

Social Care Council 7th Floor Millennium House 25 Great Victoria Street Belfast | BT2 7AQ

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Social Care Council Board Meeting Confirmed Minutes 10.00a.m on Wednesday 24th June 2020 Via Zoom videoconference

Present:

Paul Martin (CHAIR)
Noelle Barton, Board Member
Neil Bodger, Board Member
Sarah Browne, Board Member
Roslyn Dougherty, Board Member
Carolyn Ewart, BASW (N.I)
Gerard Guckian, Board Member
Christine Hunter, Board Member
Brenda Maitland, Board Member
Jacqueline McGarvey, Board Member
Catherine McPhillips, Board Member
Anne O'Reilly, Board Member
Lee Wilson, Board Member

In Attendance:

Patricia Higgins, Interim Chief Executive Officer, Social Care Council Declan McAllister, Dir. of Registration and Corporate Services, Social Care Council Maureen Martin, Secretariat, Social Care Council Marian O'Rourke, Interim Director of Regulation & Standards

Observer(s):

Kate Harrison, Board Apprentice

Apologies:

David Hayes, Board Member Roberta Magee, Chair of the Social Care Council Registrants' Forum

Item	Agenda	Action
1.	Welcome and Apologies	
1.1	The Chair welcomed Members to the meeting via Zoom videoconference facilities. It was noted that Expressions of Interest for attendance at the today's Board meeting had been received from two members of the public and they are expected to join the meeting after the closed session.	
1.2	Apologies were noted from David Hayes, Board member and Roberta Magee, Chair of the Social Care Council Registrants' Forum.	
	Confidential Session	
	Notes from the confidential session are recorded separately.	
2.	Declarations of Interest	
2.1	None to note.	
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3.	Chair's Business	
3.1	Remuneration Committee membership	
	The Chair invited members to send Expressions of Interest for two available appointments to the Remuneration Committee. An annual Remuneration Committee meeting will be held and a strategic meeting has been added to focus on training for members. Board members were requested to send Expressions of Interest within the next week to the Board secretary. In the event that no responses are received the Chair will identify two members to join the Remuneration Committee. The Chair noted that the 9 year appointment of Board member,	
	Neil Bodger is due to terminate in July. Formal thanks were recorded for Neil's contribution and significant commitment to the Social Care Council as a Board member and a member of the Remuneration Committee.	
	Non-Executive Director appraisals	
	Due to the impact of COVID-19 there had been a delay in signing off last year's Non-Executive Director appraisals and the Public Appointments Unit had postponed the issue of papers for 2019/20 appraisals. This is now being addressed and 2019/20 appraisal paperwork should be issued within the next few months. Once received, a date canvas for August/ September will be circulated to members to arrange one to one appraisal meetings with the Chair.	
	NICON Chairs meeting	
	The Chair reported that 2 NICON Chairs meetings had been held within the last month. The Chair had led discussion at the first	

meeting with the Health Minister on the work of Arms' Length Bodies (ALBs) during COVID-19 with a focus on the consideration of social care in the reset agenda. The Minister had commented on the wide range of functions provided by ALBs and the important role of ALBs in discussions on the resetting of health and social care services post pandemic. A date has been agreed for the Minister to meet with Sean Holland, the Chair and the Chief Executive to explore how organisations including the Council can support the delivery of the social care agenda going forward. NICON has agreed 6 weekly meetings with the Minister going forward to help maintain engagement with organisations delivering front line services. Members welcomed the approach to have the social care agenda remain to the fore and highlighted the need to champion the voice of service users and carers in the debate going forward.

Non-Executive Directors Governance Document

The Chair extended thanks to Board member, Anne O'Reilly for leading the review group of the Non-Executive Directors (NEDs) Governance document. The review was carried out to give prominence to social care governance in the document and this has now concluded and been submitted to Patricia Donnelly, IHRD Project Lead, as a forerunner for the meeting arranged in the coming weeks. The Chair, SLT and Board members involved in the NEDs Governance document review will meet in advance for further discussion. The timeframe of the production of the final draft of the NED Handbook has been impacted by COVID-19. The Chair noted that the contributions to the document need to be reviewed and collated. Patricia Donnelly has heard the views and has agreed that the Handbook can be taken forward as a piece of work by the NICON Chairs group and the work completed by them.

