

Minutes of the meeting of the Trustees of the Independent Living (Extension) Fund and the Independent Living (1993) Fund held on Wednesday, 14 March 2007

The meeting commenced at 1.00 pm

Present: Margaret Cooper (Chairman)
Peter Cooke (Vice Chairman)
Stephen Jack
Nick Danagher
Marie Martin
Mike Boyall
Sally Sparrow
Elaine Morton (Chief Executive)

In attendance: Gary Stephenson (Finance and Corporate Services Director)
Joel Major (Senior Business Development Manager)
Pam Mellors (Chief Executive's Secretary)
Jay Begum (DWP) from part 7

1 Apologies

None.

1.1 Declaration of possible Conflicts of Interest or Loyalty

Trustees were asked if they had identified any area on the agenda where there was an actual or potential perceived conflict of interest or loyalty.

All Trustees confirmed that no issues had been identified.

2 Minutes of the meeting held 14 February 2007

The minutes of the last meeting held on 14 February 2007 were accepted by Trustees as a true record, and signed by the Chairman at the end of the meeting.

3 Matters Arising

3.1 Review of the Revisit Programme

The Chief Executive updated Trustees on the trial of the review of the revisit programme. She said that to date feedback had been positive and would keep Trustees informed of the progress.

3.2 Continuing Health Care

Nick Danagher commented on the personal case discussed at the last Trustees' meeting regarding continuing health care: he explained that he had been in conversation about a similar case. There had been positive comments on the very supportive approach taken by the Funds throughout the handling of the case.

The Chief Executive commented that the policy issue was under consideration and a note was sent to DWP on 10 March. However there are possible public policy issues to consider with will be discussed further with DWP. Trustees would be updated.

Outcome: Information

4 Outstanding Action Points

The Chief Executive said that all other points remain on track except the action point in relation to Introduction agency issues had been moved on to April 07

A revised delay date on the issue of the lease was set as June 07.

Outcome: Information

5 Chairman's Issues

A letter from the Charity Commission dated 2 March was circulated. The Chairman explained that the letter confirmed that no action would be taken in light of payments made from the Extension Fund in relation to rates of DLA other than HR between 1993 and 2002 which were not technically within the objects of the charity. She said that governance arrangements have been strengthened considerably since 2001 and that Trustees were more involved in Trust Deed changes. She also commented that it highlighted a need to keep a close eye on developments and that DWP needed to include the ILF early in discussions regarding deed changes so that Trustees can show due diligence. Unfortunately Sharon Foster-King (DWP) was unable to

attend the meeting and it was suggested that a note be sent to DWP reflecting this view.

The Chairman commented that the Minister had made her decision on Trustees recruitment; the selected candidates had been informed verbally but not formally in writing. They were due to attend April's Trustees' meeting.

The Chairman said her investiture as CBE, would be taking place next Wednesday.

Outcome: Chief Executive to formally write to DWP seeking early notification of planned Trust Deed changes

6 Governance

6.1 Election of Office Holders

In line with the Standing Orders for Trustees meetings, Trustees are required to elect office holders annually.

Peter Cooke was elected as Vice Chairman (proposed by Stephen Jack seconded by Mike Boyall)

Mike Boyall was elected as Treasurer and Chairman of the Audit Committee (proposed by Stephen Jack, seconded by Peter Cooke)

Sally Sparrow was elected as a member of the Audit Committee (proposed by Stephen Jack, seconded by Mike Boyall)

Member of the Audit Committee, Peter Cooke was re-elected (proposed by Stephen Jack and seconded by Margaret Cooper)

Sally Sparrow was elected as Chairman of the Salaries Committee (proposed by Stephen Jack, seconded by Mike Boyall)

Members of the Salaries Committee, Peter Cooke and Mike Boyall were re-elected (proposed by Stephen Jack and seconded by Margaret Cooper)

All nominees had indicated their willingness to serve. There being no other nominations, all nominees were duly elected.

It was noted that under the new 2006 Deed, meetings are only quorate with three attendees so extra members would be considered once the new Trustees were in place.

Outcome: Decision on office holders and membership of Audit and Salaries Committees

6.2 Audit Committee Minutes 24 January 2007

The Chairman of the Audit Committee guided Trustees through the minutes of the last meeting.

He said that it had been discussed that more ILF management attend and this had been reflected at the January meeting.

He explained that discussion had taken place around a Strategic Risk Review for the ILF future business and the Committee decided that this issue would need involvement from the full board. The Chief Executive said that they were in the process of finding a facilitator to aid discussions which would probably take place at the end of April.

The Chairman commented on the Annual Report of the Internal Audit Service the audit opinion was that **'the ILF has adequate and effective risk management, control and governance processes to manage the achievement of the organisation's objectives'**. He explained that this was the highest audit opinion that could be achieved in internal audit.

Trustees approved the minutes.

Outcome: Information

7 Finance

7.1 Grant in Aid and Benefit Forecast March 07

The Finance and Corporate Services Director presented the report to Trustees. He explained that the forecast has been based on trend assumptions agreed with Trustees in September 2006. The additions figure for 07/08 has been removed so that the figures show forecast actual expenditure against funding.

