

**NORTHERN IRELAND AUTHORITY FOR
UTILITY REGULATION**

**RESOURCE
ACCOUNTS**

Accounts for the year ended 31 March 2019

NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION

ANNUAL REPORT AND ACCOUNTS

For the year ended 31 March 2019

*Laid before the Northern Ireland Assembly by the
Department of Finance under section 10(4) of the
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3 July 2019



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Northern Ireland Authority for Utility Regulation

Annual Report and Accounts for the year ended 31 March 2019

Contents

Performance Report

Overview	2
Performance Analysis	11

Accountability Report

Corporate Governance Report	18
Statement of Accounting Officer's Responsibilities	22
Governance Statement	23

Remuneration and Staff Report

Remuneration Report	32
Staff Report	40

Assembly Accountability Report

Statement of Assembly Supply	44
Certificate and Report of the Comptroller and Auditor General	49

Statement of Comprehensive Net Expenditure	52
--	----

Statement of Financial Position	53
---------------------------------	----

Statement of Cash Flows	54
-------------------------	----

Statement of Changes in Taxpayers' Equity	55
---	----

Notes to the Accounts	56
-----------------------	----

PERFORMANCE REPORT

OVERVIEW

This overview section explains the role of the Northern Ireland Authority for Utility Regulation (the Utility Regulator), providing detail on the organisation's legislative objectives and duties. It provides an understanding of how work is prioritised to meet these objectives, both through the Corporate Strategy and annual Forward Work Programme. The overview examines the key risks the organisation faces to the achievement of its objectives and work plans. The Chief Executive, Jenny Pyper, and the Chair of the Utility Regulator Board, Bill Emery, also provide an analysis of performance during the year.

Chief Executive Review of Performance in the 2018-19 Financial Year

'I am pleased to report that, at the end of the 2018-19 year we had substantially achieved against all three strategic objectives.

In terms of our regulation of monopolies, we advanced work on regulatory price controls. Specifically, we published our approach to the NI Water PC21 price control. We also published a consultation on the proposed approach to the System Operator of Northern Ireland (SONI) price control. In September 2018 we also launched a consultation on the Power NI Power Procurement Business price control.

In the final year of our Corporate Strategy period, we continued to focus on our Corporate Strategy objective of promoting efficient and effective monopolies through benchmarking of costs and asset management excellence, better reporting on achieving outputs and driving innovation. NI Water's most recent Cost and Performance report is one example of how regulation can facilitate improvements in the performance of utility companies. In July 2018 we published a Cost and Performance report for NI's gas distribution companies (GDNs) during the GD14 price control period. This demonstrated the positive contribution to the ongoing development of the gas industry in Northern Ireland by the GDNs.

It was pleasing to see that at the end of the Corporate Strategy period, our key performance indicator on gas connections had exceeded the target (250,000 new connections) to reach 258,000. Progress towards extending the gas network both in to the west of Northern Ireland and County Down continued. An extension to the licence gas distribution area to include Whitehead was also approved. We worked with Mutual Energy to secure favourable refinancing arrangements for the Gas to the West project, with lower costs to consumers a key outcome.

While we make sure that consumer bills reflect the actual costs involved for our regulated suppliers, gas prices saw some increases, largely because of rising wholesale energy costs.

Work also progressed on our third corporate objective around competitive markets. After intensive work we were pleased to see the go-live of the new Single Electricity Market on 1 October 2018. This marked the culmination of a project working in collaboration with our Irish counterpart, the Commission for the Regulation of Utilities (CRU, previously Commission for Energy Regulation). A key aspect of the new market is regular competitive capacity auctions. In the case of all auctions to date, the systems and processes have worked

successfully, securing sufficient capacity and consumer savings (compared to the capacity payment mechanism under the previous market arrangements). We also took steps to enhance the operation of the retail energy market through developing a robust monitoring regime and looking at ways to protect small business consumers.

Protecting consumers' long-term interests has meant that we, along with the Department for the Economy (DfE) and SONI, have taken significant steps to secure the electricity supply for local consumers. We also advocated strongly for the construction of a second north-south electricity interconnector and were pleased when the Department for Infrastructure (DfI) gave planning approval in January 2018. We also facilitate investment in renewables in line with government policy and during 2018-19 the proportion of generation from renewables reached 38%. We continued to implement our Consumer Protection Strategy as a basis for protecting the interests of vulnerable consumers in line with Corporate Strategy objectives. This included a review of care registers and a new supplier code of practice on energy bills and statements.

We commenced the process of developing a new Corporate Strategy for 2019-24. With a focus on stakeholder engagement, we developed a new strategy with an accent on meeting future challenges. The new strategy was published in March 2019.

The ongoing process of the UK's departure from the EU was a significant backdrop to much of our work during the year. We worked closely with other government and statutory stakeholders to put in place the necessary mitigations and contingencies to ensure that consumers were protected from any risks arising from Brexit.

Finally, we continued to develop as an organisation. Our focus on supporting our staff was evident with our accreditation under the Investors in People Standard. We took the initial steps towards the planning of our new Corporate Strategy. We commenced a review of our Enforcement Procedure and Financial Penalties Policy to ensure they were in line with best practice. Externally our focus remained on positive engagement with stakeholders and we launched a review of our corporate communications.'

Non-Executive directors' report

The past year has been another busy one for the organisation and its board. One of the most significant items on the board agenda has been the oversight on the final year of implementation of the Corporate Strategy 2014-19 and the development of a new strategy. The board took an active role in the approach to, and development of, the new Corporate Strategy 2019-24 including workshops with the senior leadership team. The new strategy was published, as scheduled, at the end of March 2019.

The ongoing regulation of monopolies continued to be a focus for the Board. A key aspect of this was the board's scrutiny of arrangements to reflect the outcome of regulatory appeals to the Competitions and Market Authority by firmus energy and SONI. The development of price control reviews relating to SONI, Power NI PPB and NI Water were also considered by the Board during 2018-19.

Supporting the ongoing development of the natural gas network was also vital. Corporate Strategy targets for gas connections were exceeded and there was further growth in the size of the gas network.

The Board was also actively engaged on the continued development of consumer protection arrangements. As well as attending events relating to the Consumer Protection Strategy, the Board's contribution helped to shape a new direction for protecting the most vulnerable in society. This new direction was crystallised in the new Corporate Strategy 2019-24.

The Board also played an active role in overseeing that all efforts were being advanced to finalise contractual arrangements for the gas transportation between Great Britain and Northern Ireland after 2021.

As with many other organisations, the Board also took steps to ensure that the organisation had taken the necessary steps to manage risks arising from Brexit. As well as receiving regular briefings and updates, the Board also established a Brexit Sub-Group to provide the necessary high-level oversight of key issues and decisions.

The Board's central role in ensuring appropriate governance processes were in place was evidenced by a continued focus on organisational risk. Aside from the monthly review of risk, the board allocated time for more in depth discussions on two separate occasions. A separate workshop to discuss and reflect on organisational risk management arrangements was planned for April 2019.

One key compliance risk that emerged during 2018-19 was the General Data Protection Regulation (GDPR). The Board approved organisational arrangements for ensuring the effective compliance with GDPR and received training.

As ever, board members played an active role in meeting stakeholders and attending events to ensure that they were informed about current and relevant energy and water issues.

Finally, one of the board members departed at the end of March, with a further board member due to leave at the end of June, having completed their terms of appointment. A competition was launched to replace both members and two new non-executive Directors have been appointed with effect from 1 May 2019.

Role of the Utility Regulator

The Utility Regulator is a non-ministerial government department responsible for regulating Northern Ireland's electricity, gas, water and sewerage industries. The work of the Utility Regulator is based on duties set out in various pieces of legislation including the Energy (Northern Ireland) Order 2003 and the Water and Sewerage Services Order 2006. The Utility Regulator has a wide range of responsibilities in law, covering regulatory functions and competition powers, the latter of which are held jointly with the Competition and Markets Authority. The Utility Regulator Single Electricity Market (SEM) Committee is also responsible for the regulation of the SEM and does so in conjunction with the CRU. The work of the SEM Committee is under the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (as amended at 31 March 2016).

The work of the Utility Regulator covers areas including the following:

- Issuing licences that allow gas, electricity and water companies to operate in Northern Ireland.
- Making sure licensed companies meet relevant legislation and licence obligations.
- Setting the minimum standards of service which regulated companies must provide to consumers in Northern Ireland.
- Making sure that consumers only pay what is necessary for the services they receive now and in the future.
- Challenging companies to make sure they operate more efficiently and deliver good value for consumers as well as shareholders.
- Working to provide greater choice and encourage competition in the gas and electricity markets.
- Having regard to the need for regulated companies to be able to finance their activities and innovate effectively.
- Acting as an adjudicator on individual complaints, disputes and appeals.
- Regulation of the SEM and development of the new Target Electricity Model as required by the Capacity Allocation and Congestion Management (EU 2015/1222).

Objectives and Duties

Electricity

In respect of electricity, the principal objective of the Utility Regulator is to protect the interests of consumers of electricity supplied by authorised suppliers, wherever appropriate, by promoting effective competition between persons engaged in, or commercial activities connected, with the generation, transmission or supply of electricity. The Utility Regulator, as a designated regulatory authority, fulfils the objectives set out in Directive 2009/72/EC concerning common rules for the

internal market in electricity. In performing its duties the Utility Regulator must have regard to (amongst other things) the interests of:

- individuals who are disabled or chronically sick;
- individuals of pensionable age;
- individuals with low incomes; and
- individuals residing in rural areas.

Subject to the above the Utility Regulator shall, among other things, promote the efficient use of electricity, promote efficiency and economy on the part of licence holders, secure a diverse and viable long-term energy supply and shall have regard to the effect on the environment and the need to ensure electricity licence holders are able to finance their activities.

Gas

The principal objective of the Utility Regulator in respect of gas is to promote the development and maintenance of an efficient, economic and co-ordinated gas industry in Northern Ireland and to do so in a way that is consistent with the fulfilment by the Utility Regulator of its obligations as a designated national regulatory authority for Northern Ireland and pursuant to the objectives as set out in Directive 2009/73/EC. The Utility Regulator must also have regard to (amongst other things) the interests of consumers of gas and the need to ensure that gas licence holders are able to finance their activities. The Utility Regulator must have regard to (amongst other things) the interests of:

- individuals who are disabled or chronically sick;
- individuals of pensionable age; and
- individuals on low incomes.

Subject to the above, the Utility Regulator must have regard to (among other things) the need to secure a diverse and viable long term energy supply and the effect on the environment of activities connected with the conveyance, storage or supply of gas.

Water

In respect of water and sewerage services, the Utility Regulator must carry out its functions in a manner it considers best calculated to:

- protect the interests of consumers of water and sewerage services, where appropriate, by the promotion of effective competition;
- ensure that water and sewerage undertakers properly carry out their functions in all areas of Northern Ireland; and
- ensure that water and sewerage companies can properly finance their activities.

In doing so the Utility Regulator shall have regard to (among other things) the interests of:

- individuals who are disabled or chronically sick;
- individuals who are of pensionable age;
- individuals on low income; and
- individuals residing in rural areas.

Sustainability

Although the promotion of sustainable development is not a primary duty of the Utility Regulator, secondary duties clearly outline its responsibilities in relation to sustainability issues. Subject to the interests of named groups - such as individuals on low income - the Utility Regulator:

- promotes the efficient use of electricity, promotes efficiency and economy on the part of licence holders, secures a diverse and viable long-term energy supply and shall have regard to the effect on the environment;
- must have regard to (among other things) the need to secure a diverse and viable long term energy supply and the effect on the environment of activities connected with the conveyance, storage or supply of gas; and
- must also contribute to the achievement of sustainable development (in relation to water and sewerage).

The Utility Regulator is responsible for implementing a number of policy instruments aimed at promoting energy efficiency and lower carbon, including the Northern Ireland Renewables Obligation and the promotion of the gas industry.

Moreover, the Utility Regulator also encourages a number of other instruments, implemented through Northern Ireland Electricity Networks (NIEN), such as the Sustainable Management of Assets and Renewable Technologies (SMART) programme which promotes environmentally friendly approaches to the provision of the electricity network and infrastructure to meet consumer demand in Northern Ireland. The Utility Regulator also has responsibility for a number of instruments aimed at promoting behavioural change in relation to sustainability, such as the price controls and the Northern Ireland Sustainable Energy Programme (NISEP).

Strategic Direction

During 2018-19, the Utility Regulator's work was guided by the principles outlined in its five-year Corporate Strategy covering the period 2014 to 2019. This sets out three main cross sectoral objectives aimed at achieving the duties and objectives assigned to the Utility Regulator in legislation and outlines how these will be met and when they will be considered to have been achieved. The Corporate Strategy also details the achievements of the Utility Regulator in the period prior to its publication and highlights the main issues and challenges going forward. The Corporate Strategy was published in May 2014 and is available on the Utility Regulator's website www.uregni.gov.uk/publications/corporate_strategy_2014-2019.

The Utility Regulator also regulates within the context of the policy framework set out by government including the DfE’s Strategic Energy Framework and the DfI’s Social and Environmental Guidance.

Table 1 below details the three main Corporate Strategy objectives along with the activities and outcomes associated with these.

Objective	This objective will be met by	This objective will be achieved when
Promoting effective and efficient monopolies	<ul style="list-style-type: none"> • Using price control reviews to make sure that regulated utility companies in Northern Ireland are efficient, invest prudently and continuously innovate. • Making sure that consumer’s bills fairly reflect costs by scrutinising and monitoring prices, carrying out cost-reporting exercises and assessing how well utility companies are meeting service standards. • Extending, developing and improving the resilience of utility networks by approving further investment. 	<ul style="list-style-type: none"> • Monopolies deliver high standards of performance. • Network costs for energy and water companies in Northern Ireland improve compared with EU companies. • Best-practice regulation encourages innovation and leads to an efficient investment climate. • Our regulation supports modern progressive markets and infrastructure which delivers a strategic advantage to Northern Ireland.
Promoting competitive and efficient markets	<ul style="list-style-type: none"> • Reviewing and increasing the competitiveness of both the wholesale and retail energy markets in Northern Ireland. • Delivering projects and promoting infrastructure to improve the operation of existing markets. • Monitoring market competitiveness and supplier behaviour. • Keeping consumers informed and involved with the market. • Strengthening the evidence base which leads to policy decisions. 	<ul style="list-style-type: none"> • A regional electricity market is in place and brings about effective and efficient competition. • The appropriate balance between competitive markets and a strong regulatory framework is in place. • Market indicators compare favourably with markets elsewhere. • There is a system in place for monitoring information about the retail market, which informs policy and gives consumers more options.
Protecting the long- term interests of business and domestic consumers	<ul style="list-style-type: none"> • Delivering new customer protection measures. • Protecting vulnerable consumers. • Addressing concerns about electricity security of supply. • Making it possible for energy companies to introduce initiatives that promote the de-carbonisation of the energy sector. 	<ul style="list-style-type: none"> • Electricity, gas and water consumers have long-term security of supply. • A new customer-protection strategy for domestic consumers is in place and vulnerable consumers are not disadvantaged by utility cost or quality of service. • Our regulatory decisions have contributed to the achievement of the NI Executive’s targets for renewable energy and social and environmental guidance for water.

