

**NI GUARDIAN AD LITEM AGENCY
BOARD MEETING – 8th SEPTEMBER 2022**

- Present:** Mrs Gemma Loughran, *Chair*
Ms Dawn Shaw, *CEO*
Mrs Gillian McGaughey, *Non-Executive Director*
Mr Fred Smyth, *Non-Executive Director (joined 9:40am)*
Mr Lee Wilson, *Non-Executive Director*
- In Attendance:** Mr Sean Brown, *Head of Corporate Services*
Ms Patricia O’Kane, *Assistant Director*
Mrs Teresa Fallon, *Assistant Director*
Professor Ray Jones *(Point 53.22)*
Mr Paul Martin, *Chair NISCC (Point 53.22)*
Ms Patricia Higgins, *CEO NISCC (Point 53.22)*
- Apologies:** Ms Veronica Callaghan, *Non-Executive Director*
- Minute Taker:** Mrs Ann Andrew, *Administration Manager*

START TIME: 9.30am

Meeting by zoom

53.22 SERVICE DELIVERY PRESENTATION**Professor Ray Jones**

- 53.22.1 Mrs Loughran welcomed Professor Ray Jones, Emeritus Professor of Social Work at Kingston University and St George’s, University of London to the meeting.
- 53.22.2 Professor Jones is undertaking a review of children’s social care services in Northern Ireland. Mrs Loughran invited Professor Jones to provide his insight into children’s social care and highlight what is working well along with the key issues that need addressed.
- 53.22.3 Professor Jones provided background to the review and detailed the series of workshops and conversations completed to date. He indicated he has plans in the near future to meet with the Minister of Health and Permanent Secretary to start discussing the key issues and planned actions.

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- 53.22.4 Professor Jones noted that the children’s social care system is struggling with large numbers of cases, over 2000 cases unallocated, around 4000 children, and still awaiting assessment. He noted issues with the regard to workflow and workload and highlighted a 34% vacancy level in social work.
- 53.22.5 Professor Jones summarised the concerns around delegated statutory responsibilities delays within the Court processes. Mrs Loughran noted her delight about the emphasis now being given to children’s social care.
- 53.22.6 There was in-depth discussion between the Board and Professor Jones about a number of areas. Professor Jones highlighted the important status that Board Members hold and how their access to senior individuals should be used to inform and seek support.
- 53.22.7 Professor Jones reflected on social work in Northern Ireland and the need for more family support workers, more contact workers and someone to do more practical work with families eg get more administrators to work with social workers and use their skills into a number of tasks. He suggested that he is likely to recommend that Children’s Social Care is delivered in a separate way from the current integrated HSC system, a single entity with a focus on children’s social care.
- 53.22.8 Professor Jones noted that in England the pre-proceedings work and assessments are already undertaken before the court process begins, thus assisting them in reaching disposal target of within 6 months. As a consequence there is less willingness for further reports and experts are organised at beginning of proceedings earlier rather than later.
- 53.22.9 Professor Jones noted that he has met with a range of Judiciary who have been of great assistance and discussed issues about tier systems in Northern Ireland and cases moving between them.
- 53.22.10 Mr Smyth noted the need for a change in culture, organisational leadership etc and stressed requirement for commitment to change from all parties.
- 53.22.11 Professor Jones indicated he will write the review but also highlight the issues which require more immediate implementation. He noted he is pushing on all the issues whilst in Northern Ireland as well are writing them into his report. The focus needs to be on children and young people and families, at present that is too diffuse and too distracted.
- 53.22.12 Professor Jones indicated he would like the views of those present, on whether a meeting that brought together those involved in family courts would be useful to
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facilitate a less formal discussion on issues regarding the courts, and if so, how can this best be co-ordinated? Ms Shaw indicated she would seek views and respond in writing early next week.

53.22.13 Mrs Loughran noted she was very open to continued dialogue. She thanked Professor Jones for his time and shared experience.

Paul Martin & Patricia Higgins, NISCC

53.22.14 Mrs Loughran welcomed Mr Paul Martin (Chair NISCC) and Ms Patricia Higgins (Chief Executive NISCC) to the meeting.

