

<b>Title of Meeting</b>	Meeting of the Public Health Agency Governance and Audit Committee
<b>Date</b>	3 December 2020 at 10.00am
<b>Venue</b>	Fifth Floor Meeting Room, 12/22 Linenhall Street, Belfast

**Present**

- Mr Joseph Stewart - Chair
- Mr John Patrick Clayton - Non-Executive Director (*via video link*)
- Ms Deepa Mann-Kler - Non-Executive Director

**In Attendance**

- Miss Rosemary Taylor - Assistant Director, Planning and Operational Services
- Ms Jane Davidson - Head Accountant, HSCB (*via video link*)
- Ms Andrea Henderson - Assistant Director of Finance, HSCB (*via video link*)
- Mr David Charles - Internal Audit, BSO (*via video link*)
- Mr Roger McCance - NIAO (*via video link*)
- Mr Robert Graham - Secretariat

**Apologies**

None

		<b>Action</b>
<b>51/20</b>	<b>Item 1 – Welcome and Apologies</b>	
51/20.1	Mr Stewart welcomed everyone to the meeting. There were no apologies.	
<b>52/20</b>	<b>Item 2 - Declaration of Interests</b>	
52/20.1	Mr Stewart asked if anyone had interests to declare relevant to any items on the agenda. No interests were declared.	
<b>53/20</b>	<b>Item 3 – Minutes of previous meeting held on 1 October 2020</b>	
53/20.1	The minutes of the previous meeting, held on 1 October 2020 were <b>approved</b> as an accurate record of that meeting.	

**54/20** | **Item 4 – Matters Arising**

*40/20.1 Procurement Sub-Committee*

54/20.1 Mr Stewart noted that the PHA Chair was to take forward the establishment of a sub-committee of a Board to deal with procurement matters. Miss Taylor advised that following a conversation with the Chair where she explained that there is already a PHA Procurement Board which PHA Directors attend, as well as representatives from PALS and as a sub-committee would involve the same staff, it was agreed that a NED should sit on that Board. She felt that this would give the necessary oversight and avoid duplication. Mr Stewart agreed with the suggestion. Ms Mann-Kler asked whether the NED should be a member of the Governance and Audit Committee (GAC) but Mr Stewart felt that as this Committee has some oversight in this area, it would be appropriate that it would be a NED who is not a GAC member.

*42/20.6 Follow up on Internal Audit Recommendations*

54/20.2 Miss Taylor advised that she had spoken to Dr Janice Bailie regarding the two outstanding recommendations. Dr Bailie apologised that the commentary in the updates had been brief but said that there has been progress. She said that a contracts manager was appointed in March 2020 so the first recommendation should be fully implemented before the year-end audit review. In terms of the second recommendation, she said that work has been ongoing on a new grants management system which was due to go live in May 2020, but this will now happen in January/February 2021, therefore this recommendation should also be fully implemented by the time of the next review.

*42/20.9 Implementation Dates for Internal Audit Recommendations*

54/20.3 Mr Stewart said at the last meeting, there had been discussion with Mrs McKeown about reviewing the dates for the implementation of outstanding audit recommendations. Mr Charles advised that all of the dates align with the next scheduled follow up, but when the template is issued for that follow up, part of the process will involve engaging with managers to set more realistic implementation dates.

*42/20.15 Internal Audit Overview of PHA Recommendations*

54/20.4 Mr Stewart noted that this action has been completed and that the report has been included as part of the papers for

today's meeting.

*44/20.8 PHA Intranet*

54/20.5 Miss Taylor reported that she had spoken to Mr Stephen Wilson and that the new Intranet is being tested this week with a view to be fully "live" by Christmas.

*44/20.18 DPIA for Contact Tracing*

54/20.6 Mr Stewart noted that this was shared with Committee members.

*44/20.23 Senior Recruitment*

54/20.7 Mr Stewart said that following the last meeting, a risk regarding leadership was put into the Corporate Risk Register and he may take the opportunity to raise this with the Interim Chief Executive when she is able to join the meeting. He noted that while the Chair had written to the Chief Medical Officer regarding the recruitment of a new Chief Executive, he was not aware of a response having been received, and he was concerned about the timeline. He added that he is also concerned about the new contact tracing post. Ms Mann-Kler suggested that Mr Stewart, as Chair of GAC, should write to the Chair of the Board saying that the Committee has highlighted this as a risk. Mr Stewart agreed to write a letter, but he also felt that a meeting with the Permanent Secretary would be beneficial.

