

Minutes of the Northern Ireland Practice and Education Council Meeting, held on
Wednesday, 13th March 2024 at 2.00 pm in NIPEC's Meeting Room, 4th Floor,
James House, 2-4 Cromac Avenue, Belfast BT7 2JA

Present: Kieran McCormick (Chair)
Linda Kelly, Chief Executive
Janine Stockdale
Brenda Kelly
Eilidh McGregor
Siobhán Caslin
Nirmala Bhogal
Katrín Lehmann
Ciara Scannell (Via Teams)
Karen Diamond (Via Teams)
Sharon McRoberts (Via Teams)

In attendance: Marie Mallon, HSC Leadership Centre Consultant (Via Teams)
Tim Johnston, Office of the Chief Nursing Officer/Sponsor Branch (Via Teams)
Sara Haller, Boardroom Apprentice (Via Teams)
Geraldine McKendry, Senior Professional Officer (Via Teams)
Jill Jackson, Head of Corporate Services

Apologies: Emma McIlveen
Gary Mitchell

Secretariat: Jill Jackson, Head of Corporate Services

1.0 WELCOME AND APOLOGIES

The Chair welcomed members to the meeting and noted apologies had been sent from Gary Mitchell.

2.0 CHAIR'S BUSINESS

2.1 Welcome members of the Public

Chair noted that no members of the public were present.

2.2 Marie Mallon: Boardroom Leadership Programme

Mr McCormick welcomed Mrs Mallon to the meeting and thanked her for attending to discuss the above programme. He requested that members introduce themselves before asking Mrs Mallon to provide some information on the programme and her role in it.

Mrs Mallon introduced herself and remarked on the positive synergy she had noticed amongst the Council members in the room. She provided some background on her career which had included holding the post of Director of Human Resources / Deputy Chief Executive of the Belfast Trust, she had been Chair of both the Labour Relations Agency and the Public Sector's Chairs' Forum, along with membership of a number of Departmental Boards and the Board of the NI Audit Office. Mrs Mallon explained that the new Boardroom Leadership Programme would offer members the opportunity to reflect on their leadership roles and responsibilities in the face of the turmoil and challenges currently being faced by HSC. Part 1 of the programme was being offered to all non-executives (c. 1000) across the HSC and Mrs Mallon noted that there was excellent representation from NIPEC at this stage.

Mrs Mallon then outlined the rationale behind Part 2 of the programme which would give NIPEC's non-executives a day to consider their effectiveness as a Council and how this could be enhanced. Themes for the day would include Council's Governance obligations as an HSC Board, feedback from individuals as to how it feels to be part of a Board and how the Council operate as a team and team effectiveness.

Mr McCormick asked members if they would endorse this approach and support a bespoke development day for NIPEC Council and this was overwhelmingly agreed. Mr McCormick advised Mrs Mallon that NIPEC would liaise with her to agree a full-day session in the coming months.

ACTION: Ms Jackson to liaise with Mr McCormick/Mrs Mallon and Council members to organise a NIPEC Council Development day and agree an agenda.

2.3 Council Members - Conflicts of Interest

Members did not declare any conflicts of interest in relation to the agenda items to be discussed at today's Council meeting.

2.4 Register of Council Members Activity

The Chair thanked Council members for submitting their quarterly updates to Ms Jackson. He also asked if members were content for this version of the Register to be filed and a new Register for 2024-25 developed.

Council members noted the Register of Council members activity and agreed that a new Register should be started for the 2024-25 financial year.

ACTION: Ms Jackson to commence a new Register of Activity for the July Council meeting.

2.5 Council Effectiveness Internal Audit Report 2023-24

Mr McCormick enquired if all members had been able to review the report which had been circulated by email and members confirmed that they had read the report.

Mr McCormick welcomed the fact that NIPEC had achieved Satisfactory Assurance and that there were no Priority 1s contained within the recommendations. He asked members to note that all of the recommendations had been accepted and that the majority would be taken forward by the Chief Executive and Head of Corporate Services with progress on their implementation being reported to the Audit & Risk Committee at mid-year and yearend 2024-25.