As noted at the last meeting the actual load exceeds the trend forecast and this is affecting the forecast expenditure for 07/08: it is now projected that all available expenditure for 07/08 will be used, this is a worsening position than shown in January 2007.

The Finance and Corporate Services Director said that during discussions with DWP in November/December it was pointed out that the load was growing but DWP did not agree with the prediction.

Trustees discussed contingency plans to manage fund user budgets coming under pressure at the last meeting and further work is now planned to bring a report to the May meeting. A meeting has also been arranged with DWP on 17 April 2007 to discuss the funding position.

The Chief Executive asked Trustees to reaffirm their strategic view as expressed at the February meeting to provide preference to current users due to potential PR and political risks.

Trustees discussed this and commented that this was a difficult decision and would need to be looked at carefully. It was agreed that at present they would like to continue to consider all available options.

Trustees agreed that DWP should be made aware that they were considering all options and would appreciate their input into the situation.

Jay Begum (DWP) commented that they could look into the matter and consider making a proposal to the Minister.

In answer to a question regarding attrition rates the Finance and Corporate Services Director said that he would look into this and see if it could be included in further work to develop the options i.e. risks and costs. Year end figures will be sent by e-mail to Trustees.

Outcome: Decision- Trustees agreed to look at all scenario's on user expenditure contingency planning again before making a final decision.

Finance Director to send End of year position by E mail ahead of April Trustees' meeting

Year End Cash Position March 2007

Advance arrangements have been agreed with DWP to secure receipt of the first grant in aid instalment for 2007/08 on 2 April 2007 to meet Fund user payments due that day.

Outcome: Information

Outstanding Applications and Offers

There were approximately 1200 applications outstanding at February 2007. Only a small proportion were from former Long Stay Hospital patients with the majority being in the “general” category. The main driver for applications was still considered to be a combination of Local Authorities seeking financial assistance plus general increased awareness of the ILF.

Outcome: Information

8 Strategy

8.1 Gender Equality Scheme

The Senior Business Development Manager presented the paper to Trustees.

He said that the Gender Equality Scheme represents the next scheme in a series including the Disability Equality and the Race Equality Scheme.

It was to be published following Trustees agreement in line with the requirements of the Gender Equality Duty April 2007, which confirms the statutory duty of all public bodies.

In answer to a question the Senior Business Development Manager confirmed that the scheme would be available electronically and in hard copy and other formats would be available on request.

In answer to a query the Chief Executive confirmed that the scheme would be reviewed on a 6 monthly basis together with the Business Plan and other equality schemes.

Outcome: Decision- Trustees agreed the Gender Equality Scheme.

The Senior Business Development Manager said that with the three schemes now being published it was proposed to have an overarching Equality Statement.

Nick Danagher commented on the accessibility and improved understanding when publishing the schemes separately rather than in one document. It was confirmed that the schemes would be published individually.

Stephen Jack felt the statement needed more balance to show the outward focus of the organisation as well.

Outcome: Action – Equality Wording statement to be reconsidered and recirculated by e-mail.

9 Personal Cases

Minutes are provided in an Appendix 1 to these main minutes; the Appendix is not available for public view under the Freedom of Information Act 2000 because it contains personal information subject to the provisions of the Data Protection Act 1998.

The Chief Executive asked whether Trustees would still like to review the cases as a full board rather than the panel in view of the numbers of close relative cases.

If Trustees wish to see cases as a full board they may need to consider a different way of handling these, as monthly meetings are holding up cases for decision. It was suggested that it could be operated on an e-mail basis in between meetings.

Nick Danagher commented that it would be useful to have some guidelines so that when information is provided on these cases it would enable members to make decisions consistently and objectively.

Outcome: Trustees to let Chief Executive know their views outside of the meeting

Chief Executive to consider further guidance to Trustees on close relative cases

10 AOB

Stephen Jack said that for future meetings he would like a standing item on the agenda for the ILF Review.

He also asked if it was possible to have the minutes of the meetings published on the website.

The Chief Executive said that currently the minutes were available on request under the Publication scheme. The main minutes (not personal cases) were published internally.

Outcome: Main minutes of Trustees meetings to be published on the ILF website.

10.1 Date of Next Meeting

Date of next meeting will be Monday 23 April 2007

The May meeting will be held on Wednesday 9 May 2007

10.2 Chairman's comments

The Chairman said that during her tenure she had attended 109 meetings and with the climate of change it seemed an appropriate moment to move on and pass the role to Stephen Jack.

She said that she had enjoyed her tenure and thanked Trustees for all their friendship, loyalty and support over the years. She thanked colleagues at the ILF and a special thank you to the Chief Executive for her support. She said that she was sorry to be leaving and wished everyone all the best for the future.

Stephen Jack said that she had in fact attended 109 meetings out of a possible 114 which was a phenomenal record. He said that over the last few months he appreciated all the hard work, effort and time that goes on behind the scenes and said that he had a lot to measure up to. He said that the Chairman was very professional and that the meetings were run effectively and worked well. He hoped that the Chairman would continue to follow the work of the ILF and wished her every success for the future.

There being no further business the meeting finished at 3 pm.

