



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

**Annual Report and Accounts
2023-24**



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COMMISSION

**Annual Report and Accounts
2023-2024**

**For the period 1 April 2023 to 31 March
2024**

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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19 July 2024

Rt Hon Hilary Benn MP
Secretary of State for Northern Ireland
Erskine House
20-32 Chichester Street
Belfast
BT1 4GF

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 twenty fourth Annual Report of the Northern Ireland Human Rights Commission. It shows how the Commission has performed its functions during the year 1 April 2023 to 31 March 2024.

The Annual Report and Accounts includes the Commission's financial statements for the year ending 31 March 2024, which have been prepared in accordance with Paragraph 7 of Schedule 7 of the Northern Ireland Act 1998, and which were certified by the Comptroller and Auditor General on 19 July 2024.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Kilpatrick', written in a cursive style.

Alyson Kilpatrick
Chief Commissioner

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It is available for download at www.nihrc.org

Performance Report Overview

Chief Commissioner's Foreword

This is the 24th Annual Report and Accounts of the Northern Ireland Human Rights Commission, detailing our work - protecting, respecting, encouraging and educating all of the people of Northern Ireland - and providing transparency and accountability to those we serve.

This has been a busy year, with several challenges presented both internally at the Commission and externally to the wider community. The Commission continues to perform its statutory obligations at a level of funding which has been found, following an independent review, to be inadequate. We have managed because of the goodwill and hard work of the team here at the Commission and with support from so many of our partners with whom we share an objective; the better enjoyment of human rights to all who live, work or visit here. Our work has been truly extensive and is set out in this report.

This year we celebrated our 25th anniversary, reflecting our origins in the Belfast (Good Friday) Agreement of 1998. We are proud to have emerged from such a landmark treaty and ever conscious of the great responsibility we carry to discharge its principles and values. That foundational treaty, with its guarantee of full completion into Northern Ireland law of the European Convention on Human Rights, is under threat. The BGFA has enabled peace, security and the rule of law precisely because it was under-written by strict compliance with a mandatory framework of principles agreed and applied universally across member states. The ECHR does not bend to political will but protects democracy by protecting each participant in society equally. In Northern Ireland we learned the importance of such protection. I am concerned however that those lessons have been forgotten and that progress may have been squandered as a result.

We will continue to perform our functions to the best of our ability, independently and with courage. We recognise that we could and should do more, so we will continue to advocate for more resources and dedicate those resources to serving the people of Northern Ireland. It continues to be my privilege to lead the Commission and my honour to serve alongside my colleagues.

Alyson Kilpatrick
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 2023-24.

This section of the Performance Report outlines the strategic context and the discharge by the Northern Ireland Human Rights Commission of its statutory functions, as prescribed by the Northern Ireland Act (NI) 1998. This includes:

- Organisational Structure
- What we do
- Key objectives
- Key Performance Indicators
- Key risks facing the Northern Ireland Human Rights Commission

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: [Principles relating to the Status of National Institutions \(The Paris Principles\) | OHCHR](#)

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.

Organisational Structure



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.

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. bringing 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 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 implementation of the Convention in Northern Ireland.

We also engage with other the National Human Rights Institutions in the United Kingdom on issues of common interest.

Our Annual Statement¹, 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 objectives agreed in our Strategic Plan 2022-25. Each objective 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.

1. To keep under review law and practice and advise government for the benefit of everyone across Northern Ireland;
2. To ensure that rights protection is not diminished as a result of the United Kingdom having left the European Union; and, where required, ensure that Northern Ireland keeps pace with changes in European Union equality laws;
3. To build a society in which human rights are better understood, protected and valued, making a positive impact upon the delivery of

¹ [Publication - Annual Statement 2023 | Northern Ireland Human Rights Commission \(nihrc.org\)](#)

services;

4. To work in partnership with other human rights and equality bodies to maximise human rights protection;
5. To be a learning organisation, improving our skills to achieve the greatest impact.

The Commission's five strategic objectives are broadly reflected and align with a series of Key Performance Indicators designed to measure effectiveness in delivering our mandate.

Key Performance Indicators

The Commission prioritising thematic areas or identified issues, improves the understanding of human rights among policy makers and key stakeholders.

Throughout 2023-24 we continued to provide advice to both the NI Executive and UK Government through our participation in a number of policy working groups. This took place against the backdrop of a NI Assembly which remained suspended until February 2024. For this reason, there was limited ability to engage with devolved political institutions, such as scrutiny committees. Nonetheless, the Commission sought out other opportunities to fulfil our mandate, including leading in the creation of a cross-departmental Treaty Body Working Group. This new forum enabled us to share expertise and insights on the international human rights reporting system with key officials throughout government.

The Commission continued to provide government and other public authorities advice (upon request or unsolicited) where possible. For example, throughout this year we focused considerable effort on Parliament addressing proposals such as the NI Troubles (Legacy and Reconciliation) Bill. On this particular subject we advised that if enacted the legislation would not fulfil the UK Government's duties under the European Convention on Human Rights or Windsor Framework. The Bill did subsequently pass and the Commission has since then intervened in a number of legal challenges, reflecting our initial advice concerning incompatibility.

Several key civil society organisations also sought our support during 2023-24. One example, was a request from the Red Cross in November concerning the rights of asylum-seekers and refugees and the delivery of an information session. Overall our training and education function remained limited however due to resource constraints. But the Commission prioritised some delivery based on capacity and provided, for example, two workshops in partnership with the NI Civil Service for those officials with responsibility for developing policy and legislation. In October our staff also met with the NI Executive Office Good Relations team to produce a series of new human rights awareness raising leaflets. These have been distributed through the Together: Building a United Community camps and council Good Relations Officers to approximately 30,000 young people.

Law and policy makers at all levels, consider and address the human rights impacts the Commission identifies through our advice, research, investigations and reports to the United Nations and Council of Europe.

In 2023-24 the Commission's advice and recommendations were reflected in a number of legislative and policy development processes. For example, we advised on the need for the Education (Curriculum Minimum Content) Order (Northern Ireland) 2007 to be amended to include comprehensive relationship and sex education. This followed the publication of our investigation and we welcomed the issuing of regulations by the Secretary of State which amended the Minimum Content Order.

Within Parliament, advice was provided on the Safety of Rwanda Bill and this work was reflected in amendments agreed in the House of Lords and referenced in debates at second reading, committee and report stages. Advice on Windsor Framework Article 2 was subsequently reflected in inquiry reports and correspondence. For example, the House of Lords EU Affairs Sub-Committee on the Windsor Framework wrote three times to Ministers regarding the Illegal Migration Act, referencing concerns raised by Commission. Other examples include correspondence on the Retained EU Law Bill by the same Committee and the Report on the Safety of Rwanda Bill published by the Joint Committee on Human Rights.

One of the important measures of a properly functioning National Human Rights Institution is its engagement with the UN and Council of Europe treaty reporting processes. Throughout 2023-24 the effectiveness of our work in this area was reflected in concluding observations, reports and activities of relevant treaty bodies and the activities of Special Rapporteurs.

In March 2024 the report of the Independent Expert on Protection against Violence and Discrimination based on Sexual Orientation and Gender Identity visit to the UK was published. The Independent Expert acknowledged the role of the Commission in advising government on policy and law reform measures relating to sexual orientation and gender identity.

In June 2023 the UN Committee on the Rights of the Child published its report on the UK. The Committee's recommendations reflected a number of key issues raised by the Commission, including recommendations relating to the age of criminal responsibility, reasonable chastisement and protecting children from harm.

The Commission's standing was also reflected in the number of international organisations and networks that continued to seek our advice and input. In this year we facilitated visits from the Council of Europe's Committee of Experts for the European Charter for Regional or Minority Languages and the Committee of Experts for the Convention on

preventing and combating violence against women and domestic violence. In addition, we provided a briefing to the UN Special Rapporteur on Violence against Women, gave evidence to a Committee of the European Parliament on our mandate under the Windsor Framework and briefed officials from the EU Delegation to the UK.

The Commission's promotional activities increases understanding and awareness of human rights in Northern Ireland.

The Commission's work featured in over 550 broadcast and print media mentions during the year. This resulted in a reach of over 65 million people engaged through local, UK and global media outlets. Issues highlighted included our work on the Illegal Migration Act, the NI Troubles (Legacy and Reconciliation) Bill, relationship and sex education in schools and the issue of protecting human rights in NI after the UK withdrawal from the EU.

The Commission also maintained a significant level of social media engagement. We issued over 700 posts via our platforms on X, Facebook and LinkedIn. The posts resulted in over 5,500 reactions. During the year we also utilised social media to promote the Commission's podcast series. This included features with the Trussel Trust on International Day of Eradication of Poverty and Foyle Women's Aid to mark the International Day for the Elimination of Violence Against Women.

The level of engagement with public facing events remained high. This included, participation in the Great Refugee Picnic to mark Refugee Week NI, and Pride Village 2023. We also hosted a number of events in year including an Annual Lecture with the UN Refugee Agency's Assistant High Commissioner for Protection, Gillian Triggs in partnership with the Bar of Northern Ireland. Our Annual Statement continued to be supported by the Speaker of the NI Assembly and we invited key stakeholders to a reception in the Commission to mark our 25th Anniversary.

Several research reports were published during the year, including the investigation into relationship and sex education in post primary schools. Through our work protecting human rights after EU withdrawal, the Commission participated with our counterparts in Ireland (Irish Human Rights and Equality Commission) and the Equality Commission NI in hosting an event which considered the issue of divergence of rights on the island of Ireland. We also launched our Annual Report on the work of the Windsor Framework and published research on frontier workers and the rights of refugees and asylum-seekers. An event in Brussels on our mandate post EU Withdrawal attracted MEPs and officials from a number of the EU institutions.

