Feedback from Workshops on 30th May 2018

Summarized by Brendan Broderick

- The primary accountability of Boards should be to people who rely on the services provided by the agency. The reality is that they are in the position of marginal shareholders – the dominant accountabilities are to HSE, DEPER and the Public Accounts Committee. The needs and requirements of these stakeholders dominate the way in which Boards do their business and shape the orientation of the Board to its work programme.
- The rights of employees are better entrenched and secured than the rights of service users.
- One agency noted the impact on the focus and tenor of board meetings of having somebody on the board with a lived experience of disability.
- A board chairman noted that his board had very explicitly re-shaped the format of the meeting to ensure that 'service issues' rather than compliance issues were the dominant focus.
- The difficulty of recruiting and retaining board members was noted on several occasions. The growing demand of the role in time commitment and weight of responsibility were cited as the main factors. The reputational risks to individual board members appear to be a significant concern for many board members. Diminishing opportunities for involvement in consequential issues as opposed to compliance issues were cited as another concern, one that may discourage board members from seeing out their term of appointment.
- The absence of financial support for the role of formal company secretaries was referenced.
- Some mentioned the idea of tilting compliance obligations towards CEOs and Company Secretaries with voluntary Board members carrying a lower level of responsibility vis-à-vis compliance obligations.
- Boards add most value when they unapologetically anchor their engagement with HSE in agency vision and strategic objectives. Boards were urged to be more confident and assertive in staking out their ground and in carrying the game to HSE.
- There should be clear recognition of the principle of proportionality. Smaller organisations should not be expected to shoulder the same compliance burden as larger entities.
- There are very significant and acknowledged costs associated with compliance, both in relation to HIQA and HSE. There is a presumption that these can be absorbed without consequence. Ultimately the service user will end up absorbing these costs.
- There is a relentless practice of 'risk shifting' in play – HSE are very intentionally pursuing a strategy of transferring risk onto the voluntary provider.
- Voluntary providers are appropriately required to be rigorously transparent in respect of their expenditure of public funds but HSE do not honour equivalent transparency in respect of its expenditure of the public revenues.
- There has been an 'upping of the game' in respect of the calibre and competence of board composition. Recruitment to boards reflects more significantly the competencies required and the particular risk profile of individual agencies.
- Well-functioning Nominations Committees are critical to developing and sustaining Board capacity and performance.
- The need for an Irish equivalent of the UK's Concordat of 2004 in which various regulatory, inspectoral and auditing bodies made a voluntary agreement to co-ordinate and streamline the compliance activity burden on organisations.

- The demand to simultaneously address the requirements of multiple compliance-monitoring entities.
- The aspiration of an integrated compliance framework was mentioned, one which would take account of agencies' capacity to meet the compliance burden and which would apply principles of proportionality.
- There is a sense that the evolving service-delivery landscape is being shaped in a haphazard, opportunistic and reactive manner – and that there is a need for government to develop an explicit and strategic position on future voluntary participation and for this to guide future shaping of this landscape.
- The constraints on voluntary agencies raising finance to invest in necessary future developments stymies their capacity to optimise impact – and places them at a marked disadvantage vis-à-vis for-profit providers.