The Corporate Strategy recognises the key regulatory trends and issues affecting its work in the period to 2019 and sets the longer-term work plan to meet the following challenges:

- Playing a role in reducing the effect of higher energy prices for business and domestic customers.
- Making sure there is efficient investment in a modern and high-performing utility infrastructure which can be maintained over the long term.
- Supporting utility companies by providing incentives to innovate and promote best practice.
- Supporting the long-term development of our regulated industries and specifically contributing to the achievement of the NI Executive's renewable-energy targets.
- Reviewing the effectiveness of competition in the energy retail markets.
- Promoting effective competition in the SEM and delivering the Integrated Single Electricity Market (I-SEM) by 2018.
- Dealing with concerns about the security of supply in Northern Ireland and, in particular, the critical need to build a second north-south electricity interconnector.
- Improving the way the Utility Regulator monitors the outcomes of the retail energy markets for consumers and making sure consumers are properly protected.
- Working to effectively put in place new competition arrangements.
- Assisting DfE on strategic energy policy issues.
- Supporting a joint approach in water, working with the DfI.
- Improving outcomes for providing water and sewerage services.

Forward Work Programme

In each year covered by the Corporate Strategy, the Utility Regulator publishes a Forward Work Programme (FWP) detailing projects, other than those comprising routine activities in the exercise of its functions, which it plans to undertake during the year. The requirement to publish the FWP, before the 1 April in each year, is set out in Article 6 of the Energy Order and Article 4 of the Water and Sewerage Order. However before doing so it must consult on a draft FWP in time to allow it to consider any representations made. Article 6 (4) of the Water and Sewerage Order specifically enables the Utility Regulator to prepare a combined FWP covering its energy and water and sewerage functions.

A FWP for 2018-19 was consulted on and published and can be accessed from the Utility Regulator's website at: https://www.uregni.gov.uk/sites/uregni/files/media-files/Final%20FWP%202018-19_0.pdf

It described the Utility Regulator's objectives, identified the main priorities for meeting those objectives and outlined the specific non-routine projects which the organisation planned to undertake in the year commencing 1 April 2018. It also included an estimate of the overall expenditure which the Utility Regulator expected to incur during the year.

Risk Management within the Utility Regulator

The Utility Regulator has a robust risk management process in place. The key risks for the Utility Regulator are largely around failure to achieve its objectives and regulate effectively. There is a strong reputational element to Utility Regulator risks. Risk management processes are designed to operate in a manner to minimise the Utility Regulator risk exposure recognising that in the absence of these processes there is always a risk of failing to deliver legislative requirements on time and as required. The Utility Regulator makes decisions that impact on regulated companies and is therefore always at risk of challenge either by reference of disputed licence modifications to the Competition and Markets Authority or judicial review. The Utility Regulator is also working with government and other regulators in regard to the potential implications of Brexit.

Performance Summary

Further detail of performance against the Corporate Strategy indicators and FWP targets is provided in the following performance analysis section. This also provides details of achievements that contribute to these key duties and objectives.

In summary, most of the Corporate Strategy indicators are reported as complete or on-track at the end of 2018-19. Key outcomes in respect of Corporate Strategy objectives include: regulated tariff reviews, regulatory price controls, gas network extensions, further progress on delivering the I-SEM, completing a review of the effectiveness of the retail energy market, the introduction of a market monitoring framework and the implementation of the Consumer Protection Strategy.

In total 85% of the non-routine projects in the FWP 2018-19 are either achieved or partially achieved. Significant projects were progressed during 2018-19 including: go-live of the new SEM, progression of the supply price controls and SONI price control, advancement of work on the water PC21 price control, introducing measures to tackle the issue of maintaining a reliable electricity supply, continuing to develop new ancillary services to enable more electricity to be generated from renewable sources under the DS3 initiative and implementation of Consumer Protection Strategy projects.

In terms of financial performance, in 2018-19 the Utility Regulator is reporting a net resource outturn position of £305k. The net expenditure includes a small amount of the public expenditure funding, as the majority comes from electricity, gas and water licence holders. In terms of gross expenditure in 2018-19, the Utility Regulator outturn is also within the DoF approved budget position. Further detail on financial performance is contained within the financial review section of the performance analysis.

Following a period of staff consultation, an action plan has been developed to implement actions arising from the office's accreditation for Investors in People. A delivery team has been put in place comprising representatives from all directorates. IiP implementation forms a key part of the HR Strategy ("UR People"), key performance indicators for which are on track. During the year, the programme of activity focussed on team building, encouraging an awareness of corporate social responsibility and providing access for staff to a range of advice on physical and mental health well-being issues. The office has continued to work with Business in the Community (BiTC) to develop opportunities for staff to use and develop their skills through third sector volunteering. There has also been fruitful involvement with BiTC's learning network as a means of developing opportunities for networking, benchmarking and training.

More detail on the FWP projects are set out in the Annual Report which is published on the Utility Regulator website, www.uregni.gov.uk.

PERFORMANCE ANALYSIS

This section provides an analysis of how performance is monitored and measured within the Utility Regulator and gives a detailed assessment of performance during 2018-19.

Measuring Performance

An organisational framework is in place to measure Utility Regulator performance.

At the strategic level, progress against Corporate Strategy objectives is assessed through reporting on key performance indicators. The FWP contributes to the achievement of Corporate Strategy objectives and progress against each FWP project is also monitored and reported. Financial and operational performance is monitored at directorate level, by the Senior Management Team (SMT), by the Audit and Risk Committee and by the Utility Regulator Board.

Reporting Against Performance

Under the Energy Order the Utility Regulator is required to produce a separate Annual Report providing a comprehensive review of performance during the 2018-19 year. This report should therefore be read in conjunction with the Utility Regulator Annual Report for 2018-19 which can be downloaded free from the Utility Regulator's website www.uregni.gov.uk. Alternatively a printed copy of the Annual Report can be obtained by contacting the Utility Regulator by phone on 028 90311575 or by writing to the Corporate Services Branch, the Utility Regulator, Queens House, 14 Queen Street, Belfast, BT1 6ED.

Performance is also assessed on an ongoing basis throughout the year. Specifically, performance is monitored regularly and reported through finance and performance papers to each meeting of the Board and the Audit and Risk Committee. The Senior Management Team also regularly reviews performance against targets and these form part of individual discussions and periodic formal reviews between the CEO and individual directors. During 2018-19 performance against the PROGRESS scorecard also continued to be assessed as part of the formal reviews carried out three times per year between the CEO and individual directors.

The Utility Regulator monitors its financial position on an ongoing basis to ensure that it operates within Board and Department of Finance (DoF) approved limits.

A summary of organisational performance against Corporate Strategy indicators and FWP targets is detailed below, together with a financial review and reporting against sustainability.

Progress against Corporate Strategy Objectives

Corporate Strategy Objective 1: Promoting effective and efficient monopolies

- Following a review, there was a 13.8% increase in regulated electricity tariffs for Power NI, which was announced in August 2018.
- A review of SSE Airtricity's regulated gas tariffs led to a price increase for consumers in the Greater Belfast area. The review, which concluded in August 2018, resulted in a 10.9% increase. Firmus energy also concluded a review of gas tariffs in the Ten Towns gas distribution area and this led to a 12% increase.

- While a review of NI Water's scheme of charges, which concluded in March 2019, led to an increase in water and sewerage charges by an average of 2.7%.
- We progressed price control reviews for NI Water (called PC21), SONI and Power NI PPB. Our PC21 price control approach was published in July 2018. The approach to the SONI price control was published in March 2019. A consultation on the Power NI PPB determination was published in January 2019.
- Following the outcome of separate appeals, brought to the Competitions Markets Authority by firmus energy and SONI, we addressed several remitted matters.
- The annual cost and performance report for NI Water showed the company's continued progress in performance and efficiency. We also, for the first time, published a cost and performance report for gas distribution companies (GDNs) showing the continued positive contribution of GDNs during the GD14 price control period.
- Work to develop a new natural gas network to the west of Northern Ireland and County Down continued to be advanced during the year. We worked with Mutual Energy on refinancing arrangements for the Gas to the West with an estimated £50 million consumer savings a key outcome. Work on constructing a network gas extension to County Down has progressed. 258,000 network gas connections were achieved, exceeding the target set at the start of the Corporate Strategy 2014-19 period.

Corporate Strategy Objective 2: Promoting competitive and effective markets

- The project to deliver an enhanced wholesale electricity market on the island of Ireland (the SEM), was completed. The enhanced market went live on 1 October.
- A key aspect of the new market was the regular capacity auctions. Both the T-1 and T-4 capacity auctions took place and were successful in securing sufficient generation capacity. We also approved a derogation request by AES to close its Ballylumford generating units early.
- We began the process to improve our retail energy market monitoring (REMM) regime through enhanced assessment opportunities.
- Following the go-live of the new SEM market we have taken steps to enhance the content and format of our market monitoring reports.
- Ensuring the agreement of the transportation agreement to enable the flow of gas between Great Britain and Northern Ireland continued to be a priority during the year.

Corporate Strategy Objective 3: Protecting the short- and long-term interests of business and domestic consumers

- There was continued facilitation of investment in renewables and, in March 2019 it was announced that there had been 38% of energy generated from renewables.

- Following on from a commitment in our Forward Work Programme we commenced a review of the Northern Ireland Sustainable Energy Programme (NISEP) and Energy Efficiency Provision project. A call for evidence was announced by us in October 2018
- We reviewed the implementation of the Consumer Protection Strategy. This included a consultation with stakeholders, notably a consumer summit in May 2018, and led to revised consumer protection programme.

Performance Against Forward Work Programme (FWP) Targets

Of the time limited tasks identified in the FWP, overall the Utility Regulator achieved or partially achieved 85% of the time limited projects listed to be completed within the 2018-19 year. Of the 26 projects identified, the progress report at 31 March 2019 is as follows:

Achieved tasks	13	(50%)
Partially achieved tasks	9	(35%)
Revised	4	(15%)
Not achieved	0	(0%)

Utility Regulator Financial Review

Funding of the Utility Regulator

As a non-ministerial government department, the Utility Regulator is required to prepare a Supply Estimate each financial year. This is the means by which authority is sought from the NI Assembly for spending each year. Funds voted by the NI Assembly are accounted for on an annual basis in the Resource Accounts and the Utility Regulator is required to operate within the gross and net expenditure and income approved limits and related controls.

The Utility Regulator is largely funded by annual licence fees paid by the electricity and gas licensees and water and sewerage undertakers and expenditure is primarily therefore offset by receipts. Previously receipts collected from the electricity and gas licence fees were paid directly into the Northern Ireland Consolidated Fund. However the Utility Regulator has been allowed to retain these following a Treasury direction, using powers under the 1920 Treasury Act, and DfE nomination of the Utility Regulator (previously Director General of Electricity Supply and Director General of Gas) to collect receipts on its behalf. The licence issued by the DfI to NI Water in respect of water and sewerage services provides for licence fees under that licence to be paid to the Utility Regulator.

Licence fees are set annually by a determination made by the Utility Regulator – the income from electricity, gas and water and sewerage licence fees in 2018-19 was £8.120m. This is compared with £9.699m in 2017-18.

The Utility Regulator recovers and retains the cost of administering the Northern Ireland Renewables Obligation (NIRO) scheme from a buy-out fund. This is funded by electricity suppliers that elect to meet their NIRO obligations by paying a buy-out fee. The suppliers pay in at a rate per megawatt hour. In 2018-19 the total cost of administering the NIRO and recovered

from the buy-out fund was £891k. This was compared to £1,023k in 2017-18 which included the cost of defending a judicial review in year.

For consistency with the allocation of costs for the purposes of recovering them through licence fees, expenditure is reported with reference to the duties and objectives as set out in legislation, rather than those included within the Corporate Strategy. In 2018-19, gross expenditure as detailed in the *Statement of Operating Costs by Operating Segments*, was as follows:

- Segment 1 (Electricity) – £6,852,000 (£8,477,000 in 2017-18)
- Segment 2 (Gas) – £1,780,000 (£2,048,000 in 2017-18)
- Segment 3 (Water) – £814,000 (£507,000 in 2017-18)

Our most significant cost is salary costs which in 2018-19 made up 60% of total costs compared with 49% in 2017-18. This increase in percentage is as a result of a reduction in external support costs in 2018-19 compared with 2017-18 when a price control referral was progressing. The Statement of Comprehensive Net Expenditure shows that salary costs increased from the previous year (£5,375,000 for 2017-18 against £5,651,000 for 2018-19). This reflected the office operating largely at full complement for the year, additional staff to resource key work streams and annual pay increments.

Other current expenditure has decreased from £5,657k in 2017-18 to £3,795k in 2018-19. This is primarily as a result of a price control referral that progressed in 2017-18 with significant external costs and the completion of the I-SEM project during 2018-19.

The net resource outturn was £305k against an Estimate of £310k resulting in a saving against estimate of £5k. Overall against estimate, external and other professional costs were lower than expected and income was lower as a consequence. The net resource outturn should reflect the cost borne by Central Government in respect of work undertaken by us which was not recoverable from licence holders. This normally includes the cost of administering renewable schemes, excluding the NIRO, and the notional costs charged to the Utility Regulator.

Long Term Expenditure Trends

The following table illustrates the net and gross outturn position over the previous four financial years.

	Gross outturn	Income	Net outturn
	£'000	£'000	£'000
2014-15	7,619	7,359	260
2015-16	8,254	8,001	253
2016-17	10,219	9,955	264
2017-18	11,032	10,750	282
2018-19	9,446	9,141	305

The above table reflects resource expenditure and income only. Utility Regulator expenditure on capital is minimal (between £3k and £18k in the years illustrated) and covered routine office requirements only. As almost all IT services are provided by IT Assist there are only minimal capital requirements in that respect. Up until 2017-18, resource expenditure has been increasing

as a result of the delivery of the I-SEM project, extensive price control work and the defence of referrals to the CMA.

Reporting against Sustainability

The Utility Regulator has responsibility for administering the NIRO and through this scheme Renewable Obligation Certificates (ROCs) are issued to renewable generators. Within the year 2017-18, 118 additional generating stations in Northern Ireland received ROC accreditation (88% of which were onshore wind) with a capacity of 168MW. 66% of ROCs issued in Northern Ireland went to onshore wind generating stations. 5m ROCs were issued to NI generators in 2017-18.

In the Budget 2015 the Government announced its intention to withdraw the exemption from the Climate Change Levy for renewable electricity from 1 August 2015. This change meant that the Utility Regulator does not issue Levy Exemption Certificates (LECs) for electricity generated by renewable technology stations after 31 July 2015. Generators can still request LECs for electricity generated before this date and electricity utilities can continue to use LECs to apply the exemption.

Electricity suppliers are required to specify in billing information and promotional materials the contribution of each energy source to the overall fuel mix of the supplier over the previous year. In addition, suppliers are required to provide information on the environmental impact of their electricity. We work with colleagues in CRU and SEMO to ensure suppliers provide fuel mix information to their customers.

In order to optimise the accommodation of wind in the electricity network, the Utility Regulator has been progressing the DS3 programme with CRU. The objective of DS3 is to facilitate increased levels of renewables and effectively decrease the levels of curtailment. In December 2014 the SEM Committee approved a High Level Design for the procurement of system services (DS3). This will facilitate the operation of increased levels of non-synchronous generation on the network.

The Renewables Grid Liaison Group (RGLG), a group of stakeholders which the Utility Regulator facilitates, continues to provide a forum for addressing issues associated with renewables. During the past year the group reviewed its terms of reference with a view to widening its engagement to include the energy storage industry. The RGLG is currently looking at the impact of Electricity Market Reform on the renewables industry in Northern Ireland.

The Utility Regulator's NISEP (NI Sustainable Energy Programme) provides funding, collected from all electricity customers, for energy efficiency schemes. The schemes cover the installation of energy efficiency measures in both domestic and commercial/business properties but 80% of the funding is ring-fenced for schemes targeted at domestic customers at risk of fuel poverty. During 2018-19, a total of over £8.35 million was made available to support schemes (this figure included under spend rolled forward from 2017-18). In the previous year, 2017-18, the funding spent on schemes amounted to £7.2m. As there has been no further progress on DfE's EnergyWise scheme, which was intended to replace the NISEP, a review of NISEP and energy efficiency provision in NI is currently being undertaken. A working group with DfE and CCNI has been set up and a consultation document on Phase 1 of this review is due to be published in May 2019.

