

The Northern Ireland Assembly Commission

Meeting Venue: Parliament Buildings, Room 106

Meeting date: Tuesday, 19 March 2024

Meeting Time: 3.30 pm



Assembly Commission Members:

Edwin Poots, Speaker (Chairperson)

Sinéad Ennis MLA

Trevor Clarke MLA

Nuala McAllister MLA

Robbie Butler MLA

Colin McGrath MLA

Officials 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

Robin Ramsey, Adviser to the Speaker/Head of Corporate Support

Janet Hughes, Clerical Supervisor

Others in attendance:

Maurice Keady, Independent Member and acting Chairperson of the Assembly
Commission Audit and Risk Committee (ACARC)

David Lynn, Roof Project Manager (Item 11)

Alice McKelvey, Legal Adviser (Item 11)

Ken Eccles, Head of Usher Services/Security (Item 12)

Mary-Ellen Nutt, Head of IT (Item 13)

The meeting commenced at 4.06 pm.

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CHAIRPERSON'S BUSINESS

The Speaker welcomed Members to the first meeting of the newly constituted Assembly Commission, recognising that as well as new Members there were some returning Members.

The Speaker introduced Maurice Keady, Independent Member and acting Chairperson of ACARC, to new Members.

The Speaker advised that the Assembly Commission seeks to conduct its business by consensus as much as possible and only exceptionally, if agreement cannot be reached, would he consider whether a weighted vote is necessary. He also stated that if a matter could not be agreed on first discussion, it would be brought back for consideration at a future meeting, unless there was some urgency and time sensitivity for the matter to be settled.

The Speaker informed Members that contact had been made with those MLAs not currently represented on the Assembly Commission to determine if, and to whom, they intended their voting rights to be allocated among Members. The Speaker noted that no responses had as yet been received.

4. MINUTES OF PREVIOUS MEETINGS

It was noted that the minutes of the Assembly Commission meetings on 29 November 2023, 20 December 2023 and 19 January 2024 had been approved by correspondence and published.

The Speaker advised that minutes of closed sessions on 21 November 2023, 29 November 2023 and 20 December 2023 had also been approved by correspondence.

5. MATTERS ARISING

There were no matters arising.

6. COMMISSION ACTIONS

Members noted the status of actions.

7. CORRESPONDENCE

Members noted the following items of correspondence:

A letter from the former Speaker dated 20 December 2023 to the Unionist party leaders in relation to the erection of a Centenary Stone.

The Speaker advised that this letter and one from the former Speaker dated 4 January 2024 to the Deputy Secretary and Accounting Officer of the Executive Office, in relation to a memorial to Victims and Survivors of Historical Institutional Abuse (HIA), would be dealt with by Lesley Hogg in her report to the Assembly Commission at agenda item 8.

A letter from the former Speaker dated 8 January 2024 to the Permanent Secretary of the Department of Finance (DoF), in relation to community representation on the Stormont Estate.

A letter from Jim Allister KC MLA dated 19 January 2024 in relation to the erection of a portrait of His Majesty The King in Parliament Buildings. The Speaker invited Robin Ramsey to speak on this matter.

Mr Ramsey stated that there were two elements to be considered regarding Mr Allister's request, namely obtaining and displaying the portrait. Mr Ramsey said that he understood that Mr Allister's request was tied to the Cabinet Office scheme offering an official portrait of The King at no cost and that, while the scheme was scheduled to finish at the end of March, the Assembly Commission was able to obtain its own portrait if there was agreement.

Mr Ramsey noted that the Assembly Commission had previously agreed an inclusive package of items for display in Parliament Buildings, following a process including equality screening. Members agreed that advice should be brought to the next Assembly Commission meeting, including on equality screening, to allow formal consideration of this request.

Action: Mr Ramsey to prepare a paper for consideration at the next Assembly Commission meeting, addressing Mr Allister's request for the erection of a portrait of His Majesty The King in Parliament Buildings.

An email from Kellie Armstrong MLA dated 27 February 2024 requesting a review of remuneration for standing committees. In relation to this request, the Speaker proposed replying to Ms Armstrong on the basis that the Assembly Commission does not currently have the ability to request such a review and that it will separately be considering bringing forward legislation in relation to how MLAs' salaries are determined. Members were content with the proposed response.

