes in terms of service provision. It was agreed that all these changes are likely to have an impact on the number of case applications.
- 20.17.4 The Board indicated that Mr Reynolds should alert the Department of the continued rise in case numbers, NIGALA's statutory responsibility and other factors which will affect NIGALA's caseload and budgetary concerns. Mr Mitchell agreed there are considerable pressures on the system and the Department need to be alerted to same. It was acknowledged that Guardians are dealing positively and constructively with high caseloads.

- 20.17.5 Mr Reynolds highlighted the impact that heavy caseloads have on staff and noted his concern in respect of professional support. Mr Mitchell indicated that we should be considering what practical steps to take in order to assist. Mr Reynolds noted he is keeping a very close eye operationally and has been liaising with DLS in respect of getting alerted at an earlier stage about potential cases coming in.
- 20.17.6 Mr Smyth highlighted that a case should be going forward to the Department now emphasising the need for contingency funding to deal with high case numbers. The Board were in agreement.
- 20.17.7 Mr McAllister confirmed that all KPIs are currently on track for delivery. Mr Mitchell noted this was a huge credit to all concerned given the caseloads being dealt with.

ACTION: Mr Reynolds to alert the Department to the escalating case numbers and the need to have access to contingency funding in order to deal with such spikes.

21.17 FINANCIAL PERFORMANCE REPORT

- 21.17.1 Mr Mitchell referred to the *Financial Budget and Performance Report* detailing expenditure against budget to the end of February 2017 based on the 2016/17 RRL allocation.
- 21.17.2 Mr McAllister confirmed that the Agency is on target to breakeven at 31st March 2017.
- 21.17.3 Mr McAllister indicated that there have been a number of financial difficulties to overcome and referred to an addition £11.5k cost for NIGALA following a decision for all staff on maternity leave to get their entitlement to public holidays backdated. In addition to this BSO Payroll miscalculated the superannuation costs resulting in another £9k cost. Mr McAllister confirmed that these costs have been provided by DoH.
- 21.17.4 Mr McAllister confirmed that all staff have been informed that all mileages and self-employed claims for 2016/17 must be with the Agency by Friday 7th April 2017.
- 21.17.5 Mr McAllister confirmed that the Agency is in line to meet all *Prompt Payment* targets.
- 21.17.6 Mr Mitchell noted his thanks to Mr Reynolds and colleagues for delivering a breakeven position for the Agency in a difficult year.

22.17 ACTION PLAN IN RESPONSE TO IIP AND CULTURE & CLIMATE SURVEY

22.17.1 Mr Mitchell referred to the *Action Plan in Response to IIP and Culture and Climate Survey* evidencing the work undertaken in the six month period since September 2016. He noted that good progress has been made and thanked Mr Reynolds and the SMT for their hard work in this regard.

22.17.2 Mr Mitchell indicated that the outcome of the recent audit report on the Climate and Culture Survey should also be cross referenced and integrated into the Action Plan. He indicated that the Action Plan along with the audit report should be shared with the Department for their information.

ACTION: *Mr Reynolds to cross reference the Action Plan in Response to IIP and the Culture & Climate Survey with the recent Audit Report on the Climate & Culture Survey and share the outcome with the Department.*

23.17 SUPERVISION POLICY

23.17.1 Miss O’Kane spoke to the proposals on future arrangements for Supervision for staff including a proposed sustainable structure.

23.17.2 Miss O’Kane confirmed that the revised supervision arrangements have been devised following a process of staff engagement and consultation. Following the issue of a questionnaire and a number of staff engagement sessions the analysis of the consultation responses were presented at a staff meeting in March 2017.

23.17.3 Miss O’Kane indicated there will be a number of key revisions aligning accountability, staff support/development and governance within the new policy. She noted that there will be an ‘open door’ policy for supervision/support and this will be recorded within GCIS as this was not always captured in the past.

23.17.4 A review of the arrangements for Supervision will take place in September 2017. A review of the appraisal process will also be undertaken by the HR & Communication Officer and this will be available for consideration in June.