53.22.15 Mr Martin noted the continued good engagements between NIGALA and NISCC and went onto to discuss issues that impact on both organisations. He indicated that NISCC have registered over 43,000 registrants including 6,500 social workers and they continue to work with the Department in facing the workforce challenges of recruitment and retention.

53.22.16 Mr Martin noted the consultation on the Reform of Adult Social Care responses are currently been gathered; most responses were positive to all the suggestions made. He noted that difficult decisions about priorities lie ahead.

53.22.17 He referred to the challenges in family and child care services and discussed with the Board the desperate situation of front line and child protection social work, and the difficulties in recruiting to the sector. A number of teams are working at 50% capacity with many of those who are present in their assessed year employment, so a very young inexperienced workforce dealing with the hard end of social work. Mr Martin noted this was a very difficult position to be in and any redress would have to be quite radical; he stressed the need for social workers to carry out social work and not administrative work.

53.22.18 Ms Higgins agreed there is a need to address the pressures within children's services and to make social work in this area an attractive career route where young social workers are given the support they need.

53.22.19 Mr Wilson referred to digital learning resources held by NISCC and queried if there was any specific training that might relate directly to the role of the Guardian. He also suggested it might be useful to have a Guardian speak at a NISCC lunchtime seminar which would inform attendees about the role and responsibilities of the Guardians, and attract more applications at point of recruitment.

53.22.20 Ms Shaw indicated that the workforce issues are not new. Social workers have continued to carry the risk of unallocated cases and there has been a build-up of

pressures in recent years. Whilst Nursing provides safe staffing guidelines, social work does not. Culture and expectations have changed and there now needs to be greater collaboration around support, supervision and retention of staff.

53.22.21 Mr Martin highlighted the need to desperately represent/redefine leadership in the social work profession with special emphasis on the child and family programme at the moment. He said that there is need to look at what to do now and audit what is happening in each of those teams that keep the leaders away from leading. He suggested now might be the appropriate time to bring social care out of the Department of Health as it needs an emphasis and to stand on its own, similar to Tusla.

53.22.22 Mrs Loughran thanked Mr Martin and Ms Higgins for the opportunity to have such a good discussion and noted she was very keen that NIGALA and NISCC continue to work in co-operation.

54.22 DECLARATION OF INTERESTS

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

54.22.2 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.

54.22.3 It was noted for the Service Delivery Presentation that Professor Jones has been working with the wife of Mr Smyth; this is unlikely to present any conflict but in light of transparency should be noted.

55.22 MINUTE OF LAST MEETING

55.22.1 The minute from the last meeting of the NIGALA Board on 30th June 2022 was approved as an accurate record, proposed by Mr Smyth.

56.22 MATTERS ARISING

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

57.22 CHAIR & NON-EXECUTIVE'S BRIEFING

- 57.22.1 **Non-Executive Directors of NIGALA Board:** Mrs Loughran indicated that details for the vacant NED positions on the NIGALA Board have been circulated and the recruitment process is due to be completed in November 2022. She noted it has been confirmed that new Board appointments can be signed off by the Permanent Secretary.
- 57.22.2 **Hybrid Meetings:** Mrs Loughran noted that she attended a zoom conference in respect of Hybrid meeting; the relating papers have been forwarded to members for information.
- 57.22.3 **Minister of Health Meeting with ALB Chairs:** Mrs Loughran advised that the Minister of Health meetings with the Chairs of ALB's will no longer be taking place.
- 57.22.4 **Meeting with Peter May, Permanent Secretary:** Mrs Loughran confirmed that a meeting of the SLT and NIGALA Board with Mr Peter May, Permanent Secretary has been arranged for 7th October 2022. This will be a face-to-face meeting.

