



Northern Ireland
Assembly

Guidance For Members During an Election Campaign

January 2017

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KEY ACTIONS FOR MEMBERS

Access to Parliament Buildings

- 1 Remove all personal papers, items etc. from your office.
- 2 Ensure that all keys for offices, desks and cabinets are placed in envelopes, labelled and returned to the Usher Services Admin Office (B35a).
- 3 Empty all wall safes and leave them open with codes attached.
- 4 Members, Members' employees and Party support staff to return security ID passes to the Usher Services Admin Office (B35a).

Communications/Contact Arrangements

- 5 Parties should nominate one person who will act as a point to contact for the issue of security ID passes following the election.
- 6 Advise constituents/correspondents etc. of your new contact details.
- 7 Return the pro forma on Members' contact details during dissolution in order to provide an address for the forwarding of mail.
- 8 Remove from your stationery the Assembly logo and any references to Assembly membership.

IT Services

- 9 Copy or remove any information held on IT systems that you may require during dissolution.
- 10 Parties should nominate one person who will act as a point to contact for party equipment and general IT information before and during dissolution and following the election. Nominations should be provided to the IS Service Desk on 028 90 521000

Finance

- 11 Sign a declaration, prior to dissolution, to indicate that you have received and read this guidance.
- 12 Discuss contractual arrangements with your landlord and other suppliers.
- 13 Notify the Finance Office in writing if you not standing for election.

Members' Employees

- 14 Discuss contractual arrangements with employees.

Research and Library Services

- 15 Return all books to the Assembly Library by 25 January 2017.

Public Information

- 16 Websites that you have either paid for yourself or which have been paid for wholly or in part from the Office Costs Expenditure need not be removed from the web; however, a clear statement must be attached throughout the dissolution period (see paragraph 11.5).
- 17 Advise constituents that all MLA surgeries will cease on the date of dissolution.

2. Members' Contact Details During Dissolution

Members are asked to complete the form below giving details of a non-Assembly address for the purposes of forwarding mail during the dissolution period and return this to:

Stephen Scott
Room B35A,
Parliament Buildings,
Ballymiscaw
Stormont
Belfast.
BT4 3XX

Member's Name:	
Current Contact Address:	
Telephone No:	
Fax No:	
E-Mail Address:	
Forwarding address during dissolution (non-Assembly address):	
Telephone No:	
Fax No:	
E-mail address to which you would like e-mail forwarded:	

*E-mail not forwarded to Members during dissolution will be deleted.

Members should note that this information will also be provided to the IS Office and Finance Office who may need to forward information to you during dissolution.

3. Access to Parliament Buildings

Before Dissolution

- 3.1 Until dissolution, access to the parliamentary estate will remain the same.

During Dissolution

Members standing for re-election

- 3.2 Dissolution is effective from one minute past midnight at the end of 25 January 2017. Members continue to be MLAs up to and including 25 January 2017. After this time Members cease to be MLAs. Members and their staff may, after normal office closing hours on that day, enter Parliament Buildings only to collect their correspondence, papers and personal effects from their desks and filing cabinets. After 25 January, up to two named Party Staff members, per Party, if necessary, may be granted access to Parliament Buildings to assist Members in the removal of such items. Details of the nominated Party Staff members must be passed to the Usher Services office before dissolution. Thereafter, Members, support staff, or Party staff may not work in Parliament Buildings or use the telephones or equipment. Members, support and Party staff will have the same level of access to the public areas of Parliament Buildings afforded to members of the public. A “clear office policy” will be operated for Members, and all remaining papers and personal effects should preferably be removed or locked in desks or filing cabinets. Anything not so secured is left entirely at the owner’s risk.
- 3.3 Cardboard storage boxes are available from Office Resources (028 90 521218), for the non-secure storage/removal of personal papers etc. if required. Assistance with the removal of personal items to the car parks will be provided by arrangement (028 90 521040).
- 3.4 Members and their staff should ensure that all keys for offices, desks and cabinets are labelled and returned to the Usher Services Admin Office (B35a) on or before 25 January 2017. All wall safes must be emptied and left open with codes available. The Usher Services Admin Office will record the return of keys and hold them securely until required. A register of keys will be maintained throughout the election period.
- 3.5 Members, support staff and Party staff should ensure that their security ID passes and upper car park permits are returned to the Usher Services Admin Office (B35a) on or before 25 January 2017. Parties should nominate one person who will act as a point of contact for the issue of passes following the election.
- 3.6 Members and their staff should be aware that furniture/filing cabinets may have to be moved to facilitate the following operations:

- Resetting, checking and if necessary repair/replacement of all IT and/or telecommunication equipment.
- Carrying out an inventory of all office furniture including any repairs/replacement as required.
- Carrying out a thorough clean of offices and equipment.
- Undertaking of any remedial painting/redcoration as required.
- Resetting of wall safes.

3.7 All returning Members should note that their desks in Parliament Buildings may need to be cleared at short notice to allow re-location of Members to different offices depending on election results. Therefore, it is important that as few files, papers etc. as possible are left in offices after dissolution.

Members who are retiring at dissolution

3.8 Members, who are not standing for re-election, and their staff, should make arrangements with Assembly staff to remove their personal belongings, papers, books, etc. from their offices, desks and filing cabinets by 5:00pm pm on 25 January 2017. (see paragraph 3.3).

