

The Northern Ireland Assembly Commission

Meeting Venue: Parliament Buildings, Room 106

Meeting date: Wednesday, 21 June 2023

Meeting Time: 10.00 am



Assembly Commission Members:

Alex Maskey, Speaker (Chairperson)

Trevor Clarke MLA

John Blair MLA

Robbie Butler MLA

Dolores Kelly

Officials present:

Lesley Hogg, Clerk/Chief Executive

Steven Baxter, Director of Corporate Services

Tara Caul, Director of Legal, Governance and Research Services

Gareth McGrath, Director of Parliamentary Services

Robin Ramsey, Adviser to the Speaker/Head of Corporate Support

Janet Hughes, Clerical Supervisor

Others in attendance:

Sinéad Ennis MLA

Edward Lord, Chairperson of the Assembly Commission Audit and Risk Committee (ACARC)

David Lynn, Roof Project Manager (Item 10)

Alice McKelvey, Legal Adviser (Item 10)

Sinéad McDonnell, Head of Human Resources (Item 13)

Stephanie Mallon, Clerk Assistant (Item 15)

The meeting commenced at 10.05 am.

1. APOLOGIES

There were no apologies, however, the Speaker noted that Sinéad Ennis MLA would not be in attendance for the start of the meeting.

2. DECLARATIONS OF INTEREST

Lesley Hogg declared an interest on behalf of all officials in the Grading and Pay Benchmarking Review paper at agenda item 13, and it was noted that

officials with the exception of Mrs Hogg and Sinéad McDonnell, Head of Human Resources, would leave the meeting during the discussion on this item of business.

3. CHAIRPERSON'S BUSINESS

The Speaker welcomed Steven Baxter, the new Director of Corporate Services to his first meeting.

4. DRAFT MINUTES OF PREVIOUS MEETINGS

Minutes from the Assembly Commission meeting on 13 February 2023 were approved for publication.

5. MATTERS ARISING

There were no matters arising.

6. COMMISSION ACTIONS

Members noted the status of actions.

7. CORRESPONDENCE

Members noted one piece of correspondence, which was the response issued to the Rt Hon Jeffrey Donaldson MP, Doug Beattie MC MLA and Jim Allister KC MLA, following consideration of their proposal to erect a centenary stone on the west side of Parliament Buildings, at the Assembly Commission meeting on 13 February 2023. It was agreed that this correspondence would be returned to under item 14.

8. CLERK/CHIEF EXECUTIVE UPDATE

Mrs Hogg noted that her report provided Members with an update on the key issues which had arisen since the last Assembly Commission meeting, and she highlighted the salient points.

Management Accounts – March 2023 Provisional Outturn

Mrs Hogg advised Members of the year end position for Resource DEL and Capital DEL.

Mrs Hogg stated that there had not been an opportunity for the Assembly

Commission to refine its budget throughout the year, as the in-year monitoring exercises normally undertaken by the Department of Finance (DoF) had not taken place due to the absence of normal Assembly business.

Mrs Hogg outlined a number of underspends across Members' costs, Admin costs and Staff Salaries.

Staff Utilisation

Mrs Hogg noted that at its meeting on 13 February 2023, the Assembly Commission had agreed to again adopt the three principles of Retaining Readiness, Maximising Use of Public Resources and Supporting and Motivating Staff, that had been used to manage the staffing and budgetary decisions during the previous political impasse between January 2017 and January 2020.

Mrs Hogg advised that the Senior Management Team (SMT) and Heads of Business (HoBs) had conducted a review of the work being undertaken by staff and that HoBs were actively managing staff and considering opportunities for staff to assist other public sector entities.

Mrs Hogg stated that Assembly Commission contracts for goods and services were also being monitored for any potential cost savings.

Sinéad Ennis MLA joined the meeting at 10.15 am.

Annual Litigation Update

Mrs Hogg advised that there was nothing new to report by way of litigation matters from those ongoing matters previously notified to Members.

