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3 August 2020

Dear Mr Wragg

At the evidence session for the Public Administration and Constitutional Affairs Committee on 24 June 2020 I committed to providing you with further information on the resignation of the Regulation and Quality Improvement Authority Board and the role the Cabinet Office played in ensuring that emergency preparations are in place and of sufficient standard. Further information on these two issues has been outlined below.

The resignation of the Regulation and Quality Improvement Authority Board

It is a matter of regret that RQIA Board members decided to resign at this most difficult time.

The Minister of Health, Robin Swann, following the resignation of the RQIA Board members, appointed Christine Collins MBE to the position of Interim Non-Executive Chair of the RQIA Board with effect from 18 June. Christine Collins is currently the Non-Executive Chair of the Patient Client Council. The appointment of Ms Collins to the position of the Interim Non-Executive Chair of the RQIA Board will strengthen the voice of people who use the health and social care system.

The Department of Health is currently making urgent arrangements to appoint Interim Non-Executive Members to the RQIA Board. The Department is also making arrangements to commence a public appointments competition to appoint a Permanent Non-Executive Chair and Members to the RQIA Board.

Minister Swann appointed Mr David A Nicholl LL.B, FCPFA, from On Board Training and Consultancy Ltd, to carry out an independent review into the circumstances that gave rise to the RQIA Board resignations. The review should establish the facts and lessons to be learned from the circumstances that gave rise to the resignations and make recommendations for the consideration of Minister Swann.

I have attached the Terms of Reference for the independent review into the RQIA Board resignations as Annex A to this letter.

The role the Cabinet Office played in ensuring that emergency preparations are in place and of sufficient standard.

Whilst NI has its own separate and distinct Civil Contingency Planning and Operations procedures we are fully linked into the Cabinet Office C3 arrangements and Civil Contingencies working groups. We are able to avail off and receive specialist services and support from Cabinet Office as and when necessary. We also feed into the wider UK structures and operational arrangements, including COBR, when the circumstances require a UK wide response.

I trust that this response is helpful, and I wish you well with your enquiry.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gordon Lyons', is positioned above the printed name.

Gordon Lyons MLA
Junior Minister

Annex A

The Terms of Reference may be subject to change. The current version is reproduced below and is available at the following link

<https://www.health-ni.gov.uk/publications/independent-review-rqia-board-resignations-terms-reference>

Independent Review into RQIA Board Resignations - Terms of Reference

Introduction

On 17th and 18th June 2020, the acting Non-Executive Chair and six Non-Executive Members of the Board of the Regulation and Quality Improvement Authority (RQIA) resigned with immediate effect. These resignations were in addition to further resignations from two Non-Executive Members on the 9th and 10th June 2020 to take up alternative posts. This effectively left the RQIA Board with 11 vacancies, the complete non-executive Board membership.

Scope of the Review

The review will examine the circumstances that gave rise to the RQIA Board resignations and will include:

- A desktop review of all relevant correspondence between the Department, the RQIA non-executive Board members and the RQIA executive team between March 2020 and June 2020 in relation to the HSC response to the COVID-19 pandemic;
- Interviews with the relevant individuals in the Department, the RQIA non-executive Board members and the RQIA executive team, including the former Chief Executive;

Particular consideration should be given to:

- Current codes of practice and guidance for Boards, including the Board's Code of Conduct, the Nolan Principles, and the Code of Conduct and Code of Accountability for Board Members of Health and Social Care Bodies (July 2012);
- The roles and responsibilities of the Department, the RQIA non-executive Board members and the RQIA executive team;
- Agreed working arrangements between the Department and the RQIA (Framework / Partnership Agreement);
- Reporting lines between the Chief Executive, Chair, the Board and the Minister/Department;
- Communication between the Department, the RQIA non-executive Board and the RQIA executive team; and,
- The impact of the COVID-19 pandemic on the above.

The review should establish the facts and lessons to be learned from the circumstances that gave rise to the resignations and make recommendations for the consideration of the Minister.

Timing

The review should be completed and a report with conclusions and recommendations brought to the Minister within three months.