All electricity consumed in the offices of the Utility Regulator is generated from renewable sources.

Other Matters to Report

Employee Involvement

The Utility Regulator recognises the benefit of keeping all employees regularly informed about progress towards achieving its aims and objectives. Consultation with staff on matters related to terms and conditions is through trade union and non-trade union staff representatives. A Joint Negotiating and Consultative Committee, established under a Recognition Agreement signed with the Northern Ireland Public Service Alliance, is the formal vehicle for the conduct of industrial relations in the Utility Regulator.

Steps have been taken to enhance internal communications. The Senior Management Team originally approved an Internal Communications Strategy. During 2018-19 it was agreed that the work being advanced under UR People should encompass internal communications to ensure that this was being progressed in a joined up way. The Chief Executive continues to hold bi-monthly all-staff meetings to keep staff informed of key developments and writes a regular blog. Further changes to improve the intranet and promote staff engagement were also implemented.

The Utility Regulator, as a member of BiTC facilitates staff volunteering which provides opportunities for staff to contribute their skills to, and receive development from, third sector bodies. Opportunities are offered on an individual and, occasionally, on a team or office wide basis. Significant emphasis is placed on health and wellbeing of our staff and special events and information sessions are held to support the mental and physical wellbeing with significant benefits to the individual and to the office.

The Utility Regulator was accredited by Investors in People in February 2018 following an assessment process comprising a staff survey, interviews and a review of human resource policies. The assessment is for three years and the first year checkpoint was held in February 2019. A detailed action plan has been developed following extensive consultation with staff which will form an integral part of the office UR People HR Strategy.

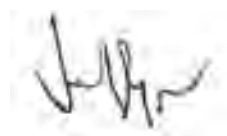
Payment to Suppliers

The Utility Regulator is committed to the prompt payment of bills for goods and services received in accordance with the Late Payment of Commercial Debts Regulations 2013 and British Standard BS 7890 – Achieving Good Payment Performance in Commercial Transactions. Unless otherwise stated in the contract, payment is due within 30 days of the receipt of the goods or services, or on presentation of a valid or undisputed invoice or similar demand, whichever is later. During the year, 99.9% (2017-18 99.9%) of undisputed invoices were paid within this standard. In line with other NI departments and following Dear Accounting Officer (DAO) 12/08 guidance, the Utility Regulator has aimed to promptly pay invoices within a 10 day target. In the past year 96.9% (2017-18 98.5%) of invoices have been paid within 10 days of approval.

Equality Scheme

The Utility Regulator has produced an equality scheme as required by Schedule 9 of the Northern Ireland Act 1998 (the Act). Following a consultation in August 2018, the Utility Regulator published its equality scheme and disability action plan for 2018-2023. The equality scheme sets out how it proposes to fulfil the duties imposed on it by section 75 of the Act. The scheme was approved by the Equality Commission and is available in either paper or electronic format. It will also be available on request in a variety of alternative formats.

The Audit and Risk Committee received a paper on equality compliance at its September 2018 meeting. A key aspect of this paper was the Annual Progress Report (in relation to Section 75 obligations), which was approved by the Audit and Risk Committee and Board for submission to the Equality Commission. This paper also offers the opportunity to provide assurance to the Committee that equality related obligations to the Equality Commission and DoF have been met.



Jenny Pyper
Accounting Officer
18 June 2019

ACCOUNTABILITY REPORT

This Accountability Report as required under the 2018-19 Government Financial Reporting Manual issued by the DoF, sets out the Corporate Governance Report, the Remuneration and Staff Report and Assembly Accountability and Audit report.

CORPORATE GOVERNANCE REPORT

DIRECTORS REPORT

The Governance Statement on pages 23 to 31 sets out the Utility Regulator's governance, risk management and control arrangements. The main components of the governance arrangements in 2018-19 are stated below.

The Board of the Utility Regulator

The Board provides corporate leadership and directs the Utility Regulator's strategic planning. It assists the Chief Executive in meeting corporate governance responsibilities as Accounting Officer.

At the end of 2018-19, the Board comprised one executive member (the Chief Executive, Jenny Pyper) and five non-executive members as follows:

Dr William Emery (Chair) – appointed to the Board 1 July 2012 for a period of five years with a variation of appointment to 30 June 2018. Re-appointment for a period of five years to 30 June 2023.

William Cargo – appointed to the Board on 1 January 2011 for a period of three years. Re-appointed 1 January 2014 for a term of five years with an extension of up to six months.

Richard Rodgers – appointed to the Board on 1 January 2011 for a period of three years. Re-appointed 1 January 2014 for a term of five years with an extension of up to six months. Resigned 31 March 2019.

Teresa Perchard – appointed to the Board on 1 September 2013 for a period of five years. Re-appointed 1 September 2018 for a further term of five years.

Alex Wiseman – appointed to the Board on 1 November 2015 for a period of five years.

Jon Carlton – appointed to the Board on 1 November 2015 for a period of five years.

Two new non-executive members have been appointed to the Board with effect from 1 May 2019, for a seven year term, to replace Bill Cargo and Richard Rodgers who have completed their terms of appointment.

Board Committees

The Audit and Risk Committee

The Audit and Risk Committee provides independent and objective assurance to the Board and Accounting Officer on any matters affecting the Utility Regulator's financial health, probity or external reputation. It supports the Accounting Officer in monitoring the corporate governance and control systems, including financial reporting.

Until 30 September 2012 membership of the Audit and Risk Committee was drawn exclusively from non-executive board members. On 1 November 2012 Jim Oatridge was appointed as its independent Chair. Prior to that, he was its Chair during his term as a board member. Richard Rodgers and Alex Wiseman served as members during 2018-19. The Chief Executive and Director of Corporate Affairs attend meetings and the Chair of the Board also attends periodically. Membership will be reviewed in 2019-20 in light of Richard Rodgers coming to the end of his term.

The Remuneration Committee

The Remuneration Committee determines pay, terms and conditions of senior staff (Chief Executive and directors), advises on the Utility Regulator's human resource strategy and contributes to wider pay and reward policy issues affecting all staff.

The membership of the Remuneration Committee during 2018-19 comprised William Cargo (Chair), Teresa Perchard and Jon Carlton. The Chief Executive and Director of Corporate Affairs also attend Remuneration Committee meetings and the Chair of the Board also attends periodically. Membership of the Remuneration Committee will be reviewed in 2019-20 in light of Bill Cargo coming to the end of his term.

Other Committees

Board Advisory Forum

A Board Advisory Forum was established on 30 September 2012 to cover energy and water related issues. Prior to this separate Board Advisory Groups covered energy and water. The Board Advisory Forum is attended by all non-executive board members and members of the senior management team and is chaired by the Chief Executive.

Brexit Board Sub-Group

A Brexit Board Sub-Group was established by the Board during 2018-19 to consider and discuss matters relating to the EU exit and its implications on the NI wholesale energy market. The Group comprises Jon Carlton (Chair), Jenny Pyper, Teresa Perchard and Bill Emery and met twice during 2018-19.

Statutory Committees

Single Electricity Market (SEM) Committee

The SEM Committee was established on 1 November 2007 jointly between the CRU and the Utility Regulator. Membership comprises an independent member and a deputy independent member and up to three persons each from the Utility Regulator and CRU.

Mr Odd Hakon Hoelsaeter was appointed as the independent member of the SEM Committee and Professor David Newbery was appointed deputy independent member from 1 November 2012. These appointments were made for an initial term of five years and both were re-appointed in 2017-18 for a further period of five years up to October 2022. The Utility Regulator and CRU each pay 50% of the costs of the independent members and other costs incurred by the SEM Committee.

Jenny Pyper also serves on the SEM Committee, following her appointment as Chief Executive on 1 November 2013. Dr William Emery was appointed to the SEM Committee for a five year term from 1 March 2013 and re-appointed for a further five year term to 28 February 2023. Jon Carlton was appointed to the SEM Committee with effect from 1 April 2016.

Details of the remuneration of Utility Regulator non-executive board members are provided on pages 33 to 34.

The Senior Management Team

The Senior Management Team comprises the Chief Executive, the Directors of Corporate Affairs, Networks, Wholesale Markets and Retail Markets. Three Head of Function roles are also in place to support the Directors – Head of Legal, Head of Network Operations and Head of Network Price Regulation. The Board Secretary acts as a secretariat to the Senior Management Team which meets weekly and considers matters relevant to the day-to-day running of the office, facilitates information sharing, co-ordination on policy issues and the development of good practice.

Register of Interests

The Utility Regulator maintains a Register of Interests containing details of company directorships and any other relevant interests held by board and staff members. Public access to this register can be obtained by contacting the Utility Regulator.

Personal Data

The nature of the Utility Regulator's business only requires it to hold a limited amount of personal data mostly in connection with staff. A suite of policies has been put in place, and privacy notices updated, to address the requirements of the General Data Protection Regulation. The Information Management Committee is keeping compliance with these requirements under regular review and the Board is due to receive its first annual compliance report in May 2019. There have been no breaches relating to this personal data for the year to the 31 March 2019 and up to the date of the signing of the accounts.

Audit arrangements

Under section 10 of the Government Resources and Accounts Act (Northern Ireland) 2001, the Comptroller and Auditor General for Northern Ireland (NIAO) is the statutory auditor for the Utility Regulator. The notional charge for this audit service as disclosed in these accounts is £23.5k (£23k in 2017-18). In 2018-19, £1k was paid to the NIAO for work associated with the National Fraud Initiative (NFI) 2018-19 exercise. There was no auditor remuneration, actual or notional, for non-audit work in 2017-18. Ernst & Young have been engaged as the internal auditors for the Utility Regulator and further detail on their work can be found in the Governance Statement.

Departmental Accounting Boundary

No other entities fall within the Utility Regulator's accounting boundary.

Relationships with Arms Length Bodies

The Utility Regulator has no arms length bodies.

Complaints Handling

Where someone is dissatisfied with the Utility Regulator's procedures or the way in which the Utility Regulator has operated them, a complaints procedure is in place. The complaints procedure is published on the website, www.uregni.gov.uk/customerinformation/complaints. The procedure provides for both formal and informal approaches and includes information about our process for dealing with complaints. During 2018-19 the Utility Regulator received no complaints.

Health and Safety

The Utility Regulator is committed to applying all existing health and safety at work legislation and regulations to ensure that staff and visitors enjoy the benefits of a safe environment. The Utility Regulator's Health and Safety Committee is responsible for overseeing the safe and healthy working environment. It keeps the Utility Regulator's Health and Safety Policy Statement under review for best practice in the public sector. Along with associated organisational arrangements, it is made available to all staff through the intranet. No health and safety incidents were reported to the Health and Safety Committee during 2018-19.

Contingent Liabilities requiring disclosure under Assembly reporting requirements and not under IAS 37

There were no contingent liabilities requiring disclosure under Assembly reporting requirements.

STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES

Under the Government Resources and Accounts Act (NI) 2001, the DoF has directed the Utility Regulator to prepare for each financial year, resource accounts detailing the resources acquired, held or disposed of during the year and the use of resources by the Utility Regulator during the year. The accounts are prepared on an accruals basis and must give a true and fair view of the state of the affairs of the Utility Regulator 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 DoF 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 accounts;
- prepare the accounts on a going concern basis; and
- confirm that the Annual Report and Accounts, as a whole, is fair, balanced and understandable and take personal responsibility for the Annual Report and Accounts and the judgements required for determining that it is fair, balanced and understandable.

DoF has appointed the Chief Executive as Accounting Officer of the Utility Regulator. 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 Utility Regulator's assets, are set out in Managing Public Money Northern Ireland published by the DoF.

The Chief Executive has taken all the steps that she ought to have taken to make herself aware of any relevant audit information and to establish that the auditors are aware of that information. So far as the Chief Executive is aware, there is no relevant information of which the auditors are unaware.

GOVERNANCE STATEMENT

Governance Framework

As a non-ministerial government department, the Utility Regulator operates independently in the discharge of its statutory duties as set out in the Energy (Northern Ireland) Order 2003 and the Water and Sewerage Services (Northern Ireland) Order 2006 and other relevant legislation. The Chief Executive is responsible and accountable to the Board for the discharge of Utility Regulator policies, programmes and actions. The Chief Executive is, however, also designated as Accounting Officer and, in respect of those responsibilities, is accountable to the DoF and the Northern Ireland Assembly. The Accounting Officer has responsibility for maintaining a framework of corporate governance that supports the policies, aims and objectives of the Utility Regulator whilst safeguarding the public funds and Utility Regulator assets. This is in accordance with the responsibilities set out in Managing Public Money Northern Ireland.

The Board

Under Schedule 1 of the Energy (Northern Ireland) Order 2003 (as amended by the Water and Sewerage Services (Northern Ireland) Order 2006), the Utility Regulator Board (the Board) is required to have a minimum of four members. The Board Members are appointed by the DoF Minister. The Board operates in accordance with its Rules of Procedure. The Board provides corporate leadership and directs the Utility Regulator's strategic planning. It assists the Chief Executive in meeting her corporate governance responsibilities as Accounting Officer. A governance manual has been developed which sets out relevant guidelines for board members. This manual covers such areas as Board and Board Committee Terms of Reference, Board Schedule of Business, Scheme of Delegation, Whistleblowing Guide, Bribery Act, confidentiality, the Seven Principles of Public Life, fraud, gifts and hospitality, information governance, risk management strategy and members' interest statement.

Compliance with the Corporate Governance in Central Government Departments: Code of Good Practice NI (The Code)

The Utility Regulator is required to comply with The Code and in particular its focus on the role of the Board. Subject to the comments which follow the Utility Regulator considers that it is compliant with the requirements of The Code. The Code references the accountability of the Minister in charge of the department. However the Utility Regulator is an independent non-ministerial government department. Questions from Assembly members may be addressed to, and answered directly by, the Utility Regulator. As a non-ministerial government department the Utility Regulator does not receive any ministerial directions. The Audit and Risk Committee is chaired by an independent member who has finance and accounting skills but is not currently a board member. However, he has served two terms on the Board and may attend board meetings to brief the Board on the work of the Audit and Risk Committee and provides an annual report to the Board summarising its work programme and providing assurance on the Utility Regulator's compliance with public sector financial and governance requirements. DoF is aware of this arrangement which is kept under review in light of the evolving balance of board skills. The Utility Regulator recognises also that a professionally qualified finance director is not a member of the Board. However the Utility Regulator Director of Corporate Affairs is both a member of the senior management team and a professionally qualified accountant who attends each board meeting and his duties include fulfilling the finance director role. A formal review of Board effectiveness is undertaken every three years however the skills and balance of knowledge are considered annually as part of the Board appraisal process.

Board Members Interests

In respect of board interests, board members complete registers of interest on appointment and annually thereafter. In addition any updates required during the year will be registered as they arise and members report any specific matters, relevant to the board agenda, at each meeting. Details of the board members' interests are contained in the notes to the accounts. Where board members have registered or declared a conflict these may be managed by the board member absenting themselves from the meeting when the item in question comes up for discussion and/or decision. In addition, where a board member has registered a conflict of interest he/she would not receive any discussion or decision papers relevant to that interest.

Minutes of the Board's meetings are published on the Utility Regulator website.

Matters considered by the Board during the period

As well as overseeing progress on the achievement of current Corporate Strategy and Forward Programme targets, the Board also approved for publication both the draft and final Corporate Strategy 2019-24. The final strategy was published on 29 March 2019.

The Board considered several items relating to regulatory price control reviews. A final determination for the Power NI PPB was approved in December 2018. The Board also approved the approach for both the SONI and NI Water price control reviews.

