

**CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND
SUMMARY RECORD OF BUSINESS MEETING
WEDNESDAY 5 APRIL 2023, 10.00AM
ERSKINE HOUSE, BELFAST**

ATTENDEES:

Commissioners

Deirdre Toner, Chairperson
Sinead Burns
Lesley Carroll

Secretariat

Amanda Martin Secretary
Joanne Wray, Deputy Secretary
Heather Caulfield
Jayne Logan

APOLOGIES:

None

INTRODUCTION AND PRE-MEETING BUSINESS

1. The Chairperson welcomed everyone to the meeting.

ANY OTHER BUSINESS

- 1a. No items were raised as additional business:

ACTION MATRIX OF SEPTEMBER BUSINESS MEETING (Paper 08/23)

- 1b. Commissioners agreed the Summary Record and action points from the 17 January 2023 Business Meeting.

MATTERS ARISING AND CONFLICTS OF INTEREST

- 1c. No conflicts of interest were declared in relation to April's business meeting agenda and papers.

SECRETARY'S REPORT (Paper 09/23 Annex A, B, C, D, E & F)

2. The Secretary presented the Secretary's Report and outlined the key outputs and activities in addition to routine and ongoing activities (key management information presented in Annexes) since the last business meeting on 17 January 2023 that included:

- Engagement with NICSHR and Permanent Secretary, DAERA, on the competition for Deputy Chief Veterinary Officer;
- Engagement with NICSHR (Recruitment and Selection Transformation Group) to further the delivery of Recommendation 3.4 of the NIAO Report;
- Engagement with Kavalneer Walia, Chief Executive of the UK Civil Service Commission, on Commissioners' visit to UK Civil Service Commission in September 2023 and Exception 6 in their Recruitment Principles which relates to Interchange with the NICS;
- Engagement with NICSHR and the NICS on issues relating to:
 - Recruitment Competition for Deputy Chief Veterinary Officer – Conflict of Interest;
 - Shortlisting of high volume SCS recruitment exercises;
 - Declaration and Conflict of Interest in Recruitment Competitions and Mechanisms for ensuring they are effectively sought and recorded – Review of policy and pre-interview forms ongoing;
 - Transfer of NI Civil Servants to UK Civil Service, current practice and the interpretation of Exception 6 of the UK Civil Service Commission's Principles.
 - Ministerial Involvement in SCS Recruitment Competitions/ Recruitment Code; and
 - Use of Merit Lists.
- Engagement with NIO generally on:
 - Financial Management and Budget Forecasting;
 - Options for budget savings;
 - Staffing proposals;
 - Routine governance and stewardship issues; and
 - Occupancy costs for Erskine House and associated IT.
- Re-arrangement of meeting with the HOCS and Representatives of the NICS Board, which is now scheduled for Thursday 23 May 2023;
- Management of Twitter Account;
- Preparations for Commissioners' blog to feature on the OCSC Website;
- Preparation for Commissioners' Ad Hoc Meeting on 14 March 2023;
- Compilation of a colour-coded report of outputs, following on from the recommendations of the NIAO Report on Capacity and Capability in the NICS and the associated PAC report;

- Significant Audit work;
- Code of Ethics
 - Training delivered by Dolores Rooney, CSO, on 23 March 2023;
 - Commissioners' Guidance;
 - Consideration of Concerns received.
- Scheduling Meetings with counterparts in ROI and UK and making travel arrangements for:
 - Meeting with Commission for Public Appointments and the Public Appointments Service, Dublin on 7 June 2023; and
 - Meeting with UK Civil Service Commissioners, London on 11 September 2023.
- Secretariat's attendance at "Women Into Leadership" Conference (22 February 2023 at Titanic, Belfast);
- Commissioners' attendance at the NI Leadership and Governance Conference (1 March 2023 at La Mon House Hotel). During Café Conversations, Commissioners met with the NI Public Service Ombudsman (Margaret Kelly) and Dr John Kelly, Fingerprint Learning. Dr Kelly has subsequently agreed to meet with Commissioners and share his findings and insights from recent work at a meeting on 12 May 2023.
- Work on Policy Reviews:
 - Chairing of SCS Competitions – Commissioner Unavailability at Short-Notice;
 - Data Sharing Agreement with NICSHR; and
 - OCSC Privacy Notice (Updated).
- Consideration of a Data Sharing Agreement with the NICS for the purposes of considering Appeals under the NICS Code of Ethics;
- Staffing Matters:
 - Completion of End of Year Reviews.
- Attendance at NIPSO facilitated Regulation and Oversight Forum Meeting on 24 March 2023.

