

**Partnership Agreement between
Department of Health and Northern Ireland
Practice and Education Council for Nursing
and Midwifery (NIPEC)**

CONTENTS

Introduction	3
1. The Partnership Agreement.....	3
NIPEC Establishment and Purpose.....	6
2. Statutory Purpose and Strategic Objectives	6
NIPEC Governance Arrangements	Error! Bookmark not defined.
3. Organisational Status	8
4. Governance Framework	8
5. NIPEC Council.....	9
6. Audit and Risk Committee	11
7. NIPEC Chair	12
8. NIPEC Chief Executive	13
Role of the Department of Health	15
9. Partnership Working with NIPEC	15
10. Lead Official.....	16
11. Annual Engagement Plan	16
12. Departmental Accounting Officer	17
13. Attendance at Public Accounts Committee	18
Assurance Framework	20
14. Autonomy and Proportionality.....	20
15. Council Effectiveness	21
16. Council Appraisals	22
17. Internal Audit Assurance.....	22
18. Externally Audited Annual Report and Accounts	23
Signatories	25
Annex 1 - Applicable Legislation	27
Annex 2 – Annual Engagement Plan.....	28
Annex 3 - Delegations	38

Annex 4 – System of Assurance	39
Annex 5 – Concerns/Complaints in respect of Council members.....	40
Annex 6 - Applicable Guidance	42
Annex 7 - Role of the Minister	35
Annex 8 - Partnerships between Departments and Arm’s Length Bodies: NI Code of Good Practice.....	36

Introduction

1. The Partnership Agreement

- 1.1 This document sets out the partnership arrangements between the Northern Ireland Practice and Education Council for Nursing and Midwifery (NIPEC) and the Department of Health (DoH). In particular, it explains the overall governance framework within which NIPEC operates, including the framework through which the necessary assurances are provided to stakeholders. Roles/responsibilities of partners within the overall governance framework are also outlined.
- 1.2 The partnership is based on a mutual understanding of strategic aims and objectives; clear accountability; and a recognition of the distinct roles each party contributes. Underpinning the arrangements are the principles set out in the NI Code of Good Practice ***‘Partnerships between Departments and Arm’s-Length Bodies’*** which should be read in conjunction with this document. The principles which are laid out in the Code are:

LEADERSHIP
<i>Partnerships work well when Departments and Arm’s Length Bodies demonstrate good leadership to achieve a shared vision and effective delivery of public services. Strong leadership will provide inspiration, instil confidence and trust and empower their respective teams to deliver good outcomes for citizens.</i>
PURPOSE
<i>Partnerships work well when the purpose, objectives and roles of Arm’s Length Bodies and the sponsor department are clear, mutually understood and reviewed on a regular basis. There needs to be absolute clarity about lines of accountability and responsibility between departments and Arm’s Length Bodies. In exercising statutory functions Arm’s Length Bodies need to have clarity about how their purpose and objectives align with those of departments.</i>

ASSURANCE
<i>Partnerships work well when departments adopt a proportionate approach to assurance, based on Arm's Length Bodies' purpose and a mutual understanding of risk. Arm's Length Bodies should have robust governance arrangements in place and in turn departments should give Arm's Length Bodies the autonomy to deliver effectively. Management information should be what is needed to enable departments and Arm's Length Bodies to provide assurance and assess performance.</i>
VALUE
<i>Partnerships work well when departments and Arm's Length Bodies share knowledge, skills and experience in order to enhance their impact and delivery. Arm's Length Bodies are able to contribute to policy making and departmental priorities. There is a focus on innovation, and on how departments and Arm's Length Bodies work together to deliver the most effective policies and services for its customers.</i>
ENGAGEMENT
<i>Partnerships work well when relationships between departments and Arm's Length Bodies are open, honest, constructive and based on trust. There is mutual understanding about each other's objectives and clear expectations about the terms of engagement.</i>

A full copy of the NI Code can be found at Annex 8.

1.3 This document should also be read in conjunction with guidance on proportionate autonomy which provides an outline of the principles and characteristics for proportionate autonomy. Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance to be established between NIPEC and the DoH and this is reflected in this agreement.

1.4 The DoH and NIPEC are committed to:

- Working together within distinct roles and responsibilities;
- Maintaining focus on successful delivery of Programme for Government outcomes and Ministerial priorities (see also para 2.6);
- Maintaining open and honest communication and dialogue;
- Keeping each other informed of any issues and concerns, and of emerging areas of risk;
- Supporting and challenging each other on developing policy and delivery [when developing policy this may cut across more than one department];
- Seeking to resolve issues quickly and constructively; and

- Acting at all times in the public interest and in line with the values of integrity, honesty, objectivity and impartiality.

1.5 The effectiveness of the partnership and the associated Engagement Plan will be reviewed each year by the Department and NIPEC in order to assess whether the partnership is operating as intended and to identify any emerging issues/opportunities for enhancement. This can be carried out as part of existing governance arrangements. The Partnership Agreement document itself will be reviewed formally at least once every three years to ensure it remains fit for purpose and up-to-date in terms of current governance frameworks. The formal review will be proportionate to NIPEC's size and overall responsibilities and will be published on departmental and NIPEC websites as soon as practicable following completion.

1.6 A copy of this agreement has been placed in the Assembly Library and is available on the DoH and NIPEC websites.

NIPEC Establishment and Purpose

2. Statutory Purpose and Strategic Objectives

- 2.1 NIPEC is a non-departmental public body (NDPB) established on 7 October 2002 under the powers of Section 2 (1) of the Health and Personal Social Services Act (Northern Ireland) 2002. NIPEC does not carry out its functions on behalf of the Crown. The duties of NIPEC are set out in Article 2 of the Health and Personal Social Services Act (Northern Ireland) 2002. Within the founding legislation Ministerial approval has been given to the overall aim of NIPEC as being “*to improve the quality of health and care by supporting the practice, education and performance of nurses and midwives*”. For national accounts purposes NIPEC is classified to the central government sector.
- 2.2 NIPEC’s statutory functions, duties and powers are set out in Article 2 of the Health and Personal Social Services Act (Northern Ireland) 2002 which are reproduced in full at Annex 1 (*Applicable Legislation*).
- 2.3 The Minister for DoH is answerable to the Assembly for the overall performance and delivery of both the DoH and NIPEC.
- 2.4 The Executive’s outcome-based approach to delivery recognises the importance of arm’s length bodies and departments working collaboratively and together in a joined up approach to improve overall outcomes and results.
- 2.5 To that end there is strategic alignment between the aims, objectives and expected outcomes and results of NIPEC and DoH.
- 2.6 The strategic aim of NIPEC is: “*to improve the quality of health and care by supporting the practice, education and performance of nurses and midwives*”. The DoH determines NIPEC’s performance framework in the light of the Programme for Government (PfG), the Department’s wider aims, and current PfG objectives and targets. The key targets, standards and actions to be

delivered by NIPEC are set out in NIPEC's Annual Business Plan, supported by its four-year Corporate Plan, work on which is ongoing.

