



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

**Annual Report and Accounts
2019-20**



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2019-20**

Presented to Parliament pursuant to paragraph 5(2) and paragraph 7(3)(b) of
Schedule 7 to the Northern Ireland Act 1998.

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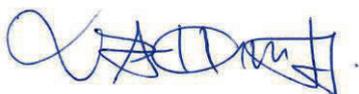
Rt Hon Brandon Lewis MP
Secretary of State for Northern Ireland
Stormont House
Stormont Estate
Belfast
Northern Ireland
BT4 3SH

Dear Secretary of State

I have pleasure in submitting to you, as required by paragraph 5(1) of Schedule 7 of the Northern Ireland Act 1998, the twentieth Annual Report of the Northern Ireland Human Rights Commission. It shows how the Commission has performed its functions during the year 1 April 2019 to 31 March 2020.

The Annual Report and Accounts includes the Commission's financial statements for the year ending 31 March 2020, which have been prepared in accordance with Paragraph 7 of Schedule 7 of the Northern Ireland Act 1998, and which were approved and certified by the Comptroller and Auditor General on 10 July 2020.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Les Allamby', with a stylized flourish at the end.

Les Allamby
Chief Commissioner

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It is available for download at www.nihrc.org

Performance Report Overview

Chief Commissioner's Foreword

This year heralded the welcome return of devolved institutions. 'New Decade and New Approach' set out a formidable agenda for government in Northern Ireland. We were heartened by the recognition that in meeting the significant challenges ahead 'the Executive should seek to build a society that reflects the best international standards of human rights'.

The work had barely begun before Northern Ireland was placed in lockdown. As a result, rights and freedoms were curtailed to protect the population. Human rights provides a framework for curbing civil and political rights in an emergency providing the limitations are set out in law, are necessary and proportionate, provide adequate safeguards and redress, are clear and accessible to everyone and last no longer than required. We will eventually emerge from the other side of the pandemic, and society will certainly reflect on the experience and the Commission will be part of that conversation as we move forward again.

Beyond the pandemic, this has been a significant year for the Commission. The EU-UK Withdrawal Agreement created a dedicated mechanism to monitor the UK government commitment to no diminution of rights under the Rights, Safeguards and Equality of Opportunities section of the Belfast (Good Friday) Agreement (the 1998 Agreement). The Commission is one part of the dedicated mechanism. The European Union (Withdrawal Agreement) Act 2020 sets out the powers of the Commission to carry out this role. The Act also restored the Commission's powers to take a case in its own name without a victim.

The reform of abortion law introduced in the Northern Ireland (Executive Formation etc) Act 2019 comprehensively implemented the recommendations of the UN CEDAW Committee's report on abortion law in Northern Ireland. The new law has not made a propitious start including for reasons beyond the pandemic. Under the CEDAW recommendations, the Commission has a role to monitor compliance with international standards covering access to sexual and reproductive health including women's access to safe abortions. We are seeking to engage in a constructive partnership with the Department of Health in Northern Ireland to fulfil this task.

The Commission has undertaken a number of initiatives this year. As part of the Joint Committee with the Irish Human Rights and Equality Commission we published a legal analysis of how UK immigration and nationality law could be made consonant with the identity and birth right provisions in the 1998 Agreement, namely that the people of Northern Ireland have the right to identify themselves as British or Irish or both

without adverse consequences. In tandem, the Joint Committee also published research setting out the opportunities, benefits and challenges created within the EU-UK Withdrawal Agreement to recognise that the people of Northern Ireland who identify as Irish will retain their EU citizenship rights. This too raises fundamental questions of how such arrangements can be made consistent with the birthright and identity provisions within the 1998 Agreement. The recent announcement of a change in immigration rules to extend family reunification under the EU Settlement Scheme to the people of Northern Ireland represents a tangible benefit heralded within the 'New Decade, New Approach' document. The extension is a temporary solution leaving the wider issues canvassed in the reports still to be fixed in perpetuity.

The Commission also published a Cumulative Impact Assessment of the tax and social security policies implemented or announced from 2010 through to 2022. The assessment provided a costed and revised further welfare reform mitigations package alongside its impact on household income to assist the NI Executive in its deliberations on further mitigations beyond the existing commitment.

The Commission challenged the law that requires candidates in local elections to publish their home addresses, an impediment to victims of domestic violence and abuse from standing for election. The NIO's commitment to amend the law is particularly gratifying. In a separate challenge, the Commission highlighted that the statutory provision for retention of biometric material including fingerprints and photographs was not human rights compliant. Legislation in line with changes in England and Wales was never commenced in Northern Ireland. In the interim, the Police Service of Northern Ireland worked purposefully and effectively with the Commission to produce a policy and guidance note to provide a non-statutory approach, matching provision on a legislative footing elsewhere in the United Kingdom.

This has now been overtaken by the Gaughran judgment in Strasbourg. The Commission has engaged constructively with both the Department of Justice and the PSNI towards finding an interim and then long term statutory solution to ensuring arrangements for the retention of biometric material are human rights compliant.

In March 2020, the UK government announced a new approach to legacy investigations. The aim is to ensure investigations are effective, thorough but quick. The Commission recognises that further detail will be critical for assurance that the new approach meets the European Convention Article 2 Right to Life standards for investigation.

'New Decade, New Approach' acknowledged 'the importance of the Human Rights Commission whose remit is to ensure that government and other public bodies protect the human rights of everyone and help understand their rights and what they can do, if their rights are infringed'. To do this,

the Commission needs sufficient resources. Much of the year involved negotiations on funding to ensure we have the tools to do the job and I look forward to this being resolved in the near term. In the meantime, the Commission has again made a practical and meaningful contribution while managing a challenging resource situation – a testament to the ability and commitment of staff and Commissioners alike for which I am deeply appreciative.



Les Allamby
Chief Commissioner

Statement of Purpose and Activities of the Organisation

Introduction

I am pleased to report on the work of the Northern Ireland Human Rights Commission in 2019-20.

The Commission was established by the Belfast (Good Friday) Agreement. Our governing legislation is the Northern Ireland Act 1998, as amended by the Justice and Security (Northern Ireland) Act 2007 and the European Union (Withdrawal Agreement) Act 2020.

The Commission is a National Human Rights Institution with A status accreditation from the United Nations. This recognition affords special access to the United Nations Human Rights Council and treaty bodies. It means that the organisation operates independently in full accordance with the United Nations General Assembly Resolution 48/134 (the Paris Principles). Further information is available at: www.ohchr.org/english/law/parisprinciples).

The Commission is also a non-departmental public body, and receives grant-in-aid from the United Kingdom government through the Northern Ireland Office. It reports to Parliament through the Secretary of State for Northern Ireland.

What we do

The Commission's primary role is to make sure government and public authorities protect, respect and fulfil the human rights of everyone in Northern Ireland. We also help people understand what their human rights are and what they can do if their rights are violated or abused. To pursue this objective we consider the full range of civil, political, social, economic and cultural rights. Our work is based on the international human rights treaties ratified by the United Kingdom government, domestic legislation and relevant soft law standards.

The statutory functions of the Commission in accordance with the Northern Ireland Act 1998 are:

1. keeping under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights.
2. advising the Secretary of State and the Northern Ireland Executive of legislative and other measures which ought to be taken to protect human rights—as soon as reasonably practicable after receipt of a general or specific request for advice; and on such other occasions as the Commission thinks appropriate.

3. advising the Northern Ireland Assembly whether legislative Bills are compatible with human rights
4. providing advice to the UK government and Westminster Parliament on matters affecting human rights in NI.
5. conducting investigations on systemic human rights issues. To do so, we may enter places of detention, and can compel individuals and agencies to give oral testimony or to produce documents.
6. promoting understanding and awareness of the importance of human rights in Northern Ireland. To do so, we may undertake or support research and educational activities.
7. providing legal assistance to individuals and initiating strategic cases, including own motion legal challenges.
8. monitoring the implementation of international human rights treaties and reporting to the United Nations and Council of Europe.
9. working in partnership with the Irish Human Rights and Equality Commission as mandated through the joint committee created in accordance with the Belfast (Good Friday) Agreement.

The Commission is mandated in accordance with Article 2(1) of the Protocol on Ireland/Northern Ireland of the European Union Withdrawal Agreement to ensure there is no diminution of rights protected in the 'Rights, Safeguards and Equality of Opportunity' chapter of the Belfast (Good Friday) Agreement as a result of United Kingdom's withdrawal from the European Union.

This mandate will come into force after the European Union withdrawal transition period ends on 31 December 2020.

The Commission's statutory functions for this purpose in accordance with the European Union (Withdrawal Agreement) Act 2020 are:

1. monitoring the implementation of Article 2(1) of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement (rights of individuals).
2. reporting to the Secretary of State and the Executive Office in Northern Ireland on the implementation of Article 2(1)—as soon as reasonably practicable after receipt of a general or specific request for such a report, and on such other occasions as the Commission thinks.
3. advising the Secretary of State and the Executive Committee of the Assembly of legislative and other measures which ought to be taken to implement Article 2(1)—as soon as reasonably practicable after receipt

of a general or specific request for advice, and on such other occasions as the Commission thinks appropriate.

4. advising the Assembly (or a committee of the Assembly) whether a Bill is compatible with Article 2(1)—as soon as reasonably practicable after receipt of a request for advice, and on such other occasions as the Commission thinks appropriate.
5. promoting understanding and awareness of the importance of Article 2(1); and for this purpose we may undertake, commission or provide financial or other assistance for—research, and educational activities.
6. bringing any appropriate matters of relevance to Article 2(1) to the attention of the Specialised Committee on issues related to the implementation of the Protocol on Ireland/Northern Ireland established by Article 165 of the Withdrawal Agreement.
7. taking judicial review proceedings in respect of an alleged breach (or potential future breach) of Article 2(1) of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement; or intervening in legal proceedings, whether for judicial review or otherwise, in so far as they relate to an alleged breach (or potential future breach) of Article 2(1).

The Commission will exercise this mandate alongside the Equality Commission for Northern Ireland, and through the Joint Committee of representatives of the Human Rights Commissions of Northern Ireland and Ireland.

The Commission is also designated, with the Equality Commission, under the United Nations Convention on the Rights of Disabled Persons as the independent mechanism tasked with promoting, protecting and monitoring the implementation of the Convention in Northern Ireland.

We also engage with the National Human Rights Institutions in the rest of the United Kingdom, and other local regulators on issues of common interest.

Our Annual Statement, published in December each year, records how much progress has been made towards meeting human rights obligations in Northern Ireland. This strongly informs our future work priorities.

The Commission's work is based on five priorities agreed in our Strategic Plan 2019-22. Each priority is one of substantive public interest, where we believe a real and lasting impact can be made to benefit the lives of people in Northern Ireland.

Priority 1: Building a culture of human rights -

Throughout 2019 and 2020, the Commission engaged with the five main Northern Ireland political parties. We also met with Members of the House of Commons and House of Lords, including the NI Affairs Committee, Women and Equalities Committee and the Joint Committee on Human Rights.