3.9 Members and their staff should note that after this date, Secretariat staff may pack up and label all remaining papers etc. and forward them to Party Support Staff.

After Election Day

Members who are not returned

3.10 Members who are not returned at the poll, and their staff, are required to remove all files, papers and other material by 5.00 pm on the first working day following the announcement of the election results (which is likely to be Monday 06 March 2017). Parliament Buildings will also be open on Saturday 04 and Sunday 05 March to facilitate this.

3.11 Members and their staff should note that after this date, Secretariat staff may pack up and label all remaining papers etc. and deposit these with Party support staff or place in secure storage as appropriate.

Room Booking in Parliament Buildings

Before dissolution

3.12. At present Members are able to sponsor events and to book meeting rooms in Parliament Buildings in relation to such events. This facility will continue up to and including the 25 January 2017.

During dissolution

3.13 During the period of the dissolution, no Committee rooms or other meeting rooms will be available for Members' or Party meetings.

After the Election

- 3.14 Bookings for meeting rooms will be accepted subject to availability from the day after polling day from all those who have been elected.

4. Communications/Contact Arrangements

- 4.1 On dissolution all Members' contact facilities relating to telephones and faxes will be cancelled. Members' email accounts will be disabled.
- 4.2 Members should therefore advise constituents/correspondents etc. of their change in contact details in advance of dissolution.
- 4.3 Voicemail systems for Members and their staff will not operate during dissolution. All telephone calls will be diverted to Parliament Buildings messaging service. A generic message will state that the Northern Ireland Assembly is in dissolution and that there are therefore no Members of the Northern Ireland Assembly. Wherever possible, it will provide party contact details.
- 4.4 Prior to 25 January 2017, all Members are requested to access their voicemail facility, and delete all messages. For assistance with this, Members should contact the Building Services Helpdesk (028 90 525999).
- 4.5 All mail received in Parliament Buildings for Members and their staff during dissolution will be forwarded. Members and their staff should provide an alternative address before dissolution.
- 4.6 The title of 'Member of the Northern Ireland Assembly' or 'MLA' must not be used in correspondence during dissolution. Former Members may respond to any correspondence addressed to them as an MLA, but should acknowledge that, following dissolution, they are not Members of the Assembly.
- 4.7 Following the election count, the Returning Officer will give returned and new Members a letter from the Clerk/Chief Executive advising of reception arrangements and the date of the first plenary.

5. Information Technology and Communications

- 5.1 **IMPORTANT NOTE:** Assembly supplied IT equipment, IT services or e-mail accounts may only be used in connection with Assembly duties. They **must not** be used in any way for political electioneering purposes. This includes canvassing or campaigning, or as a contact point for candidates or prospective candidates.

Before Dissolution

- 5.2 Party Whips will be invited to nominate one person to act as a point of contact for Party equipment and general IT information before and during dissolution and following the election. This individual would be responsible for decision-making regarding party IT needs – for example, co-ordination of the copying and removal of electronic Party information, equipment requirement and placement post-election.
- 5.3 **Members will be asked to return their 'Acer' Tablet PC** so that equipment can be prepared for distribution to new and returned Members after the election.

Archiving of electronic information

Assembly Members and Members' staff

- 5.4 Members and their staff are asked to remove any personal documents and information from the Assembly computers in advance of dissolution.
- 5.5 IS Office will issue guidance on the copying and archiving of electronic information (to CD; DVD or USB key). Please note that this service will not be undertaken by IS Office, however Service Desk staff will be happy to demonstrate to Members or their staff how to copy the files for themselves. (contact IS Service Desk 028 90 521000).

During Dissolution

Parliament Buildings IT services

- 5.6 After 25 January March 2017, Members, their staff and Party Support Staff will not have access to Assembly network facilities, which include:
- Assembly e-mail accounts*
 - AssISt – the Assembly Intranet
 - IS Service Desk services for Members
 - Acer Tablet PCs

** Please note: During dissolution Assembly email accounts will be prevented from sending or receiving new messages. Read-only access to mail received or sent prior to dissolution will be available. Any current arrangements to redirect email messages to external mailboxes will be unaffected. Prior to*

dissolution, Members can contact IS Office Service Desk to arrange for email to be redirected if required.

Disconnection from the Assembly network

- 5.7 All Assembly network facilities for Members, their staff and Party Support Staff will be disabled from the date of dissolution. All details of Members, their staff and Party Support Staff will be removed automatically from internal e-mail distribution lists at this time. At dissolution, Members, their staff and Party Support Staff will no longer have access to the Assembly network from either Parliament Buildings or their constituency offices (via Aportal).
- 5.8 As Members, their staff and Party Support Staff will have only public access to Parliament Buildings, they will not have use of IT equipment or services sited there.

IS Service Desk

- 5.9 IS Office Service Desk (028 90 521000) will be available only for general IT enquiries. Limited support will be provided for constituency office IT equipment.

IT facilities in Constituency Offices

- 5.10 During dissolution IT equipment provided to each constituency office will be left in place for use **solely on Assembly Constituency business that commenced before 25 January 2017.**

Members not returned - Return of IT equipment

- 5.11 In order to ensure that sufficient IT equipment is available to allocate to new and returned Members, IS Office will contact non-returned Members to arrange for the recovery of Assembly IT equipment. The aim is to complete this recovery as soon as possible after the election and within one month of the election.

