

Minutes of Board Meeting LGMA

25th November 2021 at 11:00am

Teams

Attendees:

- Ms J Maguire (Chair)
- Mr O Keegan
- Mr T Lucey
- Mr B McGrath
- Ms C Byrne
- Mr M Walsh
- Ms M Hurley

In Attendance:

Mr P Dunne
Ms M Kelly
Ms E McEneaney
Dr Tom Ward, IPA

Apologies: Mr T Enright
Ms S Neary
M E Cummins

Following consultation, no member expressed conflicts of interest with any item on the agenda.

1. Minutes of the Meeting held on 23rd September 2021

The minutes of the meeting held on the 23rd of September 2021 were approved and were signed by the Chairperson.

2. Matters Arising

There were no matters arising.

3. External Review of the Board

The LGMA commissioned the IPA to facilitate a Board Effectiveness Review. The external review is being undertaken in compliance with a requirement under section 4.6 of the Code of Practice for the Governance of State Bodies which requires that an external evaluation of Board members be carried out at least every three years.

Dr Tom Ward presented on the Board Effectiveness Review which was circulated in advance. The data gathering for the review took place between September and November 2021. This Board effectiveness review has yielded much by way of positive feedback on the role, workings, and effectiveness of the Board. There is clearly a high level of satisfaction amongst Board members, and

indeed amongst the key Executives, as evidenced in the report. Three recommendations were provided for consideration; Board Composition; Strategy/Performance Review and Board-Executive Relations.

Following the presentation, a discussion on the Board composition and diversity took place. It was noted that the makeup of the Board is not within the control of the LGMA. Membership of the Board is controlled by the County and City Management Association and DHLGH who nominate representatives to the Board. It was noted that DHLGH has the option to nominate a third representative, with the Minister also having discretion to nominate an external Board member. It was agreed that the Board composition would be considered further by DHLGH.

Following discussion, it was agreed to invite ACEO's to attend Board meetings on a rostered basis to present on their work programmes starting with the January 2022 Board meeting. It was also agreed that the Central Data Unit be invited to provide the update to next meeting of the CCMA.

The Board welcomed and accepted the positive review and agreed to progress the recommendations. Dr Ward is to submit final proof of LGMA Review Report, the LGMA will then send formally to DHLGH.

The Chair thanked Dr Ward for the review and acknowledged the work of the LGMA in organising and facilitating this review.

4. Chief Executive Report

The meeting noted the report which was circulated in advance. A number of issues were discussed and highlighted. The first Project Board meeting of the CDU took place on November 22nd, 2021. Legal advice has been sought regarding the establishment of a legal basis for data collection and sharing, as well as processes and procedures for the CDU to handle local government data securely in line with GDPR requirements.

The recruitment process for the additional staff in the HDCO is now complete and secondees from local authorities will join the team during December 2021.

A case involving a Dublin City retained firefighter was heard on appeal by the Labour Court who referred several issues for preliminary ruling to the European Court of Justice (ECJ). The decision of the Court issued on 11th November 2021. The decision of the ECJ was positive for the sector. The decision of the Labour Court in the case is now awaited.

Part of the "surge" in the NPPR payments processed is due to local authorities paying over money previously collected and retained locally in respect of 2009 Agreements and accordingly this is unlikely to continue into 2022.

An update on the transition of water services from the local authority sector to Irish Water was provided to the Board, there was a return to the WRC on 21st November 2021.

In respect of the Town Centre First programme, it was noted that the current proposal is to establish a National Town Centre First Co-ordination Office which is to be co-ordinated via the LGMA. The Board will be kept updated on the proposal.

A discussion centred around staffing number across the sector and funding streams. It was noted that a report on staffing resources required for programmes and associated funding streams would be very useful and informative, this would also assist with resourcing programmes in a timely fashion. It was agreed that DHLGH would consider this issue further and revert back to the Board.

5. Our Public Service 2020

The meeting noted the update on Our Public Service 2020 which was circulated in advance.

6. Decisions for Approval

6.1 Approval for notarising of LGMA domain name 'lgma.onmicrosoft.com'

The Board approved the notarising of LGMA domain name 'lgma.onmicrosoft.com'

6.2 Approval for Road Management Office Charges 2022

The Board approved the MyPay charges in respect of 2022.

6.3 Approval for MyPay Charges 2022

The Board approved the MyPay charges in respect of 2022.

6.4 Approval for Central Data Unit Charges 2022

The Board approved the Central Data Unit charges in respect of 2022.