NIPEC Governance Arrangements

3. Organisational Status

3.1 NIPEC is a legal entity in its own right, employing its own staff and operating at arm's-length from the Department of Health. As a legal entity it must comply with all associated legislation including that relating to its employer status.

4. Governance Framework

4.1 NIPEC has an established Corporate Governance Framework which reflects all relevant good practice guidance. The framework includes the governance structures established within NIPEC and the internal control and risk management arrangements in place. This includes its Council and Committee Structures. The Department should be satisfied with the framework.

4.2 An account of this is included in NIPEC's annual Governance Statement together with the NIPEC's Board assessment of its compliance with the extant Corporate Governance Code of Good Practice (NI). Any departure from the Corporate Governance Code must be explained in the Governance Statement. The extant Corporate Governance Code of Good Practice (NI) is available on the DoF website.

4.3 NIPEC is required to follow the principles, rules, guidance and advice in *Managing Public Money Northern Ireland*. A list of other applicable guidance and instructions which NIPEC is required to follow is set out in Annex 6. Good governance should also include positive stakeholder engagement, the building of positive relationships and a listening and learning culture.

5. NIPEC Council

- 5.1 NIPEC is led by a Council of non-executive members of which are appointed by the Department of Health on behalf of the Minister for Health. The Council members are appointed for periods of different duration not exceeding four years (The Northern Ireland Practice and Education Council for Nursing and Midwifery (Appointment and Procedures) Regulations (Northern Ireland) 2002 SR2002 No 386 refers). The Council comprises a Council Chair, NIPEC's Chief Executive and members up to a maximum of 16 in total (60% of non-executive members must be registered nurses or midwives and 40% not registered nurses or midwives). The appointment process for non-executive Board members complies with the Code of Practice on Public Appointments for Northern Ireland. The Council has corporate responsibility for appointing, on the Minister's approval, a Chief Executive to NIPEC and, in consultation with DoH, set performance objectives and remuneration terms linked to these objectives for the Chief Executive, which give due weight to the proper management and use of public monies.
- 5.2 As Public Appointees members of NIPEC Council are office holders rather than employees and they are therefore not subject to employee terms and conditions. Appraisal arrangements for Council members are set out in paras 16.1 and 16.2, and matters for consideration in dealing with concerns or complaints in respect of Council members are provided at Annex 5.
- 5.3 The Council's Standing Orders provide further detail on roles and responsibilities and should align closely with this Partnership Agreement. The **Code of Conduct and Code of Accountability for Board Members of Health and Social Care Bodies** (last updated October 2022) [doh-code-conduct-accountability-hsc-bodies.pdf \(health-ni.gov.uk\)](https://www.health-ni.gov.uk/doh-code-conduct-accountability-hsc-bodies.pdf) requires the Northern Ireland Practice and Education Council for Nursing and Midwifery (NIPEC) Council to be clear what decisions and information are appropriate to the Council and draw up standing orders, a schedule of decisions reserved to the Council and standing financial instructions to secure compliance with the Council's wishes.

- 5.4 The purpose of the NIPEC Council is to provide effective leadership and strategic direction to the organisation and to ensure that the policies and priorities set by the Minister for Health are implemented. It is responsible for ensuring that the organisation has effective and proportionate governance arrangements in place and an internal control framework which allow risks to be effectively identified and managed. The Council will set the culture and values of the organisation and set the tone for the organisation's engagement with stakeholders and customers.
- 5.5 The Council is responsible for holding the Chief Executive to account for the management of the organisation and the delivery of agreed plans and outcomes. The Council should also however support the Chief Executive as appropriate in the exercise of their duties.
- 5.6 Council members act solely in the interests of NIPEC and must not use the Council as a platform to champion their own interests or pursue personal agendas. They occupy a position of trust and their standards of action and behaviour must be exemplary and in line with the seven principles of public life (Nolan principles). NIPEC has a Code of Practice for Council Members in place (based on the Codes of conduct for board members of public bodies. There are mechanisms in place to deal with any Board disputes/conflicts to ensure they do not become wider issues that impact on the effectiveness of the Council. A Council Register of Interests is maintained, kept up to date and is publically available to help provide transparency and promote public confidence in NIPEC.
- 5.7 Communication and relationships within the Council are underpinned by a spirit of trust and professional respect. The Council recognises that using consensus to avoid conflict or encouraging members to consistently express similar views or consider only a few alternative views does not encourage constructive debate and does not give rise to an effective Council dynamic.
- 5.8 It is for the Council to decide what information it needs, and in what format, for its meetings/effective operation. If the Council is not confident that it is being fully informed about the organisation this will be addressed by the Chair of the Council as the Council cannot be effective with out-of-date or only partial knowledge.

5.9 In order to fulfil their duties, Council members must undertake initial training, and regular ongoing training and development. Review of each member of the Council skills and development will be a key part of the annual review of Council effectiveness.

6. Audit and Risk Assurance Committee

6.1 A further important aspect of NIPEC's governance framework is its Audit and Risk Committee, established in line with the extant Audit and Risk Assurance Committee Handbook (NI).

6.2 The Audit and Risk Committee's purpose is to support the Accounting Officer and Council on governance issues. In line with the handbook the Audit and Risk Assurance Committees focuses on:

- assurance arrangements over governance; financial reporting; annual reports and accounts, including the Governance Statement; and
- ensuring there is an adequate and effective risk management and assurance framework in place.

6.3 NIPEC and DoH have agreed arrangements in respect of Audit and Risk Assurance Committees which may include:

- attendance by departmental representatives in an observer capacity at NIPEC's Audit and Risk Committee meetings;
- Access to NIPEC's Audit and Risk Committee papers and minutes;
- Any input required from NIPEC's Audit and Risk Committee to the departmental Audit and Risk Assurance Committee.