The Commission recorded over 500 stakeholder organisations attending our events during the year representing the public, private and voluntary sectors.

The Commission's website had over 50,000 page views. The most viewed pages generally mirrored our communication statements. Throughout the year, our Protecting Human Rights after Brexit Section, the published Illegal Migration Fact Sheet and the Relationship and Sex Education Report were the most popular page views.

A survey commissioned by ECNI showed that in 2023, 70% of respondents were aware that the Windsor Framework addresses human rights and equality, compared to 53% in 2022. 60% indicated that they were aware that the Commissions could provide legal assistance in this regard, up from 47% in 2022.

The Commission's education activities increases the capability of individuals, communities and organisations to promote and protect human rights.

With limited resources to support education activities the Commission delivered a series of workshops to post primary schools across NI throughout 2023-24. These had a wide geographical reach and included engagements with children and young people in Derry/Londonderry, Omagh, Belfast and Dungannon. High levels of satisfaction were typically reported from our participants. For example, following a workshop to 40 students in the Belfast: 100% said they had more knowledge about the Commission and Human Rights as a result.

The Commission itself remains a feature of the NI GCSE Curriculum and worked with the Council for the Curriculum, Examinations and Assessments to promote its workshop delivery to post primary schools in year. The role of the Commission in safeguarding the rights of people in Northern Ireland is contained in: Unit 1: Local and Global Citizenship – Government and civil society: social equality and human rights and Preparation for Adult Life – Unit 2: International Politics in Action – Conflict resolution in practice – Northern Ireland and, Learning for Life and Work – Unit 3: Human Rights and Social Responsibility (Citizenship).

The Commission continued our approach of seeking to maximise impact by partnering with key influencing organisations across our priority areas of sport, climate change, business, and promoting the Sustainable Development Goals. Workshop delivery in these areas included collaboration with the One Young World Summit, Eco Schools, NI Youth Assembly and the Commonwealth Games Association. Again, satisfaction rates with our delivery was high.

One of the purposes of the Commission's education activities is to increase the capacity of individuals, communities and their advocates to take action to ensure their human rights are respected, protected and fulfilled. In this respect we can demonstrate that our work during 2023-24 has had a positive impact. For instance, the NI Sport and Human Rights Forum held

three meetings during the year. In May, focus was given to Volunteer Week and the importance of volunteers in sport. Presentations were made by Ulster GAA, the Irish Football Association and Ulster Rugby, Volunteer Now and Street Soccer NI. The Forum has continued to gain traction and new membership, Limestone United Community Group, Peace Players, Sported NI and the Active Communities Network all signed up to the NI Declaration of Sport and Human Rights.

Throughout 2023-24 our engagement with the private sector which focuses on the UN Guiding Principles on Business and Human Rights, continued to build momentum. In partnership with Queen's University Belfast we progressed a European Network of National Human Rights Institutions funded project to develop the first business and human rights index for NI. This will be published in Autumn 2024 and we aim for this to be the beginning of a longitudinal project that will measure the operations of business in NI and their adherence to human rights standards.

The Commission delivers effective support to individuals and groups who seek assistance for reported human rights violations and abuses.

In 2023-24 a majority of the Commission's applications to courts and tribunals for leave to appear or provide written submissions were granted. The Commission's submissions were also reflected in a significant number of judgments. We received 352 enquiries for assistance in our weekly legal clinic. Eight of these progressed for consideration as potential challenges and 2 were granted.

In one case the Commission has been providing legal representation to an individual in challenging the Ministry of Defence in respect of the denial of access to her late partner's pension, as they were not married at the time of their death. We argue that the case arises from discriminatory legislation which excludes unmarried partners from survivor's pensions. Our leave hearing was heard in 18 October 2023 and we await the court decision.

In another case we have supported an individual's Judicial Review application challenging the law which prevents convictions in NI ever becoming spent if the sentence is for more than 30 months imprisonment. The Commission was concerned that the applicant (and others) has experienced several difficulties and negative consequences as a result of having to declare their convictions indefinitely. In November 2021, the High Court found that an obligation to disclose any prison sentence of more than 30 months was incompatible with Article 8 of the European Convention on Human Rights. In May 2023 an appeal by the Department of Justice was granted. The matter will progress to the UK Supreme Court in October 2024.

In addition to supporting individuals the Commission initiated 2 challenges during the year exercising own motion legal powers. The subject of the first case was the Illegal Migration Act 2023. We applied for judicial review in September 2023 and were granted leave in October 2023 against the Secretary of State for the Home Department and Secretary of State for Northern Ireland.

The Commission decided to issue this challenge due to the significant human rights implications of the Act for asylum seekers in Northern Ireland, in particular the barriers created for individual legal challenges removing the ability to appeal and judicially review decisions in most circumstances. The Act would have removed the ability to claim asylum except in very limited circumstances. The Commission claimed that the Act breached Article 2(1) of the Windsor Framework, 1951 Refugee Convention and the European Convention on Human Rights (ECHR). Judgment was pending at the end of the year 2023-24.

In a second case the Commission sought leave to issue judicial review proceedings against the Northern Ireland Housing Executive and the Department for the Communities in relation to the design and operation of their Housing Selection Scheme. We contend that the design, interpretation and practical application of the Scheme in respect of intimidation points are unlawful. The Scheme only includes those victims of intimidation who fall within a defined set of categories that excludes other categories of people who are at risk of violence or trauma. In its application, the Commission contends that the Scheme and associated rules are in breach of Articles 2, 3, 6, 8, 14 and Article 1 of the First Protocol of the European Convention on Human Rights. This case is due to be heard in the Autumn 2024.

In a number of other cases for which judgments were received during the year – see, for example SPUC Re Pro-Life Limited Application [2023] NICA 35, Re Angesom's (Aman) Application [2023] NIKB 102, Re Dillon and others [2024] NIKB 11 – Commission interventions were reflected in the decisions of courts. These confirmed the Commission's analysis regarding the scope and application of the human rights protections contained in the Windsor Framework Article 2(1).

The Commission delivers continuous improvements in accordance with its mandate and in accordance with the provisions of the United Nations General Assembly Resolution 48/134 (the Paris Principles).

Throughout 2023-24 the Commission also sought to benefit from learning and good practices of other similar institutions delivering their mandates. Staff maintained membership of the European Network of National Human Rights Institutions working groups, including Business and Human Rights; Climate Change; Communications; the Legal working group; Rights of Older Persons; Economic, Social and Cultural Rights; and the United

Nations Convention of the Rights of Persons with Disabilities. We also participated in the Global Alliance of National Human Rights Caucus on Climate Change and Human Rights, the Peer Learning Event for National Human Rights Institutions in preparation for COP28 and the UN Business and Human Rights Forum in November.

The Commission is committed to facilitating ongoing learning opportunities for staff and Commissioners and the following trainings were held during 2023-24:

- RNIB Awareness Session;
- Dignity at Work Training;
- Mental Health First Aid Training;
- Session on Google Analytics;
- EU Equality Law Training;
- Charter of Fundamental Rights and Human Rights Training;
- On-line training on Health and Safety;
- Civil Service Expectations (Inclusion and Diversity);
- Security and Data Protection;

The Commission has good corporate governance, effective systems and arrangements in place to provide assurance on risk management and internal control.

In 2023-24 the Commission's relevant internal and external audits received a satisfactory rating.

The internal audit on Systems for Tracking Legislation and Policy Developments was completed in November 2023 with the final report being presented to the November Audit and Risk Management Committee meeting. This received a satisfactory rating.

The internal audit of the Dedicated Mechanism workstream was completed in January 2024, with the final report being presented to the March 2024 Audit and Risk Management Committee meeting. This received a satisfactory rating.

The Commission operates in accordance with HM Treasury guidance on Managing Public Money.

The Commission has continued to operate within the limits of its statutory authority and any delegated authority, as well as in accordance with any other conditions and/or HM Treasury guidance relating to the use of public funds. The 2022-23 Annual Report and Accounts were certified by the Comptroller and Auditor General and laid in Parliament on 17 July 2023. All monthly reports were submitted to the Northern Ireland Office within the required timeframe with the exception of the monthly finance report for March 2024. This was due to the prioritising of the year-end Annual Report and Accounts. The Commission met the Government target of

paying 80% of undisputed invoices within five working days. 97.7% of valid invoices were completed on time.

The Commission remains accountable for the services it provides the public.

There were no instances of non-compliance during 2023-24 with any open government or transparency policies, initiatives and guidance issued by the Northern Ireland Office, HM Treasury or Cabinet Office.

Twenty five Freedom of Information Act Requests were received during 2023-24. Twenty four of these were responded to within the timeframe with clarification sought on one of the requests before a full response could be provided.

A complaint was made to the Information Commissioner's Office in October 2023 regarding a Freedom of Information Request, for which the ICO ruled in the Commission's favour, with no further action required. A separate complaint was made in December 2023 regarding non-response to a Subject Access Request. The Commission confirmed that this had been responded to within the timeframe and the individual had confirmed receipt.

The Commission continued to comply with its equality and good relations duties and the required Monitoring Return and Equality Progress Report was submitted to the Equality Commission Northern Ireland.

We also responded promptly and engaged transparently in response to any complaints made to the Parliamentary Ombudsman. There was one complaint made during 2023-24 which was not upheld.

