



Northern Ireland  
Assembly

**Guidance For**

**Members Not Standing for**

**Election**

**January 2017**

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# 1. Introduction

- 1.1 Dissolution is effective from one minute past midnight at the end of 25 January 2017. Members cease to be MLAs from this date. This guidance has been prepared in order to inform retiring Members (i.e. those Members not standing for election), of the administrative arrangements which have been put in place. It also outlines the actions that you now need to take.
- 1.2 It is vital you and your staff are fully aware of the practical implications of not standing for election and the measures that need to be taken as a result. This guidance gives specific information on pay and allowances, as well as the pay and employment contracts of your staff, Information and communication, access arrangements, data protection responsibilities and arrangements for returning IT equipment are also included.
- 1.3 If you have any questions on any aspect of the information contained in this guidance, please do not hesitate to contact the relevant member of the Secretariat, details of whom are listed in Section 11 (page 20).
- 1.4 If there have been any changes to your forwarding address, please complete and return the attached form.

## 2. Retiring Members' Contact Details

As a Member who is not standing for election you are asked to complete the form below confirming your current contact information and giving details of a non-Assembly address for the purposes of forwarding mail following dissolution 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:	

Please note that this information will also be provided to the IS Office and Finance Office who may need to forward information to you following dissolution. Post received in Parliament Buildings for you will be forwarded for a maximum period of 4 weeks following dissolution. After this date, arrangements will be made to return such post to the sender.

### **3. Access Arrangements**

- 3.1 Until dissolution, access to the parliamentary estate and Parliament Buildings will remain the same.
- 3.2 If you have already decided not to stand for election you should make arrangements with Assembly staff, as soon as possible, to remove your personal belongings, papers, books etc. from offices, desks and filing cabinets. This should be completed before 5.00pm on 25 January 2017. Cardboard storage boxes are available from Office Resources (028 905 21218), for the non-secure storage/removal of personal papers etc. If required assistance with the removal of personal items to the car parks can be provided by arrangement (028 905 21040).
- 3.3 Please note any belongings that are not removed by 24 February 2017 will be forwarded to Party support staff.
- 3.4 If you only come to a decision not to stand for election following the date of dissolution (and before the close of nominations on 8 February 2017), you should immediately contact Assembly staff to make arrangements to remove your personal belongings, papers, books etc. from offices, desks and filing cabinets.

#### **Room Booking in Parliament Buildings**

- 3.5 At present all 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 25 January 2017. After that date you will have access to all public areas only.

## **4. Communications/Contact Arrangements**

- 4.0 On dissolution all your contact facilities within Parliament Buildings, relating to telephones and faxes will be cancelled and email accounts will be disabled automatically.
- 4.1 You are requested to access the voicemail facility, and delete all messages. For assistance with this, you may contact the Building Services Helpdesk (028 905 25999).
- 4.2 The title of 'Member of the Northern Ireland Assembly', or 'MLA', must not be used in correspondence as you seek to wind up your Assembly and constituency business, however, you may respond to any correspondence addressed to you as MLA. You should acknowledge that, following dissolution, you are not a Member of the Assembly.
- 4.3 As you will no longer be a Member of the Assembly following dissolution, the title of 'Member of the Northern Ireland Assembly', or 'MLA', should be removed from your social media accounts.

## **5. Information Technology and Communications**

- 5.0 Once you have signed the declaration confirming you are not standing for election the IS Office will contact you to arrange for the recovery of all Assembly issued IT equipment, this includes PCs/Laptops/Tablet; laser printer and the cancellation of the Atlas Broadband Service used in the Constituency Office. The aim is to complete this exercise as soon as possible after the election as the equipment may be required for use by other Members. The recovery exercise can begin as soon as dissolution is announced, at your convenience. For the avoidance of doubt this relates to equipment provided by the Assembly, not equipment that has been purchased personally or through your previous allowance for Office Cost Expenditure.
- 5.1 Before dissolution, all documents and other information that you wish to retain should be removed from Assembly computer hard drives. Any IT equipment returned as part of this process will be subject to the secure removal of information stored on the hard drives. This will be done to a recognised industry standard.
- 5.2 For information held in Assembly Office 365 email accounts and online (cloud) document storage, a time limit of one month from the date of dissolution will be applied for the removal of emails and documents; after this date, all information will be permanently deleted.
- 5.3 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 028 905 21000). If Members have any concerns about the security of their information, they should discuss this with the Head of the IS Office, Brian Devlin (Tel 028 905 21119).

## 6. Data Protection Provisions

- 6.1 A 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](http://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](http://www.ico.gov.uk)).
- 6.9 Should Members have any queries on data protection issues they should contact Martina Dalton (Tel 028 905 21147).

# 7. Financial Arrangements

## SALARIES, EXPENSES AND ALLOWANCES

### 7.1. GENERAL

- 7.1.1. The administrative arrangements for the payment of Members' salaries, allowances and expenses during and following 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).”*<sup>1</sup>
- 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, 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.

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

## 7.2. **SALARIES**

### **Members' Salaries**

#### *Before Dissolution*

- 7.2.1. Salaries will remain unchanged up to and including the day of dissolution.

