

# Minutes of 3<sup>rd</sup> Meeting of the Authority – 24<sup>th</sup> March 2022

–held via video conference

## Present:

Name	Detail	Initials
Patrick Hopkins	Chairperson	PH
David Brady	Member of the Authority	DB
Patricia Cronin	Member of the Authority	PC
Martin Sisk	Member of the Authority	MS
Rosemary Keogh	Member of the Authority	RK
Tom Costello	Member of the Authority	TC
Máire McMahon	Member of the Authority	MMcM
Ercus Stewart	Member of the Authority	ES

## Apologies:

None

## In attendance:

Name	Detail	Initials
Helen Martin	CEO Items 1.0 to 10.0	HM
Thomas Mullholland	Head of Compliance and Enforcement Items 1.0 to 10.0	TM
Madeline Delaney	Director of Legal Affairs and Registration Items 1.0 to 10.0	MD
Niall Scanlon	Head of Finance Items 1.0 to 10.0	NS
Malachy Cardiff	Head of Corporate Affairs/Board Secretary Items 1.0 to 10.0	MC
Seán O'Connor	Head of Charity Services/Legal Advisor Items 1.0 to 10.0	SOC
Meagan Gill	Head of Registration Items 1.0 to 10.0	MG
Ger McCarthy	Head of Communications & Stakeholder Engagement Items 1.0 to 10.0	GMcC
Carmel O'Donohoe	Governance Policy Manager Items 1.0 to 10.0	COD

## Apologies:

Alan Fitzgerald

### 1.0 Quorum

A quorum was present and the meeting was duly convened.

### 2.0 Apologies

None

### **3.0 Conflicts of Interest**

- The members were requested to declare any potential conflict of interest, whether real or perceived, with any items on the agenda.
- No conflicts of interest were declared.

### **4.0 Approval of minutes of previous Board meetings**

#### **4.1 Approve minutes for 24<sup>th</sup> of February 2022 Board minutes**

The minutes of the Meeting of 24<sup>th</sup> of February 2022 were approved by the Board.

#### **4.2 Approve redacted minutes & publication of the Board meeting - 24<sup>th</sup> of February 2022**

Members reviewed and approved the redacted Board minutes of 24<sup>th</sup> of February.

**It was agreed the Board Secretary would publish the redacted minutes on the website.**

**EMT to review number of downloads of Redacted Minutes from the website.**

#### **4.3 Matters Arising**

There were no matters arising.

### **5.0 Update from Committees**

#### **5.1 Report of the Finance Audit Risk and Governance ('FARG') Committee.**

- The Chair of the FARG Committee updated the Board of the meeting of 14<sup>th</sup> February 2022.

**The Board of the Authority noted the minutes of the meeting of 14<sup>th</sup> February 2022 and the report of the Chairperson of the FARG Committee.**

#### **5.2 Report of the Regulatory Committee (RC)**

- The Chair of the RC updated the members on the Committee's work.

**Members noted the Minutes of Meeting 2 of the Regulatory Committee in 2022, 1<sup>st</sup> of March 2022 and the report of the Chairperson of the RC.**

### **5.3 Report of the Charity Services Committee (CSC)**

- The Board considered the minutes of Meeting 3, 10th of March 2022, and an update on the matters that were dealt with by the Committee.

**The Authority noted the Charity Services Committee update. The Authority approved all recommendations of Committee Meeting 3 (10<sup>th</sup> of March 2022) and authorised the Seal to be affixed where appropriate.**

### **5.4 Performance Resource Planning and Advisory Committee (PRPAC)**

- The Chair of the PRPAC updated the members on its meeting of the 17<sup>th</sup> of February.
- Members noted that a paper on the Delegation by the Chief Executive of certain functions in included for decision at this Board meeting.

**The Authority noted the Minutes of the Meeting 1 of 2022 (17<sup>th</sup> of February 2022).**

**The Authority noted the report of the PRPAC.**

## **6.0 Decisions of the Authority**

### **6.1 Decision to Refuse Charitable Status for European Anti-Poverty Network Ireland CLG**

- The Authority discussed and considered the Recommendation to Refuse registration as outlined in the Briefing Note presented.

**The Authority refused the application, pursuant to section 39 of the Charities Act 2009, from the European Anti-Poverty Network Ireland Company Limited By Guarantee to be registered in the Register of Charities (the “Register”) for the reasons outlined in the Notice of Intention to Recommend Refusal dated 22 November 2021.**

### **6.2 Decision to Refuse Charitable Status for G Kingdom Purpose Foundation Library Company Limited By Guarantee**

- The Authority discussed and considered the Recommendation to Refuse registration as outlined in the Briefing Note presented.

The Authority refused the application, pursuant to section 39 of the Charities Act 2009, from G Kingdom Purpose Foundation Library Company Limited By Guarantee to be registered in the Register of Charities (the “Register”) for the reasons outlined in the Notice of Intention to Recommend Refusal dated 21 December 2021.

### 6.3 MoU with the Charities Commission for Northern Ireland

- Members discussed and reviewed the Briefing Note relating to text of an MoU between the Charities Regulatory Authority and the Charity Commission for Northern Ireland (CCNI) and its submission to the Minister for approval pursuant to section 34 of the Act.

**EMT to give consideration to invite some representatives from the CCNI Board and the Authority to a meeting before or after the annual UK/Ireland Charities Regulators Group Meeting event.**

The following resolution was passed by the Charities Regulatory Authority:

Further to section 34(1) of the Charities Act 2009, the Authority resolves to enter into an arrangement with the Charity Commission for Northern Ireland in the terms set out in the draft Memorandum of Understanding and subject to the Executive taking the necessary steps to obtain Ministerial approval.

