

**TWO HUNDRED AND FORTY- THIRD MEETING OF THE GENERAL CONSUMER
COUNCIL FOR NORTHERN IRELAND HELD AT
ELIZABETH HOUSE, 116 HOLYWOOD ROAD, BELFAST, BT4 1NY, ON THURSDAY
15 NOVEMBER 2012 AT 10.30 A.M.**

243/1

ATTENDANCE

Mr Rick Hill Chairperson
Mr David Beattie
Mrs Deirdre Fitzpatrick
Mr David Galloway
Mrs Jill Gillespie
Mrs Sarah Havlin
Mrs Mandy Patrick
Mr Sam Snodden
Dr Margaret Ward

IN ATTENDANCE

Ms Antoinette McKeown Chief Executive
Ms Donna Magee Head of Finance and HR (for part of the
meeting)
Ms Philippa McKeown Senior Consumer Affairs Officer (for part of the
meeting)
Mr Aodhan O'Donnell Director of Policy and Consumer Education
Ms Elaine Topping Director of Corporate and Consumer Services
Mrs Rhonda Allen Personal Assistant

APOLOGIES

Mr Colm Bradley
Mr Kit Chivers
Mr Lee Wilson

243/2

CHAIRPERSON'S BUSINESS

Members and the Chief Executive met in closed session.

243/2.1

The Chairperson made the Board aware that the complainant re the Chief Executive article in the Belfast Telegraph had now complained to the Minister about the Chair's handling of that complaint. No queries were raised from the Board members. The Chairperson advised that he would keep the Board updated.

243/2.2

The Chief Executive updated members on managing ongoing risk with the Department in relation to working positively together; funding issues; lack of clarity in relation to advice; guidance and requirements from the

Department and their understanding of our role. Members have discussed related issues at previous meetings and stated a wish to consider an internal paper to support the verbal update at agenda item 7b.

Staff joined the meeting

243/2.3 Declaration of Conflict of Interest

The Chairperson advised members that any conflict of interest relating to agenda items should be recorded at the beginning of Council meetings. Should a member have a conflict of interest they should leave the meeting at that particular agenda item and the minutes would reflect this.

He explained that the Chairperson would have the ability to define a conflict of interest and request members' compliance if this arose.

The Chairperson informed members that given his position as Chair of Consumer Focus Post NI (CFPNI) he would leave the meeting during any discussions in relation to the proposed transfer of CFPNI to the Council.

No other members declared a conflict of interest on any agenda item.

243/2.4 Department of Enterprise, Trade and Investment (DETI) Review of the Consumer Council

Members had received a copy of the Terms of Reference. The Chairperson outlined the timescale for the review, to be completed by 31 January 2013, and confirmed that the Minister had appointed a retired senior civil servant, Paul Simpson, to undertake the review and that he would report directly back to the Minister.

The Chairperson confirmed that it was standard practice to periodically review NDPBs but that there was some concern as to how this particular review was being framed. The Chairperson advised that the review would be seeking the views of stakeholders and that it was an opportunity to expand the Consumer Council's role and to clarify the Council's role in food and postal services.

As Mr Simpson had been given a copy of the Business Consultancy Service Review of Board Effectiveness it was agreed to send him a copy of members' comments on that review together with the Chair's letter of response to BCS.

It was also agreed that the Board would meet in the New Year when the draft findings of Review would be known.

243/2.5 Any Other Chair's Business

The Chairperson reported that he had attended a dinner hosted by the Food Standards Agency main Board. He thanked the Director of Policy for the briefing on current issues which had been sent to him in advance of the dinner.

(Deirdre Fitzpatrick joined the meeting)

243/3 MINUTES OF PREVIOUS MEETINGS

The minutes of the two hundred and forty second meeting which had been circulated, were agreed and signed.

243/4 MATTERS ARISING

The Chief Executive provided updates on the revision of the operating plan; Fuel Poverty Coalition; Office of Fair Trading call for information on fuel prices; and the Competition Commission referral of Phoenix Natural Gas price control.