Mr Stewart

*48/20.3 Training for GAC Members*

54/20.8 Mr Stewart noted that Mr Cummings had committed to contacting HFMA regarding specific training for GAC members. Ms Henderson advised that she had followed this up and while every year there is a one day training event, this is unlikely to happen this year due to COVID-19. She suggested that there may be some slides available and that perhaps a training session could be facilitated via Zoom. She added that she had shared information with Miss Taylor about events being organised through the Chief Executives' Forum.

54/20.9 Mr Stewart said that he had attended a virtual Leadership Conference last week at which the C&AG Kieran Donnelly had spoken, but he felt it would have been a more beneficial event had attendees been able to attend in person as there were some questions he would have liked to have asked. Ms Mann-Kler suggested contacting Mr Donnelly directly around facilitating an event for members of Audit

Committees across the HSC as there may be common issues. Mr McCance pointed out that NIAO does contribute to the training that is run by the Chief Executives' Forum, but he would mention to Mr Donnelly that a request may be forthcoming from this Committee. Mr Clayton advised that he had previously attended the Chief Executives' Forum and had found it very useful and he agreed with Ms Mann-Kler's suggestion about a more focused session. Miss Taylor agreed to share with members the dates of the Chief Executives' Forum training.

Miss  
Taylor

*44/20.15 Business Cases*

- 54/20.10 Ms Mann-Kler asked how up to date the business cases are which have been submitted to the Department given the rapidly changing picture with regard to contact tracing. Miss Taylor said that her team and Ms Henderson's team have been working with colleagues in contract tracing and health protection to clarify and update costs and projected costs as they have been constantly changing. She added that the Department has been kept informed. Ms Henderson added that the Finance and Operations teams have done a lot of work on this.
- 54/20.11 Ms Henderson pointed out that the funding bid is being prepared based on the assumptions that the number of positive cases will increase greatly over the next few months, but added there is a lot of uncertainty as numbers will be impacted by the introduction of vaccines and re-imposition of restrictions etc.
- 54/20.12 Mr Stewart said that this is an area where organisations need to be diligent because there are so many unknowns given the scale of the expansion of the centre. He noted that there are a number of consultants employed in the centre and a number of staff on a sessional basis and he felt that this is an area where Internal Audit should conduct a review to ensure that there are no issues that the Committee needs to be aware of now which will not then arise in the future. Mr Clayton noted that at the previous meeting there had been a discussion about when it would be appropriate to carry out such an audit given the centre was being established but he felt that it was now timely. He appreciated that there have been updates given to members, but now a level of assurance is required. He added that as the second wave hit earlier than expected impacting on the capacity of the contact tracing centre but it seemed to be able to respond, therefore if there were to be a third wave, is the centre already prepared and therefore public money is not going to be spent profligately. Mr

	Stewart agreed that this is why it is important to have this audit.	
54/20.13	Ms Mann-Kler said that she was pleased to see this issue being discussed. She said that she would wish to know what governance, assurance and assessment of risk PHA undertook when establishing the contact tracing centre model. She added that a lot of the planning was based around modelling which is underpinned by data, so an assurance is required on how reliable that data are. Miss Taylor said that in terms of the contact tracing model, there is a core of full time staff, but many of the staff are sessional so the centre can flex up or down as required. She pointed out that there are also redeployed PHA staff working in the centre so these are internal costs. She added that the development of the Digital Self Trace has taken some of the pressure off the contact tracing staff and the centre is also carrying out reverse contact tracing, therefore it is difficult to predict what is needed. In terms of the data, she said that the whole data system had to be built quickly and a lot of analytics is being carried out for two purposes, firstly as a clinical tool to manage clusters, and secondly to use the information on clusters to inform future modelling and therefore what numbers the contact tracing centre will require.	
54/20.14	Mr Stewart said that a discussion with Internal Audit is required to plan this audit, which should take place early in the new year. He said that the Committee should have a role in developing the terms of reference and the areas to be covered. He suggested that Miss Taylor should link with Internal Audit and that the Interim Chief Executive should also be involved.	Miss Taylor
<b>55/20</b>	<b>Item 5 – Chair’s Business</b>	
55/20.1	Mr Stewart said that he had no Chair’s Business.	
<b>56/20</b>	<b>Item 6 – Internal Audit</b>	
	<i>During this item the Interim Chief Executive joined the meeting.</i>	
	<i>Internal Audit Progress Report [GAC/25/12/20]</i>	
56/20.1	Mr Charles presented the Progress Report and advised that to date two assignments have been completed, the audit of risk management and the mid-year follow up. He added that work has commenced on the audit of governance during COVID and the financial review.	