All personal data held by the Commission was retained in accordance with the General Data Protection Regulation as it applies in the United Kingdom, tailored by the Data Protection Act 2018 and personal data related incidents reported formally to the Information Commissioner's Office, if applicable. There were no data breaches reported during 2023-24.

Key risks facing the Northern Ireland Human Rights Commission

The Commission was re-accredited with A status in November 2023 by the United Nations. This followed two years of delays. The Global Alliance of National Human Rights Institutions Sub-committee on Accreditation made 4 recommendations to the Commission which require action by the UK government. Two of the recommendations focused on adequate funding and the need for increased financial autonomy. This is being addressed through an independent budget review of the Commission initiated by the Northern Ireland Office and due to complete in June 2024.

A further recommendation focused on diversity and pluralism, with a particular reference to Commissioners. The Northern Ireland Office recruited for a vacant Commissioner position in 2023-24 and the outcome of that process is pending. The final recommendation from the Sub-committee highlighted the Commission's ability to enter places of deprivation of liberty. It noted that our legal framework does not vest the institution with the statutory power to conduct unannounced visits to places of deprivation of liberty. To achieve this outcome will require a change in our founding legislation. The matter has been raised with the Northern Ireland Office for consideration.

The Commission is now subject to a self-reporting obligation to the Global Alliance of National Human Rights Institution, noting in particular that the UK Government is committed to addressing the matters of funding and financial autonomy in the context of the 2025 spending review.

Sustainability Report

The Commission has been granted an exemption from reporting sustainability information under the Greening Government Commitments, under the de minimis criteria. The Commission's office space is less than 500m² and has a staff complement of less than 50. Consequently, the Commission has not included a full sustainability report in their annual report.

However, the Commission is continuing to take action to meet the Greening Government Commitments 2021 to 2025 policy by encouraging efficiency in the use of resources by operating a paperless office; recycling of dry office waste, printer cartridges, plastic bottles and cans; use of recycled paper; removing single use plastic from the office; and engagement with the Commission's Business and Human Rights Forum to promote sustainable and efficient products and services.

The Commission is a partner of Eco-Schools NI, an environmental education programme for schools across Northern Ireland. Through the partnership, the Commission has delivered a climate change and human rights workshop at Holy Trinity Cookstown and delivered presentations to teachers across the 11 council areas. Commission staff also presented at a sport and human rights conference for 240 students on how sport impacts the UN Sustainable Development Goals (conference organised by Commonwealth Games NI).

The Commission released a podcast with the UN Special Rapporteur on climate change and human rights to highlight how climate change impacts on human rights which was released in the programme for Good Relations Week.

The Alfred Street office is located within Belfast City Centre close to public transport links, allowing staff to travel to and from the office in a sustainable manner.

The Commission has also, in order to reduce its carbon footprint, pursued a policy of the facilitation, where possible, of staff flexibility in start and finish times allowing staff to travel to and from work at non-peak traffic times.

The Commission continues to operate a hybrid model of office and home based working where service delivery permits. It is expected that this will further support the achievement of the Greening Government Commitments 2021 to 2025.

Task Force on Climate-related Financial Disclosures (TCFD)

The Commission has been granted an exemption from reporting under the Task Force on Climate-related Financial Disclosures as the Commission has a staff complement of less than 500 and below £500m operating income.

The Commission's sponsor branch, the Northern Ireland Office, have confirmed the Commission are not required to comply with TCFD. Consequently, the Commission has not included a TCFD in their annual report.

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 one Chief Commissioner, Alyson Kilpatrick, and six part time Commissioners until August 2023 and five part time Commissioners from September 2023. The complement of staff at year-end was 26, which included three temporary contracts. Planned recruitment for an additional five posts commenced in 2023-24, with one post being recruited to. Further recruitment will take place in 2024-25.

Despite an absence of funding, the Joint Committee of representatives from the Irish Human Rights and Equality Commission and the Northern Ireland Human Rights Commission did meet on two occasions in 2023-24. A considerable programme of work also continued to be delivered in partnership focusing on the impacts of the UK withdrawal from the EU.

For 2023-24 the Commission had a core budget of £1,980,053 and £907,203 for the Dedicated Mechanism. The Commission had a core capital budget of £21,569 and £7,500 for the Dedicated Mechanism. This was funded by grant-in-aid from Parliament through our sponsor branch, the Northern Ireland Office (NIO).

The opening Taxpayers' Equity on 1 April 2023 was £695,403. This increased by £221,275 to £916,678 at the end of the financial year.

The Commission's net expenditure in 2023-24 was £2,702,535 (2022-23 £2,476,245). The increase mainly resulted from increased staff costs, public relations, publications produced and legal fees.

The Commission had a net gain on revaluation of property for 2023-24 of £14,976 (2022-23 £41,203).

Grant-in-aid from the NIO was £627,443 more than in the prior year. This was due to an increase in the core budget of £374,662, an increase of £48,203 in the Dedicated Mechanism budget, and a core capital budget of £21,569 and £7,500 for the Dedicated Mechanism, and the return of £183,000 to the NIO (for core and the dedicated mechanism) in prior year relating to the 2021/22. £7,491 budget allocation was not drawn down in the current year.



**Dr David Russell
Accounting Officer**

Date: 18 July 2024

Accountability Report

Overview

The Accountability Report for the Commission comprises three key elements:

- Corporate Governance Report
- Remuneration and Staff Report
- Parliamentary Accountability and Audit Report

Corporate Governance Report

This section of the report outlines the compositions and organisation of the Commission's governance structures and how they support the achievement of the Commission's objectives.

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 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, sections 14 to 16 of the Justice and Security (Northern Ireland) Act 2007, and Schedule 3 of the European Union (Withdrawal Agreement) Act 2020.

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 Erskine House, 20-32 Chichester Street, Belfast, BT1 4GF.

Commissioners and Management Team

The Commission is governed by its Commissioners. The following served as Commissioners during 2023-24:

- Alyson Kilpatrick
- Helen Henderson
- Jonathan Kearney
- Justin Kouame
- David A Lavery CB
- Eddie Rooney (until 31 August 2023)
- Stephen White 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 2023-24.

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 five times during the year.

The Audit and Risk Management Committee 2023-24 comprised:

- Sean Donaghy, Independent Chairperson
- Helen Henderson (from 27 March 2024)
- David A Lavery CB
- Eddie Rooney (until 31 August 2023)
- Stephen White OBE

The Chief Executive, Director (Finance, Personnel and Corporate Affairs), Director (Engagement and Communications), Director (Legal Services), Director (Advice to Government, Research and Investigations), Director (Human Rights after EU Withdrawal), 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 Management 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 follow up training on 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. A member of the Audit and Risk Management Committee reports to the full Commission board following a committee meeting. The independent chairperson normally reports annually to the full Commission board, usually in August.

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 each Audit and Risk Management Committee meeting for scrutiny and discussion. The Commission records 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 board.

There was one complaint to the Parliamentary Ombudsman in 2023-24 which was not upheld (2022-23: None).

Personal data related incidents and Freedom of Information

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 member of the senior management team 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.

There were no personal data related incidents during 2023-24 (2022-23: None). All staff completed the mandatory Civil Service Learning training on Security and Data Protection during the year.

In 2023-24 the Commission received twenty five Freedom of Information requests (2022-23 sixteen). Responses were provided to twenty six of these requests in 2023-24, with clarification sought on one request before a full response could be provided.

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 £26,250 (2022-23: £21,875).

The Commission's internal audit is provided by ASM (Belfast).

Creditor payment, policy and performance

Monthly statistics submitted to the Northern Ireland Office highlight that the Commission has paid 97.7 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 (2022-23: 98.8 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 4.46 days per employee in 2023-24 (2022-23: 4.98 days). The number of days sick per employee is due to long-term sick absence of two members of staff. The size of the Commission means that small changes in absence can appear to have a disproportionate impact on reporting statistics.



Dr David Russell
Accounting Officer

Date: 18 July 2024

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, Statement of Financial Position, and cash flows for the financial year.

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

- 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 *Government Financial Reporting Manual* have been followed, and disclose and explain any material departures in the financial statements;
- prepare the financial statements on a going concern basis; and
- 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.

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 audit 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).

Throughout 2023-24 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 is kept under continuous review to ensure the Commission is content that it is provided with all requisite information to enable it to make informed decisions.

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, (Framework Document). The previous version was reviewed and finalised in February 2023. 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. The Commission maintains whistleblowing procedures consistent with the Public Interest Disclosures Act 1998 and standards of conduct for staff are in place.

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 (11 ordinary Commission meetings and no special Commission meetings).

The following served as Commissioners from 1 April 2023 - 31 March 2024

	Meetings attended
Alyson Kilpatrick	8/11
Helen Henderson	11/11
Jonathan Kearney	11/11
Justin Kouame	9/11
David Lavery CB	8/11
Eddie Rooney (until 31 August 2023)	4/4
Stephen White OBE	11/11

Audit and Risk Management Committee Meetings

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

	Meetings attended
Sean Donaghy	5/5
Helen Henderson (from 27 March 2024)	1/5
David Lavery CB	4/5
Eddie Rooney (until 31 August 2023)	2/2
Stephen White OBE	3/5

The Audit and Risk Management Committee comprised an independent Chairperson, who had extensive financial management experience at a

senior level in the public sector, and 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 has scheduled a review of its effectiveness. This will be completed, by 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. Any corporate issues of concern were brought to the Commission Board for discussion and approval.

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, and exercises statutory functions alongside the Equality Commission as the Dedicated Mechanism established under the EU Withdrawal Agreement.

