

FOI 27-23

Appendix A



**NORTHERN IRELAND
ASSEMBLY**

ASSEMBLY COMMISSION

UPDATE REPORT ON RESPONSE TO FLAG INCIDENT

3 JUNE 2015

Background

1. The Assembly Commission received an initial briefing on the incident on 4 June 2015.
2. The Commission appointed a main contractor for the repairs and refurbishment of the roof of Parliament Buildings and work started on site May 2014, with completion due in June 2015.
3. In order to facilitate the works, the 4th floor of Parliament Buildings was handed over to the contractor along with all of the roofs. This entire area is treated as a construction site and responsibility for the management of it, including access to the flagpole area, lies with the main contractor.
4. Security clearance of workmen for the project is by way of Access NI checks and workmen with clearance are permitted access to the building unrestricted. In addition, workmen with clearance pending, or on occasion to facilitate critical path work items, restricted access is granted to workmen. In that situation, the workmen are escorted to their working area by Assembly staff and the contractor takes responsibility for them on their site.

Discussion

5. A summary update on the two issues referred to at the briefing on 4 June 2015 is given below.

Tuesday 2 June 2015

6. On Tuesday 2 June, it was reported to Usher Services that the Union flags, flying to commemorate Coronation Day, were uneven with one flag

- lower than the other. This was addressed by Usher Services staff who adjusted one of the flags that appeared to have twisted slightly on the flag pole. Storm flags were being flown at the time due to the windy weather.
7. Later that same day it was reported that one of the flags was not visible from the West Glen. When Usher Services staff attended they found that the flag had worked loose due to the prevailing weather conditions and they hoisted it back into position. This has happened in the past due to inclement weather.
 8. There was nothing to suggest in either instance that the flags had been deliberately interfered with or that any malice or mischief was intended.

Wednesday 03 June 2015

9. On Wednesday 3 June at approximately 13.10, Northern Ireland Assembly Police Unit reported to Usher Services that two flags were flying on the flagpoles on Parliament Buildings. The flags were later confirmed to be the Irish National flag and a second green-coloured flag with the words "Irish Republic" written on it.
10. Within a few minutes, staff from Usher Services had removed the 2 flags. At approximately 4.30pm the PSNI formally advised the Assembly that they would be undertaking an investigation. As part of that investigation the PSNI took possession of the flags.

Action Taken

11. Representatives from the project managers who were appointed by the Commission to undertake the design and supervision of the roof project and the main contractor, were advised that the incident had taken place and the contractor was requested to undertake a full investigation.
12. The police investigation is ongoing and the Commission is providing every assistance to the PSNI.
13. The Commission has been briefed on the range of measures which have been taken to prevent a reoccurrence of the incident and improve security of the construction site.
14. The Commission has requested a wider review of security and access arrangements to Parliament Buildings.

End

Submission Number: AC4701

Paper by: Director of Facilities / Keeper of the House

Subject: Flag Incident

Date for discussion: 8 June 2015

Recommendation

The Assembly Commission is asked to:

Take note of this paper and advise on any further action that they require to be undertaken.

Preceding

Papers/Discussions: *Timeline of incident dated 4 June 2015*

Timescale: *For discussion at meeting on 8 June 2015*

FoI Implications: *Restricted to Commission Members*

Legal Implications: *None*

Financial Implications: *There are minor financial implications associated with the actions to be carried out.*

Staffing Implications: *None*

Equality Implications: *None*

Equality Screening: *N/A*

Attachments: *Initial report presented to the Commission on 4 June 2015 (Appendix A), A note of the briefing (Appendix B), Explanatory report from Tracey Brothers (Appendix C), Extract from the Northern Ireland Assembly Security Policy (April 2015-V2.10) (Appendix D)*

Background

1. This paper serves to follow up the initial incident report presented to the Commission at its briefing on 04 June 2015. (Copy attached at Appendix A). A note of the briefing is attached at Appendix B.
2. The Assembly Commission appointed Tracey Brothers from Enniskillen as main contractor for the repairs and refurbishment of the roof of Parliament Buildings and work started on site May 2014, with completion due in June 2015.
3. In order to facilitate the works, the 4th floor of Parliament Buildings was handed over to Tracey Brothers along with all of the roofs. This entire area is treated as a construction site and responsibility for the management of it, including access to the flagpole area, lies with the main contractor.
4. Security clearance of workmen for the project is by way of Access NI checks and workmen with clearance are permitted access to the building unrestricted. In addition, workmen with clearance pending or on occasion to facilitate critical path work items, restricted access is granted to workmen. In that situation, the workmen are escorted to their working area by Assembly staff and Tracey Brothers take responsibility for them on their site.

