

**CHILDREN'S COURT GUARDIAN AGENCY FOR NORTHERN IRELAND
BOARD MEETING – 25th APRIL 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
Mr Tom Cassidy, Executive Director of Women & Children's Services
and Executive Director of Social Work, Western HSC Trust (*Item 17.23*)
- Minute Taker:** Mrs Ann Andrew, Business Support Manager

START TIME: 10:55am

17.23 SERVICE PRESENTATION

- 17.23.1 Mrs Loughran welcomed Mr Tom Cassidy, Executive Director of Women & Children's Services and Executive Director of Social Work from the Western HSC Trust to the meeting.
- 17.23.2 Mr Cassidy confirmed that Family & Childcare social workers are working in a very pressured environment due to demand, complexity and staffing levels. He noted that staff retention, particularly in family and childcare, also impacts on the timeliness of work. Demand has meant that staff may have to relocate to other areas, which will also impact on work.
- 17.23.3 Mr Cassidy noted that the Western HSC Trust is the least impacted by vacancies, 25% at present, but other HSC Trusts are a lot higher. This has impacted hugely on the delivery of services; he noted this information has been relayed to the Family Court Justice Board and he believes that the judiciary understand the pressures across the system. He referred to the financial crisis being faced with the impending budget cuts and noted his concern about the catastrophic impact this will have on services, which will not be able to recover.
- 17.23.4 Mr Douglas referred to strengthening partnerships between the Trusts and the Agency. Mr Cassidy indicated that the Assistant Directors liaise with the Principal Practitioners. He indicated he has not been made aware of any negative issues about our Agency. Ms O'Kane referred to the work of the Delay Pilot which is looking at delay across the 5 Trusts and the Principal

Practitioners in each are looking at the information collectively in a qualitative manner. She referred to the use of voluntary accommodation and indicated the hope of regional guidance about when it will be used.

- 17.23.5 Mrs Loughran referred to the duration of cases over 400 days and there was discussion about delay and pre-proceedings plans. Mr Cassidy referred to the plethora of expert opinions requested in cases, which impacts seriously on delay in the courts. Mrs Loughran reiterated that Social Workers should believe in what they do and the value of the social work they do, their expertise and confidence in their work should aim to reduce the number of experts used in a case.
- 17.23.6 Mrs Loughran queried if there was anything the Agency could do to improve relationships? Mr Cassidy agreed that partnership work is important, it is not an us and them, it is about working together to get the best result for the child.
- 17.23.7 Ms O'Kane queried how Signs of Safety (SoS) were being embedded and fully implemented across the system? Mr Cassidy indicated that the Western Trust were quite progressed (along with the Southern Trust). He indicated that staff try to implement SoS, it is felt there is unnecessary bureaucracy in the recording process and this could be reviewed regionally. He referred to the changes in UNOCINI which is being looked at now following the work of Encompass.
- 17.23.8 Mr Cassidy indicated he was aware of a number of workstreams which will be set up in light of the review by Professor Ray Jones. He referred to the need to look at family and child social workers, work-life balance, safe staffing, financial resources. There was discussion about dual registration and the difficulties encountered in the jurisdiction/border areas.
- 17.23.9 Ms Callaghan noted that inspirationally there is hope that down the line from the review that the social work profession will be strengthened, especially in children's services.

18.23 DECLARATION OF INTEREST

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

19.23 MINUTE OF LAST MEETING

- 19.23.1 The minute from the last meeting of the Board on 23rd February 2023 was reviewed. Mr Douglas suggested some minor rewording and this was agreed.

The minute was approved subject to the suggested amendments, proposed by Mr Douglas.

20.23 MATTERS ARISING

20.23.1 Mrs Loughran referred to the Actions from the last meeting. There was one matter arising and Mr Brown spoke to his paper in respect of same: -

- **4.23 Matters Arising: Sharing of documents:** Mr Brown noted the Agency was consistent with how other organisations work. He indicated that the Audit and Risk Committee and Social Care Governance Committee both produce Committee reports to the Board and he suggested these be shared with staff for information. The Board agreed to the recommendations proposed by Mr Brown.

21.23 CHAIR & NON-EXECUTIVE'S BRIEFING

21.23.1 **Lee Wilson, Non-Executive Member:** Mrs Loughran noted she was happy to report that Mr Wilson has been confirmed for another term of office as Non-Executive Member of the Board.