Information Commissioner's Office (ICO) Complaints

Mrs Hogg informed Members of two complaints to the ICO.

Sensitivity Review

Mrs Hogg stated that Assembly Commission records that are 20 years old and identified by the Public Record Office of Northern Ireland (PRONI) as having potential historical significance must be transferred to PRONI, and that officials were currently conducting the first Sensitivity Review of said records. She added that Members would be advised of the outcome of the Sensitivity Review before any files were transferred to PRONI.

Annual Health and Safety Report

Mrs Hogg informed Members that eight accidents had been reported during 2022.

Mrs Hogg also advised that the defibrillators in Parliament Buildings had been

replaced and it was noted that she would advise Members whether these had been disposed of, or whether they were suitable for donation.

Action: Mrs Hogg to advise Members whether the old defibrillators had been disposed of, or whether they were suitable for donation.

Members' Survey

Mrs Hogg noted that the Assembly Commission normally undertook a survey of Members approximately every two years but, given that the Assembly was not conducting normal business, she advised that a survey would be undertaken approximately one year after the resumption of normal Assembly business.

Assembly Commission Audit and Risk Committee (ACARC) Terms of Reference Review

Mrs Hogg advised that ACARC had not requested any change to its Terms of Reference following review at its meeting on 16 February 2023.

The Speaker formally welcomed Mrs Ennis to her first Assembly Commission meeting, noting that she had been nominated to replace Pat Sheehan MLA, to attend Assembly Commission meetings until Sinn Féin was able to formally appoint a Member to fill the current vacancy on the Assembly Commission.

9. ANNUAL PLAN 2022-23 END OF YEAR PERFORMANCE REPORT

Mrs Hogg presented the Annual Plan 2022-23 End of Year Performance Report, noting that the continued absence of normal Assembly business had impacted on the ability to fulfill some of the actions within the Plan and that other activities had been undertaken which were not in the Plan. She then summarised the achievement of actions in the Plan.

Mrs Hogg noted that as 2022-23 was the last year of the Corporate Strategy 2018-23, a new Corporate Strategy for 2023-28 was in the process of being developed and would be presented to Members at the next Assembly Commission meeting for consideration.

Members noted the report.

John Blair MLA noted that some visitors to the building had approached him commending the quality of the tours they had taken and he asked that this be passed on to the relevant staff.

Robbie Butler MLA left the meeting at 10.31 am.

David Lynn and Alice McKelvey joined the meeting at 10.32 am for item 10.

10. DEFECTS IN THE ROOF OF PARLIAMENT BUILDINGS

David Lynn provided Members with an update on the current position

regarding the potential legal action against those responsible for undertaking the roof refurbishment works.

Members noted the current position.

David Lynn and Alice McKelvey left the meeting at 10.36 am.

11. ASSEMBLY COMMISSION BUDGET 2023-24

Mr Baxter presented a paper outlining the 2023-24 Assembly Commission budget.

Mr Baxter noted that the Assembly Commission's budget for the three-year period from 2022-23 to 2024-25 had been agreed by the Assembly on 23 February 2022, having been presented to the Audit Committee on 3 November 2021.

Mr Baxter stated that when the budget had been prepared it was based on planning assumptions at that time and that the significant changes in the economic climate that have occurred since then have resulted in a potential pressure on Resource DEL.

Mr Baxter therefore presented a forecast for 2023-24, based on a resumption of normal Assembly business on 1 September 2023 for planning purposes. It was noted that the forecast excluded the estimated additional costs associated with supporting the operation of the new Windsor Framework Democratic Scrutiny Committee.

In order to mitigate the forecast pressure and allow the Assembly Commission to live within its original budget, Mr Baxter outlined a number of proposals as set out in his paper.

Following consideration, Members agreed the proposals as outlined in the paper and noted that these would be revisited as the budget position became clearer later in the year.