6.4 Full compliance with the Audit and Risk Assurance Committee Handbook (NI) is an essential requirement. In the event of significant non-compliance with the handbook's five good practice principles, or other non-compliance, the Department must be notified, and a full explanation provided in the annual Governance Statement.

6.5 The extant Audit and Risk Assurance Committee Handbook (NI) is available on the Department of Finance (DoF) website.

7. NIPEC Chair

7.1 The Chair of NIPEC is appointed by the Minister, usually for a period of up to four years under Article 3 of the Northern Ireland Practice and Education Council for Nursing and Midwifery (Appointment and Procedure Regulations) (Northern Ireland) 2002. The DoH Public Appointment Procedures are based on guidance issued by the Commissioner for Public Appointments. The Chair is responsible for setting the agenda and managing the Council to enable collaborative and robust discussion of issues. The Chair's role is to develop and motivate the Council and ensure effective relationships in order that the Council can work collaboratively to reach a consensus on decisions. To achieve this, they should ensure:

- The Council has an appropriate balance of skills appropriate to its business;
- Council members are fully briefed on terms of appointment, duties, rights and responsibilities;
- Council members receive and maintain appropriate training;
- The Minister is advised of NIPEC's requirements when Council vacancies arise;
- There are Standing Orders (SOs) and Standing Financial Instructions (SFIs) in place setting out the roles and responsibilities of the Council in line with relevant guidance;
- There is a code of practice for Council members in place, consistent with relevant guidance (see para 5.6 above).

7.2 The Chair's role also requires the establishment of an effective working relationship with the Chief Executive that is simultaneously collaborative and challenging. It is important that the Chair and Chief Executive act in accordance with their distinct roles and responsibilities as laid out in Managing Public Money and their appointment letters.

7.3 The Chair has a presence in the NIPEC and cultivates external relationships which provide useful links for the organisation while being mindful of overstepping boundaries and becoming too involved in day-to-day operations or executive activities.

8. NIPEC Chief Executive

8.1 The role of the NIPEC Chief Executive is to run NIPEC's business. The Chief Executive is responsible for all executive management matters affecting the organisation and for leadership of the senior management team.

8.2 The Chief Executive is designated as NIPEC's Accounting Officer by the departmental Accounting Officer (see section 12). As Accounting Officer, they are responsible for safeguarding the public funds in their charge and ensuring they are applied only to the purposes for which they were voted and more generally for efficient and economical administration.

8.3 The Chief Executive is accountable to the Council for NIPEC's performance and delivery of outcomes and targets and is responsible for implementing the decisions of the Council and its Committees. They will maintain a dialogue with the Chair on the important strategic issues facing the NIPEC and ensure, through the Chair, that Council agendas address these. They must ensure that there is effective communication with stakeholders and communication on this to the Council. They must also ensure that the Chair is alerted to forthcoming complex, contentious or sensitive issues, including risks affecting the organisation.

8.4 The Chief Executive acts as a role model to other senior managers by exhibiting open support for the Chair and Council members and the contribution they make to NIPEC. The Chair and Chief Executive will agree how they will work together in practice, understanding and respecting each other's role, including the Chief Executive's responsibility as Accounting Officer.

- 8.5 Further detail on the role and responsibilities of the Chief Executive are as laid out in Managing Public Money NI and their Accounting Officer appointment letter.
- 8.6 The Chief Executive is the Principal Officer for handling cases involving the NI Public Sector Ombudsman. They shall advise the Departmental Accounting Officer (Permanent Secretary) of any complaints about NIPEC accepted by the Ombudsman for investigation, and about the proposed response to any subsequent recommendations from the Ombudsman.

Role of the Department of Health

9. Partnership Working with NIPEC

9.1 The DoH and NIPEC are part of a total delivery system, within the same Ministerial portfolio. The partnership between DoH and NIPEC is open, honest, constructive and based on trust. There is mutual understanding of each other's objectives and clear expectations on the terms of engagement.

9.2 In exercising its functions NIPEC has absolute clarity on how its purpose and objectives align with those of DoH. There is also a shared understanding of the risks that may impact on each other, and these are reflected in respective Risk Registers.

9.3 There is a regular exchange of skills and experience between the DoH and NIPEC and where indicated there may be joint programme or project delivery arrangements. NIPEC may also be involved with the Department as a partner in policy or strategy development and provide advice on policy implementation/and the impact of policies in practice.

9.4 The Department of Finance (DoF) has established, on behalf of the Assembly, a delegated authority framework which sets out the circumstances where prior DoF approval is required before expenditure can be incurred or commitments entered into. The Accounting Officer of the DoH has established an internal framework of delegated authority for the Department and its ALBs, found here:

[HSC\(F\) 33-2023 - Revised HSC & NIFRS Delegated Limits and requirements for Departmental / DoF approval](#)

Other specific approval requirements established in respect of NIPEC as set out at Annex 3.

9.5 Once NIPEC's budget has been approved by the DoH and subject to any restrictions imposed by statute / the Minister / this Partnership Agreement or any other circulars, directives, and best practice guidance that may issue from, or by

way of, the Department, NIPEC shall have authority to incur expenditure. This does not remove the need to seek formal departmental approval where proposed expenditure is outside the delegated limits, as laid out in Annex 3, or is for new schemes not previously agreed. In all cases processes laid out in guidance contained in Managing Public Money NI and Better Business Cases NI must be observed.

10. Lead Official

10.1 The DoH has appointed a lead senior official, the Chief Nursing Officer to manage the relationship with NIPEC and ensure effective partnership working. Engagement between the Department and NIPEC will be co-ordinated, collaborative and consistent. A clear sense of collaboration and partnership will be communicated to staff in both the Department and NIPEC in order to promote mutual understanding and support. The Chief Nursing Officer will also be supported by other team members, and key contacts within the Department for ALBs such as Finance and Governance

10.2 The Chief Nursing Officer is the policy lead for the policy area relating to NIPEC's business and has a clear understanding of NIPEC's responsibilities for policy implementation or operational delivery and the relevant stakeholders involved.

10.3 The Chief Nursing Officer will ensure that where there are departmental staff changes, time is taken to ensure that they have a full understanding of NIPEC's business and challenges.