- 56/20.2 Mr Charles said that a satisfactory level of assurance has been given following the audit of risk management with no significant findings and only a small number of key findings identified. He said that the GAC had only received an updated Corporate Risk Register containing risks relating to COVID-19 in July and this should have been brought sooner through a live risk management process. He added that the PHA Board had not carried out its annual review of the Corporate Risk Register. He also highlighted that 31% of staff have not completed their training, that a risk had mistakenly dropped off the Corporate Risk Register and that directorate risk registers should be brought to the Committee on a regular basis.
- 56/20.3 Mr Stewart said that while he accepted this audit was conducted at a point in time, it did not take account of the fact that the Interim Chief Executive had asked for a comprehensive review of the Corporate Risk Register to take place which caused the delay referenced in the audit report. He added that the Committee had then carried out a full review of the updated Register. He said that he would be concerned that there would be a false perception that PHA had not followed due process.
- 56/20.4 Ms Mann-Kler asked what action will be taken forward following this audit. Miss Taylor advised that the Corporate Risk Register is normally reviewed quarterly and brought to the following Committee. She added that directorate risk registers are now brought to AMT and GAC on a rotational basis, commencing with the Operations directorate risk register at the last meeting. She advised that the next directorate risk register will be brought the February meeting of the Committee.
- 56/20.5 Mr Clayton sought clarity on how often the Corporate Risk Register is brought to the Committee and whether the next update would be brought in February. Miss Taylor advised that normally the Register is reviewed quarterly, but this year it is slightly out of sync with a review at 31 August (rather than 30 September) brought to the October meeting. She explained that the next review will be carried out at the end of December and will be brought to the Committee in February.
- 56/20.6 Mr Clayton asked about the risk management training, and whether it is mandatory for all staff. Miss Taylor confirmed that it is for all staff to complete. Mr Stewart asked if the training for clerical staff is the same as that for the Chief Executive. Miss Taylor advised that the training is awareness training for all staff. Mr Stewart asked about the

- relevance of the training. Miss Taylor said that it makes staff aware that there is a policy and of their responsibilities. Ms Mann-Kler felt that it is valuable that all staff receive this training.
- 56/20.7 Members noted the Progress Report.
- Shared Services Audits [GAC/26/12/20]*
- 56/20.8 Mr Charles said that PHA relies on BSO Shared Services to provide a range of functions, including accounts payable. He advised that a recent audit of this service provided a satisfactory level of assurance. He noted that the service continues to be provided although staff are working remotely, but there has been a reduction in the number of transactions being processed. He highlighted an issue regarding invoices on FPM not having purchase order numbers.
- 56/20.9 Mr Charles advised that there was also an audit on the work of the business services team and this also resulted in a satisfactory level of assurance being given. He noted some minor issues relating to supplier file maintenance.
- 56/20.10 Members noted the Shared Services Audit report.
- HIA Mid-Year Assurance Statement [GAC/27/12/20]*
- 56/20.11 Mr Charles explained that this is a summary, the findings of which were presented at the last meeting. He confirmed the satisfactory level of assurance given to the risk management audit, and also that almost 70% of internal audit recommendations have been fully implemented within the first six months of the year. Ms Mann-Kler questioned whether there were any issues to be followed up in relation to the audit of vaccination programmes given PHA's role going forward. Mr Stewart noted that the Department is leading on the rollout of the COVID-19 vaccine. Ms Mann-Kler said she was thinking of the recent discussion on the flu vaccine. Mr Charles said that the recommendation will be reviewed at the year end and can be looked at in the context of the current vaccination programmes, where appropriate.
- 56/20.12 Members noted the Mid-Year Assurance Statement.
- PHA Follow Up Analysis [GAC/28/12/20]*
- 56/20.13 Mr Charles noted that between 2015/16 and 2019/20 a satisfactory level of assurance has been given to a significant majority of PHA audits, with the only dip being in