23.17.5 Miss O’Kane indicated that Guardians recognise the importance of consistency and that the implementation of the policy has been assisted by the Professional Development Groups and the Children’s Participation Work Group. She referred to the presentation earlier by Ms Farmer noting the importance of appropriate evidence based recording.

- 23.17.6 Miss O’Kane noted another Shared Skills days was held yesterday where increasingly Guardians are recognised the importance of supporting each other and there is a focus on the how reduced timescales and pressures are being experienced by everyone.
- 23.17.7 Miss O’Kane confirmed the Revised Supervision Policy was discussed at the Joint Consultation Committee (JCC) where the Union indicated they were seeking a view from NISCC about their position in terms of the NIGALA Supervision Policy; a response is expected from NISCC next week.
- 23.17.8 The Board approved the *Revised Supervision Policy* subject to the outcome of consultation with NISCC.

24.17 CONSULTATION RESPONSE ON THE ADOPTION AND CHILDREN (NI) BILL

- 24.17.1 Miss O’Kane took the Board through the executive summary of the consultation report confirming the background to the Adoption and Children (NI) Bill and indicating that the Bill was issued for public consultation on 16th January 2017 with responses due by 10th April 2017.
- 24.17.2 Miss O’Kane highlighted the key amendments to the Bill such as Special Guardianship Orders and the HSC Trust’s statutory duty to make a Personal Education Plan for each child, etc. She noted the introduction of the Welfare Checklist which will ensure that the child's needs are paramount.
- 24.17.3 Miss O’Kane confirmed that NIGALA established a working group to facilitate staff engagement and to inform the Agency’s response to the consultation; she indicated it may well be 2021 before the Bill is implemented. Mrs McGaughey confirmed everything from the Agency’s perspective seems to be covered in NIGALA’s response.
- 24.17.4 The Board confirmed they were content with the *NIGALA Consultation Response on the Draft Adoption and Children (NI) Bill*. Miss O’Kane confirmed she will circulate the response to staff for their information and feedback.
- 24.17.5 Mr Watters queried if there was any further progress in respect of ‘*Programme for Government*’. Mr Reynolds confirmed we are involved in a number of tiers of work e.g. Civil & Family Justice Review, Looked After Children, etc. Miss O’Kane noted that NIGALA responded to the Looked After Children consultation, changes to structures, etc. It was agreed that Mr Reynolds should write to the DoH confirming the work that NIGALA is involved in with respect of the Programme for Government and then keep this on the Board agenda for ongoing update.

ACTION: Mr Reynolds to forward a briefing paper to the DoH in respect of ongoing work by NIGALA regarding Programme for Government. The paper is to be circulated to the Board in advance.

25.17 PROGRESS ON BUSINESS PLAN OBJECTIVES 2016/17

- 25.17.1 Mr Mitchell referred to the *Progress on Business Plan Objectives 2016/17* indicating it was a positive document. He highlighted all objectives have been met with the exception of one which has an *amber* RAG rating.
- 25.17.2 The outstanding objective relates to the revision of the NIGALA Training Strategy. It was confirmed the DoH are currently reviewing the Personal Social Services Development and Training Strategy and this is due for consultation in early 2017 with the strategy being available after that. NIGALA will review its own Training Strategy following new departmental revisions and the implementation of the new Strategy in 2017/18.
- 25.17.3 On behalf of the Board, Mr Mitchell noted his thanks for the compliance with the objectives that have been set.

26.17 CORPORATE & BUSINESS PLAN 2017/21 AND COMMUNICATION PLAN

Corporate & Business Plan 2017/21

- 26.17.1 Mr Mitchell referred to the *Corporate & Business Plan 2017/21 and supporting Communication Plan* and Mr McAllister took the Board through the Corporate & Business Plan 2017/21 which had been discussed at an engagement session with Board members and staff. He indicated the Plan was circulated to staff members and the Department for their feedback/comment.
- 26.17.2 Mr McAllister indicated that he received feedback from the Department yesterday in respect of the *Corporate & Business Plan 2017/21* and took the Board through the minor amendments made suggested by them.
- 26.17.3 Mr Mitchell welcomed the improved process of stakeholder engagement in the development of the corporate plan.
- 26.17.4 The Board noted they were content with all amendments and had no further comment. The *Corporate & Business Plan 2017/21* was approved.

