

To: Trevor Cooper Wendy Johnston

Jackie Kerr
John Mills

Diarmuid McLean Mike Thompson Shane Murphy Paul Brush cc Eugene Rooney
Chris Stewart
Paul Dolaghan
David Leonard
Cheryl Snoddy
Damien Ryan
Marese McCormic

Marese McCormick David Francey

Rosemary Morrison
Matthew Shaw

Date: 30 September 2014

From: Terry Coyne

CORPORATE RISK REGISTER

- 1. The Departmental Board reviewed the Corporate Risk Register at its meeting on 19 September 2014.
- 2. The next meeting of the Departmental Board is scheduled for 21 October 2014. I attach the Corporate Risk Register, which was agreed at the 19 September meeting, and would ask SMT members to consider, in advance of the next Departmental Board meeting, if there are any:
 - a. Risks that have not been previously identified at Corporate or Divisional level that should be included in the Corporate Risk Register;
 - b. Divisional risks that should be escalated to the Corporate Risk Register;
 - Revisions to actions that they are currently taking or plan to take in relation to risks currently in the Corporate Risk Register, to reflect, for example, actions completed; and
 - d. Additional actions they are currently taking or plan to take in relation to risks currently in the Corporate Risk Register (target dates should be included see paragraph 4 below).

- 3. I would ask all Heads of Division and Heads of Unit to pay particular attention to the Controls in Place and Actions Planned Columns to ensure that as actions planned to strengthen internal controls are completed they are moved to the Controls in Place column. The Controls in Place column should also be critically examined to ensure that the controls listed are up to date.
- 4. If any of the matters referred to at paragraph 2 are identified, they should be notified in writing to me by **Wednesday**, 8 October 2014. A risk template should be completed for each new risk identified (see 2a above). An extract from the Divisional Risk Register should be provided for escalated Divisional Risks (see 2b above), and tracked changes should be made to the Corporate Risk Register to reflect additional actions (see 2c and d) above).
- 5. The Departmental Board has specifically asked for target dates for the completion of additional actions to be included on the Corporate Risk Register and on Divisional Risk Registers. Heads of Division/Unit to whom additional actions fall should ensure that dates are inserted with changes being tracked. Revised dates should be inserted where there has been slippage.

Terry Coyne

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Date of Last	Revie	w: 22 July	2014	Date of Next Review	w: 21 Octob	er 2014			
Risk Category	No	Assessme	idual ent at Start Year	Description		rrent Assessment	Move- ment since last	Owner	Actions Planned (Yes/No)
ה ה		Impact	L'hood		Impact	L'hood	review		
Reputation and Credibility	1	Medium	Low	DETI is unable to deliver on its Programme for Government, Corporate Plan and Operating Plan commitments resulting in political and public criticism of the DETI Minister and Department.	Medium	Low	=>	Dept Board	No
Operational and Policy Delivery	2	Medium	Medium	Appropriate strategies and policies are not devised with the consequence that a dynamic, innovative, export-led economy for Northern Ireland is not developed.	Medium	Medium	=>	Dept Board	Yes
Financial / VFM	3	Medium	Low	Ineffective governance leading to poor value for money, fraud, loss to public funds, or irregular expenditure.	Medium	Low	=>	Dept Board	Yes
Financial / VFM	4	Medium	Low	Inability to operate within allocated budget, avoiding overspend and managing underspend within a 2% resource target and a 3% capital target and, in addition, meeting the EU N+2 expenditure target.	Medium	Medium	=>	Dept Board	Yes
Financial / VFM	5	Medium	Medium	The loan and financial assistance grant package provided in connection with the Presbyterian Mutual Society are not repaid and as a consequence public expenditure pressures will be created for the Department and the NI Block.		Medium	=>	Dept Board	Yes
Compliance Legal / Regulatory	6	Medium	Medium	Information held by the Department is not handled in accordance with relevant legislation with a consequent possibility of legal proceedings, criticism from regulatory authorities and embarrassment to the Department and its Minister.	Medium	Medium	=>	Dept Board	Yes
Compliance Legal / Regulatory	7	High	Medium	The imposition of penalties as a result of not implementing EU Directives and/or not complying with EU State Aid rules or other relevant EU ERDF Regulations / Criticism for not replicating GB legislation in NI.	High	Medium	=>	Dept Board	Yes