In April 2019, our annual lecture was delivered by the United Nations Deputy High Commissioner for Human Rights, Kate Gilmore, in partnership with the Bar of NI. The theme of the event was "Standing up for human rights in an uncertain global environment" and it was widely attended by political, legal, civil society groups and community representatives. In December 2019, as part of the NI Human Rights Festival, the Commission launched its Annual Statement at Stormont with the sponsorship of Robin Newton MBE, MLA, Speaker of the devolved legislative Assembly.

The Commission continued to support community festivals during the year holding events for Culture Night, Belfast Pride and Refugee week. Events planned in partnership with the Imagine Festival and Ulster University for March 2020 were unfortunately postponed due to the Covid-19 pandemic.

In May 2019, the Commission launched an awareness raising film on Equal Protection, calling for an end to corporal punishment of children. The animation was developed in partnership with the NI Commissioner for Children and Young People and the Global Initiative to End All Corporal Punishment of Children.

During the year, three meetings were held of the NI Business and Human Rights Forum, hosted by Hardscape, the Law Society NI, and A&L Goodbody. Glenn Bradley from Hardscape, retained the role of Chair and members welcomed Barbara Henry from Caterpillar NI as Vice-chair. The membership currently stands at 80 and the Commission continues to act as the Secretariat.

The NI Sport and Human Rights Forum was launched in April 2019, with the publication of the Declaration on Sport and Human Rights at Malone House, Belfast. The Forum held its first meeting in June 2019, hosted by the Irish Football Association, and its subsequent meetings were hosted by Ulster Rugby and the Belfast Giants ice hockey team. The Forum also developed a Terms of Reference and 2020/21 Work Plan, which includes a number of commitments by members, such as the Forum's expansion and implementation of the Declaration at club level. Conal Heatley from the NI Commonwealth Games Council was nominated as Chair and the Membership currently stands at 30 key organisations.

At an international level, the Commission remains very active. For example, in September 2019, a partnership project was delivered with the

Centre for Sport and Human Rights in Geneva hosting workshops for National Human Rights Institution and Commonwealth Games Associations. The first event took place in Rwanda with the support of the Commonwealth Games Federation. It presented an opportunity to showcase the NI Commonwealth Games Association and the work of young ambassadors from Northern Ireland on the Declaration on Sport and Human Rights.

The Commission continued throughout this year to engage directly with schools. Post primary schools across NI were visited including Sacred Heart Grammar School Newry, Royal Belfast Academical Institution, Loreto Grammar School Omagh, Fivemiletown College, Grosvenor Grammar School Belfast, Priory Integrated College, and Movilla High School. The Commission simultaneously developed a series of online materials to support teachers and continues to work with Council for the Curriculum, Examinations & Assessment to promote human rights and maintain materials for GCSE learning for life and work.

A number of training and information sessions for public authorities were also delivered over this period, including two policy making and human rights sessions for the NI Civil Service in partnership with the Centre for Applied Learning. Work with the Department of Finance to support the implementation of the human rights Procurement Guidance Note continued and the Commission met with Finance Minister, Conor Murphy in February 2020 to help consolidate this activity. A number of information sessions were also provided for the Construction Industry Forum and the Chief Executives Forum.

Priority 2: Protecting human rights as a consequence of leaving the European Union -

The Commission had a series of engagements throughout the year on subject of EU withdrawal. This included substantive work with the Northern Ireland Office to discuss the implementation of Article 2(1) of the Protocol on Ireland/Northern Ireland of the EU Withdrawal Agreement and the UK government commitment to ensure there is no diminution of rights protected in the 'Rights, Safeguards and Equality of Opportunity' chapter of the Belfast (Good Friday) Agreement. This was followed by work on the related content of the European Union (Withdrawal) Agreement Act 2020.

In April 2019, evidence was provided to the House of Lords EU Justice Sub-Committee Inquiry into 'Rights after Brexit'. Then, in May, the Commission attended the Seanad Special Committee on Withdrawal of the UK from the EU in Dublin. This was the first of a number of engagements delivered by the Joint Committee with the Irish Human Rights and Equality Commission. In August 2019, research was published on the question of evolving Justice Arrangements on the island of Ireland post EU withdrawal. In March 2020 further work was published on the issue of continuing EU citizenship "Rights, Opportunities and Benefits" in NI after

withdrawal. A legal analysis was also produced on the question of how to incorporate into UK Law the Birthright Commitment under the Belfast (Good Friday) Agreement 1998 (March 2020) and engagements took place with the Home Office, Northern Ireland Office and the Irish Department for Foreign Affairs and Trade.

In March 2020, following the restoration of devolution, the Commission presented evidence to the Northern Ireland Assembly Ad Hoc Committee on a Bill of Rights established following the restoration devolution. The time to once again revisit the value of a Bill of Rights for Northern Ireland in accordance with the Belfast (Good Friday) Agreement to provide a safeguard for everyone as we seek to cement further a durable and peaceful society moving forward was highlighted. The Commission continues to support the work of the Committee and will do so in the year ahead.

Priority 3: Poverty, health and well-being

In July 2019, the Commission published a 12-month review of the implementation of its 2018 Travellers' accommodation investigation report. Progress was mixed, with some positive steps in terms of revising Model Conditions for Site Licences and the Design Guide for Traveller's Sites. However, repeal of the Unauthorised Encampments (Northern Ireland) Order 2005 and improving the quality of accommodation on Travellers' sites remain a priority that needs to be addressed.

In November 2019, the Commission published a Cumulative Impact Assessment on all tax and social security reforms from 2010 through to those planned up to 2022. The assessment illustrates the overall adverse impact particularly for those on the lowest incomes, lone parent families, families with three or more children and households with either a child or an adult with a disability. The evidence also outlines the value of the mitigations package agreed following the review undertaken by Eileen Evason and her colleagues in 2016. The report sets out a costed package of renewed mitigation measures based on the evidence from the Cumulative Impact Assessment and work is now ongoing to support proposals being developed by the Department for Communities that may go some way toward meeting the report findings.

Priority 4: Meeting domestic and international human rights standards and good governance -

The Commission's Annual Statement, published in December each year, records how much progress has been made towards meeting human rights obligations in Northern Ireland. This strongly informs our future work priorities. The 2019 statement was launched by the UN Special Rapporteur on extreme poverty and human rights, Philip Alston.

As part of our role monitoring the implementation of international human rights treaties, the Commission provided oral evidence during the year to the United Nations Committee on Torture. Written evidence was also submitted to the United Nations Human Rights Council as part of the UK mid-term Universal Periodic Review. In June 2019, an oral intervention was also made before the Human Rights Council highlighting the negative impact of poverty on educational outcomes, physical and mental health and access to housing. This followed a statement from the UN Special Rapporteur on extreme poverty and human rights.

The Commission continued during the year to work in partnership with the Equality Commission for Northern Ireland, as part of the Independent Monitoring Mechanism for the United Nations Convention on the Rights of Persons with Disabilities. In January 2020, a commitment was made to establish a Disability Forum to enhance stakeholder engagement with the Independent Mechanism in line with good practice established by the United Nations Committee on Persons with Disabilities. The forum should be in place by November 2020.

The Commission continued throughout the year to monitor and advise on dealing with the legacy of the NI conflict. Advice was provided early in 2020 to the Northern Ireland Office on revised plans for the proposed Historical Investigations Unit, tasked with investigating conflict-related deaths. The Commission specifically advised that the new proposals raised serious questions on compatibility with Article 2 of the European Convention on Human Rights. Advice was provided during the year to the Northern Ireland Office on the establishment of a victims' payments scheme for victims of the Northern Ireland with conflict-related injuries.

Priority 5: Protecting human rights in a digital age -

Due to budget constraints and the impact of the Covid-19 pandemic, the Commission has delayed planned work in this area.

Core activities

In fulfilment of and in compliance with its statutory obligations and the strategic objectives for 2019-22, the Commission identified and delivered the following core activities:

Preparatory work commenced in January 2020 on the fit-out of the new premises at Alfred Street, Belfast but no construction work commenced during the financial year. Due to Covid-19, construction work has been delayed and is due to be completed by August 2020, subject to government guidance. Lease negotiations for the new premises concluded in March 2020.

In July 2019, the Commission visited the Mid Ulster Council area as part of ongoing community engagement. The Commission met with community

organisations to hear about issues important to them, representatives from the local Police and with the Council's Policy and Resources Committee. Due to restricted staff capacity from October 2019 and the Covid-19 pandemic in March 2020, planned community engagements in Lisburn and Castlereagh and Mid and East Antrim Council areas were delayed.

Throughout the year, the Commission has continued to advise government on legislative measures necessary to ensure compliance with human rights obligations. Examples include our response to the Northern Ireland Affairs Committee on social security policy and our advice to the Northern Ireland Executive on child sexual exploitation, design guide for Travellers' sites, newcomer pupils and sentencing review.

The Commission also provided advice to and responded to public consultations launched by Northern Ireland Office on same sex marriage, marriage and civil partnership conversion and payments for victims of Northern Ireland conflict-related injuries. The Commission advised in favour of introducing a comprehensive victims' payments scheme, same sex marriage and marriage and civil partnership conversion in Northern Ireland.

In September 2019, advice was provided to the Northern Ireland Office on regulations to provide for termination of pregnancy in Northern Ireland. The Commission welcomed the introduction of the Abortion (Northern Ireland) Regulations 2020 in March 2020, but has raised concerns with the Northern Ireland Executive around the prompt implementation of these regulations and the provision for measures that enable access to terminations for women and girls in Northern Ireland in the interim.

The Commission held weekly advice clinics between April and December 2019. Due to staff capacity issues, a waiting list system was introduced and three advice clinics were subsequently held remotely between January and March 2020 in response to the Covid-19 pandemic.

Through the clinics, the Commission continues to assist approximately 600 individuals each year on a broad range of issues. A number of people were also supported in legal proceedings. For example, in July 2019, the Commission settled a case against the Department for Communities to back pay State pension entitlements. The client had received a Gender Recognition Certificate in February 2015 and then applied for her State pension in April 2015. She was advised by the Pension Service that it would only be backdated to the date of the Gender Recognition Certificate and not her 63rd birthday, which caused her significant financial loss. The Commission also provided legal support to an individual to institute judicial review proceedings in respect of challenging election law in Northern Ireland that required an individual's address to be published when standing as a candidate in local council elections. This case was

granted leave by the High Court in February 2020. The UK Government subsequently committed to amending the law.

Key risks facing the Northern Ireland Human Rights Commission

EU withdrawal – The Commission has been mandated under Article 2(1) of the Protocol on Ireland/Northern Ireland of the European Union Withdrawal Agreement to ensure there is no diminution of rights protected in the 'Rights, Safeguards and Equality of Opportunity' chapter of the Belfast (Good Friday) Agreement as a result of United Kingdom's withdrawal from the European Union. This new role carries reputational risk to the organisation and may lead to significant restructuring between April 2020 and December 2021. It also carries resource implications which need to be addressed to ensure the Commission is fit for purpose by the end of the transition period on 31st December 2020. Work has been ongoing over the last year with the Northern Ireland Office to address the Commission's resource requirements.

