

**THREE HUNDRED AND TWENTY SECOND MEETING OF THE GENERAL CONSUMER COUNCIL FOR
NORTHERN IRELAND HELD ON FRIDAY 11 NOVEMBER 2022 AT 10.00AM IN SEATEM HOUSE,
ALFRED STREET, BELFAST, AND VIA ZOOM TELECONFERENCE**

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
Ms Amanda Logan	Board Member
Mr William Leathem	Board Member
Dr Sinéad Furey	Board Member
Mr Alan O'Neill	Board Member
Ms Noyona Chundur	Chief Executive
Ms Dervla Kearney	Director of Consumer Empowerment
Mr Peter McClenaghan	Director of Infrastructure and Sustainability
Mr Scott Kennerley	Director of Financial and Postal Services
Ms Anne-Marie Murphy	Director of Strategy and Emerging Markets
Mr William Warke	Director of Corporate Services
Mr Raymond Gormley	Head of Energy Policy
Mr Richard Williams	Head of Transport
Ms Jenny Redman	Head of Financial Services
Ms Julie Coulter	Administrative Officer
Mr Dennis Cunningham	DfE
Mr Richard Rodgers	DfE
Ms Anne-Marie McConn	DfE
Mr Keith Gibson	DfE

322/1.1

Apologies

Mr Gerry McCurdy	Board Member
Ms Bernie Tolan	PA to Chief Executive

322/1.2

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 could reflect this.

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

No conflict of interest was declared, and this was noted.

The Chair advised that officials from the Department for the Economy (DfE) would be delivering a presentation on the One Stop Shop. The Chair also welcomed Dennis Cunningham, DfE Sponsor Branch, to the Board meeting.

3211.3 **Minutes of the last meeting**

The minutes of the previous meeting held on 7 October 2022, having been circulated, were agreed as a true and correct record.

The Minutes were agreed by Members and signed.

322/1.4 **Actions from the last meeting**

The Chief Executive updated the Members on the following:

- 3.6 Employee Handbook would include information on the role of NIPSA.
- 3.8 Mr McAteer to share results of Child Benefits Loans project in Great Britain (GB) when available and provide dates for a briefing on the Financial Regulation and Markets Bill.
- 3.8 Director of Consumer Empowerment to check call volumes to Trading Standards NI about rises to insurance costs, and potential joint working.
- 4.7 Diary invitations for 2023 Board, subcommittee and policy group meetings to be sent out this month.

The Actions from the last meeting were noted by Members.

322/1.5 Minutes of the Special Board Meeting on the One Stop Shop

The minutes of the Special Board Meeting on the 27 October 2022, having been circulated, were agreed as a true and correct record.

The minutes were agreed by Members.

322/1.6 Matters Arising

There were no matters arising.

322/1.7 Chair's Business

The Chair advised:

- The Remuneration and Human Resources Committee met on 10 November 2022 and updated their Terms of Reference (ToR) were updated.
- The Board ToR would be reviewed every two years, but this would be done once the CCNI-DfE Partnership Agreement was approved.
- A new Policy and Research Advisory Group (PRAG) was created to standardise of approach, consistency and methodology for research and policy development.

It was agreed Members would not be named in the subcommittee TOR.

Action: The Director of Corporate Services to update the subcommittee TOR to remove named Members.

The Chief Executive briefed the Board on the Consumer Detriment Index project. She advised DfE's arrangement with the Queen's University Public Policy Programme delivered by Innovation Lab, offered master's and PhD options for research projects to support 10X Economy Strategy outcomes, and the Consumer Council would apply for the master's thesis option for the Consumer Detriment Index. This would cover scoping research, literature review and desktop analysis, and while the project was aligned to the 10X Economy Strategy, it would focus on consumer issues.

Action: The Consumer Detriment Index project would be brought to the PRAG for input and agreement of scope.

The Chair and Members requested details of the forward schedule of outreach and community events so they could attend where possible.

Action: Director of Consumer Empowerment to circulate schedule of outreach and community events and Members to advise what events they wish to attend.