11. Annual Engagement Plan

11.1 The Department and NIPEC will agree an engagement plan before the start of each business year. The Annual Engagement Plan (Annex 2) will set out the timing and nature of engagement between NIPEC and the Department. The engagement plan will be specific to NIPEC and should not stray into operational oversight.

- 11.2 Engagement between the Department's Chief Nursing Officer's teams and NIPEC will be centred on partnership working, understanding of shared risks and working together on business developments that align with policy objectives.
- 11.3 In line with relevant guidance¹, NIPEC will work in collaboration and partnership with the Department to prepare corporate and business plans. There should be good high-level strategic alignment between departmental and NIPEC plans. Once approved it will be the Council of NIPEC that primarily holds the Chief Executive to account for delivery and performance. The Department will engage with NIPEC on areas of strategic interest, linking departmental policy and NIPEC delivery of policy intent.
- 11.4 The Annual Engagement Plan will also reference the agreed management and financial information to be shared over the course of a year. The aim will be to ensure clear understanding of why information is necessary and how it will be used. Where the same, or similar information is required for internal governance information requirements will be aligned so that a single report can be used for both purposes. In addition, the engagement plan should consider opportunities for learning and development, growth and actions which could help achieve better outcomes.

12. Departmental Accounting Officer

- 12.1 The departmental Accounting Officer (Permanent Secretary) is accountable to the NI Assembly for the issue of grant in aid to NIPEC, and they have designated the Chief Executive of NIPEC as NIPEC Accounting Officer. The respective responsibilities of the departmental Accounting Officer and the NIPEC Accounting Officer are set out in Chapter 3 of Managing Public Money Northern Ireland. The departmental Accounting Officer may withdraw the NIPEC Accounting Officer designation if it is concluded that the NIPEC Accounting Officer is no longer a fit person to carry out the responsibilities of an Accounting Officer or that it is otherwise in the public interest that the designation be

¹ Guidance issued by TEO on NICS Work Programme which includes guidance on business planning for an outcomes-based PfG/ODP

withdrawn. In such circumstances the NIPEC Council will be given a full account of the reasons for withdrawal and an opportunity to make representations. Withdrawal of NIPEC Accounting Officer status would bring into question employment as Chief Executive and the Chair should in this case engage with the Department should such circumstances arise.

12.2 As outlined in section 8, the NIPEC Chief Executive is accountable to the NIPEC Council for their stewardship of NIPEC. This includes advising the Council on matters of financial propriety, regularity, prudent and economical administration, efficiency and effectiveness.

12.3 The departmental Accounting Officer must be informed if the judgement of the NIPEC Accounting Officer, on matters for which they are responsible, is overridden by the NIPEC Council. The NIPEC Accounting Officer must also take action if the NIPEC Council is contemplating a course that would infringe the requirement for financial propriety, regularity, prudent and economical administration, efficiency or effectiveness. In all other regards, the departmental Accounting Officer has no day to day involvement with NIPEC or its' Chief Executive.

12.4 In line with DoF requirements, the NIPEC Accounting Officer will provide an annual declaration of fitness to act as Accounting Officer to the departmental Accounting Officer and this may be incorporated into the existing reporting arrangements.

13. Attendance at Public Accounts Committee

13.1 The NIPEC Accounting Officer may be summoned to appear before the Public Accounts Committee to give evidence on the discharge of their responsibilities as laid out in their Accounting Officer appointment letter, on issues arising from the Comptroller & Auditor General (C&AG) studies or reports following the annual audit of accounts.

13.2 The Council Chair may also, on occasion, be called to give evidence to the Public Accounts Committee on such relevant issues arising within the C&AG's studies or reports, in relation to the role and actions taken by the Council, where appropriate.

13.3 In addition, the DoH Accounting Officer may be summoned to appear before the Public Accounts Committee to give evidence on the discharge of their responsibilities as departmental Accounting Officer with overarching responsibility for NIPEC. In such circumstances, the Departmental Accounting Officer may therefore expect to be questioned on their responsibilities to ensure that:

- there is a clear strategic control framework for NIPEC;
- sufficient and appropriate management and financial controls are in place to safeguard public funds;
- the nominated Accounting Officer of NIPEC is fit to discharge his or her responsibilities;
- there are suitable internal audit arrangements;
- accounts are prepared in accordance with the relevant legislation and any accounting direction; and
- intervention is made, where necessary, in situations where the NIPEC Accounting Officer's advice on transactions in relation to regularity, propriety or value for money is overruled by the body's Council or its Chair.

Assurance Framework

14. Autonomy and Proportionality

14.1 The DoH will ensure that NIPEC has the autonomy to deliver effectively, recognising its status as a separate legal entity which has its own Council and governance arrangements. Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance established between NIPEC and the DoH and is reflected in this agreement.

14.2 A proportionate approach to assurance will be taken based on NIPEC's overall purpose, business and budget and a mutual understanding of risk. The approach will include an agreed process through which the NIPEC Accounting Officer provides written assurance to the Department that the public funds and organisational assets for which they are personally responsible are safeguarded, have been managed with propriety and regularity, and use of public funds represents value for money.

14.3 Recognising the governance arrangements in place within the organisation, the NIPEC Accounting Officer will arrange for their written assurance to be discussed at the NIPEC Audit and Risk Committee and presented to the NIPEC Council prior to submission to the Department where possible. If not possible, or practicable, the Chair of NIPEC Council should have sight of the assurance statement, prior to being submitted to the Department.

14.4 The NIPEC Council Chair will provide written confirmation that the NIPEC Accounting Officer's formal assurance has been considered by the Council and is reflective of NIPEC's current position.

14.5 In addition to the NIPEC Accounting Officer's written assurance, the Department will take assurance from the following key aspects of NIPEC's own governance framework:

- Annual Review of Council Effectiveness;
- Completion of Appraisals which confirm Council member effectiveness;

- Internal Audit assurance and External Quality Assessment of the Internal Audit function;
- Externally audited Annual Report and Accounts, reviewed/considered by the NIPEC Audit and Risk Committee.

15. Board (Council) Effectiveness

15.1 The NIPEC Chair will ensure that the NIPEC Council undertakes an annual review of Board Effectiveness² which encompasses committees established by the Council.

15.2 The Chair will discuss the outcome of the annual review of Board Effectiveness with the CNO and Sponsor Branch to ensure a partnership approach to any improvements identified. This will inform the annual programme of Council training/development and discussions in respect of Council composition and succession planning.

