

The Northern Ireland Assembly Commission

Meeting Venue: Parliament Buildings, Room 106

Meeting date: Monday, 13 February 2023

Meeting Time: 1.30 pm



Assembly Commission Members:

Alex Maskey, Speaker (Chairperson)

Trevor Clarke MLA

John Blair MLA (joined remotely)

Robbie Butler MLA

Dolores Kelly

Officials present:

Lesley Hogg, Clerk/Chief Executive

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:

Pat Sheehan MLA

Maurice Keady, Independent Member of the Assembly Commission Audit and Risk Committee

David Lynn, Roof Project Manager (Item 10)

Jonathan McMillen, Head of Legal Services (Item 10)

Frank Geddis, Clerk Assistant (Item 12)

Stella McArdle, Assembly Clerk (Item 12)

The meeting commenced at 1.32 pm.

1. APOLOGIES

There were no apologies, however, the Speaker noted that John Blair MLA would be joining the meeting later.

2. DECLARATIONS OF INTEREST

None.

3. CHAIRPERSON'S BUSINESS

The Speaker welcomed Maurice Keady, Independent Member of the Assembly Commission Audit and Risk Committee, to his first Assembly Commission meeting.

4. DRAFT MINUTES OF PREVIOUS MEETINGS

Minutes from the Assembly Commission meeting on 10 October 2022 were approved for publication.

5. MATTERS ARISING

There were no matters arising.

6. COMMISSION ACTIONS

Members noted the status of actions.

Lesley Hogg referred Members to an outstanding action in relation to the views of Members being provided on potential changes to incorporate the Assembly Commission's budget setting process into Standing Orders. She noted that the absence of a functioning Assembly meant that changes to Standing Orders could not be made at this time, but stated that in the interim, it would be helpful if Members could inform Richard Stewart of their Parties' views on this matter.

Action: Mr Stewart to arrange for the paper on the Assembly Commission's budget setting process, presented at the Assembly Commission meeting on 9 February 2022, to be re-circulated to Members, with a request that they provide him with their Parties views on potential changes to Standing Orders.

7. 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 – December 2022

Mrs Hogg advised Members of the current forecast expenditure for 2022/23 and underspends in both Resource and Capital DEL against the Main Estimate position. Mrs Hogg noted that the underspend in Resource DEL was primarily due to the fact that the Assembly had not yet resumed normal

business and reflected underspend in staff salaries, administration costs and MLAs' constituency costs (including staff). In relation to the current underspend in Capital DEL, Mrs Hogg informed Members that this was likely to be utilised by other emerging capital requirements.

Plans for Staff

Mrs Hogg informed Members that during the last political impasse between January 2017 and January 2020, the then Assembly Commission had adopted three principles, namely, Retaining Readiness, Maximising Use of Public Resources and Supporting and Motivating Staff. Mrs Hogg stated that these had been effective in guiding both the recommendations brought to the Assembly Commission by Assembly Commission officials and the resulting decisions made by the Assembly Commission. In light of the current political impasse, Mrs Hogg recommended the adoption of the three principles again as they had served the Assembly Commission well previously and were still very relevant to the current period.

Members agreed that it would be useful to review the political situation at the end of March 2023, but indicated that they were content with the recommendation.

Mrs Hogg advised Members that while the Assembly had recently advertised some posts for recruitment, business need was the key consideration in relation to which posts were filled in the current circumstances.

Support Services Contract

Mrs Hogg noted that the new Support Services contract had been awarded to Aramark and that it had commenced on 9 January 2023.

Procurement for Replacement Laptops

Mrs Hogg informed Members of a requirement to replenish the current end-of-life laptop stock, to ensure that all Assembly Commission staff who are hybrid working have a Commission-issued device. Mrs Hogg stated that although these had been budgeted for in the 2023/24 financial year, she planned to bring forward the procurement to the current financial year and make use of available capital funds. Under her Letter of Delegation, Mrs Hogg advised that she was required to consult the Assembly Commission regarding the expenditure for this project. Members were content.

