



Northern Ireland
Assembly

Committee on Standards and Privileges

OFFICIAL REPORT (Hansard)

Review of the Code of Conduct: Northern
Ireland Assembly Commission

15 October 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Alastair Ross (Chairperson)
Mr Steven Agnew
Mr Colum Eastwood
Mr David Hilditch
Mr Fra McCann
Mr Ian McCrea
Mr Robin Newton

Witnesses:

Mr Trevor Reaney	Northern Ireland Assembly Commission
Mr Richard Stewart	Northern Ireland Assembly Commission

The Chairperson (Mr Ross): I welcome Trevor Reaney and Richard Stewart, who are here on behalf of the Commission. Whenever you are ready, if you want to give us some brief introductory comments, we will then open it up for questions.

Mr Trevor Reaney (Northern Ireland Assembly Commission): Thank you very much indeed for the invitation for the Assembly Commission to contribute to the review of the code and for the invitation to attend today. To be very clear, I will say at the beginning that the Commission shares your Committee's desire to continually improve the Assembly's overall governance framework, of which the code is a very important element. We have a shared aim of achieving the highest standards of conduct and governance in our respective responsibilities, and it is important that our respective responsibilities are properly coordinated and complementary.

It would be fair to say that — as you and the Commission have wrestled with in recent times — the expenses scandal at Westminster has driven a lot of change in the world of the expenses, the conduct and the professionalism of parliamentary institutions and their Members. Many recommendations have emerged and continue to emerge, internationally and in the other institutions in these islands, which will no doubt assist your Committee, as it looks at the issue, and help us improve the arrangements in the Northern Ireland Assembly.

One significant development that members will be aware of in Northern Ireland has been the establishment of the independent financial review panel (IFRP) to provide an independent method of making decisions around resources that are made available to support Members in their Assembly duties. No doubt you will seek the views of the independent panel as part of your review.

An academic from the University of Sheffield, Professor Matthew Flinders, talks about the corrosive cynicism that there is in the media and amongst commentators and the public in respect of politicians

and political institutions. I think that the phrase "corrosive cynicism" is a valuable one to think about and reflect on. While not a panacea in itself, sound arrangements around ethics and conduct, including the use of financial resources provided from the public purse, can have a positive impact, or perhaps, more importantly, reduce the decline in public confidence in public institutions and their Members.

In that regard, I was interested to note the Hansard Society's recent audit of public engagement for 2014. There were two questions relevant to this work. One was in relation to the question of whether politicians should be expected to act according to a set of guidelines about their behaviour, to which 86% of the responses were affirmative. The second was that politicians should have to undertake regular ethics and standards training, and 77% supported that statement. So, those issues remain high in the public mind. One personal reflection is that I am puzzled as to why the results were not 100% for both questions.

The Commission has responded on three broad points. I am happy to elaborate on those responses and, indeed, to answer questions, but perhaps I might provide clarification on one point that I was reflecting on as I prepared for the meeting. There is a reference to identifying the guidance and instructions falling under the rule and determining in which cases non-compliance should amount to a breach of the code. In its response, the Commission was perhaps not explicit that its view was that all policy, guidance and instructions issued by the Commission would be covered. The second point in relation to its response was around those who make the judgements as to whether there has been a breach of the code. The Commission is very clear that that is a role not for the Commission but for the commissioner and this Committee, but perhaps that is an issue that we might explore as we go through the questions.

I will also mention one other change in this area of work that the Commission has introduced in recent times; that is, that it has extended the Carecall welfare service to Members and Members' staff. That is as a result of developments that have taken place not only in other institutions but locally. I think that that has been a positive development that helps to contribute to this.

Perhaps this is where, with my accounting officer hat on, I have to be a little bit cautionary. Collectively, this Committee, the independent panel and the Commission need to be careful in terms of any resource implications that arise from recommendations going forward. Some other institutions are significantly better resourced than the Northern Ireland Assembly to deal with these sorts of issues. It is not so at the moment in the Assembly here, and it is also less likely to be the case going forward, so I just sound a cautionary note in that respect.