Action: Speaker to respond to Ms Armstrong's request, as proposed.

A letter from the Chair of the Committee on Standards and Privileges dated 13 March 2024, in relation to recognition of the status of MLAs on Parental Leave. The Speaker invited Lesley Hogg to speak on this matter.

Mrs Hogg advised that the Assembly Commission's remit relates solely to the provision of allowances to enable MLAs to exercise their functions as MLAs. She also confirmed that the Assembly Commission has the ability to provide additional support to an MLA who is absent due to parental leave, to carry out the constituency work that the MLA would otherwise have undertaken. Mrs

Hogg stated that additional support could be made available to assist with constituency work through an increase to the Staffing Costs that are made available to an MLA, through the provisions of the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016.

Mrs Hogg noted that the former Assembly Commission had agreed that a revised Determination to provide such additional financial support should only be published once progress is made on a Bill to reform the functions of the Independent Financial Review Panel.

Action: Speaker to respond to the Chair of the Committee on Standards and Privileges.

8. CLERK/CHIEF EXECUTIVE UPDATE

Mrs Hogg noted that her report provided Members with an update on the key issues which had arisen since the last Assembly Commission meeting, and she highlighted the salient points.

Management Accounts – January 2024

Mrs Hogg advised Members of the position in relation to Resource DEL and Capital DEL as at 31 January 2024.

2024-25 Budget

Mrs Hogg noted that the Assembly Commission had considered an update to the Assembly's budget requirement for 2024-25 at a meeting on 19 January 2024 and that this had been presented to the Assembly's Audit Committee on 6 March 2024. Mrs Hogg advised that the Audit Committee had sought the Department of Finance's (DoF) view of the Assembly Commission's draft budget and she referred Members to DoF's subsequent response. Mrs Hogg stated that the Assembly Commission had an opportunity to respond to DoF by 22 March 2024, and sought Members views.

Steven Baxter provided further detail on the Assembly Commission's Resource DEL and Capital DEL requirements and, following discussion, Members agreed that a response should issue to DoF stating that the draft budget presented reflected the Assembly Commission's requirements for 2024-25.

Procurement and Roll Out of New Devices

Mrs Hogg noted that she had consulted with Members by email on 8 February 2024, regarding the purchase of new devices for Members, constituency office staff, party support staff and Assembly staff.

Legislative Drafting Solution Project Update

Mrs Hogg updated Members on the current position in relation to a replacement legislative drafting solution.

Corporate Risk Register

Mrs Hogg referred Members to the current Corporate Risk Register dated 1 December 2023.

Assembly Commission Audit and Risk Committee Membership and Recruitment of a New Chairperson

Mrs Hogg advised that, following the reconstitution of the Assembly Commission, there was a requirement for a Member to represent the Assembly Commission at ACARC meetings. She stated that the Assembly Commission had previously agreed that the role should be rotated among Members, normally on an annual basis, and that as Trevor Clarke had undertaken the role since May 2022, asked the Assembly Commission to nominate a Member to represent the Assembly Commission at ACARC. Robbie Butler agreed to replace Mr Clarke as the Assembly Commission representative.

Mrs Hogg noted that the position of Chairperson of ACARC was vacant, but proposed pausing the commencement of the recruitment of a new Chairperson, pending the outcome of an Internal Audit Review of Governance Arrangements currently being conducted. Members were content with this proposal.

Complaints to the Information Commissioner's Office (ICO)

Members were provided with an update on two complaints currently with the ICO.

Sensitivity Review

Mrs Hogg informed Members that the Senior Management Team (SMT) had approved a second release of files for transfer to the Public Record Office of Northern Ireland (PRONI) at the end of March 2024; the files due to be transferred; and that they were expected to be made available to the media in July 2024.

Centenary Stone

Mrs Hogg stated that following the Assembly Commission's decision to proceed to erect the Centenary Stone at its meeting on 29 November 2023, officials had developed an advanced plan with the stone on the right side of the entrance to Lord and Lady Craigavon's tomb. Mrs Hogg noted that officials were scheduled to meet with nominated representatives of the Unionist parties to finalise the contract.