15.3 In line with any parameters set out in founding, or other legislation, the Council Chair in conjunction with the Department, and Ministers where appropriate, will consider the size and composition of the NIPEC Council, proportionate to the size and complexity of NIPEC and keep this under review.

15.4 In addition to the annual review of Board Effectiveness NIPEC will undertake an externally facilitated review of Board effectiveness at least once every three years covering the performance of the Council, its Committees and individual Council members. The Chair will liaise with the Department to identify a suitably skilled facilitator for the external review. This can be a peer review and should be proportionate, and the Chair will share the findings and outcome report with the Department on completion of the review.

² NIAO Good Practice Guide on Board Effectiveness

16. Board (Council) Appraisals

- 16.1 The Chair of NIPEC will conduct an annual appraisal in respect of each Council member which will also inform the annual programme of Council training and development. The Chair will engage with the Chief Executive and Sponsor Branch as appropriate on improvements identified through the appraisal process and the annual training and the development programme.
- 16.2 The Chair's annual appraisal will be completed by the CNO and the appraisal will take account of the Key Characteristics of a good chairperson as set out in the NIAO Good Practice Guide on Board Effectiveness available on the NIAO website. There will be close engagement between the Chair and the CNO on improvements identified through the appraisal process.

17. Internal Audit Assurance

- 17.1 NIPEC is required to establish and maintain arrangements for an internal audit function that operates in accordance with the Public Sector Internal Audit Standards (PSIAS). The DoH must be satisfied with the competence and qualifications of the Head of Internal Audit and that the requirements for approving appointments are in accordance with PSIAS.
- 17.2 NIPEC utilise BSO's Internal Audit services. BSO Internal Audit is PSIAS compliant and based on an overarching Service Level Agreement and Memorandum of Understanding with the Department, BSO discharges functions, such as Internal Audit, to NIPEC, on behalf of DoH.
- 17.3 NIPEC will provide its internal audit strategy, periodic audit plans and annual audit report, including the Head of Internal Audit's opinion on risk management, control and governance to the Department. NIPEC will ensure the DoH internal audit team have complete right of access to all relevant records. This applies whether the internal audit function is provided in-house or is contracted out.

17.4 NIPEC will ensure regular, periodic self-assessments of the internal audit function in line with PSIAS and will share these with Sponsor Branch at the Department. NIPEC will also liaise with the Department on the External Quality Assessment (EQA) of the internal audit function which in line with PSIAS requirements must be conducted at least once every five years by a qualified independent assessor. The current arrangement for NIPEC Internal Audit will be led by the Head of Internal Audit at BSO.

17.5 NIPEC will alert the Department by informing Sponsor Branch of any less than satisfactory audit reports at the earliest opportunity on an ongoing basis. NIPEC will also alert the Department via Sponsor Branch to a less than satisfactory annual opinion from the Head of Internal Audit at the earliest opportunity. NIPEC and the Department in liaison with Sponsor Branch will then engage closely on actions required to address the less than satisfactory opinion in order to move NIPEC to a satisfactory position as soon as possible.

17.6 The Department will take assurance from the fact that NIPEC has met the requirements of PSIAS and has a satisfactory annual opinion from the Head of Internal Audit as part of its overall assurance assessment.

18. Externally Audited Annual Report and Accounts

18.1 NIPEC is required to prepare an Annual Report and Accounts in line with the Government Financial Reporting Manual (FReM) issued by the Department of Finance (DoF) and the specific Accounts Direction issued by DoH and in accordance with the deadlines specified.

18.2 The Comptroller & Auditor General (C&AG) will arrange to audit NIPEC's annual accounts and will issue an independent opinion on the accounts. The C&AG will then lay the accounts before the NI Assembly together with NIPEC's annual report.

18.3 The C&AG will also provide a Report to Those Charged with Governance (RTTCWG) to NIPEC which will also be shared with the Department.


- 18.4 NIPEC will alert the Department to any likely qualification of the accounts at the earliest opportunity. In the event of a qualified audit opinion or significant issues reported in the RTTCWG the Department will engage with NIPEC on actions required to address the qualification/significant issues.
- 18.5 The Department will take assurance from the external audit process and an unqualified position as part of its overall assurance assessment.
- 18.6 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which NIPEC has used its resources in discharging its functions. The C&AG may also carry out thematic examinations that encompass the functions of NIPEC.
- 18.7 For the purpose of audit and any other examinations, the C&AG has statutory access to documents as provided for under Articles 3 and 4 of the Audit and Accountability (Northern Ireland) Order 2003.
- 18.8 Where making payment of a grant, or drawing up a contract, NIPEC should ensure that it includes a clause which makes the grant or contract conditional upon the recipient or contractor providing access to the C&AG in relation to documents relevant to the transaction. Where subcontractors are likely to be involved, it should also be made clear that the requirements extend to them.

Signatories

NIPEC and the DoH agree to work in partnership with each other in line with the NI Code of Good Practice '**Partnerships between Departments and Arm's-Length Bodies**' and the arrangements set out in this Agreement.

DoF Supply will approve the initial Partnership Agreement between NIPEC and the DoH and any subsequent variations to the Agreement, if they are significant.

Signed (NIPEC Chair):



Kieran McCormick

Date:

23rd January 2024

Signed (NIPEC Chief Executive):



Linda Kelly

Date:

23rd January 2024

Signed (Departmental Accounting Officer – Peter May Permanent Secretary):



Date: 20th February 2024

Annex 1 - Applicable Legislation

List the founding legislation and other key statutes which provide NIPEC with its statutory functions, duties and powers.

The Health and Social Services Act (Northern Ireland) 2002

Article 2

Duties of NIPEC

- (1) There shall be a body corporate known as the Northern Ireland Practice and Education Council for Nursing and Midwifery (referred to in the Act as “the Council”).
- (2) It is the duty of the Council to Promote- (a) high standards of practice among nurses and midwives; (b) high standards in the education and training of nurses and midwives; and (c) the professional development of nurses and midwives.
- (3) Without prejudice to the generality of subsection (2) the Council may- (a) provide guidance on the best practice for nurses and midwives; and (b) provide advice and information on matters relating to nursing and midwifery.
- (4) The Council shall, in the exercise of its functions, act- (a) in accordance with any directions given to it by DHSSPS; and (b) under the general guidance of DHSSPS.