I think that that is enough for me to say at the beginning. I am very happy to engage in questions and also to go back to the Commission if there are issues on which you wish to seek further input or clarification from the Commission. The Commission meets next week, so we can come back to you relatively speedily with a response.

The Chairperson (Mr Ross): That is great. Thank you. We have a number of questions subdivided into different areas of your response. First, it might be useful if you could give us some examples of the instructions or guidance that the Assembly Commission issues that applies to Members. As a supplementary question to that, how often has there been a problem with Members not abiding by the instructions that have been issued from the Commission?

Mr Reaney: One of the main instructions that members will be very familiar with is the Members' financial services handbook. That is the handbook related to the administration of Members' office cost expenditure (OCE). That is probably the most significant and the most well appreciated one, but there is a range of other issues. The Speaker has set out some of those in his response to the Committee. Those are to do with how events are organised in the Building, the actual use of the Building, the use of IT resources, health and safety, security policy in the Building, conduct and visitor behaviour policy and media policy. There is a range of policies that govern not just Members in the Building but all users of the Building. Those are some examples but not an exhaustive list.

On your second question about how well Members comply with them, I have to say that, generally, they comply very well. There are, from time to time, what I could perhaps describe as minor breaches, but they are generally and most frequently resolved informally, and, when something is pointed out to a Member, they usually understand and accept that position and comply. There are very few occasions when some breach of policy comes to my desk or to the Speaker's desk. I think that that is an indicator of Members seeking to behave in an appropriate way. So, the issue of breach is not a very significant one.

Mr Agnew: The current rule provides that:

"Members shall at all times observe and comply with any guidance or instructions of any kind approved by the Assembly, or issued by the Commission or Assembly Directorates on its behalf or with its authority."

That is quite broad, and I suppose that a lot of what we have been looking at is a review to see how we can simplify our code. Are you clear about what the rule means and what its limits and scope are?

Mr Reaney: As I indicated in my opening remarks, the Commission's view, in effect, is that everything that is a policy, guidance or an instruction coming from the Commission or, indeed, from any official acting on behalf of the Commission is covered. In its current wording, the rule is a very broad and all-encompassing one. I have no difficulty in saying that the Commission is happy to look at or suggest a different wording but that it is concerned that that would dilute the intent of the rule. If we narrow things down to a very small number of significant policies, there may be something else that sits outside that which becomes a problem.

I will give an example, and this is one that I was teasing out with somebody in another arrangement earlier on today. It is as simple as the car-parking policy. Members are required to park within the white lines, and that is a sensible and reasonable thing. If somebody parks over the white line, does that represent a breach of the code? I think that common sense says that it does not, both in terms of anyone wishing to make a complaint or our handling or the commissioner's handling. However, if a Member were so flagrant in their parking of the car that they caused an accident and somebody was injured, something that can be very simple could, in a very rare circumstance, become a problem. That is why I was saying in the beginning that the Commission would have difficulty in delineating within its policy a specific policy that is significant or trivial in its application. That is perhaps more for the commissioner to deal with in his judgements. It is about reasonableness in application and reasonableness in interpretation. I think that that has to come into play. I have no doubt that the Commission would be happy to look at the wording of that. For example, I notice that the wording does not cover "policy" but talks about "guidance", so there is a word there that might be usefully incorporated to be a bit more explicit.

Mr Agnew: The rule extends to guidance or instructions issued by Assembly directorates when acting on behalf of or with the Commission's authority. What does that mean, and what are the types of examples of when it would be the case that the directorate would be acting on the Commission's authority?

Mr Reaney: It is always difficult to think of examples. I can think of one example of a circumstance where an official would issue an instruction to a Member that may not be adhered to. On a sitting-day Tuesday, the Chamber is restricted at lunchtime: in other words, during that lunch break, the doors are secured and no one — officials or guests — is allowed to enter. There have been occasions when a Member has wished to go into the Chamber with a visitor or a group that is visiting. In those cases, the officials and the ushers have to say to the Member, "I am sorry, but the doors are secured. We can arrange for you to come back at a later time." That is an example of an official, acting under a policy, issuing an instruction to a Member that is contrary to what the Member wishes to do. That is an example of a directorate or a member of staff within a directorate seeking to apply a Commission policy.