Procurement of a new Secure Remote Access (SRA) Solution

Mrs Hogg advised that the current SRA solution needed replaced and advised that she was required to consult the Assembly Commission regarding the expenditure for this project. Members were content.

Training for all staff on 31 March 2023

Mrs Hogg notified Members of a training event for all Assembly Commission staff being held in Parliament Buildings on Friday, 31 March 2023. She stated that in order to maximise the opportunity for all staff to participate, it would be necessary to close the building to the public that day and she sought confirmation from Members that they were content. Members were content.

'Holiday Pay' Claims

Mrs Hogg advised Members of the current position in relation to the 'holiday pay' claims.

Reference by the Attorney General for Northern Ireland

Mrs Hogg advised Members of the recent decision of the UK Supreme Court confirming that a provision of the Abortion Services (Safe Access Zones) Bill, referred by the Attorney General for Northern Ireland, was within the legislative competence of the Assembly.

Pay Claim 2023

Mrs Hogg noted that NIPSA had lodged its pay claim for 2023 and advised Members that a paper would be prepared on the elements of the claim, for consideration at the next Assembly Commission meeting

Action: Mr Stewart to prepare a paper on the Pay Claim for 2023, for consideration at the next Assembly Commission meeting.

Director of Corporate Services

Mrs Hogg informed Members that Mr Stewart had been engaged on an agency basis, three days per week as an interim measure, pending the commencement of the new Director of Corporate Services on 17 April 2023.

Change to agenda running order.

David Lynn and Jonathan McMillen joined the meeting at 1.51 pm for item 8.

11. DEFECTS IN THE ROOF OF PARLIAMENT BUILDINGS

David Lynn provided Members with an update on the current position with regard to the potential legal action against those responsible for undertaking the roof refurbishment works.

Members noted the current position.

David Lynn and Jonathan McMillen left the meeting at 1.55 pm.

14. TRANSFERRING THE ASSETS OF POLITICS PLUS TO THE NORTHERN IRELAND ASSEMBLY COMMISSION

Gareth McGrath noted that on 17 June 2019 the Trustees of Politics Plus resolved to wind up the organisation.

Dr McGrath outlined the proposed methodology for transferring the assets of Politics Plus to the Assembly Commission, with a recommendation that the Assembly Commission agrees to the transfer to it the assets of Politics Plus. Members were content with the recommendation.

15. PROGRAMME OF EVENTS TO MARK THE 25TH ANNIVERSARY OF THE BELFAST/GOOD FRIDAY AGREEMENT AND OF THE FIRST SITTING OF THE ASSEMBLY

Dr McGrath presented a paper which provided a draft programme of events to mark the 25th anniversary of the Belfast/ Good Friday Agreement and the first sitting of the Assembly.

Dr McGrath noted that most of the events would be Speaker led in line with the Speaker's normal representational responsibilities.

Robin Ramsey noted that the programme currently reflected the fact that the North-South Inter-Parliamentary Association had yet to be reconstituted but that there would be North/ South and East/ West involvement across the full range of events.

16. AGREEMENT OF AN INITIAL ASSEMBLY COMMISSION POSITION FOR THE EXECUTIVE OFFICE ON A MEMORIAL TO VICTIMS OF HISTORICAL INSTITUTIONAL ABUSE

Mr Ramsey presented a paper seeking agreement of an initial Assembly Commission position for The Executive Office, on a memorial to victims of historical institutional abuse.

Mr Ramsey referred Members to the recommendation of the Hart Inquiry into Historical Institutional Abuse, that a suitable physical memorial should be erected in Parliament Buildings, or in the grounds of the Stormont Estate. He updated Members on initial discussions between Assembly Commission and Executive Office officials, who were working on preparing advice in relation to the recommendation, for incoming Ministers.

Mr Ramsey outlined to Members the factors in favour of an external location, planning and practical constraints within Parliament Buildings, and the advantages and disadvantages of potential locations within Parliament Buildings.

The Assembly Commission supported continued engagement with The Executive Office on the recommendation to see a memorial established and agreed an initial Assembly Commission position to inform The Executive Office's development of this matter.

