

MINUTES OF SENIOR MANAGEMENT MEETING HELD ON 10 OCTOBER 2007

Attendees:- **Mr Tom Frawley, Ombudsman**
 Mr John MacQuarrie, Deputy Ombudsman
 Mr Gerry McBride, Director of Investigation
 Mrs Michaela McAleer, Director of Investigation
 Mrs Sarah Lamont, Director of Investigation
 Mrs Anne Scott, Finance Officer

Minutes:- Mrs Jacqueline Palmer

	AGENDA ITEMS	OUTCOME
1	Minutes - Meeting on 8 August 2007	
i	Matters Arising:-	There were no matters arising. Minutes agreed as an accurate account of the meeting held on 8 th August 2007.
2	Update on Action Points from previous meetings	<p>Knowledge Management</p> <p>Mr Frawley explained the background to the Knowledge Management initiative.</p> <p>Mr McBride tabled an update paper at the meeting. He explained that the new system would work alongside our existing CHAS system, providing a cost effective approach which would match the requirements of the Ombudsman's Office.</p> <p>Mr Frawley said Mr McBride had put forward a rationale for adopting a single procurement tender. He asked Mrs Scott to check the criteria identified in the recording of this information met the relevant policy tests.</p>

Competencies

Mr Frawley explained how the current Performance Appraisal System did not match the competencies required of IO's working in the Office. He suggested to Mrs Lamont that they should discuss this issue with her to examine whether an alternative model could be devised for our staff.

Internal Audit Report

Mrs Scott reported she had now met with Directorates regarding the Internal Audit Report.

Re-Design of Front of Office

Mrs Scott explained that the Disability Access Audit still had to be carried out and that DFP were arranging this.

Principles of Good Administrative Practice

Mr McBride said that he had spoken recently to DFP re timescales. DFP anticipates having a response to Mr Frawley by the end of October.

Financial Management Report

The report will be discussed as a main Agenda item. However Mrs Scott mentioned that DFP have informed her that the current capital threshold will not be raised this financial year.

Audit Committee MinutesAnnual Report

Mr Frawley explained that he intends to contact the Chairman of the Committee of Assembly Chairmen to examine the potential for the Office to meet Assembly Committees to brief them on the main themes of the Annual Report.

Review of the Office

Mr MacQuarrie has spoken to OFMDFM regarding this matter and indicated it will be included in a forthcoming Executive Programme.

Risk Register

Mr Frawley said that when Mrs Lamont joins the office he would appreciate it if she could brief all staff on implications of the eHR project. Mrs Lamont said that from the information she currently has that timescales have changed and therefore costs will arise in 2007/08. Mrs Lamont said she will discuss this issue with Lindsay Rainey, Anne Scott and John MacQuarrie.

Progress against Business Plan

- 1.2 – Mr Frawley to revisit this issue.
- 2.3 – Mr McBride will address this issue in line with development of the Knowledge Management project.
- 4.3 – Mrs Scott to agree new target date.

Travel Arrangements/Bookings

Mr Frawley said this issue was still being examined. Mr MacQuarrie expressed his concern that use of a Credit Card may pose particular problems regarding potential risk of unauthorised access to Direct Debit. Mrs Scott is to seek clarification from DFP regarding the risks of facilitating Direct Debit access.

New Business

Housing Association Seminar

Mr McBride reported that he is organising the seminar and gave a provisional date for the event of 11 January 2008. He said he has drawn up a draft agenda and has identified a number of persons/departments he would like to contribute to the Seminar. A draft invitation letter will be drawn up within a week.

		<p>Mrs McAleer asked if staff from the other teams within the Ombudsman’s Office would be able to attend this seminar also. Mr Frawley suggested that a member from each team should attend along with some staff from Admin.</p>
<p>3</p>	<p>Directorate Meetings</p>	<p>Mr Frawley explained to Mrs Lamont the purpose and background to Directorate Meetings.</p> <p><u>Health</u></p> <p>Mrs McAleer informed the meeting that she had held two Directorate meetings since the last SMT. She had committed two days to reviewing the work processes that informed Health Investigations. She said it had been very useful as it had clarified a particular difficulty in making a decision around when a complaint against a Board should be opened. She said the team has agreed, subject to the necessary approval of Mr Frawley, that in all instances where a Health Service complaint is received it should be opened in the first instance in the name of the Board. The focus will then be to identify if there has been any maladministration in the decision taken by the Convenor and if so, a decision should be taken as to whether or not this Office will investigate the substance of the original complaint against the provider, or whether to return the matter to the Convenor for his/her reconsideration. In order to clarify this process Mrs McAleer pointed out the need to address the issue of when to inform complainants as to how their complaint is being dealt with in the first instance by this Office. She also suggested that information on this process could be incorporated within the revised updated leaflets. She highlighted the need to inform Boards as to this ‘change in process’ – given that the number of complaints attributed to being against Boards in our Annual Report will be inflated as a consequence. An event/workshop with Boards may therefore be required.</p> <p>Mrs McAleer also said that Admin would have to be involved to ensure everyone was clear in relation to the new process. She said she will revise and amend the Health Procedures and submit them for approval to SMT.</p> <p>She said there was nothing to report on case load and she was keeping an eye on the workload of the member of staff who was presently off on sick leave to ensure progress continues and there are</p>

no delays. She said she was in the process of setting up a workshop and had just agreed a date 21st November with the Assistant Information Commissioner where she would provide a briefing to the Health Team on the Role of the Information Commissioner and also on the issues we deal with in relation to health records. She said another workshop will take place on the 23rd November in London which being run by the PSHO on how to secure the most from independent clinical advice.

