

**NI GUARDIAN AD LITEM AGENCY  
BOARD MEETING – 23<sup>rd</sup> FEBRUARY 2023**

**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:** Mr Sean Brown, Head of Corporate Services  
Ms Patricia O’Kane, Assistant Director  
Ms Teresa Fallon, Assistant Director  
Ms Fiona McAlinden, Guardian Ad Litem (Item 1.23)

**Minute Taker:** Mrs Ann Andrew, Business Support Manager

**START TIME: 9.30am**

**Mr Douglas:** Mrs Loughran welcomed Mr Douglas to the Board as newly appointed Non-Executive Director. She referred to his rich background in child and family care services and noted the Board was very much looking forward to working with him.

**Ms Shaw:** Mrs Loughran noted it was her privilege to congratulate Ms Shaw on her recent OBE award.

**Mrs Andrew:** Mrs Loughran noted Mrs Andrew has recently joined the Senior Leadership Team and indicated her pleasure at this appointment.

**1.23 SERVICE PRESENTATION**

- 1.23.1 Mrs Loughran welcomed Ms Fiona McAlinden, Guardian ad Litem to the meeting. Ms McAlinden attended a Review Workshop on Children’s Services with Professor Jones where young people with care experience provided feedback on their involvement.
- 1.23.2 Ms McAlinden provided an overview of the conversations throughout the day and the feedback provided by the young people. The need for continuity in social worker was highlighted. It is recognised there is a high turnover of social work staff due to the pressures of caseloads and lack of support. Social Work is an aging population with not many going into the profession and especially not into the area of family and child care. There needs to be work done to make the profession more appealing and for recruitment and retention.

- 1.23.3 Ms McAlinden noted young people referred to the delay in the court process and lack of support. They also noted the success of fostering but stressed the need for continuity of care. She referred to Children's Homes and the mix of units and the need for more trained staff was highlighted. She noted Professor Jones was not critical about residential but that there needed to be more focused units to make it more effective.
- 1.23.5 Ms McAlinden emphasised that the overall message from the day was that people want to help, they care about the young people involved and want to effect change. Practitioners do their best but there are not always the resources and time to do this.
- 1.23.6 Mrs Loughran thanked Ms McAlinden for her fascinating feedback which is an important reminder about the challenges being faced.
- 1.23.7 Mr Wilson queried the impact of delay from the Courts. Ms McAlinden noted delay has been phenomenal. There is delay throughout the process with it even being difficult to get dates agreed to meet. Delay impacts on the voice of child and their human rights. There is huge delay in assessments, the appointment of an Independent Social worker adds no value and compromises the role of gal. There is no continuity of staff and frequently the guardian is the only person who knows case as they would be reappointed if the case returns. Ms McAlinden stressed delay is impacting on a Life time decision being made for the child. This in turn could also affect adoption breakdowns.
- 1.23.8 Mr Douglas noted the that workforce planning is at the core. There is a need for relevant social work experience, skills and retention. If an experienced social worker is involved in the case there is likely to be no need for an independent social worker and less need for experts. He noted it will likely be a number of years before there are adequate numbers of experience family and child care social workers who have manageable caseloads and sufficient support.
- 1.23.9 Mrs Loughran emphasised at the heart of the process at every stage should be the child. Professor Jones is due to deliver his report in June 2023.

## **2.23 DECLARATION OF INTEREST**

- 2.23.1 Mrs Loughran provided an opportunity for the Board members to identify any conflict of interest in respect of today's agenda; Mr Wilson noted a personal connection in respect of the agenda item 'Independent Neurology Inquiry'.

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**3.23 MINUTE OF LAST MEETING**

- 3.23.1 The minute from the last meeting on 15<sup>th</sup> December 2022 was approved as an accurate record, proposed by Ms Callaghan.