During this year, the Commission Board has met eleven times (eleven ordinary Commission meetings and no special Commission meetings). Members of the Committee provided updates on the Audit and Risk Management Committee 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 2023-24, 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 2022-2025 was published in April 2022 and can be found on the Commission's website at:

<https://nihrc.org/publication/detail/strategic-plan-2022-2025>

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 2024 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 Senior 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 Committee 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 2023-24, the main risks faced by the Commission were:

- the deferral of the Commission's reaccreditation as an 'A' status National Human Rights Institution (this was successfully resolved in November 2023); and
- ability to fulfil its statutory duties and exercise powers due to limited budget

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. The Commission Board continued to receive monthly financial reports for scrutiny at each of its meetings, which were presented by the Chief Executive and the Director (Finance, Personnel and Corporate Affairs). Any corporate issues of concern were also brought to the Commission Board for discussion and approval. The Commission's own management controls such as its financial management procedures and the appointment of an Independent Chair to the Audit and Risk Management Committee, ensured that the Commission continued to operate throughout

the period without any significant concerns being identified. 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.

The Chief Commissioner, all senior management and staff completed Civil Service Mandatory training on Security and Data Protection; Civil Service Expectations; and Health and Safety.

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 primary role of Internal Audit is to provide the Accounting Officer and the Commission Board with an independent and objective opinion on risk management, control and governance by measuring and evaluating their effectiveness in achieving the organisation's objectives.

Through a tender process ASM (Belfast) were appointed as the Commission's new Internal Auditors and commenced in March 2021 for a period of 3 years, with the option to extend for a further year. The services provided by ASM operate to standards defined by the Public Sector Internal Audit Standards. An Internal Audit Plan for 2023-24 was presented to the Commission's Audit and Risk Management Committee in June 2023 for approval.

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

The table below outlines the internal audit programme that was carried out relating to 2023-24.

System	Date of final report	Assurance rating	Status
Review of Dedicated Mechanism function	15 March 2024	Satisfactory	Final Report
Systems for tracking legislation and policy development	13 November 2023	Satisfactory	Final Report

A Satisfactory assurance level denotes that overall there is a satisfactory system of governance, risk management and control. While there may be some residual risk identified, this should not significantly impact on the achievement of system objectives.

During 2023-24 a total of 9 recommendations were made across two areas. There were no Priority One recommendations, two were identified as Priority Two and seven as Priority Three.

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 in May 2023, which was presented to the Audit and Risk Management Committee in June 2023, 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 its framework partner Ernst & Young LLP (EY), acting on behalf of the C&AG, 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 2022-23 accounts and the preparation of the 2023-24 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 Conduct for Board Members of Public Bodies June 2019’. A formal self-assessment of

the Board took place in June 2023. 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's Code of Governance, including Standing Orders was reviewed in 2022-23.

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 2023-24 statement was provided to the NIO in November 2023 and at the end of the financial year. 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.

Going Concern

The Commission's sponsoring body is the Northern Ireland Office as laid out in the Northern Ireland Act 1998. The Commission's core budget for 2024-25 has been approved by the Northern Ireland Office and we received a three-year financial settlement as part of the UK Government Spending Review covering the period 2022-2025. Due to this Spending Review ending on 31 March 2025, the Commission has also prepared a budget out to 30 September 2025 and has engaged with the Northern Ireland Office as its sponsoring body who have provided a letter of support that confirms the provision of financial support to the Commission by the Northern Ireland Office, to assist it in meeting its liabilities as and when they fall due, but only to the extent that money is not otherwise available to the Commission to meet such liabilities.

The Northern Ireland Office have confirmed that they have the ability to provide such support and will provide this support to the Commission, to the extent outlined above, for the period to 30 September 2025. The independent financial review of the Commission, which is being completed in 2024 will assess the funding level needed to sustain the Commission and will be used to inform its Spending Review 2024 inputs.

The Commission also receives additional funding for the Dedicated Mechanism, which arises from a statutory requirement under the EU Withdrawal Agreement Act. This role will continue in the future and beyond the financial year 2024-25. The Northern Ireland Office has confirmed the budget until 31 March 2025. The Dedicated Mechanism will be funded until such time that Parliament decides otherwise.

As a result at the date of this report, with this letter of support in place,

the Accounting Officer has considered it appropriate to adopt a going concern basis for the preparation of the 2023-24 financial statements.

Personal data related incidents

No personal data related incidents were reported to the Information Commissioner's Office (ICO) (2022-23: None).

Significant internal control weaknesses

There were no significant weaknesses in the Commission's systems of internal controls in 2023-24 that affected the achievement of the Commission's key policies, aims and objectives.



Dr David Russell
Accounting Officer

Date: 18 July 2024

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* (September 2021). 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 were Commissioners Eddie Rooney (until 31 August 2023); Helen Henderson (from 27 March 2024); David A Lavery CB; and Stephen White OBE. 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. With the

exception of three fixed-term contracts, staff appointments are open-ended. 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.

Accrued pension benefits for directors are not included in this table for 2023-24 due to an exceptional delay in the calculation of these figures following the application of the public service pensions remedy.

Single total figure of remuneration (audited information)								
	Salary (£'000)		Benefits in kind (to nearest £100)		Pension benefits (to nearest £1,000) ²		Total (£'000)	
	2023 - 24	2022-23	2023 - 24	2022-23	2023 - 24	2022-23	2023 - 24	2022-23
Ms Alyson Kilpatrick Chief Commissioner	80-85	75-80	-	-		30,000	80-85	105-110
Mr Eddie Rooney Commissioner (until 31 August 2023)	0-5 ³	5-10	-	-	-	-	0-5	5-10
Ms Helen Henderson Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Mr Jonathan Kearney Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Mr Justin Kouame Commissioner	5-10	0-5 ⁴	-	-	-	-	5-10	0-5
Mr David A Lavery CB Commissioner	5-10	5-10	-	-	-	-	5-10	5-10
Mr Stephen White OBE Commissioner	5-10	5-10	100	-	-	-	5-10	5-10
Mr Sean Donaghy Chair of the Audit and Risk Management Committee	0-5 ⁵	0-5 ⁶	-	-	-	-	0-5	0-5
Dr David Russell Chief Executive	85-90	80-85	-	-		22,000	85-90	105-110
Mrs Lorraine Hamill Director	65-70	55-60	-	-		11,000	70-75	70-75
Ms Claire Martin Director	70-75	65-70	-	-		15,000	70-75	80-85
Ms Rhyannon Blythe Director	70-75	65-70	-	-		25,000	70-75	90-95
Ms Eilis Haughey Director	70-75	65-70	-	-		26,000	70-75	95-100
Colin Caughey Director	70-75	40-45 ⁷	-	-		17,000	70-75	60-65

² Accrued pension benefits for directors are not included in this table for 2023/24 due to an exceptional delay in the calculation of these figures following the application of the public service pensions remedy.

³ The figure quoted is for the period 1 April 2023 to 31 August 2023. The full year equivalent is £5-£10k.

⁴ The figure quoted is for the period 1 September 2022 to 31 March 2023. The full year equivalent is £5-£10k.

⁵ Charges a fee, which is processed in the Commission's payroll.

⁶ Charges a fee, which is processed in the Commission's payroll.

⁷ The figure quoted is for the period 1 August 2022 to 31 March 2023. The full year equivalent is £65-£70k.

No performance related pay or bonus payments have been made in 2023-24 (2022-23: £nil).

Salary

'Salary' includes gross salary; overtime; and any other allowance to the extent that is subject to UK taxation. No performance related pay or bonus payments were made in year (2022-23: £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 2023-24 financial year were £167 (2022-23: £105).

There were no non-cash benefits made during the 2023-24 financial year (2022-23: None).

Bonuses

The Commission does not make bonus payments in respect of staff performance. No bonuses were payable to staff or to senior managers in respect of the year ended 31 March 2024 (nil for the year ended 31 March 2023).

Fair Pay Disclosure – (audited information)

	2023-24	2022-23
Band of Highest Paid Director FTE Total Remuneration	£85,000-£90,000	£80,000-£85,000
Median total pay and benefits ratio	1.58	1.95
Median total pay and benefits	£55,207	£42,227
Median total pay and benefits range	£24,000-£88,000	£23,000-£82,000
Percentage change in Director total pay and benefits	6.97%	2.63%
Ratio between highest paid director and 25 th Percentile	2.53	2.51
25 th Percentile total pay and benefits	£34,524	£32,880
Ratio between highest paid director and 75 th Percentile	1.51	1.53
75 th Percentile total pay and benefits	£58,089	£53,797

For the Northern Ireland Human Rights Commission there is no difference between total pay and benefits and the salary component of total pay and benefits.

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 Northern Ireland Human Rights 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 2023-24 was £85,000-£90,000 (2022-23: £80,000-£85,000). This was 1.58 times the median remuneration of the workforce, which was £55,207 (2022-23: 1.95 times and £42,227). The pay multiple of 1.58 was almost the same as the 1.95 in the year ended 31 March 2023. The reason for this is that the changes in pay in the NICS arrangements and the Commission were in keeping with one another and the profile of staff has remained largely consistent with the previous year.

Staff in the Commission hold a range of posts. The level of remuneration varies according to the post that is held. The range of remuneration on a full time equivalent basis within the Commission is £24,000-£88,000 (2022-23: £23,000-£82,000).

The percentage change from the previous financial year in respect of the highest paid director's salary was 6.97 per cent. The average percentage change from the previous financial year in respect of the employees of the organisation as a whole was 5.62 per cent. There was no performance pay and bonuses payable in 2023-24 (2022-23: £nil).

