



Northern Ireland
Assembly

COMMITTEE FOR
HEALTH, SOCIAL SERVICES AND
PUBLIC SAFETY

OFFICIAL REPORT
(Hansard)

**Safeguarding Board Bill:
Evidence Session with Departmental
Officials on the Appointment of the
Chairperson**

7 October 2010

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Members present for all or part of the proceedings:

Mr Jim Wells (Chairperson)
Mrs Mary Bradley
Mr Mickey Brady
Dr Kieran Deeny
Mr Alex Easton
Mr Sam Gardiner
Mr Paul Girvan
Mr John McCallister

Witnesses:

Mr Fergal Bradley) Department of Health, Social Services and Public Safety
Ms Patricia Nicholl)

The Acting Chairperson (Mr Easton):

I welcome Fergal Bradley, who is a senior principal officer in the childcare policy directorate of the Department of Health, Social Services and Public Safety (DHSSPS), and Ms Patricia Nicholl, who is from the office of social services. I invite you to make a 10-minute presentation, after which I will invite questions from members. I will allow up to 30 minutes for the session.

Mr Fergal Bradley (Department of Health, Social Services and Public Safety):

We are grateful for the opportunity to talk about the remuneration and appointment of the chairperson of the safeguarding board for Northern Ireland (SBNI). As you are aware, the appointment was advertised in the local media on 20 September. The policy proposals on which we consulted, and which are reflected in the Safeguarding Board Bill, were to establish a safeguarding board and put in place suitable arrangements to meet the needs of Northern Ireland. We worked closely with colleagues across several sectors, including the statutory and voluntary sectors, on developing those proposals.

The proposals built on learning from local safeguarding children boards (LSCBs) and how they have worked in England and Wales. However, they are intended to reflect our specific circumstances, structures and needs. As a result, the Bill does not establish a local safeguarding children board. Instead, it establishes a regional safeguarding board for Northern Ireland.

In that regional arrangement, the role of the chairperson of the SBNI will be underpinned by a substantial infrastructure and resources that will be directly available to him or her. The chairperson will have a dedicated team of staff at his or her disposal. Two staff members will be appointed at director and assistant director level. As such, those are executive senior management posts. They will be accountable to the SBNI's chairperson, rather than to a senior manager in one of the statutory agencies of the SBNI, which is what happens in England and Wales.

The SBNI chairperson will be able to commission other services or appoint other staff members as required. In addition to such recurrent funding, member agencies of the SBNI will be expected to make contributions in kind. The level of support available to chairpersons in England varies between local safeguarding children boards. In some cases, they depend almost exclusively on contributions in kind. However, in the current financial climate, contributions in kind in Northern Ireland and GB may be vulnerable.

Under our arrangements, the chairperson will also be supported by the chairpersons of the five safeguarding panels. That is not the norm for local safeguarding children boards. The evidence from England is that, to function effectively, local safeguarding children boards must have clear lines of demarcation between the board's operational and strategic functions. The model that we are establishing builds that into the arrangements. The chairpersons of those panels will have a

direct reporting line to the board's chairperson. They will be responsible for implementing operationally the strategic direction that will be set at board level and for providing input into that direction.

The direct resource being made available by the DHSSPS to meet the staffing and running costs of the SBNI will be about £750,000, which we believe is approximately three times the amount that is available to a typical local safeguarding children board. That is a clear indication of the Department's commitment to the SBNI. By funding the director and assistant director posts to work directly to the chairperson, the total investment at the top of the SBNI, including the chairperson's remuneration, is approximately £170,000 per annum.

The time requirement for the chairperson of a local safeguarding children board is two to three days a month, or 30 to 40 days per annum. Although the chairperson of the SBNI will be expected to be available on two to three days a week, he or she will still have available the significant resource and infrastructure that I described.

The chairperson of the SBNI will play a key role, and, given that the arrangements in Northern Ireland differ from elsewhere, we worked hard to arrive at a position on remuneration. The figure at which we arrived was determined in line with other local chairperson positions in Northern Ireland. The specific level partly reflects the fact that the SBNI chairperson will have the significant resources that I outlined at his or her direct disposal.

In considering the level of remuneration for the SBNI chairperson, we looked into other public appointments. The Committee is aware of the levels of remuneration for the likes of chairpersons of health and social care (HSC) trusts. The chairperson of the Belfast Trust, for example, receives about £34,000 per annum. However, that chairperson is responsible for an organisation whose budget is approximately £900 million. The trust delivers a wide range of complex regional and local services, including the discharge of statutory functions in the Belfast area.

When considering the remuneration of the SBNI chairperson, we focused specifically on the Regulation and Quality Improvement Authority (RQIA) and the Northern Ireland Social Care Council (NISCC). The chairpersons of those organisations are expected to work for about two to three days a week, and those posts are funded at between £17,000 and £17,500 per annum.

The RQIA's annual budget is £6 million, and it is responsible for the oversight of the quality, governance, accountability and discharge of statutory functions of health and social care services across the region in both the statutory and non-statutory sectors. The NISCC has an annual budget of approximately £2 million, and it is responsible for the registration of much of the social care workforce and the regulation of social work training across the region.