Communication Plan

- 26.17.5 Mr McAllister referred to the Communication Plan which supports the delivery of the corporate plan. Part 1 of the plan outlines the overarching strategy regarding communication. Part 2 is a 'live' communication plan setting out the communication projects associated with the objectives from the Corporate & Business Plan 2017-2021.
- 26.17.6 Mr Mitchell indicated he would like to see included in the plan the various engagements involved in the planning process and how they relate to continued improvement, and also asked that the Board's role be reflected. Mr McAllister to update the Communication Plan to reflect the suggestions made.

ACTION: Mr McAllister to update the Communication Plan

27.17 COMMITTEES OF THE BOARD SINCE LAST MEETING

- 27.17.1 **Audit Committee:** Mr Watters confirmed that a meeting of the Audit Committee took place on 1st March 2017. He referred the Board to the written update paper provided summarising the business discussed.

Mr Watters updated the Board on a number of areas specifically the role of the NI Audit Office and Cyber Security. Mr McAllister indicated that a project team for the HSC has now been established to deal with Cyber Security and the first meeting scheduled within the coming weeks.

Mr Watters confirmed the internal audit plan had been amended and a programme of work on quality assurance had been transferred to 2017/18. He confirmed that Grant Thornton Associated will be completing the external audit of NIGALA.

- 27.17.2 **Social Care Governance Committee (SCG):** Mr Reynolds confirmed that a meeting of the Social Care Governance Committee took place on 23rd March 2017 and referred the Board to the detailed update paper provided summarising the business discussed.

Mr Reynolds confirmed a centralised action plan has been integrated into Datix allowing all actions to be easily reviewed and updated. He confirmed the SCG Committee has reviewed the Supervision Policy. He confirmed a number of meetings in respect of a Youth Forum, Solicitor Panel, stakeholders and PPI have taken place.

28.17 ANY OTHER BUSINESS

28.17.1 There was no other business for discussion.

29.17 CONFIDENTIAL ITEMS

29.17.1 There were no confidential items for discussion.

END TIME: 12.30pm

DATE & TIME OF NEXT MEETING: 6th JULY 2017 @ 9.30am

Mr Bernard Mitchell, Chair NIGALA

ACTION LIST			
Ref	Subject	Action	Progress noted for Board meeting on 6 th July 2017
NEW ACTIONS			
17.17.2	Matters Arising: <i>Information Governance Review</i>	Mr McAllister to speak with BSO again to explore mechanisms for routinely sharing lessons learned with ALBs.	
17.17.3	Matters Arising: <i>Access Requests to Guardian Records on Live Cases</i>	Mr Reynolds to update paper before circulation and discussion with staff.	
18.17.2	Chair & Non-Executive Director's Briefing: <i>NIGALA Board Self-Assessment</i>	Mr McAllister to forward all Board Members a synopsis of the meeting of the NIGALA Board Self-Effectiveness Workshop for agreement.	
20.17	Business Performance Report	Mr Reynolds to alert the Department to the escalating case numbers and the need to have access to contingency funding in order to deal with such spikes.	
22.17	Action Plan in Response to IIP and Culture & Climate Survey	Mr Reynolds to cross reference the <i>Action Plan in Response to IIP and the Culture & Climate Survey with the recent Audit Report on the Climate & Culture Survey and share the outcome with the Department.</i>	
24.17	Consultation Response on the Adoption and Children (NI) Bill	Mr Reynolds to forward a briefing paper to the DoH in respect of ongoing work by NIGALA regarding Programme for Government. The paper is to be circulated to the Board in advance.	

26.17	Corporate & Business Plan 2017/21 and Communication Plan: <i>Communication Plan</i>	Mr McAllister to update the Communication Plan	
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