

SENIOR MANAGEMENT TEAM (SMT)

**THURSDAY, 14 DECEMBER 2023 at 9.30 AM
ROOM 106, PARLIAMENT BUILDINGS**

APPROVED

Present:

**Lesley Hogg, Clerk/Chief Executive
Steven Baxter, Director of Corporate Services
Tara Caul, Director of Legal, Governance and Research Services
Gareth McGrath, Director of Parliamentary Services**

In Attendance:

**Janet Hughes, Clerical Supervisor
Robin Ramsey, Adviser to the Speaker/Head of Corporate Support
(Items 5 and 6)
Sinéad McDonnell, Head of HR (Items 7, 8, 9 and 10)
Karen Martin, Deputy Head of HR (Items 7, 8 and 9)
Peter McCallion, Acting Head of Building Services (Item 11)
Paula McClintock, Head of Finance (Items 13 and 14)
Gary Browne, Senior Accountant (Item 13)
Donna-Marie Clark, Data Protection and Governance Officer (Items 15,
16 and 17)
Mary-Ellen Nutt, Head of IT (Item 18)
Stephanie Mallon, Clerk Assistant (Items 19 and 20)
Stella McArdle, Clerk (Item 19)
Clare Maguire, Public Engagement Manager (Item 20)
Michael Cairns, Acting Head of Communications (Item 21)
Dan Hull, Chairperson of Internal Communications Group (Item 22)**

The meeting commenced at 9.31 am.

1. Apologies

No apologies were received.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of previous meeting

It was noted that the minutes from the meeting on 31 October 2023 had been published.

4. SMT Action Points

The outstanding action points were reviewed and progress was noted.

Robin Ramsey joined the meeting at 9.32 am for agenda items 5 and 6.

5. Political Update

Lesley Hogg noted that various exercises had been carried out to ensure staff remained ready to support the Assembly upon the resumption of normal business.

6. Draft Assembly Commission Agenda

Robin Ramsey advised that the date of the next full Assembly Commission meeting had yet to be agreed, but that a short meeting may be convened before Christmas to address more pressing issues.

Proposed items for the next meeting included:

- Clerk/Chief Executive's Report
- Defects in the Roof of Parliament Buildings
- Review of Security Arrangements for Members
- Centenary Stone

Robin Ramsey left the meeting at 9.44 am.

CORPORATE SERVICES

Sinéad McDonnell joined the meeting at 9.45 am for agenda items 7, 8, 9 and 10.

Karen Martin joined the meeting at 9.45 am for agenda items 7, 8 and 9.

7. Human Resource (HR) Office: Staff Resources

Sinéad McDonnell sought approval of a proposal to increase the staff complement within the HR Office, to allow for the establishment of a permanent Recruitment Team, consisting of one AG6 and one AG7.

Following consideration, SMT approved the establishment of a permanent Recruitment Team and agreed that the competitions for both the AG6 and AG7 posts would be advertised during the first quarter of the New Year.

8. HR Management Information

Karen Martin presented the monthly HR Management Information as at 1 November 2023 and stated that the information as at 1 December 2023 would be issued to SMT for consideration via correspondence before Christmas.

Karen advised that the Staff in Post (SIP) figure on 1 November 2023 (including agency and inward seconded staff) was 323.4 Full Time Equivalents (FTE) against a staff complement (including complement plus) of 375.1 FTE. Karen asked SMT to give consideration to a complement change request which had been received from the Head of Research and Information Service (RaISe). SMT approved the increase of 0.2 FTE AG6 as requested.

SMT noted the temporary promotions/deputising arrangements and agency worker assignments currently in place. Karen advised that expenditure on the temporary agency worker contract was higher than expected at 30 September 2023 and the reasons for this, but stated that it was anticipated that expenditure on agency workers should reduce on completion of ongoing and planned recruitments. Karen noted that contract spend is kept under review by the HR Office and a further update would be provided to SMT as necessary.

Karen updated SMT on recent recruitment activity. Karen informed SMT of a request, from the acting Head of Communications, to include the competitions for Communications and Digital Content Officer (AG5) and Deputy Communications and Digital Content Officer (AG6) in the January to March 2024 Recruitment Schedule. Following consideration, SMT agreed to the request and that both posts should be filled temporarily through agency in the interim.