Discussion

5. A summary update on the two issues referred to at the briefing on 4 June 2015 is given below.

Tuesday 2 June 2015

6. On Tuesday 2 June, it was reported to Usher Services that the Union flags, flying to commemorate Coronation Day, were uneven with one flag lower than the other. This was addressed by Usher Services staff who adjusted one of the flags that appeared to have twisted slightly on the flag pole. Storm flags were being flown at the time due to the windy weather.
7. Later that same day it was reported that one of the flags was not visible from the West Glen. When Usher Services staff attended they found that the flag had worked loose due to the prevailing weather conditions and they hoisted it back into position. This has happened in the past due to inclement weather.
8. There was nothing to suggest in either instance that the flags had been deliberately interfered with or that any malice or mischief was intended.

Wednesday 03 June 2015

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10. Within a few minutes, staff from Usher Services had removed the 2 flags. At approximately 4.00pm the PSNI formally advised the Assembly that they would be undertaking an investigation. As part of that investigation the PSNI took possession of the flags.
11. Representatives from Hamilton Architects who were appointed by the Commission to undertake the design and supervision of the roof project and the main contractor, Tracey Brothers were advised that the incident had taken place and Tracey Brothers were requested to undertake a full investigation. A report from Tracey Brothers has been received and is included at Appendix C in this paper.
12. A full list of workmen who were on site on 3 June 2015 has been given to PSNI who commenced a series of interviews with the workmen on 4 June 2015. Tracey Brothers are cooperating fully with the PSNI investigation. [REDACTED]

Action Taken Following the Incident on 03 June 2015

13. Following the incident and the initial briefing to the Commission on 4 June 2015, the following measures were put in place to prevent any recurrence:
 - Removal of the ropes on the flag poles.
14. Building Services Branch arranged for the removal of the ropes on the flag poles, making it impossible for a similar incident to take place. This was completed on 4 June 2015.
 - [REDACTED]
15. [REDACTED] This door will be kept locked and access for contractors will be on request to Tracey Brothers.
 - [REDACTED]
16. [REDACTED] Again access will only be permitted on request. [REDACTED]
 - [REDACTED]

17. [REDACTED]

- Review of contractor access arrangements.

18. The Head of Usher Services is reviewing the Assembly's operational procedures relating to contractor passes and access arrangements. Members may wish to note that these arrangements were subject to recent internal audit which concluded with a satisfactory audit opinion.

19. The current contractor access arrangements are set out in the Assembly Security Policy and the relevant extract is attached at Appendix D.

Recommendations:

20. 1. That members take note of this paper and advise on any further action that they require to be undertaken.
2. Following discussion, it was agreed that a separate paper is brought back to the Commission on the subject of wider security arrangements and the associated balance of risk to Parliament Buildings.

Stephen Welch
Director of Facilities/ Keeper of the House

Paper by: Director of Facilities / Keeper of the House

Subject: Flag Incident Timeline

Date for discussion: 4 June 2015

Recommendation

The Assembly Commission is asked to:

Take note of the background and timeline of this incident

Preceding

Papers/Discussions: *None*

Timescale: *Urgent*

FoI Implications: *Restricted to Commission Members*

Legal Implications: *None*

Financial Implications:

Staffing Implications:

Equality Implications: *None*

Equality Screening: *N/A*

Attachments: *Appendix A, Appendix B, Appendix C, Appendix D*

Background

The repairs and refurbishment to the roof of Parliament Buildings have been ongoing since May 2014 and are due to be completed in June 2015. Tracey Brothers were awarded the contract and are known as the main contractor. As part of the management of the contract, the Assembly handed over floor 4 and above of Parliament Buildings to Tracey Brothers. This is being treated as a construction site and under the contract responsibility for the management of it lies with the main contractor.

Incident Chronology

On Wednesday 3 June 2015 at approximately 13.10 Northern Ireland Assembly Police Unit reported to Usher Services that two flags were flying on the flagpoles on Parliament Buildings. It was thought that one was the Irish National flag and a second green coloured flag.

The following is a timeline of the events and actions taken:-

13.10 NIAPU informs Usher Services that the Irish flag and a second green flag are flying from the PB flagpoles.

13.13 Usher Services arrive at both flagpoles and remove the flags; no contractors were seen on the roof.

13.14 On removing the flags (one from each flag pole), it was found that one was the Irish National flag and the other was a green flag with the words (in English) "Irish Republic" printed on it.

