

<b>Title of Meeting</b>	165 <sup>th</sup> Meeting of the Public Health Agency Board
<b>Date</b>	20 June 2024 at 1.30pm
<b>Venue</b>	Meeting Room, County Hall, Ballymena

**Present**

- Mr Colin Coffey - Chair
- Mr Aidan Dawson - Chief Executive
- Dr Joanne McClean - Director of Public Health
- Ms Heather Reid - Interim Director of Nursing, Midwifery and Allied Health Professionals
- Ms Leah Scott - Director of Finance and Corporate Services
- Mr Craig Blaney - Non-Executive Director
- Ms Anne Henderson - Non-Executive Director
- Mr Robert Irvine - Non-Executive Director
- Professor Nichola Rooney - Non-Executive Director
- Mr Joseph Stewart - Non-Executive Director

**In Attendance**

- Mr Robert Graham - Secretariat

**Apologies**

- Mr John Patrick Clayton - Non-Executive Director
- Dr Aideen Keaney - Director of Quality Improvement

**70/24 | Item 1 – Welcome and Apologies**

- 70/24.1 The Chair welcomed everyone to the meeting. Apologies were noted from Mr John Patrick Clayton and Dr Aideen Keaney.
- 70/24.2 The Chair said that the session held before the meeting with Ms Gráinne Cushley regarding the Reshape and Refresh Programme had been useful and he would like a formal statement brought to the Board showing how PHA has embraced the recommendations of the EY review (**Action 1 – Chief Executive**). He advised that at the recent Accountability Review meeting, the Permanent Secretary had indicated that he was pleased with the progress PHA has been making.
- 70/24.3 The Chair thanked Mr Maurice Meehan and Mr Paddy McEldowney for

the session they facilitated and said their presentation was excellent.

**71/24 Item 2 – Declaration of Interests**

71/24.1 The Chair asked if anyone had interests to declare relevant to any items on the agenda. No interests were declared.

**72/24 Item 3 – Minutes of previous meeting held on 16 May 2024**

72/24.1 The minutes of the Board meeting held on 16 May 2024 were **APPROVED** as an accurate record of that meeting.

72/24.2 The Chair said that he hoped that the minutes were clear in terms of PHA's position in relation to avian flu and the issues about the recruitment of public health consultants, as it is important that these are on record.

**73/24 Item 4 – Actions from Previous Meeting / Matters Arising**

73/24.1 An action log from the previous meeting was distributed in advance of the meeting.

73/24.2 Ms Henderson asked if a nominee had been agreed from among the Non-Executives for the Vaccine Programme Board. The Chair said that he was still reviewing the list of Boards that members sit on.

73/24.3 The Chair advised that the Raising Concerns policy is still being reviewed by the Department and he would like to be aware of the detail of that policy.

73/24.4 Ms Henderson said that she welcomed the update that was given with regard to screening programmes.

**74/24 Item 5 – Reshape and Refresh Programme**

74/24.1 The Chair said that he was adamant that this work will be completed by June 2025 and that timelines are adhered to. He added that he wished to place on record that Ms Cushley is doing an excellent job leading on this work with the support of the wider team.

**75/24 Item 6 – Reports of New or Emerging Risks**

75/24.1 The Chief Executive advised that there were no new risks. He informed members that the issue of recruiting public health consultants was discussed at the recent Accountability Review meeting and that PHA intends to write to the Department to request that all staff seconded are returned to PHA. He added that he wrote to the UK Health Security Agency (UKHSA) to request assistance and that he had spoken to Dame Jenny Harries who will formally respond, both from an UKHSA point of view and from a Department of Health in England perspective as

there may need to be a Department to Department conversation. He said that he wished to keep the Board informed that PHA is actively working on this issue. He added that Dr McClean has also spoken to Mr William Welfare in UKHSA.

#### **76/24 Item 7 – Raising Concerns**

76/24.1 The Chief Executive reported that there were no new concerns to be brought to the attention of the Board, noting the references earlier in the meeting to the recruitment of public health consultants and avian flu (H5N1).