Coronavirus - Due to the Covid-19 pandemic, the Commission is following government guidance and guidance from its sponsor branch to ensure the health and safety well-being of all staff. Processes are in place to ensure business continuity and these are being monitored on a daily basis. All of the Commission's staff continue to work from home and governance requirements are being met by remote Commission and Audit and Risk Management Committee meetings. The Commission has not required additional support from government.

Budget and staffing capacity – The Commission's resource budget was reduced over the last decade to £1.074 million. This is worth less in real terms in 2020 than the initial funding provided to establish the institution following the Belfast (Good Friday) Agreement 1998.

A review conducted in 2001, when inflation is taken into account, would suggest that the budget to support the Commission's core work should be a minimum of £2.039 million. This figure does not account, however, for the substantive changes to the Commission's mandate since that time. In 2007, the investigatory and legal powers were enhanced, and in 2009, the Commission was designated as the Independent Monitoring Mechanism for the UN Convention on the Rights of Persons with Disabilities (UNCRPD). The Commission has received no finance for any of these additional functions despite increased operating pressures.

The Commission's reduced budget to perform its core functions has caused significant and increasing stress on the organisation. The Board, Audit and Risk Committee and independent internal auditors have all identified that the Commission is compromised in its ability to fulfil statutory obligations and appropriately utilise its powers.

In 2020-21, the UN will begin the periodic review process of the Commission's A status. The UK government has sought to provide reassurance that it recognises the importance of retaining 'A status' under the UN Paris Principles, and that the Commission's "independent and effective mandate is needed for it to be able to operate most effectively as the national human rights institution for Northern Ireland." To realise this commitment in practice the Commission's budget needs to increase and discussions have been ongoing for more than two years with the Northern Ireland Office.

Sustainability Report

As the Commission's staff complement is below the threshold (250 employees), a full sustainability report is not produced.

Beyond engagement in UN initiatives and the Business and Human Rights Forum work, the Commission continues to be committed to helping to protect the environment. We seek to do this by operating a paperless office; recycling of dry office waste, printer cartridges, plastic bottles and cans; and the use of recycled paper.

Performance Analysis

The Commission reports on its performance to the United Nations through the periodic re-accreditation process, to the Northern Ireland Office as its sponsor branch as well as to Parliament through the Secretary of State for Northern Ireland.

We have continued to adopt a robust performance management system to ensure regularity, propriety and value for money. This year we operated with six part time Commissioners and one Chief Commissioner, eight permanent staff, four temporary staff and two temporary agency staff.

For 2019-20 the Commission had a core budget of £1,142,500, and received additional funding of £374,563 in-year. This was made up of £122,163 for core to meet additional costs due to an increase in employer pension liabilities, as well as support for maternity leave cover, temporary administrative staff and an increase in operating costs and capital funding of £252,400 (£250,000 of which was for the fit-out of the new premises in Alfred Street). This was funded by grant-in-aid from Parliament through our sponsor branch, the Northern Ireland Office.

Having faced nearly a decade of budget cuts the Commission sought to shield its core business, but was unable to do so this year without compromising the ability to fulfil statutory obligations and appropriately utilise our powers.

We have nonetheless continued to deliver a substantive programme of work, protecting and promoting the human rights of everyone in Northern Ireland. In doing so, the Commission has delivered outcomes worthy of a much larger and better resourced institution.



Dr David Russell
Accounting Officer

Date: 9 July 2020

Accountability Report

Corporate Governance Report

Director's Report

Entity

The Commission is a non-departmental public body established as part of the Belfast (Good Friday) Agreement through the Northern Ireland Act 1998 and uniquely in accordance with the United Nations Paris Principles as a National Human Rights Institution.

The Commission's powers and duties are derived from sections 69 and 70 of the Northern Ireland Act 1998 and sections 14 to 16 of the Justice and Security (Northern Ireland) Act 2007.

The Commission is located at 4th Floor, 19-21 Alfred Street, Belfast, BT2 8ED and its sponsor branch is the Northern Ireland Office located at Stormont House, Stormont Estate, Belfast, BT4 3SH.

Commissioners and Management Team

The Commission is governed by its Commissioners. The following served as Commissioners during 2019-20:

- Les Allamby
- Helen Ferguson
- Helena Macormac
- Paul Mageean
- John McCallister
- Eddie Rooney
- Graham Shields OBE

The Commission's Director is its Chief Executive, Dr David Russell. As Accounting Officer, the Chief Executive is responsible for maintaining a sound system of internal control. The Governance Statement sets out how this responsibility has been discharged in 2019-20.

Details of remuneration can be found in the Remuneration Report. A register of interests of the Commissioners and the Management Team can be found on our website: www.nihrc.org

Audit and Risk Management Committee

The Commission's Audit and Risk Management Committee met four times during the year.

The Audit and Risk Management Committee 2019-20 comprised:

- Joe McKnight, Independent Chairperson
- Helen Ferguson
- Eddie Rooney
- Graham Shields, OBE

The Chief Executive, Director (Finance, Personnel and Corporate Affairs), Director (Communications, Information and Education, Public and Political Affairs), Director (Legal, Research and Investigations, and Advice to Government), Internal Auditor, External Auditor and a representative from the NIO attend Audit and Risk Management Committee meetings.

The Audit and Risk Management Committee supports the Accounting Officer, and the Commission, by monitoring and reviewing the risk, control and governance systems, and the associated assurance processes. This is achieved by providing an independent perspective and through a process of constructive challenge. The Chairperson or nominated Committee member reports on the activities of the Audit and Risk Management Committee at Commission meetings. Minutes of Audit and Risk Management Committee meetings are circulated to all Commissioners.

Risk management

The Commission is committed to ensuring a high standard of corporate governance. We have identified our risk appetite as well as defining strategy and determining resource allocation to ensure the delivery of the Commission objectives. The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk. The Audit and Risk Committee oversee this work under an independent Chair.

All Commissioners have received training in the role and responsibilities of National Human Rights Institution Commissioners and as board members of non-Departmental public bodies as well as induction and refresher training in the work of the Commission. The Audit and Risk Management Committee reviews its effectiveness by assessing its operation and constitution against good practice guidelines issued by the National Audit Office. It also benchmarks itself against practice in sister organisations, through discussion between the Chair of the Audit and Risk Management Committee and his counterparts. The Audit and Risk Management committee reports at least annually to the full Commission board and their papers are available to all Commissioners.

Overall responsibility for ensuring that risks are identified and an appropriate framework is in place to manage those risks down to an acceptable level rests with the Commission's Accounting Officer. Individual staff members can be nominated as 'risk owners' with responsibility delegated from the Accounting Officer. The risk register is reviewed monthly by the management team who are also responsible for reviewing

the Business Continuity Plan.

The Commission's risk register is presented to the Commission bi-monthly and to each Audit and Risk Management Committee meeting for scrutiny and discussion. The Commission uses a bespoke software package for the recording of any risks, and identifies the likelihood of occurrence and the impact of the risk. Any controls that are put in place to mitigate the risk are recorded and, if necessary, any remedial action. Changes to the assessment and evaluation of risk are noted by the Audit and Risk Management Committee and the full Commission.

The risk register was updated in 2019-20 in relation to financial risk and failure to meet accounting performance and additional risks relating to Brexit and Coronavirus were added.

As it is proposed that the Commission will be mandated as a 'dedicated mechanism', alongside the Equality Commission for Northern Ireland and the Irish Human Rights and Equality Commission, it was agreed to update the Commission's risk register to include this as an additional risk as it carries reputational risk to the organisation as well as resource implications. The risk will continue to be monitored throughout 2020-21 and updated as required.

There was one complaint to the Parliamentary Ombudsman in 2019-20, which was not upheld (2018-19: None).

Personal data related incidents

We are committed to safeguarding all retained personal data and follow the General Data Protection Regulation (GDPR) as it applies in the UK, tailored by the Data Protection Act 2018. A Commissioner has been appointed as the Data Protection Officer and a member of staff provides support in the role of the Data Protection Practitioner.

Risks in this area are recorded in the Commission's risk register and the Audit and Risk Management Committee receives regular reports on activities to minimise the likelihood of the occurrence of these and other risks.

The Commission participated in NIO led information security sessions and complied with all recommendations and requirements arising.

There were no personal data related incidents formally reported to the Information Commissioner's Office in 2019-20 (2018-19: None).

Register of Interests

The Register of Interests and Related Party Declarations for the Chief Commissioner, Commissioners, Chief Executive and senior management can be found on the Commission's website at www.nihrc.org

Auditors

The financial statements are audited by the Comptroller and Auditor General. The audit fee for this year is £15,500 (2018-19: £15,000).

The Commission's internal audit is provided independently by Grant Thornton.

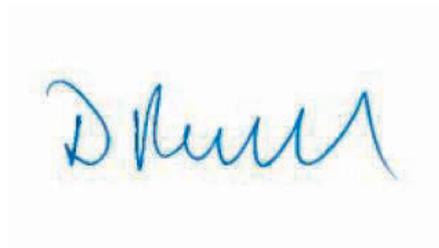
Creditor payment, policy and performance

Monthly statistics submitted to the Northern Ireland Office highlight that the Commission has paid 100 per cent of all undisputed invoices within five working days against the Government target of paying 80 per cent of such invoices within this time period (2018-19: 99.7 per cent).

Days lost due to absence

The Commission encourages a culture where good attendance is expected and valued. However, we recognise that from time to time absences for medical reasons may be unavoidable. We aim to treat staff who are ill with sympathy and fairness and where possible provide them with support, which will enable them to recover their health and attend work regularly.

Staff absence arising as a result of illness, including injuries, disability or other health problems, was approximately 14.7 days per employee in 2019-20 (2018-19: 11.6 days). The marked increase in sickness absence is due to long-term sick absence of one member of staff.



Dr David Russell
Accounting Officer

Date: 9 July 2020

Statement of Accounting Officer's Responsibilities

Under Section 7(2)(a) of Schedule 7 to the Northern Ireland Act 1998, the Secretary of State for Northern Ireland (with the consent of HM Treasury) has directed the Northern Ireland Human Rights Commission to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the Northern Ireland Human Rights Commission's state of affairs at the year-end and of its income and expenditure, changes in Taxpayers' Equity, and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the HM Treasury's *Financial Reporting Manual* and, in particular, to:

- confirm that the annual report and accounts as a whole are fair, balanced and understandable and that he takes personal responsibility for the annual report and accounts and the judgements required for determining that they are fair, balanced and understandable;
- observe the Accounts Direction issued by the Secretary of State for Northern Ireland, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the HM Treasury's *Financial Reporting Manual* have been followed, and disclose and explain any material departures in the financial statements, and;
- prepare the financial statements on a going concern basis.

The Accounting Officer of the Northern Ireland Office has designated the Chief Executive as Accounting Officer of the Northern Ireland Human Rights Commission. The Accounting Officer is responsible for ensuring that, as far as he is aware, there is no relevant audit information of which the entity's auditors are unaware. The Accounting Officer is required to take all steps to ensure he is aware of any relevant audit information and to establish that the entity's auditors are aware of that information.