12. PAY CLAIM 2023

Mr Baxter presented a paper detailing the five strands of the pay claim submitted by the Northern Ireland Public Sector Alliance (NIPSA) for 2023.

Mr Baxter stated that the recommendation from officials was to defer making a proposed pay offer until later in the year, in view of budget constraints facing the Assembly Commission at this time.

Mr Baxter also noted that there was very little comparative information on pay settlements, as most pay claims had still to be settled.

Mr Baxter advised that NIPSA had been consulted and supported the recommendation.

Members noted the pay claim submitted by NIPSA, and agreed to defer making a proposed pay offer until later in the year.

Sinéad McDonnell joined the meeting at 10.49 am for agenda item 13.

Robbie Butler MLA re-joined the meeting at 10.49 am.

13. GRADING AND PAY BENCHMARKING REVIEW

The meeting went into closed session for this agenda item. The Speaker asked all officials with the exception of the Clerk/Chief Executive, Mrs Hogg as Accounting Officer and the Head of Human Resources, Ms McDonnell to leave the meeting.

Sinéad McDonnell left the meeting at 11.52 am.

Officials re-joined the meeting which resumed at 12.01 pm.

14. ADVICE TO GIVE EFFECT TO THE ASSEMBLY COMMISSION'S DECISION TO ACCEPT THE DONATION OF, AND ERECT A "CENTENARY STONE"

Robin Ramsey noted that following agreement by the Assembly Commission at its meeting on 13 February 2023, to a proposal to erect a centenary stone donated by the unionist parties, officials had been working through the detail needed to give effect to the decision.

Mr Ramsey stated that the Assembly Commission had to implement the decision within the framework of its corporate and statutory responsibilities.

Mr Ramsey stated that detailed consideration had been given to two potential locations for the centenary stone. Option 1, the raised concrete platform in the car park to the west of Parliament Buildings, and Option 2, the creation of a new site adjacent to the entry to Lord Craigavon's tomb to the East of Parliament Buildings.

Following consideration of the issues with each option, Members agreed that Option 2 was the most appropriate and preferable site.

Members were advised that there would be cost implications for either option. Two Members, Dolores Kelly and Mr Blair, stated that their agreement to proceed to erect the stone was on the basis of maintaining the position that there should be no cost to the Assembly Commission or the public purse ie

that the parties donating the stone should cover the costs associated with placing it.

It was agreed that the Speaker would write to update the leaders of the unionist parties on this position and that the Members representing the unionist parties have further discussions as necessary. The Speaker advised that if there was the basis for agreement, the matter could be returned to at the next meeting or an earlier discussion could be arranged.

During discussion, some Members noted that while significant progress had been made in relation to the balance in the items displayed within Parliament Buildings, there remained a lack of representation of other sections of society on the grounds surrounding Parliament Buildings. It was noted that this included the wider Stormont Estate and not just the limited area of the curtilage to Parliament Buildings. It was agreed that the Assembly Commission would give further consideration to this issue and would also raise it with DoF.

Action: Officials to circulate the previous correspondence between the Speaker and the unionist parties in relation to the decision to approve the siting of the centenary stone.

Action: The Speaker to write to the leaders of the unionist parties with an update on discussions.

Action: The Speaker to write to DoF in relation to addressing the balance of the items on display on the Stormont Estate.

Action: Officials to consider arrangements for reviewing the balance of items on the curtilage of Parliament Buildings for further discussion by the Assembly Commission.

Stephanie Mallon joined the meeting at 12.30 pm for item 15.

15. INTERIM REVIEW OF THE PIONEER PHASE OF THE NORTHERN IRELAND YOUTH ASSEMBLY TO INFORM THE COMMENCEMENT OF ITS SECOND MANDATE

Stephanie Mallon presented a paper on the Interim Review of the Pioneer Phase of the Northern Ireland Youth Assembly.

Ms Mallon noted that the Youth Assembly was reaching the end of its Pioneer Phase, and that its final committee meetings and a plenary were scheduled for 30 June 2023.