Presentations and updates in respect of the project to enhance the SEM were a regular item on the board agenda. This also included briefings and meeting in respect of SEM-related matters, principally the outcome of SEM capacity auctions. Overall, this provided the Board with an opportunity to provide comments, as required, to members of the Utility Regulator SEM Committee.

The Board also made several decisions in respect of remitted matters from the outcome of separate CMA regulatory appeals submitted by SONI and firmus energy.

Various reviews were also considered by the Board. This included the Mutual Energy Governance review, SONI governance, a review of NISEP and the audit and updates of the work undertaken in respect of the administration of the NI Renewables Obligation. As well as participating in a NIRO risk assurance group the Utility Regulator has been working with DfE and OFGEM to address concerns that have been raised in respect of certain specific categories of NIRO subsidised generation.

The Board also considered several items related to the retail energy market. This included consideration of the future of the retail IT system between Northern Ireland and the Republic of Ireland, third party intermediaries in the retail market and ongoing market monitoring reports.

Progress on the implementation of several work streams was discussed by the Board. This included: implementation review of the Consumer Protection Strategy, the Energy Transition and the decisions relating to the further development of the natural gas network. On the latter, the board's consideration of refinancing arrangements for the gas to the west network will generate around £50 million of savings for consumers.

The review of the Authority's enforcement action procedure and financial penalties policy was considered by Board.

Given the ongoing uncertainty around the UK's departure from the EU, the Board gave priority to organisational mitigation and contingency arrangements to protect consumers. As well as regular briefings and updates, the Board decided to convene a Brexit Board Sub Group to provide high-level decision making and scrutiny and to also complement the executive's Brexit Co-Ordination team.

The Board also engaged with a wide range of stakeholders throughout the year. This included meetings with boards from other organisations – such as Phoenix Natural Gas, SONI and NIE Networks. Board members also participated in stakeholder events including a Consumer summit in May 2018 and a roundtable with business consumers in August 2018. Board members also took part in visits to utility assets. As has been the case in previous years, the Board also holds at least one of its meetings outside Belfast. A meeting of the Board took place in Limavady in August 2018 and Enniskillen in March 2019.

Board Committees

Standing Committees

Audit and Risk Committee

The Board and the Accounting Officer are supported by the Audit and Risk Committee which is a standing committee of the Utility Regulator. It reports to the Board and its Chair has the right of direct access to the Chair of the Board. Its role is to advise the Board and Accounting Officer on anything that affects the financial health, probity or external reputation of the organisation. It provides independent and objective opinion on issues of risk, control and governance and associated assurance. The Audit and Risk Committee supports the Accounting Officer in monitoring the corporate governance and control systems, including financial reporting. In fulfilling this role, it reviews significant issues identified by internal audit and the Northern Ireland Audit Office and action being taken to address these issues.

The Audit and Risk Committee met four times during 2018-19. As part of its programme of work, it scrutinises the draft budget and corporate risk register before approval is sought for each from the Board. It has also been reviewing directorate risk registers in order to assess the level of engagement and review in the process that supports development of the corporate register. It reviews the draft annual accounts and receives in year finance and performance reports. It oversees the work of internal audit and receives all reports for review of recommendations and management responses. It also monitors performance in the timely implementation of audit recommendations which is regarded as a high priority.

In addition, it reviews governance related policies in accordance with a timetable of business. In support of this role, the Audit and Risk Committee Chair presented a report to the Board in June 2018 on conclusions drawn from its work programme in 2017-18. Matters to be referenced in its report to the Board in respect of 2018-19 include GDPR and cyber and physical security updates, arrangements for business continuity planning and testing, review of bribery and corruption risks, the outcome of the National Audit Office self-assessment on the Audit and Risk Committee effectiveness (including follow up of previous actions), consideration of cross-directorate licence compliance, the review of the Northern Ireland Renewables Obligation scheme and a review of the board and staff Interests statements. Other relevant matters have included an extensive

review of the governance manual contents, the Annual Progress Report on Equality for the Equality Commission for Northern Ireland, finance and performance reports and risk registers and a number of updates to procurement procedures, terms of reference and other governance related policies. The ARC also considered a revised risk management strategy.

Remuneration Committee

The Board is further supported by the Remuneration Committee. The Remuneration Committee considers and approves any recommendations regarding senior remuneration and also has responsibility for contributing to wider pay and reward policy issues affecting all staff in light of the annual pay remit guidance issued by DoF. The Remuneration Committee met twice during 2018-19.

Attendance at Board and Other Committees

Attendance at the Board and board committees was as follows:

	Board	Audit and Risk Committee	Remuneration Committee
William Emery*	11/11	1/4	1/2
Jim Oatridge	-	4/4	-
Richard Rodgers	9/11	3/4	-
William Cargo	10/11	-	2/2
Teresa Perchard	11/11	-	2/2
Alex Wiseman	10/11	4/4	-
Jon Carlton	11/11	-	2/2
Jenny Pyper	11/11	4/4	2/2

* William Emery is not a member of the Audit and Risk Committee or Remuneration Committee but has the right to attend all meetings.

Statutory Committees

Single Electricity Market Committee (SEMC)

The SEM Committee, which is a statutory committee of the Utility Regulator and the CRU, was established on the 1 November 2007. The Committee was established following amendments made to the Electricity Regulation Act 1991 and the Electricity Single Wholesale Market (Northern Ireland) Order 2007 in respect of the functions, powers and duties in relation to the regulation of the SEM. The principal objective of the SEM Committee is to protect the interests of electricity consumers by promoting, when appropriate, effective competition in relation to the sale and purchase of electricity within the SEM. The SEMC regulates the wholesale electricity market and takes decisions on those matters which are considered to be SEM related; in order to be a SEM matter this has to have a material impact on the wholesale electricity market.

The membership of the SEM Committee comprises an independent member and a deputy independent member and up to three persons (who must either be a member of the Utility Regulator Board or staff) appointed by the DfE after consultation with the Utility Regulator and with the approval of the Minister of Communications, Energy and Natural Resources (being a Minister of the Government of Ireland), ‘the Irish Minister’, and up to three persons (who must be members of the CRU) appointed by the Irish Minister with the approval of DfE.

During 2018-19, the SEM Committee met 13 times including 1 extraordinary meeting.

Other Committees

Board Advisory Forum

A Board Advisory Forum provides a forum for discussion on energy and water related matters and for considering significant policy and strategy issues. This is attended by all members of the Board and members of the Senior Management Team.

Attendance during the year at the Board Advisory Forum by the Chair and the non-executives was as follows:

Board Advisory Forum

William Emery	3/3
William Cargo	3/3
Richard Rodgers	3/3
Teresa Perchard	3/3
Alex Wiseman	2/3
Jon Carlton	3/3
Jenny Pyper	3/3

Enforcement Committee

The Board establishes Enforcement Committees to deal with specific enforcement matters as required. An Enforcement Committee was established on 22 March 2018 comprising Jenny Pyper and John Mills. The first meeting of this Committee was held in 2018-19. That Committee has now concluded. A further Enforcement Committee, also comprising Jenny Pyper and John Mills, was established on 20 February 2019. That Committee met once during 2018-19 and is ongoing.

Board Effectiveness

The implementation of the board effectiveness review, from 2017-18, was completed. The review considered all aspects of the Board's operation including an assessment of the effectiveness of board meetings. The review also sought comments on the conduct of board meetings generally, the agendas and quality of the information and data received. There was no evidence to indicate any significant issues requiring attention however the review did lead to improved layout of the board papers and the completion of a trial on using software for board papers.

There was significant board engagement on the development of both the new Corporate Strategy 2019-24 and the Forward Work Programme (FWP) for 2019-20. This included the holding of two workshops with the senior management team in August 2018 to help finalise corporate objectives, and September 2018 to help agree FWP project priorities.

A further workshop took place in March 2019, involving both the Board and senior management, to discuss how the organisational leadership could best promote values. This led to a series of options to enhance how board meetings are conducted and the organisation of board business. These elements will be taken forward during 2019-20.

In order to give the necessary priority, in governance terms, to the Brexit issue, the Board established a Brexit Board Sub-Group.

In terms of external engagement, the Board continued to reach out to key stakeholders. The Board visited Limavady in August and also met local business stakeholders. There was also extensive board-level engagement with other stakeholders and, in particular, meetings with regulated utility boards.

Executive Team and Audit Arrangements

The Senior Management Team

The composition of the Senior Management Team is outlined in the Directors Report. During the 2018-19 year, the Director of Wholesale Markets tendered her resignation in order to take up a post with the System Operator for Northern Ireland (SONI). That position is due to commence in May 2019. In order to manage the potential conflicts with the SONI position a number of measures were taken including restricted access to files, physical relocation and recusal from relevant board and senior management discussions and decisions as well as a cooling-off period. A temporary successor was appointed internally with effect from March 2019 to manage the responsibilities of the Director post, pending appointment of a permanent successor.

Internal Audit Arrangements

The Accounting Officer and Audit and Risk Committee are independently advised by an internal audit service provider, Ernst and Young, a practice which operates in accordance with Public Sector Internal Audit Standards. This role is contracted out in light of the relatively small size of the Utility Regulator. This contract was originally awarded to Capita but novated to Ernst and Young during the 2017-18 year following closure of the former's internal audit practice. A one year extension was awarded to cover the 2018-19 audit year and Ernst and Young progressed the internal audit plan in that year. The contract was issued for tender during 2018-19 and Ernst and Young was re-appointed for a 2 year term with the option to extend for 2 separate one year periods.

The primary objective of internal audit is to provide the Accounting Officer and the Audit and Risk Committee with an independent and objective opinion on risk management, control and governance by measuring and evaluating these measures' effectiveness in achieving the Utility Regulator's objectives. The work of internal audit is undertaken to the Public Sector Internal Audit Standards and informed by an analysis of the risks to which the organisation is exposed. The Head of Internal Audit has a standing invitation to attend the ARC and presents a draft internal audit plan for its approval. This takes account of the analysis of risks faced by the Utility Regulator and, in addition to reviews of corporate functions, provides a focus on operational aspects.

The Chair of the Audit and Risk Committee aims to meet senior representatives from internal audit and Northern Ireland Audit Office twice annually without members of the senior management team present.

In 2018-19, the overall internal audit assurance for the Utility Regulator was Satisfactory Assurance. While still agreeing management responses on the final audit in the 2018-19 plan, no change is anticipated to the overall assurance rating.

Risk Management

The Risk Management Strategy (the Strategy) sets out the Utility Regulator's approach to the management of risk. The strategy draws on the Northern Ireland Audit Office report on Good Practice in Risk Management (June 2011), Her Majesty's Treasury Guide on Good Practice in Central Government Departments and the Audit Committee Handbook. It provides a framework for the management of risk and promotes a consistent approach across the organisation. The risk management cycle in the Utility Regulator encompasses both a 'top-down' and 'bottom-up' approach which allows risks to be identified, managed and escalated as appropriate.

The strategy sets out the roles and responsibilities in respect of risk management. The Board is responsible for establishing and overseeing risk management procedures within the organisation. The Board ensures that significant risks are being managed by the Senior Management Team and challenges the risk management process to ensure that all key risks have been identified. The Audit and Risk Committee supports the Board and Chief Executive by reviewing the risk control processes and periodically reviews risk registers, providing a challenge and advisory role as necessary. The Audit and Risk Committee receives assurances from the Head of Internal Audit on the effectiveness of risk management and undertakes periodic review of directorate level registers not normally subject to its or the Board's approval.

Risk Environment

The Utility Regulator is operating at a time of change at European Union level. The Utility Regulator feeds into the Agency for the Co-operation of Energy Regulators which co-ordinates energy policy at a pan-European level. At a national level, the Utility Regulator is a member of the UK Regulatory Network and the UK Competition Network, formed to develop common understanding of best practice, facilitate consistency and provide a platform for skills and knowledge transfer in the exercise of sector regulatory functions and competition respectively. The Utility Regulator was jointly tasked, with CRU, to implement an integrated single electricity market (I-SEM) to be compliant with the European Target Model and that went live in 2018. At local level, energy policy falls within the remit of the Department for Economy.

Utility Regulator risks are driven from work streams arising out of the environment, as described above, in which it operates.

The Utility Regulator's intention is to reflect good practice in risk management, as it forms an integral part of the work carried out. As a result, the Senior Management Team, Audit and Risk Committee and Board keep the top risks under review.

The key risks faced by the Utility Regulator during the year include those arising from the following:

- Failure to protect consumers in the absence of an effective new SEM framework.
- The potential for disputes or challenges arising from regulatory decisions.
- Failure to adequately protect consumers through price controls and market regulation.
- Implications resulting from security of supply related issues.
- The impact of the UK exit from the EU and the implications for the regulatory framework.

In addition to these key risks a further risk was included in respect of the NI Renewables Obligation scheme and the perception that this will not facilitate good value for money.

Risks continued to be identified and managed in line with the Risk Management Strategy, which was revised in February 2019. The Utility Regulator internal auditors, Ernst and Young, also undertook a review of risk in 2018-19, in addition to the audit plan for the year. This focused on reviewing the risk strategy against best practice, how the risk management process was embedded within directorates, the crystallisation of 2017-18 and 2018-19 corporate risks and key events that arose in those periods and how those were recorded on the risk registers. The outcome of the review is being presented at a Board workshop that Ernst and Young are facilitating.

Information Security

The Utility Regulator continues to develop its information management and governance agenda. The Utility Regulator's business only requires it to hold a limited amount of personal data. A register of information assets across the organisation has been developed and updated policies on information handling include guidance for asset owners in understanding how to classify them. Information awareness sessions are periodically held and staff induction includes an information management briefing. The Information Management Committee, which is a cross directorate internal group of staff that oversees related governance issues, keeps policies under review and considers actions arising should a breach of one of the policies occur. This group has delegated authority to make decisions and is responsible to the senior management team. In particular, significant work has been undertaken to prepare for the introduction of the General Data Protection Regulation from May 2018. This has included the compilation of registers cataloguing personal data held, as defined by GDPR, who holds it, where it's held, for how long, on what authority and with what purpose in mind. Revised privacy policies were also developed. There were no information breaches that the Information Management Committee considered to represent a security concern.

Fraud

Fraud is a regular item on the Audit and Risk Committee agenda. A specific fraud risk is identified and managed at directorate level. The Utility Regulator undertook a self-assessment on the management of fraud and bribery risk using a Northern Ireland Audit Office good practice guide in February 2018. An update on the actions arising from the assessment was provided to the May 2018 meeting and the fraud policy was reviewed in December 2018. During 2018-19, the Utility Regulator participated in the National Fraud Initiative exercise. No issues were identified in this exercise and the outcome of this was reported to the ARC at its May 2019 meeting. There were no reported cases of fraud in 2018-19.

Budget Position and Authority

In the continuing absence of an Executive and a sitting Assembly the Northern Ireland Budget Act for 2018 was progressed through Westminster, receiving Royal Assent on 20th July 2018, followed by the Northern Ireland Budget (Anticipation and Adjustments) Act 2019 which received Royal Assent on 15th March 2019. The authorisations, appropriations and limits in these Acts provide the authority for the 2018-19 financial year and a vote on account for the early months of the 2019-20 financial year as if they were Acts of the Northern Ireland Assembly.

The Accounting Officer's Review of Effectiveness

As the Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors, the work of the Audit and Risk Committee and its independent Chair, members of the senior management team, managers who have responsibility for developing and maintaining the internal control framework and comments from external auditors in their reports. Directors have provided me with quarterly Assurance Statements commenting on the adequacy and effectiveness of the control environment, including the regularity and propriety of expenditure. I have been advised on the adequacy of the system of internal control by the Audit and Risk Committee and plans to address weaknesses and ensure continuous improvement of the system, are in place.

The governance system described in this statement has been in place for the whole of the year ended 31 March 2019 and up to the date of approval of the Annual Report and Accounts and accords with DoF guidance. No significant problems with the governance system arose during the period covered by this statement.