CORPORATE MANAGEMENT AND GOVERNANCE

2022/23 Budget Report

3. The Secretary provided Commissioners with an updated financial report as part of the year-end reporting process for the 2022-23 financial year.

4. The Secretariat advised that an overspend in relation to staff costs was attributed to salary progression, regional pay awards and associated back payments. The regional pay awards were not known at the time of budget setting process and therefore amounts could not have been included in the budget forecast. It was reported that an invoice had been received for IT costs. The Secretariat had initially understood that these were included in the overall accommodation and support costs and had queried this additional charge.. Despite these increased costs and the challenging financial landscape, end of year expenditure was within the 5% budget tolerance threshold.

End of Year Stewardship Statement

5. The Secretary referred to the Stewardship Statement and advised it had been completed and submitted to the NIO at the end of March 2023. The Commissioners were invited to note the statement (*a hard copy of which was circulated at the meeting*) that demonstrated good practice and the effective use of internal controls in relation to Staff Management, Financial Management, Strategy and Policy, and Information Assurance and Data Handling.

2022/23 Business Planning Documents

6. The Secretary updated the Commissioners on the quarterly progress of the Business Planning documents.

Commissioners noted the following:

- Business Plan: on track to achieve all Q4 targets and objectives in the 2022/23 Business Plan;
 - Learning and Development Plan: All Q4 targets and objectives are on track to be met;
 - Risk Register: The Secretary stated that the Secretariat had recently reviewed and updated the Risk Register. She highlighted changes which had been made to the status of several risks and sought their views. The Commissioners discussed and endorsed the recommendations/changes.
7. Commissioners discussed the risk to the OCSC's corporate memory arising from the short-term secondment of staff. The Secretariat provided assurances around the record keeping of the office and stated that secondments would be scheduled to end at different times to minimise risks to continuity.

Commissioners' Strategic Priorities 2020-25

8. Secretariat advised that the 2023/24 Business Planning documents would be reviewed at team meetings to maintain clarity around roles and responsibilities

ensuring the successful implementation of the plan. The new Business Plan for 2023/24 would be published on Commissioners' website during the first week of April 2023.

Staffing – Update

9. The Secretary advised Commissioners that the Administrative Officer retired on 31 March 2023 and her duties had been absorbed by the existing staff which sat at 3.2 FTE.
10. The Secretary provided an overview of the secondment arrangements within the team and Commissioners noted that the DP (Audit) had been granted an extension to her secondment until October 2024.

2022/23 Annual Report

11. The Secretary anticipated that the Annual Report would be published in Summer 2023 and invited Commissioners to identify any key themes, issues or changes they would like to see reflected in the Report.
12. Commissioners noted several areas they would like to see detailed within the report (and in future reports). It was suggested that the Annual Report could be modernised to make it more succinct and visually attractive with the inclusion of infographics / data visuals.

Action: Secretariat to progress Annual Report with identified key themes for inclusion and seek quotations for a more visually attractive Annual Report.

Twitter Account and Website Blog – Update

13. Commissioners were provided with an update on the Twitter account and advised that a link to the OCSC Twitter account had been added to the OCSC website.
14. Information was provided on the blue tick / blue checkmark that can be seen on a number of twitter accounts. After discussion, Commissioners agreed not to purchase the checkmark as the verification criteria of the blue tick no longer guaranteed an 'authentic' account.
15. Commissioners agreed that it was appropriate for them to retweet posts providing information on job opportunities, careers advice, skills academies and apprenticeships that were directly linked to departments within the NICS.

CASEWORK UPDATE

Appointments by Way of Exception

16. Commissioners noted the appointments made by way of exception during the reporting period.

Code of Ethics

17. The Secretariat advised that two concerns had been received within the reporting period. Both fell outside the Commissioners' statutory remit and complainants had been duly informed.
18. Commissioners were reminded that the second concern had served to highlight the fact that a Non Departmental Public Body was incorrectly signposting complainants to the Civil Service Commissioners via their Whistleblowing Policy. The Secretariat had written to the agency and requested their policy be updated. A response was awaited.

Other Casework

19. Commissioners noted the update on casework and discussed Exceptional Appointment Requests.

Complaints and Queries

20. Commissioners reviewed the table detailing the complaints/queries and noted the actions by the Secretariat.

Requests for Information

21. The Report advised that one Freedom of Information request had been received which related to the tobacco industry. The response had been issued within the statutory timeframe of 20 working days.