13.17 The Director of Facilities was informed of the incident and rang the Ushers office to gather the detail of the situation; he asked to be kept updated as matters progressed.

13.20 The Head of Building Services discussed the incident with the Main Contractor's (Tracey Brothers) Site Manager asking him to investigate and report back.

13.23 Both flags were delivered to the Director of Facilities office for safe keeping. Both were bagged to prevent any further contamination.

13.40 Head of Building Services sent an e-mail to Hamilton Architects (Design Team Leader) conveying the Northern Ireland Assembly Commission's request that they direct the main contractor Tracey Brothers, to provide a response to the incident which occurred within their construction site (see appendix A).

13.55 The Director of Facilities discussed the incident with [REDACTED] (Senior Contracts Manager), Tracey Brothers confirming the requirement for them to investigate and report back to the Assembly.

13.55 Incident formally reported to PSNI.

14.05 Usher Services requested print out of all contractor names on site today.

14.09 Hamilton Architects e-mail request for response from Tracey Brothers (see Appendix B).

15.25 Discussion with Deputy Belfast District Commander about incident. Informed that Director of Facilities holding flags. Agreed that a formal record from Northern Ireland Assembly be sent confirming details. PSNI confirmed that a formal complaint had been received and thus an investigation would be undertaken. PSNI agreed to send formal notification of investigation.

15.29 Formal confirmation of incident details sent to PSNI (see Appendix C).

16.03 Northern Ireland Assembly Police Unit (NIAPU) contacted Director of Facilities requesting the flags, informing him that two formal complaints had now been received. [REDACTED]
[REDACTED] A CSI team would also be attending later today (3 June) to examine the flagpoles and flags.

16.15 [REDACTED] and Site Forman meet to explore options on improving access and security arrangements to site.

16.32 Formal response received from PSNI confirming that they are undertaking an investigation into the incident following receipt of a formal complaint (see Appendix D).

16.37 Northern Ireland Assembly Police Unit retrieve flags from Directors of Facilities office and place in evidence bag.

Discussion/Recommendations:

That Members take note of the background and timeline of this incident.

As a consequence of the PSNI informing the Assembly (16.32) of their intentions to undertake an investigation, we have suspended our investigation.

The PSNI took possession of the flags at 16.37 and commenced interviews of all contractor staff at 09.00 this morning.

Senior management at Tracey Brothers have been contacted (13.55) to express the Assembly Commission's concerns. Tracey's have expressed their concerns also and disappointment. They have acknowledged our request for an explanatory report.

Review:

A joint review of site access was undertaken (16.15) by Building Services, Tracey Brothers and a representative from Usher Services. A range of proposals were offered, some of which have been implemented with immediate effect.

Stephen Welch
Director of Facilities/ Keeper of the House

From: Lynn, David
Sent: 03 June 2015 13:40
To: paul.millar@hamiltonarchitects.co.uk
Cc: Mark Knight (mark.knight@hamiltonarchitects.co.uk); Welch, Stephen; [REDACTED] (Tracey Bros) ([REDACTED]@traceybros.com); [REDACTED] ([REDACTED]@traceybros.com); [REDACTED]
Subject: Incident on Parliament Buildings Roof
Importance: High

Paul,
This is to make you aware of an unfortunate incident that has just taken place on the roof of Parliament Buildings. Two flags (an Irish Tricolour and a flag with a Republican message) were flown from the flag poles on the roof of the building.
Can I ask you please to demand an immediate explanation from the main contractor, Tracey Brothers, how this could have happened? As you are aware, the 4th floor of the building remains under the control of the contractor and access to that area remains his responsibility. We also need assurance that we will not suffer any repeat. The flags in question have been taken down and handed over to the PSNI.
Regards,
David

**DAVID LYNN**

Head of Building Services
Facilities Directorate

work: 028 905 21316
mobile: 07771910076
email: david.lynn@niassembly.gov.uk

Parliament Buildings
609/10, av.
Stranmillis
Dublin 15
BT4 3XX

From: Paul Millar <paul.millar@hamiltonarchitects.co.uk>
Sent: 03 June 2015 14:11
To: Welch, Stephen
Subject: FW: 1232 Parliament buildings roof project: Major Security Breach.