Retiring Members - Return of IT equipment

- 5.12 For Members who have already stated that they will not be standing for re-election, the recovery exercise can begin as soon as dissolution is announced, at the convenience of Members.

After Election Day

- 5.13 Party Whips' nominees will be contacted as soon as possible after the election with regard to the parties' IT equipment and services allocation.
- 5.14 After the election, the IS Office will liaise with all newly elected and returned Members to arrange the supply of their IT Equipment allocation. This includes,

Desktop PCs /Laptops/Tablet; printing and Broadband facilities in Parliament Buildings and constituency offices.

6. Data Protection Provisions

- 6.1 Member is the data controller for all personal data processed by their own office. Members and their staff must follow the eight data protection principles which set out the minimum requirements under the Data Protection Act 1998 (the Act). Members must ensure that personal data processed on their behalf is processed in accordance with the data protection principles and Members must ensure that appropriate fair processing notices are provided to data subjects.
- 6.2 The first data protection principle provides that personal data must be processed fairly, and lawfully and, in particular, personal data shall not be processed unless at least one of the conditions in Schedule 2 to the Act and also, in the case of sensitive personal data, at least one of the conditions in Schedule 3 to the Act is met.
- 6.3 Under the Act, sensitive personal data means data relating to:
- a) the racial or ethnic origin of the data subject;
 - b) his political opinions;
 - c) his religious beliefs or other beliefs of a similar nature;
 - d) whether he is a member of a trade union;
 - e) his physical or mental health or condition;
 - f) his sexual life;
 - g) the commission or alleged commission by him of any offence, or
 - h) any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.
- 6.4 The first data protection principle, as set out in paragraph 1 of Schedule 1 to the Act, prohibits the processing of sensitive personal data unless one of the conditions in Schedule 2 and also one of the conditions in Schedule 3 to the Act is met. The condition set out in paragraph 10 of Schedule 3 is that the personal data are processed in circumstances specified by order of the Secretary of State.
- 6.5 The Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002 (as amended) (the Order) specifies such circumstances. The Order provides that, for the purposes of paragraph 10 of Schedule 3 to the Act, the following are circumstances in which the processing of sensitive personal data by the Member and provision of sensitive personal data to the Member is permitted:
- (a) Where it is in connection with the discharge of his functions and pursuant to a request made by the data subject and necessary for the action reasonably taken by the Member in response to that request;
 - (b) Where it is in connection with the discharge of his functions and pursuant to a request made on behalf of the data subject and necessary for the

action reasonably taken by the Member in response to that request and it is necessary to act without the explicit consent of the data subject.

- 6.6 Paragraph 2 of the Schedule to the Order provides that, for the purposes of the Order, Members shall be treated as Members until the end of the fourth (calendar) day after the day on which the subsequent election to the Assembly is held. Members may therefore process sensitive personal data and may have such data disclosed to them by data controllers until the end of this four-day period. After this four-day period has elapsed, Members may no longer rely on the provisions of the Order and any processing of sensitive personal data must be carried out only if another condition for processing under Schedule 3 of the Data Protection Act 1998 applies. Members who are returned at the subsequent election may rely on the provisions of the Order from the time they take their seats in accordance with Standing Orders.
- 6.7 The Data Protection Act 1998 is available on www.legislation.gov.uk. The 2002 Order is also available on that site (S.I. 2002 No. 2905). It is amended by the Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) (Amendment) Order 2010 (2010 No 2961).
- 6.8 Further information about data protection and the 1998 Act may be found on the Information Commissioner's website (www.ico.gov.uk).
- 6.9 Should Members have any queries on data protection issues they should contact Martina Dalton (Tel 028 90 521147).

7. Financial Arrangements

Salaries, Allowances and Expenses

7.1 General

- 7.1.1. The administrative arrangements for the payment of Members' salaries, allowances and travel expense during and after dissolution of the Northern Ireland Assembly are set out below.
- 7.1.2. Members should be aware that the provisions for financial support are different from those that applied at the 2016 Assembly election. The levels and qualifying criteria for financial support are now set by the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016 (the Determination) and these differ from the earlier arrangements.
- 7.1.3. What has not changed is the absolute requirement that financial support can **only** be paid to a Member when he or she is carrying out their Assembly functions. Payments cannot be made to "*allow political parties to benefit from expenses incurred by Members, or allow resources made available to Members for the exercise of functions as Members to be used for other political activities (including election campaigning).*"¹
- 7.1.4. For the avoidance of doubt, the purpose of financial support is to reimburse Members for expenditure wholly, exclusively and necessarily incurred in carrying out their Assembly functions. Party activities and activities in connection with the Assembly election and, in particular, relating to the use of constituency offices and input from Members' support staff, are totally excluded from these arrangements.
- 7.1.5. Members should be aware that there are a number of references to the possible reimbursements of overpaid amounts throughout this document. Paragraph 43 of the Determination deals with the recoupment of overpaid salary, expenses, allowances or staff costs. This Paragraph includes provision for the deduction of overpaid amounts from any future amount to be paid to a Member under the Determination. If an overpayment has occurred (most likely to a Member who is not standing for election or is not returned), this amount will be notified to the Member. Repayment of the overpaid amount will be sought during the three-month period after a Member ceases to be a Member. If the overpaid amount is not repaid during this three-month period, it will be deducted from any other amounts (including any resettlement payment) still to be paid to the Member.

