

Meeting of Wednesday 18 August 2021, Greenmount Campus

MINUTES

Members:	Anthony Harbinson (Chair) Fiona McCandless Tracey Teague Robert Huey Brian Doherty Norman Fulton Paul Donnelly Sharon McFlynn Roger Downey Paula Bratton Sharon McCue Bernie Stuart David Esler	Permanent Secretary Deputy Secretary, Rural Affairs, Forest Service & Estate Transformation Group Deputy Secretary Environment Marine and Fisheries Group and Chief Executive NIEA Deputy Secretary, Veterinary Service Animal Health Group Deputy Secretary, Central Services & Contingency Planning Group Deputy Secretary, Food & Farming Group Chief Executive, NIEA Director of Corporate Services Director of Finance Strategic Business Partner, NICS HR Non-Executive Member (NEM) Non-Executive Member (NEM) NI Boardroom Apprentice
Apologies:	Kathryn Clarke	Office of the Permanent Secretary
In Attendance:	Ashley Davidson Mark Cherry Pauline Rooney Philip Gault	Permanent Secretary's Office Scientific Officer, Environmental Crime Unit Innovation and Science Transformation Director Health & Safety Adviser
Secretariat	Louise Mackey	Central Management Branch

Item	Description	Action
1	Welcome	
	Anthony welcomed everyone to the meeting.	
1(i)	Declaration of Interest	
	Nothing was declared.	
2	Visibility and Financial Impact of Illegal Dumping	
	<p>Paul Donnelly introduced the paper, explaining that in April 21 Denis McMahon, met with David Reid and Brian Doherty to discuss the 'Governance in support of Ministerial Directions and the Report to Those Charged with Governance'. During that meeting concerns were raised around the visibility on the issue of illegal dumping and the financial impacts that illegal dumping could have on the Department. Denis subsequently sought a submission from the NIEA on the issue and also requested that the matter be brought before the Departmental Board.</p> <p>There are 4 issues being considered.</p> <ul style="list-style-type: none"> (i) Mobuoy remediation (ii) Legacy sites (iii) Fly-tipping (iv) NI/ROI repatriation <p>The huge risks of another incident like that of Mobuoy were highlighted. As a result, it was emphasised what is needed:-</p> <ul style="list-style-type: none"> • regulated sites; • controls to mitigate the risk; • resources to be available; and • the recommendations in the Mills Report to be implemented. <p>Mark Cherry pointed out that resources are limited at the moment and that the Waste Crime Analyst is currently absent. He also said that lessons have been learnt from the Mobuoy issue.</p> <p>It was agreed that the new Project Manager being appointed should have training in project management and in commercial skills.</p> <p>The testing of water quality as a result of Mobuoy was raised. It is currently once a week but this can be amended as needed. A Water Quality Team has also been set up.</p>	

	<p>Sharon McCue raised the fact that work remains outstanding after the Internal Audit reports and recommendations on legacy sites and the NIEA Enforcement Division. She also said that the Audit and Risk Committee would schedule these reports as part of its ongoing discussions with Internal Audit.</p> <p>The possible use of technology in identifying suspicious activity was discussed e.g. satellite imagery. Mark explained that satellite imagery had been trialled for 6 months but found to be unsuitable. Also the issue of technology would be in the remit of the absent Waste Crime Analyst.</p> <p>Mark clarified that around 300 of the sites listed concern unlawful disposal of waste and will have been involved in a criminal case but that they are all of medium or low risk. This information is published. He also explained that if a criminal prosecution is made, the Department will try to recover the criminal benefit, which is set by the Court.</p> <p>Members discussed the visibility of prosecutions and waste crime to the public and that more might need to be done to increase this. Also discussed was ensuring that the public know how to report any concerns.</p> <p>Roger advised that he was keen to see the findings from the work on legacy sites and the costs and timings of any likely actions. He also noted that there is currently some baseline budget for fly-tipping and advised if there are any changes to the funding requirements for this or repatriation, these should be discussed with Finance Division.</p> <p>Tracey explained that there have been discussions with DoJ regarding the monetary level of fines being issued and whether they could be raised but there has been no progress made.</p> <p>The general use of publicity around DAERA's work was raised. It was agreed that there needs to be synergy and a corporate approach, especially with a number of very significant issues coming up in the next few months. It was agreed that the various teams across the Department which have a role in prosecutions would review how their publicity could be joined up in conjunction with the Press Office.</p> <p>Members noted the paper and agreed that there would be a future presentation of a Departmental Board paper on the potential financial impacts associated with high risk/abandoned waste regulated sites.</p>	
3	Finance Update	
	<p>Roger spoke to the paper.</p> <p>He highlighted that following considerable engagement with the EU Commission, they have accepted DAERA's calculation of the risk to the fund and are imposing a significantly reduced financial correction of €154k</p>	