58.22 CHIEF EXECUTIVE'S BRIEFING**Chief Executive's Briefing**

- 58.22.1 Mrs Loughran referred to the *Chief Executive's Briefing* and Ms Shaw spoke to her report and updated on a number of area; she made specific mention to:-
- 58.22.2 **Guardian Services Manager:** Ms Shaw confirmed the Guardian Service Manager recruitment process has now been completed and the two positions have been filled by Ms Breige Savage and Mr Stephen Thompson.
- 58.22.3 **Admin & Corporate Review:** Ms Shaw advised the Admin & Corporate Review is well underway. A final report is due from the HSC Leadership Centre in October.
- 58.22.4 **Workforce:** Ms Shaw highlighted some issues in respect of workforce; there are now a total of 4 vacancies within NIGALA, two Guardians are retiring and the two Guardians moving to the Guardian Service Manager positions will also be vacating their Guardian role. She noted that this would be an opportune time to progress the Band 7 Guardian Ad Litem roles and discussions have already commenced with HR. Ms Shaw confirmed that this new position will not impact on the terms and conditions of existing staff.

Ms Shaw noted that all Job roles will have to be reviewed as part of the name change as the Adoption and Children Act (NI) 2022 is implemented. She noted the Band 7 role will facilitate succession planning and assist us with the unallocated cases. The financial costs would allow for 6 Guardians to be recruited, rather than 4 Guardian positions.

Mrs Loughran indicated that there may be some resentment/resistance with staff to the Band 7 position; staff should be kept informed and have the ability to express their views. Mr Wilson suggested that staff be informed how this will support their banding as a review of the guardian ad litem position would be likely not to lead to a grading at Band 8; it is important staff are aware this is not about devaluing their jobs but rather about supporting it.

Mr Wilson queried if 6 positions rather than 4 positions would affect our agreed headcount with the Department. Mr Brown indicated there will be no change in our current budget and staff costs will be covered. Ms Shaw confirmed that she has spoken with Ms McDaniel about the headcount and she is in agreement that the Agency can be creative about how to deliver within the existing budget. She noted the Band 7 position has also been discussed at 3 union meetings to date. From a management perspective this is a new role will not impact on the grading of existing guardians. She noted that the case grading exercise will also assist in the clarification within the job description.

Mrs McGaughey indicated she was content with the plans. Mr Smyth also noted he was content that this recruitment at Band 7 was for a positive reason and Ms Shaw had clearly mapped out the organisational plan. He noted this ensured there was a good career structure where the existing people are protected.

Mrs Loughran noted that on the understanding that all existing Band 8A Guardians Ad Litem retained their current banding status, and based on the development of a new job description, and in light of the expected changes in the title of guardians and expectations and co-operation with HR, that the Band 7 Guardian ad Litem position is the right way to move. This will allow for the recruitment of more guardians and create a promotion structure within the Agency.

Mrs Loughran noted that Ms Shaw is free to advise the Union and Guardians of this discussion and the view and support of the NIGALA Board.

58.22.5 **Partnership Agreement:** Ms Shaw confirmed that she and Mrs Loughran attended a workshop on the new partnership agreement. Work is being led by the Department. Documentation from the workshop has been shared for information.

Consolidated Action Plan

58.22.6 Mrs Loughran referred to the *Consolidated Action Plan* and Ms Shaw spoke to her report indicated that the action plan has been revised and simplified to include what has been achieved as well as what is still being worked on.

59.22 FINANCE REPORT

59.22.1 Mrs Loughran referred to the *Finance Report*. Mr Brown spoke to the report which was for the period up to 30th June 2022.

59.22.2 Mr Brown reported that on 4th August the BSO informed its clients that one of the sub-contractors for its finance system was subject to a cyber-attack. He noted this meant that NIGALA could not pay invoices or make orders. The system is now operational again.

59.22.3 Mr Brown referred to the highlighted points in the NIGALA Spending Detail and made the Board aware of how short we are in terms of budget and the additional costs incurred due to the delay in moving to James house. He noted these additional costs related to an extra £57k in rent, £14k in service charges and £20k in rates. Mr Brown noted he has informed DoF and DoH accordingly.

59.22.4 Mr Brown highlighted that no allowance has been given for the increase in cost of living and increased energy costs; he anticipates a shortfall of £15k in this budget area. He indicated that a number of costs have doubled since last year.

