



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  
Bernard McCaughan  
Marese McCormick  
David Francey  
Lee-Anne Hutchinson  
Rachel Linton  
Matthew Shaw

Date: 26 January 2015

From: Terry Coyne

## **CORPORATE RISK REGISTER**

1. The Departmental Board reviewed the Corporate Risk Register at its meeting on 20 January 2015.
2. The next meeting of the Departmental Board is scheduled for 17 February 2015. I attach the Corporate Risk Register, which was agreed at the 20 January 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;
  - c. 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 **Tuesday, 3 February 2015**. 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*

**TERRY COYNE**

Date of Last Review: 25 November 2014				Date of Current Review: 20 January 2015					
Risk Category	No	Residual Assessment at Start of Year		Description	Current Residual Assessment		Movement since last review	Owner	Actions Planned (Yes/No)
		Impact	L'hood		Impact	L'hood			
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	Yes
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 EU expenditure targets.	High	High	=>	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	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	High	=>	Dept Board	Yes

Compliance Legal / Regulatory	7	High	Medium	Non implementation of EU Directives and/or other relevant EU regulations leading to the imposition of penalties on the Department. Criticism of the Department for providing assistance which is not compliant with the EU's 'industrial' State Aid rules and/or 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

<b>Objective:</b>			<b>For risks with a residual assessment of High or Medium Impact and High Likelihood:</b>					
<b>Generic risk supporting delivery of all objectives in the corporate plan.</b>			<b>Number of Board Meetings at this Level: N/A</b>					
<b>Category – Reputation and Credibility</b>								
<b>Risk Appetite – Cautious</b>								
	<b>Inherent Assessment</b>		<b>CONTROLS IN PLACE</b>	<b>Residual Assessment</b>		<b>ACTION PLANNED</b>	<b>TARGET DATE</b>	<b>OWNER</b>
<b>RISK</b>	<b>Impact</b>	<b>Likelihood</b>		<b>Impact</b>	<b>Likelihood</b>			
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	<p>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).</p> <p>The Departmental Board receives and monitors quarterly update reports on DETI Business Plan achievements and slippages and directs corrective actions where necessary.</p> <p>Performance monitoring of Programme for Government, Corporate Plan and Operating Plan performance is a standing agenda item at NDPB Oversight &amp; Liaison meetings.</p> <p>DETI CLU has tightened up the controls around performance monitoring eg earlier commissioning times for the monitoring exercises; reminded DETI HOD's and NDPB CEO's re: timely and complete/accurate monitoring returns; reminded colleagues of IAU comment on timeliness of returns; highlighted emphasis on slippage reports; improved</p>	Medium	Low	Reviewing DETI Corporate Plan and related Business Plans is a continuing action eg via quarterly monitoring process.	Ongoing	Dept Board

			<p>spreadsheets for recording and retrieval of information; and improved reporting to Departmental Board, Minister and ETI Committee.</p> <p>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.</p> <p>Ongoing and regular interaction between DETI Branches responsible for Financial Governance/Policy and NDPBs.</p> <p>Resource allocation regularly reviewed by Top Management team.</p> <p>Capability and capacity issues are considered at fortnightly DETI Senior Management Team meetings.</p> <p>Matters are regularly raised and discussed at weekly Issues meetings with the Minister and Special Advisor.</p>					
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<b>Objective</b>			<b>For risks with a residual assessment of High or Medium Impact and High Likelihood:</b>					
A1 – To devise strategies and policies for the development of a dynamic, innovative, export-led economy in Northern Ireland.			<b>Number of Board Meetings at this Level: N/A</b>					
Category – Operational and Policy Delivery								
Risk Appetite - Open								
	<b>Inherent Assessment</b>		<b>CONTROLS IN PLACE</b>	<b>Residual Assessment</b>		<b>ACTION PLANNED</b>	<b>TARGET DATE</b>	<b>OWNER</b>
<b>RISK</b>	<b>Impact</b>	<b>Likelihood</b>		<b>Impact</b>	<b>Likelihood</b>			
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	<p><b>Background:</b> EPD led on the development of the NI Economic Strategy and has worked closely with other Executive Departments &amp; Invest NI to ensure their policies and targets are consistent with the Strategy.</p> <p>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.</p> <p>Policy development is a standing item of the quarterly NDPB Oversight &amp; Liaison meetings.</p> <p>The Head of EPD meets with the Invest NI Director of Strategic Management and Planning on a monthly basis to discuss policy issues.</p> <p>Regular Invest NI Executive</p>	Medium	Medium	<p>1. Supporting the NI Economic Strategy are a range of action plans:</p> <ul style="list-style-type: none"> <li>There is a Comprehensive Action Plan in place covering the actions contained in the Economic Strategy.</li> <li>This has been supplemented by further actions agreed as part of the Executive's Economy &amp; Jobs Initiative.</li> <li>A refresh of the Economic Strategy to cover the 2015-16 period in line with the extended</li> </ul>	1 April 2015	Dept Board