¹ Paragraph 6(2)(b)&(c), Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016

7.2 Salaries

Members' Salaries

Members standing for election

- 7.2.1. Section 47(10)(b) of the Northern Ireland Act 1998 (as amended) provides that, for the purposes of remuneration, a person who is a Member of the Assembly immediately before the Assembly is dissolved and is then nominated as a candidate at the subsequent election shall be treated as if he/she is a Member of the Assembly until the end of the day of the poll for that election. Members who are standing for election will therefore be paid their salary up to and including polling day, 2 March 2017.
- 7.2.2. For those Members who are not returned, 2 March 2017 will be the last day for which salary will be payable.

Returning Members

- 7.2.3. For those Members who are returned at the Assembly election, salaries will continue to be paid up to and including polling day. However, salary will then cease until the returning Member signs the Roll of Membership, usually on the first sitting day of the new Assembly.

Office Holders' Salaries

- 7.2.4. For those Members who receive additional remuneration in respect of an office or offices, the entitlement to remuneration will vary depending on the office held prior to dissolution. Section 47(10) of the Northern Ireland Act 1998 provides that:
- “for the purposes of this section a person who is a member of the Assembly immediately before the Assembly is dissolved shall be treated (a) if he continues to hold office as a Minister or junior minister, as Presiding Officer or deputy or as a member of the Northern Ireland Assembly Commission, as if he were a member of the Assembly until the end of the day on which he ceases to hold office.”*
- 7.2.5. Those office holders' salaries payable to the Speaker and Deputy Speakers, First Minister, deputy First Minister, Ministers, Junior Ministers and Assembly Commission Members will continue to be payable from dissolution up to and including the day that an individual ceases to hold office even if that Member is not standing for election or is not returned as a Member at the election.

Ministers and Junior Ministers:

These office holders cease to hold office when a new Assembly is elected. Therefore, salaries, including office holders' salaries, will be payable up to and including polling day, 2 March 2017.

Speaker and Deputy Speakers:

The Speaker and Deputy Speakers will continue to hold office until they are either reappointed or a new Speaker / Deputy Speakers are appointed. This occurs during the first sitting of the Assembly, which will be within a period of 8 days from the election of the new Assembly (i.e. 8 days beginning with polling day). Salaries, including office holders' salaries, will be payable up to and including that date.

First and Deputy First Ministers:

As no Member holds the office of First Minister or deputy First Minister, no office holder salary is payable from the date of dissolution.

Assembly Commission Members:

Assembly Commission Members cease to hold office when a new Assembly Commission is appointed which can occur at any time in a period of 28 days from the first meeting of the Assembly. Salaries, including office holders' salaries, will be payable up to and including the date of appointment of the new Assembly Commission.

- 7.2.6. For all other office holders (i.e. Committee Chairpersons or the Chairperson of the Public Accounts Committee), office holders' salaries will be payable up to and including 25 January 2017. If these other office holders are not standing for election, the salary payable as a Member will also cease from 26 January 2017.

7.3 Pensions

- 7.3.1. After the closing date for nominations for the election, the Human Resources Office will write to all Members who are not standing for election detailing their pension options. Members who wish to obtain an estimate of their pension entitlement before the closing date for nominations should contact the Pensions Team of the Human Resources Office.
- 7.3.2. Members who stand for election but are not returned to the Assembly at the election will be advised individually of their pension options. Paperwork will need to be completed and certain personal documentation, for example, birth certificates, marriage certificates etc.

will be required by the Human Resources Office to enable pensions for outgoing Members to be processed.

- 7.3.3. Members considering early retirement should contact the Pensions Team to discuss their individual circumstances.

Contact: Louise Anderson (028 90 521685)

7.4 Resettlement Allowance

- 7.4.1. The conditions under which a resettlement payment may be paid to a Member are set out at paragraph 28 of the Determination. This states that:

- 1) *A person is entitled to a resettlement allowance if the person was a member immediately before dissolution of the Assembly and –
 - a) the person does not stand at the subsequent election, or
 - b) the person does stand, but is not returned as a member.*
- 2) *The resettlement allowance is one month's salary (see below) for each completed year of service, subject to a maximum of six month's salary.*
- 3) *The salary referred to in sub-paragraph (2) is the salary a member is entitled to by virtue of having the role of a member only, as set out in Table 1, calculated at the date of dissolution of the Assembly.*
- 4) *Before receiving the resettlement allowance, the person must make all arrangements necessary to wind up the person's affairs as a member, including –
 - a) issuing redundancy notices to staff,
 - b) repaying any outstanding debts owing to the Commission,
 - c) submitting all expenses claims to the Commission, and
 - d) making any other arrangements identified by the Commission.*

- 7.4.2. Members who stand for election and are not returned to the Assembly will be entitled to resettlement allowance based on the completed years' service up to and including 25 January 2017. For the purposes of this calculation the salary used is the current salary as a Member of £49,000 per annum.

- 7.4.3. As noted above, the Determination requires that Members' financial interests (including submitting all claims for expenses or allowances) are brought to a close prior to any resettlement payment being paid. Therefore, the resettlement amounts due will be paid by the Finance

Office through the payroll system only on completion of the final Winding Up Expenses claim form and accompanying declaration – see Annex B.

- 7.4.4. Under current legislation, the maximum amount payable is under the £30,000 tax threshold as set by HMRC so the resettlement allowance will be paid tax free.
- 7.4.5. Any queries on salaries or resettlement payments should be addressed to Sheila Mawhinney (028 90 418328).