59.22.5 Mr Brown confirmed that he has forecasted an overspend of approximately £169k. This is assuming that any change to staff costs (eg pay rise) will be paid by DoH.

59.22.6 Mr Brown referred to staff travel and indicated he was hopeful that the continued use of technology will assist in reducing travel costs, which may still be high.

59.22.7 Mr Brown advised on an accounting piece indicating that the budget will appear to have reduced in the next quarter; this relates to IFRS16, the payment of leases. He indicated there will be no impact on the actual funding of the Agency and the adjustment will be corrected with a non cash award at a later point.

59.22.8 Mr Smyth queried at what point would the Agency seek a forecast to end of year? Mr Brown indicated he has already asked for additional monies and meetings across the Departments usually take place in September. It will be October before the Agency is aware if there is any money available.

59.22.9 The *Finance Report* was approved, proposed by Mrs McGaughey.

60.22 OPERATIONS REPORT

60.22.1 Mrs Loughran referred to the *Operations Report* and Ms Fallon spoke to same which provides a summary of operational performance for Quarter 1 (1April22 – 30June22).

60.22.2 Ms Fallon indicated that the two Guardian Services Manager roles have been filled which provides 2 vacant Guardian posts. In addition two Guardians are retiring in the coming weeks, so a number of cases are being transferred and these individuals are working on closing and updating their caseload with no new cases being allocated.

60.22.3 Ms Fallon noted that Allocation Managers continue to have an overview of allocation and review throughput, cases allocated and cases closed in year, which are supported by conversations with Guardians.

60.22.4 Ms Fallon noted that as at today the average caseload is currently 17, with the while time equivalent (wte) caseload ranging from 12 cases (18 children) – 24 (40 children) cases. Mrs Loughran queried what action was being taken to ensure equity of caseloads throughout the Guardian group.

60.22.5 Ms Fallon noted that management are undertaking a case grading exercise which will be looking specifically at the spread of the guardian caseloads. Mrs Loughran noted it would be helpful to have this information for the next Board meeting. She indicated she was concerned about equity of caseload and the welfare of staff and stressed it was important for the Board to have all the available information and have clarity on the problems that exist. Ms Fallon confirmed that a stratified sample has been completed; the HSC Leadership Centre are assisting with this exercise and looking across the caseloads, the duration, hours of interventions, reports, delay, etc. She noted that all the information will be collated and then a meeting with Ms Jocelyn Harpur will take place. A large group of guardians will also be included in discussions.

60.22.6 Ms Shaw indicated that this anonymised data has yet to be shared with staff directly but all information and learning will be shared as guardians are interested in knowing this information. Mrs Loughran noted she wished the Board to have the information prior to be being shared wider.

60.22.7 Ms O’Kane indicated that the work around the case grading exercise is not complete as yet. Mrs Loughran noted this and requested that managers do their

best to get more qualitative information about cases being held by each guardian, and the view of the leadership team, about the equitable distribution between guardians.

60.22.8 Mr Smyth referred to cases which have been prioritised as ‘high’ and asked they be reported on, detailing for how long they remained on the cases awaiting allocation list. Ms Fallon confirmed there are 17 cases at the moment which have been prioritised as ‘high’. Mr Smyth indicated that the Board seeks assurance that cases prioritised as ‘high’ are being allocated within appropriate timescales.

ACTION: Qualitative report to come to the next Board meeting detailing information about cases being held by each guardian, and the view of the SLT, about the equitable distribution of cases between guardians.

ACTION: Qualitative report to come to the next Board meeting to include details of cases prioritised as ‘high’ and how long they remained unallocated.

61.22 NATIONAL FRAUD INITIATIVE REPORT 2022

61.22.1 Mrs Loughran referred to *The National Fraud Initiative: Northern Ireland*. Mr Brown noted this document was published by the NI Audit Office on 19 July 2022; the report details the headlines for 2020-22 along with the NFI outcomes and audit overview for this period. The document is for information purposes.