			<p>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 appropriate action is taken to ensure DETI's suite of policies and strategies remain relevant to delivery of the Department's high level priorities.</p> <p>The implementation of Economic Pact commitments will be overseen by a Sub-Group of the Permanent Secretaries Group, chaired by DETI Permanent Secretary.</p> <p>The Executive agreed the Innovation Strategy on 8 September 2014. The Strategy and Action Plan were published on 18 September 2014.</p>			<p>mandate of the Programme for Government is being developed by DETI EPD in conjunction with the Executive Sub-Committee on the Economy Officials Group.</p> <p>DETI EPD is responsible for monitoring implementation of these actions.</p> <p>2. Implementation of those commitments contained within the NI Economic Pact, (announced by the NI Executive and UK Government on 14 June 2013) continues to be taken forward by Departments.</p> <p>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.</p>	<p>Making Life Simpler: Improving Business Regulation in NI was published on 24 November 2014. EUPD is currently working towards obtaining Executive agreement in order to begin the implementation of the report's recommendations.</p>	
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						<p>3. Action Plans for Innovation/R&amp;D, Access to Finance, Exports and Business Incubation being developed.</p>	<p>Access to Finance plan was produced by March 2014 in conjunction with DFP and Invest NI.</p> <p>A draft Exports Action Plan to be produced in early 2015. The Business Incubation Action Plan will be delayed until later in 2014.</p>	
						<p>4. DETI Internal Audit Service undertook a review of aspects of the work of Economic Policy Division. The final report issued on 17 July 2013. Three recommendations relating to the work of the Division were made which have been accepted. One has been implemented and the other two are being</p>	<p>Recs 1 &amp; 2 remain outstanding. Although, in relation to Rec 2, regular (at least fortnightly) meetings between the Head of EPD and Invest NI Strategy provide the opportunities</p>	

						implemented.	<p>to discuss significant and emerging cross cutting issues. Relevant Invest NI Directors and DETI policy leads are involved in these meetings as necessary.</p> <p>Rec 3 has been fully implemented.</p> <p>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</p>	
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			<p><b>Background:</b> <i>The Department has decided to review its current policy and legislation to ensure it continues to provide an appropriate framework for the regulation and support of mineral, oil and gas exploration and development in Northern Ireland.</i></p>			<p>Further action will flow from the work that is currently being undertaken to scope legislative and policy requirements.</p> <p>A draft paper seeking the NI Executive's views on DETI's strategy on fracking has been provided to Spad/Minister for consideration (6/5/14). The outworkings of this paper will help to inform policy, legislative and operational actions going forward.</p> <p>In addition, MAPB/GSNI are continuing to assess the implications of recommendations for the regulation of the exploration and production of shale gas as published by the European Commission on 22 January 2014.</p>	<p>through TRIM.</p> <p>Date remains to be determined within the wider context of addressing issues pertaining to the potential future deployment in NI of high volume hydraulic fracturing (fracking).</p>	
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Objective: Generic Risk			For risks with a residual assessment of High or Medium Impact and High Likelihood:					
Category – Financial / VFM			<u>Number of Board Meetings at this Level:</u> N/A					
Risk Appetite – Minimal								
RISK	Inherent Assessment		CONTROLS IN PLACE	Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER
	Impact	Likelihood		Impact	Likelihood			
3. Ineffective governance leading to poor value for money, fraud, loss to public funds, or irregular expenditure.	High	Medium	<p>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.</p> <p>The process of monitoring the DETI 2014/15 annual operating plans commenced in June 2014.</p> <p>Early consideration of the DETI Operating Plan for 2015/16 and Corporate Planning for 2016/17 to 2019/20 commenced in August 2014.</p> <p>Provision of six-monthly Assurance Statements by Heads of Group and CEOs of NDPBs</p> <p>Risk and Corporate Governance issues are standing agenda items at NDPB quarterly O&amp;L meetings and are also discussed at Departmental Board.</p> <p>Evaluation of programmes and projects.</p> <p>DETI-Invest NI Casework Committee established to consider significant Invest NI casework.</p>	Medium	Low	The process of monitoring the DETI annual operating plans commenced following Ministerial approval of the Plans.	Quarterly commencing June 2014	Dept Board