REMUNERATION AND STAFF REPORT

The purpose of the remuneration and staff report is to set out the Utility Regulator's remuneration policy for senior management, how this policy has been implemented and what amounts have been paid to senior management. This report also provides other information on remuneration and staff numbers for the financial year.

Remuneration Policy

The non-executive Chair and non-executive board members of the Utility Regulator are appointed by DoF (Schedule 1 paragraph 1(1) of the Energy Order) and the Utility Regulator appoints its own Chief Executive. The salary level and terms for the non-executive posts are set by DoF. The remuneration for the Chief Executive post and that payable to Directors is approved by the Utility Regulator's Remuneration Committee. Further information on the Remuneration Committee can be found in the Directors Report, page 19. The non-executive members of the Utility Regulator are appointed to the SEM Committee by the DfE and the salary level and terms for this post are also set by DfE.

The Utility Regulator also operates within the context of the public sector pay remit, normally determined by the Minister of Finance. However in the absence of an Executive the DoF Permanent Secretary has set the 2018-19 NI public sector pay policy in line with the overarching HMT parameters and in a manner consistent with the approach taken by the previous Finance Minister in 2016-17. In 2018-19, the pay award for senior managers comprised a base pay uplift of 1% in line with the remit guidance. There were no non-consolidated bonuses payable to any senior managers in respect of the 2018-19 year.

Service Contracts

The Civil Service Commissioners (NI) Order 1999 required Civil Service appointments to be made on merit on the basis of fair and open competition. The Recruitment Code published by the Civil Service Commissioners for Northern Ireland specifies the circumstances when appointments may otherwise be made.

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Policy relating to notice periods is reflected in contracts of employment and policy relating to termination payments is contained in the Northern Ireland Civil Service (NICS) Staff Handbook and associated guidance. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme. Non-executive board members hold fixed term appointments as detailed in the Directors Report, page 18.

DoF has authorised the independent exercise of the appointment power contained within Schedule 1, paragraph 5 of the Energy (Northern Ireland) Order 2003 and the Utility Regulator thereby sets the numbers and terms and conditions of service of those civil servants employed by it within the context of the public sector pay remit. The direct appointments are permanent, pensionable (optional) appointments.

Further information about the work of the Civil Service Commissioners can be found at www.nicscommissioners.org.

Salary and pension entitlements (audited)

The following sections provide details of the remuneration and pension interests of the Utility Regulator Board and Senior Management Team.

Remuneration (including salary) and pension entitlements

Remuneration	2018-19				2017-18			
	Salary	Benefits in kind (to nearest £100)	Pension ¹ benefits (to nearest £1,000)	Total	Salary	Benefits in kind (to nearest £100)	Pension ¹ benefits (to nearest £1,000)	Total
Non Executive board members	£000	£	£	£000	£000	£	£	£000
Dr William Emery (Non-executive Chair)	40-45*	13,200	-	55-60	40-45*	15,800	-	55-60
Mr Richard Rodgers (Non-executive Director)	5-10	400	-	10-15	5-10	300	-	10-15
Mr William Cargo (Non-executive Director)	5-10	400	-	10-15	5-10	300	-	10-15
Mrs Teresa Perchard (Non-executive Director)	5-10	3,300	-	10-15	5-10	3,400	-	10-15
Mr Alex Wiseman (Non-executive Director)	5-10	4,700	-	10-15	5-10	6,300	-	15-20
Mr Jon Carlton (Non-executive Director)	15-20*	18,400	-	35-40	15-20*	19,500	-	35-40

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

Remuneration	2018-19				2017-18			
	Salary	Benefits in kind (to nearest £100)	Pension' benefits (to nearest £1,000)	Total	Salary	Benefits in kind (to nearest £100)	Pension' benefits (to nearest £1,000)	Total
Other								
Mr Jim Oatridge (Independent Chair of Audit and Risk Committee)	0-5	2,200	-	5-10	5-10	1,700	-	5-10
Senior Executives								
Mrs Jenny Pyper Chief Executive	145-150	-	12,000	155-160	140-145	-	16,000	160-165
Mrs Jo Aston (Director of Wholesale) (Resigned 12th May 2019)	95-100	-	33,000	130-135	95-100	-	7,000	100-105
Mr Donald Henry (Director of Corporate Affairs)	100-105	-	37,000	135-140	95-100	-	31,000	125-130
Ms Tanya Hedley (Director of Compliance and Network Operations)	80-85	-	43,000	125-130	80-85	-	33,000	115-120
Mr Kevin Shiels (Director of Retail)	80-85	-	28,000	110-115	80-85	-	20,000	100-105
Mrs Roisin McLaughlin (Director of Finance and Network Assets) (Appointed on temporary promotion from 1st February 2018 to 31st October 2018)	40-45 (full year equivalent 65-70)	-	23,000	60-65	10-15 (full year equivalent 65-70)	-	4,000	15-20

Remuneration	2018-19					2017-18				
	Salary	Benefits in kind (to nearest £100)	Pension ¹ benefits (to nearest £1,000)	Total	Salary	Benefits in kind (to nearest £100)	Pension ¹ benefits (to nearest £1,000)	Total		
	£000	£	£	£000	£000	£	£	£000		
Mr Colin Broomfield (Acting Director of Wholesale) (Appointed on temporary promotion from 18th March)	0-5 (full year equivalent 70-75)	-	-	0-5	-	-	-	-		
Mr Brian McHugh (Director of Finance and Network Assets) (Resigned 31st August 2017)	-	-	-	-	35-40 (full year equivalent 80-85)	13,000	50-55	13,000		
Mr John Mills (Director of Finance and Network Assets) (Appointed on temporary promotion from 1st September 2017 to 31st March 2018)	-	-	-	-	45-50 (full year equivalent 75-80)	18,000	60-65	18,000		
Band of Highest Paid Director's Total Remuneration^{***}	145-150	-	-	-	140-145	-	-	-		
Median Total Remuneration^{***}	46,470	-	-	-	44,830^{**}	-	-	-		
Ratio	3.17	-	-	-	3.18	-	-	-		

During 2018-19 and 2017-18 basic remuneration for the Chair was £30k-£35k and for the non-executive board members was £5k-£10k.

Remuneration ranged from £14,000 to £148,000 (2017-18 £14,000 to £145,000).

* Includes remuneration for SEM Committee membership £5-10k.

** Restated to include staff seconded into the Utility Regulator.

*** Total remuneration includes salary payments only. Non-consolidated performance-related pay and benefits-in-kind would be included if those had been paid in year. It does not include severance payments, employer pension contributions, uplift in lieu of pension and the cash equivalent transfer value of pensions.

FRm requires the department to disclose in the remuneration report details of the median remuneration of the Utility Regulator staff and the ratio between this and the mid-point of the banded remuneration of the highest paid Director. The median remuneration is the total remuneration of the staff member lying in the middle of the linear distribution of total staff, excluding the highest paid Director. This is based on annualised full-time equivalent remuneration as at the reporting period date.

Salary and pension entitlements (audited)

The following sections provide details of the pension interests of the senior officials of the Utility Regulator.

	Accrued pension at pension age as at 31/03/19 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31/03/19	CETV at 31/03/18	Real increase in CETV
	£000	£000	£000	£000	£000
Mrs Jenny Pyper Chief Executive	60-65 180-185	0-2.5 2.5-5	1,351	1,220	11
Mrs Jo Aston (Director of Wholesale)	50-55 -	0-2.5 -	1,015	899	32
Mr Donald Henry (Director of Corporate Affairs)	25-30 55-60	0-2.5 (0-2.5)	435	366	16
Mr Kevin Shields (Director of Retail)	30-35 80-85	0-2.5 (0-2.5)	627	550	12
Ms Tanya Hedley (Director of Compliance and Network Operations)	15-20 -	0-2.5 -	249	201	23
Mrs Roisin McLaughlin (Director of Finance and Network Assets)	10-15 -	0-2.5 -	138	114	10
Mr Colin Broomfield (Acting Director of Wholesale)	5-10 -	0-2.5 -	78	78	-

There were no employer contributions to a partnership pension account in respect of the Senior Management Team.

Salary

“Salary” includes gross salary; overtime; reserved rights to London weighting or London allowances; recruitment and retention allowances; private office allowances and any other allowance to the extent that it is subject to UK taxation and any severance or ex gratia payments. Non-executive board members are part time, non-pensionable appointments.

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. Benefits in kind include the taxable value of home to office costs, overnight accommodation and expenses incurred by members of the Board including those in respect of any additional duties undertaken in the year. Benefits in kind are disclosed gross of any tax payable.

Performance Awards

Performance awards are based on performance levels attained and are made as part of the appraisal process. Performance awards relate to the performance in the year in which they become payable to the individual. No performance awards were payable to any of the senior management team in respect of the 2018-19 financial year.

Northern Ireland Civil Service (NICS) Pension arrangements

Pension benefits are provided through the Northern Ireland Civil Service pension arrangements which are administered by Civil Service Pensions (CSP), for employees who have joined the scheme. Although no directors have elected to do so, Utility Regulator employees may opt out of the pension arrangements and receive an uplift in lieu of employer pension contributions of 18.5% of base salary. Following auto-enrolment, any new employees will be automatically enrolled in PCSPS (NI) however if those employees opt out of the pension scheme they will not receive an uplift in lieu of pension.

The alpha pension scheme was introduced for new entrants from 1 April 2015. The alpha scheme and all previous scheme arrangements are unfunded with the cost of benefits met by monies voted each year. The majority of existing members of the classic, premium, classic plus and nuvos pension arrangements also moved to alpha from that date. Members who on 1 April 2012 were within 10 years of their normal pension age did not move to alpha and those who were within 13.5 years and 10 years of their normal pension age were given a choice between moving to alpha on 1 April 2015 or at a later date determined by their age. Alpha is a ‘Career Average Revalued Earnings’ (CARE) arrangement in which members accrue pension benefits at a percentage rate of annual pensionable earnings throughout the period of scheme membership. The rate is 2.32%.

New entrants joining can choose between membership of alpha or joining a good quality ‘money purchase’ stakeholder arrangement with a significant employer contribution (partnership pension account).

New entrants joining on or after 30 July 2007 were eligible for membership of the nuvos arrangement or they could have opted for a partnership pension account. Nuvos is also a

CARE arrangement in which members accrue pension benefits at a percentage rate of annual pensionable earnings throughout the period of scheme membership. The current rate is 2.3%.

Staff in post prior to 30 July 2007 may be in one of three statutory based ‘final salary’ defined benefit arrangements (classic, premium, and classic plus). From April 2011, pensions payable under classic, premium and classic plus are reviewed annually in line with changes in the cost of living. New entrants joining on or after 1 October 2002 and before 30 July 2007 could choose between membership of premium or joining the partnership pension account.

All pension benefits are reviewed annually in line with changes in the cost of living. Any applicable increases are applied from April and are determined by the Consumer Prices Index (CPI) figure for the preceding September. The CPI in September 2018 was 2.4% and HM Treasury has announced that public service pensions will be increased accordingly from April 2019.

Employee contributions rates for all members for the period covering 1 April 2019 – 31 March 2020 are as follows:

Scheme Year 1 April 2019 to 31 March 2020

Annualised Rate of Pensionable Earnings (Salary Bands)		Contribution rates – All members
From	To	From 01 April 2019 to 31 March 2020
£0	£23,500.99	4.6%
£23,501.00	£54,500.99	5.45%
£54,501.00	£150,000.99	7.35%
£150,001.00 and above		8.05%

Benefits in classic accrue at the rate of 1/80th of pensionable salary for each year of service. In addition, a lump sum equivalent to three years’ pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum (but members may give up (commute) some of their pension to provide a lump sum). Classic plus is essentially a variation of premium, but with benefits in respect of service before 1 October 2002 calculated broadly as per classic.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee. 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).

The accrued pension quoted is the pension the member is entitled to receive when they reach their scheme pension age, or immediately on ceasing to be an active member of the scheme if they are at or over pension age. Scheme Pension age is 60 for members of classic, premium and classic plus and 65 for members of nuvos. The normal scheme pension age in alpha is linked to the member’s State Pension Age but cannot be before age 65. Further details about the NICS pension arrangements can be found at the website <https://www.finance-ni.gov.uk/topics/working-northern-ireland-civil-service/civil-service-pensions-ni> .

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 CETV figures, and from 2003-04 the other pension details, include the value of any pension benefit in another scheme or arrangement which the individual has transferred to the NICS pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional years of pension service in the scheme at their own cost. CETVs are calculated in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2015 and do not take account of any actual or potential 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 effectively 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. However, the real increase calculation uses common actuarial factors at the start and end of the period so that it disregards the effect of any changes in factors and focuses only on the increase that is funded by the employer.

STAFF REPORT

Staff Costs (audited)

Staff costs comprise:				2018-19	2017-18
				£'000	£'000
	Permanently employed staff	Others	Ministers	Total	Total
Wages and Salaries	3,976	319	-	4,295	4,094
Social Security Costs	449	33	-	482	457
Other Pension Costs	804	70	-	874	824
Sub Total	5,229	422	-	5,651	5,375
Less recoveries in respect of outward secondments	-	-	-	-	-
Total net costs*	5,229	422	-	5,651	5,375

Of which:

Department	Charged to Administration	Charged to Programme	Total
	-	5,651	5,651
	-	5,651	5,651

* Of which £nil has been charged to capital

The Northern Ireland Civil Service main pension schemes, of which most of the Utility Regulator's staff are members, are unfunded multi-employer defined benefit schemes, but the Utility Regulator is unable to identify its share of the underlying assets and liabilities. The Government Actuary's Department (GAD) is responsible for carrying out scheme valuations. The Actuary reviews employer contributions every four years following the scheme valuation. The 2012 scheme valuation was completed by GAD in February 2015. The outcome of this valuation was used to set the level of contributions for employers from 1 April 2015 to 31 March 2019.

For 2018-19, employers' contributions of £873,686.36 were payable to the NICS pension arrangements (2017-18 - £824,066.85) at one of three rates in the range 20.8% to 26.3% of pensionable pay, based on salary bands.

Work was completed on the 2016 valuation, based on the position as at 31 March 2016. The outcome of this scheme valuation informed employer contribution rates for 2019-20. Employer contribution rates payable will range from 28.7% to 34.2% of pensionable pay, based on salary bands. The change is primarily due to the reduction in the SCAPE discount rate (as announced at Budget 2018) to 2.4% pa above CPI. The contribution rates are set to meet the cost of the benefits accruing during 2019-20 to be paid when the member retires, and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £13,694.15 (2017-18 £10,475.75) were paid to one of the panel of two appointed stakeholder pension providers. Employer contributions are age related and range from 8% to 14.75% (2017-18: 8% to 14.75%) of pensionable pay.

The partnership pension account offers the member the opportunity of having a 'free' pension. The employer will pay the age-related contribution and if the member does contribute, the employer will pay an additional amount to match member contributions up to 3% of pensionable earnings.

Employer contributions of £473.60, 0.5% (2017-18 £367.10, 0.5%) of pensionable pay were payable to the NICS Pension schemes to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of these employees.

Contributions due to the partnership pension providers at the reporting period date were £nil (2017-18 £nil). Contributions prepaid at that date were £nil (2017-18 £nil).

Employees who joined before the pension auto enrolment may opt out of the pension arrangements and receive an uplift in lieu of employer contributions of 18.5% of base salary. In 2018-19 an average of 8 (2017-18: 9) staff opted out of the pension arrangements. No employer pension costs are paid for those staff but the uplift in lieu of employer pension amounted to £68,404 (2017-18: £73,839). These costs are included in wages and salaries above. Following auto-enrolment, any new employees will be automatically enrolled in PCSPS (NI) however if those employees opt out of the pension scheme they will not receive an uplift in lieu of pension.