21.23.2 **Vacant Non-Executive Member Position:** Mrs Loughran noted that the Department intend to launch a competition to fill the vacant legal non-executive member of Board in the autumn. She indicated that she and Ms Shaw met with representatives from the Department, Bar Council and Law Society to discuss the requirements of the position. A draft personal specification for the position has been drawn up for comment by them. Mrs Loughran noted that consideration is also being given to doing a podcast to encourage interest to the vacant position. She confirmed the that Department and Public Appointments Unit were responsive to any points made.

21.23.3 **Financial Resources:** Mrs Loughran indicated she attended a recent meeting of the Chairs of the ALBs with Brigitte Worth, Finance Director at the Department of Health. She reinforced the difficult financial position facing Northern Ireland and noted a £840million deficit in the budget.

21.23.4 **Senior Executive Pay Review:** Mrs Loughran referred to the Senior Executive pay review and indicated that Mr Hugh McPoland is leading a group to look at this, as established by the Department of Health. Mr McPoland is examining the comparisons with executive pay in other jurisdictions. The difficulty in recruitment at senior levels was noted. The ALBs have been asked to put forward two nominations as membership of the group.

22.23 CHIEF EXECUTIVE'S BRIEFING

Chief Executive Briefing – Update Report

22.23.1 Mrs Loughran referred to the *Chief Executive Briefing – Update Report* and Ms Shaw spoke to same. In addition to her report she updated in the following areas: -

- **Financial Situation:** Ms Shaw indicated that the budget for 2023-24 has yet to be confirmed. The Agency provided indicative savings and their impact as previously requested.
- **James House:** Ms Shaw indicated that the move to James House office has gone well although there have not been many Guardians in attendance to date although this could reflect Easter holiday arrangements. An informal coffee morning has been arranged for Thursday 27th April will all staff being invited to attend and get familiarised with the new office.
- **Workforce:** Ms Shaw noted that the vacancies will be discussed further in the Operations Report. She indicated that one Guardian has also been successful in undertaking a secondment to DoH to support adoption work. She indicated this will be a challenge as to how this is covered by the Agency given it is a temporary contract for 1 year.
- **Industrial Action:** Industrial action is ongoing.
- **Children's Services Review:** Ms Shaw indicated the Deputy Permanent Secretary has established a Children's Service Strategic Reform Programme Board. She indicated that she will represent the Agency on the Board.
- **QUB/UUJ/ CPANI Mentoring Scheme:** Ms Shaw indicated that the Agency is participating in the afore mentioned mentoring scheme. Gillian Kelly has met with Ms Shaw and plans to join a forthcoming Board meeting as an observer.

Consolidated Action Plan

22.23.2 Ms Shaw referred to the *Consolidated Action Plan* which has been updated to reflect all progress to date. She proposed this would be the final consolidated action plan; those actions marked as 'amber' will become the actions that will move to the new Business Plan and this will be monitored at the Board on a regular basis. The Board agreed that the consolidated action plan was no longer needed and any continued actions should be incorporated into the Business Plan 2023-24.

23.23 FINANCE REPORT**Finance Report**

- 23.23.1 Mrs Loughran referred to the *Finance Report* which provided an overview of financial management as at 31st March 2023. Mr Brown spoke to the report which shows the spend over the year.
- 23.23.2 Mr Brown indicated the report showed a surplus of £7k; this has since reduced to £4k. He noted that the Agency has managed to breakeven for the 2022-23 year, but only because of operational issues which meant delayed recruitment.
- 23.23.3 Mr Brown confirmed that there have been no addition costs in respect of dilapidation costs. The amount stands at £61k and is covered by accruals.
- 23.23.4 Mr Brown noted that financial management has been difficult throughout the year. There has been no increase in allocation in real terms to help address the recent increase in "cost of living". Inflation at the writing of this report is running at 10.1%. Mr Wilson commended Mr Brown for his management in what has been a period of uncertainty.
- 23.23.5 Mr Wilson proposed the *Finance Report* for approval and the Board approved same.