			<p>DETI-NITB Casework Committee established to consider significant NITB casework.</p> <p>DETI Casework Committee for Departmental cases involving expenditure greater than £500,000.</p> <p>Internal and DFP delegations for expenditure.</p> <p>Business cases prepared in accordance with DFP and DETI guidance.</p> <p>Annual test drilling of economic appraisals and PPEs with recommendations implemented.</p> <p>Financial Governance Unit established for NDPBs and Cross Border bodies.</p> <p>Quarterly O&amp;L meetings.</p> <p>Departmental representation on NDPB Audit Committees. NDPBs provide written reports to the Departmental Audit Committee and attend if required.</p> <p>NDPB Management Statements and Financial Memorandums in place.</p> <p>Each NDPB has a fully functional Internal Audit function.</p> <p>There is a fully functional EU Audit Authority.</p> <p>Authorisation limits for expenditure.</p> <p>Fraud awareness training provided by CAL.</p>					
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			<p>Documented whistleblowing procedures reviewed and updated in July 2012.</p> <p>Fraud Policy and Fraud Response Plan reviewed and updated in July 2012.</p> <p>Participation in biennial National Fraud Initiative data matching exercise.</p> <p>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&amp;L meetings. The majority of actions outlined in the plan have been implemented and the outstanding actions are currently being progressed by NITB.</p>					
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Objective – Generic Risk			For risks with a residual assessment of High or Medium Impact and High Likelihood:							
Category – Financial / VFM			<u>Number of Board Meetings at this Level:</u> Two (commencing 25 November 2014)							
Risk Appetite - Minimal			CONTROLS IN PLACE			Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER
RISK	Inherent Assessment					Impact	Likelihood			
	Impact	Likelihood								
4. 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 EU expenditure targets.	High	High	<p>Monthly cost centre reports produced.</p> <p>Expenditure profiled monthly.</p> <p>Monthly financial reporting to Departmental Board.</p> <p>Monthly budget monitoring meetings with Invest NI and NITB.</p> <p>Quarterly monitoring rounds.</p> <p>Quarterly Oversight &amp; Liaison meetings with NDPBs.</p> <p>Quarterly risk reporting and six-monthly Assurance reporting.</p> <p>Monitoring EU expenditure levels against forecasts.</p>			High	High	Ongoing monitoring of expenditure by NDPBs/Divisions and Finance Branch to get early sight of issues and implement remedies if possible.	Ongoing	Dept Board
								Finance Branch is engaging with all business areas to consider where 2015-16 reductions may be applied in order to maximise support to priority areas and to live within budget allocations.		

<p><b>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.</b></p> <p><b>Category – Financial / VFM</b></p> <p><b>Risk Appetite – Cautious</b></p>			<p><b>For risks with a residual assessment of High or Medium Impact and High Likelihood:</b></p> <p><b><u>Number of Board Meetings at this Level:</u> N/A</b></p>					
	<b>Inherent Assessment</b>		<b>CONTROLS IN PLACE</b>	<b>Residual Assessment</b>		<b>ACTION PLANNED</b>	<b>TARGET DATE</b>	<b>OWNER</b>
<b>RISK</b>	<b>Impact</b>	<b>Likelihood</b>		<b>Impact</b>	<b>Likelihood</b>			
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	<p>Formal loan agreements.</p> <p>Due diligence reports on asset values.</p> <p>Departmental oversight and monitoring of supervisors, supported by input from legal and insolvency external consultants as required.</p> <p>Formal legal agreement with supervisors.</p> <p>A formal quarterly reporting mechanism from the supervisors to the Department is in place.</p> <p>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.</p>	Medium	Medium	<p>A high level review of Plan to 2020 has been completed.</p> <p>Discussions have been held with Joint Supervisors on actions arising from the review.</p> <p>Regular meetings of PMS Steering Group to continue to monitor delivery of the Plan.</p>	Ongoing.	Dept Board



