

MINUTES

Board Meeting

Tuesday 16 February 2021 at 9.30am

Attendees: Paul Andrews (Chair)
Tom Burgess
Nuala McAuley
Allen McCartney
Mandy McKay
Stephen Martin (EAJD)
Lesley Chambers (items 10.01 – 10.04)
Carolyn McDermott (items 10.05 – 10.06)

Secretariat: Joan McShane

LSA/21/08 Apologies & Declaration of Conflicts of Interest

- 08.01. Apologies were noted from Louise Blair. The meeting was conducted on-site with Tom Burgess, Lesley Chambers and Carolyn McDermott attending via remote access.
- 08.02. No conflicts, other than those previously declared, were noted.
- 08.03. NEM Update. Allen McCartney updated that the courts he was involved with were running as normally as possible in the current climate.

LSA/21/09 Governance

- 09.01. The minutes of the January 2021 Board were approved.

- 09.02. Progress Against Action Points – The updates on the action points were noted and agreed. The Board were updated that LSA/A/122 - cyber security had been discussed at the IROC meeting on 11 February. IT Assist had given assurances at the presentation that systems were in place to protect the NICS. The key issue was to ensure that all relevant assurances were received by Agency's. It was reported that the Board's concerns had been raised at the IROC meeting. It was agreed that the action point would remain outstanding until a report was available through IROC. Tom Burgess reported that cyber security had been discussed at the FSNI Audit Committee meeting and provided an update on their position.

LSA/A/122 Assurances on cyber security measures sought through IROC

LSA/21/10 Shared Service Reporting – NICS HR

- 10.01. Lesley Chambers joined the meeting at 9.45am. The HR Reports were noted by the Board. The Board were updated that regular meetings had been reinstated between HR and LSA management on vacancy management. An update was given on the Operating Model report under development that would assist with vacancy management. There was a lengthy discussion on the problems in obtaining up to date information as well as the differences between resourcing information held by the Agency and that held by NICS HR. The Board were updated that work was ongoing and taken forward by the Resourcing Team. The problems associated with supply gaps at the Executive Officer grades were discussed. It was noted that the Agency had invested time and effort in reviewing data, producing an Operating model and it was agreed that a baseline was urgency required.
- 10.02. The Board were updated on the recent external recruitment exercises, including the number of successful applicants at AO grade who had declined job offers in NICS (13%) and elective transfers that had been

declined because of the inability in certain posts to work from home or because candidates didn't want any office presence.

- 10.03. An update was provided on working from home and alternative working patterns under consideration in NICS. The problems and business demands in the Agency of not having staff on site were discussed, including training and quality control and it was agreed that a mix of office and home working would be the longer term model for the Agency.
- 10.04. An update was given on absence management and Occupational Health Services. The adverse effect on staff and impacts on performance because of long term absence and inability to fill vacancies were noted. Recent meetings with the HR Employee Relations team were discussed and these had generated better reports and updates. Absence due to stress related illness was discussed and it was agreed that figures would be included with comparisons against the NICS as a whole in future updates.

LSA/A/145 The NICS report to include the stress related to work figures in future reports.
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Lesley Chambers signed off from the meeting at 10.15am

- 10.05. The FSD report was noted by the Board. The 2020 – 21 resource expenditure overspend to the end of January of £396k was noted with a break even towards the last two months of the year. It was reported that the fund and staffing costs were on budget and the extra line requested had been included in the report. The Department of Justice had allocated the draft 2021 – 2022 budget at £82.579m and the Agency had provided a summary of the impact of the budget allocation. It was reported that Internal Audit would complete reviews of the forecast and provision methodologies towards the end of February. Discussion took place in relation to the spend and how it was profiled within the report.
- 10.06. It was noted that the SMT were meeting internal audit that afternoon at which the forecast methodology and assumptions for the period 2021 – 22

would be discussed. The amount of work that had been carried out in the background on Provisions and auto closure was noted.

Carolyn McDermott signed out of the meeting at 10.40am.

LSA/21/11 Agency Reports

- 11.01. The Board noted the content of the Operations Report. It was noted that the applications and payment requests had increased which was reflective of the COVID impact on court disposals. Increased resource had been assigned to specific work areas and KPI's were on a 7 week turnaround. The work ongoing with Standards Assurance Unit (SAU) to address common errors was noted.
- 11.02. The Board were updated on training and it was noted that a workshop was scheduled on Financial Eligibility, with attendance from Counter Fraud and Debt, and interdependencies between agencies. Engagement had taken place with HMRC on the release of information on self-assessment in terms of income tax and tax credits. Legal advice had been obtained on how the Agency could secure legal powers to access the data. Workshops with the Law Society arranged for 4 March 2021. Business focused training was planned for staff in counter fraud and debt which would ultimately provide reassurance that the Agency had a multi-disciplined and skilled workforce.
- 11.03. An update was provided by Stephen Martin on the Registration Scheme and a short discussion took place on the importance of ensuring that the profession understood the distinct differences between the scheme and fraud and error work. It was noted that a Fraud and Error Action Plan had been developed to reduce fraud and error within the Agency. The plan was a living document, linked to BCS and Audit recommendations and would be updated regularly with monthly reports provided to the Board.
- 11.04. It was noted that the budget spend was on target for the remainder of the financial year. The Board congratulated staff and management on their

achievement in managing to increase outputs to a significant level so that the target for year-end was on track.