7.5 Travel Allowances

- 7.5.1. Travel allowances are payable under two headings:
 - 7.5.1.1. Annual Constituency Travel allowance; and
 - 7.5.1.2. Annual Assembly Travel Allowance.
- 7.5.2. The Constituency Travel Allowance is payable for travel within a Member's Constituency. For those Members who stand for election, but are not returned, Constituency Travel Allowance will continue to be payable up to and including polling day. For those Members who are returned following the poll, this will continue to be paid.
- 7.5.3. The Assembly Travel Allowance is payable for travel from the Member's constituency office to the Assembly and entitlement to the full allowance is dependent on a Member attending the Assembly for 72 or more working days a year where "working day" means any day which is neither a Saturday, Sunday, public holiday nor day when the Assembly is in recess.
- 7.5.4. For each working day less than this 72 minimum, the allowance is reduced by 1%. Members are required to keep records of attendance at the Assembly. This allowance will cease to be payable for all Members from the date of dissolution. Those Members who are not returned will be asked to declare the number of days attended from 6 May 2016 up to and including the date of dissolution. For those Members who are returned a declaration will be required at the end of the Financial year.
- 7.5.5. If a Member has failed to attend for the minimum number of days (on a pro-rata basis) to the date of dissolution (calculated as 47 days), then reimbursement will be sought for any overpayment. For those Members who are returned, the allowance will commence again from the date that the Roll of Membership is signed.
- 7.5.6. The Assembly Travel Allowance is paid through payroll and Members should be aware that due to dissolution falling on 26 January 2017, adjustments cannot now be made for the January payroll. This means that a reimbursement of Assembly Travel Allowance for the period from

26 to 31 January 2017 will be required for all Members, whether standing or not.

Expenses

7.6 Constituency Office Expenses

- 7.6.1. These are the expenses that may be claimed for rent and rates and for Constituency Office Operating Expenses (COOE) as defined in Paragraph 16 of the Determination. Members are again reminded that the overarching purpose of the expenses provisions of the Determination is to assist Members in meeting expenses that have actually been incurred by a Member in connection with the exercise of a Member's functions. Members are also again reminded that costs incurred as a consequence of activities which may be deemed as being associated with an election campaign or being party political in nature are not admissible as a claim against expenses. In this regard, Members are particularly reminded of the specific requirements of Paragraph 14 (7) of Determination relating to rent and rates which states that "no expense may be recovered if any party political posters are displayed so as to be visible from the outside of the constituency office."
- 7.6.2. Any use of a constituency office or other financial support for Members during the election period that does not fall within the terms of the Determination will be deemed to be in breach of the Determination. Consequently, recovery of all costs claimed during dissolution will be sought including payments already made for rent and rates.

Payment of Constituency Office Operating Expenses

- 7.6.3. Any expenses claimed in connection with political campaigning, fund raising, party membership appeals or any other political or partisan content are not a proper charge under the Determination and will not be processed for payment. This includes any costs that Members may seek to have reimbursed under the "sundry expenditure" category of expenditure.
- 7.6.4. Members are reminded that stationery and consumables purchased from the Office Resources team may continue to be used during dissolution. For those Members who are standing for election, these will be recharged to COOE in the normal way. However, stationery carrying the Assembly logo and pre-paid envelopes must not be used for any purpose during dissolution.
- 7.6.5. For those Members who are standing for election, COOE will continue to be paid up to and including polling day. Claims may be submitted after this date but must only refer to expenses incurred up to and including the date of the poll. COOE claims relating to expenditure incurred between 6 May 2016 and 2 March 2017 must be received by the Finance Office by 21 April 2017. From the date of the poll should a Member not be

returned, COOE payments will cease and WUE will become payable immediately. Returning Members can continue to claim COOE following the poll.

- 7.6.6. For those Members who are not returned at the election, rent and rates can continue to be paid for three months from the date of the poll (up to and including 2 June 2017). It is recommended that Members review the terms of their leases immediately to ensure that the contractual obligations regarding notice periods are fully met before the election results are known.
- 7.6.7. The maximum amounts (on a pro-rata basis) that Members can receive are shown in Table 1 below. The Table shows the amounts that can be claimed for Members who sought re-election at the 2016 election and those who were newly elected at that time. Each element of expenses will be monitored by the Finance Office in the normal way and if insufficient funds are available to make payments, claims will be returned to you unpaid.

TABLE 1 : MAXIMUM AMOUNT OF EXPENSES THAT CAN BE CLAIMED FOR MEMBERS STANDING FOR ELECTION

Category of Member	Category of Financial Support	Annual Rate	Member not returned Pro-rata to 2 March 2017	Member returned
2016 Returning Member (effective from 6 May 2016)	Rent – single MLA	£8,500.00	£7,014.78	£7,677.42
	Rent – shared with MLA	£6,000.00	£4,951.61	£5,419.35
	Rent – shared with MP	£4,000.00	£3,301.08	£3,612.90
	Rates – single MLA	£3,400.00	£2,805.91	£3,070.97
	Rates – shared with MLA	£2,400.00	£1,980.64	£2,167.74
	Rates – shared with MP	£1,600.00	£1,320.43	£1,445.16
	COOE	£4,900.00	£4,043.82	£4,425.81
	Mobile Phones	£600.00	£495.16	£541.94
	Support Staff Costs	£50,000.00	£41,263.44	£45,161.29
2016 New Member (effective from 12 May 2016)	Rent – single MLA	£8,500.00	£6,877.69	£7,540.32
	Rent – shared with MLA	£6,000.00	£4,854.84	£5,322.58
	Rent – shared with MP	£4,000.00	£3,236.56	£3,548.39
	Rates – single MLA	£3,400.00	£2,751.08	£3,016.13
	Rates – shared with MLA	£2,400.00	£1,941.94	£2,129.03
	Rates – shared with MP	£1,600.00	£1,294.62	£1,419.36
	COOE	£4,900.00	£3,964.78	£4,346.77
	Mobile Phones	£600.00	£485.48	£532.26
	Support Staff Costs	£50,000.00	£40,456.99	£44,354.84