Compliance Legal / Regulatory	8	High	High	Failure to investigate all cases where evidence of misconduct has been identified against directors and, subsequently, failing to meet the 2 year deadline for filing disqualification proceedings in Court against those directors.	High	High	=>	Dept Board	Yes	
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Objective:	For risks with a residual assessment of High or Medium Impact
	and High Likelihood:
Generic risk supporting delivery of all objectives in the corporate plan.	Number of Board Meetings at this Level: N/A

Risk Appetite – Cautious

Category – Reputation and Credibility

	Inherent Assessment		CONTROLS IN PLACE	Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER
RISK	Impact	Likelihood		Impact	Likelihood	=		
1. DETI is unable to deliver on its Programme for Government, Corporate Plan and Operating Plan commitments resulting in political and public criticism of the DETI Minister and Department.	High	Medium	Approved Operating Plans for the Department and its NDPBs are in place each financial year. NDPB Operating Plans comply with the provisions of Managing Public Money for Northern Ireland (MPMNI) and respective Management Statements and Financial Memoranda (MSFM). The Departmental Board receives and monitors quarterly update reports on Operating Plan achievements and slippages and directs corrective actions where necessary. Performance monitoring of Programme for Government, Corporate Plan and Operating Plan performance is a standing agenda item at NDPB Oversight & Liaison meetings. DETI CLU has scrutinized the process of monitoring the DETI Operating Plans. It has tightened up the controls such as earlier commissioning times for the monitoring exercises; reminded DETI HOD's and NDPB CEO's re: timely and complete/accurate monitoring returns; highlighted emphasis on slippage reports; improved spreadsheets for recording and	Medium	Low	None		Dept Board

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retrieval of information; and improved reporting to Departmental Board, Minister and ETI Committee.	
In relation to Invest NI and NITB, further performance monitoring is undertaken as part of quarterly Finance meetings, Oversight and Liaison meetings and via monthly Board debriefs delivered by the Invest NI and NITB Chairmen.	
Ongoing and regular interaction between DETI Branches responsible for Financial Governance/Policy and NDPBs.	
Resource allocation regularly reviewed by Top Management team.	
Capability and capacity issues are considered at fortnightly DETI Senior Management Team meetings.	
Matters are regularly raised and discussed at weekly Issues meetings with the Minister and Special Advisor.	

Objective				For risks with a residual assessment of High or Medium Impact and High Likelihood:							
	A1 – To devise strategies and policies for the development of a dynamic, innovative, export-led economy in Northern Ireland.					Number of Board Meetings at this Level: N/A					
Category – Op	erational a	nd Policy Deli	very								
Risk Appetite		A	CONTROL C IN DI ACC	Danishasi	1	ACTION	TABOET	OWNED			
	innerent	Assessment	CONTROLS IN PLACE	Residual Assessm		ACTION PLANNED	TARGET DATE	OWNER			
RISK	Impact	Likelihood		Impact	Likelihood						
2. Appropriate strategies and policies are not devised with the consequence that a dynamic, innovative, export-led economy for Northern Ireland is not developed.	High	Medium	Background: EPD led on the development of the NI Economic Strategy and has worked closely with other Executive Departments & Invest NI to ensure their policies and targets are consistent with the Strategy. There is a monthly Board de-brief between the Invest NI Chairman and DETI Top Management to discuss board discussion and other key issues including policy development and implementation. Policy development is a standing item of the quarterly NDPB Oversight & Liaison meetings. The Head of EPD meets with the Invest NI Director of Strategic Management and Planning on a monthly basis to discuss policy issues. Regular Invest NI Executive	Medium	Medium	1. Supporting the NI Economic Strategy are a range of action plans: There is a Comprehensive Action Plan in place covering the actions contained in the Economic Strategy. This has been supplemented by further actions agreed as part of the Executive's Economy & Jobs Initiative. DETI EPD is responsible for monitoring implementation of these actions.		Dept Board			