The chairpersons of the RQIA and the Northern Ireland Social Care Council have roles in the corporate governance of their bodies. As the SBNI is an unincorporated statutory body, its chairperson will not have the same level of responsibilities for the board. In the end, however, the Department felt it appropriate that the chairperson of the SBNI should be recompensed in line with the above organisations. In that regard, we are satisfied that, in expending public money on the remuneration of the chairperson of the SBNI, we have done so in accordance with comparable payments to high-calibre independent chairpersons of other public bodies in Northern Ireland. It has never been our intention to remunerate the position based on the daily rates for chairpersons of some local safeguarding children boards. In our view, those rates are akin to those for consultancy.

The chairperson of the SBNI is a non-executive position. The appointment of the chairperson through a public appointments process was a key part of the regional policy consultation that was undertaken by the Department and subsequently approved by the Executive. The establishment of the SBNI as a ministerial priority and the timeline for the public appointment have been set in order to try to have a chairperson in place and to establish the SBNI by April 2011. The post will be that of chair designate, which will allow the chairperson to take up his or her position before the commencement of the legislation and allow him or her to play a key role in the recruitment of staff, particularly the director and assistant director. The involvement of the chairperson in those staff appointments will be crucial to the success of the team and will help to ensure that the preparations for the SBNI will be well under way by the anticipated commencement of the legislation in April 2011.

To meet the timescales for both recruitment processes, the position of chairperson is being advertised now. We are looking for someone with commitment, knowledge and expertise, who meets the essential criteria for the post. We are confident that, in Northern Ireland and further afield, there is a significant pool of qualified people who could undertake the role. It is a prestigious position to be taken on by someone who sees the role as more than a job and who has

the time, commitment and dedication to develop the roles and responsibilities of the chairperson. In advance of the conclusion of any recruitment or employment process, no one can gauge the level of interest or the calibre of candidate who will apply. I acknowledge the Committee's concerns, but I stress that, under the public appointments process, no one will be appointed unless he or she meets the criteria.

I would also like to take the opportunity to clear up an apparent misunderstanding that relates to the process of the appointment of the chairperson of the SBNI. The Department stated in its evidence on 9 September that it would share the SBNI chairperson's pack with the Committee:

“at an appropriate juncture in the recruitment process”.

As members may recall, I was a member of the team that appeared before the Committee at that time. I understood “an appropriate juncture” to mean when the advertisement appeared in the press and the pack was in the public domain, but I should have clarified that for the Committee at the time. We also stated that, if the Committee wished to share its views on the competencies on which the job specification should be based, we would be happy to discuss that with the Committee. In the absence of any communication, we assumed that the Committee did not wish to take up that opportunity. I am the policy lead, and I should have ensured that the Department contacted the Committee to ensure that it did not want to take up that offer. I apologise for any confusion. I assure members that no disrespect was intended, and it was not our intention to undermine the role of the Committee.

By way, I hope, of reassurance to the Committee, the key criteria in the pack are standard criteria that are used in the public appointment of chairpersons to a wide range of health and social care bodies in Northern Ireland. The pack also includes material drawn from various recruitment packs that are used by local safeguarding children boards in England to recruit their chairpersons.

The specific relevance, knowledge and expertise of candidates for role of the SBNI chairperson will be examined at interview. That is why we approached Jan Horwath, a recognised expert in the UK, to be part of the interview panel. The panel will also include an independent person nominated from a central list that is maintained by the Office of the First Minister and deputy First Minister (OFMDFM) central appointments unit, whose role is to maintain the integrity of the public appointments process. The third panel member is the Chief Social Services Officer as a member of the departmental board and the main departmental

sponsor of the SBNI.

I hope that I have been able to provide some clarity and understanding regarding the Department's thought process on the remuneration and appointment of the chairperson. I am happy to take questions.

The Chairperson:

Thank you, Mr Bradley. Recently, a list of payments to district councillors in Northern Ireland was published in a local newspaper. A district council meets three or four times a month, or half a dozen times. Many councillors bring home more than the chairperson of the SBNI. Last night, indeed, I noticed that one councillor takes home £28,000 a year. Obviously, as a district councillor, I am missing something, because I do not know how he does that. However, it can be done.

My daughter is a teacher of music, and, in four years' time, she will earn more, pro rata, than the chairperson of the SBNI. I am unsure that your offer reflects either the importance of the position or the fact that the chairman is enshrined in the legislation and will not be there simply as a chairman. He — or she — has a whole series of roles that are outlined in legislation. I do not know whether what you suggest reflects that level of importance. There are chairpersons, such as me, whose role is simply to chair; in my case, I chair the Committee. That is my role, full stop. However, other chairpersons lead organisations. The chairperson of the SBNI will have a much more important adversarial role. The role extends far beyond chairing meetings to working on behalf of the SBNI and participating in many other activities. Therefore, I regard that role as different from the other chairpersons to whom you referred. Have you reflected in the pay, terms and conditions the legislative role of the individual who takes up the role of chairperson of the SBNI?

Mr F Bradley:

In determining the pay of the chairperson of the SBNI, we sought to reflect the comparison with the chairpersons of some of the other key bodies, such as the RQIA. However, we also sought to take account of the fact that the chairperson will attend the board on up to two or three days a week. However, the SBNI chairperson will have two executive staff, one at director level and one at assistant director level, who will operate explicitly and exclusively according to his or her direction. In addition, there will be five panels, one for each trust area. Each panel will be

separately chaired, and those chairpersons will report back and be accountable to the SBNI chairperson. In reaching a level of remuneration, we tried to reflect the total package as part of the total resource that will be available to the chairperson.