Annex 2 –NIPEC Annual Engagement Plan

Good engagement is one of the key principles in the Partnership Code, underpinning the other principles of: Leadership; Purpose; Assurance; and Value.

As laid out in the Code, partnerships work well when relationships between departments and ALBs are open, transparent, honest, constructive and based on trust and when there is mutual understanding of each other’s objectives and clear expectations about the terms of engagement.

The template provided outlines the key areas of engagement between Departments and ALBs. The template is not intended to be prescriptive and should be completed collaboratively and agreed between the Department and NIPEC.

Engagement Plan 2023/24		
Policy Development and Delivery <i>Add details of the planned engagement between the ALB and the Department in relation to development and monitoring of existing and new areas of policy.</i>		
Policy Area	Frequency/Timing	Lead Departmental/ALB Officials
Relevant DoH Policy	As required	DoH Policy Leads
Strategic Planning		
Activity	Date	Lead Departmental/ALB Official
ALB Strategic Planning Workshops – encompassing strategic planning and risk identification. Informed by input on departmental priorities/plans and risk areas	Sufficiently well in advance of the Business Year to inform development of the Business Plan for the year ahead	DoH Policy Leads NIPEC Chief Executive and Senior Professional Officers/Head of Corporate Services
Engagement on the draft Business Plan and	As required	NIPEC Chief Executive and Senior Professional

identification of areas of strategic interest to the Department to inform further scheduled engagement during the year		Officers/Head of Corporate Services
Submission/presentation of the ALB Business Plan	February each year	NIPEC Chief Executive
Approval of the ALB Business Plan	March each year	DoH Policy Leads NIPEC Chief Executive
Engagement on areas of strategic interest iro the ALB Business Plan during the year	January each year	DoH Policy Leads NIPEC Chief Executive

Board Appointments

Add details of any engagement related to Public Appointment exercises

Activity	Date	Lead Departmental/ALB Official
Public Appointments, new appointments, reappointment, or extension activity	Annual Workplan / as required	DoH Head of Public Appointments DoH Head of Sponsor Branch
Succession Planning	Annually	DoH Head of Public Appointments
Completion of Skills Audits for Non-Executive Directors	As required	NIPEC Chair DoH Head of Public Appointments DoH Head of Sponsor Branch
Completion of Skills Audits for Non-Executive Director Chairs	As required	DoH Head of Public Appointments DoH Head of Sponsor Branch NIPEC Outgoing Chair NIPEC Chief Executive

Chief Executive Recruitment

Add details of any engagement related to the recruitment of a new Chief Executive (if anticipated during the year ahead). ALBs should engage with the Department at an early stage in the event of the recruitment of a new Chief Executive. While

recognising the role of the Board as employer, the Department will work closely with the ALB in the recruitment and selection process in line with extant guidance.

Activity	Date	Lead Departmental/ALB Official
Approval to recruit to posts in Senior Executive grades (including Chief Executive)	In advance of proposed recruitment	DoH Director of Workforce Policy
Chief Executive acknowledges, in writing, receipt of a formal letter of designation as Accounting Officer defining the role and responsibilities of this position	As required	NIPEC Chief Executive DoH Head of Sponsor Branch
Chief Executive has, within six months and preferably within three months of appointment, attended an accounting officer training course run by Chief Executives Forum	Between 3 and 6 months of appointment	NIPEC Chief Executive DoH Head of Sponsor Branch
Refresher Accounting Officer Training is undertaken at least every six years	Every 6 years	NIPEC Chief Executive DoH Head of Sponsor Branch

Assurances

Add details of the timetable for submission of key assurance sources and any other assurance related activity

Action	Date	Lead Departmental/ALB Official
Outcome of the Review of Board Effectiveness	Annual review with an externally facilitated review at least once every three years	NIPEC Chair
Planning for the externally facilitated review of Board Effectiveness	Externally facilitated review at least once every three years	NIPEC Chair

Board Appraisals and planned training/development for Board members	Following the end of the Business year.	NIPEC Chair DoH Director of Public Appointments CNO
Chair Appraisal	Following the end of the Business year. After Board Appraisals have been completed by the Chair and the annual Review of Board Effectiveness has concluded	DoH Director of Public Appointments DoH EBM Sponsor DoH Permanent Secretary
Departmental Attendance at ARAC	Attendance as observer 1xpa	DoH Head of Sponsor Branch
Assurance Statement	Bi-annual mid and end year	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch DoH Head of ALB Governance
Draft Governance Statement	Annual - end year	NIPEC Chief Executive / Head of Corporate Services DoH EBM Sponsor DoH Head of Sponsor Branch DoH Head of ALB Governance
Annual Report and Accounts	Annual	NIPEC Chief Executive DoH Director of Finance
Report to those Charged with Governance	Bi-annual	NIPEC Chief Executive
Engagement on other planned NIAO reports	As required	NIPEC Chief Executive
Head of Internal Audit Annual report/Opinion	Annual	NIPEC Chief Executive
Internal Audit Strategy and Plans	Annual	NIPEC Chief Executive
Internal Audit External Quality Assessment	To be conducted at least once every five years	NIPEC Chief Executive

Ground Clearing Meetings	Bi-Annual	DoH EBM Sponsor CNO NIPEC Chief Executive NIPEC Head of Corporate Services
Accountability Meetings	Mid and end year	DoH Permanent Secretary DoH EBM Sponsor NIPEC Chair NIPEC Chief Executive
Internal Audit reports with less than satisfactory assurance	Once - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Policy Leads DoH Head of Sponsor Branch
Fraud return	Annually - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Finance Director
Annual Report, with the draft submitted to the Department two weeks before the publication date (<i>detailed timetable for the annual accounts, SIC etc is set by Finance Directorate</i>)	Annually - For information	NIPEC Chief Executive / Head of Corporate Services DoH Finance Director
Anti-Fraud Policy	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Finance Director DoH Head of Sponsor Branch
Assurance Framework	Annually - For information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Audit Committee papers (including draft minutes) for each meeting as and when issued to Committee members)	Monthly - For information	NIPEC Head of Corporate Services DoH Head of Sponsor Branch