Leadership Team and DETI Senior Management Team engagements take place during the year. Through this forum, DETI and Invest NI senior management discuss a range of strategic policy issues and ensure	2. Implementation of those commitments contained within the NI Economic Pact, (announced by the NI Executive and UK		
appropriate action is taken to ensure DETI's suite of policies and strategies remain relevant to delivery of the Department's high level priorities.	Government on 14 June 2013) will be taken forward by Departments over the coming year.		
The implementation of Economic Pact commitments will be overseen by a Sub-Group of the Permanent Secretaries Group, chaired by DETI Permanent Secretary.	An implementation plan has been agreed by HOCs and the DETI Permanent Secretary, through EPD, will be responsible for monitoring delivery of the various commitments and for reporting progress to the NI Executive.		
	3. Action Plans for Innovation/R&D, Access to Finance, Exports and Business Incubation being developed.	Public Consultation on Innovation complete. Revised final strategy for Executive consideration July 2014. Awaiting decision, likely to be Sept 2014. Access to	
		Finance plan	

			was]
			produced by	
			March 2014	
			in	
			conjunction	
			with DFP and	
			Invest NI.	
			Exports	
			Action Plan	
			to be	
			produced by	
			December	
			2014. The	
			Business	
			Incubation	
			Action Plan	
			will be	
			delayed until	
			later in 2014.	
		4. DETI Internal	Recs 1 & 2	
		Audit Service	remain	
		undertook a review	outstanding.	
		of aspects of the	Although, in	
		work of Economic	relation to	
		Policy Division. The	Rec 2,	
		final report issued on	regular (at	
		17 July 2013. Three	least	
		recommendations	fortnightly)	
		relating to the work	meetings	
		of the Division were	between the	
		made which have	Head of EPD	
			and Invest NI	
		been accepted. One has been		
			Strategy	
		implemented and the	provide the	
		other two are being	opportunities	
		implemented.	to discuss	
			significant	
			and	
			emerging	
			cross cutting	
			issues.	

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					Relevant	
					Invest NI	
					Directors and	
					DETI policy	
					leads are	
					involved in	
					these	
					meetings as	
					necessary.	
					,.	
					Rec 3 has	
					been fully	
					implemented.	
					implemented.	
					PELU how	
					receives	
					regular	
					updates on	
					all categories	
					of Invest NI	
					Evaluation	
					irrespective	
					of scale and	
					have agreed	
					with INI that	
					evaluations	
					are made	
					available to	
					EPD on	
					completion	
					and	
					subsequently	
					disseminated	
					to the wider	
					EPD	
					audience	
					through	
					TRIM.	
1		Bookersond, The Demants and Line		Courth out out are soil!	Data ra suina s	
		Background: The Department has		Further action will	Date requires	
		decided to review its current policy		flow from the work	to be	

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and led	gislation to ensure it continues	l	that is currently being	determined	
	ide an appropriate framework		undertaken to scope	within the	
	regulation and support of		legislative and policy	wider context	
	I, oil and gas exploration and		requirements.	of addressing	
	pment in Northern Ireland.			the issues	
			In addition, a draft	pertaining to	
			paper seeking the NI	the potential	
		1 '	Executive's views on	future	
			DETI's strategy on	deployment	
			fracking has been	in NI of high	
			provided to	volume	
			Spad/Minister for	hydraulic	
			consideration	fracturing	
			(6/5/14). The	(fracking).	
			outworkings of this	· 3/	
			paper will help to		
			inform policy,		
			legislative and		
			operational actions		
			going forward.		

