

Minutes of 3rd Meeting of the Authority – 28 March 2024 held via Hybrid

Table 1: Authority Members Present:

Name	Detail	Initials
Gerry Kearney	Chairperson	GK
Lorraine Lally	Member of the Authority	LL
John O'Donnell	Member of the Authority	JOD
Mari Daly	Member of the Authority	MD
Cathy Holahan	Member of the Authority	CH
Máire McMahon	Member of the Authority	MM
Geraldine Smith	Member of the Authority	GS
Stephen Keogh	Member of the Authority	SK
Tony Ward	Member of the Authority	TW
Nicola Keogh	Member of the Authority	NK
Ercus Stewart	Member of the Authority	ES
Michael O'Sullivan	Member of the Authority	MOS

Apologies: Darren Lehane

Table 2: External people in attendance:

Caoimhin Broderick	DHKN Ltd	CB
Stephen Crowley	DHKN Ltd	SC

Table 3: Executive in attendance:

Name	Detail	Initials
Madeleine Delaney	Director of Legal Affairs and Registration Items 1.0 to 11	MD
Thomas Mullholland	Director of Compliance and Enforcement Items 1.0 to 11	TM
Geraldine McCarthy	Head of Communications and Stakeholder Engagement Items 1.0 to 11	GMcC
Niall Scanlon	Head of Finance Items 1.0 to 11	NS
Malachy Cardiff	Head of Corporate Affairs/Board Secretary Items 1.0 to 11	MC
Meagan Gill	Head of Registration Items 1.0 to 11	MG
Sean O'Connor	Head of Charity Services Items 7.4	SOC
Carmel O'Donohoe	Governance and Policy Manager Items 1.0 to 11	COD

Apologies: Helen Martin, Ciara Finn

1.0 Quorum

It was noted that a quorum was present and the meeting was duly convened.

2.0 Introduction and apologies

- Members welcomed the new Chairperson, Gerry Kearney, and the two new members Mari Daly and John O'Donnell, who joined the Authority on 28 February 2024.
- All members introduced themselves.
- The apology from Darren Lehane was noted.

3.0 Conflicts of Interest

- One conflict of interest was declared by CH which relates to agenda item 6.4 on [REDACTED]. It was agreed that CH would absent herself from agenda item 6.4 of this meeting.

4.0 Approval of minutes of the Board Meeting dated 29 of February 2024

4.1 Approval of minutes of the Board meeting dated 29 of February 2024

- Members reviewed and approved the Board minutes of 29 of February 2024.

4.2 Approval of redacted minutes of the Board meeting dated 29 of February 2024 and publication of same.

- Members reviewed and approved the redacted Board minutes of 29 of February 2024 for publication and agreed to remove one proposed redaction.

It was agreed that the Board Secretary would arrange for publication of the minutes on the website, subject to the above amendment being made.

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.

- Members noted the minutes of the FARG Committee Meeting of 19 February 2024 and the report of the Chairperson of the FARG Committee since the last meeting of the Authority.
- The Chairperson of the FARG committee noted the two decisions which took place between meetings of the FARG Committee,
 - The first decision relates to the Common Investment Fund (CIF) Financial Statements 2023 and Letter of Representation 2023 which are tabled at today's meeting at agenda item 6.1, and
 - The second decision relates to the Oversight and Assurance agreement which is tabled at agenda item 6.6.

The Board of the Authority noted the update by the Chair of the FARG Committee.

5.2 Report of the Regulatory Committee (RC)

- Members noted the minutes of Meeting 1 of the Regulatory committee which took place on 27 February 2024 and the report of MOS since the last meeting of the Authority.

The Board noted the update given by MOS, member of the Regulatory Committee.

5.3 Report of the Charity Services Committee (CSC)

- Members noted the memos and the papers contained in Meeting 2 of the Charity Services Committee on the Board portal software.
- Members noted the minutes of meeting 2 of 2024 for the Charity Services Committee held on 14 March 2024.
- Members formally approved all recommendations of the Committee and adopted same as decisions of the Authority.
- Members authorised the Seal of the Authority to be affixed where appropriate.

5.4 Performance Resource Planning and Advisory Committee (PRPAC)

- The members noted the report of the Chairperson of the PRPAC Committee since the last meeting of the Authority.

6.0 Decisions by the Authority

6.1 Decision to approve Common Investment Fund (CIF) Annual Report and Financial Statements 2023 and the Letter of Representation 2023

- Guests Caoimhin Broderick (FCA) and Stephen Crowley (FCA) from DHKN Ltd (Chartered Accountants/External Auditors) presented to members the CIF Financial Statements 2023.
- CB and SC confirmed there are no matters to be brought to the Board's attention and there are no management letter issues.
- Members noted two minor narrative amendments in the CIF Financial Statements 2023.
- Members noted one amendment related to the addressee was required within the CIF Letter of Representation 2023.
- Members noted the Independent auditor's opinion on the financial statements of the CIF
- The Board reviewed and approved the Common Investment Fund (CIF) Financial Statements 2023 and the Letter of Representation 2023, subject to the amendment raised, and authorised the Chair and Chief Executive to sign.