Mrs McAleer informed the meeting that Jim Sisk had completed a paper on an Apology Project which she had asked him to undertake. He has collated a mass of information from a range of sources which she will now work through. She intends to produce a guidance paper soon for discussion at SMT.

Mrs McAleer also raised the possibility of developing an Unacceptable Actions or Behaviour Policy, as she is aware there are some individuals who do place an increased and significant burden on IO's because of the amount of time and the number of contacts they make to the office. Mrs McAleer said she feels a Policy may offer a more sensitive and honest approach of dealing with this problem and will provide complainants with a clear indication as to what the office can do for them. She said SPSO have developed a similar policy and use it regularly.

Mr Frawley said he accepted the need for such a policy. Mrs McAleer agreed to take this issue forward

Planning

Mr MacQuarrie said there were no majors issues arising and that the Team was well on top of their case load but one area he was addressing, and which ties into the performance management issue, is they are at a stage where they are doing 'In Year Reviews' and he is specifically agreeing what progress they will make between now and March 08 on individual cases. He said one issue which has arisen is that they have had a couple of people who are persistent in contacting the office regarding their case and taking up a huge amount of the IO's time and that the work that has been proposed by Mrs McAleer in this area would be very timely.

Housing

Mr McBride said that his team had held a series of Performance Review meetings ahead of the Directorate meetings which had identified some issues particularly where there has been advice and general information such as Anti-Social Behaviour which has an impact on some of the cases they are currently dealing with in the Directorate. He said they have been attempting to ensure that they have scheduled each case giving an indicative closing date. He said if they are able to keep to those indicative dates then the likelihood is that they will significantly clear any backlog which will take them closer to the six month closing time the Office is working towards. He said there have been some good early settlements and he believed significant progress is being made.

Mr McBride also stated that they had reviewed the SMT minutes with the team to ensure information is shared with his Directorate and considered the letter circulated on Commencement of Proceedings. He said it was very useful as during the course of investigations they had identified cases where there has been some work done with a view to a prosecution and in a sense if that is where the commencement of the proceedings starts then effectively that means that case is not in our jurisdiction. He said it is important to communicate that information quickly to individuals.

Mr McBride said he had given an update re Knowledge Management to his team to orientate them to the concept of knowledge management. He said if we proceed on the timescale envisaged the Office could have a working system by 31st January. He said he also made it clear to his team that he would be seeking input from everyone because the project must be managed proactively.

The Office had considered feedback about the ASSIST course.

Mrs Palmer to schedule a meeting with Mr McBride re Update.

Admin

Mrs Scott stated that there had been no Directorate meetings with Admin but it is proposed to hold a team meeting in the very near future.

		Mr Frawley said that an agreed approach would be developed in the near future on how the management of Admin would be organised.
4	Cross Directorate Meeting	<p>Mr Frawley asked if the Cross Directorate meeting had any merit as we now have the Directorate meetings working effectively. Mr McBride said that he has addressed this issue with his Team and they felt there was no particular benefit as it represented a duplication of the Directorate Meeting and also with the newsletter now being circulated staff were kept up to date with issues.</p> <p>Mr Frawley mentioned that it was Admin who had previously raised concerns regarding communication. Mrs Scott said that she felt this was no longer an issue.</p> <p>It was agreed that the Cross Directorate issues could be incorporated into the Agenda of the Directorate Meetings from this point forward.</p>
5 i	Finance <u>Financial Management Report</u>	<p>Mrs Scott said she was presently predicting an under-spend She said we had released money in the October monitoring round. Mrs Scott took the meeting through the issues she had included in the Budget Review which had been conducted between herself and Mr Frawley.</p> <p>Mrs Scott stated there was a special onus on the October Monitoring Round to release money early this year because of the pressures on other parts of the Public Service. She said she was still seeking information on lease capital expenditure and recording of assets. She said concerns have been raised by the Audit Office in relation to assets being on the DFP asset register that belong to us and whether they should be transferred to our asset register. She said a letter was issued to DFP and she had telephoned DFP on 9th October and was told they have drawn up a response and we should receive this very soon. Mrs Scott then asked DFP how much of an input into the response was from the official in DFP who deals with the resource account. She was informed that he had none. Mrs Scott expressed her concern at this as this official would have been the main person</p>