The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Northern Ireland Human Rights Commission's assets, are set out in *Managing Public Money*, published by HM Treasury.

Disclosure of audit information

As Accounting Officer, I confirm that I have taken all steps to ensure that I am aware of any relevant audit information and to ensure the Commission's auditors are aware of that information. As far as I am aware, there is no relevant information of which the Commission's auditors are unaware. The auditor has not received any remuneration for non-audit work.

As Accounting Officer, I confirm that the annual report as a whole is fair, balanced and understandable and that I take personal responsibility for the annual report and accounts and the judgments required for determining that it is fair, balanced and understandable.

Governance Statement

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Northern Ireland Human Rights Commission's policies, aims and objectives, as set by Commissioners, and approved by the Secretary of State for Northern Ireland, whilst safeguarding the public funds and the Commission's assets for which I am personally responsible, in accordance with the responsibilities assigned to me in *Managing Public Money*. Our focus is upon outcomes and robust governance procedures, which are designed to ensure that risk and opportunity are clearly identified and responded to. The Commission complies materially with the guidance provided in HM Treasury's corporate governance code for central government departments (April 2017).

As a non-departmental public body (NDPB), sponsored by the Northern Ireland Office, responsible to Parliament through the Secretary of State for Northern Ireland the governance framework of the organisation includes a Financial Statement and Management Agreement, which was reviewed and formalised in September 2018. The Commissioners also operate in accordance with Standing Orders and guidance on corporate governance as well as agreed principles of public service in the Nolan Principles. The Chief Commissioner and Commissioners have corporate responsibility for promoting the efficient and effective use of staff and other resources by the Commission, demonstrating high standards of corporate governance at all times. This role includes ensuring that they receive and review regular financial information concerning the management of the Commission, are informed in a timely manner about any concerns about the activities of the Commission, and provide assurance to the sponsoring Department that appropriate action has been taken on such concerns.

Discussions on financial matters and risk are normally held with officials at the NIO, rather than directly with Ministers. The NIO has, in ongoing formal meetings confirmed the Commission's fulfilment of assurances. The Chief Commissioner and Commissioners have access to the Secretary of State on request.

Governance Framework

As Accounting Officer, I function with the support of the Audit and Risk Management Committee and the Senior Management Team.

Commissioners' Meetings

The Commission met 11 times during the reporting period.

The following served as Commissioners from 1 April 2019 - 31 March 2020

	Meetings attended
Les Allamby	11/11
Helen Ferguson	11/11
Helena Macormac	10/11
Paul Mageean	10/11
John McCallister	11/11
Eddie Rooney	11/11
Graham Shields OBE	11/11

Audit and Risk Management Committee Meetings

The Audit and Risk Management Committee met four times during the reporting period.

	Meetings attended
Joe McKnight	4/4
Helen Ferguson	4/4
Eddie Rooney	4/4
Graham Shields OBE	4/4

The Audit and Risk Management Committee comprises an independent Chairperson, who has extensive financial management experience at a senior level in the private sector, who was appointed following an open recruitment competition, and up to three Commissioners with a range of experience in corporate governance. Both the Commission's internal and external auditors also attend Audit and Risk Management Committee meetings, as well as a representative of the Northern Ireland Office.

As outlined, a Commissioner from the Audit and Risk Management Committee provides an update on the meetings to the Commission meeting and the Committee reports annually to the Commission. Furthermore, the Chairperson has direct access to the Chief Executive and Chief Commissioner as appropriate.

The Audit and Risk Management Committee reviews its effectiveness by assessing its operation and constitution using the National Audit Office's Audit and Risk Assurance Committee Effectiveness Checklist, which condenses the good practice principles of *HM Treasury's Audit and Risk Assurance Committee Handbook*. The Committee noted that it was performing effectively against the core elements of the principles and concluded that on an ongoing basis the Committee should consider utilisation of external specialist resource where appropriate.

The Chair meets annually with the Chair of the Northern Ireland Office's Audit and Risk Management Committee. This is an opportunity to receive feedback from the Northern Ireland Office as well as discuss any risks facing the Commission and the controls in place to help mitigate those risks.

The Audit and Risk Management Committee report as required and at least annually to the full Commission board through the Independent Chair of the Committee. Audit and Risk Management Committee papers are available to all Commissioners. The Commission works through a monthly Commission meeting, though there is provision for additional meetings if required. It has no separate standing Committees other than that of Audit and Risk Management. The Commission is also represented by Commissioners and staff on the joint Independent Monitoring Committee for the UN Convention on the Rights of People with Disabilities in Northern Ireland with the Equality Commission.

During this year, the Commission Board has met eleven times and the Chair of the Audit and Risk Management Committee presented his annual report to the Commission meeting in August 2019. Members of the Committee also provided updates throughout the year.

With a reliance on robust recruitment processes and performance appraisals, the Commission satisfies itself as to the quality of professional advice provided to it.

Commission's Performance

Throughout 2019-20, the Commission effectively discharged its statutory functions and duties. In line with best practice, the operational procedures of the Commission and the quality of data used by the Commission is kept under continuous review to ensure that the Commission is content that it is provided with all requisite information to enable it to make informed decisions.

The Commission's Strategic Plan for 2019-2022 was published in April 2019 and can be found on the Commission's website at <http://www.nihrc.org/publication/detail/northern-ireland-human-rights-commission-strategic-plan-2019-22>

Risk management and control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Commission's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should

they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place in the Commission for the year ended 31 March 2020 and up to the date of approval of the annual report and accounts, and accords with Treasury guidance.

The Commission's risk management framework, involves Commissioners and staff in reviewing and assessing risk on a regular basis, so that risk is an integral part of the ongoing planning and monitoring processes of the Commission.

The Chairperson of the Commission's Audit and Risk Management Committee, who is independent of the Commission, also provides an additional source of expertise for management and Commissioners to consult on specific issues as they arise.

The Commission has a continuous, proactive and systematic approach to understand, manage and communicate risk across the organisation. The risk management framework is comprehensive and involves Commissioners, managers and staff as follows:

- overall responsibility for ensuring that risks are identified and an appropriate framework is in place to manage those risks down to an acceptable level rests with the Commission's Accounting Officer
- individual members of staff can be nominated as 'risk owners' delegated with responsibility from the Chief Executive for monitoring and reporting on specific risks within their area of work
- the risk register, and the effectiveness of activities to manage identified risks, is reviewed by the Management Team
- the Audit and Risk Management Committee, which ordinarily meets quarterly, reviews the risk register and reports to the Commission, through the Chief Executive, on the effectiveness of activities to manage identified risks following each meeting
- the Commission reviews the risk register and the effectiveness of the risk management framework
- the external environment is assessed for any opportunistic new risks as part of the annual business planning process and in addition for the new strategic plan
- information risk is managed by the Commission within the context of the risk management framework. The Commission seeks to manage down the likelihood of the risk materialising through an Information Assurance Policy and Information and Communications Technology (ICT) policies and procedures, supported by training for staff on these.

The Commission has liaised closely with the NIO network to ensure compliance. Commissioners and staff also complete annual information assurance e-learning courses.

During the course of 2019-20, the main risks were financial and reputational risks, including failure to operate within budget given the reductions in grant-in-aid and the subsequent impact on staffing and operating costs.

- The Commission provides approximately 40-50 pieces of advice per year to government and the Northern Ireland Assembly and has indicated to the Northern Ireland Office the increasing inability to fulfil this duty.
- The Commission is also required, under the Good Friday Agreement to operate a Joint Committee on issues affecting the island of Ireland with the Irish Human Rights and Equality Commission. Additional resources to support this function are due to end in 2020, which will affect the Commission's ability to fulfil this function.
- The Commission had no budget or staff during 2019-20 to support its investigations function and for the second year in a row was therefore unable to exercise its investigatory powers.
- The Commission's legal advice service and ability to support strategic litigation was increasingly compromised during the year. The impact of budgetary pressures led to a situation in which the Commission was left with no suitably qualified legal staff. By the end of 2019-20, the Commission faced having to make the decision to suspend its legal function.

The Commission updated its risk register in March 2020 in response to the Covid-19 pandemic and initiated its business continuity plan to ensure operations continued.

As the Commission has been identified as the dedicated mechanism under Article 2 (1) of the withdrawal agreement this risk was updated in the risk register in 2019-20. The risk has been managed and the Commission continues to liaise with its sponsor department. No significant control issues have materialised.

In addition to the mechanisms outlined above, as Accounting Officer, I have responsibility for ensuring the effectiveness of the system of internal control. Reviewing the effectiveness of the system of internal control is informed by the work of the internal auditors and comments made by the external auditors in their management letter and other reports. I have been advised on the effectiveness of the system of internal control by the Commission (the Board), the Audit and Risk Management Committee and

a plan to address identified weaknesses and ensure continuous improvement of the system is in place.

Review of effectiveness

The Audit and Risk Management Committee reviews the effectiveness of the Commission's internal control mechanisms, including receiving and approving internal audit plans and reports, approving the Commission's Financial Procedures Manual and any significant changes to it. The Committee also oversees the risk management framework and reporting to the Commission on the effectiveness of activities to manage the occurrence or impact of identified risks. The Committee furthermore reviews all international travel undertaken by Commissioners and staff, expenses claims submitted by the Chief Commissioner and the Chief Executive, and purchases over £1,000, with a particular focus on any contracts let by single tender action. As an additional reputational safeguard, the Chair of the Committee discharges the role of Authorising Officer for the Chief Commissioner's travel and expenses claims.

Commissioners and senior management completed fraud awareness e-learning during 2019-20.

The Committee contributed an audit, risk management and value perspective to the development of the Commission's strategic and business plans, and of its policies across a range of issues including managing difficult members of the public.

Internal Auditors

The Commission's Internal Auditors are Grant Thornton. The services provided by Grant Thornton operate to standards defined by the Public Sector Internal Audit Standards.

Internal Audit's work plan is informed by an analysis of the risk to which the Commission is exposed.

An Annual Audit Plan for 2019-20 (to cover the period until the end of December 2020) was presented to the Audit and Risk Management Committee meeting in March 2020 for approval.

The internal audits in-year focused on the following areas:

- Organisational Benchmarking
- Review of Data Protection (GDPR)

Internal audit findings are presented to the Audit and Risk Management Committee and copies of all final reports are provided to me, in my role as Accounting Officer. In addition, Internal Audit provided an Annual Assurance Report to the Audit and Risk Management Committee,

confirming that the Commission's systems in relation to risk management, control and governance were adequate and operated effectively, thereby providing an overall satisfactory assurance.

Commissioners continue to receive monthly reports on financial performance and audit activity, and regular updates on the risk register.

External Auditors

Representatives from the National Audit Office (NAO) and Ernst Young (EY), who were appointed by the NAO to conduct the external audit on their behalf, attended all of the Committee's meetings. During this reporting period, the Committee had a positive engagement with auditors in respect of the completion report for the 2018-19 accounts and the preparation of the 2019-20 accounts.