The Chairperson:

Since the ad was published, we have spoken to quite a few folk who work in the field of child protection. All agreed that if they were taking early retirement, for example, they would not even think of applying. It must be remembered that the SBNI is being pitched at a particular level, and its constituent members will be directors or assistant directors of social services, trusts, the NSPCC, the voluntary sector, and so forth. You expect a chairperson to come in and manage that group and act as its spokesperson. However, the Committee has heard that the sort of people whom you want on your interview shortlist would not touch it. It is not about the money, because most of them have taken early retirement and are, probably, reasonably secure. The problem is that the post has been pitched at a level below that of a district councillor.

Mr F Bradley:

All I can say is that the chairperson is a non-executive position. At this point, the only indication that we have about the level of interest is the number of packs requested, and that is pretty much in line with the number that one would expect in a fairly robust recruitment process.

Ms Patricia Nicholl (Department of Health, Social Services and Public Safety):

By 6 October, we had received 19 requests for packs for the position of chairperson of the SBNI.

Mr F Bradley:

We must be clear that this is a public appointment and, therefore, our involvement is limited. We know the number of packs that have been requested, but no one knows who will come forward. We tried to benchmark the position against other posts of chairperson. The closing date is 21 October, by which time everyone will know the number of applicants. By early November, the panel, including Jan Horwath, will have identified the number of those candidates who appear to meet the criteria — at least for shortlisting for interview. The process will move quickly. It will become apparent whether we have pitched the post at the right level, which means not only the appropriate level of remuneration but the fact that the chairperson will have staff working directly to him or her. They will do much of the day-to-day work under the chairperson's direction.

The Chairperson:

You seem to be quite generous in your allocation for the two executive positions. You could have a chairperson who earns less than a district councillor. However, the chairperson will have a pioneering role, particularly in the important early stages. He or she will try to establish a safeguarding board for a much larger population than that for which the equivalent chairperson in GB is responsible.

Mr F Bradley:

The chairperson in GB has neither the panels nor their five separate chairpersons.

The Chairperson:

That means that the chairperson will have even more responsibility, because he or she will have to oversee the work of five panels.

Ms Nicholl:

The management structure that we established for the SBNI includes support for the chairperson from senior executives at director and assistant director level. They are there to provide independent advice and briefings on SBNI matters and will assist the chairperson in carrying out his or her role. It is important that the role of the director of safeguarding and that of the chairperson complement each other. It will be for the director to assist in ensuring that the decisions that are made by the SBNI and the chairperson are taken forward. The director and assistant director will do much of the donkey work. We have set in place a structure for the SBNI that does not exist in the local safeguarding children boards in England and Wales. Key paid staff will be attached to the chairperson to support his or her function. The chairperson will not undertake this important role alone but will be ably assisted by qualified senior grade staff.

The Chairperson:

Will those people be employed by the Department?

Ms Nicholl:

They will be employed by the SBNI. They will be line-managed directly by the chair and appointed through the Public Health Agency's recruitment process.

The Chairperson:

Will they be paid by the Department?

Mr F Bradley:

Yes.

The Chairperson:

Someone really wicked might say that you are looking out for folk who are likely to transfer from your Department to take on those roles, but the poor chairperson will simply have to sit there.

Mr F Bradley:

No. Those people will be recruited to and employed by the SBNI. They will be line-managed by the SBNI. They are not in any way beholden to any of the member organisations of the SBNI or to the Department. The arrangements in England typically involve local authorities recruiting safeguarding board staff who are line-managed by directors in those local authorities. The arrangement that we have come up with for Northern Ireland gives the SBNI chairperson a considerable degree of extra autonomy in that, as I said, he or she will not receive advice only from professionals and experts from the member agencies. The chairperson of the SBNI will also have his or her own staff who can provide advice, analysis and briefing. That means that the chairperson will not have to rely totally on member agencies.

The Chairperson:

Are those staff at director level?

Ms Nicholl:

They are at director and assistant director level.

The Chairperson:

Why would you need someone at director level to do that work?

Mr F Bradley:

We wanted to provide to the chairperson an individual who could work full-time, at his or her discretion, on whatever the chairperson wanted.

The Chairperson:

Dare I ask what the average salary of someone at director level is?

Ms Nicholl:

The salary for a director is £82,000 including management oncosts; the take-home pay is £67,000, which is a senior 8C Agenda for Change band salary. The director will be supported by an assistant director receiving about £57,000 take-home pay.

Mr F Bradley:

Those are the chairperson's staff and will do the work that he or she wants them to do. To some extent, when it comes to the requirements of the chairperson and the amount of flexibility and additional support that he or she has in discharging the role, it is a matter of swings and roundabouts. Those unique arrangements are not the same as those for local safeguarding children boards in England. We tried to make those arrangements in a way that ensures that the SBNI is properly resourced and that the chairperson has access to his or her own resources to allow him or her to do the job.

The Chairperson:

We all hope that we are wrong and that the advertisement will attract the type of person whom we want for such a crucial role — a person who will deal with incredibly sensitive material and with the safeguarding of our children — and that there will be a stream of able-bodied people. However, there is a small pool of people in Northern Ireland whom, we believe, have the skills to take the post on. Most of them — all of them, in fact — have said that they will not touch it because the salary being offered is derisory.

