

The Northern Ireland Assembly Commission

Meeting Venue: Parliament Buildings, Room 106

Meeting date: Wednesday, 20 November 2024

Meeting Time: 10.00 am



Assembly Commission Members:

Edwin Poots MLA, Speaker (Chairperson)

Sinéad Ennis MLA

Trevor Clarke MLA

Nuala McAllister MLA

Andy Allen MBE MLA

Colin McGrath MLA

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

The meeting commenced at 10.20 am.

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MATTERS ARISING FROM THE ERNST AND YOUNG (EY) INTERNAL AUDIT OF CORPORATE GOVERNANCE ARRANGEMENTS

The Speaker noted that the meeting had been scheduled to conclude consideration of the paper presented at the Assembly Commission meeting on 16 October 2024 on 'Matters Arising from the EY Internal Audit of Corporate Governance Arrangements'.

The Speaker stated that Tara Caul had provided a comprehensive presentation on the detail of EY's report on the Review on Corporate

Governance Arrangements at the previous meeting and that the Acting Chairperson of the the Assembly Commission Audit and Risk Committee (ACARC) had also provided his views on the recommendations at that meeting.

The Speaker therefore proposed that Members consider the report recommendations in turn with a view to agreeing responses for incorporation into the Management Responses section of EY's report.

Ms Caul and Lesley Hogg provided a summary of the recommendations. In general, Members were content that current Assembly Commission arrangements were in line with governance requirements, best practice and the position in other similar bodies. In this context, Members expressed some concern that the recommendations did not recognise where the proposed activities were already taking place.

However, Members agreed that a number of proportionate measures could be taken to enhance and improve the current governance arrangements.

- Members were content that the existence of ACARC as an advisory committee, combined with the ability to appoint specialist advisers on an ad hoc basis, is a proportionate approach to ensuring that the necessary skills and levels of expertise are accessible when required.
- Members agreed to appoint an additional Independent Member to ACARC from the recent ACARC recruitment competition which was chaired by the Speaker.
- Members noted that the revised Terms of Reference will be presented to ACARC for consideration at the next ACARC meeting in February 2025. Thereafter, Members were content that the annual review by ACARC of the Terms of Reference is sufficient. In line with normal practice, any proposed revisions to the Terms of Reference will be submitted to the Assembly Commission for approval.
- Following revision of the ACARC Terms of Reference to provide greater clarity, Members were content that respective roles are clear.
- Members were content that the ACARC Terms of Reference require four meetings per annum to be held and this will continue to be the case in future.
- Members noted that the ACARC Chairperson is already invited to attend the majority of Assembly Commission meetings and were content that this will continue.
- Members agreed that ACARC minutes, in addition to being published, should be circulated to all Assembly Commission members when approved. In addition, Members agreed that approved ACARC minutes will be tabled at Assembly Commission meetings.

- Members were content that under the ACARC Terms of Reference, the ACARC Chairperson has a right of access to the Speaker, as Chairperson of the Assembly Commission, and, as such, may at any time make a request to the Speaker to address the Assembly Commission on specific matters, without officials being present. Therefore, this renders an automatic requirement to report in private periodically, without the presence of officials, unnecessary.
- Members noted that it had already been agreed to amend the ACARC Terms of Reference to specify that the Speaker will conduct appraisals of the ACARC Chairperson and Independent members.
- Members noted that there is a standing item on the ACARC agenda in relation to fraud and whistleblowing cases and this ensures that ACARC are properly informed. ACARC also consider the Fraud Prevention and Anti-Bribery Policy, the Fraud Prevention and Anti-Bribery Self-Assessment Checklists and Action Plans and the Whistleblowing Policy. Members were therefore content with the current arrangements for the investigation of fraud and whistleblowing cases.
- Members noted that mechanisms for private meetings between ACARC and internal and external audit without officials present were already provided for in the ACARC Terms of Reference, but that it had been agreed to clarify them to make it clear that these meetings should be held bilaterally on an annual basis.
- Members noted that key summary papers are currently provided in ACARC packs but that officials will liaise with the new Chairperson of ACARC in relation to their preferred approach to papers.
- Members agreed that all members of the Assembly Commission and ACARC will undertake mandatory governance training, including risk management training.
- Members noted that it was already planned to incorporate the definition of closed sessions of Assembly Commission and the process for minute taking into the Assembly Commission handbook.
- Members noted that the Assembly Commission handbook states that “the agenda and papers will be issued, where practicable no later than two working days before each meeting” and were content to retain these arrangements.
- Members noted that the process of issuing papers for Assembly Commission meetings has varied under different Speakers and that the current Speaker’s intention is to review all papers in advance of issue to the Assembly Commission.

- Members were content that the current arrangements for approval of the Senior Management Team Terms of Reference are consistent with other legislatures and remain appropriate.
- Members were content that the Clerk/Chief Executive intended to seek a review of her letter of delegation.
- Members were content that the Clerk/Chief Executive brings those matters that are outside her delegated authority to the Assembly Commission for formal approval and that no further action needs to be taken in this regard.
- Members were content that officials would incorporate the decisions made into the Management Responses section of EY's report, and it was agreed that a copy of the report would be provided to Members at the next Assembly Commission meeting, for information.

4. AOB

Assembly Commission Oral Questions

The Speaker reminded Members that Assembly Commission Question Time was scheduled for 3 December 2024, with questions expected by the end of the week.

Assembly Commission 2025-26 Budget

The Speaker proposed bringing the Assembly Commission 2025-26 Budget motion to the floor of the House on 9 December 2024 and he sought Members to move and wind the short debate. Sinéad Ennis and Trevor Clarke agreed to move and wind the debate respectively.

Employer National Insurance Contributions

Members referred to the recent Westminster Budget and expressed concern at the impact the Employer's National Insurance (ENI) increase would have on MLAs' ability to continue to pay staff under the Financial Assistance for Political Parties (FAPP) Scheme, as most parties use FAPP to pay for staffing support, and asked whether FAPP could be increased to accommodate this.

Mrs Hogg advised that this was not provided for in the 2025-26 Budget, (noting that a 3% increase had been budgeted for and, as CPI was likely to be less than this, there was likely to be some headroom) and that any increase in excess of CPI would require a new FAPP Scheme.

Members concerns were noted and it was agreed that a paper would be prepared for the January Assembly Commission meeting outlining the financial implications of the increase in ENI for MLAs.

Action: Steven Baxter to prepare a paper for consideration at the January Assembly Commission meeting, outlining financial implications of the increase in ERNI for MLAs.

Visiting Parliament Buildings

Members discussed the process for visitors entering Parliament Buildings.

Action: Mrs Hogg to update Members on any changes in process for visitors entering Parliament Buildings.

Assembly Commission Audit and Risk Committee (ACARC) Recruitment

Mrs Hogg informed Members that Dr David Murphy had been appointed as the new Independent Chair of ACARC and Ivor Johnston as the new Independent Member.

5. DATE OF NEXT MEETING

The Speaker noted that officials had been in contact with Members to seek availability for the next meeting in January 2025, but stated that if decisions were required on any matters earlier than this a short meeting could be arranged.

The meeting ended at 11.02 am.