2017/18. In terms of the implementation of audit recommendations, he advised all recommendations from 2015/16 and 2016/17 have been implemented. He reported that for 2017/18 and 2018/19 this figure is around 80% and for 2019/20 it is sitting at 59%. He noted that this relates to the most recent recommendations. Mr Stewart asked if this low number is as a result of outstanding recommendations rolling forward, but Mr Charles explained that they would be new recommendations and some only went live in March 2020. He added that since then staff have been diverted from their work because of COVID-19. He said that this level of implementation would be a consistent position across the HSC.

56/20.14 Mr Clayton thanked Mrs McKeown and Mr Charles for this report. He noted that the trend of increasing limited assurances across the HSC did not appear to apply to PHA, and that was assuring to him. Miss Taylor pointed out that the due dates for completion on a number of the outstanding recommendations do not fall until January/February 2021 so once the year-end follow up is complete, the percentage should be higher. Mr Charles commended the buy in from PHA managers when working on audits and said that over the years there has been good engagement.

56/20.15 Members noted the PHA follow up analysis report.

**57/20 Item 7 – Corporate Governance**

*PHA Assurance Framework 2020-2021 [GAC/29/12/20]*

57/20.1 Miss Taylor advised that the Assurance Framework is normally brought to the Committee twice a year and once a year to the PHA Board. She thanked Mr Graham for his work in carrying out the review. She explained that following a recent Internal Audit review the Framework has been reworked to include a responsible Director beside each item and more specific links with the Corporate Risk Register. She added that following meetings with Directors, some new items have been added, particularly within the Nursing and HSCQI directorate.

57/20.2 Ms Mann-Kler said that the Framework gave a real transparency in terms of where assurances come from. Mr Stewart said that he had spoken to Miss Taylor about the GAC Annual Report, and while not a mandatory requirement, he still intended to ensure that a Report was prepared.

57/20.3 Members **APPROVED** the PHA Assurance Framework



which will be brought to the PHA Board on 17 December.

*Report on Direct Award Contract Usage since April 2019  
[GAC/30/12/20]*

- 57/20.4 Miss Taylor said that a report on Direct Award Contracts (DACs) would also normally be brought to the Committee on a biannual basis. She explained that this report was for 2019/20 and the first half of 2020/21.
- 57/20.5 Miss Taylor outlined that in 2019/20, 50 applications for DACs were made, 2 of which were determined not be to DACs and 17 which were classified as social care procurement that did not reach the threshold to go to the Procurement and Logistics Service (PALS). Of the remaining 31, she advised that 26 were classed as goods and services and 5 as social care procurement, mainly from the Health Improvement team. From the period April to September 2020, she said that 15 applications were made, 13 of which were social care procurements that did not reach the threshold and the remaining 2 were sent to PALS.
- 57/20.6 Miss Taylor advised that of the 31 DACs sent to PALS in 2019/20, 24 were rated “green” and 7 were rated “red”, 5 of which related to social care contract extensions which are always rated “red”, but they were still able to be signed off by the Interim Chief Executive. She advised that one of the remaining 2 had to be signed off by the Permanent Secretary. She explained that was in the area of suicide prevention and that once a re-procurement exercise is completed by Health Improvement a DAC would no longer be required.
- 57/20.7 Miss Taylor said that the 2 DACs sent to PALS to date in 2020/21 were both rated “green”. Mr Stewart asked if the number of DACs this year will differ from the previous year. Miss Taylor noted that although only 2 DAC applications have been made to date so far this year, she anticipated that there may be more over the rest of the year.
- 57/20.8 Members noted the Report on Direct Award Contract Usage.

**58/20 Item 8 – Finance**

*Fraud Liaison Officer Update Report [GAC/31/12/20]*

- 58/20.1 Ms Henderson advised that there have been no new cases of fraud since the last meeting and she gave an update on the one current case. She said that this case related to potential duplication of funding and that following a forensic

analysis it was found there was no duplication and there were sound systems in place. She added that there are three recommendations for PHA following the investigation, mainly around the need to strengthen its contracts. Mr Stewart asked how these recommendations will be logged and follow up carried out to ensure that they are implemented. Miss Taylor advised that they will be picked up as part of an exercise that will be taking place to review contract management processes.