#### **77/24 Item 8 – Updates from Board Committees**

##### *Governance and Audit Committee [PHA/01/06/24]*

- 77/24.1 Mr Stewart advised that the minutes of the Committee meeting of 15 April have been shared with members, and that the Committee met on 13 June where it approved the Annual Report and Accounts which are being brought to the Board today. He said that the Committee had made some comments, including about the length of the Report. He added that the format of the Report was discussed at a meeting he had attended recently of Chairs of Audit Committees and Ms Brigitte Worth has undertaken to contact the Department of Finance to get clarity on this. He said that there was agreement that these reports need to be more meaningful and that management team should not be wasted on their preparation. With regard to the PHA Report, he said that more prominence needs to be given to the section on equality and diversity, and the section on Non-Executives needs to be more fulsome.
- 77/24.2 Mr Stewart said that where there are outstanding audit recommendations where the implementation date has been changed, there should be a narrative explaining why. The Chair added that if the date has to be changed again, that narrative should be added, and not replace the previous narrative.
- 77/24.3 Mr Stewart advised that Internal Audit had presented the report of an audit on Recruitment Shared Services which indicated that the system is not fit for purpose. The Chair asked if PHA should consider withdrawing, but Mr Stewart replied that Ms Scott thought that this was not possible. Mr Stewart said that this may be an issue that is worth raising at a future Accountability Review meeting and to find out if other organisations are saying the same. The Chair said that PHA needs to get an assurance in this area (**Action 2 – Chair**).
- 77/24.4 Mr Stewart said that the Committee had looked at the Internal Audit HSC General Report where it was noted that the number of satisfactory audits has dropped year-on-year. He added that the number of Priority 1 recommendations has increased significantly, although not so much for PHA.

77/24.5 Mr Stewart reported that PHA received an unqualified audit opinion, but that due to the elections, the accounts will not be laid before the Assembly until 5 July. He advised that there were two Priority 2 findings within the draft Report to those Charged with Governance, the first of which related to outstanding payments from the Special EU Programmes Body (SEUPB). He said that PHA needs to get to the bottom of this matter. Ms Scott advised that she is writing to SEUPB regarding this. Mr Stewart reported that the second finding relates to Direct Award Contracts (DACs). The Chair said that PHA needs a plan to get away from the use of DACs. Mr Stewart agreed, and added that PHA needs to resolve the outstanding audit recommendations. The Chair said that while he did not wish to overburden Directors, this is an area that needs looked at due to the number of limited audits. He added that while Internal and External Audit are pointing out weaknesses, he sees these as a learning opportunity.

*Remuneration Committee*

77/24.6 The Chair noted that the Remuneration Committee has not met since the last Board meeting.

*Planning, Performance and Resources Committee [PHA/01/05/24]*

77/24.7 The Chair noted that the Planning, Performance and Resources Committee has not met since the last Board meeting.

*Screening Programme Board*

77/24.8 The Chair noted that the Screening Programme Board has not met since the last Board meeting.

*Procurement Board*

77/24.9 Ms Henderson advised that she had attended a meeting of the Procurement Board which was chaired by Ms Scott for the first time, and that the meeting covered a range of issues.

77/24.10 Ms Scott reported that PALS had been in attendance at the meeting and had raised an issue regarding their capacity which means that PHA may not be able to deliver on its Procurement Plan. She said that she would be taking this forward. She added that PALS had delivered a presentation on changes in procurement legislation, which will see more of a focus on contract management and KPIs, but may result in longer procurement times. She said that PHA has around 533 contracts with a value of £40m and of these, a considerable proportion are with the community and voluntary sector and making the legislation more complicated means it will be less likely that they can comply. Mr Blaney agreed saying that this has been raised with him at community level and it may get to the stage where it is not worth their while applying. The Chair asked if this is a Department of Health or Department of Finance

directive, but Ms Scott advised that it is legislation.

- 77/24.11 Mr Irvine advised that the Northern Ireland Fire and Rescue Service (NIFRS) had experienced the same issue with PALS and that they had been mandated to use Shared Services by the Permanent Secretary, but because PALS could not deliver, NIFRS set up their own in-house service. Ms Scott said that PHA should not be averse to looking at that. The Chair advised that he had a meeting scheduled soon with the Chief Fire Officer.

*Information Governance Steering Group*

- 77/24.12 The Chair noted that the that the Information Governance Steering Group has not met since the last Board meeting.

*Public Inquiries Programme Board*

- 77/24.13 Professor Rooney advised that the Urology Inquiry has now completed and that with regard to the Muckamore Inquiry, submissions have been made by the previous PHA Directors of Nursing and that she had had the opportunity to read the submission made by Mr Rodney Morton. She noted that one of the issues made was the reference to the number of times the Board sought clarity about PHA's role with regard to Serious Adverse Incidents (SAIs).