Other Expenses

7.7 Disability Expenses

- 7.7.1. A disability expense is an expense incurred by a Member which is wholly and necessarily attributable to a disability the Member has.
- 7.7.2. For Members who are standing for election but are not returned, disability expenses can continue to be paid for up three months following the date of the poll i.e. up to and including 2 June 2017. It is not an automatic entitlement. It can only be claimed during this period for costs actually incurred. Therefore, particularly where the expenses claimed are to cover salary costs, Members must notify the Finance Office as soon as costs cease to be incurred.
- 7.7.3. For those Members who are standing for election and are returned, disability expenses can continue to be paid up to and following polling day.

7.8 Winding Up Expenses (WUE)

- 7.8.1. WUE is a category of financial support available to former Members of the Assembly. It is designed to assist an outgoing Member to meet necessary expenses incurred in winding up their Assembly business. The financial support must be claimed; it is not paid automatically.
- 7.8.2. The maximum amount of WUE as set by the Determination is £4,500. WUE is provided to cover contractual obligations such as office rental costs, rates, postage, stationery, telephones and utilities, etc. together with any costs incurred by terminating such agreements.
- 7.8.3. For those Members who stand and are not returned at the election, WUE is limited to expenditure incurred during the three months following polling day i.e. up to and including 2 June 2017. At the end of the winding-up period, Members will have a further two months during which all final claims in respect of the winding up period must be submitted i.e. up to and including 2 August 2017. Only when the final WUE claim has been submitted and the appropriate declaration made (see Annex B) will Members receive a resettlement allowance payment. **After the final declaration has been made and the resettlement payment has been processed, no further claims will be accepted and claims will be returned.**
- 7.8.4. The Finance Office will send Members a projection giving a breakdown of committed expenditure and the projected balance for the three month winding-up period (on the understanding that the commitments for rent

and rates will remain at pre-winding up figures) to enable Members to effectively utilise the WUE.

- 7.8.5. Members are asked to note that separate guidance is included in this document on the use of IT equipment provided by the Assembly Commission following dissolution. However, it may be helpful to note that office equipment purchased by a Member through COOE or Establishment Costs remains the property of the Member after retirement and should be used in the constituency office to assist with winding up the Assembly business.
- 7.8.6. Members are also asked to note that during a period of winding up, stationery and office consumables purchased from Office Resources may continue to be used. As such these must only be used to wind up the Assembly business, they cannot be used to issue any circulars or final constituency-wide letters. Stationery which includes the Assembly logo and pre-paid envelopes must **NOT** be used. As with all resources, stationery or consumables must not be used for any other purpose, including electioneering or party political activity. Inappropriate use will be treated as a breach of the provisions of the Determination and may necessitate a reimbursement of all expenses paid during the period of dissolution and not just the cost of any inappropriately used stationery.
- 7.8.7. Cover under the terms of the Assembly's insurance policy for Employer's and Public Liability insurance remains in place during the period of dissolution and winding up but only in so far as a Member is winding down his or her Assembly business.

7.9 Support Staff

Payment of Members' Support Staff Salaries

- 7.9.1. Payments to Members' support staff can only be made for staff working on Assembly and constituency business. Payments cannot be made to staff who may be carrying out activities which may be deemed to be related to the election campaign or are party political in nature.
- 7.9.2. For those Members who stand and are not returned, support staff costs can continue to be paid for existing staff for a period of three months following polling day i.e. up to 2 June 2017 but only insofar as the staff are working in winding up the Assembly business.
- 7.9.3. The total support staff costs payable in any year are capped at £50,000. The pro-rata maximum amounts that can be claimed in each of the given scenarios are shown in Table 1.
- 7.9.4. Resettlement payments to Members will not be processed until all redundancy notices have been issued and the final support staff salaries are processed.

Participation in Elections

- 7.9.5. Members' employees funded from the Staff Costs provisions of the Determination may only participate in the election campaign (either as candidates, through canvassing, acting as an election agent or other election-related activities) if they do so outside contracted working hours or during approved periods of annual or unpaid leave. Members' support staff must not engage in any election-related activity during hours when they are paid from a Member's Staff Costs funding.
- 7.9.6. If a Member's employee is elected and is actively performing his/her role as a Member, the employee will be unable to fulfil the terms of the contract of employment with the employing Member. As the terms of the contract cannot be fulfilled by the Member's employee, it will be deemed to have been terminated from the date that the former employee who has been elected as a Member signs the Roll of Membership. Under these circumstances, Members should not be required to make payments in lieu of notice to end the contract of employment or make a redundancy payment. If a Member's employee is standing as a candidate in the election, it is imperative that Members notify the Finance Office as soon as possible so that the necessary arrangements can be made for payroll payments, should that individual be elected.
- 7.9.7. Members should contact Sheila Mawhinney, Payroll Manager on 028 90418328 immediately to discuss any individual circumstances.