The ratio between the highest paid director's remuneration and the pay of the employee on the 25th percentile of pay of the organisation's employees for the financial year was 2.53:1 (2022-23: 2.51:1). The ratio between the highest paid director's remuneration and the pay and benefits of the employee on the 75th percentile of pay of the organisation's employees for the financial year was 1.51:1 (2022-23: 1.53:1). The lower quartile remuneration (representing the 25th percentile of the linear distribution) was £34,524 (2022-23 £32,880) (salary component) and the upper quartile remuneration (representing the 75th percentile of the linear distribution) was £58,089 (2022-23 £53,797) (salary component).

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 2023-24 (2022-23: £nil).

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 £24,205 (2022-23: £21,288).

No further pension contributions were made for Commissioners in the year ended 31 March 2024 (2022-23: £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 2024 (2022-23: £nil).

Management Team

Accrued pension benefits for directors are not included in this table for 2023-24 due to an exceptional delay in the calculation of these figures following the application of the public service pensions remedy.

	Accrued pension at pension age as at 31/03/23	Real increase in pension and related lump sum at pension age	CETV at 31/03/23	CETV at 31/03/22	Real increase in CETV
	£'000	£'000	£'000	£'000	£'000
Alyson Kilpatrick Chief Commissioner	0-5	0-2.5	38	13	18
David Russell Chief Executive	25-30	0-2.5	343	306	9
Lorraine Hamill Director	15-20	0-2.5	264	235	3
Claire Martin Director	15-20	0-2.5	223	197	2
Rhyannon Blythe Director	10-15	0-2.5	100	83	8
Eilis Haughey Director	0-5	0-2.5	40	20	14
Colin Caughey Director (from 1 August 2022)	5-10	0-2.5	81	69	6

The pension information for the senior management team follows guidance in the Employer Pension Notices EPN706 and EPN710 issued by the Civil Service Pensions.

Pension benefits are provided through the Civil Service pension arrangements. Before 1 April 2015, the only scheme was the Principal Civil Service Pension Scheme (PCSPS), which is divided into a few different sections – classic, premium, and classic plus provide benefits on a final salary basis, whilst nuvos provides benefits on a career average basis. 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. All newly appointed civil servants, and the majority of those already in service, joined the new scheme.

The PCSPS and **alpha** are unfunded statutory schemes. Employees and employers make contributions (employee contributions range between 4.6% and 8.05%, depending on salary). The balance of the cost of benefits in payment is met by monies voted by Parliament each year. Pensions in payment are increased annually in line with the Pensions Increase legislation. Instead of the defined benefit arrangements, employees may opt for a defined contribution pension with an employer contribution, the **partnership** pension account.

In **alpha**, pension builds up at a rate of 2.32% of pensionable earnings each year, and the total amount accrued is adjusted annually in line with a rate set by HM Treasury. Members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004. All members who switched to **alpha** from the PCSPS had 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 accrued pensions shown in this report are the pension the member is entitled to receive when they reach normal pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over normal pension age. Normal 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 in this report show pension earned in PCSPS or **alpha** – as appropriate. Where a member has benefits in both the PCSPS and **alpha**, the figures show the combined value of their benefits in the two schemes but note that the constituent parts of that pension may be payable from different ages.

When the Government introduced new public service pension schemes in 2015, there were transitional arrangements which treated existing scheme members differently based on their age. Older members of the PCSPS remained in that scheme, rather than moving to **alpha**. In 2018, the Court of Appeal found that the transitional arrangements in the public service pension schemes unlawfully discriminated against younger members.

As a result, steps are being taken to remedy those 2015 reforms, making the pension scheme provisions fair to all members. The public service pensions remedy⁸ is made up of two parts. The first part closed the PCSPS on 31 March 2022, with all active members becoming members of **alpha**

⁸ Further details about the Civil Service pension arrangements can be found at the website www.civilservicepensionscheme.org.uk

from 1 April 2022. The second part removes the age discrimination for the remedy period, between 1 April 2015 and 31 March 2022, by moving the membership of eligible members during this period back into the PCSPS on 1 October 2023. This is known as “rollback”.

For members who are in scope of the public service pension remedy, the calculation of their benefits for the purpose of calculating their Cash Equivalent Transfer Value and their single total figure of remuneration, as of 31 March 2023 and 31 March 2024, reflects the fact that membership between 1 April 2015 and 31 March 2022 has been rolled back into the PCSPS. Although members will in due course get an option to decide whether that period should count towards PCSPS or **alpha** benefits, the figures show the rolled back position i.e., PCSPS benefits for that period.

The **partnership** pension account is an occupational defined contribution pension arrangement which is part of the Legal & General Mastertrust. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member). The employee does not have to contribute but, where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer’s basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill health retirement).

Further details about the Civil Service pension arrangements can be found at the website 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)

	2023-24 Total	Commissioners	Permanently Employed	Others	2022-23 Total
	£	£	£	£	£
Wages and salaries	1,384,212	122,764	1,183,354	78,094	1,210,899
Social security costs	149,700	10,053	132,918	6,729	134,199
Other pension costs	347,440	23,818	306,154	17,468	323,618
Total Staff Costs	1,881,352	156,635	1,622,426⁹	102,291	1,668,716

There were no inward seconded staff during 2023-24 (2022-23: 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 £23,818 payable in respect of Commissioners (2022-23: £21,288) are described above.

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 2020. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation ([Scheme valuations - Civil Service Pension Scheme](#)).

For 2023-24, employers' contributions of £347,440¹⁰ were payable to PCSPS (2022-23: £323,618) at one of four rates in the range 26.6 per cent to 30.3 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

⁹ Includes staff costs for Dedicated Mechanism staff of £525,554

¹⁰ Includes pension costs for Dedicated Mechanism staff of £89,051

the cost of the benefits accruing during 2023-24 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 panels of three appointed stakeholder pension providers (2022-23: £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) (2022-23: £Nil).

The expected employer pension contributions to the Principal Civil Service Pension Scheme for 2024-25 is estimated at £469,806

There were no staff who retired early on ill-health grounds during 2023-24 (2022-23: None).

Number of Senior Civil Service Staff

Grade of Senior Civil Servant	2023-24 Number of Staff	2022-23 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:

	2023-24 Total	Commissioners	Permanently Employed	Others	2022-23 Total
Directly employed	32	6	24	2	32
Other	1	0	0	1	1
Total	33	6	24	3	33

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

Staff composition

	2023-24			2022-23		
	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	6	2	4	7	2	5
Permanently Employed	24	19	5	23	17	6
Others	3	2	1	3	3	0
Total	33	23	10	33	22	11

Staff Turnover

The annual turnover rate of staff for the period 2023-24 was 12.1% (2022-23: 18.7%). During the year six members of staff left the Commission to take up posts elsewhere.

Managing Attendance

Staff absence arising as a result of illness, including injuries, disability or other health problems, was approximately 4.46 days per employee in 2023-24 (2022-23: 4.98 days).

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 2023-24 as well as the Commission's Strategic Plan for 2022-25.

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 2023-24 (2022-23: £nil).

Off-payroll engagements

There were no off-payroll engagements in 2023-24 (2022-23: £nil).

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

There were no exit packages in 2023-24 (2022-23: £nil).



Dr David Russell
Accounting Officer

Date: 18 July 2024

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 £26,250 (£21,875 in 2022-23). The auditors received no fees for non-audit services (2022-23: £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 As part of the Commission's commitment to support continuous improvement, we are working with our sponsor department to understand which of the government functional standards are most appropriate for our size and scope, and best meet our business needs. Once we have agreed with our sponsor department which standards are relevant to our organisation, then we will work to embed the appropriate standards into our business processes.
- 1.3 All expenditure was applied to the purpose intended by Parliament (audited).
- 1.4 No fees or charges were collected by the Northern Ireland Human Rights Commission (audited) (2022-23: £nil).
- 1.5 The Northern Ireland Human Rights Commission has no remote contingent liabilities (audited) (2022-23: £nil).
- 1.6 The Commission had no losses or special payments (audited) (2022-23: £nil).
- 1.7 The Northern Ireland Human Rights Commission's total gross operating expenditure in 2023-24 was £2,733,618. The net expenditure for prior years was as follows:

Expenditure and income

	2023-24 £000	2022-23 £000	2021-22 £000	2020-21 £000
Expenditure	2,734	2,480	2,333	1,636
Income	<u>(11)</u>	<u>(8)</u>	<u>0</u>	<u>0</u>
Net Operating Expenditure	2,723	2,472	2,333	1,636



Dr David Russell
Accounting Officer

Date: 18 July 2024

THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE HOUSES OF PARLIAMENT

Opinion on financial statements

I have audited the financial statements of the Northern Ireland Human Rights Commission for the year ended 31 March 2024 under the Northern Ireland Act 1998.

The financial statements comprise the Northern Ireland Human Rights Commission's

- Statement of Financial Position as at 31 March 2024;
- Statement of Comprehensive Net Expenditure, Statement of Cash Flows and Statement of Changes in Taxpayers' Equity for the year then ended; and
- the related notes including the significant accounting policies.

The financial reporting framework that has been applied in the preparation of the financial statements is applicable law and UK adopted International Accounting Standards.

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 2024 and its net operating expenditure for the year then ended; and
- 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 for opinions

I conducted my audit in accordance with International Standards on Auditing (UK) (ISAs UK), applicable law and Practice Note 10 *Audit of Financial Statements and Regularity of Public Sector Bodies in the United Kingdom (2022)*. My responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of my report.