322/2.1

Department for the Economy One Stop Shop Presentation: Richard Rodgers, Keith Gibson and Anne-Marie McConn, DfE Energy Group

The Chair welcomed Richard Rodgers, Anne-Marie McConn and Keith Gibson from DfE Energy Group, joining the meeting for the One Stop Shop (OSS) presentation.

Anne-Marie McConn presented DfE's OSS Action Plan covering objectives, principles, services, implementation road map and consultation process.

Members raised the following points:

1. The need to focus on the short-term aspiration and core services, and clarity on the definition of warm referrals.
2. How consumers looking to start their decarbonisation journey could connect with the OSS service.

DfE officials advised that the concept of warm referrals was to allow consumers to seek to build relationships with organisations such as the Consumer Council in giving advice on services offered and referring on to the relevant organisation, instead of a 'switchboard' approach with set scripts and follow-up numbers. The ToR of how people would start their journey to decarbonisation and the core services supporting was being developed for the pilot phase and would follow the consultation.

DfE officials advised that decarbonisation offered the opportunity to develop a complete set of consumer protections as Northern Ireland shifts from fossil to non-fossil fuels. The Consumer Council would be part of any future regulatory and protection framework, given the work it is doing in meeting current gaps in energy legislation, and the work with the Utility Regulator (UR) on future legislation and regulation.

3. Would Phase 1 evolve and learn within the three years of the pilot to enable deliver the final product (OSS), or will it start out as a test or start as an almost finished product?

DfE officials advised, based on stakeholder engagement and from the feedback from the Energy Strategy Options consultation, this was an evolutionary pilot as people want core services but do not know how they want them or what else they want. Learning will be a key part of the pilot and the final product would not be completely different to the pilot OSS.

4. In relation to warm referrals, will there be a preliminary needs assessment, with the caller then referred to a specialist advice organisation that can help provide the financing with an approved directory of insulation engineers, etc.

DfE officials advised this was subject to the consultation outcome and subsequent implementation plan, and funding streams being developed, but feedback to date has confirmed people want warm referrals, to speak to informed advisors on broader energy matters and know who can help. The OSS will be the organisation that points them to this, but any contractual arrangements will be between the homeowner and the company completing the work.

5. Had there been a risk assessment completed for the OSS not working, for example if consumers did not respond as expected with warm referrals instead reverting to a more scripted 'switchboard type' response.

DfE officials advised this could be addressed as part of the project methodology for the OSS pilot.

6. Clarity was sought on how the OSS could not point to other areas of decarbonisation e.g. transport, as stated in the consultation document.
7. Given the Consumer Council's focus on helping those who need advice and help the most, how would the OSS ambitions for decarbonisation balance with the organisation feeding into the bigger picture?

DfE officials advised the OSS would not point to specific technologies but would point consumers to what they needed and who to talk to, in an impartial manner.

DfE officials advised that they see the Consumer Council as the trusted voice and experienced in dealing with vulnerable consumers, and want this relationship to continue. Northern Ireland also has the advantage of lessons learnt from the Sustainable Energy Authority of Ireland (SEAI) and Home Energy Scotland, and consultation outcomes will also help to shape an implementation plan that can put consumers at the heart of it, so all can benefit.

A one minute silence was observed to mark Armistice Day.

8. How would the OSS be funded?

DfE officials advised, subject to consultation outcomes, funding would be considered within DfE but working across the organisation to prioritise areas, with consideration to funding from central government given the focus on climate change and the commitments in the Better Business Case Model to meet these.

9. How would performance indicators be managed and developed into scorecards, and would partners be involved in the development of the business case?

DfE officials advised this would be progressed in 2023-2024, following consultation outcomes, as two parallel projects, the first setting up the OSS pilot and the second looking at the longer-term requirements. The development of the business case would include inputs from all partners involved in the projects.

10. When considering the model for the OSS, were potential pitfalls considered and how would they be mitigated.

DfE officials advised models from Ireland, Scotland and further afield were being considered but no decision had been made as this would be developed in 2023 following consultation outcomes.

11. What redress is available in relation to installing partners' involvement, as the service they provide could have a key influence on the success or otherwise of a scheme, and from a litigation view had consideration been given to this area as there was concern that all parties would be involved in litigation if there was deemed dissatisfaction?

