

Minutes of the Northern Ireland Practice and Education Council Meeting, held on Wednesday, 15th March 2023 at 2.00 pm at The Mount Conference Centre, Belfast

Present: Kieran McCormick (Interim Chair)
Karen Diamond
Siobhán Caslin (Via Zoom)
Ciara Scannell (Via Zoom)
Brenda Kelly
Emma McIlveen
Eilidh McGregor
Gary Mitchell
Amit Bhagwat (Via Zoom)
Nirmala Bhogal
Katrin Lehmann
Sharon McRoberts
Janine Stockdale

In attendance: Mrs Linda Kelly, Chief Executive
Ms Jill Jackson, Head of Corporate Services
Ms Geraldine McKendry, Senior Professional Officer

Apologies: No apologies were noted

Secretariat: Ms Lisa McEneaney, Business Support Manager

1.0 APOLOGIES

The Chair welcomed members to the meeting.

2.0 CHAIR'S BUSINESS

2.1 Welcome new Members of the Council to their first meeting

The Chair welcomed new members to their first Council meeting and advised that it was excellent that the Council vacancies had now all been filled and there was full attendance at the meeting.

2.2 Welcome members of the Public

The Chair advised that no members of the public were in attendance at today's meeting.

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 Remuneration Committee

The Chair informed members that like all Arms' Length Bodies (ALB's), NIPEC is required to have a Remuneration Committee with formally established Terms of Reference (ToRs). He advised that the ToRs for the Remuneration Committee can be found in Appendix 2 of the Standing Orders for members to reference.

The Chair explained that the primary role of the Remuneration Committee is to make recommendations to the Council on all aspects of remuneration and terms and service of employment for the Chief Executive subject to the direction of the Department of Health (DoH). Given the addition of 8 new members in February 2023, Chair stated that it was a timely opportunity for NIPEC to review membership of the Committee and appoint new members. He asked members to note that the Committee is Chaired by NIPEC's Chair with a minimum of two members, one Registrant and one Lay member.

The Chair asked members who were interested in being appointed to the Committee to send an expression of interest to the Chair setting out any relevant experience they may have which would support them in fulfilling the role. He clarified that the decision on appointments being made to the Remuneration Committee will be ratified at the June 2023 Council meeting.

Action: Expression of Interest to be sent to the Chair outlining any relevant experience.

Action: Decision on appointment being made to the Remuneration Committee to be ratified at the June 2023 Council meeting.

2.5 Register of Council Members Activity

The Chair thanked Council members for submitting their quarterly updates to Ms Jackson in order to get a flavour of activities Council members are involved in.

Council members noted the Register of Council members activity.

2.6 Council Workshops

The Chair informed members that NIPEC plan to have three Council workshops in 2023. The draft dates for the workshops currently are:

- 24th May 2023-proposed focus on NIPEC professional Work;
- 20th September 2023- proposed focus on Corporate Risk Register and Counter Fraud;
- 6th December 2023- proposed focus on Equality and NIPEC's statutory obligations.

The Chair asked if members were content with the proposed dates and members approved the dates suggested.

Action: Head of Corporate Services to issue Council workshop dates to members.

2.7 Chair leave of absence

Mr McCormick gave an update on the Chair's leave of absence. He advised that it is Ms Scott's intention to return to her role as NIPEC Chair on 17th April 2023. He advised that he had warmly received this news and he looks forward to welcoming Ms Scott back to her role as Chair of NIPEC Council.

Council members noted the update on the Chairs leave of absence

2.8 Board Governance Self-Assessment 23/24 and Development Plan

The Chair acknowledged that whilst the Board Governance Self-Assessment is no longer sought from DoH, there is an expectation that it is completed annually. The document had been circulated to members on 22nd February for review and it was noted that no amendments had been received to date. The Chair asked for comments from members on the Board Governance Self-Assessment and Action Plan 2023-24.