- 77/24.14 Professor Rooney said that as part of the COVID Inquiry all organisations will be required to publish how they will be implementing the recommendations. She noted that PHA had indicated that it has had not the capacity to look at recommendations from other Inquiries. The Chief Executive acknowledged this, and pointed out that the Executive team is a small one. He added that PHA has looked at the reports, and that it did ask the Department if PHA was required to have a representative sit on its Public Inquiries Board but was advised that PHA was not needed. He advised that PHA will be informed if there are any issues that are particular to PHA. With regard to SAIs, he advised that the process is being reviewed.

- 77/24.15 Professor Rooney commented that if PHA is not going to take forward this work, then the minute of the Inquiries Programme Board should be amended. The Chair asked if it would be possible for Ms Cushley to look at this because some of the recommendations may align to elements of the Reshape and Refresh programme. Professor Rooney said that the Board needs an assurance. Ms Reid commented that any recommendations in relation to governance and proper understanding of roles and responsibilities should be picked up by the Reshape and Refresh Programme. With regard to the safety and quality agenda, she agreed that PHA needs to know what its role is.

- 77/24.16 The Chair asked if a short paper could be prepared on all of this. The Chief Executive undertook to take this forward (**Action 3 – Chief**

Executive).

**78/24 Item 9 – Operational Updates**

*Chief Executive's and Executive Directors' Report*

- 78/24.1 Professor Rooney sought clarity on the input the Health Improvement team is providing to a request from the Department regarding health inequalities. The Chief Executive replied that PHA is drafting a paper for the Minister as he is keen to have a flagship “launch” in the autumn and is looking for ideas about where and how there can be an effort to redress health inequalities.
- 78/24.2 Professor Rooney asked about Advanced Care Planning and noted that PHA is not taking this work forward in the absence of funding. Ms Reid advised that PHA has received a response from the Department indicating that it fully appreciates PHA's position. She added that this initiative will be placed on a list of areas for consideration. She explained that PHA had helped to develop the policy, but implementation will cost significantly more.
- 78/24.3 Professor Rooney asked about cervical screening. Dr McClean advised that there continue to be challenges in this area. She said that for the invasive cancer audit, there is a misunderstanding around what this is. She explained that correspondence has been sent to Trusts outlining what their role is, but they are currently behind on this work so PHA is following up to ensure that the Trusts catch up. She said that Trusts are under pressure as they are currently dealing with this backlog, implementing primary HPV and assisting the Southern Trust.
- 78/24.4 Dr McClean advised that there are currently three laboratories with small teams and shortly there will be a move to reduce this to one. She said that the review of slides in the Southern Trust should be completed by the end of August. Professor Rooney asked about the “Ladies with Letters” group, and Dr McClean replied that this is a small group and PHA has been engaging with them. She reiterated that the review will be completed soon and that to date, most of the reviews have concurred with the initial findings. She explained that once this review is completed and services are consolidated onto one site, it will be easier to manage this programme. She advised that PHA had approached NHS England about carrying out a review and she has followed up on this again.
- 78/24.5 Mr Blaney sought clarity on whether any individual whose slides found an abnormality would be fast-tracked and Dr McClean confirmed that this would be the case, and that the individuals would go straight to colposcopy. Mr Blaney asked that if a similar event were to happen again, would PHA be in a better position to scan the slides quicker, perhaps using AI. Dr McClean said that she did not have an answer for that, but noted that there is an interest in using AI in breast screening.

- 78/24.6 Ms Henderson said that it has been useful to see the update reports and to document that PHA has been following up to get this independent review undertaken.
- 79/24 Item 10 – PHA Annual Report and Accounts 2023/24 [PHA/02/06/24]**
- 79/24.1 Ms Scott said that members will have previously seen the first section of the Annual Report. She advised that the figures in the Report have now been audited and that the accounts were completed in partnership with SPPG. She thanked Ms Tracey McCaig and her team, particularly Ms Caren Crockett for their help in putting the Report together.
- 79/24.2 Ms Scott advised that the Report contains the performance report, the accountability report and the financial statements. She confirmed that PHA received an unqualified audit opinion and that the auditor's certificate will be included. She proposed that the Annual Report and Accounts are put forward for laying before the Assembly.
- 79/24.3 Ms Scott said that some amendments have been made to the Report following comments by Governance and Audit Committee members.
- 79/24.4 The Chair reiterated that there needs to be a plan for dealing with Priority 1 audit recommendations and outstanding recommendations. Ms Scott noted that PHA received a satisfactory audit opinion from Internal Audit, but notwithstanding that there are outstanding audit recommendations which she said will be picked up as part of quarterly accountability meetings with Directors. The Chair noted that 80% of previous audit recommendations have been fully implemented so he sought to ensure that the remainder are given the right level of priority.
- 79/24.5 Ms Henderson commented that within the performance management section there should be exception reports brought to the Board on those areas that were rated "red" and how this will be addressed. Ms Scott explained that this relates to last year's Business Plan and these would have been brought through the Planning, Performance and Resources (PPR) Committee on a quarterly basis. The Chief Executive added that a commitment was made that, for any actions brought forward from the previous year that were rated "red", there will be a plan for how these will be delivered.
- 79/24.6 The Chair asked for clarity on the section around safety and quality alerts and governance. Ms Reid explained that previously HSCB and PHA would have had joint responsibility in assuring the Department that responses on assurance matters were implemented, but now that SPPG is part of the Department it no longer wishes to see these responses and now PHA is determining whether it wishes to see them. She acknowledged that the wording of the section is a little unclear. The Chair said that the Report should reflect what is currently happening.
- 79/24.7 The Chair asked whether PHA has a system of internal governance, and

