

CJI Audit and Risk Assurance Committee Meeting Outputs

Thursday 21 January 2021, 10:00am by video conference

Attendees:

Independent member: (Acting Chair)	Derek Anderson (DA)
Independent member:	Mairead McCafferty (MMcC)
DoJ Sponsor Division:	Claire Robinson (CR) Heather Gallagher (HG)
DoJ Internal Audit:	Amanda Oliver (AO)
NIAO:	Pamela Dugdale (PD)
External Audit:	Ian Kelsall (IK) Deloitte Ciara Currie (CC) Deloitte
FSD:	Joanne Jamison (JJ) FSD
Criminal Justice Inspection (CJI):	Jacqui Durkin (JD) CJI. James Corrigan (JC) Meloney McVeigh (MMcV)
A&RAC Secretary:	Linda Boal (LB) CJI

Agenda No	Description / Comments
1	Introduction / acknowledgements DA welcomed everyone to the meeting conducted by video conference and noted apologies.
2	Apologies: Dr Ian Cameron (IC) CJI. Katie Jamieson (KJ) Deloitte
3	Declaration of interest / Conflict of interest <ul style="list-style-type: none">• None.
4	Minutes of previous meeting – 15 October 2020 and matters arising The minutes of the previous meeting were agreed and signed.

Matters arising:

- Covered in the Agenda.

5 Report summarising any significant changes to CJI's Risk Register

- The CJI Risk Register had been reviewed by staff at the last staff meeting. MMcV provided an overview of the changes.
- Risk 1: scores remained the same with an additional comment to allow increased time for research and scoping of inspection work particularly when undertaking large thematic inspections.
- Risk 2: now includes the risk of alteration of normal working practices during the Coronavirus Covid-19 pandemic during inspection fieldwork, the number of inspections completed, the inability to conduct Ministerial requests or unable to fulfil NPM responsibilities. Appropriate contingency measures are in place to mitigate these risks.
- Risk 3: A flat cash or reduced budget allocation would impact on the ability to carry out the Inspection Programme. Clarification from Sponsor Department as soon as possible would be appreciated. If sufficient budget is not secured, the planned Inspection Programme may have to be adjusted to reflect this or additional funding sought from CJI's Sponsor Department.
- CJI will maintain close contact with its Sponsor Department who have been made aware of the need to know the budget allocation as soon as possible and that CJI could have a pressure around maintaining the current staff compliment.
- CJI are also pursuing the funding commitment from the recent Business Case to ensure the Inspection Programme can be maintained.
- MMcC asked if there was any indication of when the budget would be approved.
- CR advised it was not known as yet.
- MMcC queried if sufficient budget wasn't allocated, **could** that mean a reduction in staff.
- CR confirmed that as Anthony Harbinson had approved the Business Case for additional Inspection staff, he had taken that risk and would find the additional budget required.
- JD stated that a flat cash budget would potentially fetter the ability to have the Inspection Programme she would want and CJI's ability to seek assistance from Partner Inspectorates or specialist consultants in areas such as forensic science.
- DA suggested this risk be kept under review.
- MMcC **stated she** assumed there would be flexibility to reduce the Inspection Programme if sufficient budget wasn't made available.
- JD said that timing was **an** issue as she would like to review the Inspection Programme in line with the budget before submitting it to the Justice Minister. Unavailability of appropriate funding would result in increased risks to the Inspection Programme and CJI would be unable to exercise independence and impartiality in both the range and scope of its inspections.
- DA stated that the impact of Risk 3 could carry over into Risks 1 and 2. The quality of CJI's work was very high, as was their reputation and this could be impacted by a reduced budget.

6 Report to those charged with Governance for the year ended 31 March 2020

- PD spoke to the report which showed no changes from the draft shared at the last meeting.
- IK confirm he was content with the report.
- DA congratulated CJI on the Report.
- MMcV advised that the point from the audit had been actioned with appropriate steps now in place.

7 Draft Internal Audit Plan for 2021-22 (for noting)

- AO presented the internal audit plan. The Group Internal Audit Service has developed a one year plan for CJI for 2021-22 in light of the COVID-19 pandemic.
- An audit of the Corporate Governance area is planned, but AO is happy to take any other suggestions or amendments.
- JD confirmed she was happy with the plan which she would like to include the proportionality of business cases and what they were required for. This audit should place CJI in a good position for the upcoming establishment of a Partnership Agreement.
- JC emphasised the issue of proportionality. This had been a priority before the COVID-19 pandemic and hoped this could be realised, with obvious examples being the number and level of detail of business cases required for the CJI pay remits.
- DA agreed it would be good to reduce the burden of scrutiny but pointed out that if pay remits were not correct, it would result in an automatic qualification of CJI accounts. Business cases seem to have a 'one size fits all' approach when they should be proportionate.
- PD pointed out that agreed business cases give an element of protection, the example being the recent business case agreed for the Inspector recruitment.
- JD replied that there was no question of avoiding appropriate scrutiny, but the issue was about the number and detail of business cases to be completed for CJI staff to increase their salary in line with the NICS salary scales. There was no intention to go outside of the NICS agreed pay increases – the business cases in question related to authorisation to pay staff in line with what was already agreed and approved for civil servants.
- MMcC noted that DoF had been working on business case templates and issues raised previously including issue of proportionality and autonomy.
- AO suggested this may be best taken forward in the Partnership Agreement. Jacqui agreed it would be useful to have that recommendation in the internal audit.
- MMcC queried the current status of the Partnership Agreement.

- HG advised it was with DoF and hoped the new governance document will role forward. Sponsor Department are happy to work with CJI to get a proportionate document.