No persons (2017-18: nil) retired early on ill health grounds; the total additional accrued pension liabilities in the year amounted to £nil (2017-18: £nil).

Average number of persons employed (audited)

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

					2018-19	2017-18
	Permanent employed Staff	Others	Ministers	Special Advisers	Total	
Segment 1	49.4	5.0	-	-	54.4	51.8
To protect the interests of consumers of electricity supplied by authorised suppliers, wherever appropriate by promoting effective competition between persons engaged in, or in commercial activities connected with, the generation, transmission or supply of electricity						
Segment 2	18.8	1.2	-	-	20.0	23.8
To promote the development and maintenance of an efficient, economic and co-ordinated gas industry in Northern Ireland						
Segment 3	8.0	0.8	-	-	8.8	4.3
To protect the interests of consumers of water and sewerage services, where appropriate, by the promotion of effective competition						
Total	76.2	7.0	-	-	83.2	79.9

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

There were no exit packages awarded in the 2018-19 financial year (2017-18 – None).

Number of Senior Civil Service Staff by band

The Utility Regulator has its own staff grades and bands however Directors and the CEO would be the equivalent of Senior Civil Service staff. The Directors would be considered to be broadly in line with the grade 5 level in the Civil Service and the CEO broadly at the grade 2 level.

Composition of Utility Regulator staff

Details of the Utility Regulator Board and Senior Management Team are included in the Directors' report. However, within the context of the Staff Report the Utility Regulator is required to disclose the gender of the Board, Senior Management Team and employees of the Utility Regulator. At the 31 March 2019, the split was as follows:

	Male	Female	Total
Non-executive board members	5	1	6
Senior Management Team	3	3	6
Employees excluding Senior Management Team	40	40	80

Sickness absence data

The overall absence rate (the number of days of absence as a percentage of the total available workings days) was 2.07% (2017-18: 1.67%) for the year ended 31 March 2019. The average number of working days lost in 2018-19 per person was 4.6 (2017-18: 3.6) and was significantly impacted by a very small number of longer term sickness absences. Excluding long term absence the absence rate was 1.43% (2017-18: 1.15%).

Staff Policies applied during the year

Equal Opportunities

The Utility Regulator is an equal opportunity employer. It is fully committed to the elimination of all forms of discrimination, harassment and victimisation not only because of the legal requirements under which it operates but because it makes sound business sense and ensures that working relationships are based on mutual trust, respect and understanding. This allows the best use to be made of the wide variety of skills, abilities and attributes available in the organisation and promotes a harmonious working environment.

Disabled Persons

The Utility Regulator is committed to ensuring that its policies and practices comply with the requirements of the Disability Discrimination Act 1995. In recruitment and promotion terms, applicant packs and information are available in accessible formats and assistance provided at assessment and interview in line with an applicant's requirements. Reasonable adjustments are made as a matter of policy to assist staff with disabilities in work.

Off Payroll Arrangements

The Utility Regulator is required to disclose details of any off-payroll arrangements at a cost of over £245 per day, lasting longer than six months that were in place during 2018-19. All off-payroll arrangements are now assessed in line with IR35 requirements. In 2018-19, the Utility Regulator had no such arrangements in place.

Spending on consultancy and temporary staff

In 2018-19 the Utility Regulator spent £22k (2017-18: £39k) on external consultancy. This amount is disclosed in note 3 to the accounts and related to the cost associated with a review of the NI Sustainable Energy Programme and SMT leadership and development support. Consultancy costs in 2017-18 related primarily to the funding of a project to assist the Utility Regulator in identifying the implications of EU exit for the regulatory framework in electricity and gas with the balance to do with Investors in People accreditation.

There were no agency arrangements in place during 2018-19. In 2017-18, two positions were covered by agency arrangements and the total cost of that was £16k in year.

Statement of Assembly Supply (audited)

In addition to the primary statements prepared under IFRS, the Government Financial Reporting Manual (FRM) requires the Utility Regulator to prepare a Statement of Assembly Supply (SOAS) and supporting notes to show resource outturn against the Supply Estimate presented to the Assembly, in respect of each request for resources.

Summary of Resource Outturn 2018-19

Request for Resources	Note	2018-19			2018-19			2017-18	
		Estimate			Outturn			Outturn	
		Gross Expenditure £000	Accruing Resources £000	Net Total £000	Gross Expenditure £000	Accruing Resources £000	Net Total £000	Net Total £000	
							Net total outturn compared with Estimate saving/ (excess) £000		
Request for resources A	SOAS1	10,329	(10,019)	310	9,446	(9,141)	305	5	282
Total resources	SOAS2	10,329	(10,019)	310	9,446	(9,141)	305	5	282
Non-operating cost Accruing resources		–	–	–	–	–	–	–	–

Net Cash Requirement 2018-19

	Note	2018-19		2017-18	
		Estimate £000	Outturn £000	Net total outturn compared with Estimate saving/ (excess) £000	Outturn £000
Net cash requirement	SOAS3	<u>552</u>	<u>–</u>	<u>552</u>	<u>1,394</u>

Summary of income payable to the Consolidated Fund

In addition to accruing resources, the following income relates to the Department and is payable to the Consolidated Fund (cash receipts being shown in italics).

	Note	Forecast 2018-19 £'000		Outturn 2018-19 £'000	
		Income	Receipts	Income	Receipts
Total	SOAS4	–	–	1,891	–

The notes on pages 56 to 71 form part of these accounts.

Notes to the Departmental Resource Accounts (Statement of Assembly Supply)

SOAS 1 Analysis of net resource outturn by function

							2018-19 £000		2017-18 £000	
	Outturn						Estimate			
	Other Admin	Current	Grants	Gross Resource Expenditure	Accruing Resources	Net total	Net total	Net Total outturn compared with Estimate, adjusted for virements	Net Total outturn compared with Estimate, adjusted for virements	Prior year outturn
Request for Resources A:										
Departmental Expenditure in DEL:										
1. Utility Regulation	–	9,285	–	9,285	(9,141)	144	146	2	2	127
AME:										
Provisions	–	–	–	–	–	–	–	–	–	–
Non Budget										
2. Notional Costs	–	161	–	161	–	161	164	3	3	155
Resource Outturn	–	9,446	–	9,446	(9,141)	305	310	5	5	282

Analysis of outturn against estimate

Expenditure is lower than the Main Estimate position as a result of external support costs to support key projects being lower than expected.

Key to Request for Resources and Functions

Request for resources A – Protecting Electricity, Gas, Water and Sewerage consumers with regard to price and quality of service.

The notes on pages 56 to 71 form part of these accounts.

SOAS 2 Reconciliation of outturn to net operating expenditure

		2018-19			2017-18
	Note	Outturn	Supply Estimate	Outturn compared with Estimate	Outturn
		£000	£000	£000	£000
Net Resource Outturn	SOAS 1	305	310	5	282
Non-supply income (CFERs)	SOAS 4	–	–	–	–
Net Operating Expenditure in Consolidated Statement of Comprehensive Net Expenditure		305	310	5	282

SOAS 3 Reconciliation of net resource outturn to net cash requirement

	Note	Estimate	Outturn	Net total outturn compared with Estimate: saving/excess
		£000	£000	£000
Resource Outturn	SOAS 1	310	305	5
Capital :				
Acquisition of property, plants and equipment		13	13	–
Non-operating Accruing Resources:				
NBV of asset disposals		–	–	–
Accruals to cash adjustments:				
<i>Adjustments to remove non-cash items:</i>				
Depreciation		(12)	(11)	(1)
New provisions and adjustments to previous provisions		–	(211)	211
Other non-cash items		(164)	(161)	(3)
Changes in working capital other than cash		250	(1,910)	2,160
Use of provision	17	155	84	71
Excess cash surrenderable to the Consolidated Fund	SOAS 4	–	1,891	(1,891)
Net Cash Requirement		552	–	552

The notes on pages 56 to 71 form part of these accounts.

SOAS 4 Income payable to the Consolidated Fund

SOAS 4.1 Analysis of income payable to the Consolidated Fund

In addition to Accruing Resources, the following income relates to the Utility Regulator and is payable to the Consolidated Fund (cash receipts being shown in *italics*)

	Note	Forecast 2018-19		Outturn 2018-19	
		Income	<i>Receipts</i>	Income	<i>Receipts</i>
		£000	£000	£000	£000
Operating income and receipts - excess Accruing Resources		-	-	-	-
Other operating income and receipts not classified as Accruing Resources		-	-	-	-
Non-operating income and receipts - excess Accruing Resources	SOAS 6	-	-	-	-
Amounts collected on behalf of the Consolidated Fund	SOAS 4.2	-	-	-	-
Excess cash surrenderable to the Consolidated Fund	SOAS 3	-	-	1,891	1,891
Total income payable to the Consolidated Fund		-	-	1,891	1,891

SOAS 4.2 Consolidated Fund Income

Consolidated fund income shown in note SOAS4.1 above does not include any amounts collected by the department where it was acting as agent for the Consolidated Fund rather than as principal. The amounts collected as agent for the Consolidated Fund (which are otherwise excluded from these financial statements) were:

	2018-19	2017-18
	£000	£000
Fines and Penalties	25	-
Amount payable to the Consolidated Fund	25	-
Balance held at the start of the year	-	-
Payments in to the Consolidated Fund	-	-
Balance held on trust at the end of the year	25	-

The notes on pages 56 to 71 form part of these accounts.

SOAS 5 Reconciliation of income recorded within the Statement of Comprehensive Net Expenditure to operating income payable to the Consolidated Fund

		2018-19	2017-18
	Note	£000	£000
Operating income	4	9,141	10,750
Income authorised to be Accruing Resources		(9,141)	(10,750)
Operating income payable to the Consolidated Fund	SOAS 4.1	–	–

SOAS 6 Non-operating income - Excess Accruing Resources

	2018-19	2017-18
	£000	£000
Non-operating income - excess Accruing Resources	–	–
	–	–

Other Assembly Accountability Disclosures

i. Losses and Special Payments (audited)

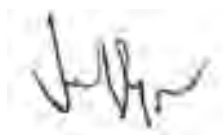
There were no losses and special payments requiring disclosure in the 2018-19 financial year.

ii. Fees and Charges (audited)

The majority of Utility Regulator income comes from electricity, gas and water licence holders. An analysis of income is provided in note 4 to the accounts and split by operating segment in note 2 to the accounts. This also allocates the cost by segment. Total money actually received from licence holders in year was £8.742m resulting in a deferred income balance of £329k and £519k for electricity and gas respectively. There was an under recovery of £225k from water licence holders that is included within the accrued income balance in these accounts.

iii. Remote Contingent Liabilities (audited)

In addition to contingent liabilities reported within the meaning of IAS 37, the Utility Regulator also reports liabilities for which the likelihood of a transfer of economic benefit in settlement is too remote to meet the definition of a contingent liability. The Utility Regulator had no such liabilities at 31 March 2019.



Jenny Pyper
Accounting Officer
18 June 2019

The notes on pages 56 to 71 form part of these accounts.

THE CERTIFICATE AND REPORT OF THE COMPTROLLER AND AUDITOR GENERAL TO THE NORTHERN IRELAND ASSEMBLY

Opinion on financial statements

I certify that I have audited the financial statements of the Northern Ireland Authority for Utility Regulation for the year ended 31 March 2019 under the Government Resources and Accounts Act (Northern Ireland) 2001. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes, including significant accounting policies. These financial statements have been prepared under the accounting policies set out within them.

I have also audited the Statement of Assembly Supply, and the related notes, and the information in the Accountability Report that is described in that report as having been audited.

In my opinion the financial statements:

- give a true and fair view of the state of the Department's affairs as at 31 March 2019 and of its net operating expenditure for the year then ended; and
- have been properly prepared in accordance with the Government Resources and Accounts Act (Northern Ireland) 2001 and Department of Finance directions issued thereunder.

Opinion on regularity

In my opinion, in all material respects:

- the Statement of Assembly Supply properly presents the outturn against voted Assembly control totals for the year ended 31 March 2019 and shows that those totals have not been exceeded; and
- the expenditure and income recorded in the financial statements have been applied to the purposes intended by the Assembly and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Basis of opinions

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

Other Information

The Accounting Officer is responsible for the other information. The other information comprises the information included in the annual report other than the financial statements, the parts of the Accountability Report described in the report as having been audited, and my audit certificate

and report. My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

Opinion on other matters

In my opinion:

- the parts of the Accountability Report to be audited have been properly prepared in accordance with Department of Finance directions made under the Government Resources and Accounts Act (Northern Ireland) 2001; and
- the information given in the Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

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 the preparation of the financial statements and for being satisfied that they give a true and fair view.

Auditor's responsibilities for the audit of the financial statements

My responsibility is to audit, certify and report on the financial statements in accordance with the Government Resources and Accounts Act (Northern Ireland) 2001.

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

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

In addition, I am required to obtain evidence sufficient to give reasonable assurance that the Statement of Assembly Supply properly presents the outturn against voted Assembly control

totals and that those totals have not been exceeded. I am also required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Assembly and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Matters on which I report by exception

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

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

Report

I have no observations to make on these financial statements.



KJ Donnelly

Comptroller and Auditor General

Northern Ireland Audit Office

106 University Street

Belfast

BT7 1EU

21 June 2019

Statement of Comprehensive Net Expenditure for the year ended 31 March 2019

This account summarises the expenditure and income generated and consumed on an accruals basis. It also includes other comprehensive income and expenditure, which include changes to the values of non-current assets and other financial instruments that cannot yet be recognised as income and expenditure.

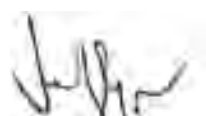
	Note	2018-19 £000	2017-18 £000
Revenue from contracts with customers	4	8,120	9,699
Other operating income	4	1,021	1,051
Total Operating Income		9,141	10,750
Staff Costs	3	5,651	5,375
Purchase of goods and services	3	3,144	5,069
Depreciation and impairment charges	3	11	7
Provision expense	3	211	150
Other Operating Expenditure	3	429	431
Total Operating Expenditure		9,446	11,032
Net Operating Expenditure		305	282
Other Comprehensive Net Expenditure			
Items that will not be classified to net operating expenditure:			
Net (gain)/loss on revaluation of Property, Plant and Equipment		(1)	–
Net (gain)/loss on revaluation of Intangible Assets		–	–
Items that may be classified to net operating expenditure :			
Net gain/(loss) on revaluation of investments		–	–
Comprehensive net expenditure for the year		304	282

The notes on pages 56 to 71 form part of these accounts.

Statement of Financial Position as at 31 March 2019

This statement presents the financial position of the Utility Regulator. It comprises three main components: assets owned or controlled; liabilities owed to other bodies; and equity, the remaining value of the entity.

	Note	31 March 2019		31 March 2018	
		£000	£000	£000	£000
Non-current assets:					
Property, plant and equipment	5	33		30	
Intangible assets	6	–		–	
Trade and other receivables	10	–		–	
Total non-current assets			<u>33</u>		<u>30</u>
Current assets:					
Trade and other receivables	10	532		2,243	
Cash and cash equivalents	9	2,443		1,501	
Total current assets			<u>2,975</u>		<u>3,744</u>
Total assets			<u>3,008</u>		<u>3,774</u>
Current liabilities:					
Trade and other payables	11	(4,837)		(3,696)	
Provisions	12	(282)		(155)	
Total current liabilities			<u>(5,119)</u>		<u>(3,851)</u>
Total assets less current liabilities			<u>(2,111)</u>		<u>(77)</u>
Non-current liabilities					
Provisions	12	–		–	
Total non-current liabilities			<u>–</u>		<u>–</u>
Total assets less total liabilities			<u>(2,111)</u>		<u>(77)</u>
Taxpayers' equity and other reserves					
General fund			(2,112)		(77)
Revaluation reserve			<u>1</u>		<u>–</u>
Total equity			<u>(2,111)</u>		<u>(77)</u>



Jenny Pyper
Accounting Officer
18 June 2019

The notes on pages 56 to 71 form part of these accounts.