Audit Committee Terms of Reference	Once, and then when revised - for information	NIPEC Head of Corporate Services DoH Head of Sponsor Branch
Audit Strategy	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Council meeting papers (including draft minutes) for each meeting as and when issued to Council members)	Quarterly - For information	NIPEC Head of Corporate Services DoH Head of Sponsor Branch
Business Continuity plan	Annually - For information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Code of Conduct for board members	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Code of Practice for staff	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Complaints procedure	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Corporate Plan (including the Business Plan), must be produced for Departmental approval	Annually - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive DoH Head of Sponsor Branch
Corporate Risk Register	Bi-annual - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Equality scheme	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Fraud Response Plan	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Finance Director

Grievance and Disciplinary procedures	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Head of Internal Audit's end-of-year and mid-year opinions on risk management, control and governance	Annually - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Internal Audit Progress Report	Annually - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Internal Audit work-plan	Annually - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Mid-year Assurance Statement (by end-October each year)	Annually - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
NIAO management letters	Once - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Publication scheme	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Register of board members' interests	Annually - For information	NIPEC Head of Corporate Services DoH Head of Sponsor Branch
Report on quarterly assessment of progress being made in the delivery of the Corporate/Business Plan's aims and objectives	Quarterly - for consideration/ comment/ approval (where noted)	NIPEC Chief Executive / Head of Corporate Services DoH Head of Sponsor Branch
Whistle-blowing procedures	Once, and then when revised - for information	NIPEC Chief Executive / Head of Corporate Services DoH Head of Corporate Governance Unit DoH Head of Sponsor Branch

Budget Management

Add details of the information and returns to be provided.

Item and Purpose	Date	Lead Departmental/ALB Official
Monthly Financial Management Returns	Monthly	NIPEC Chief Executive / Head of Corporate Services
Monthly Cash Forecast	Monthly	BSO Finance
Monitoring Round Returns	As required	NIPEC Chief Executive / Head of Corporate Services
Provisional Outturn	Annual/As required	BSO Finance
Final Outturn	Annual/As required	BSO Finance
DoF Commissioned Monitoring Rounds	June, October, and January (work commences the previous month)	DoH Head of Financial Management Unit / ALB
Business cases outside APB delegated limits or falling within the definition of Novel, Contentious or repercussive	Ad hoc	DoH Head of Finance Policy and Accountability / ALBs
Write off outside delegated limits or which could be considered Novel, Contentious or repercussive	Ad hoc	DoH Head of Finance Policy and Accountability Unit / ALBs
Clinical Negligence claims, EL/OL Claims outside delegated limits or which could be considered Novel, Contentious or repercussive	Ad hoc	DoH Head of Finance Policy and Accountability Unit / ALBs
Test Drilling samples	Interim - November and Final – March	DoH Head of Finance Policy and Accountability Unit / ALBs
FAU circulars and memos in relation to Year – End Accounts production*	Year – End (March)	DoH Head of Financial Accounting Unit / All ALBs

Circulars – FD letters*	Ad hoc	DoH Head of Financial Accounting Unit / All ALBs
Capital Spend Returns	Monthly	DoH Head of Capital Resources Unit / All ALBs
Capital Resource Limits (CRL) Returns	Ad hoc	DoH Head of Capital Resources Unit / All ALBs
ISNI Delivery Tracking System Updates	Monthly	DoH Head of Capital Resources Unit / All ALBs
Disposals	Bi-annually	DoH Head of Capital Resources Unit / All ALBs
General Capital Outturn	Annually	DoH Head of Capital Resources Unit / All ALBs
Capital Budget Exercises/10 Year Plan	Ad hoc	DoH Head of Capital Resources Unit / All ALBs
Other		
<i>Tailor as required to reflect the specific requirements</i>		
Item and Purpose	Submission Date	Lead Departmental/ALB Official
Accounting Officer - Fitness to Act as Accounting Officer	Annual request from the departmental Accounting Officer	DoH Director of ALB Governance Unit DoH Head of Sponsor Branch
Fraud Reporting	Immediate reporting of all frauds (proven or suspected including attempted fraud	DoH Finance Director
Preparation of business cases – departments and ALBs to consider working together to share expertise where appropriate.	Ad hoc	DoH Director of Estates NIPEC Chief Executive / Head of Corporate Services / BSO Finance
Whistleblowing cases/ Speaking Up/Raising Concerns.	Ad hoc	DoH Head of Corporate Governance Unit NIPEC Chief Executive

NI Public Service Ombudsman (NIPSO) Cases	Ad hoc	NIPEC Chief Executive DoH Head of Corporate Governance Unit
Review of the Partnership Arrangement <i>Tailor as required to reflect the specific requirements</i>		
Item and Purpose	Date	Lead Departmental/ALB Official
Light touch review of the Partnership Agreement	Schedule following the end of the Business Year	DoH EBM Sponsor NIPEC Chair NIPEC Chief Executive
Formal review of the Partnership Agreement	To be conducted once every three years	DoH Permanent Secretary DoH EBM Sponsor NIPEC Chair NIPEC Chief Executive