Ms McGregor explained that she has dyslexia and she explained that when attending for interview she had asked for a pen and paper to support her in the process and that this request had been refused. She advised that she would like this issue to be noted on the Board Governance Self-Assessment Document. The Chair suggested that Ms McGregor speak to Ms Jackson at the end of the meeting regarding a form of words for this to be included.

Action: The Chair suggested that Ms McGregor speak to Ms Jackson at the end of the meeting regarding a form of words to be inserted to the Board Governance Self-Assessment.

The Chair explained that progress on the Development Plan will be reviewed at every Council meeting.

Ms Boughal advised there was a date error on page 51, under 5.1 this should read September 2022.

Council members approved the Board Governance Self-Assessment and Development Plan 2023-24 subject to the amendments discussed.

Action: Head of Corporate Services to ensure amendments made to the Board Self-Assessment document.

2.9 Invite to Permanent Secretary to attend NIPEC Council

The Chair advised that there had been previous consideration given to inviting the Permanent Secretary to attend a meeting of NIPEC Council however this had been put on hold until new members were appointed. The Chair asked members if they were content for Mr Peter May (Permanent Secretary) to attend a meeting of NIPEC Council and members welcomed this proposal.

Action: Invite to be sent to Mr Peter May (Permanent Secretary) to attend a NIPEC Council meeting.

2.10 Chief Nursing Officer ex-officio membership of NIPEC Council

The Chair briefed members that the Chief Nursing Officer (CNO) had indicated that she may withdraw from her ex-officio membership due to a potential conflict of interest as the Accounting Officer for NIPEC.

The Chair confirmed that he had written to the Chief Nursing Officer on 13th February 2023 asking her how to progress this issue. The letter was acknowledged and is currently with DoH officials for progress. It was agreed that updates would be provided to Council in the coming months.

Council members noted the position on the Chief Nursing Officer ex-officio membership on NIPEC Council

2.11 Remuneration of Council members

The Chair provided members with an update in relation to the Remuneration of Council members. He advised that currently members of NIPEC Council are not remunerated for their time and work to the NIPEC Council. The Chair explained that a desktop review was undertaken in 2022 and a paper outlining the way forward including identification of funds from accommodation savings had been submitted to DoH.

Action: Chief Executive and Head of Corporate Services to follow up on remuneration of Council members with Chief Nursing Officer.

3.0 Minutes of Previous Council meeting on 7th December

Council members approved the minutes from the previous Council meeting on Wednesday 7th December 2022.

4.0 Matters Arising

Ms Jackson gave an update in relation to the matters arising. She advised that there were a number of actions which remained open pertaining to:

- Gift for Council members;
- Business Continuity details for Council members in the event of a cyber-attack on HSC systems;
- Legal advice on disposal of data in relation to the online portfolio:

Ms Jackson gave an overview of the steps that had currently been taken in relation to the disposal of information from the online portfolio website. She advised she had obtained legal advice on the matter and in view of the current Muckamore inquiry, NIPEC had been advised to seek advice from the Inquiry Team about deletion of the records. It was agreed that this action would remain open pending advice from the Muckamore Inquiry legal team.

Action: The Chief Executives PA to contact members to obtain personal information to be held securely and only used in the event of a cyber security incident.

5.0 Correspondence

- 5.1 Correspondence from DoH Governance Unit: Guidance for Ground-Clearing and Accounting Officer Meetings, issued 30th December 2022
- 5.2 Circular HSC(F) 03-2023 – Conduct of Preliminary Enquiries in respect of Potentially Fraudulent activity, issued 26th January 2023
- 5.3 Counter Fraud Services Bulletin: Preliminary Enquiries, 30th January 2023
- 5.4 Counter Fraud Preliminary Enquiry Process, issued 30th January 2023
- 5.5 Correspondence from DoH Permanent Secretary Peter May: Update on Encompass Programme, issued 9th February 2023

The Chair requested that going forward, all departmental and other correspondence relevant to Council should be uploaded to Decision Time's Resources' section.