8 Consider the External Audit strategy proposed in respect of the current year's accounts (2020-21)

- CC reviewed the document which had been distributed to members in advance of the meeting.
- The strategy detailed the following areas:
 - Key messages;
 - Materiality;
 - Audit approach; and
 - Audit timetable, fees and staffing.
- MMcV advised of an amendment under 'Other Risks' on page 5. The CJI 2020 pay award has not been prepared as the NICS has not yet agreed it. It is unlikely that it will be agreed and paid within the 2020-21 year and should be adjusted in the Strategy paper.
- CC will amend the document accordingly.
Action: CC
- JC asked if there could be flexibility in the timetable as staff were working remotely.
- DA asked JJ if there would be any difficulty in the production of the accounts.
- JJ advised that she will endeavour to meet the dates but that there were other issues which would impact on delivery. It would be dependent on schools re-opening and current working practices but monthly accounts are still being produced and shared at the CJI Senior Management Team meetings.
- DA agreed that a degree of flexibility would be required given the difficulties faced while working remotely.
- IK confirmed they would be flexible but would appreciate CJI letting him know if dates needed to be moved so he can re-allocate his team. MMcV confirmed she would be happy to do so.
- MMcC and DA and MMeC noted and agreed the Strategy.

9 Review the overall CJI Assurance Framework

- MMcV spoke to the paper which identified the key areas of assurance such as:
 - Achievement of CJI Corporate & Business Objectives and Targets;
 - Corporate governance compliance;
 - Financial management and budgeting;
 - Information assurance;
 - Expenditure decisions;
 - Risk management process;
 - Health and safety; and
 - Adherence to the CJI Quality Management System processes.

- The paper detailed how these areas were monitored.
- DA found the document very informative and suggested it would be a useful starting point for the internal audit.
- MMcC agreed with DA's comments and stated that it was a very comprehensive document and the diagram was a useful tool.
- JD thanked DA and MMcC for their positive comments and confirmed a robust framework was in place.

10 Consider the Committee's own effectiveness in its work

- DA reviewed the paper and the corresponding checklist which was extremely positive. He added that the manner in which the CJI Audit Committee was run reflects best practice with outputs being produced quickly.
- MMcC agreed and informed she had reviewed again and was content with both documents.
- MMcV said that the document was a draft and was happy to take any amendments.
- DA and MMcC confirmed they were happy with the document as it stood.

11 Overview of nine-month set of accounts

- JJ confirmed work had been completed on the nine-month accounts with no issues to report. They will be reviewed by Richard Logan in FSD.

12 CJI Anti-Fraud and Bribery Policy and Response Plan

- DA noted the contents of the document which had been signed-off by JD. He asked if there was any allegation of fraud, who it would go to.
- AO confirmed it would go to the central NICS Fraud Investigation Service.
- DA and MMcC confirmed they were content with the Plan.

13 Report from management on whistle blowing and fraud issues

- JD advised she had received an anonymous letter via the Regulation and Quality Improvement Authority (RQIA) in relation to allegations of the poor management of Covid-19 in a prison. JD referred the matter to the Northern Ireland Prison Service (NIPS) asking how they proposed to deal with the issue. An initial response was received, with further information requested.
- MMcC asked if the 'Public Interests and Disclosure Act' applied to CJINI and if they were included as a 'prescribed person'.
- JD confirmed CJINI were not included in this Act and she has asked for a process to be set up within CJI to deal with such cases and feels it is appropriate to have in-house guidance.
- DA confirmed that the allegation was not about CJI, but rather an organisation they inspect and JD confirmed this was the case.

- JD advised that the RQIA have been keep up to date as a key partner. JD wants a procedure to follow best practice, bespoke to CJI to deal with anonymous complaints received in relation to an inspected organisation. Once this has been drafted, it will be shared with the Audit Committee.
- AO advised there had been an audit of whistleblowing carried out by the NICS which is being looked at again.
- MMcV has consulted DoF and NIAO guidance in this area which will help inform the CJI policy.
- It was confirmed this would be brought to the ARAC members on completion.
- The point was noted by all members.

14 Report from management on any direct award contracts

- MMcV advised the Committee of one DAC had been taken forward since the last ARAC meeting. The DAC relates to an upgrade to the platform on which the CJI website sits to support increased website accessibility and to allow CJI to meet its statutory requirements. The website sits on the i3 Digital server system, who are contracted to host and support the website.
- We have followed the DAC process, sought management approval within CJI and sought both advice and approval for the DAC from CPD. The value of the contract is £7425 exc. VAT. Contract details will be passed to the DOJ Procurement Support Team in line with the current reporting arrangements.
- Noted by all members.

15 Report summarising the expenses submitted by the Chief Inspector and the Deputy Chief Inspector

MMcV provided the relevant figures as undernoted:

- **Since the last meeting – CI and DCI:**

Government Procurement Card		Travel & Subs	
CI	£0	CI	£47.45
DCI	£0	DCI	£0

The above expenses were noted by all members.

16 Review of CJI’s gifts and hospitality register.

- **Since the previous meeting (October, November and December)** the following gifts and hospitality have been received;
 - Set of coasters ‘Trinity College Dublin’ received by an Inspector for contribution to PRILA Consultative Council Conference.
- the following gifts and hospitality has been extended;
 - Nil.

The above information was noted by all members.

17 AOB

- MMcC and DA have an independent meeting planned with both internal and external audit to take place immediately before the next CJ Audit Committee meeting on 22 April 2021.

18 Date of next meetings

Date of the next meeting:

Winter - Thursday 22 April 2021 at 10am;

Acting Chair: Mairead McCafferty

Location: Block I, Knockview Buildings, Stormont Estate, Belfast BT4 3SJ, or by Video Conference.



**Acting Chairperson
Derek Anderson**

Date: 22 April 2021