Ms Nicholl:

Fergal mentioned the benchmarking exercise that we undertook to arrive at the figure for the chairperson's remuneration. We took account of other similar health and social care bodies that have been able to appoint successfully, through the robust public appointments process, high-calibre distinguished individuals at the level of chairperson. We will know within the next six weeks whether that will be the case for the SBNI. Given the timescale for recruitment, the public appointments office will be able to let us know whether it is in a position to recommend an individual who meets the criteria set out in the recruitment pack and is prepared to undertake the role at the remuneration identified. That should happen before the conclusion of the Committee's

clause-by-clause consideration of the Safeguarding Board Bill.

Mr Easton:

I had not given much thought to the director. At the beginning of your presentation, you mentioned the figure of £170,000.

Mr F Bradley:

That is the total remuneration for the chairperson and the two full-time director and assistant director posts. The latter two are the big hitters; they are the chairperson's staff and will work at his or her behest.

Mr Easton:

My main query is whether the director will be accountable to the chairperson. Will the chairperson have control over everything that the director does, or will it be the other way round?

Mr F Bradley:

The chairperson will have total and exclusive control. It is a clear line management position. It is not the situation that you will find in GB, whereby staff who work as part of a local safeguarding children board are line-managed by someone who is a permanent employee of the local authority. That will not be the position here. The director and assistant director will be the chairperson's staff.

Ms Nicholl:

It will be the role of the chairperson to set the strategic direction and the vision, but it will be the role of the director to implement that in accordance with the directions of the chairperson.

Mr Easton:

The director or the deputy director will, therefore, not need the Department's clearance for anything.

Mr F Bradley:

That is correct. When the work programme for the SBNI has been agreed by its members, it is the chairperson's job to lead the process through which the programme will be delivered. With regard to the Department's role, this is a public appointment; the chairperson is a non-executive

chairperson. Our involvement in this will, typically, involve a twice-yearly accountability meeting, and that will focus on the extent to which the SBNI chairperson and the board are delivering on their functions, as set out in the legislation. The SBNI will deliver its annual report to the Department, and, subsequently, we will put that before the Assembly. The chairperson will have an annual appraisal.

Ms Nicholl:

In accordance with the public appointments appraisal process, the chairperson will be appraised annually by the Chief Social Services Officer through the sponsor branch in the Department.

Mr F Bradley:

The same process applies to the chairpersons of the RQIA and the Northern Ireland Social Care Council.

Ms Nicholl:

All 17 health and social care bodies are appraised through the public appointments appraisal process, and the SBNI chairperson will be exactly the same. Under our regulations, we will also have provision to bring forward arrangements for the appointment, tenure and disqualification of the chairperson in relation to any performance appraisal matters.

Mr F Bradley:

The Committee will be able to see the sort of thing that we are talking about.

Dr Deeny:

You say that it is a non-executive post. What is your understanding of what non-executive means?

Ms Nicholl:

A non-executive post is usually one that is appointed by the Minister. It is usually on a part-time basis, and it is usually appointed through the public appointments process to give independence and scrutiny to the delivery of the functions of a body that has been established to deliver on health and social care issues.

Mr Easton:

Therefore, the person is not an employee.

Ms Nicholl:

The chairperson is not an employee of the SBNI but is there to give strategic oversight and to ensure the effective delivery of the board's work. There will be support from other non-executive lay members, of whom there will be no fewer than two and no more than four. Their role will be to scrutinise and to ensure the effectiveness of the work of the executive members and the SBNI in the delivery of their objectives and functions.

Dr Deeny:

I take on board what you said about non-executives, Patricia. However, what you said about this non-executive post, which the entire Committee considers to be extremely important, was contradictory.

I disagree with you, Fergal. You said that the post requires an expert who has considerable prestige. You also said that the post of chairperson was treated like a consultancy post across the water but that you did not agree that that should be the case here. However, I regard the post of SBNI chairperson as being at that level, because that is the sort of person whom we hope to attract.

You said that the role of the non-executive chairperson is to scrutinise and that he or she will direct the director and the assistant director. Therefore, the chairperson will use his or her expertise, skills and experience to make decisions that he or she will ask the director and the assistant director to carry out. In that context, the use of "non-executive" is contradictory. That seems — I was going to say "arse about face", but that may not be the appropriate language to use on camera. It does not seem right for someone on £17,000 to direct two senior people who are on more than £80,000 and £56,000 respectively. It worries me that the non-executive post might be that of a figurehead to enable the Department to state that the board has a chairperson, whereas the real work will be done by the director and the assistant director.

My other worry is that the remuneration in the advertisement will not attract the right people. The Chairperson already referred to that. You will attract quite a number of people who are underqualified for the position and do not have the ability to direct staff at director and assistant

director level. The chairperson must have a high level of relevant experience and should be paid accordingly. A situation in which someone on that level of annual remuneration directs people on a much higher salary is a recipe for disaster. How can you say that the position is non-executive but that the director and the assistant director will act “on the direction” of the chairperson?

What is the rush? This is an extremely important post. Is it not more important to get the right chairperson and other staff in place? Do you think that you will receive applications from many people who are underqualified for the post?

Ms Nicholl:

The safeguarding board is a ministerial priority. We set out a timetable in conjunction with the public appointments unit for the appointment of a chairperson —

Dr Deeny:

I am sorry for interrupting, but it is not just a ministerial priority; it is a priority for the population of Northern Ireland.

Ms Nicholl:

We agree, which is why we want to appoint a chairperson by December. We also want to appoint the chairperson by then so that he or she will be in a position to appoint his or her team, which will consist of a director, an assistant director and administrative posts. The appointee will want to be party to the recruitment process.