Mr Agnew: It includes the secretariat staff.

Mr Reaney: Yes, it does. However, to be clear, in my example, the member of staff is acting under a policy or an instruction that the Commission has issued and is seeking to apply the Commission's authority in that situation.

Mr Hilditch: Does the Assembly Commission think that the existing rule in the code should be amended? If so, how could it be amended?

Mr Reaney: I have already touched on the issue of the wording. Aside from the specific wording and the suggestion that the inclusion of the word "policy" might be helpful, the broad principle is that the wording is all-encompassing, and it would be very helpful if that principle were continued by the Committee. Having a broad and all-encompassing one is a better position to be in. We can certainly look at the wording with the Committee to amend it in a way that might be helpful or suggest

alternative wording. The one amendment that comes to mind is the explicit inclusion of the word "policy".

Mr Hilditch: Thank you. What do you think of the commissioner's suggestion that the code could set out a rule to the effect that all Members shall comply with all guidance or instructions issued under the authority of the Commission and, in the event of a complaint of a minor or technical breach, the commissioner could decide that it was inadmissible on the grounds of triviality? Alternatively, he suggested that the code could list, potentially in an annex, all the particular provisions or guidance in relation to which non-compliance would constitute a breach.

Mr Reaney: There are obviously different approaches, and other institutions have taken differing approaches to that. There is a difficulty in having such a bland or all-encompassing phraseology in that it might prove meaningless. I can understand the question, and other places have tried to provide, either by way of an annex within the code or a cross reference with some other document or website, a way of explaining that.

The difficulty from my point of view, and, I would imagine, from the Committee's, is that the policies and the guidance from the Commission is a regularly changing thing. If something was so explicit in the code that every time the Commission changed the title of a policy or added a policy it resulted in an amendment to the code, that would not be a sensible administrative approach. Either leaving it all-encompassing with an appropriate form of words or cross-linking to another document or page on the website, where the policies are listed, is a possible option. The difficulty with that is maintaining the list in an up-to-date manner and not leaving a gap. For example, if a policy is not in the current version, that could become a loophole that is used to avoid scrutiny by the commissioner.

So, I think that it is fair to say that the Commission is of the view that it should be a general, all-encompassing one, with the actual wording of that to be discussed.

The Chairperson (Mr Ross): The issue of staff conduct is one that we have wrestled with, including whether Members should be held responsible for the conduct of their staff and things like that. How does the Commission deal with allegations of misconduct by Members' staff? Would you draw a distinction between allegations that relate to a member of staff acting on behalf of the Member and other allegations?

Mr Reaney: The very simple view that the Commission has taken over the years is that the employment relationship is between the Member and their member of staff. While the Commission may provide guidance and may provide the funding to employ that person, the employment relationship is between the Member and their member of staff. So, the simple answer is that it is for the Member and their member of staff to work out how those issues are handled. From time to time, we provide informal advice or point Members to something. Should there be a complaint by a member of staff against a Member that may result in the need for professional advice or, indeed, lead to defending something at a tribunal, one of the obvious issues is to ensure that the Member has resources within OCE to take that on.

The Commission has, very clearly, not sought to get involved nor does it feel appropriate that it get involved in that relationship. Other institutions' approaches differ. Certainly, were the Committee to be looking at having something different in the code, the Commission would have to look at that and reflect on how its approach is consistent with the code.

The Chairperson (Mr Ross): Steven has indicated that he wants to come in on this. Before he does, I will ask this: where a complaint by a member of staff is against the Member who employs them, are arrangements in place if that member of staff does not feel comfortable staying in their position of employment? Are they able to take a break if they are still being paid and still have their arrangements of employment but are not working alongside that Member until the issue is resolved?