Mr McCormick drew specific attention to Recommendation 4 which stated *“Going forward, NIPEC should ensure that all Council members are considered for the position of Deputy Council Chair.”* Members noted that the Standing Orders would be updated to reflect this finding and presented to July Council for ratification.

ACTION: Ms Jackson to update NIPEC’s Standing Orders in line with audit recommendation 4 and present to July 2024 Council meeting for ratification.

Further discussion ensued around Recommendation 5 which proposed that Council review the results of the Council Effectiveness survey with the aim of further improving effectiveness. It was agreed that this would fit in with the aims of the Council Leadership development day and should be included in the agenda. It would also be used to inform the new 2024-25 Board Development Plan.

ACTION: Chair to ensure that results of the Council Effectiveness survey are included in the agenda of the Council Leadership development day.

2.6 Board Governance Self-Assessment Document and update on Development Plan 2023-24

Chair referenced the first draft of the document which had been circulated with the Council papers and asked Ms Jackson if any proposed amendments had been received. As none were forthcoming, Chair asked members if they were content to approve the document.

Council members approved the Board Governance Self-Assessment 2023-24.

Mr McCormick then enquired whether members were content with the progress update for the Development Plan and the status assigned to each action. He asked if there were any further changes if these could be submitted to Ms Jackson by 29th March. However, members were content to

approve the updated position and to take forward the remaining actions into a new Development Plan for 2024-25. It was agreed that Ms Jackson should prepare a first draft Development Plan for 2024-25 and that this should form part of the discussions at the Council Leadership development day.

ACTION: JJ to draft a Development Plan for 2024-25 and ensure it was included in the agenda for the Council Leadership development day.

2.7 Permanent Secretary's Attendance at NIPEC Council meeting

Mr McCormick asked members to note that a date had been rescheduled for Mr May to attend the Council meeting in July 2024.

2.8 Signed Partnership Agreement

Chair asked members to note that this document, which had been circulated to members, had been signed off in February 2024 by the DoH Permanent Secretary and was now an official document, replacing the previous Management Statement Financial Memorandum. He confirmed that the document would be reviewed by Sponsor Branch every three years and would be tabled at a Council meeting annually.

Council members noted the official version of the Partnership Agreement.

2.9 Update on Chair's Leave of Absence

Mr McCormick informed Council that Ms Scott had a scheduled meeting with Peter May, DoH Permanent Secretary, on 13th March to discuss her return to office. Following that, she would meet with Mr McCormick, Mrs L Kelly and Ms Jackson for a briefing on Council business and that once a final date was agreed for her return, Mr McCormick undertook to email members to confirm.

ACTION: Mr McCormick to email members to confirm a return date for Ms Scott.

3.0 Minutes of Previous Council meeting on 6th December 2023

Chair asked if members had read the minutes and were happy to approve. Ms McRoberts requested an amendment to the note under agenda item 7.5 paragraph 3 where she was referred to as 'Ms Davidson.'

Subject to this amendment being made, Council members approved the minutes from the previous Council meeting on Wednesday 6th December 2023.

4.0 Matters Arising

Ms Jackson asked members if they were content with the categorisation assigned to each of the actions. It was suggested that the action under 2.4 could be Closed also and subject to that change, members noted the progress to date.

5.0 Correspondence

- 5.1 Letter to ALBs: Financial Planning Scenarios – Resource Budget 2024-25
(Previously circulated 17th January 2024 for noting)
 - 5.2 Letter to HSC Staff from Minister of Health *(Circulated for noting)*
 - 5.3 Fraud Alert FA 02 2024 *(Circulated for noting)*
 - 5.4 Fraud Alert FA 01 2024 *(Circulated for noting)*
 - 5.5 Fraud Alert FA 04 2023 *(Circulated for noting)*
- Council members noted the correspondence.*

6.0 Operational Performance and Service Improvement

6.1 Chief Executives Report

Mrs L Kelly presented her report which provided an overview on the strategic priority areas of focus since the Council meeting in December 2023. She highlighted a number of areas of engagement including a strategic engagement meeting on 13th February 2024 with CNO and her officials and NIPEC Chair, Chief Executive, Senior Professional Officers and the Head of Corporate Services. This provided an opportunity to share NIPEC's draft Business Plan for 2024-25 and to prioritise the objectives for the incoming year.