SMT also agreed to include an internal temporary Assembly Clerk (AG4) competition in the January to March 2024 Recruitment Schedule.

Karen advised that following a request from SMT, the HR Office had sought advice, in light of a number of factors, on the possibility of extending existing merit lists. Karen outlined three potential options on the way forward, stating that Option 3, to extend all “live” merit lists for a defined period of time would provide flexibility to respond to a resumption of normal business and complied with advice provided by the Equality Commission for Northern Ireland in 2018 and 2019.

Following discussion, SMT agreed to extend all merit lists “live” on 30 November 2023 for a period of three months. SMT noted that the paper was originally scheduled for SMT consideration on 30 November 2023 and hence the effective date of 30 November 2023.

SMT then agreed the priority for recruitment competitions and that the HR Office would provide SMT with a revised Recruitment Schedule.

SMT noted with concern the growing level of sickness absence which had risen to 15.6 average days lost per FTE staff member for the period November 2022 to October 2023, compared with 12.3 days per FTE for the same period in 2021/22. Karen confirmed that sickness absences continued to be monitored and proactively managed.

In relation to annual leave, Sinéad asked that SMT remind their Heads of Business (HoBs) to ensure that staff leave balances are reduced to within the carry over limit by 31 January 2024.

9. Biannual Update of Equality Action Plans

Karen presented biannual updates on the Disability Action Plan 2022-2026, the Good Relations Action Plan 2022-2025 and the Audit of Inequalities Action Plan 2022-2026.

Following discussion, some presentational changes were agreed and that a short progress update be included on actions with an amber status, in order to provide clarity on what had been achieved to date.

Action: Karen to arrange for all three Equality Plans to be updated as proposed by SMT and re-circulated via correspondence for final approval, prior to publishing on the Assembly's intranet and website.

Karen Martin left the meeting at 10.42 am.

10. Holiday Pay

SMT noted that on 4 October 2023, the UK Supreme Court issued its judgment on the case of *Agnew and others v Chief Constable of the PSNI* (*the Agnew case*) and that the Clerk/Chief Executive, Directors, Head of HR and the Legal Services Office had held a meeting on 1 December 2023 to consider the judgement in detail.

Sinéad presented a paper detailing the implications of the court judgment for the Assembly Commission and outlined a proposed approach to the management of issues arising from Holiday Pay litigation.

Following consideration, SMT approved the proposed approach as outlined, however, Lesley asked that some further information be added to the paper.

Action: Steven Baxter to write to Trade Union Side and its legal advisers to advise of the proposed way forward.

Action: Sinéad to update the paper with some additional information as proposed and re-circulate to SMT.

SMT thanked Sinéad for all the work that had gone into producing the paper.

Sinéad McDonnell left the meeting at 10.56 am.

Peter McCallion joined the meeting at 10.56 am for agenda item 11.

11. Operation of Photovoltaic Roof Panels

Peter McCallion provided SMT with an update on the Photovoltaic (PV) roof panels installed in 2015.

Peter advised that, in October 2020, Building Services was instructed by NIE Networks to disconnect the PV roof panels, as the sub-contractor had not passed on to NIE Networks the relevant grid connection fees, which meant that the PV roof panels were reportedly installed without the necessary permissions. It was noted by SMT that this was reported as being a breach of Regulation 23 of the Electricity Safety, Quality and Continuity Regulations (ESQCR) but that this breach had not been brought to the attention of SMT.

Peter noted that Building Services was arranging for works to be undertaken to obtain certification, in order to secure reconnection of the PV roof panels to the grid. Peter advised that he would prepare a further report for SMT, if reconnection costs proved to be more substantial than those outlined in the paper.

SMT noted its concerns that no Renewables Obligation Certificate (ROC) payments had been received following installation of the PV roof panels and that SMT had only recently been informed that they had been disconnected.

SMT noted that there were lessons to be learned in relation to the operation of the PV panels and that it was essential that any regulatory breaches were brought to the attention of SMT for consideration in future.

Peter McCallion left the meeting at 11.11 am.

The meeting suspended at 11.11 am and resumed at 11.20 am.