**4.23 MATTERS ARISING**

- 4.23.1 Mrs Loughran referred to the Actions from the last meeting and the Board noted the progress on each. She referred to one matter arising: -

- *99.22 SCG Assurance Report:* Mr Brown indicated at the last meeting there was discussion about the SCG Committee minutes and whether they should be shared. He agreed to make enquiries about what other HSC organisations did in respect of sharing minutes.

Mr Brown referred to his report and detailed how minutes were shared by a range of HSC bodies. He confirmed that NIGALA was consistent with what others were doing.

Ms Callaghan indicated the title of the paper was not accurate and should be changed. She noted it was useful to see what other organisations shared but she was of the opinion that there was no reason why SCG minutes could not be shared with staff and would have liked that to have been included in the paper. She noted that circulation is significant and recommended they be saved on an internal system which staff can access. Staff would then need to be advised about who to speak with to discuss anything contained within the minute. She noted this would be a reminder about style of minute taking and general practice. Ms Callaghan indicated she sought clarity on how everything is shared within the Agency.

Mrs Loughran agreed a communications practice paper should be prepared for the next meeting setting out in practice what is circulated and how circulated. Mr Wilson referred to the FOI publication scheme which should be followed.

Mr Douglas reiterated this would be a document showing a pathway about what is shared and how it should be circulated. Any specific issues should come to Line Managers for feeding back to the SLT.

**ACTION: Mr Brown to prepare a Communications Practice Paper for the next meeting. It should include what we do and how we shared documents, taking into account information governance together with proposals for the way forward in our practice.**

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**5.23 CHAIR & NON-EXECUTIVE'S BRIEFING**

5.23.1 Mrs Loughran provided an update on a number of areas: -

- **Non-Executive Director Vacancy:** Mrs Loughran referred to the end of Mrs McGaughey's role of the Board. She noted she had been appalled by the circumstances, as she had not been advised that Ms McGaughey's role would not be continued until a replacement for her position was found, however, Public Appointments Unit had separately informed Mrs McGaughey that her role had ended, without consultation with Mrs Loughran. No farewell or thanks was therefore offered to Mrs McGaughey at the last Board meeting.

Mrs Loughran noted she had raised issue with the Department about this and they had indicated there was a misunderstanding between themselves and Public Appointments Unit. Mrs Loughran noted that Mrs McGaughey and Mr Smyth would both be invited to James House when the Agency moved.

Mrs Loughran indicated that no legal appointment to the Board could be made and the position will be advertised again in the autumn. She indicated that she and Ms Shaw would be meeting with representatives from the Bar Council and the Law Society to discuss legal membership of the board and examine what can be done to meet any challenges.

- **Board Meeting Venue:** Mrs Loughran indicated that she would wish to hold the next meeting of the Board in L/Derry. This would allow for the Board to visit the Spencer House Office and meet staff prior to the meeting.
- **Appointment of Mr Douglas, Non-Executive Director:** Mrs Loughran welcomed Mr Douglas to the Board. It was agreed that as part of induction, meetings would be organised with Mr Douglas to meet the guardians and administration and corporate team.

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**6.23 CHIEF EXECUTIVE'S BRIEFING**

6.23.1 Mrs Loughran referred to the *Chief Executive Briefing – Update Report* and Ms Shaw spoke to same. She made additional updates in a number of areas:

- **Administration and Corporate Review:** Ms Shaw indicated the Administration and Corporate Review report had not been shared with staff to date. This will be circulated after the move to James House. She indicated it is like that job descriptions will need a refresh and HR will be

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assisting with this. It is likely that supervisory responsibility will be shared with other staff members. The data analyst role is also likely to be filled internally.

Ms Shaw confirmed that Mrs Andrew will be joining SLT going forward.