6.5 Approval for Purchase Order Agresso Support & Maintenance 2022

The Board approved the Purchase Order Agresso Support & Maintenance in respect of 2022.

6.6 Approval for Local Government Operational Procurement Centre Charges 2022

The Board approved the Local Government Operational Procurement Centre charges in respect of 2022.

6.7 Approval for NWCPO charges Charges 2022.

The Board approved the NWCPO charges in respect of 2022.

6.8 Approval for three-year extension of CoreHR (Access Group) Contract

The Board approved the three-year extension of CoreHR (Access Group) contract.

6.9 Approval for HPSS Charges 2022

The Board approved the HPSS charges in respect of 2022.

6.10 Approval for National Market Surveillance Office Charges 2022

The Board approved the National Market Surveillance Office charges in respect of 2022.

6.11 Approval for Drawdown expenditure from MapRoad MS Charges 2022

The Board approved the drawdown expenditure from MapRoad MS charges in respect of 2022.

6.12 Approval to use the accelerated tender process for MPI for the Local Government Sector.

The Board noted that inter Board meeting approval had been received for use of the accelerated tender process for MPI for the Local Government Sector.

6.13 Approval for expenditure on upgrade of NPPR system

The Board approved the expenditure on upgrade of NPPR system.

6.14 Approval for recoupment of administrative charges for the Planning Resource business case

The Board approved the recoupment of administrative charges for the Planning Resource business case.

7. Governance

7.1 Health and Safety

Ms. Kelly reported that following the Government advice issued 16th November 2021, employees were requested to work from home; exception is made where there is a necessary business

reason to attend the workplace in person. This change took effect from midnight Thursday 18th November 2021. The LGMA continues to monitor Government advice.

7.2 Annual Approval Board TOR's

The Board approved the Board Terms of Reference.

7.3 LGMA Anti-Fraud and Anti-Corruption Policy

The Board approved the Anti-Fraud and Anti-Corruption Policy.

7.4 LGMA Code of Business Conduct

The Board approved the Code of Business Conduct.

7.5 LGMA Policy for Disclosure of Interests

The Board approved the Policy for Disclosure of Interests.

7.6 LGMA Procurement Policy

The Board approved the Procurement Policy.

7.7 LGMA Protected Disclosures Policy

The Board approved the Protected Disclosures Policy.

7.8 LGMA Risk Appetite Strategy and Policy

The Board approved the Risk Appetite Strategy and Policy.

8. Update from Chairs of Sub Committees

Finance Committee 14/09/21

The Finance Committee met on 14th September 2021. There was nothing further to add to the update provided to the Board at the previous meeting on the 23rd of September 2021.

Audit and Risk Committee 12/10/21

The Audit and Risk Committee met on 12th October 2021. Mr. Walsh reported that the LGMA is continuing to liaise with IPB to finalise the Cyber security insurance for the LGMA as a priority.

A presentation was provided by ViClarity, a global provider of governance, risk and compliance technology and consulting solutions on how the ViClarity software could be utilised to manage the LGMA risk register. ViClarity has been asked to provide costs to the LGMA and these costs will be presented for discussion at the ARC meeting on 14th December.

The Committee approved the Remote Access and Data Transfer Audit. The audit findings were that reasonable assurance could be placed on the adequacy and operating effectiveness of internal controls to mitigate and/or manage those inherent risks to which the activity under review was exposed. These have been added to the Audit Log and will be reviewed for progress at the December meeting of the ARC.

Ms. Paula Butler, Assistant Chief Executive presented on the two risks for pillar 1, Local Government Strategy, Research, and Communications. These are both reputational risks and classified as moderate risks on the Risk Assessment Matrix.

PSROG 09/09/21

PSROG met on 9th September 2021. There was nothing further to add to the update provided to the Board at the previous meeting on the 23rd of September.

ICT 14/10/2021

The ICT Committee met on 14th October 2021. The meeting noted the ICT Update and the Cyber Security Report which were circulated in advance. Several issues were discussed and highlighted. Ms. McHugh reported on the Cyber Security Report on Cyber Security Options for the Local

Government Sector. The report comprises nineteen recommendations. The approval of the LGMA Board is sought to the development of a Project Initiation Document for submission to the PSROG which will ultimately lead to the development of a full business case to deliver Cyber Security supports to the local government sector. Following discussion, the Board approved the development of a Project Initiation Document for submission to the PSROG.

The current Local Government ICT Strategy runs from 2017 – 2022. There is a need now to engage in a process to develop a new strategy and the ICT Committee has agreed that this strategy will be aligned with Civil Service Renewal 2030.