Action: Mr Ramsey to provide The Executive Office with the Assembly Commission's initial position on a memorial to victims of historical Institutional Abuse.

17. ASSEMBLY COMMISSION ANNUAL PLAN 2022-23: IN-YEAR REVIEW TO 30 NOVEMBER 2022

Mr Stewart presented the Annual Plan 2022-23 In-year Review as at 30 November 2022, which provided Members with updates on progress against each Outcome.

Mr Stewart advised that a further update would be provided to Members following year-end and included in the Assembly Commission's Annual Report and Accounts for 2022-23.

18. APPROVAL OF THE NORTHERN IRELAND ASSEMBLY COMMISSION EQUALITY SCHEME 2022-26, AUDIT OF INEQUALITIES REPORT AND ACTION PLAN 2022-26 AND GOOD RELATIONS ACTION PLAN 2022-25 FOLLOWING PUBLIC CONSULTATION

Mr Stewart informed Members that public consultation had taken place between August and November 2022 in relation to, the Northern Ireland Assembly Commission Equality Scheme 2022-26, the Audit of Inequalities Report and Action Plan 2022-26 and the Good Relations Action Plan 2022-25.

He subsequently presented the documents to Members in their final form, taking account of consultation responses and sought approval to publish and implement.

Members were content for the documents as presented, to be published and implemented.

9. ASSEMBLY COMMISSION BUDGET 2023-24

Mr Stewart presented a paper on the Assembly Commission Budget 2023-24, which he stated had been prepared in light of a recent request received from the Department of Finance (DoF).

Mr Stewart informed Members that DoF was seeking savings plans from Government Departments and that whilst recognising that the Assembly Commission's budget does not fall within the Executive's budget setting process, had invited the Assembly Commission to model reductions as per

those requested from Government Departments (i.e. reductions of 10% and 15% in 2023-24).

Mr Stewart noted that the Assembly Commission budget for the three-year period from 2022-23 to 2024-25 was agreed by the Assembly on 23 February 2022 and provided Members with information on the impact that a cut at levels outlined would have on services in 2023-24. He also advised Members of the pressures that had emerged since the budget had been agreed by the Assembly.

Following discussion, in light of the fact that the Assembly Commission's budget is used to provide services to the Assembly and taking into account the additional pressures that had emerged since the Assembly Commission's budget had been approved by the Assembly, it was agreed that the Assembly Commission would continue to consider efficiencies that could be delivered and make every effort to deliver the wide range of services required by the Assembly in the most cost effective way.

The Assembly Commission noted that a reduction in the Assembly Commission's budget would have an impact on the support it could provide to the Assembly, particularly at a time when there were increasing demands for the Assembly Commission to provide new and additional services and initiatives to the Assembly.

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

The Speaker noted that FAPP had been considered on a number of occasions, most recently at the Assembly Commission meeting on 10 October 2022, when Members considered the proportionate level of funding between larger and smaller parties and asked for further information on the arrangements in other legislatures.

Mr Stewart noted that Mrs Hogg had held a number of meetings with Members to discuss the proportionate level of funding between larger and smaller parties and presented a paper reflecting the views expressed at those meetings, along with an analysis of the arrangements in other legislatures.

Mr Stewart noted that one of the key concerns expressed by Members previously was how funding might be allocated to a party that is in Opposition, and provided Members with figures in relation to the base level of funding, as well as the level of funding per MLA. He also provided figures on the funding that would be available to parties in the Assembly based on current party strength, if the figures for the base levels of funding as advised were applied. Mr Stewart then sought Members views on the rates for the base level of funding, as outlined.

In discussion, it was evident that Members still had differing views and it was agreed that they would have further discussions with their Parties and then meet again with Mrs Hogg and Mr Stewart with a view to reaching agreement.

Mrs Hogg noted that Members needed to be mindful that when the Assembly resumed normal business, if some Parties elected to go into opposition, there would be no extra funding for an Opposition until a new FAPP scheme is approved by the Assembly.

Frank Geddis, Clerk Assistant and Stella McArdle, Assembly Clerk, joined the meeting at 3.02 pm for item 12.