Fortunately, the job advert has appeared in the paper. We are mindful that we will know the number of candidates who have applied by 21 October. By 5 November, we will know whether we have sufficient candidates to field a shortlist. By 19 November, we will know whether the public appointments unit is in a position to recommend the appointment of an individual who meets the criteria. No one is prepared to appoint an individual who does not meet the required criteria to the post of chairperson of the safeguarding board for Northern Ireland.

The Chairperson:

The danger is that you will attract the type of person with whom the Department is comfortable. The position is more than that of chairperson: whoever is successful is meant to be a critical friend and expose poor practice.

Ms Nicholl:

We are fairly satisfied that we have independent experts on the interview panel. Those people are there because of their safeguarding expertise and experience, and in the case of Jan Horwath, an expert in the field of local safeguarding children boards. The panel will also include an independent expert appointed by the public appointments unit. Although the Chief Social Services Officer will sit on the panel, he will be ably assisted by two further experts who will bring their experience and scrutiny to play in appointing the chairperson.

Mr F Bradley:

I want to emphasise that the person with whom the Department is comfortable will meet the competencies. There is no other agenda or set of criteria. We want someone who is capable of doing the job, and it is our desire to achieve that goal.

Dr Deeny:

Do you imagine that people in any other company would take directions from a member of staff who is paid one quarter or one fifth of their salaries?

Ms Nicholl:

We can use only the example of chairpersons of other health and social care organisations, who are paid a similar salary to that of the safeguarding board's chairperson. The chairperson of the Northern Ireland Social Care Council receives about the same remuneration. The NISCC has a series of directors and a chief executive who are paid substantially more than £17,000 per annum, and the same is true of the RQIA.

The Chairperson:

I have not seen much criticism of the Department from any of those folks in the papers.

Ms Nicholl:

Perhaps there is nothing to criticise.

The Chairperson:

I suspect otherwise.

Mr F Bradley:

We pay attention to the Committee's meetings and sometimes watch them on 'Democracy Live'.

The Chairperson:

What a sad person you are.

Mr F Bradley:

I must say that you all look well on television. I have heard Committee members speak positively about the RQIA's role and about its reports that identified shortcomings in health and social care. Therefore, it is not true to say that the sorts of bodies that we are talking about do not produce reports or identify shortcomings to which it is difficult for agencies and the Department to respond. The Department must respond to those. One such body is the RQIA, whose chairperson is remunerated at a similar level. In a previous life, I had dealings with the chairpersons of the RQIA and the NISCC. They had both been extremely distinguished individuals in their previous careers, and I imagine that they remain so in their current roles.

Mrs M Bradley:

My mind is boggling. I cannot believe that the job will be advertised at that salary. You will not get the person whom you need. The person who is appointed will safeguard children and will be responsible for advising how that should be done. However, the director and assistant director will be paid £82,000 and £56,000 respectively. Why are those two posts needed? I cannot understand why two positions attracting that amount of money are required. If you advertise the job of chairperson at a measly £17,000, you will not attract a person of the right calibre. It is the most important job that has been advertised for a long time.

Ms Nicholl:

One of the first things that must be said is that the chairperson's appointment process was subject to public consultation. The public consultation document asked specifically whether the chairperson should be appointed through the open and transparent public appointments process and, if not, what alternatives people could suggest. Some 75% of respondents supported the public appointments process for the chairperson's appointment. We followed through on that commitment from the public consultation.

Mrs M Bradley:

You have not told me why there is the need for a director and an assistant director who will be paid £82,000 and £56,000 respectively. Will the five panel chairpersons be paid at that level as well?

Ms Nicholl:

At present, the policy intent is to appoint five safeguarding panel chairpersons in line with the public appointments process. However, we are mindful of the need for transitional arrangements between the current regional child protection committee and the new safeguarding board panels for the SBNI. Therefore, there will probably be temporary appointments in the first instance.

Mrs M Bradley:

It is one job that the public will scrutinise to ensure that it is done properly, because it is so important. I hope and pray that you get the right person for the post.

Mr F Bradley:

A critical element in the process is that creating a safeguarding board for Northern Ireland and having an SBNI chairperson do not in any way reduce the current statutory responsibilities of all existing agencies, whether they are in the sphere of justice, health and social care or education. The people who deliver those services retain their statutory responsibilities in all those areas.

Mrs M Bradley:

You said that the chairperson's remuneration will be £17,060 for two to three days a week only. Given that the chairperson will have the main organisational responsibility, and so forth, for the board, why will he or she work for only two to three days a week? I cannot see how he or she could do it.

Ms Nicholl:

The chairperson's role is to lead the SBNI and set its strategic direction. SBNI members will contribute to the strategic plan. The chairperson will be supported by two executive members at director and assistant director level in implementing that strategic direction and taking forward the board's vision. In doing so, they will be ably assisted and supported by the chairperson. Their posts are necessary to support the chairperson in delivering the objectives and functions of the SBNI.

Mrs M Bradley:

Excuse my ignorance, but if the chairperson will direct everything, why does he or she need two more highly paid director posts above him or her? I do not understand that part. It is very confusing.

The Chairperson:

That was my point. Given that there are extremely well-paid folk at director and assistant director level, perhaps the chairperson should only be employed for one day a week. If they do so much of the work, what does the chairperson do on the other two days of the week?