RECRUITMENT AND SELECTION TRANSFORMATION GROUP (RSTG) – REVIEW

22. Commissioners were reminded that this group had been set up to address recommendation 3.4 of the NIAO Report on Capacity and Capability in the NICS. The Secretariat and Commissioners discussed the previous day's RSTG meeting (4 April 2023) including the changes to the TOR which had now been agreed. The Group would now be known as the Recruitment and Selection Development Group.
23. Commissioners reflected on the key themes of (i) Reasonable Adjustments and (ii) Development & Skills of existing Civil Servants which had been identified by

NICSHR as subject areas for high priority policy development work. As their input into these policies would be sought, Commissioners were keen to gain a deeper understanding of these particular themes and how they affected recruitment, policy design and staff diversity across the NICS. Commissioners asked the Secretariat to coordinate meetings with relevant umbrella bodies in order to explore these issues further, along with Racial Equality and Age.

24. Commissioners reviewed the interpretation of Exception 6 of the UK Civil Service Commission's Principles in relation to the transfer of NI Civil Servants to the UK Civil Service. It was understood that future transfers would be under secondment arrangements as this was the most suitable way forward.

Action: Coordinate meeting with stakeholders to explore key themes

RECRUITMENT CODE – MINISTERIAL INVOLVEMENT

25. Reference was made to the correspondence between Commissioners and P&OD on the current provisions for Ministerial involvement in the Recruitment Code and the update provided to Commissioners at the previous day's RSTG meeting where it was confirmed that further correspondence could be expected imminently from P&OD. Commissioners looked forward to receiving proposals as to how outstanding issues relating to Ministerial Involvement might be addressed in the Recruitment Code.

USE OF MERIT LISTS

26. Commissioners noted that P&OD had issued an email on 14 March 2023 stating that it was not yet in a position to reply to their correspondence on the Use of Merit Lists given the ongoing consideration by the NICS Board/PSS of budget pressures and implications for resourcing solutions at SCS level.
27. They acknowledged the budgetary pressures faced by Departments across the NICS and discussed the impact this may have on vacancy management. Commissioners, while open to single recruitment competitions being run to fill multiple posts that had similar responsibilities and skill requirements, emphasised that both the advertisement and Candidate Information Booklet (CIB) should detail all posts from the outset and that any proposed use of merit lists should be clearly stated within the CIB.

ENGAGEMENT WITH UK CIVIL SERVICE COMMISSION

28. The Report provided an update on two virtual meetings that had taken place on 9 February and 21 February 2023 with the Chief Executive of the UK Civil Service Commission, Kavalneer Walia.
29. Commissioners reviewed the travel arrangements for the business meeting to be held with the UK Civil Service Commission in London on 11 September 2023, along with associated costs. Details were agreed and bookings would be progressed.
30. It was agreed that further virtual meetings would continue to take place on a quarterly basis.

Action: Make appropriate travel arrangements for Commissioners to attend the above meeting in London on 11 September 2023.

REGISTER OF RECOMMENDATIONS FROM RECENT REPORTS AND CAPACITY AND CAPABILITY IN THE NICS & COMMISSIONERS' ACTIONS AND OUTPUTS

31. The Secretariat referred to the Register of Activity/Report Recommendations and the colour coded RAG status. Commissioners discussed the layout of the Register and suggested grouping actions together which were relevant to Commissioners and having an 'Outcomes' column alongside the existing 'Output' column.
32. This 'Outcomes' column would be used to record the impact of the recommendation and detail if the Outputs were achieving the intended goals.

Action: (i) Update Register of Activities/Recommendations by adding an 'Outcomes' column and (ii) Review the grouping of activities to highlight those specific to Commissioners.

NIPSO COMPLAINTS HANDLING STANDARDS & COMMISSIONERS' COMPLAINTS POLICY AND GUIDANCE ON HOW TO RAISE A CONCERN UNDER THE NICS CODE OF ETHICS

33. The Secretary referred to a Submission issued to Commissioners in March regarding Complaint Handling, Standards and the available Guidance. Commissioners discussed the report and agreed that their Guidance document on Raising a Concern under the NICS Code of Ethics policy should be reviewed.
34. Suggestions were made regarding additional wording and consideration be given to giving the flow chart, which set out the process, more prominence.

Action: Amend Commissioners' Guidance on How to Raise a Concern Under the NICS Code of Ethics in line with suggestions made by Commissioners and circulate for discussion/approval.

TRAINING ON CODE OF ETHICS (RELEVANT CONSIDERATIONS AND INVESTIGATIONS SKILLS)

35. Commissioners thanked the Secretariat for forwarding the presentation slides and training notes from the Code of Ethics Training delivered by the Crown Solicitor's Office on 23 March 2023.