Objective: Gene Category – Final Risk Appetite – I	ncial / VFN	1		and High	Likelihood:	ll assessment of	•	m Impact
	Inheren		CONTROLS IN PLACE	Residual	Assessment	ACTION PLANNED	TARGET DATE	OWNER
RISK	Impact	Likelihood		Impact	Likelihood			
3. Ineffective governance leading to poor value for money, fraud, loss to public funds, or irregular expenditure.	High	Medium	Approved Operating Plans for the Department and its NDPBs are in place each financial year. NDPB Operating Plans comply with the provisions of MPMNI and respective MSFMs. The process leading to the publication of 2014-15 Operating Plans in DETI and its NDPBs by April 2014 commenced in December 2013. Provision of six-monthly Assurance Statements by Heads of Group and CEOs of NDPBs. Risk and Corporate Governance issues are standing agenda items at NDPB quarterly O&L meetings and are also discussed at Departmental Board. Evaluation of programmes and projects. DETI-Invest NI Casework Committee established to consider significant Invest NI casework. DETI-NITB Casework Committee established to consider significant NITB casework.	Medium	Low	The process of monitoring the DETI annual operating plans to commence following Ministerial approval of the Plans.	Quarterly commencing June 2014	Dept Board

DETI Casework Committee for		
Departmental cases involving expenditure greater than £500,000.		
Internal and DFP delegations for expenditure.		
Business cases prepared in accordance with DFP and DETI guidance.		
Annual test drilling of economic appraisals and PPEs with recommendations implemented.		
Financial Governance Unit established for NDPBs and Cross Border bodies.		
Quarterly O&L meetings.		
Departmental representation on NDPB Audit Committees. NDPBs provide written reports to the Departmental Audit Committee and attend if required.		
NDPB Management Statements and Financial Memorandums in place.		
Each NDPB has a fully functional Internal Audit function.		
There is a fully functional EU Audit Authority.		
Authorisation limits for expenditure.		
Fraud awareness training provided by CAL.		
Documented whistleblowing procedures reviewed and updated in July 2012.		
Fraud Policy and Fraud Response Plan		

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	reviewed and updated in July 2012. Participation in biennial National Fraud Initiative data matching exercise. Implementation of NITB's Governance Action Plan monitored and reported on as a standing agenda item at NITB SMT meetings, NITB Board meetings, NITB Audit Committee meetings and DETI/NITB O&L meetings. The majority of actions outlined in the plan have been implemented and the outstanding actions are currently being progressed by NITB.				
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Objective – Generic Risk Category – Financial / VFM Risk Appetite - Minimal Inherent CONTROLS IN PLACE		For risks with a residual assessment of High or Medium Impa and High Likelihood: Number of Board Meetings at this Level: N/A					
Assessment		CONTROLS IN PLACE	Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER
Impact	Likelihood		Impact	Likelihood			
High	Medium	Monthly cost centre reports produced. Expenditure profiled monthly. Monthly financial reporting to Departmental Board. Monthly budget monitoring meetings with Invest NI and NITB. Quarterly monitoring rounds. Quarterly Oversight & Liaison meetings with NDPBs. Quarterly risk reporting and six-monthly Assurance reporting.	Medium	Medium	Ongoing monitoring of expenditure by NDPBs/Divisions and Finance Branch to get early sight of issues and implement remedies if possible. Finance Branch is taking prudent action by engaging with all business areas to consider where reductions may be applied in order to maximise support to priority areas and to live within budget allocations. European	Ongoing	Dept Board
	Inherent Assessn Impact	Inherent Assessment Impact Likelihood	Inherent Assessment Impact Likelihood High Medium Monthly cost centre reports produced. Expenditure profiled monthly. Monthly financial reporting to Departmental Board. Monthly budget monitoring meetings with Invest NI and NITB. Quarterly monitoring rounds. Quarterly Oversight & Liaison meetings with NDPBs. Quarterly risk reporting and six-monthly Assurance reporting.	Inherent Assessment Impact Likelihood High Medium Monthly cost centre reports produced. Expenditure profiled monthly. Monthly financial reporting to Departmental Board. Monthly budget monitoring meetings with Invest NI and NITB. Quarterly monitoring rounds. Quarterly Oversight & Liaison meetings with NDPBs. Quarterly risk reporting and six-monthly Assurance reporting.	Inherent Assessment Impact Likelihood High Medium Monthly cost centre reports produced. Expenditure profiled monthly. Monthly financial reporting to Departmental Board. Monthly budget monitoring meetings with Invest NI and NITB. Quarterly monitoring rounds. Quarterly Oversight & Liaison meetings with NDPBs. Quarterly risk reporting and six-monthly Assurance reporting.	Impact Likelihood CONTROLS IN PLACE Residual Assessment Impact Likelihood Impact Likelihood Impact Likelihood Impact Likelihood Impact Likelihood Impact Likelihood Ongoing monitoring of expenditure profiled monthly. Monthly financial reporting to Departmental Board. Monthly budget monitoring meetings with Invest NI and NITB. Quarterly monitoring rounds. Quarterly monitoring rounds. Quarterly oversight & Liaison meetings with NDPBs. Quarterly risk reporting and six-monthly Assurance reporting. Finance Branch is taking prudent action by engaging with all business areas to consider where reductions may be applied in order to maximise support to priority areas and to live within budget allocations. European	Impact Likelihood Medium Monthly cost centre reports produced. Impact Likelihood Medium Monthly cost centre reports produced. Expenditure profiled monthly. Monthly financial reporting to Departmental Board. Monthly budget monitoring meetings with Invest NI and NITB. Quarterly monitoring rounds. Quarterly oversight & Liaison meetings with NDPBs. Quarterly risk reporting and six-monthly Assurance reporting. Quarterly monitoring meetings with Invest NI and NITB. Quarterly risk reporting and six-monthly and to consider where reductions may be applied in order to maximise support to priority areas and to live within budget allocations. Monitoring EU expenditure levels against European European