62.22 QUALITY REPORT 2021-22

62.22.1 Mrs Loughran referred to the *Quality Report 2021-22*. Mrs Shaw noted that the Quality Report provides an overview of the work undertaken over the year and follows templated themes as specified by DoH.

62.22.2 Mrs Loughran queried the correlation between new cases/live cases/closed cases. Following discussion it was agreed that the data/infographics would be reviewed.

62.22.3 The Board approved the Quality Report 2021-22

62.22.4 Mrs Loughran referred how the Agency represents children and young people but the new title will be *Children’s Court Guardian*; Ms Shaw indicated that it is not possible to change the new Agency title and Guardian title due to new legislation. It was agreed that going forward the Agency would always refer to those the organisation represents as ‘children and young people’.

63.22 UK COVID-19 INQUIRY

- 63.22.1 Mrs Loughran referred to *The UK Covid-19 Inquiry* and Ms Shaw provided a detailed briefing paper outlining the context of the Inquiry, Northern Ireland arrangements, implications for NIGALA and the recommendations.
- 63.22.2 Ms Shaw noted she sits on the UK Covid-19 Inquiry - ALB Stakeholder Group and will ensure NIGALA is represented. She noted she would keep the Board updated.

64.22 NIGALA CELEBRATING 25 YEARS

- 64.22.1 Mrs Loughran referred to the article on *NIGALA Celebrating 25 years*. She confirmed this is to be published in the Agenda NI issue for September 2022 and was an excellent article which detailed the journey of NIGALA.
- 64.22.1 Mr Wilson noted a minor amendment which will be updated with the publisher.

65.22 DISABILITY CHAMPIONS NETWORK

- 65.22.1 Mrs Loughran referred to the paper on *Disability Champions Network* and Mr Brown spoke to same noting that The Disability Champions Network was established to further embed equality of opportunity across the HSC Regional Organisations by working together to champion disability issues. He indicated the Network is chaired by Mr Andy Dougal from the PHA, who has put out a request for Non-Executive Directors to join the group.
- 65.22.2 Mr Brown noted that Mr Lee Wilson, Non-Executive Director has expressed an interest in joining the group. The Board noted their approval.

66.22 BOARD COMMITTEE MEETINGS SINCE LAST MEETING OF THE BOARD

- 66.22.1 There were no Board Committee meetings since the Board last meeting of the Board.

67.22 DEPARTMENTAL/OTHER CORRESPONDENCE

- 67.22.1 Mrs Loughran referred to correspondence shared for information purposes:-

Children’s Social Care Services NI – An Independent Review – Newsletter:

- 67.22.2 Mrs Loughran referred to the *Children’s Social Care Services NI – An Independent Review – Newsletter* which provides an update on the progress of the work of the Independent Review of Children’s Social Care Services (the Review).

HSC(F) 26-2022 – The Payment of Remuneration of Chairs and Non-Executive Members Determination (NI) 2022

- 67.22.3 Mrs Loughran referred the Board to the circular *HSC(F) 26-2022 – The Payment of Remuneration of Chairs and Non-Executive Members Determination (NI) 2022*, shared for information purposes.

68.22 ANY OTHER BUSINESS

- 68.22.1 There was no other business for discussion.

69.22 CONFIDENTIAL ITEMS

- 69.22.1 The Board met in confidential session.

Mrs Loughran thanked Mrs Andrew for the preparation of the excellent minutes and all other staff involved in preparing outstandingly helpful reports for the meeting.

END TIME: 11.30am

DATE OF NEXT BOARD MEETING: 8th September 2022 @ 9.30am

Chair of the Board

ACTION LIST

Ref	Action	By Whom	Progress Noted for Meeting
60.22 Operations Report	<p>Qualitative report to come to the next Board meeting detailing information about cases being held by each guardian, and the view of the SLT, about the equitable distribution of cases between guardians.</p> <p>Qualitative report to come to the next Board meeting to include details of cases prioritised as ‘high’ and how long they remained unallocated.</p>	<p>Ms O’Kane Ms Fallon</p> <p>Ms O’Kane Ms Fallon</p>	