<b>Objective:</b>  <b>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.</b>  <b>Category – Compliance – legal / regulatory</b>  <b>Risk Appetite – Cautious</b>			<b>For risks with a residual assessment of High or Medium Impact and High Likelihood:</b>  <b>Number of Board Meetings at this Level: Two (commencing 25 November 2014)</b>					
	<b>Inherent Assessment</b>		<b>CONTROLS IN PLACE</b>	<b>Residual Assessment</b>		<b>ACTION PLANNED</b>	<b>TARGET DATE</b>	<b>OWNER</b>
<b>RISK</b>	<b>Impact</b>	<b>Likelihood</b>		<b>Impact</b>	<b>Likelihood</b>			
6. 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.	High	High	<p>Policies and procedures are in place for information management.</p> <p>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.</p> <p>Business Continuity Management regime in place covering Netherleigh and all non-HQ buildings.</p> <p>Well established network of Information Managers for FOI requests.</p> <p>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 have now been completed.</p>	Medium	High	<p>Revised UK-wide Protective Marking Scheme to be introduced across NICS Departments wef 2 April 2014.</p> <p>Internal Audit to undertake a follow up review of previous Business Continuity Audit findings by December 2014.</p> <p>New approach being trialed to streamline approval process and improve compliance with</p>	<p>April 2014 Revised scheme now in force. E-learning has been rolled out in DETI.</p> <p>Report received Dec 2014. All recommendations completed</p> <p>Monitored on a regular basis.</p>	Dept Board

						<p>FOI/EIR response deadlines.</p> <p>ICO wrote to DETI on 8 October 2014 expressing concern about timeliness compliance rates and asking for further details. A response was issued on 11 November 2014.</p> <p>A second letter was received from the ICO on 8 December, requesting further details on unanswered requests and updated position.</p> <p>Although a significant number of outstanding FOI/EIR responses were issued in the last period, the risk of further intervention by ICO remains high.</p>	<p>This is due for response in early January.</p>	
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<b>Objective:</b>  <b>B1 – To provide clear policy direction and targets, and the necessary resources to deliver those targets.</b>  <b>B5 – To engage effectively with the European Union to secure the maximum financial and non-financial support available for growing the NI economy.</b>  <b>Category – Compliance – legal / regulatory</b>  <b>Risk Appetite - Open</b>			<b>For risks with a residual assessment of High or Medium Impact and High Likelihood:</b>  <b><u>Number of Board Meetings at this Level:</u> N/A</b>					
	<b>Inherent Assessment</b>		<b>CONTROLS IN PLACE</b>	<b>Residual Assessment</b>		<b>ACTION PLANNED</b>	<b>TARGET DATE</b>	<b>OWNER</b>
<b>RISK</b>	<b>Impact</b>	<b>Likelihood</b>		<b>Impact</b>	<b>Likelihood</b>			
7. Non implementation of EU Directives and/or other relevant EU regulations leading to the imposition of penalties on the Department. Criticism of the Department for providing assistance which is not compliant with the EU's 'industrial' State Aid rules and/or for not replicating GB legislation in NI.	High	High	LMU circulate details of EC Directives that require implementation.  Stand alone website for the Competitiveness Programme with comprehensive guidance.  Internal Audit system reviews.  Memorandum of Understanding setting out requirements.  Audit Authority checks.  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	High	Medium	Circulation of relevant EC Directives when received from European Policy and Co-Ordination Unit, OFMDFM.	Ongoing	Dept Board