Mr Reaney: One of the routes that a member of staff in that situation has is through the grievance procedure, which is part of the statement of particulars. Members are provided with a model form. So, a grievance process is set out. Again, the Commission does not have any specific arrangements in place to state that a member of staff who has an issue with the Member who employs them can be moved somewhere else for the duration of the investigation. That would be problematic, and I think that you can understand why. It would be like, for example, someone in this organisation having a problem with me and then moving to work in the Civil Service while it is being investigated. It is easier to do in a large organisation but difficult in a one-to-one relationship. It is certainly not something that

the Commission has given any consideration to, but I can immediately see difficulties around it. That is not to say that it does not merit consideration.

Mr Agnew: You say that the employment relationship is between the Member and their member of staff. It is a grey area. Obviously, the pay etc is administered and funded by the Assembly, but you mentioned Carecall, and I was also thinking of pension provisions. It seems to me, as a Member, that there is a grey area. There are not two employers, but there are two parties involved in the employment relationship. I welcome the Carecall provision; it is something that I argued for. I would also argue for things like the childcare payments — just while I am here. Is there a growing role for the Assembly, over time — I am a relatively new Member — or has it decreased?

Mr Reaney: Richard may come in on the detail, because he has more corporate knowledge around this about the past than I have. However, in my time here, I think that the introduction of the Carecall service is the only enhancement that we have provided. That was something, for example, that Westminster — the House of Commons — introduced recently off the back of some complaints there. That prompted the Commission to look on it as something that we should be doing as well. The other parliamentary institutions in the UK — Scotland and Wales — already had that in place, so that prompted us to address it.

From the Commission's point of view, there is no grey area: the employment relationship is between the Member and the member of staff. There is financial support to the Member in respect of that, but the employment relationship is there. Of the other institutions, Wales, I think, is the most proactive in this regard. Looking at the continuum between no involvement at all by the institution in the relationship and a joint employment relationship, the Northern Ireland Assembly would be towards one end and Wales, which takes a different approach, would probably be somewhere in the middle. Do you want to add anything, Richard, by way of background on that?

Mr Richard Stewart (Northern Ireland Assembly Commission): Just on that final point, the funding that is made available to Members does not have to be spent on employing staff. Invariably, every Member will employ staff, but the nature of the funding that is made available through IFRP and the Commission is for Members for the purposes set out within the relevant determination. As Trevor said, grey is just a shade of black or white, but I think that the Commission would take the view that it is black and white: the employer is most definitely the Member, and the Commission has no role in that employment relationship. That is not to say that the Commission cannot provide advice, support and guidance to Members in general to carry out their employment role, but I think that the Commission would be loath to get involved in the day-to-day line management of staff on behalf of a Member.

Mr F McCann: I will follow on from that. Are there any examples where there has been a breakdown in the relationship between the Member and a member of staff? If so, how has it been handled?

Mr Reaney: There is always speculation or rumour about such things, but I am aware of at least one case where a Member used their OCE resources to defend an industrial tribunal, in a sense. That was admissible expenditure under OCE, and the Member was able to do that. Inevitably, there was a breakdown in the relationship if that funding had to be used in that way. Richard, do you have anything to add?

Mr Stewart: The example that Trevor used is probably the main one that comes to mind. I should point out that the use of OCE was in the proper management of the employment relationship to defend the claim at the tribunal. If, for example, the tribunal had made an award against the Member, it would not have been a valid claim against OCE. That is probably the starkest example of that breakdown in the relationship.

Mr F McCann: The Committee is considering the possibility of requiring Members to take reasonable care to ensure that their staff do not act improperly when acting on a Member's behalf. The Commission has told us that the OCE can be used to provide Members with advice or guidance on all aspects of managing employees and that that is the most appropriate mechanism for the provision of support to Members. Can you explain how Members might use their OCE to ensure that staff do not act improperly?

Mr Stewart: There is a very broad definition of what OCE can be used for. It talks about secretarial services, research and support to Members. Interestingly, the definition of OCE does not mention anything about a constituency office. Generally, the majority of OCE is used to pay for staff salaries.

