

THREE HUNDRED AND SIXTEENTH MEETING OF THE GENERAL CONSUMER COUNCIL FOR NORTHERN IRELAND HELD ON FRIDAY 28 JANUARY 2022 AT 10.00AM IN SEATEM HOUSE, BELFAST AND VIA ZOOM TELECONFERENCE

316/1.1 ATTENDANCE

Ms Sheila McClelland	Chair
Mr Mick McAteer	Deputy Chair
Dr Joan Martin	Board Member
Mrs June Butler	Board Member
Mrs Lynne Crowther	Board Member
Dr Sinéad Furey	Board Member
Mr William Leathem	Board Member
Mr Gerry McCurdy	Board Member
Mr Alan O'Neill	Board Member
Ms Noyona Chundur	Chief Executive
Mr Peter McClenaghan	Director of Infrastructure and Sustainability
Ms Anne-Marie Murphy	Director of Strategy and Emerging Markets
Mr Terry Campbell	Head of Finance
Ms Sharon Doherty	Head of Communication and Outreach
Mr Graham Smith	Head of Water Policy
Ms Noleen Charnley	Head of Insight and Complaints
Ms Rachel Coulter	Senior Research & Insight Officer
Ms Julie Coulter	Administrative Officer
Ms Bernie Tolan	PA to Chief Executive

APOLOGIES

Apologies were received from:

Ms Amanda Logan	Board Member
Mr William Warke	Director of Corporate Services

The Board Meeting began in CLOSED SESSION and the meeting resumed at 11am with the Chair inviting Consumer Council Directors to join.

The Chair advised that Consumer Council Officers would join the Board Meeting when invited to do so, to make their presentations and then leave the meeting.

316/1.2 DECLARATION OF CONFLICT OF INTEREST

The Chair advised Board Members that any conflict of interest relating to agenda items should be recorded at the beginning of Council meetings. Should a Board Member have a conflict of interest they should leave the meeting at that particular agenda item and the minutes would reflect this.

She explained the Chair would have the ability to define a conflict of interest and requested Board Members' compliance if this arose.

No Board Members declared a conflict of interest on any agenda item.

316/1.3

MINUTES OF THE LAST MEETING

The minutes of the previous meeting held on 21 December 2021, having been circulated, were agreed as a true and correct record with the following clarifications:

The Chair asked for some clarity with regard to recruitment and sought assurance that:

1. No additional posts were being created through 2022/2023 business cases, as outlined at the December meeting, apart from one Staff Officer for Energy and one EO2 for Strategy and Emerging Markets. This was confirmed by the Chief Executive.
2. All recruitment is within Board approval and clear audit trails exist. The Chief Executive advised there would be no increase in headcount, with the exception of the above, and if budget bids were met, a part-time role in Financial Services, a Data Protection Officer (2018-2019 audit recommendation), and the PhD student.
3. Of the three posts within Transport, two are permanent and one temporary (funded from ERAP), and are not included in core funding for 2022/2023 due to pressures, but would be bid for under COVID-19 funding.

Dr Joan Martin requested in future, recruitment detail be simplified in a document that would clearly show employee name, role, funder and employment status, current and future vacancies, and what is being included in funding bids. The Chief Executive AGREED this would be prepared in advance of the Board meeting in March 2022.

The Chair requested that a Remuneration Committee be held two weeks before the Board meeting in March 2022 to discuss Terms of Reference including that all recruitment would be considered via business cases created for each post being sought, showing what the post is, duration of the post and where the funding had come from.

Gerry McCurdy enquired if recruitment matched the CEO Report. The Chief Executive advised that the organisation is currently seeking to fill three permanent positions within the Consumer Protection team, and that core funding did not cover baseline requirements, with the 2021-2022 allocation only slightly higher than what was received in 2015-2016.

A 2022-2023 bid for an uplifted core allocation has been submitted to the Department for the Economy (DfE) but the outcome will not be known until March/April.

The Minutes were agreed and signed.

316/1.4

ACTIONS FROM THE LAST MEETING

The Chief Executive advised that the meeting with Jayne Brady, Head of the Northern Ireland Civil Service, will be scheduled for February or March 2022. The City of Derry Airport Accessibility Report with Pat Ramsey is ongoing. Items 3, 4 and 6 reflect the

Corporate Services Directorate and the Consumer Council's response to the UK Government's Future Regulatory Framework.

The Actions from the last meeting were approved by Board Members.

316/1.5 **MATTERS ARISING**

The Chair asked that the deadline be adhered to for Board members' receipt of all paperwork, which is seven days prior to the Board Meeting and that no papers are refreshed after being sent to the Board. The Chief Executive AGREED this action.