DfE officials advised the OSS would develop the policy areas with supporting schemes, but issues of redress would be built into the delivery of each scheme and would not be the responsibility of the OSS. However, as the connecting organisation in the middle, there was the risk the OSS would be pulled into this, so the set-up of each scheme would need to ensure clarity in contractor responsibilities.

12. Were the delivery models (OSS) for Scotland and Ireland newly formed or transformation of an existing organisation, and given the focus on partnerships, is there a need for new bodies to be formed specifically to address the decarbonisation challenge?

13. Was there a risk that the OSS would be unable to offer a seamless pathway, even though it is branded as a single entity, and this will turn consumers off.

14. Was there reputational risk due to the specialised skill set required for the OSS.

DfE officials advised the Scottish model leveraged existing partnerships to ensure coverage, while in Ireland, SEAI was newly formed but is now quite different from what they were at inception.

DfE officials advised the general advice and information is available but not in the one place, so the first role of the OSS pilot is to pull all the information

together in one place, and in a way that closes the loop and does not pass consumers off.

DfE officials advised this was a potential risk and this was the reason the pilot would focus on the absolute core services by way of an initial offering, which would then evolve and bring in, at the right time, the right skills.

15. Decarbonisation is the most important challenge alongside the cost of living crisis and needs a solution. At the outset, will there be clear definition between information, guidance and advice as this determines reputational and legal risks.
16. How ambitious is the OSS about behavioural change as just providing guidance does not mean behavioural change. It is the boundary between enabling and persuading consumers, and crucial to that are the legal definitions.
17. The social return on investment will be huge if done correctly but only revealed after a long time. How will the OSS make a case for this given it is a future return against present value and is there scope for innovative funding model.

DfE officials advised definitions were critical and it would be taking legal advice.

DfE officials advised they would be accessing PhD projects to look into how to achieve behavioural change in relation climate change and also had access to people in this field in England.

DfE officials advised there was now a benign investment environment with greater scope to bring forward funding to deliver carbon savings, and financing would not just be sought in the short-term but on a broader and longer-term basis.

18. What are the success measures for the three-year pilot as these need to be agreed during the pilot initiative such as the decarbonised homes/buildings, and what would year-on-year projections look like.
19. All parties agree on re-insulation and improving housing stock so an initiative investing in social housing stock to create a critical mass is needed, supported by the local skills and employment to deliver the warm referrals.

DfE officials advised this the agreed model for the OSS would inform this.

DfE officials advised government needs to deliver a five-year intervention to help build skills and enable the private sector to invest while encouraging those who can pay for improvements (at a discount) to do so. This would deliver local employment and skills but needs to be prioritised.

20. With 23% of carbon emissions from transport, how will transport be addressed in the OSS and will that involve the Department of Infrastructure (DfI).

DfE officials advised the decarbonisation programme includes transport and involves all Executive Departments, including DfI. Modal shift starts with decarbonising transport already in train within public transport and the

electrification of rail, and ultimately decarbonisation will come into its own regarding the home.

21. Are there any issues with legislation and will there be any organisation that will need legislative change to tender for the OSS?
22. Who will oversee and monitor the work of the OSS at the end of the three years, and will it be the UR?

DfE officials advised in the long term, a legislation work stream would look at whoever delivers the OSS has the legislative powers alongside who regulates it and check and monitors its outcomes. During the pilot, the OSS will use existing legislative vires to best effect.

23. The OSS 'front window' will need to know who the people it can target are and have providers with the ability to deliver in order to mitigate bad experiences.

DfE officials advised this was why the OSS could not be set up next year and needed time to be put in place, with the pilot offering something that did not have liability.

DfE Sponsor Branch highlighted:

- The OSS model had been considered before and while a single point of contact was important, the priority was to ensure consumers connected the right person at the right time.
- While warm referrals were already done by the Consumer Council it was important to ensure the organisation did not get stretched and pulled in too many directions and continue to maintain focus on vulnerable consumers.
- The OSS was the important piece of work and if the Consumer Council had a role in it going forward, it must not distract from existing statutory responsibilities.