The matters arising were noted.

243/5 FINANCE AND GOVERNANCE

243/5.1 Quarter Two Management Accounts 2012 – 2013

The quarter two position showed an overspend of £13,000. The Head of Corporate Services explained the key reasons for this position. This information was also available in the supporting notes circulated with the accounts. Budgeted expenditure had since been re-profiled with efficiencies identified elsewhere for quarter three. Members noted the position at the end of October was a £7k underspend.

Members noted that the pay review process may impact on the £7k underspend position. Members queried the pay review process and it was explained that the pay review was part of the wider NICS pay deal which had been agreed by NICS management and the union. Following agreement the process was for the Consumer Council to submit a business case to DETI to be ratified, following this it was then sent to the Department of Finance and Personnel for approval. Members noted that the Council had been unable to meet the proposed implementation date, to include in November payroll, as DETI had issued the incorrect documentation for the business case. The Director advised that this had been highlighted to DETI Finance Branch and would be raised at next week's oversight and liaison meeting.

Members approved the quarter two accounts.

243/5.2 Risk Register Quarter Two 2012 -2013

The Risk Register for the second quarter had been presented to the Audit Committee at their November meeting.

The Audit Committee had reviewed the register in terms of the management system in place being appropriate and that the risks identified were being properly addressed.

The Director reported that no new risks had been identified since the end of quarter one but account may have to be taken going forward of recent concerns in our liaison with the Department and any findings of the Ministerial review.

The corporate residual risk assessment, relating to the securing of funding, remained High / Medium at the end of September given the uncertainties which remain in relation to future years funding. It was noted that this risk was common across all NDPBs but nevertheless was taken very seriously. The risks within the Council's control were being managed and included early business planning; discussions with funding partners; the use of the priority matrix to assist with operational planning; and taking account of the information already available to us.

Members also noted that the risk register was to the end of September and acknowledged that other risks may have been identified in October which would come forward in the next reporting period.

Members discussed their concerns in relation to the timing of reporting risks. The Chief Executive advised that the meeting schedule which had been circulated for 2013 had taken these concerns into account and the meetings going forward had been aligned with reporting periods. It was noted that there would always be a time lapse between reporting periods and Council meetings but the 2013 meeting dates were as close to reporting periods as practical. Members were also advised that Council was kept informed of emerging risks and the potential impact of risks through the papers circulated and discussed at Council meetings.

Members approved the second quarter Risk Register.

243/6 **CHIEF EXECUTIVE'S BUSINESS**

243/6.1 Performance Against Objectives Quarter Two 2012 - 2013

243/6.1.1 Members noted that the Fuel Poverty Coalition amber status, at the end of September, had moved to green at the end of October as the handover had been completed.

243/6.1.2 The Director provided members with information on the ongoing work with offenders, victims groups and groups representing foreign nationals.

243/6.1.3 The Chief Executive advised that a mid term review of the operating plan had been undertaken by senior staff and this would feed into the business planning meeting scheduled for 13 December 2012.

243/6.1.4 Members discussed if the objectives were challenging enough given that so many were achieving green status. The Director explained the planning process and how objectives were based on interventions required and what was realistic. Members agreed that they would discuss if the objectives for the next operational planning period were sufficiently challenging at the 13 December business planning meeting.

Members stated that the staff did an exceptional job in representing consumers and that the teams were unique in setting the bar at a high level and achieving the goals set.

243/6.1.5 David Galloway agreed to share with staff a RNIB paper on visually impaired public transport passengers.

243/6.1.6 Members queried how the overall satisfaction rate in relation to dealing with complaints was measured. The Director explained that it was calculated from the Customer Satisfaction Survey which was issued to all consumers with a stage 2 complaint. The survey had five questions (i.e. measures) in relation to the effectiveness of the Consumer Council. Overall satisfaction was measured by calculating an average of these five questions. The Director confirmed that the current satisfaction rate of 95% was correct.