Statement of Cash Flows for the year ended 31 March 2019

The Statement of Cash Flows shows the changes in cash and cash equivalents of the Department during the reporting period. The statement shows how the Department generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of service costs and the extent to which these operations are funded by way of income from the recipients of services provided by the Department. Investing activities represent the extent to which cash inflows and outflows have been made for resources which are intended to contribute to the Departments' future public service delivery.

	Note	<u>2018-19</u>	<u>2017-18</u>
		£000	£000
Cashflows from operating activities			
Net operating expenditure	SOAS 2	(305)	(282)
Adjustments for non cash transactions	3	383	312
(Increase)/Decrease in trade and other receivables	10	1,711	(485)
<i>Less movements in receivables relating to items not passing through the Statement of Comprehensive Net Expenditure</i>		-	-
- <i>Supply amounts due to the Consolidated Fund</i>	10	-	(488)
Increase/(Decrease) in trade and other payables	11	1,141	808
<i>Less movements in payables relating to items not passing through the Statement of Comprehensive Net Expenditure</i>			
- <i>Supply amounts due to the Consolidated Fund</i>	11	949	(1,501)
- <i>Capital accruals</i>		1	(1)
- <i>CFER amounts due to the Consolidated Fund</i>	11	(1,891)	526
Use of provisions	12	(84)	(278)
Net cash outflow from operating activities		<u>1,905</u>	<u>(1,389)</u>
Cashflows from investing activities			
Purchase of property, plant and equipment	5	(14)	(5)
Purchase of intangible assets	6	-	-
Net cash outflow from investing activities		<u>(14)</u>	<u>(5)</u>
Cash flows from financing activities			
From the Consolidated Fund (Supply) - current year		552	2,895
From the Consolidated Fund (Supply) - prior year		-	488
Advances from the Consolidated Fund		-	305
Repayments of advances from the Consolidated Fund		-	(305)
Net financing		<u>552</u>	<u>3,383</u>
Net increase/(decrease) in cash and cash equivalents in the period before adjustment for payments to the Consolidated Fund			
		2,443	1,989
Payments of amounts due to the Consolidated Fund		(1,501)	(526)
Net increase/(decrease) in cash and cash equivalents in the period after adjustment for payments to the Consolidated Fund		<u>942</u>	<u>1,463</u>
Cash and cash equivalents at the beginning of the period	9	1,501	38
Cash and cash equivalents at the end of the period	9	<u>2,443</u>	<u>1,501</u>

The notes on pages 56 to 71 form part of these accounts.

Statement of Changes in Taxpayers' Equity for the year ended 31 March 2019

This statement shows the movement in the year on the different reserves held by the Utility Regulator, analysed into 'general fund reserves' (i.e. those reserves that reflect a contribution from the Consolidated Fund). The Revaluation Reserve reflects the change in asset values that have not been recognised as income or expenditure. The General Fund represents the total assets less liabilities of a department, to the extent that the total is not represented by other reserves and financing items.

	Note	General fund £000	Revaluation Reserve £000	Taxpayers' Equity £000
Balance at 31 March 2017		(1,344)	–	(1,344)
Net Assembly Funding		2,895	–	2,895
Supply (payable)/receivable adjustment		–	–	–
CFERs payable to the Consolidated Fund		(1,501)	–	(1,501)
Comprehensive Net Expenditure for the Year		(282)	–	(282)
Non-cash adjustments				
Non-cash charges - auditor's remuneration		23	–	23
Non-cash charges - other		132	–	132
Movements in reserves				
Transfer between reserves		–	–	–
Balance at 31 March 2018		(77)	–	(77)
Net Assembly Funding - drawn down		552	–	552
Supply (payable)/receivable adjustment		(552)	–	(552)
CFERs payable to the Consolidated Fund		(1,891)	–	(1,891)
Comprehensive Expenditure for the Year		(305)	1	(304)
Non-cash adjustments				
Non-cash charges - auditor's remuneration		23	–	23
Non-cash charges - other		138	–	138
Movements in reserves				
Transfer between reserves		–	–	–
Balance at 31 March 2019		(2,112)	1	(2,111)

The notes on pages 56 to 71 form part of these accounts.

Notes to the Departmental Resource Accounts

1 Statement Of Accounting Policies

These financial statements have been prepared in accordance with the 2018-19 Government Financial Reporting Manual (FReM) issued by the DoF. 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 the most appropriate to the particular circumstances of the Utility Regulator for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Utility Regulator are described below. These have been applied consistently in dealing with items that are considered material to the accounts.

In addition to the primary statements prepared under IFRS, the FReM also requires the Utility Regulator to prepare one additional primary statement. The Statement of Assembly Supply and supporting notes show outturn against Estimate in terms of the net resource requirement and the net cash requirement.

1.1 Accounting Convention

These accounts have been prepared under the historical cost convention, modified to account for the revaluation of property, plant and equipment and intangible assets.

1.2 Property, plant and equipment

The minimal level for capitalisation of property, plant and equipment is £2,000 for all assets with the exception of computers where the threshold is £500. Where material assets may be pooled/ grouped so as to reflect more accurately asset holdings. The capitalisation threshold for grouped assets is £2,000.

The following asset categories existed at the start of the year, namely IT equipment, office equipment, furniture and fittings and leasehold improvements. Asset additions have been valued at purchase price. Existing assets are revalued annually by reference to revaluation indices obtained from the Office for National Statistics and the Land and Property Services.

1.3 Intangible Assets

Intangible assets comprise computer software licences with a capitalisation threshold of £1,000 and £2,000 for grouped assets. Existing assets are revalued annually by reference to revaluation indices obtained from the Office for National Statistics.

1.4 Depreciation and Amortisation

Depreciation and amortisation is provided at the rates calculated to write off the valuation of property, plant and equipment and intangible assets by equal instalments over their estimated useful lives. Lives are in the following ranges:

Leasehold improvements	10 years or lifetime of lease
IT equipment	5 years
Furniture and Fittings	5 to 10 years
Office Equipment	5 years
Intangible assets	5 years

1.5 Revaluation of non-current assets

Increases in value are credited to the Revaluation Reserve unless it reverses a revaluation decrease of the same asset which was previously taken directly to the Statement of Comprehensive Net Expenditure. In these cases the increase is recognised in the Statement of Comprehensive Net Expenditure. Decreases in value are taken to the Revaluation Reserve to the extent that there is a sufficient balance in the reserve to offset the decrease.

Any excess devaluation is charged to the Statement of Comprehensive Net Expenditure. Each year, the realised element of the revaluation reserve (i.e. an amount equal to the excess of the actual depreciation over depreciation based on historical cost) is transferred from the reserve to the General Fund.

1.6 Cost Apportionment

Utility Regulator total costs in 2018-19 were apportioned on the basis of each directorates directly identifiable costs plus a percentage allocation of common costs based on either the relationship of divisional staff numbers to total Utility Regulator staff numbers or the estimated allocation of staff time to a particular division.

1.7 Revenue Recognition

The costs of the Utility Regulator are offset primarily by annual licence fees paid on the issue of electricity, gas and water and sewerage licences as defined under statute. Electricity licence fees are calculated on the basis of a determination made in 2011 by the Utility Regulator. It was decided that one third of the cost of electricity regulation should be charged to the holders of generation licences, one third to the holders of transmission licences and one third to the holders of public electricity supply licences. All licence holders pay a minimum of £1,500. Licence fees are ultimately recovered from electricity customers through an operating cost allowance in the price controls of regulated businesses.

The commencement date for the collection of Gas fees was 5 September 1996. Prior to that date, costs were borne by central government. Gas licence fees are based on the annual identifiable costs of gas regulation.

Gas licence fees are calculated on the basis of a determination made by the Utility Regulator. Following a consultation process on how gas licence fees should be apportioned it was decided that as from the 2012-13 financial year, all supply licence holders will pay a fixed fee of £1,500, increased annually based on the Retail Price Index (RPI). The remaining gas regulatory costs, net of the fixed supply licence charges, are apportioned between the conveyance licence holders

who participate in transmission activities, on the basis of their share of the total forecast volumes transmitted in that year. This reflects a change from the previous methodology for gas licence fees where 80% of the costs of gas regulation were borne by the holders of gas conveyance licences and 20% by the holders of gas supply licences. The holders of conveyance licences who engage in distribution activities previously paid a £50,000 basic fee plus a further amount based on volumes conveyed. Gas licence fees are recovered from gas customers through an operating cost allowance in the price controls of regulated businesses.

In the year following payment of licence fees, the Utility Regulator adjusts the new licence fees by the amount of over/under recovery of actual costs arising in the previous licence year. Since licence fees are based on estimated costs, any over-recovery is treated as Deferred Income within Payables and any under-recovery as Accrued Income within Receivables.

Under the terms of Northern Ireland Water Ltd's instrument of appointment water and sewerage fees are payable on the 1 July in each year representing the estimated costs of the Utility Regulator in carrying out its functions under the Water and Sewerage Services (Northern Ireland) Order 2006. This can be supplemented if required by a determination coming into effect on 1 January in any year.

In addition, the cost of the Consumer Council in dealing with electricity consumer issues was recovered from electricity supply licence holders, on the basis of volumes supplied. The cost of gas consumer issues was recovered from conveyance licence holders who participate in distribution activities, on the basis of their share of the total forecast gas volumes to be distributed in the year. The water and sewerage consumer cost was recovered from the water and sewerage licence holder. For 2018-19 the Utility Regulator collected and passed on to the Consumer Council an amount of £647,732 of which £197,067 was in respect of its electricity functions, £148,665 in respect of its gas functions and £302,000 in respect of its water functions. These licence fees are accounted for in the accounts of the Consumer Council.

1.8 Administration and Programme Expenditure

A reclassification exercise was carried out via the Budget and Monitoring Rounds during 2005-06 to ensure that the classification of expenditure was consistent with the Licence Fee income. As licence fee income is classified as DEL Other Resource, the Utility Regulator gained DoF approval to reclassify all its expenditure as DEL Other Resource. This reclassification continues to be reflected in the Estimates.

1.9 Net Liabilities

The negative value of total net assets arises because the funds owed to Electricity, Gas and Water and Sewerage licencees are correctly shown as a liability. However under Managing Public Money Northern Ireland rules the Utility Regulator is required to surrender surpluses to the Consolidated Fund and these are reflected in the cash requirement for the following financial year. This is required because the respective licences make provision for a reduction in the licence fee collected to reflect any underspend in the previous year.

The Statement of Financial Position as at 31 March 2019 shows net liabilities of £2,111k, reflecting liabilities due in future years. It is considered appropriate to adopt a going concern basis for the preparation of the financial statements as the department is supply financed and draws its funding from the Consolidated Fund. Therefore there is no liquidity risk in respect of the liabilities due in future years.

1.10 Value Added Tax

VAT is accounted for in accordance with IAS 12.

The amount due from HM Revenue and Customs in respect of VAT is included within Receivables in the Statement of Financial Position.

1.11 Foreign Exchange

Revenue and expenditure incurred in foreign currencies are translated at the rate of exchange ruling on the date of the transaction.

1.12 Notional Costs

Since Resource Accounts are required to show the full cost of delivery of public services, the Statement of Comprehensive Net Expenditure therefore includes certain notional items of expenditure.

1.13 Operating Leases

Rentals due under operating leases are charged to the Statement of Comprehensive Net Expenditure over the term of the lease on a straight line basis or on the basis of actual rental payments where this fairly reflects usage.

1.14 Pensions and Employee Benefits

Past and present employees, including directly recruited Utility Regulator employees (who take up this facility), are covered by the provisions of the PCSPS (NI) which is a defined benefit scheme and is unfunded. The Utility Regulator recognises the expected cost of providing pensions on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS (NI) of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS (NI). From 1 April 2015, civil servants may choose between membership of the PCSPS (NI) Alpha scheme or joining a good quality "money purchase" stakeholder based arrangement with a significant employer contribution (partnership pension account). Further details of these pension arrangements are given in the Remuneration and Staff Report.

Employees may opt out of the PCSPS (NI) and receive an uplift in lieu of employer contributions of 18.5% of base salary. No employer pension contributions are payable by the Utility Regulator in respect of those employees that opt out of the pension scheme. Following auto-enrolment, any new employees will be automatically enrolled in PCSPS (NI) however if those employees opt out of the pensions scheme they will not receive an uplift in lieu of pension.

Under the requirements of IAS 19 Employee Benefits, staff costs must be recorded as an expense as soon as the organisation is obligated to pay them. This includes the cost of any annual leave entitlements that have been earned at the year-end but not yet taken.

1.15 Early Departure Costs

All Utility Regulator staff who are not directly recruited Authority staff or non-executive Directors are seconded from their respective parent departments. Those departments are required to meet the additional cost of benefits beyond the normal PCSPS (NI) benefits in respect of their employees who retire early. This additional cost runs from the date of their retirement until they reach normal pensionable age. The Utility Regulator would meet only such obligations in respect of its directly employed staff.

1.16 Contingent Liabilities

The Utility Regulator discloses for Assembly reporting and accountability purposes certain statutory and non-statutory contingent liabilities where the likelihood of a transfer of economic benefit is remote, but which have been reported to the Assembly in accordance with the requirements of Managing Public Money Northern Ireland.

Where the time value of money is material, contingent liabilities which are required to be disclosed under IAS 37 are stated at discounted amounts and the amount reported to the NI Assembly separately noted, where relevant. Contingent liabilities that are not required to be disclosed by IAS 37 are stated at the amounts reported to the Assembly.

1.17 Financial Instruments

The Utility Regulator has financial instruments in the form of trade receivables, cash and cash equivalents and trade payables. These are classified as 'loans and receivables' and 'financial liabilities at fair value through profit and loss on initial recognition' in accordance with IFRS 7.

1.18 Impending application of newly issued accounting standards not yet effective

Management has reviewed new accounting standards that have been issued but are not yet effective, nor adopted early for these accounts.

IFRS 16 Leases replaces IAS 17 Leases and is effective with EU adoption from 1 January 2019. In line with the requirements of the FReM, IFRS 16 will be implemented, as interpreted and adapted for the public sector, with effect from 1 April 2020. This may impact the building lease held by the Utility Regulator which is currently classified as an operating lease and recognised only on the Statement of Comprehensive Net Expenditure.

Management consider that the remaining standards that have been issued but are not yet effective are unlikely to have a significant impact on the accounts in the period.

2. Statement of Operating Costs by Operating Segment

The reportable segments are the principal activities of the organisation, with overhead costs split on the basis of an agreed methodology. This split is in line with previous reporting under the Statement of Operating Costs by Departmental Strategic Objectives.

	2018-19				2017-18			
	Reportable Segment 1	Reportable Segment 2	Reportable Segment 3	Reportable Total	Reportable Segment 1	Reportable Segment 2	Reportable Segment 3	Reportable Total
	£000	£000	£000	£000	£000	£000	£000	£000
Gross Expenditure	6,852	1,780	814	9,446	8,477	2,048	507	11,032
Income	6,654	1,705	782	9,141	8,300	1,961	489	10,750
Net Expenditure	198	75	32	305	177	87	18	282

Description of Segments

Segment 1 – To protect the interests of consumers of electricity supplied by authorised suppliers, wherever appropriate by promoting effective competition between persons engaged in, or in commercial activities connected with, the generation, transmission or supply of electricity.

Segment 2 – To promote the development and maintenance of an efficient, economic and co-ordinated gas industry in Northern Ireland.

Segment 3 – To protect the interests of consumers of water and sewerage services, where appropriate by the promotion of effective competition.