- **Workforce:** Ms Shaw noted the Band 7 Guardian Job Description has been approved by the Agenda for Change evaluation and scrutiny process. A two-week consultation with staff has yet to happen as the process has been impacted by the ongoing Industrial Action. Ms Shaw advised the process to refresh the current 8A Job Description has commenced, this needs to be completed in advance of the name change.
- **Finance:** Ms Shaw advised that she and Mr Brown met with Brigitte Worth from DoH. It was confirmed that the overall financial situation was extremely challenging and that all organisations were having to model savings in line with the 3% and 5% scenario request. The allocation for next year will hopefully be confirmed by end of April. She acknowledged that NIGALA had not received growth monies at a time when needed and noted her interest in the planned transformation work.
- **Rebranding:** Ms Shaw noted that two companies, Page Setup Design and Green17, will be involved in the development of new website and the Agency rebranding and logo. It is planned to have this in place as soon as possible; prototypes will be shared when available.

Ms Shaw confirmed that HR have been informed and they will relay confirmation of the Agency name change to pensions and payroll. Finance and Audit have already been informed as this may affect the annual accounts.

### Covid Inquiry

- 6.23.2 Ms Shaw referred to the NIGALA response to the *Covid Inquiry* which was circulated for information purposes only.

### Consolidated Action Plan

- 6.23.3 Ms Shaw referred to the *Consolidated Action Plan* which has been updated to reflect all progress to date. Ms Callaghan noted it was useful to see this action plan.

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**7.23 FINANCE REPORT**

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**Finance Report**

- 7.23.1 Mrs Loughran referred to the *Finance Report* which provided an overview of financial management as at 31<sup>st</sup> December 2022. Mr Brown spoke to same and indicated the report was for noting by the Board.
- 7.23.2 Mr Brown noted that savings have been made within the travel budget due to Covid but it is unlikely these will be maintained in the future.
- 7.23.3 Mr Brown noted that Dilapidation costs from the move to James House were initially set at approximately £60k. He indicated it is likely that this figure will have increased considerably. He indicated the DoH would have to meet the costs.

**Finance Options 2023-24**

- 7.23.4 Mrs Loughran referred to the paper on *Finance Options 2023-24*. Mr Brown spoke to the paper which relates to the coming year and details three scenarios for savings, no efficiency savings, 3% efficiency savings and 5% efficiency savings.
- 7.23.5 Mr Brown noted that if the Agency was not asked to make any savings we would still need to save £57k. All HSC organisations are also looking at the same scenarios. The Permanent Secretary at his recent visit with NIGALA SLT and Board members indicated that there would be no exceptions in respect of efficiency savings. The Board discussed repurposing of finance.
- 7.23.6 Mr Brown stressed the need to manage the budget closely as from 1<sup>st</sup> April. He noted the impact on our risk assessment of finance would move to 'red'.
- 7.23.7 Ms Callaghan also referred to the impact on future recruitment (Band 7 Guardian) which will also be affected by industrial action.

**Delegated Scheme of Authority**

- 7.23.8 Mr Brown referred to Ms Shaw's limit of authority of £100k. He confirmed this had to be raised to £150k in order to approve a 3 year maintenance contract recently. He noted this would drop back to the original authority of £100k. The Board approved this.

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**8.23 OPERATIONS REPORT – Q3**