The Committee has continued to work closely with the external auditors in this reporting period and will continue to do.

Corporate Governance

The Commission conducts its affairs in accordance with a Code of Governance prepared in line with the Cabinet Office 'Code of Best Practice for Board Members of Public Bodies'. It also reflects the principles set out in the Corporate Governance in central government departments: Code of Good Practice; the outcome of internal governance reviews; good governance principles developed by the Independent Commission on Good Governance and current best practice principles in corporate governance.

The Commission has a comprehensive Framework document with the NIO which sets down its value and principles and lines of accountability.

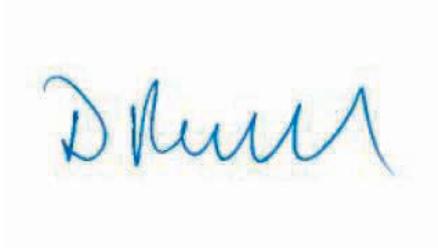
Stewardship Statements are completed bi-annually and submitted to the NIO. The purpose of the statements is to provide assurance that the Commission maintains a sound system of internal control within its business area to support the achievement of the NIO's policies and objectives, whilst safeguarding public funds and assets. These statements also inform the content of this Governance Statement.

Personal data related incidents

No personal data related incidents were reportable to the Information Commissioner's Office in 2019-20 (2018-19: None).

Significant internal control weaknesses

There were no significant weaknesses in the Commission's systems of internal controls in 2019-20 that affected the achievement of the Commission's key policies, aims and objectives.

A handwritten signature in blue ink, appearing to read "Dr Russell", is centered in the upper portion of the page.

Dr David Russell
Accounting Officer

Date: 9 July 2020

Remuneration and Staff Report

Remuneration policy

The remuneration of the Chief Commissioner and Commissioners is determined by the Secretary of State for Northern Ireland.

The Chief Commissioner and Chief Executive's posts are graded within the Senior Civil Service (SCS). Pay and performance management arrangements for this post are in line with guidance issued by the Cabinet Office: *Guidance for Approval of Senior Pay* (applicable from January 2018). Increases in the Chief Commissioner and Chief Executive's pay are in line with the parameters of the Senior Salaries Review Board.

The remuneration of Commission staff aligns with those of the Northern Ireland Civil Service, in common with its sister organisations. These pay arrangements continue to be performance-related. Performance is appraised by line managers in respect of achievement of agreed objectives.

The Chairperson of the Commission's Audit and Risk Management Committee was appointed through open competition. The Chairperson is remunerated at a rate of £350 per meeting (the Committee usually meets four times per year) and £350 per day (pro rata) for other work undertaken on behalf of, and at the request of, the Commission.

The other members of the Audit and Risk Management Committee are Commissioners Helen Ferguson, Eddie Rooney and Graham Shields. They do not receive any additional remuneration for attendance at Committee meetings.

Contracts of employment

The Chief Commissioner and Commission members are appointed for a period of five years and three years respectively by the Secretary of State for Northern Ireland. Appointments comply with the principles of the Code of Practice of the Office of the Commissioner on Public Appointments (OCPA) (www.ocpa.gov.uk) and in line with the Cabinet Code of Practice of Corporate Governance in central government departments.

The Secretary of State may extend the appointment of the Chief Commissioner for a further term or terms. Such extensions may not exceed a maximum term in office of ten years. The Secretary of State will normally give three months' notice if an appointment is terminated.

Staff appointments are made in accordance with the Commission's recruitment and selection policy, which requires appointments to be made strictly on merit and through fair and open competition. Early termination, other than for misconduct, would normally result in the

individual receiving compensation as set out in the Civil Service Compensation Scheme.

The Commission's age retirement policy enables members of staff who have reached the age at which they are entitled to draw their Commission pension (which for most staff is their sixtieth birthday) to choose the age at which they will retire.

Remuneration (including salary) and pension entitlements (audited information)

The following section provides details of the remuneration and pension interests of the Commissioners and the Commission's Management Team.

Single total figure of remuneration (audited information)								
	Salary (£'000)		Benefits in kind (to nearest £100)		Pension benefits (to nearest £1,000) ¹		Total (£'000)	
	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19	2019-20	2018-19
Mr Les Allamby Chief Commissioner	70-75	70-75	-	-	29,000	28,000	100-105	100-105
Ms Helen Ferguson Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Ms Helena Macormac Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Mr Paul Mageean Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Mr John McCallister Commissioner	5-10	5-10	400	400	-	-	5-10	5-10
Mr Eddie Rooney Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Mr Graham Shields OBE Commissioner	5-10	5-10	400	500	-	-	5-10	5-10
Mr Joseph McKnight Chair of the Audit and Risk Management Committee	0-5 ²	0-5 ²	-	-	-	-	0-5 ²	0-5 ²
Dr David Russell Chief Executive	70-75	65-70	-	-	34,000	25,000	105-110	90-95

¹ The value of pension benefits accrued during the year is calculated as (the real increase in pension multiplied by 20) less (the contributions made by the individual). The real increase excludes increases due to inflation or any increase or decreases due to a transfer of pension rights.

² Charges a fee, which is processed through the Commission's payroll.

Mr Colin Caughey Director <i>Career Break from 10 September 2019</i>	25-30 ³	45-50	-	-	11,000 ³	20,000	40-45 ³	65-70
Mrs Lorraine Hamill Director	50-55	45-50	-	-	26,000	17,000	75-80	65-70
Ms Claire Martin Director	50-55	45-50	-	-	22,000	17,000	70-75	65-70
Ms Rhyannon Blythe Director <i>From 1 November 2019 (maternity leave from 4 November 2019)</i>	20-25 ⁴	-	-	-	8,000 ⁴	-	30-35 ⁴	-
Dr Hannah Russell Director <i>(From 4 November 2019)</i>	20-25 ⁵	-	-	-	8,000 ⁵	-	30-35 ⁵	-

No performance related pay or bonus payments have been made in 2019-20 (2018-19: £nil).

Fair Pay Disclosure – (audited information)

	2019-20	2018-19
	£'000	£'000
Band of highest paid employee's total remuneration	70-75	70-75
Median Total Remuneration	30.5	30.1
Median Ratio	2.38	2.4

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce.

The calculations exclude the remuneration to the part-time Commissioners as their employment terms and conditions, including rates of remuneration are determined by the United Kingdom Government and the Independent Reporting Commission is unable to influence those rates. Details of their remuneration are provided above.

The banded remuneration of the highest-paid director in the organisation in the financial year 2019-20 was £70,000-£75,000 (2018-19: £70,000-

³ The figure quoted is for the period 1 April 2019 to 10 September 2019. The full year equivalent is £45-50k.

⁴ The figure quoted is for the period 1 November 2019 to 31 March 2020 – date of joining the management team. The full year equivalent is £45-50k.

⁵ The figure quoted is for the period 4 November 2019 to 31 March 2020 – date of joining the management team. The full year equivalent is £45-£50k.

£75,000). This was 2.38 times (2018-19: 2.4) the median remuneration of the workforce, which was £30,526 (2018-19: £30,149).

Remuneration ranged from £21,642-£73,470 (2018-19: £20,692-£71,107).

Total remuneration includes salary, non-consolidated performance-related pay and benefits in kind. It does not include employer pension contributions and the cash equivalent transfer value of pensions.

There was no severance pay in 2019-20 (2018-19: £nil)

Salary

'Salary' includes gross salary, overtime; and any other allowance subject to UK taxation. No performance related pay or bonus payments were made in year (2018-19: £nil). This report is based on accrued payments made by the Commission and thus recorded in these accounts.

Benefits in kind

The monetary value of benefits in kind covers any benefits provided by the employer and treated by HM Revenue and Customs as a taxable emolument (salary). Mileage Allowance Payments for Commissioners are classed as a benefit in kind and relate to the use of their own vehicles for travel to the Commission's office for meetings.

Benefits in kind paid during the 2019-20 financial year were £739 (2018-19: £972).

There were no non-cash benefits made during the 2019-20 financial year (2018-19: None)

Pension benefits (audited information)

Commissioners

The Chief Commissioner is eligible to join the Principal Civil Service Pension Scheme and the Commission paid employer pension contributions of £20,499. An additional amount of £553 has been accrued for pension contributions due to back pay payable from 1 August 2019 (2018-19: £16,063).

No further pension contributions were made for Commissioners in the year ended 31 March 2020 (2018-19: £nil).

Chairperson of the Audit and Risk Management Committee

No pension contributions were made for the Chairperson of the Audit and

Risk Management Committee in the year ended 31 March 2020 (2018-19: £nil).

Management Team

	Accrued pension at pension age as at 31/3/20	Real increase in pension and related lump sum at pension age	CETV at 31/3/20	CETV at 31/3/19	Real increase in CETV	Employer contribution to partnership pension account
	£'000	£'000	£'000	£'000	£'000	Nearest £100
Les Allamby Chief Commissioner	5-10	0-2.5	153	120	23	-
David Russell Chief Executive	20-25	0-2.5	246	216	15	-
Colin Caughey Director	5-10	0-2.5	62	56	4	-
Lorraine Hamill Director	10-15	0-2.5	181	156	16	-
Claire Martin Director	10-15	0-2.5	134	117	9	-
Rhyannon Blythe Director	5-10	0-2.5	55	51	3	-
Hannah Russell Director	0-5	0-2.5	27	23	3	-

The pension information for the senior management team follows guidance in the Employer Pension Notice EPN597 issued by the Civil Service Pensions.

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015, a new pension scheme for civil servants was introduced – the Civil Servants and Others Pension Scheme or alpha, which provides benefits on a career average basis with a normal pension age equal to the member’s State Pension Age (or 65 if higher). From that date, all newly appointed employees and the majority of those already in service joined alpha. Prior to that date, employees participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: three providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65.

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 moved to alpha from 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. The pension figures quoted show pension earned in PCSPS or alpha. (The pension figures quoted show pension earned in PCSPC or alpha – as appropriate. Where the employee has benefits in both the PCSPS and alpha, the figure quoted is the combined value of their benefits in the two schemes.) Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

Employee contributions are salary-related and range between 4.6 per cent and 8.05 per cent for members of classic, premium, classic plus, nuvos and alpha. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. Classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos, a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March) the member's earned pension account is credited with 2.3 per cent of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32 per cent. In all cases, members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8 per cent and 14.75 per cent (depending on the age of the member) into a stakeholder pension product chosen by the employee from the appointed provider – Legal and General. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3 per cent of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5 per cent of

pensionable salary to cover the cost of centrally-provided risk benefit cover (death in service and ill health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted show pension earned in PCSPS or alpha - as appropriate. Where there are benefits in both the PCSPS and alpha the figure quoted is the combined value of the benefits in the two schemes, but note that part of that pension may be payable from different ages.)

Further details about the Civil Service pension arrangements can be found at the website: <http://www.civilservicepensionscheme.org.uk/>.

Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement, which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Staff Report

Staff numbers and related costs (audited information)

	2019-20 total	Commissioners	Permanently Employed	Others	2018-19 total
	£	£	£	£	£
Wages and salaries	644,832	120,453	383,964	140,415	611,254
Social security costs	61,530	9,186	42,722	9,622	59,932
Other pension costs	157,976	21,052	108,625	28,299	119,783
Total Staff Costs	864,338	150,691	535,311	178,336	790,969

There were no inward seconded staff during 2019-20 (2018-19: None).

Staff detailed as 'Others' includes temporary staff directly employed by the Commission, temporary agency staff and the Chair of the Commission's Audit and Risk Management Committee.

Details of the pension contributions of £21,052 payable in respect of Commissioners (2018-19: £16,063) are described in the Remuneration Report.

The Commission's staff are covered by the Principal Civil Service Pension Scheme (PCSPS) and the Civil Servant and Other Pension Scheme (CSOPS) – known as 'alpha'. PCSPS and CSOPS are unfunded multi-employer defined benefit schemes but the Commission is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2016. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservicepensionscheme.org.uk/about-us/resource-accounts/).

For 2019-20, employers' contributions of £157,976 (which includes an accrual of £2,963 as a result of a back pay award and £1,816 for the costs of untaken leave) were payable to PCSPS (2018-19: £119,783) at one of four rates in the range 20 per cent to 24.5 per cent of pensionable pay, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2019-20 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. There were no employers' contributions made to one or more of the panel of three appointed stakeholder pension providers (2018-19: £Nil). Employer contributions are age-related and ranged from 8 per cent to 14.75 per cent (depending on the age of the member). Employers also match employee contributions up to 3 per cent of pensionable pay. There were no additional employer contributions at 0.5 per cent of pensionable salary to

cover the cost of centrally-provided risk benefit cover (death in service and ill-health retirement) (2018-19: £Nil).

The expected employer pension contributions to the Principal Civil Service Pension Scheme for 2020-21 is estimated at £188,886.

There were no staff who retired early on ill-health grounds during 2019-20 (2018-19: None).

Number of Senior Civil Service Staff

Grade of Senior Civil Servant	2019-20 Number of Staff	2018-19 Number of Staff
5	2	2

Average number of persons employed (audited information)

The average number of whole-time equivalent persons employed during the year was as follows:

	2019-20 total	Commissioners	Permanently Employed	Others	2018-19 Total
Directly employed	20	7	9	4 ⁶	21
Other	1	0	0	1 ⁷	1
Total	21	7	9	5	22

The Commissioners are expected to devote approximately three days per month to Commission business over the course of a year.

⁶ Refers to temporary staff who receive a pension

⁷ Refers to the Chair of the Audit and Risk Management Committee who is not a member of staff and does not receive a pension

Staff composition

	2019-20			2018-19		
	Total average number of Persons Engaged	Average number of Female Persons Engaged	Average number of Male Persons Engaged	Total average number of Persons engaged	Average number of Female Persons Engaged	Average number of Male Persons Engaged
Commissioners	7	2	5	7	2	5
Permanently Employed	9	7	2	10	8	2
Others	5	3	2	5	2	3
Total	21	12	9	22	12	10

Managing Attendance

Staff absence arising as a result of illness, including injuries, disability or other health problems, was approximately 14.7 days per employee in 2019-20 (2018-19: 11.6 days). The marked increase in sickness absence is due to long-term sick absence of one member of staff.

Disabled Employees

The Commission aims to ensure that there is no discrimination on the grounds of disability and that access to employment and career advancement in the Commission is based solely on ability, qualifications and suitability for the post. All disabled applicants who meet the essential criteria for posts advertised at the Commission are guaranteed an interview. The Commission complies with all existing legislation in regard to its disabled employees.

Equal Opportunities

The Commission is committed to equality of opportunity and promoting good relations in accordance with our Equality Scheme, prepared in compliance with Section 75 of the Northern Ireland Act 1998. We strive to promote equality of opportunity and good relations within the organisation as well as in our activities. The Commission complies fully with its statutory obligations and we liaise closely with the Equality Commission for Northern Ireland to ensure we work together effectively.

Employee Consultation

The Commission recognises the benefits of keeping employees informed of the progress of the business and of involving them in the Commission’s performance. During the year, employees were regularly provided with information regarding the financial and economic factors affecting the performance of the Commission and on other matters of concern to them, as employees, through regular staff meetings. Meetings were also held

with employees on the drafting of the Commission's business plan objectives for 2020-21.

Health and Safety

We recognise and accept our legal responsibilities in relation to the health, safety and welfare of our employees and for all people using our premises. In line with this commitment, the Commission has complied with the relevant legislation.

Expenditure on Consultancy

There was no expenditure on consultancy in 2019-20 (2018-19: £nil).

Off-payroll engagements

There were no off-payroll engagements in 2019-20 (2018-19: £nil)

Reporting of Civil Service and other compensation schemes – exit packages (audited information)

There were no exit packages in 2019-20 (2018-19: £nil).



Dr David Russell
Accounting Officer

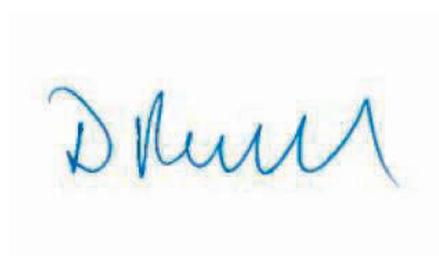
Date: 9 July 2020

Parliamentary Accountability and Audit Report

- 1.1 The accounts of the Northern Ireland Human Rights Commission are audited by the Comptroller and Auditor General under the Northern Ireland Act 1998. The audit fee charged was £15,500 (£15,000 in 2018-19). The auditors received no fees for non-audit services (2018-19: £nil). The auditors have been provided with all relevant audit information necessary to complete their audit and the Accounting Officer has taken all the necessary steps to ensure that the auditors are aware of any relevant information.
- 1.2 All expenditure was applied to the purpose intended by Parliament (audited).
- 1.3 No fees or charges were paid by the Northern Ireland Human Rights Commission (audited).
- 1.4 The Northern Ireland Human Rights Commission has no remote contingent liabilities (audited).
- 1.5 The Commission had no losses or special payments (audited).
- 1.6 The Northern Ireland Human Rights Commission's total expenditure in 2019-20 was £1,281,909. The net expenditure for prior years was as follows:

Expenditure and income

	2019-20 £000	2018-19 £000	2017-18 £000	2016-17 £000
Expenditure	1,282	1,135	1,210	1,220
Income	<u>(36)</u>	<u>(34)</u>	<u>(33)</u>	<u>(113)</u>
Net Expenditure	1,246	1,101	1,177	1,107



Dr David Russell
Accounting Officer

Date: 9 July 2020

The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament

Opinion on financial statements

I certify that I have audited the financial statements of the Northern Ireland Human Rights Commission for the year ended 31 March 2020 under the Northern Ireland Act 1998. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including the significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Accountability Report that is described in that report as having been audited.

In my opinion:

- the financial statements give a true and fair view of the state of the Northern Ireland Human Rights Commission's affairs as at 31 March 2020 and of net operating expenditure for the year then ended; and
- the financial statements have been properly prepared in accordance with the Northern Ireland Act 1998 and Secretary of State directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects the income and expenditure recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

I conducted my audit in accordance with International Standards on Auditing (ISAs) (UK) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my certificate. Those standards require me and my staff to comply with the Financial Reporting Council's Revised Ethical Standard 2016. I am independent of the Northern Ireland Human Rights Commission in accordance with the ethical requirements that are relevant to my audit and the financial statements in the UK. My staff and I have fulfilled our other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

- the Northern Ireland Human Rights Commission's use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Northern Ireland Human Rights Commission have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the Northern Ireland Human Rights Commission's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

Responsibilities of the Commission and Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Commission and the Accounting Officer are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Northern Ireland Act 1998.

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs (UK), I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Northern Ireland Human Rights Commission's internal control.
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- conclude on the appropriateness of the Northern Ireland Human Rights Commission's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Northern Ireland Human Rights Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the unrelated disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Northern Ireland Human Rights Commission to cease to continue as a going concern.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

In addition, I am required to obtain evidence sufficient to give reasonable assurance that the income and expenditure reported in the financial statements have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

Other Information

The Commission and the Accounting Officer are responsible for the other information. The other information comprises information included in the annual report, but does not include the parts of the Accountability Report described in that report as having been audited, the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon. In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with Secretary of State directions made under the Northern Ireland Act 1998;

- in the light of the knowledge and understanding of the Northern Ireland Human Rights Commission and its environment obtained in the course of the audit, I have not identified any material misstatements in the Performance Report or the Accountability Report; and
- the information given in Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept or returns adequate for my audit have not been received from branches not visited by my staff; or
- the financial statements and the parts of the Accountability Report to be audited are not in agreement with the accounting records and returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Gareth Davies
Comptroller and Auditor General

Date 10 July 2020

National Audit Office
157-197 Buckingham Palace Road
Victoria
London, SW1W 9SP

Financial Statements for the Year Ended 31 March 2020

Statement of Comprehensive Net Expenditure for the Year Ended 31 March 2020

	Notes	2019-20 £	2018-19 £
Expenditure			
Staff costs	3	864,338	790,969
Other operating costs	4	402,967	313,592
Depreciation, amortisation and impairment	4	14,604	29,210
Loss on disposal of intangible asset	4	-	1,880
Total operating expenditure		<u>1,281,909</u>	<u>1,135,651</u>
Income			
Other income	5	(35,504)	(34,279)
Total operating income		<u>(35,504)</u>	<u>(34,279)</u>
Net operating expenditure for the year ended 31 March		<u>1,246,405</u>	<u>1,101,372</u>
Other comprehensive net expenditure			
Net (gain)/loss on revaluation of property, plant and Equipment	6	<u>(30)</u>	<u>23</u>
Comprehensive net expenditure for the year		<u>1,246,375</u>	<u>1,101,395</u>

All amounts above relate to continuing activities.

The notes on pages 56 to 69 form part of the financial statements.

Statement of Financial Position as at 31 March 2020

		31 March 2020		31 March 2019	
	Notes	£	£	£	£
Non-current assets:					
Property, plant and equipment	6		53,797		12,579
Intangible assets	7		<u>15,229</u>		<u>22,005</u>
Total non-current assets			69,026		34,584
Current assets:					
Trade and other receivables	9	27,762		23,473	
Cash and cash equivalents	10	<u>611,905</u>		<u>320,523</u>	
Total current assets			639,667		343,996
Total assets			<u>708,693</u>		<u>378,580</u>
Current liabilities:					
Trade and other payables	11		194,775		135,350
Provisions - legal	12		-		-
Total current liabilities			<u>194,775</u>		<u>135,350</u>
Total assets less current liabilities			<u>513,918</u>		<u>243,230</u>
Assets less total liabilities			<u>513,918</u>		<u>243,230</u>
Taxpayers' equity					
General and Revaluation Reserves			513,918		243,230
			<u>513,918</u>		<u>243,230</u>

The notes on pages 56 to 69 form part of the financial statements.