Board Apprentice placement extension

The Board formally noted the extension of the current Board Apprentice placement for a further 6 months and formally noted that the member appointed as Boardroom Buddy will support any attendance at partnership meetings

Additional Board meeting

In order to keep Board members informed in relation to COVID-19 and the outcome of the Minister's meeting, the Chair proposed convening an additional Board meeting in September 2020. The Chair will issue email updates over the summer period to keep members informed.

Decision: Members agreed to convene an additional Board meeting in September 2020.

4.	Interim Chief Executive's Report	
4.1	Interim Chief Executive's Report for 1 st April – 15 th May 2020 - Paper A for information	
4.1.1	The Interim Chief Executive gave a brief overview of the report which outlines key activity undertaken for the period 1 st April – 15 th May 2020 to continue to deliver business remotely and support registrants and stakeholders. The following were highlighted:	
	 Work has commenced in readiness for Phase 1 of office based working including erection of screens and signage, one way 'traffic' flow in office and desk clearance in preparation for a chemical defogging; Indicative time frame for re-opening of the office is end of July to facilitate implementation of appropriate safety measures, but will be subject to guidance issued by the NI Assembly. 	
	 Business Plan and Corporate Plan The Department of Health have signed off the 2020/21 Business Plan and have agreed to the Board's request to extend the current Corporate Plan for one further year. Planning for the new Corporate Plan will commence in the autumn. 	
	The Interim Chief Executive noted the appended correspondence from Jackie McIlroy, DoH confirming the initiation by the Department of Finance of a 'value for money' effectiveness review of Arms' Length Bodies. Members will be updated once further details of the review are received. The Chair queried the conclusion and implementation timeframe stated in the letter of within six months of the restoration of the Executive and this is to be clarified with the DoH.	
	Action: Implementation timeframe for the Department of Finance 'value for money' effectiveness review of Arms' Length Bodies to be clarified with the DoH.	Interim Chief Executive
	The Interim Chief Executive confirmed that she will query the release of the Landscape Review report with Jackie McIlroy, DOH as no further update has as yet been received.	
	Action: The release date of the Landscape Review report to be queried with Jackie McIlroy, DOH.	Interim Chief Executive
	Decision: The Board noted the Interim Chief Executive's Report.	

5.	Board Minutes	
5.1	Minutes of the previous Board Meeting of 27th May 2020 - for approval	
5.1.1	The minutes of the previous Board meeting of 27th May 2020 were reviewed and agreed as accurate.	
	Decision: The Board approved the minutes of the Board meeting of 27 th May 2020	
6.	Matters Arising	
6.1	Item 9.2.3.1- definition of an Adverse Incident under section 3.1 of the Adverse Incident Policy to be clarified.	
	The DRCS confirmed that the 2006 definition of an Adverse Incident in the Adverse Incident Policy has been replaced with the updated definition.	
6.2	The Chair extended congratulations on the fiftieth anniversary of BASW as a professional body.	
7.	Business Matters	
7.1	Draft Annual Report and Accounts 2019/20- Paper B for approval	
7.1.1	The DCRS presented the Draft Annual Report and Accounts 2019/20 for final review and Board approval and thanked members for comments submitted. It was noted that the draft report has been previously reviewed at two Audit & Risk Assurance Committees and by the External Auditors and N.I Audit Office (NIAO).	
	The following were highlighted:	
	 The Governance Statement has now been updated to include additional COVID-19 related information from the Department of Health and reflects arrangements and controls put into place since March; The Report reflects major changes over the last nine weeks, associated amendments around the annual report and accounts and next steps; Following Board approval, the report will be submitted to NIAO by Friday 26 June for certification and laying at N.I. Assembly before summer recess; 	
	The DRCS clarified that the Bribery statement had been included in the Annual Report as this is a requirement of the Department of Health for HSC bodies.	
	A member noted the evolution of the Annual Report over the last few years to become a more outcome focused, visual document particularly evident in the Chief Executive's introduction which delivers an impact statement and outlines outcomes achieved. The organisation was congratulated on the recent work	

completed, in response to the pandemic, to support the DoH and stabilise the sector including the process for the early release of social work students and the provision of additional learning resources for social care.