24.23 OPERATIONS REPORT – Q4

- 24.23.1 Mrs Loughran referred to the *Operations Report – Quarter 4 (1st January 2023 – 31st March 2023)* and Ms O'Kane spoke to same providing an overview of activity, cases and staffing.
- 24.23.2 Ms O'Kane indicated that at the recent interviews, 2 people were appointed to the Children's Court Guardian role (Band 8A). A third was added to the waiting list and will now be appointed following a resignation. In addition, one individual is leaving to undertake a secondment role for a year. The self-employed panel will be reduced by a further 2 in the near future. Two guardians who have returned from long term sick leave were now returned but are on a protected caseload to facilitate phased return.
- 24.23.3 Mrs Loughran queried when the new guardians would start; this was confirmed as being July at the earliest. It was noted that the staffing position of available guardians has worsened.
- 24.23.4 Ms O'Kane referred to a 5-year comparison table demonstrating the upward trend and a range of systemic factors which impact on workload and throughput of work, in addition to vacancies and sickness, etc.

- 24.23.5 Ms O'Kane noted that the Operational Leadership Team (OLT) have revisited and reviewed the unallocated cases. As at today there are total of 93 unallocated cases with 146 children; this figure is fluid but similar figures have been reflected in the past weeks. Ms O'Kane noted an overview of all unallocated cases was carried out and she referred to this in the Operations Report. She stressed that cases are continually reviewed and the more urgent cases escalated. Constantly reviewing cases has been extremely difficult and anxiety provoking. Ongoing industrial action has impacted on the availability to allocate, in addition to sickness and the need to transfer cases. Ms Shaw noted that the amount of pressure that Guardian Services Managers hold in respect of the unallocated cannot be minimised.
- 24.23.6 Ms Shaw indicated that extremely good evidence of the longer term process and the fact that we do not have enough core budget or staffing levels to manage the work, has been identified. The financial situation is very challenging as the Agency has been advised not to recruit until we have our budget confirmed. Ms Shaw noted the excellent work of Ms O'Kane and Mrs Fallon in interrogating the information available. She indicated that without the Guardian Services Managers undertaking their role that the Assistant Directors could not progress with the ongoing improvement work. Ms Loughran noted she was pleased at the quality of the evidence detailed but asked what might be the way forward.
- 24.23.7 Ms O'Kane referred to the recent recruitment and indicated that if there had been a number of vacancies to fill, we could not have filled those roles. The interviewees would have been ideal for the Band 7 Guardian role but did not have enough on the ground experience to undertake the role of the Guardian Band 8A.
- 24.23.8 Mrs Loughran referred to the budget and queried what work could be taken forward if we had even a small increase in budget. Mr Brown stressed that the Agency's budget is insufficient even prior to cuts being applied. Ms Callaghan referred to the political vacuum of Northern Ireland and stressed the need to manage the situation for another few months in the hope that our improvement plan would be looked at favourably.
- 24.23.9 Mrs Loughran noted the need for this to be reflected on the Risk Register.
- 24.23.10 Ms O'Kane indicated that the Assistant Directors have offered additional hours to staff and everything that can be done to manage the situation. She indicated that statistical data will be shared at the forthcoming Family Judiciary meeting in May.

ACTION: Mr Brown to ensure the Resource risks are included on the Risk Register.

- 24.23.11 Ms Shaw noted she firmly believes that the Band 7 posts will progress in time. Although consultation on the role cannot be taken forward due to industrial action, she indicated she plans to discuss them at the staff meetings and agree to share the process for information purposes, alongside the reviewed Band 8A job description.
- 24.23.12 Mr Wilson suggested the Board could revisit the decision taken to not progress the Band7 as the consultation process had not been completed. Ms Shaw noted she did not want a lack of harmony in industrial relations and noted the Unions were aware of the workload and staffing pressures.
- 24.23.13 Mr Douglas noted he agreed with what had been said by everyone. He noted that the decision was made about consultation with staff some months ago; demand has continued to increase and unallocated cases have increased, as have vacancies. He suggested that if Ms Shaw discusses this at the staff meetings then it could be considered whether staff are open to see the proposal and it could then be shared with them.
- 24.23.14 Mrs Loughran noted she was reluctant to commit to dialogue with staff about the Band 7 positions but while industrial action is continuing. She suggested that staff could be advised that the Board is very conscious of the pressures on all guardians and would like to have those pressures addressed. If there were no industrial action there would have been discussions with staff about the Band 7 proposal but this cannot be progressed at present. The Board were content with this approach.
- 24.23.15 Ms Callaghan indicated that the competition of the Band7 Guardian role is a delineation between the Band8A Guardian role and maps out a clear career progression. Ms Shaw agreed and noted it is also in keeping with the wider HSC Workforce Strategy.
- 24.23.16 Ms Shaw noted it was important that the Board are appraised and aware of the situation and can appreciate the work ongoing.

