

IBCA Board - Minutes and Actions
20 May 2025, 13:00 - 16:30
Conference Room B 70 Whitehall

Board Members:

1. Sir Robert Francis (SRF) - Interim Chair
2. David Foley (DF) - Interim CEO
3. Russell Frith - Interim Non-Executive Director
4. Deborah Harris-Ugbomah - Interim Non-Executive Director
5. Paula Sussex - Interim Non-Executive Director
6. Gillian Fairfield - Interim Non-Executive Director
7. Helen Parker - Interim Non-Executive Director
8. Sir Rob Behrens - Interim Non-Executive Director
9. Rich Hornby - Interim Director Corporate Services
10. Celine McLoughlin - Interim Director of Digital
11. Sindy Skeldon - Interim Director of Operations

Attendees:

1. Catherine Webster - IBCA Chief of Staff
2. [REDACTED] - Board Secretariat
3. Hannah Probert - Deputy Director, Strategy & Governance
4. Rachel Forster - Interim Director of Communications
5. Shainila Pradhan - Interim Programme Director
6. [REDACTED] - Head of Strategy
7. [REDACTED] - Strategy Lead
8. James Quinault - Cabinet Office Senior Sponsor
9. Victoria Brock - General Counsel

Apologies:

1. Welcome

- 1.1. The Chair welcomed everyone to the Board meeting.
- 1.2. No interests were declared.

2. Minutes and Matters Arising

- 2.1. The Board minutes of 23 April and 01 May were agreed.
- 2.2. A request was made for the latest slide on the sequencing decision to be circulated.

ACTION: Circulate the latest version of the PowerPoint slide on the sequencing decision to Board members - Celine McLoughlin

Actions

- 2.3. There were four open actions on the Board Action Log to discuss:
- 2.4. **Action 77 - Cabinet Office to develop a matrix to show progress against the original recommendations made by Sir Brian Langstaff.** - A note was sent to Board members on 15 May.
- 2.5. **Action 78: Set up a meeting to discuss data and EDI requirements with Deborah Harris** - This meeting took place on 16 May.
- 2.6. **Action 80: Finance to include a directorate breakdown of spend in their monthly reporting** - The Board was informed that the budgets and forecasts are still in discussion, and the likelihood is that the April position will change as a result of various accounting adjustments for year-end. Directorate and thematic breakdowns of running costs would be included in the reporting once the budgets were settled.
- 2.7. **Action 82: Data Strategy summary to come back to the May Board meeting:**
This item has been scheduled for the June Board meeting.

3. Report from RemCo

- 3.1. The Chair of RemCo gave an update to the Board from the meeting of the Remuneration Committee on 28 April.
- 3.2. RemCo discussed Senior Pay, which was currently under Cabinet Office rules until IBCA became an independent employer.
- 3.3. RemCo also discussed the CEO's job evaluation and recommended pay scales.
- 3.4. RemCo noted the extended probation period of six months for senior staff and agreed that this should continue once IBCA had gained independent employer status.

4. Report from ARAC

- 4.1. The Chair of ARAC gave an update to the Board from the meeting of ARAC on 7 May.
- 4.2. ARAC discussed the risk register and held a deep dive into data protection.
- 4.3. The Board was asked to note the discussion at ARAC on the calculation of provisions of compensation for audit and the potential NAO opinions on the accounts.
- 4.4. They also noted the levels of uncertainty around the numbers of affected claimants and that the NAO may decide that there is not enough evidence to support the figures, which may lead to a limited scope audit opinion.
- 4.5. The NAO were currently consulting internally on their opinion, and so the outcome was unknown at present. NAO will come back to IBCA before finalising their decision.
- 4.6. ARAC also discussed the timetable for the accounts and the intention to finalise and lay the accounts before summer recess.

- 4.7. The approval of the Annual Report and Accounts was a reserved matter for the Board, and the completed draft Annual Report, governance statement and financial accounts would be presented at the Board meeting in June for Board sign off.
- 4.8. The Board noted that the ongoing exchange of opinions with NAO may delay the laying of the accounts until after the summer recess.
- 4.9. A request was made to circulate a working draft of the Annual Report.