if the statement in the Report is accurate. The Chief Executive confirmed that it is correct, and noted that there has been discussion today about governance and how the Reshape and Refresh programme will look at outstanding governance issues.

79/24.8 Ms Scott said that the accounts outline that PHA had a total revenue of £146m, of which £51m was issued to Trusts, compared to £59.5m the previous year. She advised that PHA had £28.6m of staff costs and £62.6m was spent on goods and services. She reported that PHA received £2.3m of income, mainly through research and development.

79/24.9 Ms Scott advised that the figures in the accounts have been audited. She noted a change in the balance sheet which showed the transfer of the Vaccine Management System (VMS) from SPPG of around £4m. In relation to provisions, she noted that a judgement relating to overtime and holiday pay is due and this may create a small increase. She explained that this will not be a material change but will be referenced in the PHA's Report to those Charged with Governance.

79/24.10 Ms Scott reported that there were three issues raised in PHA's draft Report to those Charged with Governance which related to SEUPB, DACs and contracts.

79/24.11 Ms Scott said that she would recommend this Annual Report and Accounts to the Board for approval.

79/24.12 The Chair acknowledged the work of Mr Stephen Bailie in Ms Scott's team. Ms Scott said that the new finance team is beginning to take shape following some recent appointments.

79/24.13 The Board **APPROVED** the Annual Report and Accounts.

#### **80/24 Item 11 – PHA Financial Plan 2024/25 [PHA/03/06/24]**

80/24.1 Ms Scott presented the PHA Financial Plan for 2024/25. She outlined that PHA will receive £130m of funding, £99.2m for commissioning, £30.6m for administration and £0.9m that is ringfenced. She explained that there is £1.2m of savings which has not been netted off.

80/24.2 Ms Scott went through the Plan outlining the spend for each programme area. Within R&D, she noted that the £3.2m contribution to the National Institute for Health Research has been reinstated. She explained that £352k has been set aside for campaign relating to organ donation, but added that there needs to be clarity about what that looks like in the context of other budgets. She said that the next section sets out the management and administration budget, but noted that PHA has limited oversight of the £809k budget for SBNI.

80/24.3 Ms Scott advised that there is a list of unfunded pressures, each with proposals for how they could be funded. She said that the next table



- outlines potential slippage, and added that she plans to carry out an in-depth review of the management and administration budget.
- 80/24.4 Ms Scott said that she is recommending this budget for approval. She noted that there is limited scope within it, but felt that it is a reasonable settlement for PHA and that it is deliverable.
- 80/24.5 The Chair advised that he and Ms Henderson had met with Ms Scott to review this as it was not possible to arrange a meeting of the PPR Committee in advance of the Board meeting. He said that there is an assumption that there will be slippage but agreed that it is a good budget for PHA. He noted that there needs to be a list of projects in the event that there is slippage.
- 80/24.6 The Chair said that there had been a discussion about the cost of the Reshape and Refresh programme, and that there is likely to be an impact this year of £400k - £500k, but there is a number of assumptions in that, particularly around when the new Deputy Directors will be appointed.
- 80/24.7 The Chair commented that this budget will need to be monitored from September onwards. He noted that, following PHA's view that savings can be made from vaccinations, the Department has provided PHA with funding for vaccinations so this shows the faith the Department has in PHA.
- 80/24.8 Ms Henderson said that there was a thorough approach in developing this Plan. She noted the assumptions in relation to the Reshape and Refresh programme, vaccinations, slippage in the management and administration budget and campaigns. She asked why there is a reference to Diabetic Eye Screening in the list of unfunded pressures as she felt this should be funded recurrently, but Dr McClean explained that would relate to a particular element of the programme. Dr McClean added that PHA does not have good capacity in commissioning and that is an area that is being looked at.
- 80/24.9 In relation to vaccines and campaigns, Professor Rooney made the point that if PHA is going to be in charge of vaccination programmes, then it cannot do that effectively without campaigns. Dr McClean said that this has been raised with the Department and PHA was permitted to use a small amount of funding for the recent MMR campaign. She suggested that there may be an opportunity to review this with the new Minister. Professor Rooney said that PHA needs a Plan B. The Chair advised that Local Councils are keen to work with PHA to get messaging out. Mr Stewart proposed that the Chair should write to the Minister about the blanket ban on campaigns and the impact that this is having on an organisation that is responsible for public health and have this on record (**Action 4 – Chair**). The Chief Executive agreed that campaigns are important.