DfE officials advised regulation and consumer protection was not comprehensive for Northern Ireland energy consumers, and to get to the other side of decarbonisation, this included understanding the developing role of the UR and the Consumer Council, so all consumers were protected properly.

The Chair thanked Richard Rodgers, Anne-Marie McConn and Keith Gibson.

3. ITEMS FOR APPROVAL

Finance and Governance

322/3.1 Management Accounts: September 2022

Director of Corporate Services presented the Management Accounts and summarised headlines, confirming expenditure was in line with forecasts, and invited questions from Members.

Mrs Butler asked for more detail on leadership and management training and if this was at a team or wider group level.

The Director of Corporate Services advised this was organisation wide and would combine theory with scenario-based role play and team development exercises.

The Chair advised an enhanced bid for learning and development would be requested in the 2023-2024 budget as it was an important investment in developing staff, maintaining satisfaction and mitigating churn in a competitive labour market.

Action: The Director of Corporate Services to include a ring-fenced bid for learning and development include in 2023-2024 budget.

Members approved the Management Accounts: September 2022

322/3.2 2022-2023 Corporate Risk Register: Q2

322/3.3 2022-2023 Corporate Scorecard: Q2

The Chair advised the 2022-2023 Corporate Risk Register: Q2 and 2022-2023 Corporate Scorecard: Q2 were considered by the Audit and Risk Assurance Committee (ARAC) and asked for assurances on both.

Mrs Butler advised the ARAC were content with both items, and they reflected the quarterly performance.

Members approved the 2022-2023 Corporate Risk Register: Q2 and 2022-2023 Corporate Scorecard: Q2

The Chair advised the Remuneration and Human Resources Committee approved the 2023-2024 Staffing Model and wanted work programmes to consider 'business as usual' to optimise better outcomes, add value and/or do things differently.

The Chief Executive advised it was important to move from outputs to accountable, pragmatic, and measurable outcomes but at a macro-level, and while this could prove difficult given the touchpoints to multiple public policies and funders, it was important to establish a model in preparation for the new Corporate Plan.

Mr Cunningham advised a historical criticism of the Consumer Council was its inability to demonstrate how it had met statutory responsibilities in influencing and championing consumer interests, influencing policy and service standards was one way of demonstrating measurable outcomes.

322/3.4 Draft CCNI-DfE Partnership Agreement

The Chair advised the Partnership Agreement was still in draft but being finalised.

Mrs Butler enquired if it was primarily the same structure for all arm's length bodies with the Consumer Council applying this to its Partnership Agreement.

Mr Cunningham advised it was a set structure with flexibility to adjust in a way that presented the particular relationship and challenges between the Consumer Council and DfE, reflecting partnership, funding and accountability arrangements that were unique. He would be seeking assurance from other funders they were content with the financial and governance arrangements in place with the Consumer Council.

The Chief Executive thanked Mr Cunningham for his input to the legislative powers section of the Partnership Agreement. She also raised the question of multiple sponsors and believed the Consumer Council should have one sponsor department, alongside multiple funders for corresponding statutory and project specific remits.

Mr Cunningham advised there was a need to provide for information on corporate governance arrangements as a result, so the Partnership Agreement could hold the organisation to account should there be a change in strategic direction.

The Chair asked if in-year pay settlements were met by DfE or proportionally by all funders.

Mr Cunningham advised when arrangements when Ministerial approval was given for the Consumer Council's additional funders, it was agreed any changes to pay or National Insurance contributions, would be met at by them and at zero cost to DfE.

Mr McAteer asked if the Engagement Plan should be further expanded to cover the full scope of the Consumer Council's network.

Mr Cunningham advised the detail in the Partnership Agreement was sufficient.

The Chair asked if the Partnership Agreement was a live document to be reviewed alongside current and future strategies such as the 10X Economic Strategy.

Mr Cunningham advised the Partnership Agreement would be reviewed annually with a more comprehensive review every three years, which would future-proof it. The CCNI-DfE Partnership Agreement was expected to be approved by end March.

Members noted the draft CCNI-DfE Partnership Agreement.

322/3.5

Board and Subcommittee Terms of Reference

The Chair advised the ARAC TOR was approved in June 2023 but would be amended to remove named Members.

