

## MINUTES

### Board Meeting

Tuesday 19 January at 9.30am

- Attendees:** Paul Andrews (Chair)
- Tom Burgess
- Nuala McAuley
- Allen McCartney
- Mandy McKay
- Stephen Martin (EAJD)
- Lesley Chambers (items 03.01. - 03.02.)
- Carolyn McDermott (items 03.03. - 03.04.)
- Louise Blair (FSD Observer)
- Secretariat:** Joan McShane

#### **LSA/21/01 Apologies & Declaration of Conflicts of Interest**

- 01.01. No apologies were noted. The meeting was conducted on-site with Tom Burgess, Lesley Chambers, Louise Blair and Carolyn McDermott attending via remote access. The Chair welcomed Louise Blair to her first meeting of the Board.
- 01.02. No conflicts, other than those previously declared, were noted.
- 01.03. NEM Update. Discussion took place on the impact of Coronavirus on the legal system including recent reports from England and Wales.

## **LSA/21/02 Governance**

- 02.01. The minutes of the December 2020 Board were approved.
- 02.02. Progress Against Action Points – The updates on the action points were noted and agreed.
- 02.03 The Board were briefed on discussions with the HR team in advance of the meeting. This highlighted concerns about supply at a range of grades and management of long term absences. The Board raised concern about the significant impact on access to justice and the Agency’s credibility, if its ability to deliver on commitments was impacted by resourcing constraints.

## **LSA/21/03 Shared Service Reporting – NICS HR**

- 03.01. Lesley Chambers joined the meeting at 10.00am. The HR Reports were noted by the Board. The Board were updated that the majority of staff were on target to use annual leave before the end of January 2021. A short discussion took place on the role of the Employee Relations team and Occupational Health Services (OHS) in managing attendance. It was agreed that an update would be obtained from OHS on their current services and progress to date which would be escalated to Deborah Brown.

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| LSA/A/138 Lesley Chambers to obtain an update from OHS on progress which would be reported back to the Chair for escalation to Deborah Brown. |
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- 03.02. Vacancy management was discussed and it was reported that weekly updates were provided to the Permanent Secretary Group on the progress of recruitment. The Board were updated that the assessment centres had stopped operating during current restrictions and that the recruitment for DP Legal posts had been paused. The problems filling posts at Executive Officer grade was noted as was the inability of LSA to

release staff who express interest in transferring to other posts, due to business needs. Some merit lists have issued for DP and SO recruitment competitions. Work was ongoing on the placement of AO appointments with 300 offers having issued. A brief discussion took place on the new Agency Workers contract. It was reported that recruitment proposals were in development and it was hoped that an update would be available by 22 January 2021. It was agreed that the LSA Capacity model would be shared with NICS HR.

LSA/A/139 The Agency Capacity model to be shared with NICS HR.

Lesley Chambers signed off from the meeting at 10.25am

- 03.03. The FSD report was noted by the Board. The 2020 – 21 resource expenditure overspend to end December 2020 of £463k was noted with a break even position forecast for year end. It was reported that the Departmental Strategic Resource Committee met on 14 December 2020 and approved an additional £655k which resulted in a revised resource budget of £80.312m and capital budget of £308k. The next SRC meeting was scheduled for 27 January 2021 with work ongoing on workforce planning and the budget for 21/ 22.
- 03.04. The Board thanked FSD for the content and style of their report. It was agreed that a variance analysis would be included in reports from February 2021 onwards.

LSA/A/140 FSD Monthly report to include a variance analysis

Carolyn McDermott signed out of the meeting at 10.45am.

#### **LSA/21/04 Agency Reports**

- 04.01. The Board noted the content of the Operations Report. The continued efforts to reduce the level of official error were discussed in detail

including lessons learnt from the period of 100% checking. The work ongoing with Standards Assurance Unit (SAU) to address common errors was noted. The Board welcomed the engagement with the profession through the Operational Forums which was a good way of gaining support and positive dialogue.