Members welcomed the use of PageTiger software to present the Annual Report document in a more accessible, digitally interactive format with improved visuals. It was proposed that the Participation Forum group could be engaged to review the PageTiger with a view to ensuring it is accessible to all.

On behalf of the Board, the Chair formally noted thanks and appreciation to Social Care Council officials involved in the production of an excellent and comprehensive Annual Report.

The DRCS advised that due to current circumstances, electronic signatures have been permitted this year to sign off the Annual Report and Accounts therefore hard copy signatures were not required.

Decision: The Board approved the Draft Annual Report and Accounts 2018/19 and the application of the Chair's electronic signature to sign off the report.

8. Performance Reporting

- 8.1 Financial Performance Report and 2019/20 Budget Paper C for approval
- 8.1.1 The DRCS presented the Financial Performance Report and 2019/20 Budget for review and outlined the key highlights. The report provides the current financial position for income and expenditure up to 31st May.
 - The report reflects a deficit at the end of May of approximately £98k which is directly related to a drop in registration fee income of over 90%. This was due to the introduction of fee deferral in May as part of the COVID-19 response. A plan will be drafted to implement a recoupment process for outstanding fee income of £800,000 to commence from 1st October, as agreed with the Department of Health.
 - A revenue allocation of £2.17million has been received from the Department. The report reflects additional work around the budget since the last Financial report to reduce the in year overspend position to £177k by removal of budget costs associated with some staff who have opted out of the superannuation scheme and the movement of an agency staff placement to a contract position;
 - Expenditure- currently £14k payroll overspend of which £5k is rechargeable as it is directly related to a bank staff member working with the Department. £5k is related to the

- late submission of a timesheet last year by a sessional staff member;
- Non Pay COVID related savings have been made in some areas including printing and postage, heat, light and general services and legal and committee fees due to the introduction of virtual meetings. A small overspend was incurred for computer hardware/software due to work carried out by Silverbear to support the development of the Emergency Application process as part of the COVID response;
- An additional COVID-19 allocation from the Department is anticipated to assist with expenses incurred as a direct result of the pandemic;
- Capital expenditure a PC refresh is underway and a number of capital projects are in business case development. Capital income allocation is expected to be known in September;
- 30 day prompt payment performance is slightly under 95% target and 10 day payment outturn is 92% which is above the 75% N.I. Assembly target.

The DRCS confirmed that COVID-19 savings are included within the budget profile but do not take into consideration and allocation for the 2020/21 pay award and a potential allocation to support COVID 19 expenditure. A formal allocation letter has not yet been received from the Department.

The DRCS noted the overspend position around the area of Estate may be amended as the Department may provide additional income in the October monitoring round to assist with the increase in rent and lease arrangement.

The overspend year end position may be reduced if further funding is received to continue with agency staff placements currently contracted to September 2020 in Fitness to Practise.

In response to a query from a member on the possibility of the deduction of savings from the COVID allocation by the Department, the DRCS confirmed that monthly COVID related expenditure returns have been submitted to the DOH as required and that there has been no confirmation of any deductions. The departmental financial return at the end May 2020 however reflects the current overspend position of £97k.

Several members highlighted recent social media activity around the collection of registration fees in light of the pandemic. The Chief Executive confirmed that the expectation of the Department was for a temporary deferral only of registration fees.

A member formally registered ongoing concern in relation to the

financial deficit and the implications of carrying over this position into the second half of the year. It was agreed to defer discussion on the Fitness to Practise agency workers to agenda item 8.2.

A member highlighted that the pandemic has resulted in considerable financial pressures across the collective health and social care system and recommended the Council should consider the management and mitigation of the potential risk if financial support is not received from the Department or Executive due to higher priority demands. The Chair confirmed that the Minister had recognised the Council as a front line service due to the training resources being produced for the social care workforce however the role of the Social Care Council may change in light of a second surge of the pandemic.