58/20.2 Ms Henderson said that due to COVID-19 restrictions there were no face-to-face information sessions provided as part of International Fraud Awareness Week, but that a newsletter was issued to all PHA staff.

58/20.3 Ms Henderson reported that the National Fraud Initiative data matching exercise is under way, looking at payroll and accounts payable, and there will be a further update on this at the next meeting.

58/20.4 Members noted the Fraud Liaison Officer Update Report.

### **59/20 Item 9 – Information Governance Update**

59/20.1 Mr Stewart informed members that Mr Clayton had agreed to take his role on the Information Governance Steering Group. Miss Taylor noted that with the ongoing work relating to COVID-19 there had not been a meeting of the group for some time, but she hopes to schedule a meeting early in the new year.

59/20.2 Miss Taylor reported that there continues to be a high volume of work coming through the information governance team. She pointed out that so far in 2020/21 a total of 85 FOI requests have come in compared to approximately 20 for the same period last year. She highlighted that many of the requests require response from staff in health protection who are already busy dealing with other aspects of the COVID-19 response. She added that some of the queries are complex in nature, and that it has not always been possible to respond within the statutory 20 day timescale.

59/20.3 Miss Taylor advised that the information governance team is also involved in assisting with the preparation of DPIAs for elements of the contact tracing programme as well as reviewing the Section 255 letter and schedule relating to the sharing of data from the national testing programme that comes back to Northern Ireland. She added that there are various research pilots ongoing as well as routine work, for example screening and reviewing the GDPR element of

PHA contracts.

59/20.4 Mr Clayton asked if PHA is keeping in contact with the Information Commissioner's Office (ICO) regarding its difficulties in complying with the timescales. Miss Taylor said that the ICO is aware of the impact of COVID-19 and there has been a lot of engagement with ICO regarding the development of DPIAs. She explained that PHA is now putting an automated message onto its FOI e-mails to suggest that requestors may wish to use the provided links to COVID-19 information sites to find the information they are seeking in the first instance before proceeding with their FOI request. Mr Clayton noted the delay in processing requests and the suggestion about directing people to other resources, but he asked about the staffing for this team, but acknowledging that information is held across the whole organisation. Miss Taylor advised that there has been a temporary appointment into the Information Governance team, but she said that her team cannot answer the queries and depend on staff across the organisation providing the responses to queries; however these staff are heavily involved in other COVID-19 work.

59/20.5 Members noted the information governance update.

**60/20 Item 10 – Any Other Business**

60/20.1 Mr Stewart said that he had a concern about how finance support will be provided to PHA once the HSCB closes and its functions are transferred to the Department of Health. He appreciated that this was not due to happen for at least another year but it would be timely to start to give thought to this issue. He thought that it would be unlikely that the current arrangements will continue.

60/20.2 The Interim Chief Executive advised that she had held a meeting with the Chief Executive of HSCB, Ms Sharon Gallagher to discuss some of the vacant posts in each organisation and that some of these staff work across both organisations. She said that Ms Gallagher agreed to come to a future PHA Board meeting to give an update. She added that she also spoken to the PHA Chair regarding this. Ms Mann-Kler said that she welcomed this.

60/60.3 Mr Stewart advised the Interim Chief Executive that he would like her to liaise with Miss Taylor and Internal Audit regarding an audit of the contract tracing service early in the new year. He also told her that the Committee has asked him to write to the PHA Chair to express its concerns about the current vacancies within the senior management team.

He said that while the Committee acknowledged that a letter has been sent to the Chief Medical Officer regarding this, there has not yet been a response and he was also mindful of the discussion around appointing a head for the contact tracing service.

60/60.4 Mr Stewart drew the meeting to a close and thanked the members for their attendance this morning and for their continuing support.

**61/20 Item 11 – Details of Next Meeting**

*Thursday 25 February 2021 at 10:00am*

*Fifth Floor Meeting Room, 12/22 Linenhall Street, Belfast.*

Signed by Chair:

Joseph Stewart

Date: 8 March 2021