- 80/24.10 Mr Blaney said that he had attended the Nurse of the Year awards event where PHA had one winner and one runner-up and suggested that these staff should receive a letter from the Board (**Action 5 – Chair**). Ms Reid advised that she and the Chief Executive had discussed the possibility of the staff coming to the Board to present their work.
- 80/24.11 The Chair said that, as chair of the PPR Committee, he would happy to recommend this Plan for approval, acknowledging that there are assumptions in it and that PHA may struggle to spend all of the money. The Chief Executive advised that there are already ongoing discussions around that.
- 80/24.12 The Board **APPROVED** the Financial Plan.
- 81/24 Item 12 – PHA Corporate Plan 2025/30 [PHA/04/06/24]**
- 81/24.1 Ms Scott explained that this paper outlines how PHA aims to have a new Corporate Plan developed by March 2025. She said that it gives a sense of the scale of what needs to be achieved over the coming months and she is seeking the commitment and buy-in of the Board. She added that PHA will bring in additional support for the engagement element.
- 81/24.2 Ms Scott noted that there is a proposal within the paper for a Non-Executive to be part of the oversight group. It was agreed that this would be Professor Rooney.
- 81/24.3 The Board noted the paper on the development of the PHA Corporate Plan 2025/30.
- 82/24 Item 13 – Population Screening Programmes [PHA/05/06/24]**
- 82/24.1 The Chair advised that this paper would be deferred until the next meeting.
- 82/24.2 Dr McClean explained that the paper relates to information systems to support screening programme and while she had received a draft paper, further work needed to be done on it and it needs to be discussed by the Agency Management Team (AMT) before it is brought to the Board. She explained that an assessment has been carried out, but the issue is more around the development of Encompass. She advised that the Chief Executive will be chairing a Digital Oversight Board which look at both screening programmes and the Child Health System.
- 82/24.3 Mr Stewart said that he would be keen that this paper is brought to the August Board meeting as there are ongoing issues which are highlighted on the Corporate Risk Register. The Chief Executive agreed that the paper should be brought to the August Board meeting and that if it is available sooner, it will be shared with members.

**83/24 Item 14 – Items for Noting**

83/24.1 There were no items listed for noting.

**84/24 Item 15 – Chair’s Remarks**

84/24.1 The Chair said that he wished to recognise the contribution of Mr Andrew Dougal, the previous PHA Chair, who passed away on Monday. He acknowledged the contribution of Mr Dougal, both to the PHA and to Northern Ireland Chest, Heart and Stroke, which he had turned from a small charity into a large organisation. He also acknowledged Mr Dougal’s work in other sectors, including the arts.

84/24.2 The Chair advised that he had met with PHA’s Sponsor Branch where he had discussed the Partnership Agreement and the Board Self-Assessment. He reported that he had informed them that he no longer wished to use the ALB Self-Assessment tool as it was not fit for purpose and should be a tool to allow the Board to develop. He advised that Sponsor Branch has undertaken to liaise with the Department of Finance to confirm if PHA is required to complete this tool and that they are open to the idea of using a different one. He added that there is an assessment tool that he will revise and share with members.

84/24.3 The Chair noted that the process of NED appraisals has commenced and that in addition, he wishes to have a review where members review him and he would wish to use that information to improve Board effectiveness.

84/24.4 The Chair reported that he held more meetings with Local Council Chief Executives, and that they are keen to work with PHA.

**85/24 Item 16 – Any Other Business**

85/24.1 There was no other business.

**86/24 Item 17 – Details of Next Meeting**

*Wednesday 28 August 2024 at 1.30pm*

*Conference Room, Tower Hill, Armagh*

Signed by Chair:



Date: 28 August 2024