Conduct of Staff

- 7.9.8. Members are reminded that they can be held responsible for the behaviour of their employees within the Assembly in their dealings with other Members, other Members' employees and Assembly staff.
- 7.9.9. Should Members have any concerns on any issue relating to their employees' activities during the election campaign they should seek advice as a matter of urgency. Free advice on employment issues is available from the Labour Relations Agency on 028 90321442.

Notice of Termination of Employment for Members' Employees

- 7.9.10. Members who are standing for election are advised that it is good practice to inform their staff prior to dissolution that, should they not be returned, then the posts will become redundant as it is unlikely to be any way to avoid a redundancy process. If you are not returned statutory dismissal procedures require you to notify your staff of the intention to dismiss. Members are reminded of the need to wind down their affairs and if they stand and are not returned, formal notice in accordance with the employee's contract, should be given after polling day. In these circumstances salary can be paid for up to a maximum of three months following the poll. However, this is only insofar as there are sufficient

funds available and that the employee is working directly to assist the Member with winding up the Assembly business.

- 7.9.11. Statutory Redundancy calculations will be issued to all non-returning Members after the list of successful candidates has been received from the Electoral Office.
- 7.9.12. The cost of statutory redundancy payments will be paid from the “Category 3 – Ancillary Support Staff” costs as set out in the Determination and are not charged against the pro-rata £50,000 limit.
- 7.9.13. If you require guidance on this matter please contact Sheila Mawhinney (028 90 418328) or e-mail sheila.mawhinney@niassembly.gov.uk

8. Procedural Services

General

- 8.1 The Parliamentary Services Directorate includes staff from the Business Office, Bill Office, Committee Office and Hansard and offers Members advice on a wide range of issues, including Assembly and Committee procedures. Directorate staff will be available to assist Members up to the date of dissolution. During the period of dissolution, staff cannot assist former Members in any way, whether or not they are candidates for re-election.

Business Office

- 8.2 Members may continue to table motions and amendments to motions up to 4pm on Wednesday 25 January 2017 but should recognise that the likelihood of motions or amendments being debated will diminish as the date of dissolution approaches; and will disappear after the final plenary sitting.
- 8.3 All outstanding motions and amendments to motions will fall at the date of dissolution. Returning Members may table motions or amendments to motions in the new mandate provided the Member has taken his/her seat.
- 8.4 Members can continue to table written questions up to 4pm on Wednesday 25 January 2017. Questions may not be tabled after this time. All unanswered questions will fall at the point of dissolution.

Committees

- 8.5 Committees will cease to be at the commencement of dissolution. Individual committees will have made decided the most appropriate manner in which to conclude their business prior to dissolution.

All-Party Groups

- 8.6 No meetings of All-Party Groups should take place during dissolution. Members should note that All-Party Groups cease to exist two months after the first meeting of a new mandate unless a fresh application is made.

9. Research and Library Services

Before Dissolution

- 9.1 Research services are available to support Members carrying out their duties up to the day of dissolution. Research services are not to be used in connection with the election campaign, for example, in preparing election literature or for election-related debates or speeches.
- 9.2 Every effort will be made to complete outstanding enquiries by the day of dissolution but any uncompleted enquiries will then fall.

During Dissolution

- 9.3 Members and their staff must return all books and other publications to the Assembly Library, whether the Member is standing for re-election or not, by 5.00 pm 25 January 2017. Any publications not returned by Members who are not returned, or their staff, will be treated as missing and a charge will be made for each missing title that has to be replaced.

10. Public Information

During Dissolution

- 10.1 The Assembly Communications Office will operate as usual prior to dissolution, but its services must not be used as any part of the election campaign.

After Dissolution

- 10.2 From the date of dissolution, Members will only be entitled to use the Communications Office to obtain information about the work of the Assembly on the same basis as members of the public.

Assembly Logo

- 10.3 The Northern Ireland Assembly logo and Assembly headed stationery must not be used in any way for electioneering or party political purposes.

Websites

- 10.4 Websites that Members have either paid for themselves need not be removed from the web; however, a clear statement must be attached throughout the dissolution period. The statement might say:

“This website was established while I was a Member of the Northern Ireland Assembly. As the Assembly has been dissolved there are no Members of the Assembly until after the election on 2 March 2017.

- 10.5 This makes it clear that the website was specifically established while the individual was an Assembly Member. The site must not be used for campaigning or electioneering.

Assembly Website

- 10.6 Links to Members' websites from the Assembly website will cease on dissolution. All details in the Members' biography pages will make it clear that as the Assembly will have been dissolved all those detailed will have ceased to be Members of the Assembly.

Broadcasting

Before dissolution

- 10.7 No election promotion material may be displayed or recorded in Parliament Buildings, or its precincts, by or on behalf of Members and candidates for the purposes of electioneering. No images of Parliament Buildings are to be used for election purposes.