ACTION: Circulate a working draft of the Annual Report to Board members - Rich Hornby

5. CEO Update & 6. Finance Update

- 5.1. The CEO provided the Board with the latest update on key delivery figures:
 - **761** (275) people had been asked to start their claim
 - **610** (244) people had started their claim
 - **223** (127) offers of compensation have been made, totalling **£195.4M** (£121 M)
 - **141** (69) people had accepted their offers with **£116.9M** (£71.9M) paid in compensation;
- 5.2. The Board heard that whilst at the Inquiry hearing, the Chair and the CEO had spoken to people who had been paid and who were in the process of being paid compensation and others who were keen to speak with them.
- 5.3. The Board was informed that the update on the situation from the Minister's offer of support to go faster had implications for the finance update, and so these two items would be taken together.
- 5.4. The Minister had considered the IBCA proposals to go faster and agreed to support the majority of them. The Minister acknowledged that moving forward with the proposals would take extra resources and require the AO to take greater risks than normal, which he agreed to provide a Ministerial letter of direction to allow the IBCA AO to take a greater level of risk and give the authority to spend above previously agreed limits.
- 5.5. The Board heard that the current plans before further acceleration were forecasting a £30m - £40m pressure and that the cover was not currently in place. Although conversations were taking place, a letter of Ministerial direction had not yet been received.
- 5.6. The Board were advised that the current potential overspend could be managed by reducing spend in other areas and slowing down areas of work. However, a note of caution was issued that slowing down or stopping work would have implications and decrease trust and reputation.
- 5.7. The Board were advised that curtailing spend would be easier to do now rather than later and that even a lapse of a further week or two would make things more difficult. There was a need to move quickly to reduce spending.

OFFICIAL SENSITIVE

- 5.8. Board members had a robust discussion about whether there was any room for movement and what the executive had done to try and secure the required approvals.
- 5.9. Reassurance was given that all avenues to secure approvals had been explored both verbally and in writing to the Permanent Secretary, Ministers and HMT and although conversations were positive, nothing concrete had materialised to date.
- 5.10. It was clarified that this year's budget had been set three months after IBCA started, when the design and detailed cost of the scheme were still unknown, and as things stood, without a letter of direction from Ministers or agreement from the Cabinet Office Permanent Secretary, MPM rules would not allow an overspend.
- 5.11. A suggestion was made to ask the Cabinet Office if they could cover some of the £40m pressure rather than all of it to allow delivery to continue.
- 5.12. The Board agreed that no overspend should be incurred until a letter of direction was in place and that unless permissions were given overnight, then the response to the Infected Blood Inquiry would need to include information that the resources to move ahead as agreed were not yet in place.
- 5.13. The Board were informed of a delivery risk around financial and legal support for claimants. Capacity under existing legal support contracts would likely be exceeded within the next week as existing permission and funding for support only covered 250 claimants with 171 support packages having been taken up. 1000 people had been approached to make a claim to date. The Executive was waiting for the Chief Secretary to the Treasury's (CST) approval for the provision of further legal and financial support which had been delayed.
- 5.14. The Board was asked whether IBCA should continue to approach people to begin their claim or hold off starting any further claims until permission and funding was in place. The Board were informed that permission was very likely to be granted and when it did come through it would be retrospective but may be conditional.
- 5.15. The Board acknowledged that stopping legal and financial support would be deeply damaging and against government Policy.
- 5.16. The Board noted that the Cabinet Office Permanent Secretary was aware of the issue and that she had been asked if she could cover all of the pressure. The Permanent Secretary would not be able to go ahead without agreement from the CST.
- 5.17. Board members sought clarification on the numbers and take up rate of legal and financial support provision and were assured that the current situation was that IBCA were running up a liability for legal support provision but had not yet incurred any improper spending.
- 5.18. The Board resolved that the Executive should follow the rules as set out in MPM.
- 5.19. The CEO set out the key issues that needed addressing in his Rule 9 Statement that was due to be sent to the Infected Blood Inquiry the following day, including resources and setting a timetable for delivery. The Board accepted that if approvals did not

come through overnight then the R9 statement would have to state that the resources to deliver were not in place and that IBCA could not set a timetable for delivery.

6. Finance update (covered in the previous item)

7. Programme Update

7.1. An update was given on the Programme delivery. Key risks included:

- Lack of legal support services contracts (both direct award and longer term procurement) as existing capacity will soon be exhausted, potentially stalling compensation payments without an interim solution approved by HMT.
- Delays in the IBSS Transfer impacting SSCL development if terms and conditions across nations are not finalised in time, requiring additional costs.
- Unidentified location for a larger Glasgow office posing a risk to recruitment and staffing scale-up timelines.
- Uncertainty about valuation of the compensation scheme provision remains a significant risk for the annual accounts and audit

7.2. Board members asked questions on recruitment and it was confirmed that there had been some supplier diversification and REED were now onboarded.

7.3. It was also confirmed that 28 desks would be available in 1 Atlantic Square by the end of 2025 although a search was still underway for a bigger site in Glasgow.