Mrs L Kelly also summarised ongoing engagement events and meetings including statutory, regional and national networking opportunities with the RCN, NMC, RQIA and Ulster University. In the Lessons Learned section of her report, Mrs L Kelly highlighted internal audit findings around travel and performance management of the professional Work Plan with the latter and the development of a new format being discussed at the Professional & Business Committee.

Regarding the ongoing Muckamore Inquiry, Mrs L Kelly advised Council that she had been asked to provide a statement to the Inquiry on NIPEC's contribution to Learning Disability nursing from 1999 to date and will also be called before the Committee in the coming months. She referenced NIPEC's Delegation Framework which she believed would be of particular focus and how this was applied in practice. Mrs L Kelly also referenced the new proposed Regional Nursing Learning Disability (RNLD) Model which had been developed over the last year and a half and which would be issued soon.

Members enquired if Mrs L Kelly had access to legal guidance to support the preparation of the statement and she confirmed that she did via an annual SLA with BSO Directorate of Legal Services.

Mrs Kelly concluded with the news that NIPEC received Silver Accreditation in Investors in People on the 5th March 2024, a step up from the previous accreditation. An exit meeting with the assessor had been organised for April 2024 which would be attended by herself and the Head of Corporate Services and following that, a small working group would be set up to take forward an action plan to implement recommendations.

Mr McCormick commended the team on very successful engagement events and welcomed the opportunity to review the evaluations.

Council members noted the Chief Executives report.

6.2 NIPEC Professional Work Plan 2023-24 – Business Plan objectives progress Monitoring Report from 1st April to 29th February 2024

Mrs L Kelly referenced a copy of the report which had been circulated and focussed on the objectives Rag rated Red. She explained the reasons behind the delays in these and confirmed that most would be carried forward into the 2024-25 plan with the exception of the establishment of a Midwifery Career Pathway. This would be removed due to the ongoing review of Midwifery Services that was being carried out by DoH.

Council members thanked Mrs Kelly for the update and noted the Report.

6.3 Consultation Activity Report

The Chief Executive noted that there were fewer consultations in this quarter however NIPEC continued to provide input when required.

Council members noted the consultation activity report.

6.4 Draft Involvement and Co-production Strategy

Mrs L Kelly welcomed Geraldine McKendry, Senior Professional Officer, to the meeting and asked her to present the Strategy of which she had led the development. Ms McKendry provided background to the development of the strategy which sets out NIPEC's commitment to engage and promote with people who have user and lived experience. The principles contained in the Strategy reflect those of the Department of Health (DoH, 2018) *Co-production Guide Connecting and Realising Value Through People* and by implementing a NIPEC strategy, NIPEC would be strengthening the governance arrangements around engagement.

Members welcomed the document and Mrs L Kelly thanked Ms McKendry for her approach to developing the strategy.

Members approved the Involvement and Co-production Strategy.

6.5 Draft Hybrid Working Policy

Mrs L Kelly asked members if they had reviewed the Policy which had been approved by Business Team on 5th March 2024. She also asked members to note that the policy would be reviewed again in a year to ensure it continued to meet the requirements of NIPEC business.

Ms McRoberts queried the reference to 'flexible working' on page five and it was agreed that more specific definition should be provided to differentiate between the flexi scheme and flexible working.

Subject to the clarification on flexi/flexible working, members approved the Policy.

6.6 Draft Quality Strategy

Mrs L Kelly explained that the renewed Quality Strategy sets out the context for how NIPEC was going to close the gaps in the quality process to extend beyond providing assurance as part of the governance process. There would also be focussed on performance and improvement and further scrutiny on the controls already in place. The Strategy covers the next four years ensuring that it aligns to the corporate plan.

Mrs L Kelly asked members to note that the document would be professionally designed which would include the alignment of the graphics on page six

Chair asked members if they had read the document and were happy to approve.

Members approved the Draft Quality Strategy.