	<p>rather than the original €1.4m. He also noted that the 2020-21 DAERA Annual Report and Accounts were laid in the Assembly on 8 July following receipt of an unqualified audit opinion from the C&AG.</p> <p>In addition Roger advised that DoF had commissioned a formal Budget exercise which sought information on:</p> <ul style="list-style-type: none"> • Strategic issues; • Areas where departments believe funding should be ring-fenced from reductions; • Revenue raising areas; and • Information on reductions. <p>Members discussed the need for contingency planning for the end of EU funding, budget cuts and the lack of staff to carry out work. Fiona highlighted that a return is due back to Mark Lyttle regarding whether all current EU Exit posts are still needed and whether more are needed. Anthony suggested a TMT or SCSG meeting to discuss issues. Brian also advised that a Staff Skills Audit is imminent.</p> <p>Anthony said there is a need to secure funding and to make the Minister aware of the Department's needs. The Finance Committee should look at this. Anthony suggested that there is a need to look at the Department's priorities and that a Board discussion will be required on these issues.</p> <p>Members noted the paper.</p>	
<p>4</p>	<p>Board Effectiveness Review</p>	
	<p>Brian spoke to the paper.</p> <p>Members agreed that the recommendations were good and should be taken forward.</p> <p>Brian confirmed that there had been a recent review of the Department's Committees and advised colleagues that a report on the progress would be provided to the Board.</p> <p>David Esler, after a year sitting on the DAERA Board, commented on how unified he felt the Board is. He also expressed his view that the papers provided each month and the processes were good and that overall he felt the Board is effective.</p> <p>Members noted the paper.</p>	
<p>5</p>	<p>Audit and Risk Committee Update</p>	
	<p>Sharon McCue spoke to the paper.</p>	

	<p>Sharon highlighted that, in relation to the previous DB action point, for a review of risk management to be carried out, the review is to be presented for discussion at a separate meeting in September 2021. The outcome will be reported back to DB in October as part of a wider discussion on risk.</p> <p>Sharon said that the Committee had talked about whistleblowing and that an NIAO report has provided additional responsibilities and focus in this area which is to be re-named 'raising concerns'. A Task and Finish group has been set up to look at this process but in the interim the Finance Director will act as champion pending completion of the Task and Finish group and the presentation of a report to DB.</p> <p>The Board discussed the fact that there needs to be a clear process which people need to be aware of and feel confident in.</p> <p>Members noted the minutes of the ARAC meeting held on 30 June 2021 and agreed that, in the interim, the Finance Director would act as whistleblowing/raising concerns champion pending completion of the review by the Task and Finish group.</p>	
<p>6</p>	<p>Review of the Chief Scientific Adviser Role</p>	
	<p>Tracey, supported by Pauline Rooney spoke to the paper.</p> <p>Members noted the update and the direction of travel being signalled through the emerging findings, with which there was general agreement. The Board was interested in being informed of the various CSA models adopted within Government across the UK and RoI and Tracey agreed to share this information with them.</p> <p>The Board noted the timeframe for completion and reporting of the Review to the Science Transformation Programme Board.</p>	
<p>7</p>	<p>Health and Safety Annual Report</p>	
	<p>Brian introduced the paper and Philip Gault, who spoke to the paper.</p> <p>Brian highlighted some of the main achievements this year:</p> <p>(i) Majority compliance assurance of the DAERA wide Health & Safety Management Framework;</p>	

- (ii) 55 incidents reported, which is a reduction of 155 from 2020/21 reporting period;
- (iii) the review and drafting of nine Health & Safety Arrangements;
- (iv) the integration of Health & Safety into the DAERA governance process;
- (v) the provision of 3,457 Health & Safety training places for staff.
- (vi) regular Health & Safety communication to staff; and
- (vii) the continued and ongoing review of the Group Health and Safety Manuals to cover DAERA Health & Safety Advisor posts.

He explained that not all of the targets are complete but that working from home had brought a different set of risks and challenges in the last year.