RECENT AND FUTURE MEETINGS

36. Commissioners noted the table of recent and future meetings and provided details of their availability in the coming weeks to facilitate additional meetings with Umbrella Groups on matters of interest, including Reasonable Adjustments.
37. It was agreed that Commissioners' Business Meeting in September (currently scheduled for 12 September 2023) be rescheduled to Thursday, 21 September 2023 at 10:00am.

AUDIT REPORT (Paper 10/23 and Annex A, B &C)

38. The Chairperson invited the DP Audit to present the Audit Report.

Outstanding Equality and Diversity Audit Recommendations

39. The DP referenced the Audit Report and the two outstanding equality and diversity recommendations. Commissioners were referred to correspondence received earlier in the week from the NICS (3 April 2023) advising how the recommendations would be implemented. Commissioners were pleased to note that the Statement of Compliance would be updated by the NICS to confirm that post competition data in relation to diversity groups was included in the competition monitoring process but agreed to seek confirmation that the full recommendation had been accepted and would be implemented. A draft letter would be forwarded to Commissioners for their comment/approval. Subject to confirmation from the NICS of the acceptance and implementation of the full recommendation, both recommendations would be closed.

Action: DP to share draft response to NICS letter with Commissioners for comment/approval.

Outstanding recommendations: 2021/22 Audit and Review Plan

40. The DP referenced the submission which had been issued to Commissioners on the recommendations from the 2021/22 Review of NICS Processes for Managing and Monitoring the Tenure of Secondments and provided an overview of the processes put in place by the Central Secondment Team. Commissioners noted that the NICS planned to carry out an annual validation exercise to ensure all secondments were captured and recorded. Commissioners discussed Recommendation 2 and agreed to write to the Director of NICS Resourcing in relation to this.

Action: Commissioners to write to the Director of NICS Resourcing in relation to Recommendation 2.

Progress against 2022/23 Audit and Review Plan

Article 6 Compliance Audits

41. This audit was complete and no further comment was needed.

Audit of Competitions below SCS

42. The DP directed Commissioners to the NICS management response to Commissioners' outcomes letter in relation to the Audit of Competitions below SCS. The DP provided an overview of the actions put in place by the NICS to address the two recommendations. Commissioners advised they were content with the NICS response and to close the recommendations. The DP will issue a draft letter of response to Commissioners.

Action: DP to issue draft letter of response Commissioners.

2023/24 Audit and Review Plan

43. The DP provided an update on preparation for the audit of competitions below SCS level and advised that a list of completed competitions across the NICS had been received and that one competition would be randomly selected from each Department to be audited. The DP also advised that the competitions audits would be completed ahead of the Article 6 Process compliance audits – these would be completed later in the year and 2 competitions would be selected for audit from those which completed in 2022/23.
44. Commissioners also agreed that they should consider prioritising recommendations in future – this will be added to the agenda for the next dedicated audit meeting.

Action: Secretariat to include prioritisation of recommendations on the agenda for Commissioners' next dedicated audit meeting

Agency Workers in the NICS

45. The DP referenced the Monthly Management Information (MI) reports on NICS staffing and that these would continue to be emailed to Commissioners. Commissioners also noted the summary of Agency Worker information in the supporting documentation.

Other outstanding issues

Appendix C Data Requirements 2022

46. The DP referred to earlier correspondence that advised People & OD would take the lead on preparing the Recruitment to the NICS Annual Report 2022.

Update on actions from Diversity and Inclusion & Audit and Engagement meetings

47. Commissioners noted the update on actions from the Diversity and Inclusion and Audit and Engagement meetings which took place in November 2022. It was agreed that no further action was needed in relation to Action Point 4 from the Audit and Engagement meeting.

SIB REVIEW (Paper 11/13, Annex A & B)

48. Commissioners noted there were some outstanding items on the action plan which resulted from the SIB review, including the development of a policy in relation to internal consultancy ; they agreed to write to the NICS requesting an update.

Action: Commissioners to write to the NICS requesting an update on the action plan in relation to the SIB review.

HOUSEKEEPING

49. Commissioners reviewed the new fees sheet for 2023/24 and were content with the updated format.
50. Commissioners were reminded that mileage should be calculated via the AA route planner and ensure all car park or public transport receipts were retained for record keeping purposes.
51. The Secretariat requested that all fees and expenses were submitted in a timely manner to ensure prompt payment.

REGISTER OF INTERESTS (Paper 12/23)

52. Commissioners were reminded to provide any updates to the Register of Interests in writing/by email to the Secretariat.

DEVELOPMENT

53. Due to time constraints, this item was not discussed and would be carried forward to the next Business Meeting in June 2023.

**Office of the Civil Service Commissioners
for Northern Ireland**