A Member can choose to invest or spend his or her OCE on training on ethics or behaviours, as has been mentioned, or training in how to run an office and how to deal with casework. The Member can also buy advice and support from a legal adviser, an HR adviser or someone who has perhaps more knowledge than he or she might have on the particular issue that you are dealing with for staff management issues. So, Members can purchase services from third parties to help them with line management or staff management problems.

Mr F McCann: On that point, is there a restriction on the amount that you can spend on seeking advice or bringing people in for training?

Mr Stewart: There is no restriction on the amount. The restraining factor is that OCE is limited. So, the amount of OCE that Members have available is more of a restraining factor. If a Member was seeking to spend £15,000 — I just picked a number — on advice and support on a staff management issue, yet the cost per year of the salary was £20,000, there might be a degree of reasonableness about that, but there is no set limit that says that you can only spend x per cent of your OCE or a certain value on that level of support.

Mr F McCann: The Commission previously produced guidance for Assembly Members who may be recruiting support staff. Could that guidance be amended to deal with the issue of managing staff conduct?

Mr Reaney: There are probably a couple of normal or traditional aspects that relate to that. One is a disciplinary procedure and the other is a grievance procedure. Those procedures are fairly standard in employment relationships. There is advice in the guidance that the Commission offers to Members in respect of those two issues. Is there merit in extending that into further guidance? Some organisations and, I think, some other institutions have a code of conduct or a model code of conduct for Members' staff. In essence, that is an extrapolation of what is expected in implied terms and conditions of employment in that an employee should behave reasonably and with good conduct. There is something in that, Chair, and if the Committee is of a mind, we could ask the Commission to have a look at that and see whether the arrangements in that guidance could be developed in that way. So, we are open to that, but it is primarily through the grievance and disciplinary procedure that that guidance would be covered.

Mr I McCrea: As part of our evidence, the Committee on Standards in Public Life told the Committee that there should be appropriate training and HR support for Members in relation to employment of staff and ethical issues. You mentioned the advice and whatnot that could be available. Do you think that there is a role for the Assembly Commission to provide that training in those areas or would it be down to the Member to use his office costs for that? Some people argue that you have enough to spend when you are trying to run offices and whatnot, but could the Commission play that role and provide that training?

Mr Reaney: There are probably two dimensions to this. One is about what a Member can purchase directly themselves out of their office cost expenditure, and the second is about whether anything can be provided centrally in terms of training and professional development around that area. Members will be familiar with the Members' development programme, the Politics Plus programme and initiative. One of the elements that has been talked about within that is the general running of a business, because a constituency office is, in essence, a small business. We could certainly explore and feed into that to see whether a module or something could be developed that covers that aspect of managing an office and staff. It certainly merits consideration.

Mr I McCrea: The National Assembly for Wales requires Assembly Member support staff to sign a code of conduct, which forms part of their conditions of employment. Do you think that there is merit in this Assembly considering that type of approach?

Mr Reaney: Yes, I think that there is merit in that. As I touched on earlier, the good conduct of an employee is implicit in their contract of employment, and it is implicit in our guidance from the Commission to Members. It is not explicit. There is no reason why that could not be amended or altered to include a code of conduct, which would have to be carefully worded, reasonable, etc. As you say, there is a model in Wales, and it is worth looking at.

Mr I McCrea: Is there anything that you can think of that should be included within that?

Mr Reaney: In a sense, through the Members' code of conduct, we have the Nolan principles, for example, and those are things that very obviously apply to all public servants. If we class an employee of a Member as a public servant, that could be incorporated. There are some very general and well-worn principles that can be incorporated into that, and I am sure that, with some other thought, we could develop it in a way that is specific to the Northern Ireland Assembly and its Members.

The Chairperson (Mr Ross): We had quite a debate about the Nolan principles and principles versus rules, so I will not get into that now.

Mr Newton: I will pick up on where Ian was coming from. If a code of conduct was to be implemented, that would be a change of conditions of employment, would it not?