The financial statements on pages 52 to 69 were approved by the Commission on 29 June 2020:



Dr David Russell
Accounting Officer

Date: 9 July 2020

Statement of Cash Flows for the Year Ended 31 March 2020

	Notes	2019-20 £	2018-19 £
Cash flows from operating activities			
Net operating expenditure		(1,246,405)	(1,101,372)
(Increase)/Decrease in trade and other receivables	9	(4,289)	14,102
Increase in trade payables	11	59,425	426
<i>Less movements in payables relating to items not passing through the Net Expenditure Account</i>			
Movements in payables relating to purchase of property, plant and equipment	11	(35,648)	-
Depreciation, amortisation and impairment	4	14,604	29,210
Adjustment for loss on disposal of intangible asset	4	-	1,880
(Decrease) in provisions	12	-	(60,000)
Net cash outflow from operating activities		<u>(1,212,313)</u>	<u>(1,115,754)</u>
Cash flows from investing activities			
Purchase of property, plant and equipment	6	(10,968)	(6,336)
Purchase of intangible assets	7	(2,400)	(2,234)
Net cash outflow from investing activities		<u>(13,368)</u>	<u>(8,570)</u>
Cash inflow from financing activities			
Funding from parent department		1,517,063	1,157,200
Net cash inflow from financing activities		<u>1,517,063</u>	<u>1,157,200</u>
Net increase in cash and cash equivalents in the period	10	<u>291,382</u>	<u>32,876</u>
Cash and cash equivalents at the beginning of the period	10	<u>320,523</u>	<u>287,647</u>
Cash and cash equivalents at the end of the period	10	<u>611,905</u>	<u>320,523</u>

The notes on pages 56 to 69 form part of the financial statements.

Statement of Changes in Taxpayers' Equity for the Year Ended 31 March 2020

	General and Revaluation Reserves £	Total Reserves £
Balance at 31 March 2018	187,425	187,425
Comprehensive net expenditure for the year	(1,101,372)	(1,101,372)
Net (loss) on revaluation of property	(23)	(23)
Grant-in-aid from NIO	1,157,200	1,157,200
Balance at 31 March 2019	243,230	243,230
Changes in taxpayers' equity for 2019-20		
Comprehensive net expenditure for the year	(1,246,405)	(1,246,405)
Net gain on revaluation of property	30	30
Grant-in-aid from NIO	1,517,063	1,517,063
Balance at 31 March 2020	513,918	513,918

The notes on pages 56 to 69 form part of the financial statements.

Notes to the Financial Statements for the Year Ended 31 March 2020

1. Statement of accounting policies

The financial statements have been prepared in accordance with the Government Financial Reporting Manual (FReM) for 2019-20, issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS), as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Northern Ireland Human Rights Commission for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Northern Ireland Human Rights Commission for the year ending 31 March 2020 are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

1.1 Accounting convention

The financial statements have been prepared in accordance with the historical cost convention, modified to account for the revaluation of property, plant and equipment.

The accounts comply with the accounting standards issued or adopted by the Accounting Standards Board, FReM and accounting and disclosure requirements issued by HM Treasury and are in Sterling.

1.2 Critical accounting estimates and key judgements

The preparation of financial statements in conformity with IFRS requires the use of accounting estimates and assumptions. It also requires the Commission to exercise judgement in the process of applying the accounting policies. We continually evaluate our estimates, assumptions and judgements based on available information and experience. As the use of estimates is inherent in financial reporting, actual results could differ from these estimates. The estimates and assumptions which have the most significant risk of causing a material adjustment to the carrying amounts of assets and liabilities are discussed below.

(i) Depreciation of property, plant, equipment and intangibles

Depreciation is provided in the accounts so as to write-down the respective assets to their residual values over

their expected useful lives and as such the selection of the estimated useful lives and the expected residual values of the assets requires the use of estimates and judgements. Details of the estimated useful lives are as shown in Note 1.7 and Note 1.8.

(ii) Impairment of property, plant and equipment

Where there is an indication that the carrying value of items of property, plant and equipment may have been impaired through events or changes in circumstances, a review will be undertaken of the recoverable amount of that asset.

(iii) Provisions

The Commission provides for legal or constructive obligations, which are of uncertain timing or amount at the reporting date on the basis of the best estimate of the expenditure required to settle the obligation.

1.3 Accounting standards, interpretations and amendments to published standards adopted in the year ended 31 March 2020

The Commission has reviewed the standards, interpretations and amendments to the International Financial Reporting Standards (IFRS) included in the 2019-20 Government Financial Reporting Manual (FReM) and which are relevant to its operations. The Commission considers that the adoption of these standards has not had a significant impact on its results or financial position.

1.4 Accounting standards, interpretations and amendments to published standards not yet effective

The Commission has not adopted any Standards or Interpretations from the IFRS in advance of the required implementation dates. The following standards or interpretations were issued by the International Accounting Standards Board but have not been adopted:

IFRS 16 – Leases replaces IAS 17 Leases and related interpretations and had an effective date of 1 January 2019. The new standard provides a single lessee accounting model, requiring lessees to recognise assets and liabilities for all leases unless the lease term is 12 months or less or the underlying asset has a low value. Lessors continue to classify leases as operating or finance, with IFRS 16's approach to lessor accounting substantially unchanged from its predecessor, IAS 17. The new standard was due to be applied

from 1 April 2019, however, the Financial Reporting Advisory Board took the decision to delay the implementation of IFRS 16 for bodies applying the Government Financial Reporting Manual until 1 April 2021.

The Commission expects IFRS 16 to have a material impact on future accounts, as we bring the new operating lease for Alfred Street, which has a lease term of 10 years, on to the Statement of Financial Position. An estimate of the impact is not known at present as the Commission continues to work with its sponsor department to determine the financial impact and disclosures required before implementation in 2021/22.

IFRS 17 – Insurance contracts supersedes IFRS 4 Insurance contracts and related interpretations. This new standard was due to be applied from 1 January 2021. In March 2020, the IASB deferred the effective date until 1 January 2023.

1.5 Income

At times, the Commission receives income from sources other than the NIO, for specific projects. The Commission will seek to recover any associated costs for the project in line with the contract.

The Commission had recognised income from contracts with a number of organisations including local government, which is recognised when the obligations associated with the contract have been satisfied.

In line with its accounting policy, the Commission has applied the requirements of IFRS 15 to income earned from other sources.

The income of £6,993 received from the Irish Human Rights and Equality Commission in 2019-20 was for the recovery of costs relating to the production and launch of research undertaken on behalf of the Joint Committee.

Income received from the Equality and Human Rights Commission of £20,732 was to facilitate members of the Commonwealth Forum of National Human Rights Institutions (CFNHRI) attending the Commonwealth Games Federation General Assembly in Kigali, Rwanda in September 2019. The Commission entered into a collaboration agreement with the Equality and Human Rights Commission who is Chair of the CFNHRI.

The Commission also received £4,556 from the Institute for Human Rights and Business as contribution towards attendance at the Commonwealth Games Federation General Assembly in Kigali, Rwanda in September 2019. In February 2020, the Commission held a Litigants in Person roundtable follow-up event. The Commission received £3,223 funding from the Department of Justice to host the event, which was attended by legal professionals, others providing legal advice including the statutory and voluntary advice sectors, the Judiciary, court staff and law schools.

Further details of the Commission's application of IFRS 15 are set out in note 5.

1.6 Grant-in-aid

Grant in aid is credited directly to the General Reserve as it is regarded as contributions from a controlling party, which gives rise to a financial interest in the residual interest in the Commission.

1.7 Property, plant and equipment and depreciation

Property plant and equipment comprises leasehold improvements to Temple Court, fixtures and fittings and information technology equipment at fair value.

Items of property, plant and equipment are capitalised if they are intended for use on a continuous basis and their individual original purchase cost is £1,000 or more. Items with an individual cost of less than £1,000 but, when taken together, represent a significant investment will be grouped.

Leasehold improvement expenditure has been capitalised and is restated at current cost using professional valuations. Valuations are carried out annually using indices compiled by the Office for National Statistics, and normally every third year by professional external valuers employed by the Land and Property Services (Valuations) in accordance with the Appraisal and Valuation Manual prepared and published by the Royal Institution of Chartered Surveyors, as at 31 March 2020. The current lease was negotiated in July 2015 and was for a period of five years until 30 June 2020.

Any surplus/loss on revaluation is treated as follows:

- Unrealised surplus arising from revaluation of property, plant and equipment is credited to the Revaluation Reserve unless it reverses a revaluation decrease of the same asset

previously charged to the Statement of Comprehensive Net Expenditure;

- Losses arising from the revaluation of property, plant and equipment are debited to the Revaluation Reserve to the extent that gains were recorded previously, and otherwise to the Statement of Comprehensive Net Expenditure.

All property, plant and equipment are reviewed annually as part of an inventory check against the Commission's asset register.

All other property, plant and equipment is valued on the basis of historical cost less depreciation as an approximation of fair value due to short life or low value of the individual assets.

Depreciation is provided on a straight-line basis at rates calculated to write-off the cost less estimated residual value of each asset over its expected useful life. The estimated useful lives for depreciation purposes are:

Leasehold improvements:	10 years (or the life of the lease, whichever is least)
Computer equipment:	3 years
Fixtures, fittings and equipment:	5 years

1.8 Intangible Assets

Computer software licences with a value of over £1,000 are capitalised as intangible assets and depreciated on a straight-line basis over the life of the licences.

Website development is also capitalised as intangible assets where expenditure of £1,000 or more is incurred and is depreciated on a straight-line basis over five years.

1.9 Operating leases

Rentals payable under operating leases are charged against the Statement of Comprehensive Net Expenditure on a straight-line basis over the lease term. The lease for North Street was renewed on 1 July 2015 and ends on 30 June 2020. The Commission has negotiated a lease for new premises in Alfred Street. This lease commenced on 18 March 2020 for a period of ten years, with a break clause after five years.

1.10 Pensions

Past and present employees are covered by the provisions of

the Principal Civil Service Pension Schemes (PCSPS), which are described in the Remuneration and Staff Report. The defined benefit schemes are unfunded. The Commission recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution schemes, the Commission recognises the contributions payable for the year.

1.11 Value Added Tax

The Commission is ineligible to reclaim input VAT on expenditure. Therefore, all irrecoverable VAT is included in expenditure or included in the capitalised purchase cost of non-current assets.

1.12 Legal casework expenditure

Section 70 of the Northern Ireland Act 1998 enables the Commission to support legal cases in relation to the protection of human rights. Some of these cases can span several years.

In some cases, costs are recoverable from the respondent if the applicant is successful. Given this, while the Commission decides to support cases, contingent on the outcome, payments are not normally made until judgment is passed, and the judge decides on a cost order (i.e. whether the 'losing' side should pay all costs or each side should bear their own costs). Given that a criterion for Commission support is whether a case has a 'reasonable chance of success', it does not expect to incur costs in many cases. However, cases can be lost. In these cases, it is possible that the applicant could be asked to pay the respondent's costs. Where this happens, the Commission may pay these costs on behalf of the applicant. Any such potential liabilities are noted in the financial statements as contingent liabilities or provisions.