From: Paul Millar [mailto:paul.millar@hamiltonarchitects.co.uk]
Sent: 03 June 2015 14:09
To: 'John.t (Tracey Bros)'
Cc: David Lynn (david.lynn@niassembly.gov.uk); 'StephenWelch@niassembly.gov.uk'; [REDACTED] (Tracey Bros) [REDACTED]@traceybros.com); [REDACTED]@traceybros.com); [REDACTED] Mark Knight
Subject: 1232 Parliament buildings roof project: Major Security Breach.

John,

I have just been informed by the client that an unfortunate incident has just taken place on the roof of Parliament Buildings. Two flags (an Irish Tricolour and a flag with a Republican message) were flown from the flag poles on the roof of the building.

As a matter of urgency please provide an immediate explanation of how this has occurred? The 4th floor of the building remains under your control and access to this area remains your responsibility. We also need robust assurances that we will not suffer any repeat.

I understand that the flags in question have been taken down and handed over to the PSNI.

Regards,
Paul Millar



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Winners of the RICS 'Project of the Year' Award 2014

Crumlin Road Gaol: 'Project of the Year' and Community Benefit – Winner
Antrim Castle Gardens Restoration & Development Scheme: Tourism & Leisure – Winner
Walled City Lighting Project, Derry~Londonderry: Tourism & Leisure – Highly Commended

RICS Awards 2013: Crumlin Road Gaol: Building Conservation – Highly Commended
RSUA Design Awards 2012: QUB Riddell Hall: Conservation – Commendation
RICS Awards 2012: Hamilton House: Design & Innovation - Highly Commended • QUB Riddell Hall: Building Conservation – Highly Commended
Hamilton Architects is a Limited Liability Partnership registered in Northern Ireland (No. NC755)

Cultural Partners of NI Opera



www.niopera.com

From: [REDACTED]
Sent: 03 June 2015 15:29
To: [REDACTED]@psni.pnn.police.uk'
Cc: Reaney, Trevor
Subject: Incident at Parliament Buildings

Please see below e-mail which we would need a response as soon as possible so we can insert into a press line which is currently holding.

[REDACTED]

Thanks for taking the call, An incident occurred today at approx. 12.40 whereby 2 flags were housed on Parliament Buildings flagpoles. Our local Ushers removed said flags with a short timeframe and I am now in possession of them. Please advise whatever action you may wish to undertake.

Best regards
Stephen Welch

[REDACTED]
Facilities Directorate/Office of the Keeper

[REDACTED]
[REDACTED]

cc:
Parliament Building
Ballymascanlon
Stranmillis
Belfast
BT4 3XX

From: [REDACTED]@psni.pnn.police.uk on behalf of [REDACTED]@psni.pnn.police.uk
Sent: 03 June 2015 16:59
To: [REDACTED]
Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Incident at Parliament Buildings

Stephen,

I can confirm that PSNI have received a complaint in respect of this matter and have commenced an investigation into the circumstances surrounding this incident and whether they constitute a criminal offence. To this end I would be grateful if all relevant material which may be of assistance in progressing this investigation is supplied to police. I understand and appreciate the sensitivities of police activity in and around parliament buildings and will of course remain in contact with you in respect of this matter.

Many Thanks

T/Superintendent | Service Delivery | Belfast City District Command Unit | [REDACTED] | Ext [REDACTED]

From: [REDACTED] [mailto:[REDACTED]@niassembly.gov.uk]
Sent: 03 June 2015 15:29
To: [REDACTED]
Cc: Reaney, Trevor
Subject: Incident at Parliament Buildings

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Best regards
Stephen Welch

[REDACTED]
Facilities Directorate/Office of the Keeper

[REDACTED]
[REDACTED]
26
Parliament Buildings
Ballymasaree

The Northern Ireland Assembly Commission



Briefing on Flags Incident 3 June 2015

Room 106, 10.30am Thursday 4 June 2015

In attendance:

The Speaker
Ms Caitríona Ruane MLA
Mr Sam Gardiner MBE JP MLA
Ms Paula Bradley MLA

Officials present:

Mr T Reaney, Mr S Welch, Mr R Ramsey and Mr J Gilsenan.

Apologies:

Mrs Judith Cochrane MLA
Mr Pat Ramsey MLA

The Clerk / Chief Executive outlined that officials had been dealing with two issues over the past twenty four hours namely the raising of two flags without permission on Wednesday 3 June 2015; and the alleged interference with the two Union flags flown on Tuesday 2 June 2015 (a Designated Day).

The Clerk / Chief Executive stressed that a number of concerns were required to be addressed including the flying of flags outside of the Commission's policy, potential unauthorised access to areas of Parliament Buildings and the reputation of the Assembly. Upon notification of the two flags being flown without permission, the primary action was to remove the flags and begin a series of actions designed to prevent any reoccurrence of the incident.