Anthony queried whether there was possibly under-reporting of incidents/near misses. Philip explained that when a review is done, the number of reports increases at that time. He said that people don't see the danger in near misses and that education is key to accurate reporting.

Sharon McCue asked what support there is for lone workers. Philip said there are a range of things:

- Control mechanisms and reporting;
- Isolated and Lone Working Policy; and
- Risk maps are provided.

Robert said that Michael Hatch is looking at the issue of unacceptable customer behaviours and that lone workers are required to complete their work programme so that line managers know where they are at all times and that they are provided with mobile phones. Tracey also highlighted that staff are regularly provided with information on possible risk areas to be avoided.

Bernie queried why there still isn't full compliance in fire safety training. It was explained that this training should be in all PPAs, staff are prompted to complete the training a year after their last course, reminders are sent to them and line managers are alerted if the training is not completed. A note is due to issue to staff regarding training.

Norman asked whether there is any progress on online reporting. Brian said it should be complete later this year.

Members noted the paper and agreed the DAERA Health & Safety Programme of Work 2021/22.

Items for Agreement

8	Wellbeing Survey Results and Draft Wellbeing Strategy and Action Plan	
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	<p>Brian spoke to the paper.</p> <p>He highlighted the result that 78% of staff either strongly agreed or agreed that DAERA provides sufficient information on mental and physical wellbeing.</p> <p>The Action Plan is in response to the survey's findings.</p> <p>He explained that there is an interim working from home policy and that the new version will be released in the near future.</p> <p>Brian also informed colleagues that there are individual Group surveys being carried out and that the NICS survey will be launched in October/November.</p> <p>Brian mentioned that there are still obvious differences in response levels between grades. Fiona said that work needs to be done to encourage industrial staff to complete surveys e.g. giving them hard copies of the questions. She also said it would be helpful to staff if links to organisations and useful contacts were added to the Strategy and Action Plan.</p> <p>Tracey suggested that the Strategy and Action Plan is too long and wordy for staff and that they may not want to read such a long document. Sharon McFlynn said that the different means of communication with staff will be discussed with Pauline Keegan.</p> <p>Bernie suggested the Annexes be put in a different order, instead of putting first, what the Department already does, put what they will be doing in response to the survey.</p> <p>Paula suggested rethinking the wording around Managing Attendance and making reference to the Covid-19 Information Hub around new ways of working.</p>	
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Closing Items		
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9(a)	Minutes of the Previous Meeting	
	Agreed	
9(b)	Matters Arising from Previous Board Meeting	
	<p>Action Points 1 -4 are complete. Also action point 6 from May.</p> <p>Outstanding Action Points are:</p> <p>5) Corporate Risk Management - Consider a horizon scanning /clean sheet thinking exercise to identify longer term risks. This will be considered later in the year (Autumn / Winter) once the 5 year plan is further developed.</p>	

	8) Risk Registers - The process for consideration of risk registers and the respective roles of the Board and ARAC was referred to ARAC at the April 2021 DB meeting for consideration with a report back to the Board following that consideration. The consideration by ARAC will be assisted by the Department's risk practitioners Briege Lafferty and Hugh Quinn. Due to be brought back to DB in October.	
9(c)	Forward Look Agenda – September 21	
	Agenda was agreed subject to the discussion on risk being postponed until the October meeting.	
10	Any other Business	
	<p>Brian thanked David Esler for his contribution to the DAERA Board over the last year.</p> <p>David thanked the Board and said it was good that they had given someone the opportunity to sit on the Department's Board. He thanked Brian for the time he had taken to support him. Brian also advised that a new Boardroom Apprentice would be joining the Board in September (Gillian Stirling).</p> <p>Sharon McCue highlighted that, given the recent public focus on the expected global impact of climate change, it is important to acknowledge the leading role of DAERA in NI's response to the IPCC report and COP26. She requested visibility of this work for DB and plans to improve public awareness.</p> <p>Anthony and Tracey explained that the IPCC report has been received from BEIS and that there will be a presentation to the NICS Board in October. After COP26 there will be a presentation to Grade 2s/3s.</p> <p>Tracey informed colleagues that the KPMG report has been received from the UFU, this is linked to IPCC and the Private Member's Climate Change Bill. She also said that the Green Growth Strategy is being progressed at pace. A draft is due to go to the Strategic Overview Group soon and will be circulated to Members.</p>	
	Close	
	Next Meeting: 22 September 2021, at 10.00am. Venue to be confirmed.	