		<p>who she believed needed to be involved. Mrs Scott explained she is unable to take any further action regarding this until she receives the response. She said the issue of capital expenditure within the building regarding whether we can or cannot spend, who holds lease agreement etc should also be addressed in the reply from DFP. She said the Audit Office are fully aware of the action which has been taken by our Office and are content with the way in which we have progressed the issue as we have kept them informed.</p> <p>Draft DAO on Departmental Resource Accounts for 2007/08 – Mrs Scott said the purpose of this was to advise Accounting Officers of the timescale that the accounts need to be produced in and other areas of information that they may require which they could use on an earlier basis, eg. ‘Nine Months Closure’ or Quarterly Accounts. She said she has been in contact with the Audit Office and they have cancelled their meeting on 11th October because the relevant DAO is still only in draft and there is an Accounting and Accountability Forum Meeting scheduled for the 19th October where the draft will be discussed, however Mrs Scott has drawn up a draft timetable stating she hoped to produce the accounts by 18th April 2008.</p> <p>Management of Capital Allocations – Mrs Scott informed the meeting that restrictions had been introduced and there was now very limited end year flexibility. She had spoken to the Accounting Officer about this to see if there was anything which could be accelerated into the current financial year but they were unable to identify any projects but having identified the reduced capital requirement they returned it to DFP.</p> <p>Machinery of Government – Mrs Scott explained that this was related to the transfer of functions and the possibility of aspects such as the Independent Review stage of HPSS complaints procedure being abolished and additional work being transferred to us. She said however this change did not constitute a transfer of function.</p> <p>The Office needs the department’s wording of the change in process to reflect the actual action, ie. An abolishment of the procedure and not a transfer to the Office. Agreement needs to be reached by both parties. Mrs McAleer to write to the Department.</p>
ii	<u>External Audit Findings Update</u>	Mrs Scott said improvements have been made regarding the items identified by NIAO. The purchase policy has been discussed with all Directorate Teams except for the Health Team. Also new forms have been developed to help deal with this.

		<p>Mrs Scott said Car Parking arrangements will be reviewed by Mr Rainey, Mr Frawley and Mr MacQuarrie, she said that some market research should be done on different options and a decision reached early in 2008.</p> <p>Fraud Mrs Scott said the management guidance that referred to an assessment checklist for completion - whilst it had been completed, had not been reviewed by the Accounting Officer or the Audit Committee. This has now been completed by both SMT and the Accounting Officer and will be completed on an annual basis.</p> <p>Mrs Scott said that DAO 6/07 and 13/07 should be reviewed by the Office.</p> <p>Impairments – Mrs Scott has started a review of intangible assets within the Office.</p>
6	Business Plan	<p>Mr McBride said that he had revamped the document to incorporate a traffic light system. This enabled staff to look at the progress made to date, to be updated and to see whether the targets set have been achieved.</p> <p>Mr Frawley said the presentation of the information and the colour coding was extremely helpful but reiterated that target dates must be closely monitored.</p>
7	Customer Satisfaction Survey	<p>Mr Frawley explained that 25% of the Public Bodies written to had not responded to the survey. Mr Houston was requested to go back to the bodies and when he did so it was identified that some of the bodies no longer existed and with a reminder 95% have now responded. It was identified that part of the problem was this was a telephone survey and lessons have been learnt regarding our future approach to similar surveys.</p>

8	<p>New Business</p> <p>i. Revised Risk Register.</p> <p>ii. Revised Policy on Standards of Conduct.</p> <p>iii. Revised Anti Fraud Policy</p> <p>iv. Revised Induction Policy.</p> <p>v. Revised Policy on Leave, Working from Home etc.</p> <p>vi. Revised Process for when tendering exercise required.</p>	<p>Mrs Scott said that the findings of External Audit recorded in a register as appropriate. It will be reviewed on a quarterly basis and progress recorded. Mrs Scott said ownership is now required to be identified as the Corporate Director post had been deleted. She also said that new approaches may help to identify other risks that had not yet been identified.</p> <p>Mr Frawley asked Mr MacQuarrie to take responsibility for oversight of the Risk Register.</p> <p>Mr Frawley said this document required to be reviewed on an annual basis. Mr McBride will take ownership of this document.</p> <p>Mrs Scott said there had been some changes in relation to DAO 12/2007 Compromise of Personal Data which has now been incorporated into this document. She said Fraud is another area of responsibility which needed to be monitored. Mrs Scott will take ownership of this area.</p> <p>Mr Frawley requested Mrs Lamont to take this issue forward, ie. Induction of new members of staff etc and to ensure the policy is fit for purpose and updated as required.</p> <p>Mr Frawley stated he also wished to review this document with Mrs Lamont.</p> <p>Mr Frawley stated this was now formally the position regarding Procurement Procedures. Mr McBride suggested that as there was now no Director of Corporate Services that it be substituted with Ombudsman or Deputy Ombudsman. Mr Frawley agreed with this proposal.</p> <p>Mrs Scott raised concerns regarding the mandatory tendering process checklist and asked if it was definitive for each Tender. Mr Frawley agreed that point 3 on the checklist required to be rewritten – Mrs Scott suggested – “a definitive list will be drawn up prior to first evaluation”. This was agreed.</p>

		<p>been clearly audited.</p> <p>Mrs Scott said regarding item 4.5 and 4.6 – Mr Rainey will be heavily involved and also Mr McBride.</p> <p>Date of next meeting will be 12 December 2007 at 2.00pm.</p>