12. Corporate Plan 2023-2028

This paper was deferred to the next SMT meeting.

Paula McClintock joined the meeting at 11.20 am for agenda items 13 and 14.

Gary Browne joined the meeting at 11.20 am for agenda item 13.

13. Management Accounts October 2023 and Abridged Management Accounts November 2023

SMT noted the Management Accounts for October 2023.

Due to the timing of the SMT meeting, Gary Browne stated that it had not been possible to prepare the full set of monthly Management Accounts for November 2023 and he instead presented an abridged set.

Gary advised that the current forecast was now based on a planning assumption of a return to normal Assembly business from 1 January 2024. Gary stated that the final budget position for the Assembly Commission for the remainder of the 2023/24 financial year had now been set, following completion of the Department of Finance (DoF) winter budget exercise.

SMT noted an increased pressure in Admin costs. Gary advised that this pressure could be met by a reallocation of funds from within Member and Staff Salary costs.

Gary advised that DoF had commissioned an information gathering exercise on 2024/25 budget requirements, with consideration to be given to three different scenarios. It was noted that the return is due to DoF by 16 January 2024, and that it would require Assembly Commission approval prior to submission.

Action: Paula McClintock to write to HoBs seeking returns in relation to DoF's information gathering exercise on 2024/25 budget requirements.

On reviewing the Capital Plan, Gary stated that business cases still needed to be finalised for a large number of projects planned for this year, and it was agreed that these needed to be presented to SMT as soon as possible to ensure the projects were completed in the 2023/24 financial year.

Action: Directors to liaise with their HoBs to ensure that business cases for projects planned this year are presented to SMT as soon as possible.

Gary Browne left the meeting at 11.59 am.

14. Review of the Fraud Prevention and Anti-Bribery Policy and Response Plan

Paula presented a revised draft Fraud Prevention and Anti-Bribery Policy and Response Plan, which she noted had been reviewed to ensure they were still fit for purpose and reflected best practice.

Paula stated that although no substantive changes had been made to the Policy or Plan following the review, some editorial changes had been made to the Policy and updates had been made in relation to the role of Internal Audit, which had moved to an external provider since the Policy was last reviewed.

Following consideration of the revised Policy and Plan, members of SMT were of the view that some changes were substantive in nature and provided a number of initial comments. It was agreed that Paula would consider these in the first instance.

Action: Paula to arrange a meeting with the Clerk/Chief Executive and Directors to discuss the proposed changes further.

Action: Paula to prepare an updated revised Policy and Plan for consideration at the January 2024 SMT meeting.

Paula McClintock left the meeting at 12.22 pm.

LEGAL, GOVERNANCE AND RESEARCH SERVICES

Donna-Marie Clark joined the meeting at 12.22 pm for agenda items 15, 16 and 17.

15. Biennial Review of the Risk Management Self-Assessment Checklist and Action Plan

Donna-Marie Clark presented the Risk Management Self-Assessment Checklist and Action Plan, which she noted had last been reviewed and approved by SMT at its meeting on 26 November 2021.

SMT noted that of the 45 questions in the Self-Assessment Checklist, only one, in relation to the business continuity plan, was still awaiting completion. Steven provided a proposed completion date of 31 March 2024 for this action.

Following consideration, SMT approved the Risk Management Self-Assessment Checklist and Action Plan, subject to some minor amendments.

Action: Donna-Marie to arrange for the Risk Management Self-Assessment Checklist and Action Plan to be amended as agreed by SMT.

Action: Revised Risk Management Self-Assessment Checklist and Action Plan to be presented to the Assembly Commission Audit and Risk Committee at its next meeting.

16. Quarterly Review of the Corporate Risk Register

Donna-Marie advised that she had met with the Clerk/Chief Executive and Directors, on 30 November 2023, to discuss the Corporate Risk Register (CRR) in detail.

SMT noted and approved the CRR for December 2023, subject to some further minor amendments.

Action: Donna-Marie to update the CRR as requested by SMT and recirculate for final approval.

17. Review of Retention and Disposal Schedule

Donna-Marie presented the revised Retention and Disposal Schedule,

which she confirmed had been approved by the Public Record Office of Northern Ireland (PRONI) Validation Panel.