The Director agreed to send members additional information to explain how the "overall satisfaction rate" was measured and would ensure the wording of "overall satisfaction rate" was clear and understood.

Members noted the report.

243/6.2 Stakeholder Mapping

As requested by members a stakeholder mapping exercise had been undertaken across the range of sectors and partners that the Consumer Council worked to identify partnership working but also importantly to identify where any gaps and opportunities for further partnership working existed. Paper CC12/53 set out the high level findings of the exercise to date. It was planned to issue a further paper in advance of the business planning meeting on 13 December 2012. This would give members an opportunity to provide input and feedback.

Members noted the report

243/6.3 Strategic Updates

Members were updated on the Chief Executive's forthcoming visit to Brussels. It was agreed to update members at the 13 December meeting following the visit to Brussels.

Members were also updated on the changes in the leadership team; participation in the Strategic Intelligence, Prevention and Enforcement Partnership (SIPEP) and the watching brief being undertaken in relation to the subgroups coming out of the SIPEP; evidence and information bring provided to a number of Stormont scrutiny committees; meetings with the Department for the Environment Minister, The Law Society and the Association of British Insurers re car insurance; and the Assembly All Party Working Group which had been set up to look at insurance.

(Sarah Havlin left the meeting)

Members noted that current energy issues were being kept under review.

Members noted the strategic updates.

(David Galloway left the meeting)

243/7 POLICY/STRATEGY

243/7.1 Rising Food Costs

The paper circulated reflected the work which had been and was being undertaken on food during this and the last financial years. As members were aware the Consumer Council had not been working on food related issues but, due to the Council's statutory remit for food, we had an agreed Concordat with the Food Standards Agency. However as food prices rose and consumers struggled to access nutritional food at affordable prices, the Council had turned its attention to this as an emerging issue.

The paper set out a selection of the findings of research conducted with consumers and highlighted some of the recommendations for change. A number of the recommendations related to work the Consumer Council could not undertake but were for other specific organisations. Other recommendations would involve partnership working with retailers, supermarkets and key stakeholders. It was noted that the report also reflected the complexity of the food industry and the high barriers to achieving change for consumers.

The full report was to be sent to members in advance of 13 December meeting, the information and findings would be used to inform the business planning process at that meeting. Members discussed a number of areas including endorsement of the need for primary research which was Northern Ireland based; the Council's role in relation to food; what practical interventions the Council could make; and educating consumers.

(Mandy Patrick left the meeting)

243/7.2 Financial Capability Strategy

The Director of Policy outlined the work to date of the Consumer Council led Financial Capability Partnership; the Programme for Government commitment and the key issues, opportunities, risks, current actions and next steps in relation to the development of the Financial Capability Strategy for Northern Ireland.

Members noted the risks both internal and external.

(Deirdre Fitzpatrick left the meeting)

243/7.3 Complaints Report Quarter Two 2012 – 2013

The Consumer Council's statutory role in food was clarified i.e. the statutory remit was to represent consumers in the area of food but the Consumer Council had no statutory remit to investigate complaints in this area.

Members noted the complaints report.

243/8 COMMITTEE BUSINESS

243/8.1 Audit Committee

The Minutes of the sixty-first meeting which had been circulated, were agreed by the members who had been present at the meeting. Council noted the Minutes.

243/8.2 Policy Position Record Year 1 April 2012 – 31 October 2012

The report provided an overview of all policy decisions agreed by Council and/or the Chief Executive year to date.

The report was noted.

243/8.3 DETI Oversight and Liaison Quarterly Meeting Minutes 15.8.12

The Minutes were noted.

243/9 ANY OTHER BUSINESS

Dates of 2013 Meetings

Members noted the 2013 meeting dates.

REVIEW OF THE MEETING

243/10 Members confirmed they were content with the conduct of the meeting and the content and quality of the papers provided.

243/11 DATE OF NEXT MEETING

The next meeting would be held on Thursday 13 December 2012 at 9.30 a.m.

There was no further business and the meeting closed at 1.10 p.m.

Signed _____

Date _____