Mr Reaney: I will ask Richard to come in in more detail, but, in general, I have said that what a code of conduct would require is something that is reasonable; it is not unreasonable. It obviously depends on the actual wording and the requirements of the code, but a code of conduct and good conduct is implicit in the contract of employment. Making it explicit is probably not such a big issue in terms of contract of employment. Richard, can you add something on that?

Mr Stewart: If you take the Welsh document as a template, you see that there is nothing in that document that, as an MLA, you would not expect your staff member to live up to every day, I would suggest. It really just sets out, over a number of pages, what you would like your member of staff to do every day. As Trevor said, any contract that a Member has with their member of staff will automatically assume that that member of staff will behave in an appropriate way. Appending this document to a contract of employment could be looked at as a change to the contract of employment, and the employee may say, "Well, I don't agree to that change". Or, it could be looked at as making clearer to the employee the actual responsibilities that you have already set for them. That latter approach would probably be the way to go. There is nothing in the Welsh document, for instance, that a reasonable employee engaged by a Member should have any problem with. You would probably be more worried if they did have some problem with it.

Mr Reaney: We would need to explore it with our legal experts to make sure that there was not something. On face value, it seems a not unreasonable change, and therefore it may not create a problem, but it would have to be explored in more detail.

Mr Newton: If it did not happen and there was a refusal, would the independent review panel take an interest in it in terms of allowances?

Mr Reaney: It may do, but we need to be careful that the independent panel sets the framework for these things, and then there is the operational level, which is the responsibility of the Commission. I see that probably more properly falling into the Commission's area of responsibility than the panel's.

Mr Newton: Some might think that you were imposing a code of conduct. If an employee had been behaving in all forms of reasonableness, that imposition may raise some issues. Do you see any of those potential practical difficulties?

Mr Reaney: I suppose the question is this: what would a reasonable person do and say? We may all find in life that there are unreasonable people who take unreasonable positions. Richard outlined that, what is in the code of conduct in the Welsh model, for example, is what would be reasonably expected under a normal contract employment relationship. Putting it in a way that ensures that a Member is protected from any challenge is something that we will have to carefully examine. Again, it comes down to the fact that, whatever the Commission provides as guidance to Members, it is for the Member to relate to their individual employee. If there was difficulty, it is something that we would have to explore and assist Members with.

The Chairperson (Mr Ross): We discussed the Welsh model a few times. Obviously, we have kept an eye on that and discussed with various other jurisdictions changes that they have had. One of the issues that we noted was the House of Commons respect policy and how the Commissioner for Standards has a defined role in relation to it. Currently, the Assembly secretariat staff member protocol is not formally integrated into our code with a role for the commissioner. What are your views on how and when the commissioner should deal with complaints in that area?

Mr Reaney: To be clear, the member of staff protocol has a purpose, which is to try to resolve conflict in relationships. It is more of a voluntary mediation process to try to resolve that breakdown in a relationship. That is perhaps a different purpose from the Members' code, which is there to set the standards, to provide a mechanism for investigating and, indeed, to have sanctions if there is a breach.

Anything that the code can do to provide more protection for staff of the Assembly from inappropriate behaviour by Members is something that I would certainly welcome. However, I want to be clear that the protocol is a slightly different document with a different purpose and intent. Finding a way of linking the two is certainly worth considering. One of the things around the protocol is that there is currently no requirement for the Member or the member of staff to use the protocol; it is voluntary. One may wish to use that as a way of addressing a concern, but the other party may not. Perhaps putting a provision in the code, for example, that requires Members to participate in the protocol and use it would be helpful, but I caution that we cannot guarantee full engagement or any constructive outcome. The code, obviously, cannot legislate for that. Doing so in a way that encourages Members to play their part and use the protocol would be helpful.

Very few cases have been dealt with under the protocol as yet. It is still, perhaps, in the testing stage. We will probably need a few more cases to go through, and the Commission might want to refine and review it in light of experience. Perhaps it is a good thing that there have been very few cases through it.

The Chairperson (Mr Ross): Absolutely. That is something we will probably look at again.