Members approved the Audit and Risk Committee Terms of Reference with agreed changes.

The Chair advised:

- The Remuneration Committee had been changed to the Remuneration and Human Resources Committee, recognising staffing costs were the largest proportion of the annual budget.

- The Committee would review and approve the annual workforce plan and changes to staff numbers proposed through the annual business planning process, with the view that permanent posts need the guarantee of annual funding and replacement posts need to be justified.

Members approved the Remuneration and Human Resources Committee TOR.

HR

322/3.6 2022 Staff Away Day

The Chair advised that, from feedback provided at the Remuneration and HR Committee, the Staff Away Day was successful with 45 staff attending and their feedback documented within the slide deck.

The Chief Executive advised that Directors gave feedback on the Employee Engagement Survey and suggestions for an Action Plan through their Directorate meetings, which was presented at the Staff Away Day and the action plan received endorsement, with a number of suggestions already in train and examples include two Corporate Away Days (April/May and October/November), options for Team Away Days and monthly All Staff Meetings in-person.

An Employee Engagement Champions Group was also being established, chaired by the Director of Corporate Services, with representatives from each Directorate, and would provide an opportunity for conversation and engagement.

Members approved the Staff Away Day presentation.

322/3.7 HR Report: September 2022

The Director of Corporate Services presented the HR Report: September 2022 and invited questions from Members.

- The current staffing compliment had three vacancies, with two filled from 28 November 2022, and one fixed-term vacancy until 31 March 2023 in the Strategy and Emerging Markets Directorate, which would be filled using the NICS Agency Framework Contract.
- There were 113 hours of learning and development offered in September.
- The year-to-date absence rate was 1.77% against a target of 4.25%.

Dr Martin enquired about the process if the Consumer Council wanted to extend the contracts of agency staff.

The Director of Corporate Services advised they could be employed on a fixed-term contract directly by the Consumer Council, but only if the end date for the contract is known, and they would receive one month's notice in advance of end date.

Members approved the HR Report: September 2022.

Research

322/3.8 Access to Banking Research Report

Ms Redman, Head of Financial Services presented the headline findings from the Access to Banking research report and invited questions from Members.

Mrs Crowther asked if banking services were mainly done in physical branches and if the Post Office covered all bank.

The Head of Financial Services advised the services were mostly delivered face-to-face and most banks were covered by the Post Office.

Mr McAteer asked if there was any comparison between Northern Ireland and Great Britain (GB).

The Head of Financial Services advised there was no direct comparison but according to Which? bank closures in GB equated to 54 per month over a year.

Mr McAteer enquired about the Consumer Council's policy was on bank closures as the Financial Services and Markets Bill included a duty for access, and there as an obligation on HM Treasury (HMT) because of the Levelling Up agenda.

The Director of Financial and Postal Services confirmed the Consumer Council was in discussions with the Financial Conduct Authority (FCA) and would raise the Levelling Up agenda with HMT, as the research proved bank closures were having a detrimental impact on consumers with disability, those living in rural areas and other vulnerable groups.

Mr Leathem commented that if the Post Office network was removed from the survey results, the findings would be very stark and there was a significant economic footfall which would deteriorate in those areas and towns.

Mr O'Neill highlighted that as the Post Office network would not provide the same standard of training as a bank with reduced services, this would impact on vulnerable consumers, and would the final report reflect these differences and levels of service being offered?

The Director of Financial and Postal Services advised this was noted in the research but unsure about the level of detail.

Mrs Butler highlighted the increase in ATMs now charging for cash withdrawals. The Director of Financial and Postal Services confirmed this was a growing issue and linked back to the issues around access to cash for consumers.

The Director of Infrastructure and Sustainability asked if consumers were being supported in transitioning to online banking with training for those struggling with online banking tools and services.

The Director of Financial and Postal Services confirmed there were organisations delivering this, however, when closures occur, banks were obligated to review their

customer base and identify those more dependent on face-to-face services, provide training and support for them to use alternative banking methods and signpost them to other branches or banks.