Those standards require me and my staff to comply with the Financial Reporting Council's *Revised Ethical Standard 2019*. I am independent of the Northern Ireland Human Rights Commission in accordance with the ethical requirements that are relevant to my audit of 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

In auditing the financial statements, I have concluded that the Northern Ireland Human Right Commission's use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Northern Ireland Human Rights Commission's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the Accounting Officer with respect to going concern are described in the relevant sections of this report.

The going concern basis of accounting for the Northern Ireland Human Rights Commission is adopted in consideration of the requirements set out in HM Treasury's Government Financial Reporting Manual, which requires entities to adopt the going concern basis of accounting in the preparation of the financial statements where it is anticipated that the services which they provide will continue into the future.

Other Information

The other information comprises information included in the Annual Report, but does not include the financial statements nor my auditor's report. The Accounting Officer is responsible for the other information.

My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my report, I do not express any form of assurance conclusion thereon.

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 I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. 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 part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with Secretary of State directions issued under the Northern Ireland Act 1998:

In my opinion, based on the work undertaken in the course of the audit:

- the parts of the Accountability Report subject to audit have been properly prepared in accordance with Secretary of State directions made under the Northern Ireland Act 1998; and
- the information given in the Performance Report and the Accountability Reports for the financial year for which the financial statements are prepared is consistent with the financial statements and is in accordance with the applicable legal requirements.

Matters on which I report by exception

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 material misstatements in the Statutory Performance Report and Accountability Reports.

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 by the Northern Ireland Human Rights Commission or returns adequate for my audit have not been received from branches not visited by my staff; or
- I have not received all of the information and explanations I require for my audit; or
- the financial statements and the parts of the Accountability Report subject to audit are not in agreement with the accounting records and returns; or
- certain disclosures of remuneration specified by HM Treasury's Government Financial Reporting Manual have not been made or parts of the Remuneration and Staff Report to be audited is not in agreement with the accounting records and returns; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Responsibilities of the Accounting Officer for the financial statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for:

- maintaining proper accounting records;
- providing the C&AG with access to all information of which management is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters;
- providing the C&AG with additional information and explanations needed for his audit;
- providing the C&AG with unrestricted access to persons within the Northern Ireland Human Rights Commission from whom the auditor determines it necessary to obtain audit evidence;
- ensuring such internal controls are in place as deemed necessary to enable the preparation of financial statements to be free from material misstatement, whether due to fraud or error;
- preparing financial statements which give a true and fair view in accordance with Secretary of State directions made under the Northern Ireland Act 1998;
- preparing the annual report, which includes the Remuneration and Staff Report, in accordance with Secretary of State directions made under the Northern Ireland Act 1998; and
- assessing the Northern Ireland Human Rights Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Accounting Officer anticipates that the services provided by the Northern Ireland Human Rights Commission will not continue to be provided in the future.

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.

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a certificate that includes my opinion. 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.

Extent to which the audit was considered capable of detecting non-compliance with laws and regulations including fraud

I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of non-compliance with laws and regulations, including fraud. The extent to which my procedures are capable of detecting non-compliance with laws and regulations, including fraud is detailed below.

Identifying and assessing potential risks related to non-compliance with laws and regulations, including fraud

In identifying and assessing risks of material misstatement in respect of non-compliance with laws and regulations, including fraud, I:

- considered the nature of the sector, control environment and operational performance including the design of the Northern Ireland Human Rights Commission's accounting policies;
- inquired of management, the Northern Ireland Human Rights Commission's head of internal audit and those charged with governance, including obtaining and reviewing supporting documentation relating to the Northern Ireland Human Rights Commission's policies and procedures on:
 - identifying, evaluating and complying with laws and regulations
 - detecting and responding to the risks of fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations including the Northern Ireland Human Rights Commission's controls relating to the Northern Ireland Human Rights Commission's compliance with the Northern Ireland Act 1998 and Managing Public Money;
- inquired of management, the Northern Ireland Human Rights Commission's head of internal audit and those charged with governance whether:
 - they were aware of any instances of non-compliance with laws and regulations; and
 - they had any knowledge of any actual, suspected, or alleged fraud;
- discussed with the engagement team regarding how and where fraud might occur in the financial statements and any potential indicators of fraud.

As a result of these procedures, I considered the opportunities and incentives that may exist within the Northern Ireland Human Rights Commission for fraud and identified the greatest potential for fraud in the following areas: revenue recognition, posting of unusual journals, complex transactions and bias in management estimates. In common with all

audits under ISAs (UK), I am required to perform specific procedures to respond to the risk of management override.

I obtained an understanding of the Northern Ireland Human Rights Commission's framework of authority and other legal and regulatory frameworks in which the Northern Ireland Human Rights Commission operates. I focused on those laws and regulations that had a direct effect on material amounts and disclosures in the financial statements or that had a fundamental effect on the operations of the Northern Ireland Human Rights Commission. The key laws and regulations I considered in this context included Northern Ireland Act 1998, Managing Public Money, employment law, pension legislation and tax legislation.

Audit response to identified risk

To respond to identified risks resulting from the above procedures:

- I reviewed the financial statement disclosures and tested to supporting documentation to assess compliance with provisions of relevant laws and regulations described above as having direct effect on the financial statements;
- I enquired of management, the Audit and Risk Committee concerning actual and potential litigation and claims;
- I reviewed minutes of meetings of those charged with governance and the Commission and internal audit reports; and
- I addressed the risk of fraud through management override of controls by testing the appropriateness of journal entries and other adjustments; assessed whether the judgements on estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business.

I communicated relevant identified laws and regulations and potential risks of fraud to all engagement team members and remained alert to any indicators of fraud or non-compliance with laws and regulations throughout the audit.

A further description of my responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of my certificate.

Other auditor's responsibilities

I am required to obtain appropriate audit evidence sufficient to give reasonable assurance that the expenditure and income 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.

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 I identify during my audit.

Report

Gareth Davies
Comptroller and Auditor General

Date 19 July 2024

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

Financial Statements for the Year Ended 31 March 2024

Statement of Comprehensive Net Expenditure for the Year Ended 31 March 2024

	Notes	2023-24 £	2022-23 £
Expenditure			
Staff costs	3	1,881,352	1,668,716
Other operating costs	4	671,686	635,581
Depreciation, amortisation and impairment	4	105,149	100,461
Depreciation on Right-of-Use Assets	4	75,431	75,431
Total operating expenditure		<u>2,733,618</u>	<u>2,480,189</u>
Income			
Other income	5	(11,301)	(7,702)
Total operating income		<u>(11,301)</u>	<u>(7,702)</u>
Net operating expenditure for the year ended 31 March 2024		<u>2,722,317</u>	<u>2,472,487</u>
Finance Income			
Interest Receivable		(26,433)	(3,810)
Finance Expense			
Finance expense on lease liabilities	4	<u>6,651</u>	<u>7,568</u>
Net Expenditure for the year		<u>2,702,535</u>	<u>2,476,245</u>
Other comprehensive net expenditure			
Net (gain)/loss on revaluation of property, plant and Equipment	6	<u>(14,976)</u>	<u>(41,203)</u>
Comprehensive net expenditure for the year		<u>2,687,559</u>	<u>2,435,042</u>

All amounts above relate to continuing activities.

The notes on pages 67 to 84 form part of the financial statements.

Statement of Financial Position as at 31 March 2024

		31 March 2024		31 March 2023	
	Notes	£	£	£	£
Non-current assets:					
Property, plant and equipment	6		419,363		480,085
Right-of-Use assets	7		445,021		520,452
Intangible assets	8		315		795
Total non-current assets			<u>864,699</u>		<u>1,001,332</u>
Current assets:					
Trade and other receivables	10	43,882		61,525	
Cash and cash equivalents	11	<u>990,019</u>		<u>556,606</u>	
Total current assets			1,033,901		618,131
Total assets			<u>1,898,600</u>		<u>1,619,463</u>
Current liabilities:					
Trade and other payables	12		456,336		325,368
Total current liabilities			<u>456,336</u>		<u>325,368</u>
Non Current liabilities					
Provisions – Dilapidations	13		75,000		75,000
Lease Liabilities	7		<u>450,586</u>		<u>523,693</u>
			<u>525,586</u>		<u>598,693</u>
Assets less total liabilities			<u>916,678</u>		<u>695,402</u>
Taxpayers' equity					
General Reserves			831,096		624,796
Revaluation Reserves			<u>85,582</u>		<u>70,606</u>
			<u>916,678</u>		<u>695,402</u>

The notes on pages 67 to 84 form part of the financial statements.

The financial statements on pages 63 to 84 were approved by the Commission on 24 June 2024.



Dr David Russell
Accounting Officer

Date: 18 July 2024

Statement of Cash Flows for the Year Ended 31 March 2024

	Notes	2023-24 £	2022-23 £
Cash flows from operating activities			
Net operating expenditure		(2,722,317)	(2,427,487)
(Increase) in trade and other receivables	10	17,643	(18)
Increase/(Decrease) in trade payables	12	130,968	106,038
Depreciation, amortisation and impairment	4	105,149	100,461
Depreciation on Right-of-Use Assets	4	75,431	75,431
Net cash outflow from operating activities		(2,393,126)	(2,190,575)
Cash flows from investing activities			
Purchase of property, plant and equipment	6	(28,970)	0
Net cash outflow from investing activities		(28,970)	0
Cash flows from financing activities			
Funding from parent department		2,908,834	2,281,391
Interest Receivable		26,433	3,810
Payments of lease liabilities	7	(73,107)	(72,190)
Finance expense on lease liabilities	4	(6,651)	(7,568)
Net cash inflow from financing activities		2,855,509	2,205,443
Net increase in cash and cash equivalents in the period	11	433,413	14,868
Cash and cash equivalents at the beginning of the period	11	556,606	541,738
Cash and cash equivalents at the end of the period	11	990,019	556,606

The notes on pages 67 to 84 form part of the financial statements.