6.0 Operational Performance and Service Improvement

6.1 Geraldine McKendry: Presentation on here for life campaign

Ms McKendry advised that the Here for Life Campaign launched on 12th May 2022 and that the aim of the campaign was to raise awareness of the breadth and diversity of nurses and midwives' role and expertise. Within the presentation, Ms McKendry advised what led up to the campaign and the overall success of the campaign.

Council members were very complimentary of the presentation and congratulated Ms McKendry for her role in the campaign.

Council members noted Ms McKendry's presentation.

Action: Here for life presentation to be added under the resources section in Decision Time.

6.2 Chief Executives Report

The Chief Executive informed Council that her report included some of the key highlights of NIPEC's current priorities and encouraged members to ask questions, suggest any improvements or advise on anything they wish to be added to the report going forward.

Ms Brenda Kelly asked about sponsor branch conversations and communication and support being provided from Sponsor branch.

The Chief Executive advised that due to staff turnover and absence in Sponsor Branch, a new official had been nominated as the Sponsor Branch representative for NIPEC. Members noted that there were a number of issues awaiting response from Sponsor Branch, including the issue of the ex-officio membership of the Chief Nursing Officer, the resumption of regular Sponsor Branch meetings and discussion around NIPEC's draft Partnership Agreement. Ms B Kelly asked if consideration should be given to these issues when drafting a new Corporate Risk Register for 2023-24.

The Chief Executive noted that there may be a requirement for escalation if Sponsor Branch meetings did not commence imminently. She acknowledged that lack of engagement may be a possible risk and that Council's comments and the outstanding issues would continue to be raised with officials. The Chief Executive confirmed that

an accountability meeting had been scheduled for June 2023 between Chair, Chief Executive, the Permanent Secretary and Chief Nursing Officer.

Mr Mitchell thanked Mrs L Kelly for the information in her report on care home falls and asked for further clarification on the work being carried out. Mrs L Kelly advised that the work in relation to the outcome of testing of falls is ongoing and that she will be able to provide a further update at the June 2023 Council meeting.

Council members noted the Chief Executives report.

6.3 Consultation Activity Report

The Chief Executive provided an update on the consultation activity report. Chair enquired if it was possible that the consultation activity be uploaded to Decision Time going forward and Mrs L Kelly agreed that this would be considered.

Action: Consideration to be given as to how the consultation activity could be added under Resources on Decision Time.

Council members noted the consultation activity report.

7.0 Corporate Control and Finance

Report from standing Committee:

7.1 Confirmed Minutes from the Audit and Risk Committee held on 11th October 2022

Council members noted the approved minutes.

7.2 Finance

7.2.1 Financial Summary of expenditure, month 10

Ms Jackson gave an update on the financial position. She noted that at Month 10 reporting, the projected yearend surplus was £97,000.

Ms Jackson advised that the Month 11 figures had been drafted and there had been a further change in position due to the negotiations on dilapidations for Centre House. On 14th December 2022, a first Schedule of Dilapidations was received from the Landlord's surveyor amounting to £148,011 and since then negotiations had continued between the respective surveyors. NIPEC had accrued the amount of £70,800 to cover potential dilapidation costs in previous financial years and were accruing further surplus in-year based on the initial schedule from the Centre House landlord.

On 3rd March 2023, NIPEC received correspondence from the surveyor representing the organisation recommending a final figure of £70,901.59 as a commercially and technically appropriate level for full and final settlement. He confirmed that the Landlords Surveyors had agreed this figure. Ms Jackson advised that as a result of this recommendation, NIPEC were now in a projected surplus position and to address this and ensure that the organisation meets its statutory

requirement to achieve the financial breakeven position of £20k or less, a further retraction had been sought from DoH Finance. Ms Jackson asked members to note that there may be further movement due to the recent allocation for the pay award. She advised Council members that DoH had noted the request however there was no guarantee that this money would be retracted.