The Chair highlighted the need for greater engagement with local government on this issue and the risk of the Post Office to withdraw from the agreement if pushed too hard to make changes to its service offering.

Action: Director of Financial and Postal Services to discuss findings of the Access to Banking Report with HMT in context of the Levelling Up agenda.

Action: Director of Financial and Postal Services to identify opportunities to present findings of the Access to Banking Report to local government.

Action: Head of Financial Services to highlight where possible the difference between the services offered to consumers by bank branches and post offices.

Members approved the Access to Banking Research Report.

4. ITEMS FOR NOTING

Research

322/4.1 Annual Complaints and Outreach Report 2021-2022

The Chair thanked the Director of Consumer Empowerment and her teams for their good work and reiterated the desire for Members to attend outreach events.

Members noted the report.

322/4.2 2022-2023 Research: Mid-Year Progress Report

The Chair advised with so many research projects, it was useful to have a snapshot of the progress to date, and the ensuring procurements were evenly distributed throughout the year, and the budget spent on research added value and enhanced the quality of research outputs.

Members noted the report.

322/4.3 Importance of the consumer to the Northern Ireland economy

The Director of Strategy and Emerging Markets advised this was the full report, as the Board has previously been presented with the headline findings, and the report was recognised by DfE Analytical Services Division as a vital project in relation to the 10X Economic Strategy.

Members noted the report.

Operational

322/4.4 ARAC Papers: June Butler, ARAC Chair (verbal update)

Mrs Butler highlighted most of the ARAC papers was covered in the Board agenda. She advised the ARAC received a de-brief by Stephen Mungavin on the ongoing work on risk management, and considered the annual review of corporate policies, agreeing the review cycle should be spread over 12 months.

Members noted the update.

322/4.5 2022 CIPR Awards

The Chair asked for this to be included in the Board agenda to formally congratulate the team on winning the Best Public Sector Campaign for True Cost and Best In-House PR Team of the Year, two very competitive awards.

Members congratulated the team on their success.

322/4.6 CEO Report: September 2022

Members noted the report.

322/4.7 2023-2024 Staffing Model

The Chair advised the 2023-2024 Staffing Model was presented to the Remuneration and Human Resources Committee.

This was put together by the Chief Executive and the Director of Corporate Services and reflected the staff model for the forthcoming financial year and covering staffing numbers by funding stream, and this information would be carried through to the 2023-2024 Business Cases.

Members noted the report.

5. ANY OTHER BUSINESS

The Chair advised the Consumer Council has been given time-bound powers through emergency legislation at Westminster with regard to delivering the consumer advocacy and complaints handling role for heat networks in Northern Ireland in relation to the Energy Bills Support Scheme (EBSS).

The Director of Infrastructure and Sustainability confirmed:

- The emergency legislation only related to heat networks and the Energy Prices Act 2022 contained a requirement on heat networks to pass on the emergency support provided by Government to their end users. It also provided for a complaints function for end users who do not receive the funds.
- To enact this function in Northern Ireland, the 2003 Energy (NI) Order Article 22 has been amended and the Consumer Council was given powers to investigate complaints by end users and to make representations on behalf of complainants. The Energy Ombudsman was named as having these powers for consumers in GB.

- The Consumer Council was now in regular engagement, at minimum on a weekly basis, with the Department for Business, Energy and Industrial Strategy (BEIS), the Northern Ireland Office (NIO) and DfE Energy Group and had also requested that DfE Sponsor Branch be included in discussions.

Action: The Chief Executive to provide weekly updates to the Board on progress.

Action: DfE Sponsor Branch to be included in correspondence and be invited to attend meetings.

The main meeting closed at 1.35pm and the Chair advised the meeting would continue in semi-closed session with Mr Cunningham, the Chief Executive and the Director of Corporate Services.

322/5.1 **Closed Session**

The Chair advised the meeting would continue in CLOSED SESSION with Members.

322/5.2 **Review of the Meeting**

The Board members discussed the quality of the papers and presentations. They were content with both.

DATE OF THE NEXT MEETING

The next Board meeting will be held of Friday 16 December 2022 at 10am in Seatem House, with teleconferencing facilities also available.

Signed



Date

16 December 2022