Statement of Changes in Taxpayers' Equity for the Year Ended 31 March 2024

	General Reserves £	Revaluation Reserves £	Total Reserves £
Balance at 31 March 2022	819,650	29,403	849,053
Comprehensive net expenditure for the year	(2,476,244)	0	(2,476,244)
Net gain on revaluation of property	0	41,203	41,203
Grant-in-aid from NIO	2,281,391	0	2,281,391
Balance at 31 March 2023	624,797	70,606	695,403
Changes in taxpayers' equity for 2023-24			
Comprehensive net expenditure for the year	(2,702,535)	0	(2,702,535)
Net gain on revaluation of property	0	14,976	14,976
Grant-in-aid from NIO	2,908,834	0	2,908,834
Balance at 31 March 2024	831,096	85,582	916,678

The notes on pages 67 to 84 form part of the financial statements.

Notes to the Financial Statements for the Year Ended 31 March 2024

1. Statement of accounting policies

The Secretary of State for Northern Ireland has directed the Human Rights Commission for Northern Ireland to prepare accounts under the Northern Ireland Act 1998. The financial statements have been prepared in accordance with the Government Financial Reporting Manual (FReM) for 2023-24, 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 2024 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 1.9.

(ii) Leases

Property leases assessed for IFRS16 Right-of-Use assets are valued using a cost model which has been used as a proxy for current value as the underlying assets value of the short lease is unlikely to fluctuate significantly.

(iii) 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.

(iv) 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 2024

The Commission has reviewed the standards, interpretations and amendments to the International Financial Reporting Standards (IFRS) included in the 2023-24 Government Financial Reporting Manual (FReM) and which are relevant to its operations.

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 17 – Insurance contracts supersedes IFRS 4 Insurance contracts and related interpretations. This new standard was due to be applied from 1 January 2023 but the IASB has deferred the effective date until 1 April 2025.

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.

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

The Commission received £11,301 from the European Network of National Human Rights Institutions (ENNHRI) under a Small Grant Agreement for Project SGA-NHRI.EU-2023-02 – NI Business Human Rights Index – Developing a national and human rights index for Northern Ireland. The Commission has an agreement with Queen’s University Belfast (QUB) to implement the project within an agreed timeframe. For the implementation of the Project, the Commission agrees to pay the funding received from ENNHRI to QUB. Income is recognised when the obligations associated with the contract have been satisfied.

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 Alfred Street, 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 value 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 2024. The current lease was negotiated in March 2020 and is for a period of ten years until 18 March 2030 with a break clause after five years.

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 Leases

IFRS 16 'Leases' was implemented from 1 April 2022; this introduces a single lessee accounting model that requires a lessee 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.

In respect of lessees, IFRS 16 removes the distinction between operating and finance leases and introduces a single accounting model that requires a lessee to recognise 'right-of-use' assets and lease liabilities. The definition of a lease has been updated under IFRS 16, there is more emphasis on being able to control of the use of asset identified in a contract. There are new requirements for variable lease payments such as RPI/CPI uplifts; and there is an accounting policy choice allowable to separate non-lease components.

Right-of-use assets within the Commission comprise the lease of premises at Alfred Street and the lease of a photocopier.

At inception of a contract, the Commission assess whether a contract is, or contains, a lease. A contract is, or contains a lease if the contract conveys the right to control the use of an identified asset for a period of time. This includes assets for which there is no consideration. To assess whether a contract conveys the rights to control the use of an identified asset, the Commission assess whether:

- The contract involves the use of an identified asset
- The Commission has the right to obtain substantially all of the economic benefit from the use of the asset throughout the period of use
- The Commission has the right to direct the use of the asset.

At inception or on reassessment of a contract that contains a lease component, the Commission allocates the consideration in the contract to each lease component on the basis of the relative standalone prices.

The Commission assess whether it is reasonably certain to exercise break options or extension options at the lease commencement date. The Commission reassesses this if there are significant events or changes in circumstances that were anticipated.

As a lessee

Right-of-Use assets

The Commission recognises a right-of-use asset and lease liability at the commencement date. The right-of-use asset is initially measured at cost, which comprises the initial amount of the lease liability adjusted for initial direct costs, prepayments or incentives, and costs related to restoration at the end of the lease.

The right-of-use assets are subsequently measured at either fair value or current value in existing use in line with property, plant and equipment assets. The cost measurement model in IFRS16 is used as an appropriate proxy for current value in existing use or fair value for the majority of leases (consistent with the principles for subsequent measurement of property, plant and equipment) except for those which meet one of the following:

- A longer-term lease that has no provisions to update lease payments for market conditions or if there is a significant period of time between those updates; and;
- The fair value or current value in existing use of the underlying asset is likely to fluctuate significantly due to changes in market prices.

The right-of-use assets are depreciated using the straight line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of the right-of-use assets are determined on the same basis of those of property, plant and equipment.

The Commission applies IAS36 Impairment of Assets to determine whether the right-of-use asset is impaired and to account for any impairment loss identified.

Lease liabilities

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease, or if that cannot be readily determined, the rate provided by HMT.

The lease payment is measured at amortised cost using the effective interest method. It is remeasured when there is a change in future lease payments arising from a change in the index or rate, if there is a change in the Commission's estimates of the amount expected to be payable under residual value guarantee, or if the Commission changes its assessment of whether it will exercise a purchase, extension or termination option.

Lease payments included in the measurement of the lease liability comprises of the following:

- Fixed payments, including in-substance fixed payments;

- Variable lease payments that depend on an index or a rate, initially measured using the index rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee;
- The exercise price under a purchase option that the Commission is reasonably certain to exercise, lease payments in an optional renewal period if the Commission is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless the Commission is reasonably certain not to terminate early.

When the lease liability is remeasured a corresponding adjustment is made to the right-of-use asset or recorded in the SoCNE if the carrying amount of the right-of-use asset is zero.

1.9 IAS 37 – Provisions, Contingent Liabilities and Contingent Assets

Under IAS 37.14, a provision shall be recognised when:

- “An entity has a present obligation (legal or constructive) as a result of a past event;
- It is probably that an outflow of resources embodying economic benefits will be required to settle the obligation; and
- A reliable estimate can be made of the amount of the obligation.”

As the Commission’s lease contains a clause under which, at the expiration of the lease, there is an obligation to repair the property and return it to the lessor in a specified condition, a provision for dilapidation costs is recognised in the accounts.

The provision for dilapidation costs is based on a reliable estimate of the amount that would need to be paid to discharge the obligation at the end of the lease.

1.10 Intangible Assets

The Commission follows the criteria set out within IAS 38 when recognising an asset as intangible.

Software licences are amortised over 2 years (or the life of the license).

Intangible assets are amortised over 5 years (or the life of the asset).

1.11 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 and contributory.

In line with FReM's adaptation of IAS 19, the Commission accounts for the PCSPS as if it were a defined contribution scheme. In respect of the defined contribution schemes, the Commission recognises the contributions payable for the year.

1.12 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.

Irrecoverable VAT payable on lease payments is excluded from the initial measurement of right-of-use assets and lease liability; rather, it is treated as an expense at the tax point in accordance with IFRIC 21 Levies.

1.13 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.

1.14 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 £35,456 (2022-23: £48,500).

1.15 Going concern

The Commission's sponsoring body is the Northern Ireland Office as laid out in the Northern Ireland Act 1998. The Commission's core budget for 2024-25 has been approved by the Northern Ireland Office and we received a three-year financial settlement as part of the UK Government Spending Review covering the period 2022-2025. Due to this Spending Review ending on 31 March 2025, the Commission has also prepared a budget out to 30 September 2025 and has engaged with the Northern Ireland Office as its sponsoring body who have provided a letter of support that confirms the provision of financial support to the Commission by the Northern Ireland Office, to assist it in meeting its liabilities as and when they fall due, but only to the extent that money is not otherwise available to the Commission to meet such liabilities.

The Northern Ireland Office have confirmed that they have the ability to provide such support and will provide this support to the Commission, to the extent outlined above, for the period to 30 September 2025. The independent financial review of the Commission, which is being completed in 2024 will assess the funding level needed to sustain the Commission and will be used to inform its Spending Review 2024 inputs.

The Commission also receives additional funding for the Dedicated Mechanism, which arises from a statutory requirement under the EU Withdrawal Agreement Act. This role will continue in the future and beyond the financial year 2024-25. The Northern Ireland Office has confirmed the budget until 31 March 2025. The Dedicated Mechanism will be funded until such time that Parliament decides otherwise.

As a result at the date of this report, with this letter of support in place, the Accounting Officer has considered it appropriate to adopt a going concern basis for the preparation of the 2023-24 financial statements.

2. Analysis of net expenditure by segment

In line with the provisions of IFRS 8, Operating Segments, the Commission does not normally analyse its net expenditure by operating segments. However, as the Commission received ring-fenced funding for the dedicated mechanism, we have disclosed this expenditure as a footnote throughout the annual report and accounts.