#### *Following Dissolution*

- 7.2.2. As you are not standing for election, salary will cease following the date of dissolution i.e. salary will no longer be payable from 26 January 2017. If you have not already done so, Members who do not intend to stand for election must notify the Finance Office in writing immediately. To facilitate this notification, a form is attached at Annex A which should be completed and returned to the Finance Office. 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 salary for the period from 26 to 31 January 2017 will be required for any Member who does not stand for election

### **Office Holders Salaries**

- 7.2.3. 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.”*

- 7.2.4. 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.

#### *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.

- 7.2.5. 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.

### **7.3. PENSIONS**

- 7.3.1. After the closing date for nominations for the election, the Human Resources Office will write to you if you are not standing for election detailing your pension options. If you wish to obtain an estimate of your pension entitlement before the closing date you should contact the Pensions Team of the Human Resources Office.

Contact: Louise Anderson (028 905 21685)

## 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. As a Member not standing for election you 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 ALLOWANCE**

- 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. This will be payable up to and including the date of dissolution. The Constituency 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 Constituency Travel Allowance for the period from 26 to 31 January 2017 will be required.
- 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. You must declare the number of days attended from 6 May 2016 up to and including the date of dissolution on the form attached at Annex A.
- 7.5.5. If you have 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.
- 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.

## **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, following dissolution, 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 up to dissolution and during the Winding up period 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. Your COOE will be paid up to and including 25 January 2017. Claims may be submitted after this date but must only refer to expenses incurred up to and including the date of dissolution. COOE claims relating to expenditure incurred between 6 May 2016 and 25 January 2017 must be received by the Finance Office by 26 February 2017. From the date of dissolution, Winding Up Expenses (WUE) may be claimed and this is covered separately below.
- 7.6.5. Rent and rates can continue to be paid for three months from the date of dissolution (up to and including 25 April 2017), however these will be paid from WUE. It is recommended that you review the terms of your lease immediately to ensure that the contractual obligations regarding notice periods are fully met.
- 7.6.6. The maximum amounts (on a pro-rata basis) that can be received 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 PRO-RATA TO DISSOLUTION**

Category of Member	Category of Financial Support	Annual Rate	Member not standing Pro-rata to 25 January 2017
2016 Returning Member (effective from 6 May 2016)	Rent – single MLA	£8,500.00	£6,123.66
	Rent – shared with MLA	£6,000.00	£4,322.58
	Rent – shared with MP	£4,000.00	£2,881.72
	Rates – single MLA	£3,400.00	£2,449.46
	Rates – shared with MLA	£2,400.00	£1,729.03
	Rates – shared with MP	£1,600.00	£1,152.69
	COOE	£4,900.00	£3,530.11
	Mobile Phones	£600.00	£432.26
	Support Staff Costs	£50,000.00	£36,021.51
2016 New Member (effective from 12 May 2016)	Rent – single MLA	£8,500.00	£5,986.56
	Rent – shared with MLA	£6,000.00	£4,225.81
	Rent – shared with MP	£4,000.00	£2,602.15
	Rates – single MLA	£3,400.00	£2,394.62
	Rates – shared with MLA	£2,400.00	£1,690.32
	Rates – shared with MP	£1,600.00	£1,040.86
	COOE	£4,900.00	£3,451.08
	Mobile Phones	£600.00	£422.58
	Support Staff Costs	£50,000.00	£35,215.05



## 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. If you are claiming this category of expense it can continue to be paid for up three months following the date of dissolution i.e. up to and including 25 April 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, you must notify the Finance Office as soon as costs cease to be incurred.

### 7.8. WINDING UP EXPENSES (WUE)

- 7.8.1. WUE is a category of financial support available to you as a former Member of the Assembly. It is designed to assist you to meet necessary expenses incurred in winding up your Assembly business. The financial support must be claimed; it is not paid automatically.
- 7.8.2. 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.
- 7.8.3. 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.
- 7.8.4. WUE is limited to expenditure incurred during the three months following the date of dissolution, i.e. up to and including 25 April 2017. At the end of the winding-up period, you 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 25 June 2017. Only when the final WUE claim has been submitted and the appropriate declaration made (see Annex B) will you 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.
- 7.8.5. The Finance Office will send you 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 you to effectively utilise the WUE.

- 7.8.6. It may be helpful to note that office equipment purchased by a Member through COOE or Establishment Costs remains your property after retirement and should be used in the constituency office to assist with winding up the Assembly business.
- 7.8.7. You 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, these items 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.
- 7.8.8. Cover under the terms of the Assembly's insurance policy for Employer's and Public Liability insurance remains in place during the period of winding up but only in so far as you are winding down your Assembly business.

## **7.9. SUPPORT STAFF COSTS**

### *Payment of Members Support Staff Salaries*

- 7.9.1. Payments to your 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. Support staff costs can continue to be paid for existing staff for a period of three months following the date of dissolution i.e. up to 25 April 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 are shown in Table 1.
- 7.9.4. Your Resettlement payments 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. Your staff employed and 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 your Staff Costs funding.