7.0 Corporate Control and Finance

7.1 Reports from Standing Committees:

7.1.2 Confirmed Minutes of the A&R Meeting held on 10th October 2023

Members noted that these had been approved at the Committee meeting on 13th February 2024.

7.1.3 Unconfirmed Minutes of the Professional & Business Committee held on 16th February 2024

Council members noted the unconfirmed Minutes of the meeting held on the 16th February 2024 and stated that it was excellent to note the Committee coming into its own and contributing to the development of the corporate documents presented to Council today.

7.2 Finance

7.2.1 Financial Summary of expenditure 2023-24, Month 10

Ms Jackson gave an update on the financial position at Month 10 asking members to note that the retraction of £34k in relation to the senior executive pay award had been accepted by DoH Finance since the papers had been issued. This amount had previously been shown in the accounts as an accrual however subject to a final regional decision over how this amount should be stated, it had been returned with the caveat that if the pay award was forthcoming, DoH would provide the funding to NIPEC.

This retraction had resulted in NIPEC forecasting a £11k surplus at yearend bringing the organisation back into a breakeven position.

Council members noted the Month 10 financial position.

7.2.2 Draft Budget 2024-25

Ms Jackson referenced the letter from DoH (5.1 on the agenda) which had asked all HSC organisations to plan for potential efficiencies in the 2024-25 financial year. To inform the return, NIPEC had prepared a draft budget outlining all four scenarios: flat cash, 2%, 5% and 10% efficiencies on the 2023-24 allocation.

Ms Jackson explained that all four scenarios would result in a deficit on the opening budget for 2024-25 with the possibility of reductions in staff in order to meet the higher amounts. She confirmed that Mrs L Kelly and herself had met with the DoH Finance Director and her team along with Sponsor Branch on 28th February to review the proposals and early indications were that NIPEC would receive a flat cash allocation for 2024-25 however this would unlikely be confirmed until May 2024 at the earliest. She asked Council members to note that the draft budget had been prepared with no Associate expenditure, catering, venues, travel and a cessation of the Ethnic Diversity Officers backfill in four of the five Trusts with effect from end March 2024. There was also no available allocation for Council remuneration. This would certainly present challenges for NIPEC in delivering the planned programme of work in 2024-25.

Members discussed the implications and agreed that the impact of the situation should be reflected in the Corporate Risk Register with the risk rating of the current Risks one and two requiring to be elevated. It was agreed that the new 2024-25 Risk Register should reflect these changes and would be presented to the Audit & Risk Committee meeting in May 2024 for consideration. It was also agreed that if the allocated budget for 2024-25 was less than expected, an extraordinary Council meeting would be convened to agree how the situation could be managed.

ACTIONS:

The Scores of Risks One and Two on the current Corporate Risk Register to be elevated and included in the 2024-25 Register and presented to the May Audit & Risk Committee for consideration.

An extraordinary Council meeting to be convened in the event of NIPEC's opening allocation 2024-25 including further efficiencies.

7.2.3 Update on Legal Case

Ms Jackson referenced the ongoing legal case and advised that an IAS37 had been provided by the Directorate of Legal Services indicating potential costs of the case. She confirmed that NIPEC had sought the advice of DoH and been assured that there was a central fund which would cover such costs. Members were asked to note that the median estimate had been included as a provision in the 2023-24 accounts and will carry forward to the 2024-25 accounts, the likely settlement year.

7.3 Corporate Risk Register 2023-24, Version 9

Ms Jackson presented the Corporate Risk Register and members noted the additional risk regarding Policies which had been added following discussion at the February 2024 Audit & Risk Committee. Members at the Committee had noted that there were a significant number of policies RAG rated Red and as a number were regional policies, a mitigation had been proposed and approved to extend these policies for a further year (item 7.7.3).

Council members approved the updated version of the Corporate Risk Register.

7.4 KPI's 2023-2

Ms Jackson asked members to note progress to date on the KPIs and asked if members had any questions.

Council members noted the paper.