The Director of Facilities distributed a timeline of events for the incident on Wednesday 3 June (attached) and detailed a number of actions including

- Immediate contact had been made with the contractors (Tracey Brothers) following the incident. Following initial contacts, the contractors had now been asked to provide an explanatory report by 4pm on Friday 5 June 2015; and
- Additional measures had been introduced on the roof including new external door furniture and locking mechanisms, [REDACTED] and the disablement of the flag poles (though not preventing the next authorised flying of the Union flag on 14 June 2015).

- The PSNI informed officials that they had commenced an investigation at 4pm on 3 June 2015 part of which required them to take possession of the flags. The PSNI are scheduled to interview the contract staff associated with the roof project.

While the internal investigation to identify the individuals responsible for the flying of the flags had been suspended during the PSNI investigation, Secretariat activity was now focusing on reviewing access arrangements to the roof area adjacent to the flag poles and addressing any arising issues.

Discussion by members centred on a range of issues.

Ms Ruane expressed the need for a proportionate response, that it was important that any investigation was conducted properly and that the Commission as client should still have some regard for the contractor's staff.

Mr Gardiner noted that the range of activity that officials had already undertaken was comprehensive but believed that the incident highlighted that current flags policy was insufficient.

Ms Bradley raised a number of queries in relation to security procedures including clearance and access arrangements for contractors and believed that focus was needed to ensure that security was as good as it could be.

The Clerk/ Chief Executive noted that at this point it was not possible to identify whether those responsible for the incident were members of contract staff or others.

[REDACTED]

[REDACTED] The Clerk / Chief Executive outlined that his concern was now not only to ensure that a similar incident could not occur but whether there were any issues in systems and procedures which needed to be addressed in the interests of the security and well-being of all those in Parliament Buildings.

The Speaker summarised that the PSNI investigation had to be allowed to proceed and that lessons would have to be learned and responded to as a result of it and any other findings by senior management. This would include a review of the wider security arrangements at Parliament Buildings. However, a focus was required on ensuring such an incident could not happen again and maintaining security and access procedures, particularly until the end of the roof project within the next two to three weeks.

Members were informed that there will be a single agenda item Commission meeting on Monday 8 June 2015 at 11am in Room 21, Parliament Buildings. A further paper will be provided and Commission members will be updated on any further information which was available.



Report on Incident on Parliament Buildings Roof on Wednesday 3rd June 2015

Report Date: Friday 5th June 2015

Reference the flying of two flags from the flag poles on the roof of Stormont Parliament Buildings and email from Hamilton Architects on 3rd June 2015 regarding same we can confirm we have been investigating this unfortunate incident along with Northern Ireland Assembly Commission representatives and can report as follows:

With regards to how this has occurred we can confirm that as soon as our site management team were made aware of the incident they have been cooperating with the NIAC representatives. Our site management have spoken to all our site personnel on site and have been unable to identify if this action was carried out by any site personnel. [REDACTED]

With regards to reassurances that there will not be a repeat of this we can confirm that we have:

1. Written to all subcontractors currently on site to point out the serious implications of this incident and request that they investigate with all their own personnel to establish if any have any evidence or knowledge as to the perpetrator(s)
2. Carried out a toolbox talk with all site personnel to reinforce the seriousness of the incident and that fact that any re-occurrence of this or any similar act will result in instant dismissal from site
3. Liaised with Northern Ireland Assembly Commission and Parliament Buildings security to [REDACTED]

[REDACTED] Agreed actions to date include:

- a. [REDACTED] – this will be fitted on Friday 5th June 2015
 - b. NIA have provided ourselves with the key to door [REDACTED]. Tracey Brothers Ltd will issue this to site personnel requiring access to this area only on a sign in/out basis and the [REDACTED]. In addition all workers will be made aware that works in this area can only be carried out under a permit to work basis. All site personnel accessing this area under permit conditions will undergo specific induction which will include their responsibility to immediately inform site management if they witness any unauthorised personnel in this area. This protocol will be in place from Friday 5th June 2015 onwards.
 - c. NIA Commission to remove the flagpole ropes on any non-designated flag flying days
4. Liaised with the PSNI to ensure all site personnel fully co-operate with their investigations into this incident

We must express our extreme disappointment that this incident has occurred whilst we are on site and would welcome any further comments or suggestions from all parties involved if there is further action we should take to assist in avoiding a reoccurrence.

Tracey Brothers Ltd



[Redacted]

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