316/1.6 **CHAIR'S BUSINESS**

The Chair's business was discussed in closed session.

2. **PRESENTATION**

316/2 **The Northern Ireland Economy beyond COVID: PRESENTATION**

The Chair advised that unfortunately due to time constraints the Board would be unable to proceed with this presentation and asked that the guest speaker, Andrew Webb, Grant Thornton, be invited to present at a later date and offer apologies for any inconvenience.

3. **ITEMS FOR APPROVAL**

GOVERNANCE

316/3.1 **2021-2022 Corporate Scorecard: Quarter 3**

The Chief Executive reported two targets had not been met due to NI Direct's performance and may be at risk. Members were advised the Consumer Council had requested the Memorandum of Understanding (MOU) with NI Direct be tailored to its operational needs and include specific service delivery standards.

Gerry McCurdy advised the issues with NI Direct were experienced across the NICS, and pre-dated the operational impacts attributable to the COVID-19 pandemic. Members agreed that this was a problem affecting a number of Departments and Arm's Length Bodies. He also raised the feasibility of ending the agreement with NI Direct if possible, and seeking rough costings to gauge whether it would be in our favour or not. Mick McAteer stated it would be good to explore this and that a slight cost increase could benefit in service improvement.

Discussion followed if the Chair should raise concerns at the Chair's Forum, and it was **AGREED** that contact be made with other Departments regarding issues before being formally tabled.

The Chief Executive advised that due to capacity issues at a senior level in the HR Team, indicators 4, 4c and 6a will commence but may not be completed in Q4. As a result, they will be delivered in Q1 2022-2023.

The Chief Executive advised that due to the extremely competitive market, tender prices are coming in cheaper than predicted resulting in potential underspends, or there are no responses to tender exercises. This will result in additional procurements being rerun with delayed timelines for delivery likely.

Members approved the 2021-2022 Corporate Scorecard: Q3.

316/3.2 **2021-2022 Corporate Risk Register: Quarter 3**

June Butler advised that the Risk Register was discussed and approved at the ARAC meeting and that a proportionate approach will be developed for directorate risk registers in April, following a review of the 12-month pilot of the new Corporate Risk Register template. The financial risks will stay the same for the next quarter.

The Risk Register reflects the reduced HR Capacity due to long-term absence at a senior level within HR and increased absenteeism of 6.75% due to three staff on long-term absences. However, with the appointment of a fixed-term HR Business Partner and the probable return of the senior officer, the risk will reduce.

Gerry McCurdy highlighted these were standard risks and asked if the next iteration of the Risk Register could differentiate between standard and exceptional risks. The Chief Executive AGREED this would be considered in the review of the Risk Register corporate template and directorate risk registers.

Members approved 2021-2022 Corporate Risk Register: Quarter 3

316/3.3 **Management Accounts: December 2021**

The Head of Finance and Governance joined the meeting to present the Management Accounts: December 2021 and advised the organisation is likely to be on track to meet its 1% variance tolerance at year-end. The Chair enquired if the 2021-2022 allocation of £583k for Energy will be met, and he confirmed spend will match income and all POs raised in January for committed expenditure reflect this.

The Chief Executive confirmed the Consumer Council was not unique in surrendering ERAP funding, and that these surrenders from DfE and other Departments have enabled the delivery of wider schemes such as the Emergency Fuel Payment Scheme from the Department for Communities (DfC). She advised that while the organisation was on track to meet its 1% tolerance target of £43k, this could be impacted by procurements being delayed, not being awarded, or coming in below the tender bid.

The Chair thanked the Head of Finance for his good work and a comprehensive report.

Members approved Management Accounts: December 2021.

FORWARD PLANNING

316/3.4 **2022-2023 Forward Work Programme**

The Chief Executive provided the Board with a brief summary and asked for their feedback and guidance on consumer priorities, strategic objectives, direction and project focus. She advised projects reflected the 2022-2023 Business Cases, with additional projects in the Infrastructure and Sustainability Directorate based on Board feedback, and the work of the Consumer Empowerment Directorate.

The public consultation will open on Monday 21 February for four weeks, closing at 5pm on Friday 18 March, with virtual briefings planned for Tuesday 8 and Thursday 10 March during Consumer Week. The Board and Senior Leadership Team will review consultation responses, before finalising the 2022-2023 Forward Work Programme, and submitting to DfE Sponsor Branch for final approval in April.