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- 8.23.1 Mrs Loughran referred to the *Operations Report – Quarter 3 (1<sup>st</sup> October – 31<sup>st</sup> December 2022)* and Ms O’Kane spoke to same.
- 8.23.2 Ms O’Kane indicated there are currently 679 live cases involving 1175 children. In the last quarter there have been 190 new case requests involving 306 children. She highlighted that 38% of these cases were deemed as a return case. Ms O’Kane noted that the Allocation Manager will focus on ensuring the continuity of the guardian in return cases, where possible.
- 8.23.3 Ms O’Kane indicated the average wte caseload stands at 15.31. She noted that allocation has been impacted by a number of staff being off on long-term sick leave in addition to others with individual personal circumstances. This has meant a number a number of cases have had to be transferred, which can be challenging for guardians.
- 8.23.4 Ms O’Kane indicated, as at today, there are 77 unallocated cases involving 139 children. 33 of these cases have been triaged in the ‘red’ category. She confirmed that a solicitor will always be appointed to attend the directions hearing. Ms O’Kane provided explanation to Mr Douglas on the allocation process.
- 8.23.5 Ms O’Kane referred to the breakdown of cases and which Trust area they have originated from. She noted there is ongoing engagement with all the Trusts, especially in respect of the ongoing Delay Pilot work.
- 8.23.6 Ms O’Kane noted that the quarterly report is circulated to Guardians for information. The report also details anonymised data which looks at the caseload of the staff group over a period of time. She noted managers are now mindful of throughput of cases and those cases in excess of a year duration. She noted that the delay pilot will give substantive information across the system and look at the themes.
- 8.23.7 Mrs Loughran noted there should be further drill down in to the caseloads to look at why cases are running for over a year. Ms O’Kane indicated if cases are on No Order there is no determination of threshold at the outset of proceedings and perhaps they might be more appropriately managed under child and family support and suggested maybe some merit in not coming through the court proceedings. She noted the use of voluntarily accommodation and indicated that the Trust are currently undertaking work in this area.
- 8.23.8 Mr Douglas indicated that the partnership with the Trusts would seem to be key and noted the difference across the different Trust areas around the use



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of voluntary accommodation. He suggested that pre-proceedings need to be tightened up and managed by a senior manager.

8.23.9 Ms Shaw indicated that cases in respect of a recent CMR and Homicide Review were both running on No Order. She indicated learning will have to go back into the system around that and the risk management of it.

8.23.10 Ms O’Kane referred to recruitment of two Band 8A position and confirmed there have been 42 applications received.

## **9.23 CASE GRADING REPORT**

9.23.1 Mrs Loughran referred to the *Case Grading Report* and Ms Fallon spoke to same. She provided background to the purposes of the case grading exercise and the history of allocation in the Agency. Ms Fallon detailed the engagement sessions and the action plan from the Case Grading Working Group alongside the aims of the group and the work completed to date.

9.23.2 Ms Fallon reiterated the need for a different model for case allocation which was more transparent. The group has highlighted that case numbers alone do not give an accurate representation of Guardian activity required in a case and complexity and the different stages in a case must be considered. Ms Fallon noted that a stratified sample was completed and it was identified that GCIS was not used consistently by all Guardians.

9.23.3 Ms Fallon noted that a quality improvement initiative to improve the consistent use of GCIS has been rolled out to all Guardians. Training has initially taken place in person and a guidance document has been prepared. Follow up meetings to answer questions and ensure Guardians have a full understanding of the system are taking place. It is hoped this will be completed by the end of March.

9.23.4 Mrs Loughran noted that the importance of the quality of the work of the guardians is core. Ms Callaghan indicated this work tied into the recent recording audit. She emphasised the need for accountability by those who do not engage with the system. The Board agreed that the message of accountability has to be shared.

9.23.5 Ms Shaw noted her thanks to Ms Fallon for the amount of work completed to date on the exercise. It has changed the way in which we work and has had an impact on culture. She noted this was an excellent report summarising the work underneath. Ms Shaw noted that with name change and work that comes



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from around that, the new legislation and regulations, our requirement for employees to be monitored fits well within that journey.

- 9.23.6 Mr Wilson asked for clarity between cases discharged, closed, and running over a year. He acknowledged that work is demand led but queried if the Trusts could make any intervention initially. Ms O’Kane referred to pre-proceedings and indicated further information may come from the delay pilot findings. Ms Fallon noted that style of working also affects cases closed and discharged and there are staff working with special circumstances. This relates to governance & accountability.
- 9.23.7 Mr Douglas referred to the range of complicated factors in cases and indicated it was excellent to have all this information available. The child’s needs are priority regarding case allocation and ongoing involvement. He noted it would be useful to have a Trust Principal Practitioner attend a Board meeting to give their perspective about factors that cause case delay and progress. He highlighted that there is shared responsibility and accountability of all staff for allocation and progress of cases.
- 9.23.8 Ms O’Kane indicated that the management team need to appreciate that some staff members have been in NIGALA for many years and so would not have had the same exposure to what the Trusts are now facing.
- 9.23.9 Mrs Loughran congratulated Ms Fallon and agreed this was crucial information for the Board to have, as well as for all staff. It is necessary to co-operate in having standards that are fair and equitable.
- 9.23.10 Ms Callaghan queried when the Delay Pilot Report would be available. Ms O’Kane indicated it would be July at the earliest before the overview report, which relates across the 5 Trusts, will be available. Mrs Loughran indicated she would be keen to have a small seminar in James House in the Autumn time to disseminate the report to stakeholders.