Ms Jackson asked were Council happy to proceed with the dilapidations and approve the current position.

Council members approved the dilapidations and the current actions being taken to address the financial position.

7.2.2 DoH Financial planning scenarios – Resource Budget 2023-24 Revised letter to ALB's

Council members noted the DoH Financial planning scenarios – Resource Budget 2023-24 Revised letter to ALB's

7.2.3 NIPEC Draft Financial Plan 2023-24

Ms Jackson referenced the correspondence under 7.2.2 and advised Council that as requested, NIPEC had prepared a draft budget (circulated to members) for 2023-24. Ms Jackson explained that the draft budget is based on the assumption of an opening allocation at the same level as 2022-23 and sets out the effect of 3%, 5% and zero efficiencies. However, she cautioned that if efficiencies were incurred, the most likely way NIPEC could meet these was to suppress at least one vacancy.

The Chair noted that should NIPEC be subject to efficiencies, Council could consider this in relation to the Corporate Risk Register. The Chief Executive noted that there is an extensive workplan to be delivered in 2023-24 and while she remained confident of achieving objectives, a reduction in NIPEC posts would make this challenging.

Council members approved the NIPEC Draft Financial Plan 2023-24

7.3 Corporate Risk Register version 8

Ms Jackson presented the Corporate Risk Register and advised members that this was presented on a new template which was approved by Council in December 2022. Ms Jackson explained that consideration still needs to be given to identifying 'Gaps in Assurance' which will be taken forward and presented to BTM and Council in due course.

Council members approved the Corporate Risk Register Version 8

7.4 KPI's 2022-23

Ms Jackson summarised the performance to date and acknowledged several blips in performance in relation to the 30 days payment for invoices. However, she

confirmed that overall NIPEC are still on course to meet the targets set down by DoH.

Ms Jackson updated members on the absence figure which at 4.71% at the end of January 2023, remains in Amber. She explained that this had been due to several long-term absences in 2022 and that the figure had been steadily decreasing since October 2022.

Council members noted the KPI's 2022-23

7.5 Draft Business Plan 2023-24

Ms Jackson presented NIPEC's Draft Business Plan for 2023-24. She advised that the Business Plan had already been reviewed by Council in December 2022 and since then by Sponsor Branch who had requested several amendments. She asked members if they were content to approve this version as a final draft.

Council members approved NIPEC's Draft Business Plan 2023-24.

Action: Final Draft Business Plan to be shared with Sponsor Branch.

7.6 Draft Equality and Disability Action Plan 2023-28

Ms Jackson presented the Equality and Disability Action Plan 2023-28 and asked members if they were happy to approve this version. She explained that the previous draft had been presented to Council in December 2022 and that since then, further amendments had been made in consultation with NIPEC's senior team and BSO Equality Unit. NIPEC's Chair and Chief Executive had signed off the Plan in February 2023 and it had been forwarded to the BSO Equality Unit to include in a 12-week public consultation which would be published on NIPEC's website and circulated to stakeholders.

Council members approved the Equality and Disability Action Plans 2023-28 for consultation.

7.7 NIPEC Policies

7.7.1 Standing Orders

Ms Jackson presented the NIPEC Standing Orders and advised that these had been placed on the agenda for noting. She explained that NIPEC are awaiting confirmation from the Chief Nursing Officer regarding her withdrawal as an ex-officio member and that once received, the Standings Orders will be amended accordingly. Ms Jackson also asked members to note that the senior team would consider how to include a Chief Executive's Scheme of Delegation in the document and present the amended document to Council in September 2023 for ratification.

Council members noted the NIPEC Standing Orders and agreed that the Standing Orders should come back to the September Council meeting.

Action: Standing orders to be presented to the September Council meeting for approval.