Mick McAteer asked who the consultation was aimed at. The Chief Executive confirmed although it was a public consultation, the process was primarily aimed at stakeholders, who historically had submitted responses. He also questioned how market developments and emerging consumer issues could affect the 2022-2023 Forward Work Programme, and how they would be assessed and addressed, alongside how the Consumer Council prioritised what projects to undertake, collaborate with others on, or signpost to other organisations to take forward.

The Chair proposed that the Board and Senior Leadership Team should meet with an external facilitator before the end of the financial year, so the Board is satisfied the priorities of the 2021-2024 Corporate Plan are being progressed in the annual work programme. She stated there are no activities listed in the forward work programme that were contrary to the Board's priorities, but there may be a need to offer further prioritisation or adjustment of strategic direction based on the discussions.

Gerry McCurdy highlighted the need to provide duty of care to staff and to highlight this in the response. The Chief Executive this could be achieved by incorporating the Ethos section of the 2021-2024 Corporate Plan into the 2022-2023 Forward Work Programme.

Mick McAteer sought clarity on the ONS initiative and the methodology in light of the cost of living crisis. The Chief Executive advised ONS was using UK-wide methodology, but as the project was an experimental index for Northern Ireland, there might be scope to test the new approach in Northern Ireland in advance of any UK-wide rollout.

The Chair thanked the Chief Executive for the report.

Members approved the Forward Work Programme with the caveat that they would like to discuss and align activity to the strategic priorities of the 2021-2024 Corporate Plan. They also approved the commencement of the consultation.

4. ITEMS FOR NOTING

316/4.1 Departmental Update: Water

The Head of Water Policy joined the meeting for this report, providing an update on progress against the 2021-2022 Forward Work Programme, budget commitment and additional projects undertaken as a result of the ERAP allocation.

The Chair enquired if the UK will retain European Water Standards. The Head of Water Policy advised that the UK has not confirmed this and results for Northern Ireland published in 2021 show significant improvements are required.

The Head of Water Policy updated Members on considerations and outcomes for PC21, the impact of rising energy costs on water services and budget, and preparations for energy transition. He confirmed the Environment Agency was struggling to meet current standards and that allocated investments, which historically has not met price control levels, will not be sufficient. Mick McAteer voiced concern that if standards drop and Northern Ireland does not keep pace with EU regulations, this will have an impact on consumers within Northern Ireland.

The Chair asked for a diagram that lists the departments and agencies working in this policy area, with their supporting directives and legislation.

The Head of Water Policy provided an update on the District Councils' Water Audits, advising he was working with Fermanagh and Omagh District Council, and Antrim and Newtownabbey Borough Council, and last year this delivered a saving of £140k for Belfast City Council. Alan O'Neill highlighted this was a significant saving to Belfast City Council and asked if findings could be shared with other authorities e.g. Education Authority and Trusts, to help them make comparable savings. The Board AGREED that the Head of Water Policy look at feasibility of sharing information and widening the Water Audits to beyond just District Councils.

The Chair thanked the Head of Water Policy for the report.

Members noted the Department Update: Water

316/4.3

Consumer Week 2022 Programme

This item was brought forward in the meeting and the Head of Water Policy would be asked to return to the meeting after this report for Agenda Item 4.2.

William Leathem left the meeting.

The Head of Communication and Outreach joined the meeting for this report and advised that working within COVID-19 restrictions the 2022 campaign will be managed in-house and delivered mostly on-line, supported by bespoke pulse surveys, roundtable discussions and advertising. She advised that moving forward, the programme will be extended to cover 12 months, culminating in a week every March.

Lynne Crowther advised of a multi-channel approach regarding food and energy, on saving money and reducing waste, such as promoting the Gander App which displays in real time, reduced-to-clear food items that are available in stores for users nearby, cooking advice for those on a low income, and recipe cards to be shared with food banks alongside distribution of food. The Head of Communication and Outreach AGREED the suggestions would be actioned accordingly.

The Chair advised the Consumer Council should consider a heavier presence at the Balmoral Show and plan for a Consumer Parliament in the autumn using the Stormont

Chamber as the venue. The Chief Executive AGREED both suggestions will be actioned.

Members noted the Consumer Week 2022 Programme update.

316/4.2 British Standard 18477 Re-Accreditation

The Head of Water Policy re-joined the Board and provided the Board with a summary of the annual assessment completed to retain the British Standard 18477 accreditation, and the definition of a consumer in vulnerable circumstances. He also advised that the supporting action plan would include a redesign of the Consumer Council website to meet all accessibility standards and offer options for language translation.

The Board thanked the Head of Water Policy.

Members noted the update.

316/4.4 CEO Report: January 2022

Members noted the update.