- 11.05. The Board noted the Corporate Services Report. An update was given on the new Agency Workers contract which would allow the Agency to fill temporary posts if required. The annual registration of practitioners is scheduled for June and reminders would issue in the next few weeks.
- 11.06. It was noted a meeting had taken place with FSD and the Audit Office to discuss the Provisions and Interim Payment Scheme in advance of the Audit & Risk Committee meeting scheduled in March. The Board noted that Brian O'Neill was the new NIAO Manager and that he hoped to take forward a Report to those Charged with Governance for the interim accounts. The NIAO confirmed the information required for the interim accounts had been made available and assurances had been given that the lessons learnt would be taken on board for the 2020-21 audit.
- 11.07. An update was provided on the end of the lease in the Waterfront Plaza, it was noted that James House had been under consideration but was no longer a viable option. The Estates team were investigating alternative accommodation.
- 11.08. The Board noted the work ongoing in the development of QLIK Reports, which included significant work in replicating the production of the current KPI's in QLIK. A number of Workshops were scheduled at the end of the month to cover development work in March and May. It was reported that IAU had received a data extract from SAU to produce additional official error estimates, the SMT had discussed the request and it had been agreed this was not feasible due to insufficient case numbers completed and instead the outcome would be reserved for the year-end report due in April.
- 11.09. It was reported that work was continuing on the NI Direct contract to refine and review the scripts used by the Customer Service Representatives in the Contact Centre including a new script in relation to the file closure work.

- 11.10. An update was provided on the LAMS supplier contract.
- 11.11. It was reported that the resource for Counter Fraud Unit was under review and a business case in development for the additional staff with early discussions with the DoJ Economists. The Agency were in discussions with the Registration Scheme Project Group and had provided input to the Initiation document.
- 11.12. A progress update was provided on the file closure project.
- 11.13. The LASG paper was noted. A short discussion took place on the Debt Recovery Improvement Plan and the types of reporting information available through QLIK. It was agreed that the timelines for the schedule of work would be discussed and agreed separately by the SMT. LAMS Benefits Realisation paper was noted.
- 11.14. The Board noted the Enabling Access to Justice Update – February 2021. An update was provided that work had been reprioritised in light of significant emerging issues. Updates were provided on the Magistrates Court Rules Statutory Review and a short discussion took place on the progress of the Statutory Registration Scheme which included the engagement with the Law Society and Bar Council.

LSA/21/12 Updates and Questions on Reports

- 12.01. There were no updates and Q&A were covered throughout meeting.

LSA/21/13 Governance and Corporate Risk

- 13.01. The FOI/DPA monitoring report was noted as part of the Corporate Services Highlight Report. A short discussion took place in relation to one of the FOI's that was pending a High Court decision.
- 13.02. It was noted that there had been one minor Security Incident recorded in January.
- 13.03. It was noted that there had been two AQW's that the Agency had provided input for other departments since the last meeting.

13.04. The Corporate Risk Register was noted and discussed by the Board. It was agreed that Risk 4, would be reworded Resources to Deal with Service Delivery and Reform and would be reflected in the register with a higher risk value to reflect reputational damage, if service delivery were impacted by lack of resource. The Board were updated that work would commence on migrating the current risks across to the new Register for 2021 – 22 and that the content would reflect that discussed and agreed at the Board Planning day. Risk 7 Stakeholder Engagement was discussed in detail and the impact on the Agency's credibility and relationships with stakeholders if there were staffing under resource was discussed but the current risk retained.

LSA/21/14 AOB

14.01. Board discussed Values & Behaviours and no concerns were noted.

14.02. A short discussion took place in relation to the March ARC meeting. The Board were updated that the nine month accounts had been submitted on Friday 12 February 2021. The Audit Office were reviewing the Provisions methodology. A meeting was scheduled with internal audit and the audit reviews were scheduled to commence the week commencing 22 February 2021. It was agreed that once the recommendations had been signed off the document would be re-circulated to the Committee. It was noted that a paper in relation to Fraud & Error would be presented to the ARC on the basis of the recommendation from the Report to Those Charged with Governance and a quarterly update would be provided thereafter.

LSA/A/146 A paper on Fraud and Error Report to be provided to the Committee at the March ARC.

Meeting ended at 12.20pm

Next Meeting: Tuesday 16 March 2021 at 9.30am