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			commenced efforts to identify replacement expenditure for reductions in EU eligible expenditure recently forecast	
			recently forecast by NITB.	

Objective – To manage the £175 million commercial loan and a £50 million Financial Assistance grant package in support of a Mutual Access Fund provided in connection with the Presbyterian Mutual Society in line with the agreed financial schedule.

For risks with a residual assessment of High or Medium Impact and High Likelihood:

Number of Board Meetings at this Level: N/A

Category - Financial / VFM

Risk Appetite - Cautious

Inherent Assessment		ssessment	Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER	
RISK	Impact	Likelihood		Impact	Likelihood			
5. The £175m loan and package provided in connection with the Presbyterian Mutual Society is not repaid and as a consequence public expenditure pressures will be created for the Department and the NI Block.	High	Medium	Formal loan agreements. Due diligence reports on asset values. Departmental oversight and monitoring of supervisors, supported by input from legal and insolvency external consultants as required. Formal legal agreement with supervisors. A formal quarterly reporting mechanism from the supervisors to the Department is in place. An annual updated Business Plan is prepared by the Joint Supervisors and discussed and agreed with DETI prior to the commencement of each financial year.	Medium	Medium	A high level review of Plan to 2020 has been completed. Discussions to be held with Joint Supervisors on actions arising from the review.	Ongoing.	Dept Board

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C3 - To maintain and review the effectiveness of the Department's processes for: financial management; corporate governance and risk management; information security; business continuity; emergency planning; and Assembly / Executive business.

For risks with a residual assessment of High or Medium Impact and High Likelihood:

Number of Board Meetings at this Level: N/A

Category - Compliance - legal / regulatory

Risk Appetite - Cautious

	Inherent Assessi	=	CONTROLS IN PLACE	Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER
RISK	Impact	Likelihood		Impact	Likelihood			
6. Information held by the Department is not handled in accordance with relevant legislation with a consequent possibility of legal proceedings,	High	Medium	Policies and procedures are in place for information management. Security measures in place include restriction of access to buildings; backups of IT data; ERDMS document storage; accreditation of IT systems and an annual departmental security review. Business Continuity Management regime	Medium	Medium	Revised UK-wide Protective Marking Scheme to be introduced across NICS Departments wef 2 April 2014.	April 2014 Revised scheme now in force. E- learning has been rolled out in DETI. Report	Dept Board
criticism from regulatory authorities and embarrassment to the			in place covering Netherleigh and all non-HQ buildings. Well established network of Information Managers for FOI requests.			review the BCM processes in Sept 2014	expected Oct 2014.	
Department and its Minister.			Internal Audit review of the DETI FOI process was completed in October 2013 and has recommended that action is required to improve compliance with FOI response time targets.			Agreed actions from Internal Audit report will be implemented.	Partially completed remainder to be completed by Oct 2014	

Objective:

B1 – To provide clear policy direction and targets, and the necessary resources to deliver those targets.