Historical Institutional Abuse (HIA)

Mrs Hogg stated that following the Assembly Commission's decision to agree to an approach from The Executive Office to install a memorial bench to the victims of historical and institutional abuse in Parliament Buildings, in line with the recommendations of the Hart Report, Assembly Commission officials continued to engage with colleagues from The Executive Office.

The Speaker and other Members noted they had been contacted by some of the victims and survivors' groups, who had indicated that they did support the installation of a bench in Parliament Buildings as a memorial. Some Members also proposed that further consideration should be given to installing a bench in the grounds outside Parliament Buildings, as a more publicly accessible location.

Members agreed that the Speaker and officials should have further discussion with The Executive Office.

9. REVIEW OF THE FINANCIAL ASSISTANCE FOR POLITICAL PARTIES SCHEME ('FAPP SCHEME') 2016

The Speaker noted that a new FAPP Scheme had been considered by Members previously, on a number of occasions, but stated that the matter was pressing now following the resumption of normal Assembly business.

Mr Baxter advised that a new FAPP Scheme was last discussed by the Assembly Commission at its meeting on 13 February 2023, at which time Members still had differing views, and it was agreed that they would take the matter back to their parties.

Mr Baxter outlined three residual issues that required agreement. It was noted that Mrs Hogg and Mr Baxter had recently held a number of informal meetings with Members to discuss these issues in more detail and that the views expressed by Members at those meetings had been reflected in the paper presented.

Sinéad Ennis left the meeting at 5.05 pm.

Mr Butler expressed concern about the issues of support for parties and support for Opposition being considered collectively, rather than separately. He stated that the proposal in front of the Assembly Commission did not reflect some of the principles he had emphasised in earlier discussions.

Sinéad Ennis re-joined the meeting at 5.06 pm.

Mr Clarke proposed that the Assembly Commission accept the figures as set out in Table 2 of the paper.

As the matter had been discussed on a number of occasions and the support to parties and the Opposition required a decision due to the return to normal Assembly business, the Speaker agreed to put the matter to a vote.

For:

Sinéad Ennis MLA	27 votes
Trevor Clarke MLA	24 votes
Nuala McAllister MLA	17 votes
Colin McGrath MLA	8 votes
Total:	76 votes

Against:

Robbie Butler MLA	9 votes
Total:	9 votes

The Speaker noted that Mr Butler had raised strong opposition against Mr Clarke's proposal.

On considering when the FAPP Scheme should be effective from, Members agreed a date of 1 April 2024.

10. ASSEMBLY MEMBERS (REMUNERATION BOARD) BILL

Tara Caul noted that the Assembly Members (Remuneration Board) Bill (the Bill) was introduced in the Northern Ireland Assembly (the Assembly) in December 2020, but was not moved at Second Stage.

Ms Caul outlined the current legislative position and provided an overview of the history and background in relation to this matter.

Ms Caul stated that as the Assembly had resumed normal business it was necessary to confirm if Members were content with the policy position of the two previous Assembly Commissions; content for officials to proceed with due diligence checks on the proposed draft Bill, to ensure it remains fit for purpose; and confirm whether further consultation should be undertaken with the Parties.

Ms Caul recommended proceeding with due diligence checks on the draft Bill at the earliest opportunity.

Members discussed the draft Bill and confirmed that they were content for officials to proceed on the basis of the policy position of the two previous Commissions, but requested that some further amendments be incorporated.

Officials agreed to bring a new draft Bill to the next meeting. A decision on consultation was deferred until the next meeting.

Action: Ms Caul to prepare a further paper and revised Bill for consideration at the next Assembly Commission meeting.

David Lynn and Alice McKelvey joined the meeting at 6.00 pm for item 11.

Colin McGrath left the meeting at 6.00 pm.

11. DEFECTS IN THE ROOF OF PARLIAMENT BUILDINGS

David Lynn provided Members with an update on the current position regarding the High Court action in respect of the defects in the roof of Parliament Buildings.

Mr Lynn advised Members of the actions that had taken place since the last update provided to the Assembly Commission at its meeting on 29 November 2023.

Colin McGrath re-joined the meeting at 6.02 pm.

Mr Lynn noted that at a meeting in February 2024 of the legal advisers and expert witnesses, it was agreed that, given the ongoing deterioration and associated health and safety issues, the Assembly Commission could choose to undertake remedial works to address all of the defects, should that prove necessary.