7.5 Draft Corporate Plan

Ms Jackson highlighted the key changes in the document which included adoption of the HSC Values and setting out how we intend to measure the impact of the Strategy. She confirmed that the document aligns with the Quality Strategy approved today and that both documents had been developed in consultation with NIPEC staff, CNO/Sponsor Branch and that both were presented to NIPEC's Professional & Business Committee at the meeting on 16th February 2024 where they were approved for final ratification by Council.

Council members approved the Corporate Strategy 2024-28.

7.6 Draft Business Plan 2024-25

Ms Jackson advised that the document was drafted between December 2023 and February 2024 by the Senior Team and that consultation had taken place with Sponsor Branch and the Professional & Business Committee. She enquired if there were any further queries on the document and Ms McRoberts asked for clarification to be provided in the document on an abbreviation in section 5G of the objectives.

Mr McCormick queried how Council would know if the governance objectives for 2023-24 were achieved as at the moment these were marked 'to be confirmed.' Ms Jackson explained that this was the normal process as these could not be confirmed until after the external audit of the Annual Report and Accounts which would take place in May 2024. Should any of these objectives not be met they would most likely be listed in the Draft Report To Those Charged With Governance as they were departmental objectives. Ms Jackson also noted that the Corporate and Business Plans would be sent to Sponsor Branch for ratification before they could be published and agreed to update Council on the Final Business Plan at the July Council before it would be published.

Council members approved the Corporate Strategy 2024-28.

ACTION: An update on the achievement of the governance objectives in the Business Plan to be provided to Council in July 2024.

7.7 NIPEC Policies

7.7.1 Disciplinary Policy and Procedure

Ms Jackson asked if everyone had read the cover sheet and draft policy and if there were any questions. As no queries were raised the Policy was approved.

7.7.2 Information Security Policy

Ms Jackson asked if members had read the policy and cover sheet which was based on a regional HSC policy. Members raised a number of grammatical and formatting amendments required in the document which Ms Jackson undertook to address.

Council approved the policy subject to the amendments being made.

7.7.3 Extension of Regional HR Policies:

- Attendance at Work Policy
- Capability and Competency Policy
- Conflict, Bullying and Harassment Policy
- Family Pack
- Gender Identity and Expression Employment Policy
- Leave Pack
- Menopause at Work Policy

Ms Jackson explained that all of the above were regional policies which had previously been adopted by NIPEC and approved by Council however all were now overdue for review by Regional HR Leads/Staff Side due to a number of reasons. This issue had been noted at the February Audit Committee when members had discussed how this could be managed. It had been agreed that a new risk should be included in the Corporate Risk Register to reflect the current position and that a mitigation to reduce the risk would be to ask Council to extend these for a year pending updated versions being agreed.

Council approved this approach and ratified the extension of the seven policies.

8.0 Safety and Quality

8.1 DoH Covid-19 Public Inquiry Group

Ms Jackson advised that there were no significant updates since the December 2023 meeting. Mr Johnston advised that a list of witnesses being called to the Inquiry when it sits in NI is not yet available.

Council members noted the update on the DoH Covid-19 Public Inquiry Group.

9.0 Any Other Business

Two items were raised under A.O.B by the Chair:

- **Business Continuity Training:** Mr McCormick thanked those members who had attended the training which he had found to be very informative and useful. He confirmed that he had asked for a second date to be scheduled in the Autumn and asked members to send any observations or notes to Ms Jackson.
- **Boardroom Apprentice:** Ms Diamond notified Council that this would be Ms Haller's last meeting as the programme had ended and thanked her for her contribution to NIPEC. Mr McCormick concurred with Ms Diamond and thanked her for her support to Sara as her Boardroom buddy.

The Chair concluded business by thanking Council members for their support during his time as Interim Chair and especially to Ms Caslin for assuming the role of Interim Chair of the Audit & Risk Committee during this time. He also thanked Mrs L Kelly and her staff for their ongoing hard work and support and for their achievement of the Silver Investors In People accreditation.

Mrs L Kelly returned these thanks to Mr McCormick for his leadership and support to Council during his time as Interim Chair.

The next public meeting of the Council will take place on Monday **1st July 2024 at 2.00pm.**