During Dissolution

- 10.8 No film footage may be recorded in Parliament Buildings, or its precincts, by or on behalf of Members or new candidates during the period of dissolution.
- 10.9 No photographs, videos or audio interviews already held on file by a Member or Party may be used by any candidate in party political broadcasts or any other election material. This includes any material available through the Assembly's website and online profiles (ie NI Assembly TV, flickr, SoundCloud, YouTube, Vimeo, Twitter or Facebook).
- 10.10 No press conferences are to be held in Parliament Buildings during dissolution. This includes taking part in interviews with the media in their Parliament Buildings studios, in the Great Hall in Parliament Buildings or within the precincts of Parliament Buildings (within the curtilage of Parliament Buildings).
- 10.11 Members are reminded that they should not refer to themselves as MLAs, but as candidates.
- 10.12 During the election period, former MLAs who use social media should ensure that their user name does not contain the term 'MLA' or any variant. That is, if the twitter name is 'JoeBloggsMLA', this should not be used during the election period. Those who are standing should use 'JoeBloggscandidate', 'JoeBloggs', 'JoeBloggsParty' etc for the election period.

Telephone Enquiries

- 10.13 During normal office hours, the Assembly's Communications Office will be able to supply callers with contact details for all parties and independent Members. This will enable enquiries to be dealt with in person and to ensure that the most relevant information is supplied.

Education Programme

- 10.14 The Education Programme will continue to operate during dissolution with all educational visits being sponsored through the Speaker's Office. Members will not be able to address groups during this time.

Freedom of Information

- 10.15 Freedom of Information requests will continue to be answered in compliance with the legislation. Where a request concerns a Member or their staff they will be advised in writing accordingly.

11. Bookings, Functions and Tours

- 11.1 In general no private bookings can be taken from Members during the period of dissolution. Members standing for re-election may, in anticipation of being returned, book private functions and tours for dates beyond dissolution. Such bookings will be accepted on the understanding that, in the event of the sponsoring Member not being returned, the booking will be considered cancelled. In this scenario the booking can be made secure providing the organisation/group concerned obtains early sponsorship from a newly-elected Member.
- 11.2 Bookings for educational visits by schools or other organised group visits, which are sponsored by Members, will not take place during the period of dissolution. External groups and Members will be notified if planned visits are affected by dissolution.

12. Visitor Facilities

- 12.1 For the period of dissolution limited catering facilities will be available in Parliament Buildings. All visitors will have access only to areas generally open to the public.
- 12.2 The Café/ Gift Shop/ Post Office opening hours will be from 9.00 am until 4.00 pm.

13 Election Planning Contacts

<u>BUSINESS AREA</u>	<u>CONTACT NAME</u>	<u>TELEPHONE NUMBER</u>
<u>Speaker's Office</u>		028 90 521130
<u>Clerk to the Assembly</u>	Lesley Hogg	028 90 521199
<u>Parliamentary Services</u>		
Director	Dr Gareth McGrath	028 90 521311
Clerk Assistant	Paul Gill	028 90 521008
<u>Finance Office</u>		
Head of Finance	Paula McClintock	028 90 521258
Members Financial Services	Lynne McBride	028 90 521694
Payroll	Sheila Mawhinney	028 90 418328
<u>HR Office</u>		
Head of HR	Sinead McDonnell	028 90 521688
Pensions	Louise Anderson	028 90 521685
<u>Usher Services/Security</u>		
Head of Usher Services	Ken Eccles	028 90 521945
<u>Communications & Media</u>	Debra Savage	028 90 521405
<u>Data Protection</u>	Martina Dalton	028 90 521147
<u>Building Services</u>		
Head of Building Services	David Lynn	028 90 521346
	Helpdesk	028 90 525999
<u>Information Systems</u>		
Head of IS	Brian Devlin	028 90 521119
	Service Helpdesk	028 90 521000

2017 ASSEMBLY ELECTION CAMPAIGN

Members must not plan to use their constituency offices for the purpose of conducting an Assembly election campaign and must not plan to employ staff, currently paid out of Support Staff Costs to assist them or others in the Assembly election:

I,, Member of the Assembly for
..... (Constituency), declare that:

I will not be using my constituency office* for the purpose of conducting an Assembly Election campaign.

I will not be employing staff, whose salaries are paid out of Support Staff Costs, to assist me in conducting an Assembly Election campaign or to provide assistance to another candidate or a political party.

I have read the document titled “Guidance for Members During an Election Campaign” and confirm that I am aware of the rules which apply to COE during an Election campaign. I also agree that any use of a constituency office or other financial support for Members during the election period that does not fall within the terms of the Determination will be deemed to be in breach of the Determination and recovery of all costs claimed during dissolution will be sought including payments already made for rent and rates.

Signed:

Date:

* **Note:** “constituency office” means any accommodation for which costs are claimed from a Member’s Constituency Office Expenses.

Once completed, please return the form to:

Members’ Financial Services Team
Room 401
Parliament Buildings
Stormont Estate
Ballymiscaw
Belfast
BT4 3XX.

Declaration of Completion of Winding Up

This form must be submitted with your final claim against Constituency Office Expenses

I have now completed all necessary arrangements to wind up my affairs. This includes the following:

please tick

- 1 I have issued redundancy notices to all staff..
- 2 I have repaid any outstanding debts owing to the NIA Commission
- 3 I have submitted my **final** expenses claim against Constituency Office Expenses
- 4 I have returned all IT resources.

AND

In signing this declaration and following receipt of my Resettlement Allowance, I understand that no further payments will be processed.

Signed:

Date:

Print
Name:

Telephone
Contact