

Dr Kevin Pelan
Committee Clerk
Committee for Social Development
Room 412
Parliament Buildings
Ballymiscaw
Belfast
BT4 3XX

2nd Floor
Lighthouse Building
1 Cromac Place
Gasworks Business Park
Ormeau Road
BELFAST
BT7 2JB

Telephone: 028 9082 9346
Facsimile: 028 9082 9324
EMail: Michael.sands@dsdni.gov.uk

27 October 2014

Dear Kevin

SDC Inquiry – Phase 3 evidence session

I refer to your letter dated 16 October 2014 advising that the Committee agreed that it should hear oral evidence from me on 6 November 2014.

I confirm that I will attend and in advance of my attendance please find a written briefing at Annex A.

Yours sincerely



Michael Sands

Written Briefing from Michael Sands in advance of attendance at the SDC Inquiry meeting on 6 November 2014.

- A conversation I had with Cllr Jenny Palmer about the telephone call by Mr Brimstone to Cllr Palmer regarding termination of the Red Sky contract.
- My account of what was discussed during my conversations with Mr Brimstone and Cllr Palmer.
- My discussions / communications with Mr Brimstone that led to an email being sent by me to Mr Rowntree on 5th July 2011, in which I outlined the views of the Special Advisor in relation to the timeframe for continuation by the Red Sky Administrator.

On the 19th September last year I attended a monthly meeting of the Housing Council Housing and Regeneration Committee in Banbridge Council offices. As was usual, lunch was provided for the Councillors and officials who attended the meeting. At the lunch table I was seated beside Jenny Palmer. This was the first meeting of the Committee since June following the Summer Recess. This was a casual conversation over lunch about how the summer had been. Jenny Palmer raised the Spotlight programme and her interview which was broadcast. During this conversation she mentioned an e-mail which had been sent to the Chair of the NIHE on the morning of the Board meeting when the Red Sky contract was terminated. To get clarity around whether she was referring to another e-mail I may not have been aware of, or the e-mail which I sent to the Chairman, I asked her if she was aware of an e-mail sent by the Department to the Chair. I did not mention that I was the sender.

Jenny Palmer confirmed that it was my e-mail and that it should be in our system. I did not say that Mr Brimstone was “going mad” trying to find it as I was fully aware that my e-mail was in our system and available to anyone to see under FOI. Jenny Palmer went on to ask me if I was in the room when Mr Brimstone rang her. I said most definitely not and that officials in the Department only learned of the phone call after the event when Brian Rowntree informed Will Haire. Mr Brimstone did not

come to me personally, at any time, to inform me of the phone call; neither did I have any discussion with Mr Brimstone about this issue.

Following on from the Minister's letter to the Chairman on 1 July, the Housing Executive Board were meeting on 5 July 2011 to discuss the Minister's request. Mr Brimstone arrived into my office on the morning of 5 July and asked that I email the Chairman that morning, prior to the Board meeting, suggesting that six months (as per the Minister's letter) was too long a timeframe for continuation of the contracts by the Red Sky Administrator. Advice had been sought from Central Procurement Directorate (CPD) which indicated that 91 days was required to complete a tender exercise once all the paper work had been prepared. Therefore, allowing one month for the paperwork and three months for the tender exercise, four months was more appropriate. The Chairman was asked if the question could be put to the Administrator to ascertain if they would be able to continue with the response maintenance service for a minimum period of four months rather than the six months referred to in the Minister's letter.