Mr Lynn advised that officials were in discussions with CPD regarding proposed remedial works to the high-level parapet and that these discussions had been extended to include remedial works to address the defects in all affected areas.

Members noted the current position and proposal to proceed with remedial work to all affected areas.

David Lynn and Alice McKelvey left the meeting at 6.12 pm.

Ken Eccles joined the meeting at 6.12 pm for agenda item 12.

12. SERVICE LEVEL AGREEMENT BETWEEN NORTHERN IRELAND ASSEMBLY COMMISSION AND THE POLICE SERVICE OF NORTHERN IRELAND

Ken Eccles noted that the current Service Level Agreement (SLA), in respect of the provision of policing at Parliament Buildings, was due to expire on 31 March 2024 and sought approval to continue the provision of policing at Parliament Buildings by virtue of a new SLA, for the period 1 April 2024 to 31 March 2027.

Mr Eccles provided some background in relation to the service provided by the PSNI and it was noted that the projected costs of the new SLA were based upon a revised charging model.

Nuala McAllister left the meeting at 6.20 pm and re-joined at 6.23 pm.

Following discussion, Members approved the proposed new SLA for the period 1 April 2024 to 31 March 2027.

Ken Eccles left the meeting at 6.30 pm.

Mary-Ellen Nutt joined the meeting at 6.30 pm for agenda item 13.

13. CONSTITUENCY OFFICE PRINTER REPLACEMENT PROJECT

Gareth McGrath and Mary-Ellen Nutt presented a paper, the purpose of which was to seek approval of an uplift to MLAs' Constituency Office Operating Expenses (COOE) budgets, to enable MLAs to procure their own print capability for their constituency offices.

Dr McGrath advised that it was intended that the printing capability in Members' constituency offices would be delivered through a leased Managed Print Service and that, under this model, MLAs would have the choice to procure service provision from the Assembly Commission contract or an alternative supplier of their choice.

Following discussion, Members approved the proposed uplift to MLAs' COOE budgets to enable them to procure their own print capability for Constituency Offices, through the publication of a new Members' Expenses Determination.

Mary-Ellen Nutt left the meeting at 6.47 pm.

14. DECISIONS MADE VIA CORRESPONDENCE

Members noted the following decisions made via correspondence since the last meeting:

Lighting Requests:

- Northern Ireland Rare Disease Partnership, Light up for Rare Campaign – **Approved**
- The Executive Office, Second Anniversary of the Ukraine War – **Declined**
- Marie Curie Northern Ireland, Marie Curie Day of Reflection – **Declined**

- Hope4ME & Fibro NI, Tenth Anniversary – **Approved**
- Royal Canadian Air Force Centennial – **Approved**

15. AOB

Constituency Offices – Gas and electricity costs

Nuala McAllister stated that current COOE allowances were insufficient to cover the cost of gas and electricity in some constituency offices and queried whether additional support was available to Members in this situation. It was agreed that this issue would be addressed in the paper being prepared regarding the review of the Assembly Members (Salaries and Expenses) Determination.

Constituency Office Security Measures

Colin McGrath asked if any additional monies could be allocated from the budget for constituency office security measures.

Mrs Hogg referred Members to the Assembly Commission meeting on 29 November 2023 when, following consideration of a paper on the Review of Security Arrangement for Members, it was agreed that Members would take time to consider the proposals and engage with officials directly regarding any specific circumstances or considerations before considering the matter further.

It was agreed that a paper would be prepared for the next Assembly Commission meeting on the issue of Members' security and Mrs Hogg proposed holding individual meetings with Members to inform said paper.

Action: Mrs Hogg to arrange individual meetings with Members to discuss security measures.

Assembly Commission Oral Questions – 19 March 2024

Mr Clarke referred to a response provided by Mr Colin McGrath during Assembly Commission oral questions in the Chamber, which he stated did not reflect the Assembly Commission's corporate position. This was noted. Mr Ramsey advised that responses to oral question should always be in line with the Assembly Commission's corporate position and officials provided briefing on this basis

16. DATE OF NEXT MEETING

The Speaker noted that officials would be in touch with a date for the next meeting.

The meeting ended at 6.55 pm.