7.7.2 and 7.7.3 Draft Attendance Management & Draft Grievance Policies

Ms Jackson briefed members on the draft policies and asked if they were happy to approve. Ms B Kelly enquired whether Trade Unions had been involved in their development and Ms Jackson confirmed that when drafting new policies on behalf of the regional HSC organisations, BSO engaged both with Trust HR representatives and Trade Unions.

Council members approved the Draft Attendance Management Policy and Draft Grievance Policy.

7.7.4 Hybrid Working Policy

Ms Jackson presented the Pilot Draft Hybrid Working Policy and provided some background to the approach being taken by other ALB's on hybrid working, confirming that a number had returned to office working three days per week from September 2022. NIPEC's draft was proposing that staff returned to the office at least 2 days per week from the beginning of March and Ms Jackson confirmed that the document had been shared with all staff for comment. She also confirmed that a questionnaire had been developed for all staff to complete now to seek some thoughts on the return to office working and that this would be used to benchmark against feedback at the end of the current Pilot period in June 2023.

Discussion took place in relation to equality for other HSC organisations who are expected to work in the office three days per week and members asked why NIPEC staff were only expected to work from the office two days per week. The Chief Executive confirmed that NIPEC can set up their own Hybrid Approach as a statutory organisation in their own right and that other regional ALBs were adopting a local approach to Hybrid working. She explained that in terms of Health and Wellbeing of staff, there needs to be benefit to the organisation of asking staff to work from the office more than two days per week. Benefits included better working relationships and therefore it seemed practical to pilot the Hybrid Working approach initially for two days in the office per week and review the outcome in June 2023.

The Chair advised that the Draft Hybrid Working Policy is very specific to NIPEC and that it may be beneficial to seek the advice of BSO and Staff Side on NIPEC's approach. It was agreed that this advice would be sought following the initial pilot and that if HR felt it would be beneficial, a meeting could be set up of NIPEC's Joint Consultative Committee to seek agreement on a more permanent approach.

Council members approved the pilot approach for three months.

Action: Feedback on the Pilot to be presented to Council in September 2023.

7.8 Update on accommodation

Ms Jackson confirmed that NIPEC had taken possession of the James House accommodation on 6th February 2023. The license was signed by the Chief Executive and DoF Director of Properties Division.

This move had coincided with the initiation of the draft Hybrid Working Policy and Ms Jackson noted that it was likely that use of the building would be monitored and feedback sought given the significant investment of public money.

Council members noted the update on accommodation.

8.0 Safety and Quality

8.1 NIPEC Professional Work Plan 2022-23 Business Plan objectives progress Monitoring Report from 1st December 22 to 31st March 2023

The Chief Executive provided members with a comprehensive update in relation to the NIPEC Professional Work Plan 2022-23 from 1st December 2022 to 31st March 2023. The Chief Executive asked members to note the increase in completed objectives from 3 to 19 and focussed on the actions RAG rated as red, providing an update on their progress.

Mrs L Kelly then invited any questions from Council members in relation to the Professional Workplan.

Council members noted the Report and thanked Mrs L Kelly and her team for their work on achieving so many objectives.

8.2 DoH Covid-19 Public Inquiry Group

Ms Jackson provided an update from the DoH Covid-19 Public Inquiry Group. Like all HSC organisations, NIPEC had received a Letter and Questionnaire from the Covid 19 Inquiry team as part of an information gathering exercise for Module 3. Broadly speaking Module 3 will examine the impact of the Covid-19 pandemic on healthcare systems in England, Wales, Scotland and Northern Ireland;

Ms Jackson confirmed that NIPEC's senior team had submitted a high-level response by the close date of 30th January 2023 via BSO Directorate of Legal Services.

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

9.0 Any Other Business

No other business was noted. The Chair advised that the date of the next Council meeting was 28th June 2023 @ 2pm.

The Chair closed the meeting at 4.40pm.