Ms Mallon informed Members that the Youth Assembly would be reconstituted for a second mandate in the autumn and sought to change the age range for the second mandate to those in school years nine to 12, outlining the rationale for this, and to retain the enhanced random selection recruitment process used for the pioneer phase.

Ms Mallon also noted that a comprehensive review of the Pioneer Phase, to inform the operation of the next Youth Assembly, would be carried out and completed by the end of September 2023.

The Speaker endorsed the proposed change in the age range and complimented all the staff that had supported the Youth Assembly.

Following consideration, Members approved the change to the age range as proposed and agreed that the enhanced random selection recruitment process be retained for the second mandate.

Members congratulated Ms Mallon and the team on the success of the Pioneer Phase of the Youth Assembly.

Stephanie Mallon left the meeting at 12.40 pm.

16. ANNUAL EQUALITY PROGRESS REPORT TO THE EQUALITY COMMISSION FOR NORTHERN IRELAND 2022-2023

Members noted the Annual Equality Progress Report to the Equality Commission for Northern Ireland 2022-2023.

17. FIVE-YEAR REVIEW OF THE DISABILITY ACTION PLAN 2018-2023

Members noted the report on the Five-Year Review of the Disability Action Plan 2018-2023.

18. GENDER ACTION PLAN CLOSURE REPORT 2019-2023

Members noted the Gender Action Plan Closure Report 2019-2023.

19. NORTHERN IRELAND ASSEMBLY COMMISSION COMPLAINTS POLICY AND PROCEDURE REPORT FOR 2022-23

Members noted the Complaints Policy and Procedure Report for 2022-23.

Trevor Clarke MLA sought confirmation that the process for raising a complaint was not difficult. Gareth McGrath outlined the various ways that a complaint could be made and confirmed that it was easy to do so.

20. ASSEMBLY COMMISSION AUDIT AND RISK COMMITTEE REPORT TO THE NORTHERN IRELAND ASSEMBLY COMMISSION FOR THE YEAR ENDED 31 MARCH 2023

Edward Lord presented the ACARC Annual Report for 2022-2023, which

noted that Ernst and Young's Annual Assurance Report had provided a satisfactory level of assurance on the system of internal control in the Assembly Commission.

Edward Lord stated that the Assembly Commission had been without an internal audit function for a substantial period of time during the year, however, assurance was given by Mrs Hogg that the programme of internal audit work had still been completed.

Members noted the report.

21. DECISIONS MADE VIA CORRESPONDENCE

Members noted the following decisions made via correspondence since the last meeting:

Lighting Requests:

Rare Disease Day – **Declined.**

First Anniversary of the War in Ukraine – **Approved.**

European Day for Victims of Terrorism – **Approved.**

75th Anniversary of the NHS – **Approved.**

International Batten Disease Awareness Day – **Declined.**

Dáithí's Law – **Approved.**

19. AOB

Mr Blair raised the issue of MLA security, and highlighted some recent incidents that had taken place at MLAs' Constituency Offices and greater instances of threats and abuse on social media and in person. He acknowledged that the Assembly Commission had increased the quantum of Establishment Costs in its 2020 Determination to allow for the recovery of expenses associated with the installation of security measures, but asked that the Assembly Commission consider whether any further support could be provided to MLAs. It was noted that the PSNI had visited a number of Constituency Offices to provide advice.

Members supported Mr Blair's request and it was agreed that officials would review security arrangements and report back at a future meeting. Members also stated that it would be prudent to consult MLAs.

Action: Officials to bring a paper to review the current provision for security arrangements for MLAs to a future meeting.

20. DATE OF NEXT MEETING

The Speaker noted that officials would be in contact with a date for the next

full meeting after the summer, but stated that an earlier meeting would be held, if business required.

The meeting ended at 12.52 pm.

The Speaker asked Members to stay for a closed session with Edward Lord on the ACARC Report.