6.2 Decision to Refuse charitable status from [REDACTED]

- Members reviewed and discussed the recommendation to refuse charitable status to [REDACTED] under section 39 of the Charities Act 2009.

The Authority agreed to refuse an application for charitable status made under section 39 of the Charities Act 2009 pertaining to [REDACTED] for the reasons in the briefing note to the Board submitted prior to the meeting on the 28 March 2024.

6.3 Decision to Refuse charitable status from [REDACTED]

- Members reviewed and discussed the recommendation to refuse charitable status to [REDACTED] under section 39 of the Charities Act 2009.

The Authority agreed to refuse an application for charitable status made under section 39 of the Charities Act 2009 pertaining to [REDACTED] for the reasons outlined in the Notice of Intention to Recommend Refusal dated 2 November 2023.

6.4 Decision to Refuse charitable status from [REDACTED]

CH absented herself from the meeting.

- Members reviewed and discussed the recommendation to refuse charitable status to [REDACTED] under section 39 of the Charities Act 2009.

The Authority agreed to refuse an application for charitable status made under section 39 of the Charities Act 2009 pertaining to [REDACTED] for the reasons in the briefing note to the Board submitted prior to the meeting on the 28 March 2024.

CH returned to the meeting.

6.5 Decision to Refuse charitable status from [REDACTED]

- Members reviewed and discussed the recommendation to refuse charitable status to [REDACTED] under section 39 of the Charities Act 2009.

The Authority agreed to refuse an application for charitable status made under section 39 of the Charities Act 2009 pertaining to [REDACTED] for the reasons outlined in the Notice of Intention to Recommend Refusal dated 12 May 2023.

6.6 Decision to approve the Draft Oversight and Assurance Agreement and authorise the Chief Executive to sign

- Members reviewed, commented and approved the draft Oversight and Assurance (O&A) Agreement, and authorised the Chief Executive to sign.
- Members agreed that a cover letter should accompany the O&A Agreement highlighting the business activities which can be expected to be significantly impacted in 2024 due to budget constraints.

7.0 CEO Report

7.1 Registration

- Members noted the report on Registration and the updates contained therein.

7.2 Compliance and Enforcement (C&E)

- Members noted the report on C&E and the updates contained therein.

7.3 Communications and Stakeholder Engagement

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

- Members noted the update on the draft Annual Report 2023 and the confirmation that the draft Annual Report would be given to the Board two weeks before the May Board meeting for their consideration and review.

7.4 Charity Services and Legal Affairs

- Members noted the report on Charity Services and Legal Affairs and the updates contained therein.
- Members noted the update on the proposals relating to the first phase of the CIF plan.
- Members noted the update regarding the Hearing of the Charity Appeals Tribunal (“CAT”) which occurred on 27 March 2024.

7.5 Corporate Affairs, Finance and HR

- Members noted the report on Corporate Affairs and the updates contained therein.
- Members noted the update given on the assessment of data security.
- Members noted the report on Human Resources and the updates contained therein.
- Members noted the report on Finance Update.

7.6 Update on current organisational issues and CEO Matters

- Members noted the update on current organisational issues and CEO Matters.
- Members noted the update on the Charities (Amendment) Bill.

Members noted the Chief Executive’s report and the updates contained therein.

8.0 Corporate Risk Register

- Members noted the update given on the Corporate Risk Register.

Members approved the Corporate Risk Register for February 2024.

9.0 Business Plan Tracker

- Members reviewed and approved the Business Plan Tracker for February 2024.

10.0 Chairperson's Report

- The Chairperson confirmed that he would work with the Interim Chief Executive on engaging with the Department in relation to the key priorities for the Charities Regulator where their assistance is required.

11.0 AOB

- There being no other business, the Chairperson thanked all for their contribution and closed the meeting.

Table 4: Actions arising from Board Meeting 3, 28 March 2024

No.	Action	Person Responsible	Timeframe
1.0	Publish redacted minutes for the Board meeting of 28 February 2024 on the Charities Regulator’s website.	Board Secretary	April 2024
2.0	All the recommendations of the Committee Meeting 2 (14 March 2024) as outlined in the minutes, to be actioned and the Seal to be affixed where appropriate.	Charity Services	April 2024
3.0	The Chair and Chief Executive to sign the Common Investment Fund (CIF) Financial Statements 2023 and the Letter of Representation 2023.	The Chair and Chief Executive	March 2024
4.0	Four letters of decisions to refuse charitable status to be issued.	Head of Registration/The Chair	April 2024
5.0	Oversight and Assurance agreement, and cover letter, to be forwarded to the Department	The Board Secretary	April 2024
6.0	Draft Annual Report to be forwarded two weeks in advance of May Board meeting.	Head of Communications and Stakeholder Engagement	May 2024

Table 5: Key actions carried forward

No.	Action	Person Responsible	Timeframe
1.0	Chairpersons of each of the sub-committees will need to liaise with their own committee and nominate someone who will join the “SPC” .	Committee Chairpersons	March 2024

Signed: Gerry Kearney – Chairperson

Malachy Cardiff – Board Secretary