SMT acknowledged that obtaining approval of the revised Retention and Disposal Schedule had been a long and complex exercise and thanked Donna-Marie and Karl Hedley for the extensive work they had undertaken to get to this point.

Donna-Marie noted that in the current absence of Ministers, it was unclear whether the Permanent Secretary for the Department for Communities would proceed to lay the Schedule before the Assembly once it is signed by all relevant parties. It was agreed she would therefore liaise with PRONI, to ascertain whether a formal interim arrangement can be agreed, which would allow the Assembly Commission to work to the revised Schedule from an agreed date.

Lesley proposed a small number of changes to the Schedule Introduction and that it be updated to reflect the need to retain information only once, in the most appropriate place, going forward.

Lesley also raised a number of issues which she would like to be considered during the next review cycle and provided these to Donna-Marie.

Action: Donna-Marie to give consideration to whether the minor changes proposed to the agreed Schedule Introduction could be made without resulting in the necessity for the Schedule to be resubmitted again to the PRONI Validation Panel.

SMT approved the revised Retention and Disposal Schedule as presented and agreed that it should be reviewed in three years' time.

Donna-Marie left the meeting at 12.47 pm.

The meeting suspended at 12.47 pm and resumed at 1.35 pm.

PARLIAMENTARY SERVICES

Mary-Ellen Nutt joined the meeting via Microsoft Teams at 1.35 pm for agenda item 18.

18. Future Plans for Members and Assembly Commission Staff IT Device Provision

Mary-Ellen Nutt presented a paper advising SMT of future plans for the replacement of Members and Assembly Commission staff IT devices, to support modern working, from home and within Parliament Buildings.

Mary-Ellen noted that the paper was a forerunner to a business case to support the device refresh, which she stated was being prepared for consideration by SMT in January 2024, SMT also noted that under the Clerk/Chief Executive's delegated authority, consultation would be required with the Assembly Commission.

Mary-Ellen advised that the business case would also factor in the replacement of a secure remote access solution.

Action: Mary-Ellen to prepare a business case on IT device refresh for consideration by SMT and consultation with the Assembly Commission in January 2024.

Mary-Ellen Nutt left the meeting at 1.59 pm.

Stephanie Mallon joined the meeting at 1.59 pm for agenda items 19 and 20.

Stella McArdle joined the meeting at 1.59 pm for agenda item 19.

19. Business Case for the Procurement of Interpretation, Translation and Transcription Services

Stella McArdle sought approval of a business case for the procurement of interpretation, translation and transcription services.

Stella noted that the business case outlined four options for service delivery, with a recommendation to proceed with Option four, i.e. use of the CPD Framework.

Tara Caul advised Stella of the next steps regarding the procurement process and suggested that she should also liaise with the Head of Procurement in relation to the position regarding the rates for live broadcast work.

Following consideration, SMT approved the business case for the procurement of interpretation, translation and transcription services as recommended.

Stella McArdle left the meeting at 2.10 pm.

Clare Maguire joined the meeting at 2.10 pm.

20. Public Engagement Activity: Biannual Report (May 2023 to October 2023)

Clare Maguire presented the biannual report of public engagement activity undertaken by the Engagement Team during the period May 2022 to October 2023.

Clare advised that the work of the Engagement Team during the reporting period covered four areas, namely, Community engagement, Committee engagement, Parliamentary engagement; and Assembly projects and outlined some of the key activities that had been delivered during the period.

Clare proposed that, going forward, public engagement activity would be reported to SMT via the Parliamentary Services Directorate Update, rather than via a biannual report, and this was agreed.

Stephanie Mallon and Clare Maguire left the meeting at 2.17 pm.

Michael Cairns joined the meeting at 2.21 pm.

21. Strategic Communications Update

Michael Cairns provided a general update on strategic communications.

Michael Cairns left the meeting at 2.43 pm.

OTHER ITEMS

Dan Hull joined the meeting at 2.44 pm for agenda item 22.

22. AG8 Focus Group Report

Dan Hull presented a report prepared by the Internal Communications Group (ICG), on the findings from a set of focus groups and online survey with Assembly Commission staff working at AG8.