			<p>focus on ERDF requirements.</p> <p>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.</p> <p>DETI (European Support Unit) undertakes awareness raising activities to ensure aid providers are aware of the 'industrial' State Aid rules. As required, European Support Unit also provides aid providers with advice to assist them avoid State Aid being present or to obtain the necessary EC approval through the Commission's State Aid Notification Interactive System.</p> <p>EC State Aid approval obtained on 11 July 2014 for NI Executive funding of up to £32.5m for provision of new natural gas networks in the West.</p>			<p>The following additional action is being taken by Energy Division:</p> <p>Following DSO and OLC clearance, make and lay Regulations to effect changes to the electricity and gas licence modification arrangements to ensure ongoing compliance with the Electricity and Gas Directives.</p>	<p>Jan 2015 (to align with BIS timing for complementary Regulations.)</p>	
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			<p>Energy Division is progressing work to implement the extensive Energy Efficiency Directive 2012/27/EU.</p> <p>NI Regulations for Articles 9-11, 13 &amp; 15 came into operation on 25 July 2014.</p> <p>UK-wide Statutory Instruments laid by DECC at Westminster in April and June 2014 – NI is included where required.</p> <p>Legislation for the Domestic RHI was approved by the Assembly and the scheme opened for applications on 9 December 2014. Energy Division is also working with EU colleagues to ensure state aid approval is granted for Phase II non-domestic RHI which will be taken forward early in 2015.</p> <p>Detailed programme for delivery of wholesale electricity market Target Model requirements published by Regulators.</p>		<p>Continue to engage with DECC on wider EU legislative compliance.</p> <p>Regulations to transpose Article 14(10) made on 18 November and came into operation on 10 December 2014.</p> <p>The Regulations include a duty on NIAUR to bring forward license conditions/ amendments in relation to the EED. NIAUR consultation document now drafted and due to issue January 2015.</p> <p>Prepare for RHI Non-Domestic Phase II application.</p> <p>Continue to work with DCENR, DECC and Regulators in a structured</p>	<p>Ongoing</p> <p>Dec 2014</p> <p>January 2015</p> <p>Ongoing to end 2017</p> <p>Ongoing early 2015</p>	
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			<p>Successful outcome to discussions with European Commission on derogation for Target Model compliance – derogation to 31 December 2017 approved by Commission and referenced in Capacity Allocation and Congestion Management Network Code.</p> <p>The following additional action has been taken by Minerals and Petroleum Branch (MAPB) to address concerns that EU Directive CCS/CDD 2009/31/EC – the Carbon Capture and Storage Directive has not been fully transposed into Northern Ireland:</p> <p>Ministerial approval for development of 2(2) Regulations to transpose a number of Articles from the CCS Directive received on 19 November 2014.</p> <p>Following engagement with DSO it was agreed that 2 sets of Regulations are required covering both infrastructure and permitting provisions, first set have been drafted and second set are in hand.</p> <p>Implementation plan developed and project steering group in place.</p>			<p>approach to EU.</p> <p>Engage with DG Comp, in support of State Aid clearance for proposed Capacity Remuneration Mechanism.</p> <p>MAPB currently engaging with DOJ re. clauses dealing with Offences.</p> <p>Engagement also planned with Crown Estates and NIO. Once draft regulations have been agreed an 8 week consultation is planned.</p> <p>Timescale for delivery of this target will now be impacted by the Subordinate Legislation processes, particularly the need to consult on the proposed</p>		
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						<p>Regulations.</p> <p>In addition, the successful implementation of the CCS Directive remains constrained by a shortage of in-house expertise.</p>		
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<p><b>Objective:</b> To ensure disqualification orders are pursued against all directors whose conduct has been highlighted as a concern, within the 2 year statutory deadline.</p> <p><b>Category – Compliance – Legal / Regulatory</b></p> <p><b>Risk Appetite – Averse</b></p>			<p><b>For risks with a residual assessment of High or Medium Impact and High Likelihood:</b></p> <p><b>Number of Board Meetings at this Level:</b> Ten 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).</p>					
RISK	Inherent Assessment		CONTROLS IN PLACE	Residual Assessment		ACTION PLANNED	TARGET DATE	OWNER
	Impact	Likelihood		Impact	Likelihood			
<p>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.</p>	High	High	<p>Training and guidance for Directors Disqualification Unit (DDU) Examiners provided by the Senior Examiner.</p> <p>A dedicated Training Officer has been appointed in the branch to assist training of new staff.</p> <p>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.</p> <p>Case investigation reviews carried out by the Senior Examiner to ensure all cases that are pursued are progressed on time.</p> <p>Legal advice and guidance provided by the Departmental Solicitor.</p>	High	High	<p>Business case for use of call-off arrangements to provide additional support has been returned by DETI economists with a value for money statement. A submission will be made to the Casework Committee and a funding bid will be made for the coming financial year if approved. DSO advice is that outsourcing is not appropriate for the Department’s investigation role for directors’ disqualification and bankruptcy restriction orders.</p>	June 2015	Richard Monds / Joe Hasson



		<p>Forecasting of future staffing levels and early engagement with DHR.</p> <p>Operational plan targets and activities for 2014/15 have been amended to clarify the reporting of IS targets relating to disqualification of directors.</p> <p>A system is in place to identify directors' previous involvement in corporate insolvencies to inform the disqualification process.</p> <p>Training Officer, in liaison with unit management, has developed a training plan for new staff.</p> <p>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.</p> <p>A standard target period for case investigations to be completed has been introduced.</p> <p>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.</p> <p>A new system has been introduced to ensure that all investigation cases</p>					
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			are regularly reviewed and reviews recorded to keep investigations focussed.					
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