- 7.9.6. Should a member of your staff be 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 you. As the terms of the contract cannot be fulfilled by the employee, it will be deemed to have been terminated from the date that the former employee who has been elected as a Member and signs the Roll of Membership. Under these circumstances, you should not be required to make payments in lieu of notice to end the contract of employment or make a redundancy payment. If your employee is standing as a candidate in the election, it is imperative that you 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. You should contact Sheila Mawhinney, Payroll Manager on 028 90 418328 immediately to discuss any individual circumstances.

#### Conduct of Staff

- 7.9.8. You are reminded that you 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 you have any concerns on any issue relating to your 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. You should ensure that your staff are informed as soon as possible that their current role will no longer exist and that their post will become redundant following dissolution. Separate guidance which deals specifically with redundancy has already been issued to all Members.
- 7.9.11. Even though, as a Member who is not standing for election, there is unlikely to be any way to avoid a redundancy, statutory dismissal procedures require you to notify your staff of your intention to dismiss. You are also required to meet with staff to discuss this matter and to give your staff notice of redundancy, in accordance with the employee's contract, as soon as you have confirmed that you are not standing for election. This notice should be given prior to dissolution. Salary payments can continue for three months from the date of dissolution provided sufficient funds are available and that the employee is working directly to assist the Member with winding up the Assembly business.
- 7.9.12. Once a you have formally notified the Finance Office in writing that you are not standing for election, statutory redundancy calculations will be undertaken for all employees.

- 7.9.13. 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.
- 7.9.14. If you require guidance on this matter please contact Sheila Mawhinney (028 9041 8328) or e-mail [sheila.mawhinney@niassembly.gov.uk](mailto:sheila.mawhinney@niassembly.gov.uk)

## **8. Procedural Services**

- 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 you up to the date of dissolution. During the period of dissolution, staff cannot assist you in any way.

### **Business Office**

- 8.2 You 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. All outstanding motions and amendments to motions will fall at the date of dissolution.
- 8.3 You 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.

## **9. Research and Library Services**

- 9.1 Research services are available to support you in carrying out your duties up to the day of dissolution. You and your staff must return all books and other publications to the Assembly Library by 5.00 pm on 25 January 2017. Any publications not returned by you or your staff, will be treated as missing and a charge will be made for each missing title that has to be replaced.

## **10. Public Information**

- 10.1 As a former Member, from the date of dissolution, you 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.

# 11. Contacts

<u>BUSINESS AREA</u>	<u>CONTACT NAME</u>	<u>TELEPHONE NUMBER</u>
<u>Speaker's Office</u>		028 90521130
<u>Clerk to the Assembly</u>	Lesley Hogg	028 90 521199
<u>Parliamentary Services</u>		
Director	Dr Gareth McGrath	028 90521311
Clerk Assistant	Paul Gill	028 90521008
<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 9052 1688
Pensions	Louise Anderson	028 9052 1685
<u>Usher Services/Security</u>		
Head of Usher Services	Ken Eccles	028 9052 1945
<u>Communications &amp; Media</u>	Debra Savage	028 90521405
<u>Data Protection</u>	Martina Dalton	028 90521147
<u>Building Services</u>		
Head of Building Services	David Lynn	028 90521346
	Helpdesk	028 90525999
<u>Information Systems</u>		
Head of IS	Brian Devlin	028 90521119
	Service Helpdesk	028 90521000

**2017 ASSEMBLY ELECTION CAMPAIGN – DECLARATION OF  
INTENTION NOT TO STAND FOR ELECTION**

Members who are **not** standing for election in the Northern Ireland Assembly election on 2 March 2017 should complete this declaration:

I, \_\_\_\_\_, Member of the Legislative Assembly

for

\_\_\_\_\_ (constituency),

declare that:

I will **not** be standing for election to the Northern Ireland Assembly on 2 March 2017.

My rental payments for my constituency office should cease on:

\_\_\_\_\_

Payments to support staff including payment in lieu of notice should be cease on:

\_\_\_\_\_

I confirm that I have attended the Assembly for \_\_\_\_ working days during 2016/17.

In accordance with paragraph 26 of the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016, I understand that if the number of days attended at the Assembly is below 72 days (47 days pro-rata to the date of dissolution) my Annual Assembly Travel Allowance will be reduced by 1% for each working day less that the requirement and that any overpayment will be sought.

I have read the Guidance to Members Not Standing for Election document and confirm that I am aware of the rules that apply to Constituency Office Expenses during the period from dissolution (i.e. from 00.01 on 26 January 2017).

Signed: \_\_\_\_\_

Print  
Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Please complete and return this form to the Finance Office.**

# Declaration of Completion of Winding Up

**This form must be submitted with your final expenses claim**

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;                        | <input type="checkbox"/> |
| 2 | I have repaid any outstanding debts owing to the Assembly Commission; | <input type="checkbox"/> |
| 3 | I have submitted my <b>final</b> expenses claim; and                  | <input type="checkbox"/> |
| 4 | I have returned all IT resources.                                     | <input type="checkbox"/> |

**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