8. Community Advisory Panel

8.1. Board members were invited to discuss the proposals for setting up a Community Advisory Panel with a focus on the remit and composition of the panel.

8.2. The Board noted that there would be a number of additional operational considerations to be worked through before the panel could be established. They also noted that the Community Advisory Panel was not intended to replace current ways of engaging with the community.

8.3. **Remit:** Board members discussed the remit of the Community Advisory Panel and there was a consensus that it would be helpful to the Board for the panel's remit to focus on service improvement and that the Board could commission the panel for their views on service development rather than seeking views on monthly board papers.

8.4. **Composition:** Board members shared their views on the composition of the panel and some suggested that the panel could be a larger group of 15-20 community members which would allow for greater diversity of opinion. It was also suggested that further work could be done to look at other existing models of community panels.

8.5. The Board agreed that it would be a good idea to share the paper with Dr Rebekah Eglinton who had recently run Trauma Informed Organisation sessions to get her views and input before consulting further with the community.

8.6. Board members highlighted that the public appointments process may not be the most optimum way for proceeding with recruitment as this may restrict equality of access and filter out voices.

8.7. Board members agreed that panel meetings should be online with an occasional event in person. They also agreed that panel members should be remunerated for their time.

8.8. The Chair summarised the discussion highlighting:

- Clarity of scope for the panel - should be focused on development of the service
- Board should commission the panel for their views and contributions

ACTION: Consult with key stakeholders following Board discussion on Community Advisory Panel - Communications Team.

ACTION: Re draft the Community Advisory Panel Proposal in line with the Board discussion and include stakeholder feedback. - Governance Team

ACTION: Bring revised Community Advisory Panel proposal to June meeting and secure Board agreement before moving ahead with recruitment.

9. Internal Governance Framework Agreement

9.1. The Board briefly discussed the Internal Governance Framework and agreed that this should be adopted as a living document, noting that some sections still needed to be finalised.

ACTION: Internal Governance Framework to be circulated once all sections have been finalised - governance Team

10. Financial and Legal Support Procurement Strategy

10.1. The Board noted the update and approach for the financial and legal support.

10.2. The substantive discussion on this paper was covered in item 5 the CEO Update earlier in the meeting.

11. Safeguarding Strategy

11.1. The Board were introduced to IBCA's long-term approach to claimant safeguarding as the IBCA service scales and expands and noted that the proposal had not yet been costed.

11.2. Board members raised a number of questions and made a number of points about the proposal:

- Vulnerability training for Claims Managers needed more visibility
- What was IBCA's role post compensation support?
- Need to be clear what IBCA is doing from a claimants point of view
- Safeguarding should be designed by default rather than by exception
- How are we gathering data and reporting on safeguarding?

- Need to better understand how Claims Managers are identifying safeguarding concerns
- Safeguarding should be considered in a similar way to our Public Sector Equality Duty and implications considered and documented when any changes are made
- Need to understand the approach to monitoring the quality and appropriateness of the advice given by the financial advisers.

11.3. The team agreed to come back to the Board with a more detailed policy on safeguarding.

11.4. The Strategy team outlined the proposed options for safeguarding. The recommended option set out a range of service choices for the Board to discuss.

ACTION: Strategy Team to develop further detail to add to the Safeguarding Policy

11.5. The Board was also updated on the Safeguarding Vulnerable Claimants report, by the Work and Pensions Committee published in May 2025 which made a series of recommendations, some or all of which could be explored further and potentially be adopted by IBCA if the Board agreed.

11.6. The Board was informed of IBCA's current approach which is based on trauma-informed design principles, user testing and community input.

11.7. Claims Managers are trained in safeguarding risk indicators to look out for in their interactions with people claiming. Emergency escalation pathways (the 'six point plan') and signposting routes are in place (including the 'hub of hope' and to NHS counselling). With regard to financial operations, IBCA has contact with the largest UK banks. If claimant consent is given, IBCA can share an individual's vulnerability status with their bank, and the bank can add additional security to the account.

ACTION: Explore DWP progress with the recommendations from the Safeguarding Vulnerable Claimants Report - General Counsel

11.8. Board members discussed the service choices and concluded that our cohort was vulnerable and IBCA would need more than a minimalist approach. However clarity would be needed about boundaries and care taken about resourcing any service choices.

11.9. The Team agreed to work up the service options setting out the costs and the risks and return to a future Board meeting for decision.

ACTION: Develop a proposal for safeguarding service options with costs and risks and return to the Board in July 2025.

12. AOB

12.1. The next Board meeting will be held in Newcastle on 17 June 2025.