25.23 BUSINESS PLAN 2022-23 - END OF YEAR PROGRESS

- 25.23.1 Mrs Loughran referred to the *Business Plan 2022-23 End of Year Progress* and Mr Brown confirmed that progress has been RAG rated for each business plan objectives for the year 2022-23.

26.23 BUSINESS PLAN 2023-24

- 26.23.1 Mrs Loughran referred to the *Business Plan 2023-24*; Ms Shaw confirmed the proposed plan has been agreed with the Department of Health.

27.23 5 YEAR STRATEGIC PLAN 2023-28

- 27.23.1 Mrs Loughran referred to the 5-year Strategic Plan 2023-28. Ms Shaw spoke to her paper which incorporates all of the comments made from Board members.
- 27.23.2 Ms Shaw referred to the 2 suggested alternative vision statements. The Board unanimously agreed with the second statement. Mr Wilson indicated that the first suggestion was not a vision but more a statement of purpose. He suggested it could use the first one for that and the second one for the vision. Mr Douglas indicated that the vision is always an aspiration; he provided another amended vision for consideration. Ms Shaw is to consider the proposed amendments for reflection in the Strategic Plan.
- 27.32.3 After discussion, the Board agreed the Strategic Plan subject to the suggested changes.

28.23 RISK REGISTER

- 28.23.1 Mrs Loughran referred to the *Risk Register* and Mr Brown spoke to same indicating that this is the new format which will be scrutinised by the Audit & Risk Committee at their meetings.
- 28.23.2 Mr Brown highlighted the risk around IT services and explained there is ongoing work to transfer data to new servers which have reached end of life. He noted the system is fully backed up but still poses a risk. This has been picked up by Internal Audit. He noted the other risk revolves around the need for new laptops to be rolled out. Work has started in James House with this moving to the Armagh and Derry offices after that.
- 28.23.3 Mr Brown referred to the risks in respect of unallocated cases. Mrs Loughran asked this be reviewed to reflect insufficient guardian capacity to meet current and anticipated demand. This will impact heavily on children and young people.
- 28.23.4 Mr Wilson indicated this is the first time the Risk Register has been available in the new format. Mr Wilson indicated he and Mr Brown would meet to look at the scores associated with the risks. He highlighted it would be useful to have a workshop on risk, perhaps in the autumn. Mrs Loughran indicated that would be useful and should be arranged when the new legal member is appointed. Mr Brown indicated this would be useful as the Board self-assessment could also be completed at the workshop.

ACTION: Mr Brown and Mr Wilson to meet and discuss scores for the risks on the Risk Register.

- 28.23.5 Ms Shaw referred to the limited assurance report from Internal Audit in respect of IT Services. Ms Shaw noted that she will discuss this with BSO IT at a meeting to follow later in the week. She confirmed that this is a high risk for the Agency and we need to ensure all appropriate backups and updates are completed. Ms Shaw noted it is the Agency's responsibility to keep data controlled and up to date.
- 28.23.6 There was intense discussion about the limited assurance report and background to the situation was provided by Mr Brown. He detailed the actions taken to date and ongoing discussions with BSO and Fluent. Mrs Loughran noted her concern about this and indicated that a detailed report on this aspect should go to the Audit & Risk Committee; she requested that Mr Wilson ensure this is considered appropriately at the Committee meeting. Mr Wilson agreed and noted that the Agency must also look at the assurances that come from BSO IT. Mr Brown noted that as in all SLA's the Agency is always accountable even though BSO are carrying out the work.
- 28.23.7 Ms Shaw referred to the forthcoming meeting with BSO who will be demonstrating the work they could undertake for us. It may be a way forward to seek to build a new system with BSO ITS as the developers for the future.

ACTION: Mr Wilson to consider the limited assurance Internal Audit report on IT Services at the Audit & Risk Committee.

29.23 ANNUAL REPORT 2022-23 - DRAFT

- 29.23.1 Mrs Loughran referred to the *Annual Report 2022-23*. Ms Shaw confirmed this was in draft form and would be emailed to Board Members by the end of the week with a request for comments to be returned by Friday 5th May. This will allow for progress within the required timeframe.