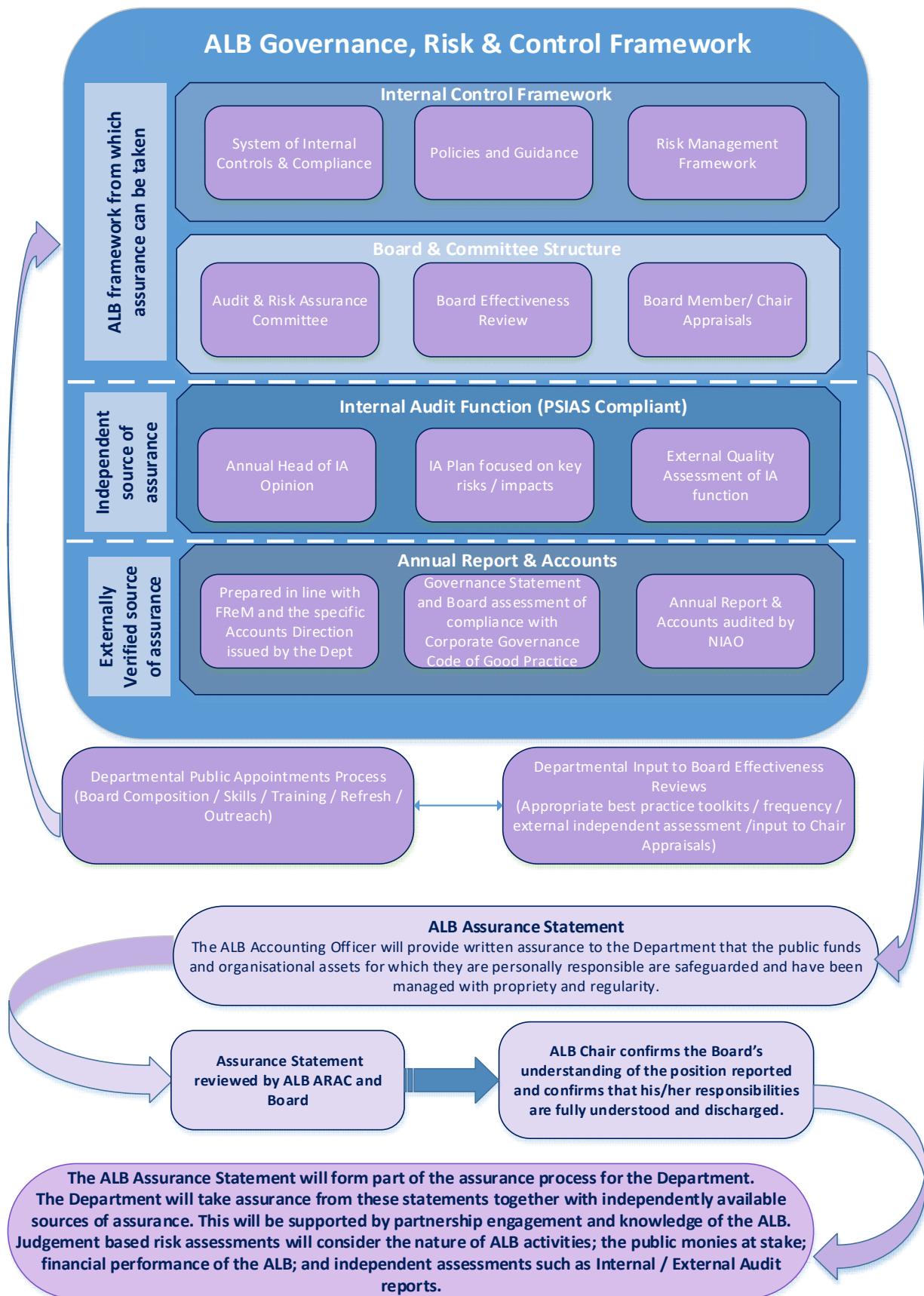
Annex 3 - Delegations

Delegated authorities

NIPEC shall obtain the Department's prior written approval before:

- entering into any undertaking to incur any expenditure that falls outside the delegations or which is not provided for in NIPEC's annual budget as approved by the Department;
- incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications;
- making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the Department;
- making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required; or
- carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money Northern Ireland.

Annex 4 – NIPEC System of Assurance



Annex 5 – Concerns/Complaints in respect of Council members

In line with the NI Code of Good Practice and the arrangements in this Partnership Agreement the approach to concerns/complaints raised in respect of NIPEC Council members should be transparent and collaborative. The principle of early and open engagement is important, with Sponsor Branch at the Department made aware of any concerns or complaints as soon as practicable.

While Council Members are Public Appointees and office holders rather than NIPEC employees a NIPEC employee may utilise NIPEC's grievance procedure or other HR procedures to raise a complaint against a Council member. The NIPEC employee raising the grievance should expect this to be handled in line with NIPEC's HR procedures.

Concerns or complaints might also be raised through:

- Raising Concerns or Whistleblowing arrangements;
- Complaints processes;
- Directly with NIPEC or Sponsor Branch at the Department.

Where a concern or complaint is received within NIPEC in respect of an individual Council Member this should be provided to the NIPEC Chair who should notify Sponsor branch at the Department at the outset in order that lead responsibility for handling the complaint or concern is clear in advance.

Where a concern or complaint relates to the NIPEC Chair, NIPEC should notify Sponsor Branch at the outset for the Department to determine the approach to handling the complaint or concern.

Differences of view in relation to matters which fall within the Council's responsibilities are a matter for the Council to resolve through consensus-based decision making in the best interests of NIPEC.

Exceptionally a concern or complaint may be raised by a Council Member about a fellow Council Member or a senior member of NIPEC staff. The NIPEC Chair should

notify Sponsor Branch at the Department at the outset to ensure that arrangements for handling the concern or complaint are clear.

Arrangements for concerns or complaints in respect of Council members should be reflected in all relevant procedures.

Annex 6 - Applicable Guidance

The following guidance is applicable to NIPEC:

Guidance issued by the Department of Finance

- Managing Public Money NI
- Public Bodies – A Guide for NI Departments
- Corporate Governance in central government departments – code of good practice
- DoF Risk Management Framework
- HMT Orange Book
- The Audit and Risk Assurance Committee Handbook
- Public Sector Internal Audit Standards
- Accounting Officer Handbook – HMT Regularity, Propriety and Value for Money
- Better Business cases NIDear Accounting Officer Letters
- Dear Finance Director Letters
- Dear Consolidation Officer and Dear Consolidation Manager Letters
- The Consolidation Officer Letter of Appointment
- Government Financial Reporting Manual (FReM)
- Guidance for preparation and publication of annual report and accounts
- Procurement Guidance

Other Guidance and Best Practice

- Specific guidance issued by the Department
- EU Delegations
- Recommendations made by the NI Audit Office/NI Assembly Public Accounts Committee
- NIAO Good Practice Guides
- Guidance issued by the Executive's Asset Management Unit
- NI Public Services Ombudsman guidance

Annex 7 – Role of the Minister

Role of the Minister

The Chair of NIPEC is responsible to the Minister through the Permanent Secretary. Communication between the Council and the Minister should normally be through the Chair.

The departmental Accounting Officer is responsible for advising the relevant Minister on a number of issues including NIPEC's objectives and targets, budgets and performance.

In addition to being answerable to the Assembly as laid out in paragraph 2.4, the Minister is also responsible for:

- Setting the strategic direction and overall policies and priorities for NIPEC as reflected in the PfG;
- Setting the ALB's budget; and
- Appointment of non-executive board members. The Minister may also be involved in considering the size and composition of the NIPEC Council – see para 15.3.

Annex 8 – Partnerships between Departments and Arm’s Length Bodies: NI Code of Good Practice

NI Code of Good Practice

[NI Code of Good Practice v3 \(300323\).pdf \(finance-ni.gov.uk\)](#)