## **10.23 INDEPENDENT NEUROLOGY INQUIRY**

- 10.23.1 Mrs Loughran referred to the *Independent Neurology Inquiry* and Ms Shaw spoke to her briefing paper providing a summary of the Independent Neurology Review Report and highlighting relevant findings, conclusions and learning which may of interest to NIGALA. Ms Shaw indicated she had selected the key themes of reading which are specific for NIGALA.
- 10.23.2 Ms Shaw referred to the detailed action plan which shows devolved responsibility within the Agency. Actions relate to the areas of Corporate and Social Care Governance. She noted the Agency complaints policy needs to

reflect learning so that it can be improved. Ms Callaghan indicated that an annual complaints reports would come to the SCG Committee. She agreed that there should be a learning discussion in respect of same.

- 10.23.3 Ms Shaw referred to Independent Social Workers and confirmed that NISCC have no plans to change how they currently are categorised on the Register.

## **11.23 LETTER OF ANNUAL ASSURANCE**

- 11.23.1 Mrs Loughran referred to the *BSO Letter of Annual Assurance 2021-22*. Mr Brown confirmed this was for information purposes; the Board noted same.

## **12.23 RISK REGISTER**

- 12.23.1 Mrs Loughran referred to the *Risk Register* which reflects this year's plan.
- 12.23.2 Mr Brown indicated there were 4 identified risks in respect of Covid-19 and it has been suggested these be removed from the Register. Ms Callaghan confirmed discussions have taken place and these will be reviewed further at the Audit & Risk Committee.
- 12.23.3 The Board noted the Risk Register.

## **13.23 BOARD COMMITTEE MEETINGS SINCE LAST MEETING OF THE BOARD**

### **Remuneration Committee**

- 13.23.1 Mrs Loughran advised that a meeting of the *Remuneration Committee* took place on 23<sup>rd</sup> January 2023.

## **14.23 DEPARTMENTAL / OTHER CORRESPONDENCE**

### **DoH Progress of Development of Partnership Agreements**

- 14.23.1 Mrs Loughran referred to correspondence from DoH in respect of *Progress of Development of Partnership Agreements*. Mr Brown advised that Sponsor Branch are working on an initial draft which is should be ready for review by the end of April 2023.

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**15.23 ANY OTHER BUSINESS**

- 15.23.1 **5 Year Strategic Plan:** Mr Brown indicated that the *5 Year Strategic Plan* would be written under the new Agency names. It has been agreed that the Agency will be given until the end of June 2023 to carry out consultation and present new strategy.

**16.23 CONFIDENTIAL SECTION**

- 16.23.1 The Board met in confidential session.

Mrs Loughran thanked all members of the Senior Leadership team for their work in preparing excellent papers for the meeting.

**END TIME: 12noon**

**DATE OF NEXT BOARD MEETING: 25<sup>TH</sup> APRIL 2023 @ 10.30am**

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**Chair of the Board**

**ACTION LIST**

Ref	Action	By Whom	Progress Noted for Meeting
<b>4.23 Matters Arising: Sharing of documents</b>	<i>Mr Brown to prepare a Communications Practice Paper for the next meeting. It should include what we do and how we shared documents, taking into account information governance together with proposals for the way forward in our practice.</i>	Mr Brown	