316/4.5 January 2022 ARAC Papers

The Chair invited June Butler, Chair of the Audit and Risk Assurance Committee (ARAC) brief the Members. Ms Butler updated Members on DfE's work to date on hybrid working models, the corporate Risk Register and the approach to undertake a 'deep dive' into one Directorate to establish the methodology for the Directorate Risk Register, or an appropriate assurance statement. She also advised the new auditor for the Northern Ireland Audit Office had been appointed, Ross Boyd.

Mick McAteer raised concerns regarding cyber security, given the Consumer Council's reliance on IT Assist and no direct control over its digital infrastructure. It was AGREED that this would be raised again with DfE Sponsor Branch and for cyber security to be noted in the 2022-2023 Forward Work Programme.

Members noted the update.

RESEARCH

316/4.6 2021-2022 Pulse Surveys: Quarter 3

The Chair invited the Head of Insight and Investigations, and Senior Research and Insight Officer to join the meeting. The Head of Insight and Investigations advised members the Insights Team is now undertaking regular primary research through quarterly pulse surveys on real time consumer issues. The first survey was completed in-house and the Communications team promoted the survey via the website and social media using paid promotion advertisements. Including the artwork design (which is a one-off cost and can be used for future survey) the total cost was £382.80. The Senior Research and Insight Officer outlined the survey insights, highlighting that the survey received 972 responses and the results have been shared with all policy teams.

Mick McAteer congratulated the team on its work and asked if a blog could be created to promote the results, and for future surveys to focus on 'what if' questions. Sinéad Furey advised the need for appropriate disclaimers highlighting that survey results will be used communication channels such as blogs. Head of Insight and Investigations AGREED the suggestions would be actioned accordingly.

The Chair thanked the Head of Insight and Investigations and Senior Research and Insight Officer for their update.

Members noted the update.

316/4.7 **Fuel Bank Scheme for Northern Ireland**

The Chair invited Director of Infrastructure and Sustainability to join the meeting for this report. He advised Members the Emergency Fuel Payment Scheme was a result of commissioned research conducted by Bryson Charitable Group. The report was subsequently used by the Consumer Council to inform DFC of the need for an emergency support scheme for those households in energy crisis. The scheme also received pledged donations from energy companies (>£200k) secured by the Consumer Council. The Chair thanked the Director of Infrastructure and Sustainability for the report and advised the need to keep this 'live' and to revisit every few months as fuel prices continue to rise significantly.

Members noted the update.

5 **ANY OTHER BUSINESS**

The Chair thanked the Officers for attending and for their reports, and advised they could leave the meeting with the exception of the Chief Executive, PA to the Chief Executive and the Administrative Officer.

The Chair updated Members on the conclusion of the legal case against the Consumer Council and advised the case was settled without prejudice. The business case had the agreement of the Department.

316/5.1 **REVIEW OF THE MEETING**

The Board members provided the following key points:-

- Board papers need to be more succinct, be easier to understand and contain salient information. There is also a need for a continuum (but not repetition) of information on subject areas in papers from one meeting to the next.
- Presentations by staff should assume that all papers have been read and the information covered in the presentation is additional, summarising or as a result of Board members' comments.
- Board members want a timed agenda to give indications to all participants about how long they are scheduled to contribute on items.

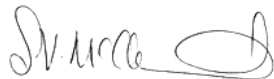
- The Forward Work Programme is still very task-oriented and not necessarily aligned to the priorities of the organisation. The Chair agreed to organise a further session with an external facilitator, the Board and the SMT to ensure that the work programme is strategically aligned to the identification of consumer detriment and the key themes identified previously.
- There is still not enough emphasis on the long term tools being developed i.e consumer detriment index and how to gauge emerging weaknesses or emerging market problems. The workshop will examine how the long term, evidence building approach may be progressed, based on extensive strands of research being procured to be delivered around year-end.
- The Board voiced major concern about staffing increases and proposed that a Remuneration Committee be scheduled to obtain a more detailed understanding of manpower levels, previously, currently and what is projected into the future.
- There were issues about the quality of the papers, inconsistencies in some of the information in different papers or within the one. The fact that the papers had been issued on Friday (a week before the meeting) and then re-issued on Wednesday night (two days before), when they were instructed that the papers were new and had to re-read caused concern. The Chair gave an undertaking that the full and final version of the papers would be issued a week before the next Board meeting.

The Chair declared no further business and advised the meeting go to CLOSED SESSION.

6. DATE OF NEXT MEETING

316/6.1 The next meeting will be held on Friday 4 March at 10am, venue to be confirmed.

Signed



Date

4 March 2022