Ms Nicholl:

On the basis of similar posts in other health and social care organisations, we benchmarked not only the remuneration but the tenure of the chairperson in relation to the number of days' work. Any issues about the SBNI will be subject to review. Thus, if we were to find that the chairperson did not have enough to do, that would be subject to review. However, to all intents and purposes, in the initial stages, a great deal of work will be required to build the SBNI's strategic vision and its action plan on how to meet the objective of promoting the welfare and safeguarding of children.

Mr Girvan:

I listened with interest because I am new to the Committee, and I was intrigued to find that many of the management structures already seem to be in place or have been decided, which was not something that we had previously discussed. You quoted the figure of £170,000 for three positions. I know that you feel that you are dealing with it properly, but giving someone the title of director already places that individual on another scale. By doing that, it takes away some of the responsibility of the chairperson, because the director will ultimately steer the board.

Some of us around the table are members of councils, and we know the key role that chief executives of councils play. My impression is that the director will steer the chairperson of the safeguarding board, as opposed to the other way round. Given the level of remuneration, it does not look as though the chairperson will be independent. Rather, he or she will be there as the puppet of a director who is paid much more.

The only people who will be interested in the post of chairperson will be those who are retired, have plenty of time on their hands and can devote two days of their week for a return of £17,000. The chairperson will let the director and assistant director do all the work, and he or she will simply run the board. However, that is not what we are looking for, and it does not accord with what I heard during several earlier evidence sessions when the role of chairperson was the central issue. Many people who have seen the post advertised in a job centre will think that they should apply. I envisage the post being readvertised, because it will not attract the calibre of people whom we require.

Mr F Bradley:

It will quickly become apparent whether that position is correct. With regard to the director and the assistant director, I restate that they will work for the chairperson.

Mr Girvan:

I appreciate that. I know that the chief executive of a council is supposed to act on its direction, but we all know what happens there.

Ms Nicholl:

Importantly, the level of direction provided will form part of the performance appraisal. A key outcome of the establishment of the safeguarding board for Northern Ireland will be a shift away from the focus on social services as the main protagonists in the arena of safeguarding of children. It will be for the chairperson to challenge that and render it much more of a multi-agency focus. It will be the chairperson's role to set and take forward that new vision for safeguarding, because the professional advisory remit, under which the director and assistant director roles will probably come, will probably be social services oriented.

Mr Girvan:

Do you agree that the position of the chairperson is more important than that of the director?

Ms Nicholl:

We have never doubted that.

Mr Girvan:

How can someone who works for three days a week be paid £17,000, whereas someone who

works for five days a week is paid £83,000 or £86,000? It does not add up. It makes no sense whatsoever.

Ms Nicholl:

You may be right. However, other health and social care organisations with bigger budgets and larger remits for accountability and governance arrangements have high-calibre chairpersons. The process works. Those chairpersons were appointed at a similar remuneration to that which has been identified for the chairperson of the SBNI, who will also be appointed through a robust public appointments process.

Mr Girvan:

We are not trying to set up another quango. The board should be nothing like that. It is not about jobs for the boys. The board will have an important role. I would be happy to look at how the £170,000 could be split more fairly in proportion to the responsibility given.

The Chairperson:

That need not necessarily mean more money, merely a redistribution of the existing budget.

Mrs M Bradley:

Perhaps I am out of line, but if I am, I am. However, what criteria apply to the appointment of the directors, and what experience will they bring to the board?

Ms Nicholl:

The criteria for the appointment of the directors are not dissimilar to those for the appointment of the chairperson. Primarily, they will focus on knowledge, skills and experience in the field of safeguarding children. We are probably looking for people with a social care or social work background and a significant background in the delivery of child protection and safeguarding children services. We want professional people with experience in the field who can advise and brief the chairperson on those matters as and when it is necessary.

Mr Brady:

Thank you for your presentation. You describe the chairperson as having an almost pioneering role that will pull everything together. Initially, the chairperson will work for two or three days a week. Given that the board will be starting from scratch, will that be enough? Presumably, the

chairperson has the ultimate responsibility for making decisions. Surely the remuneration must be requisite to the responsibility of the role. There seems to be an anomaly somewhere.

Mr F Bradley:

We want to provide that level of staffing to bolster the position of the chairperson by increasing the level of his or her autonomy. We do not want to leave the chairperson in the same position as many chairpersons of local safeguarding children boards, whereby they are dependent on resources provided in kind by member agencies. The chairperson of the SBNI will start off on two to three days a week. However, the chairperson will have his or her own staffing resource to drive things forward for them, with them and under their direction. Overall, that will put the chairperson in a stronger position than the chairpersons of local safeguarding children boards in England.

Mr Brady:

Do you accept that it is the norm for people to be paid according to their responsibility? Ministers in the Assembly receive more money, because, as the heads of Departments, if things go pear-shaped, their heads will roll. I have difficulty reconciling that with what you are saying.

Ms Nicholl:

It comes back to that fact that, having consulted on the means by which we would appoint the chairperson, the consensus was that the chairperson be appointed through a public appointments process. Therefore, we benchmarked chairpersons from similar organisations. The chairpersons who met similar criteria to those required by the SBNI chairperson were from the Northern Ireland Social Care Council and the RQIA, both of whom work for two to three days a week. We then took into account information about the chairpersons of local safeguarding children boards. They tend to be appointed to work one day a month for a maximum of 30 to 40 days a year. Ultimately, we tried to strike a balance. I stress, however, that the number of hours that the chairperson will be required to work is subject to review. If we find that the chairperson is underutilised or stretched, that will have to be reviewed.