1.13 Staff costs

Under IAS19 Employee Benefits legislation, all staff costs must be recorded as an expense as soon as the Commission is obligated to pay them. This includes the cost of any untaken leave as at the year-end, which is estimated at £23,073 (2018-19: £17,625).

1.14 Going concern

The Commission's sponsoring body is the Northern Ireland Office as laid out in the Northern Ireland Act 1998. The Commission's budget for 2020-21 has been approved by the Northern Ireland Office. At the date of this report, the accounting officer has no reason to believe that further support beyond 31 March 2021 will not be forthcoming due to the protections laid down in the Northern Ireland Act 1998. Therefore, it has been considered appropriate to adopt a going concern basis for the preparation of the 2019-20 financial statements.

2. Analysis of net expenditure by segment

In line with the provisions of IFRS 8, Operating Segments, the Commission does not analyse its net expenditure by operating segments as it has concluded that it has no separately identifiable operating segments. This conclusion is based on the Commission's current system / format of internal management reporting to the Board, who consider financial performance at whole organisation level.

3. Staff costs⁸

	2019-20 total	Commissioners	Permanently Employed	Others	2018-19 total
	£	£	£	£	£
Wages and salaries	644,832	120,453	383,964	140,415	611,254
Social security costs	61,530	9,186	42,722	9,622	59,932
Other pension costs	157,976	21,052	108,625	28,299	119,783
Total Staff Costs	864,338	150,691	535,311	178,336	790,969

⁸ Average number of persons employed can be found in the staff report on page 44.

4. Other expenditure

	2019-20	2018-19
	£	£
Advertising, publicity and publications	28,611	30,611
Auditor's (NAO) remuneration	15,500	15,000
Building maintenance and expenses	15,943	24,535
Commonwealth Forum	25,497	1,522
Conferences and seminars	17,736	21,849
Education	2,520	3,642
Insurance	5,344	5,588
Internal audit	4,747	10,375
Investigations	28,680	20,862
IT	25,048	36,537
Joint Committee	30,477	12,469
Legal casework (non-recoverable)	39,073	(20,516)
Light and heat	15,258	16,001
Other expenses	739	36
Printing, postage and stationery	10,196	10,303
Professional fees	35,689	22,158
Rates	19,078	18,092
Rentals under operating leases	41,538	38,400
Rental for car park	1,020	1,020
Staff training and recruitment	5,327	6,819
Telephone	15,554	12,632
Travel, subsistence and hospitality	19,392	25,657
	<u>402,967</u>	<u>313,592</u>
Non-Cash Items:		
Depreciation, Amortisation and Impairment	14,604	29,210
Loss on disposal of intangible asset	-	1,880
	<u>417,571</u>	<u>344,682</u>

There were no payments made to the auditors during the year for non-audit services (2018-19: £nil)

5. Income

The Commission also has recognised income from other sources as follows:

	2019-20 £	2018-19 £
Joint Committee funded work (funding received from the Irish Human Rights and Equality Commission)	6,993	13,500
Sports and Human Rights Event in Kigali, Rwanda (funding received from the Equality and Human Rights Commission)	20,732	-
Sports and Human Rights Event in Kigali, Rwanda (contribution from Institute for Human Rights and Business)	4,556	-
Litigants in Person Roundtable (funding received from Department of Justice)	3,223	-
Joint funding with the Ulster University for Litigants in Person Project	-	16,280
Contribution from Department of Finance re NICS Website Support	-	4,499
Total	35,504	34,279

In line with its accounting policy, the Commission has applied the requirements of IFRS 15 to income received from sources other than the NIO, for specific projects. The Commission seeks to recover any associated costs for the projects in line with the contract.

The recognised income of £6,993 received from the Irish Human Rights and Equality Commission in 2019-20 was for the production and launch of research undertaken on behalf of the Joint Committee on: 'Continuing EU Citizenship "Rights, Opportunities and Benefits" in Northern Ireland after Brexit' and 'A legal analysis of incorporating into UK law the birthright commitment under the Belfast (Good Friday) Agreement 1998'.

In 2019-20, the Commission entered into a collaboration agreement with the Equality and Human Rights Commission (Chair of the Commonwealth Forum of National Human Rights Institutions (CFNHRI)) and received

recognised income of £20,732. This was to facilitate CFNHRI members to attend the Commonwealth Games Federation General Assembly in Kigali, Rwanda in September 2019. The Commission was responsible for arranging an event on the side of the General Assembly relating to sports and human rights as well as arranging travel and accommodation for some of the participants.

The Commission also received recognised income of £4,556 from the Institute for Human Rights and Business as reimbursement for costs relating to accommodation for some participants at the event in Kigali, Rwanda.

Following on from the Litigants in Person Project that took place during the period 2017-19, the Commission held a seminar and roundtable follow-up event in February 2020. The event, which was attended by legal professionals, others providing legal advice including the statutory and voluntary advice sectors, the Judiciary, court staff and law schools, was sponsored by the Department of Justice.

6. Property, plant and equipment

2019-20	Leasehold Improvements	Information technology	Furniture & fittings	Assets under construction	Total
Cost or valuation	£	£	£	£	£
At 1 April 2019	194,293	64,981	168,916	-	428,190
Additions	-	10,968	-	35,648	46,616
Disposals	-	-	-	-	-
Impairment	-	-	-	-	-
Revaluation	30	-	-	-	30
At 31 March 2020	194,323	75,949	168,916	35,648	474,836
Depreciation					
At 1 April 2019	192,697	64,172	158,742	-	415,611
Charged in year	407	913	4,108	-	5,428
Disposals	-	-	-	-	-
Impairment	-	-	-	-	-
Revaluation	-	-	-	-	-
At 31 March 2020	193,104	65,085	162,850	-	421,039
Net book value at 31 March 2020	1,219	10,864	6,066	35,648	53,797
Net book value at 31 March 2019	1,596	809	10,174	-	12,579
Asset financing:					
Owned	1,219	10,864	6,066	35,648	53,797
Finance leased	-	-	-	-	-
Net book value at 31 March 2020	1,219	10,864	6,066	35,648	53,797

6. Property, plant and equipment (continued)

2018-19	Leasehold Improvements	Information technology	Furniture & fittings	Education Project IT	Total
Cost or valuation	£	£	£	£	£
At 1 April 2018	192,215	64,981	164,722	1,874	423,792
Additions	2,142	-	4,194	-	6,336
Disposals	-	-	-	(1,874)	(1,874)
Impairment	-	-	-	-	-
Revaluation	(64)	-	-	-	(64)
At 31 March 2019	194,293	64,981	168,916	-	428,190
Depreciation					
At 1 April 2018	184,509	57,221	154,903	1,874	398,507
Charged in year	6,218	6,951	3,839	-	17,008
Disposals	-	-	-	(1,874)	(1,874)
Impairment	-	-	-	-	-
Revaluation	(41)	-	-	-	(41)
At 31 March 2019	192,697	64,172	158,742	-	415,611
Net book value at 31 March 2019	1,596	809	10,174	-	12,579
Net book value at 31 March 2018	7,706	7,760	9,819	-	25,285
Asset financing:					
Owned	1,596	809	10,174	-	12,579
Finance leased	-	-	-	-	-
Net book value at 31 March 2019	1,596	809	10,174	-	12,579

7. Intangible Assets

	Software & Licences 2019-20	Software & Licences 2018-19
Cost or valuation	£	£
at 1 April	41,703	45,203
Additions	2,400	2,234
Disposals	-	(5,734)
at 31 March	44,103	41,703
Amortisation		
at 1 April	19,698	13,361
Charged in year	9,176	10,191
Disposals	-	(3,854)
at 31 March	28,874	19,698
Net book value at 31 March	15,229	22,005

8. Financial instruments

As the cash requirements of the Commission are met through grant-in-aid provided by the Northern Ireland Office, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body. The majority of financial instruments relate to contracts to buy non-financial items in line with the Commission's expected purchase and usage requirements and the Commission is therefore exposed to little credit, liquidity or market risk.

9. Trade receivables and other current assets

	2019-20	2018-19
	£	£
Amounts falling due within one year:		
Trade Receivables	3,996	4,928
Prepayments and accrued income	23,766	18,545
	27,762	23,473

10. Cash and cash equivalents

	2019-20	2018-19
	£	£
Balance at 1 April	320,523	287,647
Net change in cash and cash equivalent balances	291,382	32,876
Balance at 31 March	611,905	320,523
The following balances at 31 March were held at:		
Commercial banks and cash in hand	611,905	320,523
Balance at 31 March	611,905	320,523

11. Trade payables and other current liabilities

	2019-20	2018-19
	£	£
Amounts falling due within one year:		
Taxation and social security	15,987	17,502
Trade revenue payables	3,780	9,496
Trade capital payables	35,648	-
Other payables	156	1,480
Accruals	139,204	106,872
	194,775	135,350

12. Provisions for liabilities and charges

	2019-20 Other £	2019-20 Legal £	2019-20 Total £	2018-19 Other £	2018-19 Legal £	2018-19 Total £
Balance at 1 April	-	-	-	-	60,000	60,000
Provided in-year	-	-	-	-	-	-
Provisions written off in-year	-	-	-	-	(60,000)	(60,000)
Balance at 31 March	-	-	-	-	-	-

The amount of £60,000 provided for in 2017-18 was a provision made for costs in the event of Commission taking a legal case to the Supreme Court in Strasbourg. The case did not proceed and the provision was written off in 2018-19.

13. Commitments under leases

13.1 Operating leases

Total future minimum lease payments under operating leases are given in the table below for each of the following periods.

	2019-20 £	2018-19 £
Buildings		
Not later than one year	99,395	38,400
Later than one year and not later than five years	359,182	9,600
Later than five years	445,840	-
	<u>904,417</u>	<u>48,000</u>

The lease for the Commission premises at North Street, Belfast ends on 30 June 2020.

The Commission will move to new premises at Alfred Street, Belfast in August 2020. In the interim, Commission staff will continue to work from home. The lease for the Alfred Street premises ends in March 2030 with a five-year break clause.

13.2 Finance leases

The Commission does not have any finance leases.

14. Contingent liabilities disclosed under IAS 37

The Commission has a contingent liability of £113,017 for a benchmarking exercise, which took place during the financial year (2018-19: None). The payment of this liability is contingent on securing budgetary cover on an ongoing basis for this benchmarking.

15. Capital Commitments

The Northern Ireland Human Rights Commission has capital commitments estimated at £368,703 for the fit-out of its new premises in Alfred Street, Belfast, which it is due to move to in August 2020.

16. Related-party transactions

The Commission is a non-departmental public body sponsored by the Northern Ireland Office (NIO).

The NIO is regarded as a related party. During the year, the Commission had various transactions with NIO, associated with the receipt of grant-in-aid.

In addition, the Commission has had various transactions with other Government departments.

None of the Commissioners, Management Team or other related parties has undertaken any material transactions with the Commission during the year.

17. Events after the reporting period

The Annual Report and Accounts are authorised for issue on the same date as the Comptroller and Auditor General signed the audit certificate.

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