Change Management Committee: 17/11/2021

The Change Management Committee met on 17th November 2021. Ms Byrne reported that FÓRSA is pursuing the outstanding award for SEO and analogous grades under the sectoral bargaining element of Building Momentum.

Initial engagement has taken place with the Department of Agriculture, Food and the Marine (DAFM) in relation to the transfer of veterinary services to DAFM. Formal engagement with FORSA and DAFM was held in November.

A review of the appropriate retirement age for full time fire services personnel has commenced. Upon completion of same it will be issued to the Minister for Housing, Local Government and Heritage for consideration.

The Department of Further and Higher Education, Research Innovation and Science planned to hold an information session for the local authority sector on public service apprenticeships. It was requested that this be communicated to the CCMA. If there was significant positivity at CCMA level, engagement could then take place with the Institutes of Technology. It was noted that a sectoral view on apprenticeships would be useful.

The draft Blended Working Policy was issued to the recent CCMA meeting. A webinar for all Directors of Services was held in October and a meeting with Directors of Service HR was held on 19th November. It was pointed out that no engagement could take place with the unions until DPER had finalised their discussions at national level.

Correspondence regarding a training and development survey of staff working in planning had issued from the Office of the Planning Regulator (OPR). A sub-group is examining the type of staff levels which may need resource on the HR side.

The Change Management committee discussed PAS recruitment campaigns and the length of time awaiting offers. It was agreed to raise it at the next CCMA meeting. It was also agreed to survey the HR Officers to establish where issues were arising. It was pointed out that there was an urgent need for a Recruitment Licence and the LGMA indicated that they were doing all in their power to expedite this matter.

Following the change management update, discussion centred around recruitment challenges, delays in filling positions due to changing qualification requirements, problems in filling positions and retaining professional staff due to competition from the private sector. These issues are creating significant challenges for local authorities in the delivery of programmes across the sector. It was noted that a recruitment application licence had been submitted on behalf of local authorities, the review application process for recruitment licences is closed presently.

Ms. Hurley advised that the DHLGH is engaging with the Commission for Public Service Appointments on licensing, this was welcomed by the Board. The LGMA will provide engagement from the sector.

Evidence based responses and actual competition issues from the HR Officers sectoral survey will feed into these discussions on recruitment issues. The LGMA and DHLGH agreed to continue to work on recruitment issues as a priority.

9. Risk Management

Ms Kelly reported that the revised risk register incorporates twelve risks with no amendment to the risk ratings since the previous meeting of the Board. Three of the high risks are IT related. These risks are Covid 19 Pandemic – Technology, Cyber-attack risk and possible outcomes and legacy systems and old technology.

It was noted that in respect of the legacy software, upgrades to the servers were being undertaken. Agreement has recently been reached to migrate all LGMA services to St. John's Road and the Disaster Recovery to the government facility in Dublin Castle. Once this migration has been completed, the risk rating for the legacy systems and old technology will be revised to amber, this is planned for Q1 2022.

The revised risk register will be considered at the Audit and Risk Committee on 14th December 2021. Ongoing monitoring of the risk register will continue. The Board approved the revised risk register.

10. Schedule of Board Meetings 2022

The Board noted and approved the schedule of Board meetings for 2022.

11. Any Other Business

It was reported that the refurbishment of Phoenix House is on course for completion in mid-January.

Ms. Kelly reported on a forthcoming change to legislation which will nullify s38 of the Data Protection Act 2018, i.e., *Processing for a task carried out in the public interest or in the exercise of official authority*. Section 38 is presently used as the legislative basis for several data processing and data sharing agreements used by the LGMA.

There is a phased approach to the commencement of sections of the Data Sharing and Governance Act 2019. When subsections (2) and (3) of s.6 of the Data Sharing and Governance Act 2019 are commenced at the end of March 2022, it will prevent s38 from being relied upon as a legal basis for the disclosure of information by one public body to another public body. This change will necessitate determining other legislative basis for several LGMA data agreements.

As the LGMA has a significant role in the transfer and sharing of information between the local authorities and DHLGH, the Board approved the commencement of exploratory discussions with DHLGH to determine whether it would be feasible to amend the LGMA Establishment Order to provide for an additional function for Data Sharing.

12. Date, Time, and Venue of Next Meeting

The next meeting is scheduled for the 27th of January 2022 at 11 a.m. via Teams.

Signed: Chairman



Date: 25/11/21