2.1 Reconciliation between Operating Segments and SoCNE

	2018-19	2017-18
	£000	£000
Total net expenditure reported for operating segments	305	282
Reconciling items:		
Income	–	–
Expenditure	–	–
Total net expenditure per Statement of Comprehensive Net Expenditure	305	282

3. Other Programme Expenditure

	2018-19		2017-18	
	£'000	£'000	£'000	£'000
Staff Costs²:				
Wages and Salaries	4,295		4,094	
Social Security Costs	482		457	
Other Pension Costs	874		824	
		5,651		5,375
Rentals under operating leases:				
Property rentals	152		153	
Hire of office equipment	5		5	
		157		158
Non-cash items:				
Depreciation on property, plant and equipment	11		7	
Amortisation on intangible assets	–		–	
Impairment of non current assets	–		–	
Reversal of prior year revaluation	–		–	
Auditors' remuneration and expenses	23		23	
Provision provided in year	282		155	
Provisions not required written back	(71)		(5)	
Other notional costs	138		132	
Total non-cash items		383		312
Other Expenditure:				
Consultancy	22		39	
Management of Renewable Outputs Certificate Scheme	929		1,064	
Property service charges	93		90	
Managed services	1,721		3,529	
Communications and Advertising	22		14	
Hospitality	4		4	
Travel and Subsistence	52		63	
Rates	86		88	
Training	46		39	
Utilities	38		40	
IT Costs	17		20	
Exchange Losses	1		1	
Procurement charges	13		12	
Regulatory Costs	12		17	
Miscellaneous expenditure	199		167	
		3,255		5,187
Total		9,446		11,032

During the year, £1k was paid to the Northern Ireland Audit Office (NIAO) for work associated with the National Fraud Initiative (NFI) 2018-19 exercise. There were no non-audit services purchased from the NIAO during 2017-18.

² Further analysis of staff costs is located in the Staff Report on page 40.

4. Income

4.1 Other Operating Income

	2018-19	2017-18
	£000	£000
Electricity Licence Fees	5,633	7,248
Gas Licence Fees	1,705	1,961
Water Licence Fees	782	490
Miscellaneous Income	1,021	1,051
Total	9,141	10,750

Licence fee income included in note 4.1 above is considered to meet the definition of a contract under IFRS 15. As a condition of holding the licence, electricity, gas and water licence holders must pay an annual fee which is a portion of the Utility Regulator costs of regulation, split between licence holders on the basis of agreed and published methodologies. That fee is payable within 30 days of issue. Further detail on how Utility Regulator costs are allocated between licence holders is outlined in note 1.7. Licences are not renewed annually but are held until such times as the Utility Regulator revokes the licence through a breach of a licence condition or the licence holder makes an application to revoke the licence. Non-payment of an annual fee would result in the Utility Regulator taking action to revoke the licence. No adjustments are required in respect of the recognition of licence fee income under IFRS 15. Income is recognised in line with Utility Regulator costs and any under/over recovery of income is shown as accrued/deferred income respectively.

5. Property, plant and equipment

2018-19	Leasehold improvements	Information Technology Equipment	Office Equipment	Furniture & Fittings	Total
	£'000	£'000	£'000	£'000	£'000
Cost or valuation					
At 1 April 2018	71	10	50	80	211
Additions	8	5	–	–	13
Disposals	–	–	–	–	–
Impairments	–	–	–	–	–
Revaluations	1	–	–	–	1
At 31 March 2019	80	15	50	80	225
Depreciation					
At 1 April 2018	67	6	42	66	181
Charged in year	4	1	4	2	11
Disposals	–	–	–	–	–
Impairments	–	–	–	–	–
Revaluations	–	–	–	–	–
At 31 March 2019	71	7	46	68	192
Carrying amount at 31 March 2019	9	8	4	12	33
Carrying amount at 31 March 2018	4	4	8	14	30
Asset financing:					
Owned	9	8	4	12	33
Carrying amount at 31 March 2019	9	8	4	12	33

5. Property, plant and equipment (continued)

2017-18	Leasehold improvements	Information Technology Equipment	Office Equipment	Furniture & Fittings	Total
	£'000	£'000	£'000	£'000	£'000
Cost or valuation					
At 1 April 2017	67	10	50	78	205
Additions	4	–	–	2	6
Disposals	–	–	–	–	–
Impairments	–	–	–	–	–
Revaluations	–	–	–	–	–
At 31 March 2018	71	10	50	80	211
Depreciation					
At 1 April 2017	67	5	38	64	174
Charged in year	–	1	4	2	7
Disposals	–	–	–	–	–
Impairments	–	–	–	–	–
Revaluations	–	–	–	–	–
At 31 March 2018	67	6	42	66	181
Carrying amount at 31 March 2018	4	4	8	14	30
Carrying amount at 31 March 2017	–	–	14	14	31
Asset financing:					
Owned	4	4	8	14	30
Carrying amount at 31 March 2018	4	4	8	14	30

6. Intangible assets

2018-19

	£'000
Cost or valuation	
At 1 April 2018	16
Additions	-
Disposals	-
Impairments	-
Revaluation	-
At 31 March 2019	16
Amortisation	
At 1 April 2018	16
Charged in year	-
Disposals	-
Impairments	-
Revaluation	-
At 31 March 2019	16
Carrying amount at 31 March 2019	-
Carrying amount at 31 March 2018	-
Asset Financing:	
Owned	-
Carrying amount at 31 March 2019	-

6. Intangible assets (continued)**2017-18**

	<u>£'000</u>
Cost or valuation	
At 1 April 2017	16
Additions	–
Disposals	–
Impairments	–
Revaluation	–
At 31 March 2018	<u>16</u>
Amortisation	
At 1 April 2017	16
Charged in year	–
Disposals	–
Impairments	–
Revaluation	–
At 31 March 2018	<u>16</u>
Carrying amount at 31 March 2018	<u>–</u>
Carrying amount at 31 March 2017	<u>–</u>
Asset Financing	
Owned	–
Carrying amount at 31 March 2018	–

7. Capital and other commitments

7.1 Capital Commitments

There were no contracted capital commitments at 31 March 2019 (£Nil, at 31 March 2018).

7.2 Commitments under leases

£157k (£158k 2017-18) was included as an expense on operating leases in the Statement of Comprehensive Net Expenditure

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

	2018-19	2017-18
	<u>£'000</u>	<u>£'000</u>
Obligations under operating leases comprise		
Land and Buildings		
Not later than one year	143	143
Later than one year and not later than five years	71	214
Later than five years	–	–
	<u>214</u>	<u>357</u>
Other		
Not later than one year	3	4
Later than one year and not later than five years	2	4
Later than five years	–	–
	<u>5</u>	<u>8</u>

Lease commitments in respect of the building cover the period up to 31 August 2020. On that date the landlord has the right to review the rent payable under the lease arrangement, covering a further 5 year term. The Utility Regulator retains the right also to terminate the lease on that date subject to adhering to the appropriate notice periods. There are no sub-leasing arrangements permitted under the lease agreement.

7.3 Other financial commitments

The Utility Regulator has not entered into any non-cancellable contracts (which are not operating leases) as at 31 March 2019 (£Nil, at 31 March 2018).

8. Financial Instruments

As the cash requirements of the Utility Regulator are met through the Estimates process, financial instruments play a more limited role in creating risk than would apply to a non-public sector body of a similar size. The majority of financial instruments relate to contracts for non-financial items in line with the Utility Regulator's expected purchase and usage requirements and the Utility Regulator is therefore exposed to little credit, liquidity or market risk.

9. Cash and cash equivalents

	<u>2018-19</u>	<u>2017-18</u>
	£'000	£'000
Balance at 1 April	1,501	38
Net change in cash and cash equivalent balances	942	1,463
Balance at 31 March	<u>2,443</u>	<u>1,501</u>

The following balances at 31 March were held at:

Government Banking Service	–	–
Commercial banks and cash in hand	2,443	1,501
Short term investments	–	–
Balance at 31 March	<u>2,443</u>	<u>1,501</u>

10. Trade receivables and other current assets

	<u>2018-19</u>	<u>2017-18</u>
	£'000	£'000
Amounts falling due within one year:		
Trade receivables	88	732
VAT receivable	82	97
Prepayments and Accrued Income	362	1,414
Amounts due from the Consolidated Fund in respect of supply	–	–
	<u>532</u>	<u>2,243</u>
Amounts falling due after more than one year:		
Trade receivables	–	–
	<u>532</u>	<u>2,243</u>

11. Trade payables and other current liabilities

	<u>2018-19</u>	<u>2017-18</u>
	£'000	£'000
Amounts falling due within one year		
Trade payables	2	8
Other taxation and social security	137	115
Accruals and deferred income	1,500	1,317
Amounts issued from the Consolidated Fund for supply but not spent at year end	552	1,501
Consolidated Fund extra receipts due to be paid to the Consolidated Fund - received	2,646	755
Consolidated Fund extra receipts due to be paid to the Consolidated Fund - receivable	–	–
	<u>4,837</u>	<u>3,696</u>

There are no liabilities falling due after more than one year.

12. Provisions for liabilities and charges

	<u>2018-19</u>	<u>2017-18</u>
	<u>£'000</u>	<u>£'000</u>
Balance at 1 April 2018	155	283
Provided in the year	282	155
Utilised during the year	(84)	(278)
Provisions not required written back	(71)	(5)
Balance at 31 March 2019	<u>282</u>	<u>155</u>

The provision is in respect of legal and other costs for which a reasonable estimate can be made at year end.

Analysis of expected timing of discounted cashflows

	<u>2018-19</u>	<u>2017-18</u>
	<u>£'000</u>	<u>£'000</u>
Not later than one year	282	155
Later than one year and not later than five years	–	–
Later than five years	–	–
Balance at 31 March 2019	<u>282</u>	<u>155</u>

13. Contingent liabilities

The accounts make provision for the costs of defending litigation proceedings. The Utility Regulator is disputing liability in these cases. It is possible these proceedings could lead to losses in the form of compensation and the applicants' legal costs if the judgments are in favour of the applicants. However it is not possible at this stage to estimate the level of third party costs and/or damages that may be borne by the Utility Regulator. As the cases are at an early stage and the outcome is uncertain, it has not been considered appropriate to make a provision under the criteria set out in IAS 37.

14. Financial Guarantees, Indemnities and Letter of Comfort

The Utility Regulator has not entered into any guarantees, indemnities or provided letters of comfort.

15. Related-Party Transactions

The Utility Regulator has had a number of transactions with other Government departments and Central Government bodies. These include the DfE, DfI and DoF.

None of the Utility Regulator's Board members, key managerial staff or other related parties have undertaken any material transactions with the Utility Regulator during the year.

William Emery is Chair of the Utility Regulator Board and is also an Associate of Indepen, and has declared his role in Indepen to the Utility Regulator. Indepen is a strategy and economics consultancy business assisting organisations in regulation, deregulation, competition and restructuring. Indepen is a participant in an OFGEM framework agreement to which the Utility Regulator has access. The Utility Regulator has not drawn down any services from Indepen and were it to do so, William Emery would not have any involvement in the selection process or any subsequent work commissioned.

William Emery is also Chair of the Centre on Regulation in Europe (CERRE), to which the Utility Regulator is a member organisation. The CERRE brings together academics, regulators and companies across the range of utilities for the purpose of promoting robust and consistent regulation in Europe's network industries.

Jenny Pyper is a Pro Chancellor and incoming Chair of Council for the Ulster University (from July 2019). This has been declared to the Utility Regulator and there are no identified conflicts with this unremunerated role.

Richard Rodgers, was a member of the Utility Regulator Board during 2018-19 and from 12 November 2018 was seconded from the Strategic Investment Board, where he held the position of Strategic Advisor (Energy Wise and other energy matters), to DfE as Deputy Secretary, Head of Energy. From 10 July 2017 until 11 November 2018 Richard was seconded to Head of Renewable Heat Incentive Task Force at the DfE. Richard Rodgers has declared these roles to the Utility Regulator and considered with the Chair any possible conflicts as they arose.

Teresa Perchard is a member of the Utility Regulator Board and from April 2016 was Chair of the Affinity Water Customer Scrutiny Group. Affinity Water is a water supply company based in England. As the Utility Regulator regulates the only NI water supply company, NIW, it is unlikely that any conflicts with this role will arise. However this will be considered on an ongoing basis.

Until April 2018, Teresa Perchard was also Consumer Champion for the Cavity Insulation Guarantee Agency, an independent body that provides guarantees for cavity wall insulation fitted by registered installers in the UK. Cavity wall insulation may be provided under the NISEP scheme that the Utility Regulator administers. The Board would not normally have any role in the approval of NISEP schemes. Teresa Perchard has disclosed this role to the Utility Regulator.

Alex Wiseman is a member of the Utility Regulator Board and is also a Director of Alex Wiseman Associates Ltd, a consultancy company specialising in utility related matters. Alex Wiseman undertakes work for POYRY in a sub-contracting arrangement. POYRY are engaged in some contracts with the Utility Regulator however Alex Wiseman will not be involved in any consultancy contracts with the Utility Regulator or any regulated company either in a direct or sub-contract capacity.

Alex Wiseman is also a Director at Bristol Energy Ltd, a national gas and electricity supplier in GB. This company does not operate in NI.

Jon Carlton is a member of the Utility Regulator Board and is also Chairman and Director of the National Grid Electricity Group Trustee Limited, part of the UK and US based company responsible for consumer energy connections. This company does not operate in NI.

Jon Carlton is also owner and Director of Guille Carlton Solutions Limited, an energy consultancy business. Jon has declared this role to the Utility Regulator and will not be involved in any consultancy contracts with the Utility Regulator in either a direct or sub-contract capacity.

David Newbery is the deputy independent member of the SEMC and is a non-executive director of CEPA, a firm providing consultancy support to the Utility Regulator. CEPA were engaged during 2018-19 and in total payments of £184,989 (2017-18 £100,176) were made to them in this financial year (of which £nil (2017-18 £36,656) related to matters under the auspices of the SEMC). David Newbery is not involved in any decisions to appoint CEPA, or any other consultants engaged on this project, and does not participate directly in any work undertaken by them on behalf of the Utility Regulator. David is involved in the review of papers from CEPA along with those from other firms providing support on the I-SEM project as part of his role on the SEMC. David has declared this role to the SEMC.

Tanya Hedley, Director of Compliance and Network Operations, holds a pension with NIE Pensions Scheme. Tanya Hedley disclosed this pension to the Utility Regulator and has not participated in the preparation or clearance of advice, proposals or papers and has absented herself from any pension related discussions.

Tanya Hedley was also project collaborator for the University of Ulster and University College Dublin Investigator Programme 'Energy storage and demand-side flexibility within future electricity markets'. Tanya declared this role to the Utility Regulator and there were no perceived conflicts with her participation.

Donald Henry, Director of Corporate Affairs, is also a member of the EnergyWise project board although work on EnergyWise has been postponed pending re-appointment of a Minister. Donald has declared this role and any conflicts will be managed as they arise.

Donald Henry is also a member of the Department of Agriculture, Environment and Rural Affairs Audit and Risk Committee. This role has been disclosed to the Utility Regulator and any potential conflicts will be managed on an ongoing basis.

John Mills, temporarily promoted to Director of Finance and Network Assets during 2017-18, is involved in the determination of the capital allowance for the Gas to the West project. A potential payment may be made for the laying of a pipe through land owned by an individual that is known to John and which may need to be approved as part of the capital allowance. Ultimate approval for the allowance will be made by the Networks Director and John will not have sole responsibility for any decisions in respect of this allowance.

16. Events after the reporting period

There were no material events post the Statement of Financial Position date for the year ended 31 March 2019.

Date of authorisation for issue

The Accounting Officer authorised these financial statements for issue on 21 June 2019.