30.23 REBRANDING

- 30.23.1 Mrs Loughran referred to the *Rebranding* of the Agency and Ms Shaw spoke to her paper. She noted this was not just about creating a logo but creating a branding architecture which the Agency would use going forward.
- 30.23.2 Mrs Loughran queried when the email format would change to reflect the new name. Mr Brown confirmed that the work entailed in doing this, along with the

changes required for HR, Finance, Procurement, etc would cost in the region of £26k.

- 30.23.3 Ms Shaw explained the work undertaken to date on the rebranding and confirmed that children and young people have been consulted and their comments have been taken on board. Ms Shaw indicated that the work to date will be shared with staff at the planned staff meetings.
- 30.23.4 Ms Shaw shared the examples of the rebranding to date. Mr Douglas agreed with the young people that photography is good to include. He suggested diversity included; Ms Shaw indicated these are limited mock-up documents and suggestions at the moment and that diversity will be included in the rebranding of the documents and website. She noted that stock photographs will be used as they are more modern and preferred by the children and young people.
- 30.23.5 Mr Wilson indicated he liked the colours used. He suggested consideration be given to including images as part of the logo itself. Ms Shaw indicated this may not be possible at this point but they would form part of the website depiction. Mrs Loughran asked that effort be made in some way to look at how this might happen, without additional cost, if possible.
- 30.23.6 The Board were pleased at the progression made to date and the suggestions made.

31.23 BOARD COMMITTEE MEETINGS SINCE LAST MEETING OF THE BOARD

- 31.23.1 Mrs Loughran noted there were two Board Committee meetings since the last meeting of the Board.
- 31.23.2 **Audit & Risk Committee:** A meeting of the *Audit & Risk Committee* took place on 9th March 2023. The Assurance report reflects the business discussed at the meeting. Mr Wilson indicated that the Governance Plan came to the meeting and it may be useful to share for information as it details the governance structures in place; Mr Brown will circulate same for information.
- ACTION: Mr Brown to circulate Governance Plan to members of the Board for information.**
- 31.23.3 Mr Wilson referred to the Information Governance Committee and discussions about its establishment. He advised that no other organisation has a Board-led Information Governance Committee; assurances will come to the Board in the form of an assurance report. The Committee should be a management committee with risks and audits managed by Senior Managers.

ACTION: Mr Wilson to review the standing of the Information Governance Committee in conjunction with the limited audit assurance report and report back to the Board.

- 31.23.3 **Social Care Governance Committee:** A meeting of the SCG Committee took place on 23rd March 2023. The Assurance report reflects the business discussed at the meeting.

32.23 DEPARTMENTAL / OTHER CORRESPONDENCE

- 32.23.1 Mrs Loughran referred to a number of items of correspondence which have been shared for information purposes: -
- **HSC Annual Report & Accounts Timetable 2023:** The timetable for ALB Annual Accounts 2022-23 was shared for information.
 - **NIAO Planning Fraud Risks:** NIAO issued a guide in respect of Planning Fraud Risks, shared for information.
 - **DoH Senior Executive Pay Award 2021-2022:** The Senior Executive Pay Award 2021/2022 circular [HSC (SE) 2/2023] was shared for information.
- 32.23.2 The Board noted the above correspondence.

33.23 ANY OTHER BUSINESS

- 33.23.1 There was no other business for discussion.

34.23 CONFIDENTIAL SECTION

- 34.23.1 The Board met in confidential session.

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

END TIME: 1.30PM

DATE OF NEXT BOARD MEETING: 22nd JUNE 2023 @ 12.30pm

Chair of the Board

ACTION LIST

Ref	Action	By Whom	Progress Noted for Meeting
24.23 Operations Report – Q4	Mr Brown to ensure the Resource risks are included on the Risk Register.	Mr Brown	
28.23 Risk Register	Mr Brown and Mr Wilson to meet and discuss scores for the risks on the Risk Register. Mr Wilson to consider the limited assurance Internal Audit report on IT Services at the Audit & Risk Committee.	Mr Brown & Mr Wilson Mr Wilson	
31.32 Board Committee Meetings since last meeting of the Board	Mr Brown to circulate Governance Plan to members of the Board for information. Mr Wilson to review the standing of the Information Governance Committee in conjunction with the limited audit assurance report and report back to the Board.	Mr Brown Mr Wilson	