Mr Eastwood: The protocol talks about some examples around improper treatment by MLAs and talks about ridiculing or demeaning a member of staff, making abusive, threatening remarks or seeking to coerce a member of staff to provide services. So, do you think that those specific things, or anything else, should fall within the code itself and kind of mirror the protocol?

Mr Reaney: Anything that you are able to incorporate within the code that would be helpful in protecting staff. I am speaking from the point of view of staff here. Equally, there is a need to protect Members on the other side, but I appreciate that the code is regulating Members' conduct rather than staff conduct.

There is, I suppose, a dichotomy in this. The Committee and the commissioner have some role with respect to Members but not secretariat staff. The Commission has some role in respect of secretariat staff but not Members of the Assembly. So, there is a difficulty in mirroring the two and matching them up in that regard. But yes, if there was something that could be incorporated that gave strength to the principle of what the protocol is seeking to achieve, that would be welcome. There would need to be careful wording and consideration of that, but it does merit consideration.

Mr Eastwood: I think we are minded to revise the code so that current principles, including the principle of respect, become aspirational. A complaint could only be investigated if it was alleged that a specific rule had been breached. There are issues around any rule in relation to respect that would be included in the new code taking into account conduct that is protected as a Member's right to free speech. We have been through quite a bit of debate around that, given that we are all politicians. Do you see that causing any difficulties for the Commission if it was more limited in terms of having to breach a specific rule?

Mr Reaney: Going back to the Commission's position on other matters, I think it would favour something that is more encompassing rather than restrictive. In that regard, if the respect principle is narrowed to the extent that it only applies in a very few cases, perhaps that undermines the purpose of it.

The point in the code that I would most point to in regard to this is the good working relationships between Members and Assembly staff. That reference is to professional courtesy based on mutual respect. If you embrace that as part of how respect is shown, that merits specific mention rather than perhaps restricting it in any way.

The Chairperson (Mr Ross): Ian asked a question about training or the help there would be for staff. A theme has emerged from the evidence that we have heard. We had a useful session with Tom Walker from the ethics department at Queen's University in terms of planning our review of the code and, indeed, in a formal evidence session. We also heard about the need to have training for

Members. He talked about the need to train Members in good ethical standards and continuing to do that. We heard something similar from the Committee on Standards in Public Life, the Equality Commission and the Assembly Ombudsman in terms of that continuing development. You mentioned before that it is something that you are going to look at. In my view, and probably in the Committee's view, it would be useful if that sort of support was given to Members, perhaps at the beginning of a mandate: that there is training in ethical standards and what standards Members should live up to. That would also take away some of the excuses that Members perhaps will use about not being aware of a certain rule or particular standard. That would help in reinforcing the code that we will ultimately come up with and some of the ethical standards. It would be useful if that was given serious consideration. I do not know if you want to make any comment on that.

Mr Reaney: Certainly, Chair. You mentioned the induction. We will be looking again in the months ahead and preparing for our next election, whenever that comes.

A Member: If it comes.

Mr Reaney: It is certainly something that we can build into the induction programme. A second issue related to that is communication. I mentioned, and the Speaker's response to the Committee mentioned, a number of policies, some of which, or maybe all of which, Members are not fully aware of. Therefore, if we were to list policies, we would need to clearly communicate those and give Members the opportunity to be briefed on their content so that they understood them. There are those two elements. There is the induction, which I fully take on board, and the ongoing training that we have referred to in relation to managing staff and managing an office, and then there is just general communication and awareness of what that actually means in practice in terms of the code and compliance with Commission policies, guidance etc.

The Chairperson (Mr Ross): It is important to say that the Clerk of this Committee has been very good at going to Assembly groups at the beginning of a mandate and explaining the code and has always been there to answer questions. That is to be noted as well, but perhaps a more formal arrangement would be useful.

Nobody else has indicated that they want to come in again. Are you all content? OK, thank you very much.

Mr Reaney: Not at all; thank you, Chair. If there is anything further you need from the Commission, please let us know.