Dan advised that 22 staff had taken part in the focus groups and that there had been 36 responses to the online survey.

Dan outlined the key findings of the Report and, after discussion, SMT agreed that the Report should be published. SMT noted that this exercise had moved far beyond the initial remit which was to ascertain why a lower number of AG8s had completed the staff survey. SMT also noted its concern in relation to some of the contents of the report and it was agreed that a meeting would be arranged with HoBs to review the report and consider any actions arising.

Action: Dan to engage with HoBs to review the findings of the Report and consider any actions arising

SMT thanked Dan and the members of ICG for the work that had gone in to producing the report.

Dan Hull left the meeting at 3.33 pm.

23. Papers Cleared by Correspondence

Staffing Resource within the Procurement Office.

24. Directors' Updates

Parliamentary Services

Clerking

Gareth McGrath advised SMT that colleagues in the Bill Office had been continuing to engage with the Lawmaker Steering Group, in order to seek agreement to join the bill drafting software consortium led by The National Archives in conjunction with the Houses of Parliament, the Scottish Parliament and a number of other organisations.

Gareth also confirmed that work was continuing to be undertaken within Parliamentary Services over the last month, to ensure readiness for a return to normal Assembly business at short notice.

IS Office

Gareth advised that work was progressing well in relation to the implementation of the new Wi-Fi network throughout the building.

Corporate Services

Steven informed SMT of the potential financial impact for the Assembly Commission, following changes in the calculation of employer pension contributions due to take effect from 1 April 2024.

Office Resources

Steven updated SMT on initial feedback from the pilot scheme for online stationery ordering currently being undertaken by the Corporate Services and Legal, Governance and Research Services directorates.

Support Services

Steven advised of an uplift to catering charges proposed by the Assembly Commission's catering contractors. SMT rejected the proposed substantial increases, on the basis that they were out of line with similar establishments, and asked for a meeting to agree the way forward.

Steven also advised of increases to the costs of Years 2-7 of the catering contract due to ongoing high inflation rates. It was agreed that SMT would continue to monitor these costs.

Steven informed SMT that the catering contractors had recently achieved a Food Hygiene Rating of 5 (out of 5) from the Environmental Health Service.

Service Level Agreement (SLA) with the Police Service of Northern Ireland (PSNI)

Steven informed SMT that a significant cost increase had been included in the draft SLA received from the PSNI and that further information on the proposed increase was being sought.

Systems Review Project

Steven noted that the Systems Review Project was progressing, with Design sign-off planned for the end of December.

Building Services

Steven advised that DoF had carried out an inspection of the lifts within the building and had proposed some remedial works, which are being considered by Building Services.

Usher Services

Steven advised that Usher Services was working with the Procurement Office, in relation to moving from Royal Mail to Whistl for collection and delivery of mail at Parliament Buildings, due to cost considerations.

Pressures were noted in relation to staff resources within Usher Services.

Legal, Governance and Research Services

Legal Services

Tara provided an update on post McCloud pension litigation.

Examiner of Statutory Rules

Tara advised that the first Report of the Examiner of Statutory Rules had been drafted and would issue on resumption of normal Assembly business, when the ESR received her delegations from Committees.

Information Standards

Tara updated SMT on two Information Commissioner's Office complaints.

RaISe

Tara advised that vacant posts within Research Services would need to be filled on a temporary basis, using agency workers, pending a return to normal Assembly business.

Procurement Office

SMT noted ongoing procurement projects.

25. AOB

There was no other business.

26. Date of Next Meeting

It was agreed that the next meeting would take place on 31 January 2024.

27. Proposals for Agenda Items for Next Meeting

- Health and Safety Management Report 2023
- Business Case for Repairs and Maintenance
- Corporate Plan 2023 – 2028
- Review of Fraud Prevention and Anti-Bribery Policy and Response Plan
- Business Case for Electronic Resources and Journals
- Library Special Collection
- Procurement of a Broadcasting Technical Adviser Post Project Evaluation
- Printer Replacement Business Case
- IT Device Provision for Members and Assembly Commission Staff Business Case
- Quarterly Update Internal Communications
- Bill Drafting Solution Business Case
- Strategic Communications Update

The meeting ended at 4.15 pm.