3. Staff costs¹¹

	2023-24 Total	Commissioners	Permanently Employed	Others	2022-23 Total
	£	£	£	£	£
Wages and salaries	1,384,212	122,764	1,183,354	78,094	1,210,899
Social security costs	149,700	10,053	132,918	6,729	134,199
Other pension costs	347,440	23,818	306,154	17,468	323,618
Total Staff Costs	1,881,352	156,635	1,622,426¹²	102,291	1,668,716

¹¹ Average number of persons employed can be found in the staff report on page 52.

¹² Includes staff costs for Dedicated Mechanism of £525,554

4. Other expenditure

	2023-24	2022-23
	£	£
Advertising, publicity and publications	65,820	40,392
Auditor's (NAO) remuneration	26,400 ¹³	21,725
Building maintenance and expenses	53,120	48,094
Conferences and seminars	20,813	14,276
FCO expenditure	3,734	0
Insurance	9,673	9,188
Internal audit	11,115	7,020
Investigations & Research	49,375	55,662
IT	46,838	57,652
Legal casework (non-recoverable)	162,992	177,008
Light and heat	12,413	24,092
Non-recoverable VAT expense	15,754	15,754
Other expenses	8	408
Printing, postage and stationery	6,077	6,957
Professional fees	80,252	46,877
Rates	32,804	22,817
Staff training and recruitment	18,891	35,756
Telephone	14,110	15,022
Travel, subsistence and hospitality	41,497	36,881
	<u>671,686</u>	<u>635,581</u>
Finance Costs		
Interest Expense	<u>6,651</u>	<u>7,568</u>
	<u>678,337</u>	<u>643,149</u>
Non-Cash Items:		
Depreciation, Amortisation and Impairment	105,149	100,461
Depreciation Right-of-Use Assets	<u>75,431</u>	<u>75,431</u>
	<u>858,917</u>	<u>819,041</u>

There were no payments made to the auditors during the year for non-audit services (2022-23: £nil).

¹³ Includes additional charges of £150 for 2022/23 audit fee

5. Income

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

	2023-24	2022-23
	£	£
Contribution from The Equality Human Rights and Delivering Social Change Unit of The Executive Office for the review and update of the Northern Ireland Civil Service website resource guide	-	7,702
European Network of National Human Rights Institutions (ENNHRI) under a Small Grant Agreement for Project SGA-NHRI.EU-2023-02 – NI Business Human Rights Index	11,301	-
Total	11,301	7,702

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 £11,301 received from the European Network of National Human Rights Institutions (ENNHRI) under a Small Grant Agreement for Project SGA-NHRI.EU-2023-02 – NI Business Human Rights Index – Developing a national and human rights index for Northern Ireland. The Commission has an agreement with Queen’s University Belfast (QUB) to implement the project within an agreed timeframe. For the implementation of the Project, the Commission agrees to pay the funding received from ENNHRI to QUB.

6. Property, plant and equipment

2023-24	Leasehold Improvements	Information technology	Furniture & fittings	Total
Cost or valuation	£	£	£	£
At 1 April 2023	621,693	91,493	93,393	806,579
Additions	0	28,970	0	28,970
Disposals	0	(67,427)	(5,238)	(72,665)
Revaluation	15,241	0	0	15,241
At 31 March 2024	636,934	53,036	88,155	778,125
Depreciation				
At 1 April 2023	197,431	82,461	46,602	326,494
Charged in year	73,688	13,305	17,675	104,668
Disposals	0	(67,427)	(5,238)	(72,665)
Revaluation	265	0	0	265
At 31 March 2024	271,384	28,339	59,039	358,762
Net book value at 31 March 2024	365,550	24,697	29,116	419,363
Net book value at 31 March 2023	424,262	9,032	46,791	480,085
2022-23				
Cost or valuation	Leasehold Improvements	Information technology	Furniture & fittings	Total
	£	£	£	£
At 1 April 2022	579,834	91,493	93,393	764,720
Revaluation	41,859	0	0	41,859
At 31 March 2023	621,693	91,493	93,393	806,579
Depreciation				
At 1 April 2022	125,599	73,849	28,356	227,804
Charged in year	71,176	8,612	18,246	98,034
Revaluation	656	0	0	656
At 31 March 2023	197,431	82,461	46,602	326,494
Net book value at 31 March 2023	424,262	9,032	46,791	480,085
Net book value at 31 March 2022	454,235	17,644	65,037	536,916

7. Leases

Following the adoption of IFRS16 in the 2022-23 financial accounts, the Commission's leases are now recognised on the balance sheet, with the exception of those leases which are exempt by having less than 12 months to run from 31 March 2022 or are considered low value (less than £1,000).

The finance lease is recognised as an asset and a corresponding lease liability at the net present value of future lease payments. Lease payments are apportioned between the finance charge and the reduction of the outstanding liability.

A discount rate of 1.27% has been applied in the calculation on lease liabilities. As at 31 March 2024 the Commission was committed to making the following payments in respect of finance leases:

2023-24	Leasehold Improvements £	Furniture & fittings £	Total £
Right of use assets Cost or valuation			
At 1 April 2023	593,068	2,815	595,883
At 31 March 2024	<u>593,068</u>	<u>2,815</u>	<u>595,883</u>
Depreciation			
At 1 April 2023	74,465	966	75,431
Charged in year	<u>74,465</u>	<u>966</u>	<u>75,431</u>
At 31 March 2024	<u>148,930</u>	<u>1,932</u>	<u>150,862</u>
Net book value at 31 March 2024	<u>444,138</u>	<u>883</u>	<u>445,021</u>
Net book value at 31 March 2023	<u>518,603</u>	<u>1,849</u>	<u>520,452</u>

7. Leases (cont.)

2023-24	Leasehold Improvements	Furniture & fittings	Total
Lease Liabilities	£	£	£
At 1 April 2023	(521,832)	(1,861)	(523,693)
Additions	0	0	
Interest on lease liabilities @ 1.27%	(6,627)	(24)	(6,651)
Cash Payment	78,768	990	79,758
At 31 March 2024	<u>(449,691)</u>	<u>(895)</u>	<u>(450,586)</u>

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

No later than one year	<u>(73,057)</u>	<u>(895)</u>	<u>(73,952)</u>
Later than one year and not later than five years	<u>(301,624)</u>	<u>0</u>	<u>(301,624)</u>
Later than five years	<u>(75,010)</u>	<u>0</u>	<u>(75,010)</u>
Balance at 31 March 2024	<u>(449,691)</u>	<u>(895)</u>	<u>(450,586)</u>

The lease for the Alfred Street premises ends in March 2030 with a five-year break clause.

The lease for a photocopier at Alfred Street ends in February 2025.

8. Intangible Assets

	Software & Licences 2023-24	Software & Licences 2022-23
Cost or valuation	£	£
at 1 April	33,578	44,103
Additions	0	0
Disposals	0	(10,525)
at 31 March	<u>33,578</u>	<u>33,578</u>
Amortisation		
at 1 April	32,783	40,881
Charged in year	480	2,427
Disposals	0	(10,525)
at 31 March	<u>33,263</u>	<u>32,783</u>
Net book value at 31 March	<u>315</u>	<u>795</u>

9. 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.

10. Trade receivables and other current assets

	2023-24	2022-23
	£	£
Amounts falling due within one year:		
Trade Receivables	0	0
Prepayments and accrued income	43,882	61,525
	<u>43,882</u>	<u>61,525</u>

11. Cash and cash equivalents

	2023-24	2022-23
	£	£
Balance at 1 April	556,606	541,738
Net change in cash and cash equivalent balances	433,413	14,868
	<u>990,019</u>	<u>556,606</u>
Balance at 31 March	<u>990,019</u>	<u>556,606</u>
The following balances at 31 March were held at:		
Commercial banks and cash in hand	990,019	556,606
	<u>990,019</u>	<u>556,606</u>
Balance at 31 March	<u>990,019</u>	<u>556,606</u>

12. Trade payables and other current liabilities

	2023-24	2022-23
	£	£
Amounts falling due within one year:		
Taxation and social security	41,503	33,653
Trade payables	5,770	942
Other payables	9,144	5,252
Accruals	399,919	285,521
	<u>456,336</u>	<u>325,368</u>

13. Provisions for liabilities and charges

	2023-24 Other £	2023-24 Total £
Balance at 1 April	75,000	75,000
Provided in- year	0	0
Provisions written off in-year	0	0
Balance at 31 March	75,000	75,000

The amount of £75,000 in the 2023-24 above figures relates to provision made for the estimated dilapidation costs at the end of the Commission's ten year lease for its premises in Alfred Street, Belfast. The Commission's lease allows for a 5 year break clause which, at present, the Commission does not plan to exercise.

14. Contingent liabilities disclosed under IAS 37

One legal case has a contingent liability of £117,233 due to an unsuccessful outcome in the Court of Appeal in April 2023 where costs were awarded against the Commission. The Commission has been granted leave to appeal this decision to the UK Supreme Court with a hearing date in October 2024. The payment of this liability is contingent on the decision from the UK Supreme Court. (2022-23: £67,233)

The second legal case has a contingent liability of £40,350 due to an unsuccessful outcome in the Court of Appeal. The written judgment has been published and costs will be awarded against us. The Commission has issued judicial review proceedings and a leave hearing was held on October 2023. A decision on leave may not be made until the Autumn 2024. The payment of this liability is contingent on a decision on judicial review proceedings. (2022-23: £40,350).

15. Capital Commitments

The Commission has no capital commitments for 2023-24 (2022-23: £nil).

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.

Except for the remuneration disclosed in the Remuneration and Staff Report on pages 41-53, 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.

There were no significant events after the reporting date.

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