It was noted that the Board cannot formally approve the Financial Performance Report and 2019/20 Budget as the budget breaches target. It was agreed that the Board would note the Financial Performance Report and 2019/20 Budget.

Decision: The Board noted the Financial Performance Report and 2019/20 Budget

- 8.2 Business Performance Report April May 2020
- 8.2.1 The DRCS presented an overview of the Business Performance Report April May 2020 and highlighted the following key details:
 - The report provides a cumulative assessment of performance achieved for the period 1 April –31 May 2020 and reflects outcomes and activity since remote working was introduced on 23 March;
 - As the organisation is returning to business as usual, it is proposed that the Board received bi-monthly Business Performance reports during quarter 2 and quarterly reporting re-established from October;
 - Key Performance Indicators (KPIs) are not included in the April to May performance report due to the impact of managing resources against priorities, however KPIs will be included in performance reports going forward;
 - All KPIs are being met with exception of financial KPIs as per previous item regarding breakeven position difficulty;
 - The organisation has a small number of high level risks in respect of Fitness to Practise and Finance functions;
 - 2744 new registrants added to the register and 1339 emergency applications received between 1st April to 31st May;
 - Fitness to Practise workloads are being managed appropriately with the current level of staff however this may be impacted by the nature of some of the employment contracts. The Fitness to Practise function was impacted as referrals had decreased pre-COVID as employers had

- moved to other priorities however referral rates are now returning to normal;
- The report reflects workforce development activity and the training resources developed for registrants, employers and the wider public;
- Communication & Engagement business activity includes the provision of departmental support, social media engagement and the production of a video in collaboration with Asda to promote preferential hours for social care registrants;
- The Chief Executive had given detail on the Business Transition Plan earlier in the agenda.

A member highlighted the importance of guidance and training for redeployed staff to ensure safe practice is maintained and made particular reference to Fitness to Practise (FtP) referrals where mitigating circumstances and lack of access to training/support due to redeployment may need to be taken into account. It was confirmed that the Council is emphasising the need for induction and training in new roles and will be mindful with future Fitness to Practise referrals.

A member raised concerns around the number of high risk cases in the FtP system and the negative impact if funding for the FtP business case is not received. The interim Chief Executive gave assurance that the FtP business case has been approved by the DoH and a decision by the Permanent Secretary on the provision of resource is awaited. It was confirmed that the Council have made the Department aware of the associated risks if the organisation needs to release the two additional agency staff due to lack of funding.

Discussion followed on the Fitness to Practise risk and the following were noted:

- The Council should seek views from the DoH on Fitness to Practise waiting lists if a response on the business case has not been received from the Permanent Secretary by the end of July:
- Subject to funding, a positive Landscape Review report may result in the DoH commissioning the Council to undertake substantive pieces of work to support the social care reform agenda;
- An invitation to attend the September Board meeting should be extended to the Chief Social Services Officer for reflection and discussion on the impact of the pandemic over the last six months and the role and response of the Council:
- Redeployment from other functions to the Fitness to Practise team is not an option as there is not the

	necessary number of Band 6 staff available with the requisite skills and would require a substantial training programme to implement. Administrative support could be made available to the Committee team from other functions. Action: An update on the status of the Fitness to Practise business case to be sought from the Department of Health in advance of September Board meeting. Action: A formal invitation to be extended to the Chief Social Services Officer to attend the September Board meeting. Decision: The Board formally noted the untenable position of the Social Care Council due to the high level risk presented if funding is not received for the Fitness to Practise business case.	Interim Chief Executive Interim Chief Executive
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9.	Governance	
9.1	Information Covernance Paper E for information	
9.1.1	Information Governance – Paper E – for information A closed session was convened in advance of the Board meeting	
9.1.1	to review and discuss Paper E. A confidential note from the closed session has been recorded separately.	
9.2	Audit & Risk Assurance Committee (ARAC) summary report including minutes of 13 th May 2020- Paper F for information	
9.2.1	The ARAC Chair presented key highlights:	
	 100% attendance rate was recorded for all members at ARAC meetings throughout the year; ARAC has a high level of support from Non-Executive Director members, Internal Audit, External Audit, NIAO and Executive team; 4 ARAC meetings have been convened this year and the committee has met twice since the last Board meeting, to review the Risk Register Assurance Framework in detail and ensure that it is satisfied that the Social Care Council has provided a satisfactory level of assurance ARAC has reviewed and approved the Governance Statement; The COVID-19 risk on the Risk Register has been slightly downgraded in terms of likelihood from 'likely' to 'possible 'while still maintaining a high risk level risk; ARAC is developing a 'Decision Tree' which shows the process to identify, manage, escalate/de-escalate and close risks on the Risk Register. It is expected this will be available to share with the Board later in the year; Decision: The Board noted the Audit & Risk Assurance Committee (ARAC) summary report including minutes of 13th 	