Mr Brady:

I do not advocate people being paid too much. However, for a director to be paid £82,000 a year for working five days a week is totally disproportionate when the chairperson's level of responsibility is taken into account. Paul made the point that we are not looking for a quango.

The role of the chairperson should not be a sinecure with a rubber stamp. The board will have a working responsibility, and the chairperson must be someone who is willing to take much of that on board.

Ms Nicholl:

It is fair to point out that we do not intend to pay a director at Agenda for Change level 8C, which is £82,000 a year. That amount includes all the management oncosts. A director will be paid £67,000 a year.

Mr Brady:

That is not a bad reward.

Mr F Bradley:

If you compare the remuneration of the chairpersons on any of the health and social care bodies with what the chief executives or senior management are paid on a pro rata full-time basis, you will find that it is not anywhere near that sort of rate.

Mr Brady:

I wish to make one final point. Last week, we heard evidence that some chairpersons in England are paid £500 a day, and you say that that is equivalent to what an external consultant would be paid. However, that is another issue. Presumably, those chairpersons, whether they are paid £500 or whatever, effectively do the job and perform the role for which they are employed.

Ms Nicholl:

The Committee also heard much evidence about the variable amounts paid to chairpersons across local safeguarding children boards.

Mr Brady:

Last week, the witnesses from the Bradford Safeguarding Children Board talked about the lower end of the scale. Its chairperson is, I think, a professor of social work at Leeds Metropolitan University and is paid £500 or £600 a day for chairing the board, which is at the lower end of the scale. Yet, here is somebody who is, if you like, a real bottom feeder.

Mr F Bradley:

We are trying to compare the totality of the SBNI's resource with what is available to the LSCBs. A full-time chairperson who earned £500 a day would earn something like £100,000 a year, and if the daily amount was £800, he or she would receive £160,000 a year. When we developed the proposals and the structures, we were persuaded by many of the organisations that were part of that process, particularly those in the voluntary sector, of the need to go down a process of public appointment, which is why we have done so.

The chairperson will be independent of member agencies, and that is critical to the future success of the board. We will know in a matter of weeks whether suitable people of the calibre sought have come forward. Two out of the three people on the interview panel that will test the candidates are non-departmental staff, and the other panellist, as I said, is Jan Horwath, who has possibly given evidence to the Committee on one or more occasions and is an expert in the field. The process will not appoint someone who does not meet the criteria.

Mr Brady:

Let me make this point: the reason that members of the judiciary are paid so much is to ensure that their independence is maintained. Therefore, there seems to be an anomaly in your argument.

The Chairperson:

On a practical point, what would happen if the Committee decided that the chairperson should be appointed by the new board? In GB, one option is that the board is appointed first, and it carries out the selection process. What would happen if the Committee were to decide on that option?

Mr F Bradley:

I read the evidence, but I will not mention any names. A similar option was considered earlier in the process when we were developing the proposals. However, if that scenario were translated to the situation in Northern Ireland, the chairperson could be an existing employee of any of the member agencies. The chairperson would be appointed by the member agencies and would be accountable to those member agencies that recruit, manage and employ him or her. That option has pros and cons. In the end, we did not opt for, or consult on, that proposal. Instead, we decided on the appointment of an independent chairperson through the public appointments process. I am not clear about how a chairperson could be independent of the member agencies if

he or she had been appointed by them.

The Chairperson:

There are two models of appointment. In the first model, the chairperson is appointed from within the membership of the board. In the second, the board makes the appointment, having advertised, interviewed, and so forth, thereby ensuring that the appointee has the entire board's seal of approval. My only point is that if we, as a Committee, had decided to put the latter option into the legislation, it would have been too late, because the Department has already shot the gun by going ahead and doing it its way.

Mr F Bradley:

I wish to be clear: that is the policy on which we consulted, and that is the policy that the Executive approved when we were constructing the legislation.

The Chairperson:

The Committee and the Assembly make the legislation.

Mr F Bradley:

Obviously, but the Executive approved that change in the policy.

The Chairperson:

That is just tough. If the Executive laid that down in tablets of stone and the Assembly decided to change it, it would have the right to do so. That is holding the Executive to account. You assumed that we would agree to that method of appointing the chairperson. We might agree to that, but we might not. If we were to decide not to go down the line that the Department has chosen, what would happen? In particular, what would happen to the person whom the Department had appointed?

Ms Nicholl:

The policy paper that was put before the Executive determined, not least for reasons of efficiency and cost, that the SBNI should not be established as another quango in the guise of a non-departmental public body but as an unincorporated statutory body. As such, it will not be a legal entity. It will be hosted in the Public Health Agency, and, as such, it will not be able to hire and fire its own staff. For that reason, the SBNI will not be able to appoint a chairperson.

The Chairperson:

That is our decision.

Ms Nicholl:

At this moment in time, that is —

The Chairperson:

You recommend that that is the nature of the body, but this Committee could recommend something else. The horse has bolted because you have started the process to appoint a chairman in a way in which you perceive that we will agree to, but we have not. Quite a strong body of evidence suggests that that is not the best way to appoint a chairperson. There may be an interim chairman, but once the board is established, it could take ownership of whom it appoints. What happens if we adopt that approach?

Mr F Bradley:

The process that has been instigated is to appoint a chairperson designate. Ultimately, if the legislation were to change in that way, there would be no appointment at the end of that process. However, I am unclear about the body of evidence to support such a change. Our reference groups and stakeholder groups include most of the key voluntary sector organisations in Northern Ireland and most of the statutory agencies. I am not aware that any of them advocate moving away from the public appointments process. We were persuaded to go down the route of public appointment in order to arrive at a situation in which the chairperson would be independent of member agencies. I am not aware that any of the main organisations take the contrary position.