B5 – To engage effectively with the European Union to secure the maximum financial and non-financial support available for growing the NI economy.

Category - Compliance - legal / regulatory

For risks with a residual assessment of High or Medium Impact and High Likelihood:

Number of Board Meetings at this Level: N/A

Risk Appetite - Open

	Inherent CONTROLS IN PLACE Assessment		CONTROLS IN PLACE	Residual	Assessment	ACTION TARGET DATE		OWNER
RISK	Impact	Likelihood	1	Impact	Likelihood			
7. The imposition of penalties as a	High	High	LMU circulate details of EC Directives that require implementation.	High	Medium		Dec 2014	Dept Board
result of not			Stand alone website for the					
implementing EU Directives and/or not			Competitiveness Programme with comprehensive guidance.					
complying with EU State Aid			Internal Audit system reviews.					
rules or other relevant EU ERDF			Memorandum of Understanding setting out requirements.					
Regulations / Criticism for not			Audit Authority checks.					
replicating GB legislation in NI.			Managing Authority checks on compliance with MOU and spot checks on expenditure.					
			Regular and ongoing training of those involved in the management of EU funds.					
			Bi-lateral meetings with Intermediary Bodies focused on compliance issues.					
			Management verification checks on Intermediary Bodies to include specific					

focus on ERDF requirements.				
Technical Assistance review undertaken				
of Intermediary Bodies to examine				
resource requirements. Bids have been				
made to the Managing Authority and				
approval obtained for additional staff.				
Extensive participation on Barosso				
Taskforce thematic groups tasked with				
identifying and exploiting opportunities at				
EU level.				
Energy Division made three pieces of		The following		
legislation to complete transposition of the		additional action		
Electricity and Gas Directives and		is being taken by		
additional licence modifications were		Energy Division:		
notified to the Commission in April 2013.		D	A 1	
On 20 September 2013, DETI received formal confirmation via DECC that the		Progress additional work in	Autumn 2014	
infraction cases relating to these		relation to the	2014	
Directives had been closed. The		electricity and		
legislation required to establish new,		gas licence		
Directive compliant electricity and gas		modification		
licence modification arrangements is due		arrangements		
to be completed by Autumn 2014.		during 2014 to		
		ensure ongoing		
		compliance with the Electricity and		
		Gas Directives.		
		Cao Directives.		
EC State Aid approval obtained on 11		Continue to	Ongoing	
July 2014 for NI Executive funding of up		engage with		
to £32.5m for provision of new natural gas		DECC on wider		
networks in the West.		EU legislative compliance.		
		compliance.		
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Energy Division is progressing work to Further Dec 20	1.1
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implement the extensive Energy legislation will be	
Efficiency Directive 2012/27/EU. required to be	
laid before the	
NI Regulations for Articles 9-11, 13 & 15 end of the year to	
came into operation on 25 July 2014. complete	
transposition for	
UK-wide Statutory Instruments laid by Article 14 (10).	
DECC at Westminster in April and June	
2014 – NI is included where required. The Regulations Oct 20	14
include a duty on for	
NIAUR to bring consult	ati
forward licence on	
conditions/	
amendments in	
relation to the	
EED. DETI will	
continue to liaise	
with NIAUR to	
ensure timely	
completion.	
Completion.	
Energy Division is seeking final approvals Prepare for RHI March	
and preparing legislation to launch the Phase II 2015	
domestic RHI in due course. Energy application.	
Division is also working with EU	
colleagues to ensure state aid approval is	
granted for Phase II non-domestic RHI.	
Respond to	
notification of	
failure of I-SEM	
project to meet	
Dec 2016	
deadline.	
The following additional action has been DETI is now	
taken by Minerals and Petroleum Branch hopeful that it	
(MAPB) to address concerns that EU may be possible	
Directive CCS/CDD 2009/31/EC – the to replicate the	
Carbon Capture and Storage Directive Irish approach in	