	The interim Chief Executive recused herself for agenda items 9.3 and 9.4.	
0.2	Draft Unconfirmed Demonstration Committee minutes of 10th	
9.3	Draft Unconfirmed Remuneration Committee minutes of 10 th June 2020 – Paper G for information	
9.3.1	meeting of 10 th June were highlighted:	
	 Absence of agreement remains around the Senior Executive Pay Award. An update is anticipated in the coming months and actions are underway to resolve the position on Senior Executive Pay; The appointment of two Non-Executive Directors to the 	
	Remuneration Committee will be sought initially via an Expression of Interest process;	
	 In service training for members will be developed with 	
	Eileen Mullan, Strictly Boardroom and Alison Andrews, BSO HR with a focus on assessment and pay scales;	
	The Chair reported that the Remuneration Committee endorsed the Senior Executive Pay Award and Performance Report. The Chair brought attention to the exceptional performance and objectives exceeded by the interim Chief Executive particularly in light of the initiatives developed in response to the pandemic outbreak.	
	Decision: The Board noted the draft unconfirmed Remuneration Committee minutes of 10 th June 2020	
9.4	Remuneration Committee Terms of Reference - Paper H for approval	
9.4.1	The DRCS recommended the changes to the Remuneration Committee Terms of Reference outlined in Paper H for Board approval. The following amendments are proposed:	
	 an increase to biannual Committee meetings Committee Self-Assessment Committee review every two years. 	
	Decision: The Board approved proposed amendments to the Remuneration Committee Terms of Reference	
	The Interim Chief Freezettes as takend the acceptance	
	The Interim Chief Executive re-joined the meeting.	
10.	Subcommittees	
10.1	Participation Forum confirmed minutes of 21st January 2020 meeting - Paper I for information	
10.1.1	The Committee Chair reported the following key highlights:	
	The January Participation Forum minutes are presented for	

information to the Board as the meeting scheduled in March was cancelled at short notice due to the vulnerability of some members and/or carer duties. The minutes from the Zoom meeting of 16th June will be available for the next Board meeting;

- Participation Forum members gave an update on their good and bad experiences during the last few months including conflicting information from GPs on what constitutes shielding. The group will capture this information on lived experience for feedback to SLT and the Board;
- Interest was expressed in the Open University Social Work degree as it demonstrated a more accessible route into the profession particularly for service users and carers;
- The group is keen to be involved in an accessible version of the Annual Report;

Congratulations were extended to one of the Participation Forum members on completion of the Level 3 *'Finding Your Voice'* programme. It was agreed that, going forward, the profile of achievements of the group would be raised with the Board.

Decision: The Board noted the Participation Forum confirmed minutes of 21st January 2020.

- 10.2 Leaders in Social Care Partnership draft unconfirmed minutes of 5th May and 9th June 2020 meetings Paper J for information
- In the absence of the Chair of the Leaders in Social Care Partnership, the Chief Executive presented the partnership draft unconfirmed minutes of 5th May and 9th June meetings. During the pandemic the partnership has met monthly to provide a forum to enable members to keep connected, share information and discuss concerns.

The Chief Executive confirmed that whilst all Trusts are represented as members in the Partnership, meeting attendance can fluctuate due to members' operational priorities. The Committee Chair and the Chief Executive will engage further with non-regular attendees to discuss the challenges presented by meeting attendance.