The Chairperson:

We received evidence from GB that the system that I outlined works there. That is the purpose of bringing in experts from outside. We will seek the view of experts from GB on the package that you suggest to find out whether they would be comfortable with it. We do not want a second-rate chairperson or a well-qualified and highly able chairperson who is a poodle of the Department, which could happen. That has happened many times with public appointments in Northern Ireland. The danger is that the chairperson, although perfectly effective, brilliant at the job and at chairing meetings, might be able to do absolutely nothing to hold to account the Department or the various agencies. Was the dark hand of the Department of Finance and Personnel (DFP)

involved? Was it consulted about the remuneration package?

Mr F Bradley:

DFP did not influence the level of remuneration. DHSSPS worked on the figures and comparisons, so it would not be fair to say that any DFP officials had a hand in that. The Department's position is to establish an SBNI that is chaired by someone who is independent of the member agencies. We take that position with a view to strengthening safeguarding in Northern Ireland. Safeguarding does not involve one Department alone; the range of agencies involved in the SBNI come under the domain of several Departments, including the Department of Justice and the Department of Education.

Some of the organisations that gave evidence to the Committee, particularly those from the community and voluntary sector, invested a great deal of time and effort in persuading us of the way in which we should establish the board. If the process were to go in the direction that has been suggested, I honestly do not believe that the Committee and the world and its uncle would not know about it. Most importantly, however, we are here because the Department wants the board to work. There is absolutely no intention of setting up a board for the sake of it; we want it to work. Inter-agency working is a critical part of safeguarding.

I listened to some of the previous discussion about budgets. If various Departments and agencies face financial difficulties as we move forward, the risk is that agencies will return to concentrating on their core functions and that some of the areas on which they work together, or in partnership, will be squeezed. The creation of the SBNI, with its chairperson maintaining the focus on inter-agency working, will be critical to the future of cross-agency working and safeguarding. We are committed to making it work.

Dr Deeny:

I want to clarify something that I said earlier. I said that the SBNI was a priority for the whole community of Northern Ireland. I was not referring to the timing or suggesting that everything be pushed through as quickly as possible. I meant that it was important to get the right people in place.

Fergal, you said that the chairperson will be the boss. I take it, therefore, that the director and assistant director will be accountable to the chairperson.

Mr F Bradley:

Their work programme, role and activities will be at the direction of the chairperson.

Dr Deeny:

Therefore, they are accountable to the chairperson.

Mr F Bradley:

Yes.

Dr Deeny:

This has been an interesting and worthwhile debate. I think that you looked too closely and too much at other bodies, but it may be that you did not compare like with like. You spoke, for example, about trusts and quoted the salary of the RQIA chairperson. Does the RQIA chairperson have people working for him or her whose salary is four or five times higher?

We all know, for example, that the trusts have chairpersons; we know most of them. By and large, however, the chief executive of the trust is the boss. When we think of any organisation or company, the boss has the ultimate responsibility, and those below are accountable to him or her. The chairperson carries the can, and the buck stops there. That happens in general practice, for example, in which GPs are at the most senior level. Therefore, all our staff come to us if they have a problem, because we have that responsibility and are paid accordingly.

I would not go so far as to say that the SBNI will be unique, because other organisations look out for and protect the rights and needs of the public. However, the SBNI will safeguard children and, as such, will be an incredibly important organisation. Its boss will have ultimate responsibility and will be the individual to whom the director and assistant director will be accountable. Therefore, I cannot understand why they will earn four and five times the chairperson's salary. That simply does not add up, and it will have to be re-examined. Do you not think that that is contradictory? If that chairperson earns only a fraction of what the director and assistant director earn, I cannot envisage them even treating their boss with due respect. I have never come across such a situation before, and it does not make sense to me.

The Chairperson:

Some of those points have already been covered. Is there anything that you want to add?

Mr F Bradley:

The critical point is that the chairperson will be appointed through the public appointments process, and people appointed through that process must have a certain level of competence and command a certain level of respect.

Dr Deeny:

Do you not accept that we have different expectations of the chairperson of the SBNI than of the chairpersons of the RQIA or the trusts?

Mr F Bradley:

We acknowledge that it is a unique arrangement. However, I emphasise again that it is not the same as the arrangement in England; the SBNI is not a local safeguarding children board. The resources that we invested and the way in which we organised the process were designed to ensure the autonomy of the chairperson. We wanted to give the chairperson the ability to operate much more independently than the chairperson of a local safeguarding children board.

The Chairperson:

Thank you, Ms Nicholl and Mr Bradley, for your evidence. You have given us an interesting insight into how you feel that the SBNI will work, which has been educational, because it is slightly at odds with what we thought was going to happen. It has been quite a difficult session for you, but we appreciate your candour and useful information. We will take away all that we have learned today and decide how to proceed.

I am sure that someone like Sean Holland will resign from his post immediately to take up the post — cutting his salary by about 90% in doing so. On a more serious note, I hope that you will attract the sort of people whom the Committee considers appropriate for this job.

Mr F Bradley:

I repeat that we are not interested in appointing as chairperson of the SBNI a person who does not command the respect of other agencies. We want the board to work.

The Chairperson:

Thank you.