12. REVIEW OF THE SIGN LANGUAGE PILOT

Frank Geddis and Stella McArdle presented a paper detailing the findings of a review of the Sign Language Pilot, carried out from November 2021 to March 2022.

Mr Geddis noted that the pilot covered the provision of one signing per week in both British Sign Language and Irish Sign Language.

Ms McArdle stated that the pilot was well received by the deaf community, which had indicated a desire for more interpretation services.

John Blair MLA joined the meeting at 3.06 pm.

Mr Geddis noted that some recommendations had been made following conclusion of the pilot and he sought Members agreement:

- to an increase in the provision of sign language interpretation to 2.5 hours of plenary and/or committee business each week; and
- that certain special events such as the first sittings in a new mandate, tributes such as that to Her Late Majesty, VIP addresses to the Assembly, etc. are sign language interpreted.

Mr Geddis also stated that while the staff resource required to manage the provision of sign language interpretation and the involvement of the deaf community should decrease as it 'beds in', it represents a new call on staff time and therefore an opportunity cost.

Members noted the staff resource requirements and were content with the recommendations as outlined.

Frank Geddis and Stella McArdle left the meeting at 3.07 pm.

13. REQUEST FOR SIGN LANGUAGE PROVISION

The Speaker referred Members to a letter from Pam Cameron MLA, noted at the last meeting on 10 October 2022, which sought Assembly Commission

funding for sign language interpretation for meetings organised by MLAs. It was agreed at that time that Assembly Commission officials would prepare an advice paper on the request.

Mr Stewart subsequently presented a paper that provided background on the support available for Members in other legislatures, the ways in which support could be provided, and the attendant constraints and caveats.

Following discussion, Members asked whether MLAs could avail of frameworks already agreed by the Assembly Commission for sign language interpretation services.

Action: Officials to investigate the possibility of MLAs using any framework agreed by the Assembly Commission.

7. CORRESPONDENCE

The Speaker noted that one piece of correspondence had been received since the last meeting on 10 October, namely a letter dated 6 February 2023 from the Rt Hon Jeffrey Donaldson MP, Mr Doug Beattie MC MLA and Mr Jim Allister KC MLA, requesting consent to the siting of a centenary stone at the west side of Parliament Buildings.

The Speaker advised that a similar request had been received in January 2021 from the Rt Hon Arlene Foster MLA, Dr Steve Aiken OBE MLA and Mr Jim Allister QC MLA, and considered at an Assembly Commission meeting on 17 February 2021, at which time the required consensus for centenary events and initiatives could not be reached. He added that a formal decision on the proposal for a centenary stone was subsequently sought via written procedure in March 2021 but that consensus could not be reached and the proposal did not proceed any further.

The Speaker advised that it remained the case that consensus was required for any proposal for the Assembly Commission to mark centenaries and he sought Members views on the request.

There was consensus amongst the four Assembly Commission Members to agree to the proposal. Pat Sheehan MLA expressed concern about revisiting a previously taken decision, particularly at a time when the votes of a significant number of MLAs were not formally represented on the Assembly Commission. The Speaker noted that he had been advised that agreement amongst the four Members entitled to vote at the Assembly Commission represented a valid decision by consensus.

Mr Ramsey noted that while the centenary stone was being paid for and gifted by unionist MLAs, the Assembly Commission retained responsibility for items being placed on the grounds adjacent to Parliament Buildings and would have to have control of the process to give effect to the decision.

Action: Speaker to write to the Rt Hon Jeffrey Donaldson MP, Mr Doug Beattie MC MLA and Mr Jim Allister KC MLA, advising them of the Assembly Commission's decision in relation to their request.

18. DECISIONS MADE VIA CORRESPONDENCE

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

Lighting Requests:

NSPCC, "Walk for Children" charity event – **Approved.**

Encephalitis Society, World Encephalitis Day (Tenth Anniversary) – **Approved.**

19. AOB

There was no other business.

20. DATE OF NEXT MEETING

The Speaker proposed holding the next meeting in April, but stated that an earlier meeting would be held, if required.

The meeting ended at 3.36 pm.