has not been fully transposed into Northern Ireland: • Considerable work has been undertaken to facilitate the preparation of a stock paper of where matters stand. Liaison is ongoing with DSO, DECC and Irish counterparts to fully inform the position and enable DETI to recommend a preferred option	Northern Ireland and complete transposition via section 2(2) Regulations. DSO advice is currently being taken on whether there is any legal impediment to prevent DETI following the Irish precedent. DSO's response will inform future activity and timelines.
Background: On 17 October 2013, the European Commission issued the UK with a Letter of formal notice - Infringement No 2013/2188 for a breach of the EU Services Directive in relation to national applicability of licences.	BIS responded to the European Commission on the infraction letter on 17 February 2014, setting out proposed legislative amendments where appropriate. Commission officials have responded and are content with the proposed amendments to the Regulations. Once they have been adopted (summer/autumn

2014) the
Commission will
close the
infraction case.
However,
Commission
officials will
continue to
monitor
developments in
relation to
amendments of
specific laws to
implement mutual
recognition, to
ensure all
necessary
amendments
come into force
before the
amendment to
the Regulations
becomes
effective (6 April
2016). Within
DETI changes
will need to be
made to
legislation
relating to
licences for
Insolvency
Practitioners. A
provision will
therefore be
included in the
Insolvency
(Amendment)
Bill. It is planned
to introduce the
Bill in the
Assembly this

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	autumn once Executive approval to do so has been obtained. BIS
	will be continuing
	to lead on this
	work, in liaison
	with their
	devolved counterparts.

Objective: To ensure disqualification orders are pursued against all directors whose conduct has been highlighted as a concern, within the 2 year statutory deadline.

For risks with a residual assessment of High or Medium Impact and High Likelihood:

Category - Compliance - Legal / Regulatory

Risk Appetite - Averse

Number of Board Meetings at this Level: Seven meetings including today's meeting (This high impact/high likelihood risk first appeared on the Corporate Risk Register considered by the Departmental Board on 18 February 2014).

		herent essment	CONTROLS IN PLACE	_	sidual essment	ACTION PLANNED	TARGET DATE	OWNER
RISK	Impact	Likelihood		Impact	Likelihood			
8. Failure to investigate all cases where evidence of misconduct has been identified against directors and, subsequently, failing to meet the 2 year deadline for filing disqualification proceedings in Court against those directors.	High	High	Training and guidance for Directors Disqualification Unit (DDU) Examiners provided by the Senior Examiner. A dedicated Training Officer has been appointed in the branch to assist training of new staff. Prioritisation of cases to identify those where the most serious examples of misconduct have occurred, or where there has been a previous history of misconduct, to inform the decision on which cases are pursued. Prioritisation policy has been approved by the DETI Minister. Case investigation reviews carried out by the Senior Examiner to ensure all cases that are pursued are progressed on time. Legal advice and guidance provided by the Departmental Solicitor.	High	High	Review of workflows, workloads, resource allocation, and impact on risk across Insolvency Service to ensure all cases are investigated in time to allow disqualification proceedings to be pursued, where appropriate, within the statutory timeframes. Business case for use of calloff arrangements to provide additional support has been completed and is being considered by DETI economists. Funding bid will be completed once economists have approved the case. DSO advice is that outsourcing is not appropriate for the Department's investigation role for directors' disqualification and bankruptcy restriction orders.	Sept 2014 Sept 2014	Richard Monds / Joe Hasson

Forecasting of future staffing levels and early engagement with DHR. Operational plan targets and activities for 2014/15 have been amended to clarify the reporting of IS targets relating to disqualification of directors.	A new system is to be introduced to ensure that all investigation cases are regularly reviewed and reviews recorded to keep investigations focussed.	Sept 2014	
A system is in place to identify directors' previous involvement in corporate insolvencies to inform the disqualification process.			
Training Officer, in liaison with unit management, has developed a training plan for new staff.			
Review of DDU skills and resourcing requirement and development of resource management strategy has been discussed with DHR and a business case prepared for the DETI Resources Committee. Process of filling outstanding SO vacancies agreed with DHR.			
A standard target period for case investigations to be completed has been introduced.			