- 04.02. It was noted that the KPI's were well within target in all areas and assurance was given that additional funds would be spent within the financial year. The low volume of interim payments in Exceptionality was noted.
- 04.03. The Board noted the Corporate Services Report. An update was given on the legal challenge to the Agency Workers contract and it was noted that the existing contract was extended until the end of March 2021 when it was hoped there would be a resolution. It was noted that Richard Logan would provide an update on the Annual Report at the next ARC scheduled in March. It was further noted that the interim audit was on target to take place in February. An update was given on the end of the lease for the Waterfront Plaza and it was noted that there was one option for relocation under consideration which would be discussed by the SMT at their next meeting.
- 04.04. The Board were updated that there were 45 development days remaining to be used by the end of June on the Qlik Sense reports. The last tranche to be dedicated to Fraud & Error starting in April 2021.
- 04.05. The Terms of Reference for the Change Forum for the development of LAMS with the profession had been drafted. The first meeting of the Change Forum was scheduled to take place in February 2021 subject to clarification. A discussion took place regarding the ability to deliver system changes.
- 04.06. Work was continuing under the Debt Recovery Improvement Plan with a view to formulating new policy and procedures in relation to specific debt recovery/ statutory charge issues. FSD assistance had been requested in progressing some aspects and a workshop organised for later in the

month. A paper would be presented to the Board for the February meeting.

- 04.07. It was noted that the new head of Counter Fraud Unit had joined the agency on 4 January 2021. A Counter Fraud Action Plan had been drafted in response to successive reports issued by the Northern Ireland Audit Office and the Public Accounts Committee for consideration by the SMT. A business case was in development for additional staff with specific skills in Counter Fraud and Change Management
- 04.08. Discussion took place in relation to the file closure project and the progress to date.

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| LSA/A/141 Debt paper to be presented at the next Board meeting in February. |
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- 04.09. The Board noted the Enabling Access to Justice Update – January 2021. Updates were provided work priorities, work involved Expert Witnesses and interaction with staff in LSA and the Magistrate Court Review.

#### **LSA/21/05 Updates and Questions on Reports**

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

#### **LSA/21/06 Governance and Corporate Risk**

- 06.01. The FOI/DPA monitoring report was noted as part of the Corporate Services Highlight Report.
- 06.02. It was noted that there had been no Security Incidents recorded in December.
- 06.03. It was noted that there had been six AQW's received since the last meeting.

- 06.04. The amendments to the Corporate Risk Register were noted and agreed. It was suggested that a link between business realisation and Gateway be considered in more detail. It was agreed that Risk 4, Resources to Deal with Transformation and Deliver Reform would be considered as a check point at February 2021.

LSA/A/142 Corporate Risk 4 to be tabled at the February meeting.

**LSA/21/07      AOB**

- 07.01. Board discussed Values & Behaviours and no concerns were noted.
- 07.02. A short discussion took place in relation to the Consultation on Publication of Annual Payment to Suppliers of Legal Aid. It was noted that it would be the Minister's decision as to the format of publication following consideration of the consultation responses.
- 07.03. The Business Planning day was agreed as 1 February 2021 and papers to issue in advance.
- 07.04. An update was given on the changes in personnel in external Audit team. Discussions took place in relation to the timing of the next ARC meeting and it was agreed that the February meeting would be moved to March.
- 07.05. It was noted that the LASG meeting was scheduled to take place on 8 February and agreed that the paper on the Error Action Plan would be circulated to the Board for the February meeting.
- 07.06. It was noted that there was work required in preparation for the Justice Committee appearance that was scheduled 11 March 2021.
- 07.07. It was noted that the sound quality in the technology was unsatisfactory for those accessing the meeting remotely.

LSA/A/143 Error Action Plan to be circulated with the Board for the February Board meeting.

LSA/A/144 The date for the ARC meeting in March to be agreed.

**Meeting ended at 12.40pm**

**Next Meeting:** Tuesday 16 February 2021 at 9.30am