### 6.4 Proposal re. Delegation by CEO of certain functions under the Charities Act 2009 to Directors

The following resolution was passed by the Charities Regulatory Authority (hereinafter referred to as “the Authority”):

Further to section 21(1) of the Charities Act 2009, the Authority consents to the Chief Executive delegating each of the functions specified in the Table to a specified member of staff.

Table

Function	Specified Member of Staff
Registration of charitable organisations under section 39(7) in so far as it relates to granting applications of charitable organisations that are primary or post primary schools and entering their particulars in the Register	Director of Legal Affairs & Registration

<b>Disclosure of information by the Authority to specified bodies under section 28(1) where it suspects the commission of an offence</b>	<b>Director of Compliance &amp; Enforcement</b>
<b>Provision of information to relevant persons under section 32</b>	<b>Director of Compliance &amp; Enforcement</b>
<b>Requirement to provide information under section 53</b>	<b>Director of Compliance &amp; Enforcement</b>

## **6.5 Approval of the Common Investment Fund Financial Statements 2021**

**The Authority approved the Common Investment Fund (CIF) Annual Report and Financial Statements for the year ended 2021 and Letter of Representation.**

## **7.0 Corporate Risk Register**

**Members of the Authority noted the changes to the Risk Appetite and the insertion of an "Assurance" column in the Risk Register.**

## **8.0 CEO Report**

### **8.1 Registration**

- Members noted the report on Registration and Reporting and the updates contained therein.
- Members noted that the number of Maintain Trustees form backlog was cleared and acknowledged the significant work that had been undertaken by the Registration Team on this and other process development work, it was also that noted other members of staff had stepped in to assist the Registration team to address resource shortages.

### **8.2 Compliance and Enforcement (C&E)**

- Members noted the report on Compliance and Enforcement and the updates contained therein.
- Members noted the update on the SORP.

### **8.3 Charity Services and Legal**

- Members noted the report on Charity Services and Legal and the updates contained therein.
- The board noted the briefing note regarding the Common Investment Fund.

*RK left the meeting.*

#### **8.4 Communications and Stakeholder Engagement**

- Members noted the report on Communications and Stakeholder Engagement and the updates contained therein.

#### **8.5 Corporate Affairs and Financial Report**

- Members noted the report on Finance and the updates contained therein.
- Members noted the report on Corporate Affairs and the updates contained therein.
- Members noted that Ambit Consulting will be taking on the role of the Charities Regulator's Data Protection Officer (DPO) from 1<sup>st</sup> of April.
- Members noted the update on the Corporate Independence process and plans for recruitment campaigns and redeployment.

#### **8.6 Update on current organisational issues and CEO Matters**

- Members noted the report on current organisational issues and CEO Matters and the updates contained therein.

**CEO to check with DRCD and update members on the progress of the Charities (Amendment) Bill.**

### **9 Business Plan Tracker**

- Members noted the Business Plan Tracker.

### **10 Chairperson's Report**

- The Chairperson advised that he had issued a letter to Minister Humphreys regarding the upcoming retirement of three Board Members in October 2022 and enquired about the appointment of the new Members of the Board of the Authority.

- The Chairperson noted advised that he sent a letter of congratulations to Mary Hurley on her appointment as the new Secretary General at the Department of Rural and Community Development.
- The Chairperson has been in regular contact with the CEO and the Board secretary since the last meeting.
- The Chairperson noted that he and the CEO along with members of the Executive will be meeting the Hon. Dr Gary Johns ACNC (Australian Charities and Not-for-profits Commission) Commissioner on 29<sup>th</sup> of March 2022 to share experience and discuss emerging issues in relation to the regulation of charities.

**The Members noted the Chairperson's report and the updates contained therein.**

#### **10.0 AOB**

- It was noted that the next Board meeting would take place on Thursday, 19th of May 2022.
- There being no further business, the Chairperson thanked all for their contributions and the meeting ended.

## Actions arising from Board Meeting 3, 24<sup>th</sup> of March 2022

No.	Action	Person Responsible	Timeframe
1.0	Publish redacted minutes for meetings of 24 <sup>th</sup> of February on the website.	Board Secretary	Mar 2022
2.0	EMT to review number of downloads of Redacted Minutes from the website	EMT	April 2022
3.0	All recommendations of Committee Meeting 3 (10th of March 2022) to be actioned and the Seal to be affixed where appropriate.	Charity Services	March 2022
4.0	Give consideration to invite some representatives from the CCNI Board and the Authority to a meeting before or after the UK/Ireland Charities Regulators Group Meeting event.	EMT	Q2 – Q3 2022
5.0	CEO to check with DRCD and update members on the progress of the Charities (Amendment) Bill, where applicable.	HM	April 2022

## Key actions carried forward

No.	Action	Person Responsible	Timeframe
1.0	MC to add additional column in to the Strategy Monitoring Tool.	Board Secretary	November 2022
2.0	Revert to Board having checked the definition 'workers' in the Protected Disclosure legislation	MC	Mar 2022
3.0	Revert to the Board with a revised Risk Appetite Statement for approval	Board Secretary	May 2022
4.0	Amend the Risk Management Policy and bring back to the Board for noting in May Board meeting.	MC/COD	May 2022
5.0	Review adoption of a Registration Policy re. UK based charities within 12 months.	MD	June 2022

**Signed:** Patrick Hopkins – Chairperson

Malachy Cardiff – Board Secretary