The partnership had discussed the need to communicate the priority of social care post-COVID. The group had focused on concerns for the social care workforce in the current circumstances and had culminated in a letter to and a meeting with the Health Minister.

Decision: The Board noted the draft unconfirmed minutes of the Leaders in Social Care Partnership meetings of 5th May and 9th June 2020.

Professional in Practice (PiP) Partnership unconfirmed minutes 10.3 3rd June 2020 meeting - Paper K for information The Chair of the PiP Partnership presented the unconfirmed 10.3.1 minutes of the Professional in Practice partnership meeting of 3rd June and highlighted the following key information The June meeting of the PiP Partnership was hosted via Zoom and was well attended; • Due to redeployment, the landscape has changed for managers in the Trusts and universities in teaching and the delivery of the Social Work degree course; Positive feedback was received in respect of online engagement however it was requested that new initiatives from the Council are kept to a minimum due to the increase in new COVID related work processes and multiple areas of pressure from the Department and employers. A PiP workshop has been arranged for August 2020 for members to consider the future direction of the PiP framework in supporting social workers to meet their professional standards. Decision: The Board noted the draft unconfirmed minutes of the Professional in Practice (PiP) Partnership meeting of 3rd June 2020. 10.4 Registrants' Forum update and unconfirmed minutes of 12th May 2020 meeting – Paper L for information. 10.4.1 In the absence of the Chair of the Partnership, the interim Director of Regulation & Standards presented the Registrants' Forum update and minutes of the meeting of 12th May for information. The following key information was highlighted: The meeting was a positive opportunity for members to share experiences of day to day life for employers and registrants in the current circumstances and the pressures arising from the pandemic: Members welcomed the Council's communication and engagement with, and support of social workers and social care workers during the pandemic. Registrants were appreciative of the level of guidance, advice and support coming from the Council; The Council's decision on the deferral of payment of registration fees was welcomed though some members would have expected some level of engagement or consultation before the decision was made. There was recognition of exceptional times and the need for rapid There was also recognition of the decision making. potential for confusion that deferral does not mean suspension of fee payment and the need for their support in providing clarity for registrants;

	 The Council's planning for delivering Fitness to Practise hearings using online technology during the COVID-19 pandemic was shared with the Forum. A member will be invited to work with the Executive team on progressing these developments in a way that recognises and supports the rights and needs of registrants; Members were encouraged to identify and share stories and experiences from frontline practice of the impact of the COVID-19 pandemic. The Board noted the Registrants' Forum update and unconfirmed minutes of the meeting of 12th May 2020. 	
11.	Any other Business	
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	team for their support and guidance during his tenure as a Non- Executive Director.	

Signed by: Paul Martin (Chair, Northern Ireland Social Care Council)

Date: 9th September 2020

Signature:

ACTION LIST

Wednesday 24th June 2020

ITEM	ACTION	OWNER	PROGRESS
4.1.1	Interim Chief Executive to clarify implementation timeframe for the Department of Finance 'value for money' effectiveness review of Arms' Length Bodies with the DoH and the release date of the Landscape Review report with Jackie McIlroy	Interim Chief Executive	Ongoing
8.2.1.1	An update on the status of the Fitness to Practise business case to be sought from the Department of Health in advance of September Board meeting.	DRCS	Ongoing
8.2.1.2	A formal invitation to be extended to the Chief Social Services Officer to attend the September Board meeting.	Chair	Ongoing

Wednesday 27th May 2020

ITEM	ACTION	OWNER	PROGRESS
7.2.1	Comparative Analysis Report on Social Care registrants remaining on register post-COVID to be brought to a future Board meeting	DRCS	Ongoing
9.2.3.1	The definition of an Adverse Incident under section 3.1 of the Adverse Incident Policy to be clarified.	DRCS	Ongoing

Wednesday 5th February 2020

ACTION	OWNER	PROGRESS
Aine Morrison to be invited to next Board meeting to present updates on the Mental Capacity Act.	JA/MM	Deferred