

CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

SUMMARY RECORD OF BUSINESS MEETING

7 APRIL 2020 AT 14:30

VIA “ZOOM” TELECONFERENCING

ATTENDEES

Commissioners

Deirdre Toner, Chairperson
Sinead Burns
Jim Scholes

Secretariat

Sarah Teer, Secretary
Amanda Martin
Heather Caulfield
John Murphy

WELCOME

1. The Chairperson welcomed everyone to the meeting which had been convened using the Zoom communications platform due to the Covid-19 restrictions.

SUMMARY RECORD AND ACTION MATRIX OF 21 JANUARY 2020 BUSINESS MEETING

2. Commissioners agreed the Summary Record and action points of the 21 January 2020 meeting and noted that outstanding issues contained in the Actions Matrix were being progressed by the Secretariat. Commissioners also noted that the Summary Record would be published on the Commissioners' website in due course.

CONFLICTS OF INTEREST AND MATTERS ARISING

3. No conflicts of interest were declared in relation to the April business meeting agenda and papers. Commissioners agreed to consider one additional item under AOB at the end of the meeting.

SECRETARY'S REPORT, INCORPORATING BUDGET PAPER AND AUDIT AND REVIEW UPDATE (PAPER 7/20)

4. The Secretary presented the Secretary's Report and outlined the key outputs and activities since the last Business Meeting. Commissioners noted the following key activities which were in addition to routine activities:-
 - Revisions to the Article 6 authorisation procedures and templates;
 - Engagement with NICS to progress the Data Sharing Agreement between OCSC and NICS HR
 - Review of Retention and Disposal Schedule
 - Updating of Business Continuity Plan
 - Planning for Equality and Disability Training Session
 - Preparatory research for HOCS Competition
 - Pre-consultation on Draft Revised NICS Code of Ethics

- Review of new Code of Conduct for SpAds
 - Review of legal advice on Government Programmes/Initiatives
 - Review of NIO/OCSC Framework Document – suggestions passed to NIO for consideration.
5. In relation to the 2019/20 Budget, Commissioners noted the estimated end of year underspend of £21,501. This was attributable to a number of factors, including that Charing fees had been lower than anticipated as a number of SCS recruitment competitions had not progressed beyond advertisement stage because of the Coronavirus Pandemic or other reasons.
6. Commissioners were reminded that the budget build submitted to NIO for 2020/21 was £333,753. To date, confirmation had not been received from NIO that the budget had been accepted. The Secretary undertook to keep Commissioners updated on the position.

ACTION: Secretariat to update Commissioners on Budget position for 2020/21.

7. Commissioners were invited to consider any key messages to be included in the 2019/20 Annual Report and agree the timetable for the drafting of the Report (copy previously circulated). Commissioners expressed the view that the previous year's format worked well and should be used for the 2019/20 Annual Report. They agreed that a Draft Annual Report be prepared by the Secretariat and circulated to Commissioners by 16 June 2020, in advance of the Business Meeting on 23 June 2020, to enable any further content or key messages to be suggested at that stage. Commissioners agreed the remainder of the Timetable from 16 June 2020 onwards.

ACTION: Secretariat to prepare 1st Draft of Annual Report and circulate to Commissioners by 16 June 2020 for consideration and amendment.

8. The Secretary referred to the Casework Update which included a list of "Appointments by Way of Exception" which they had approved during the reporting period. She highlighted that no further correspondence had been received from NICS HR in relation to the 'Going Forward into Employment' programme. Commissioners noted the update.
9. Commissioners were reminded of correspondence dated 28 February 2020 from David Hughes, DoF, which included the Draft Revised NICS Code of Ethics (copy circulated). The Chairperson reported that, as previously agreed by Commissioners, she had participated in a telephone discussion with Mr Hughes on 1 April 2020 and had highlighted Commissioners' concerns about how the Draft Code dealt with Civil Servants' concerns or complaints about

Ministers. A draft response to Mr Hughes (copy circulated) was also tabled for consideration and comment.

Commissioners emphasised their view that the Draft Code was not sufficiently clear about how complaints about Ministers should be made and to whom they should be directed. They expressed concern that civil servants could be misled into thinking that they should be directed to the OCSC when Commissioners had no responsibility or remit for considering concerns or complaints about Ministers. Commissioners agreed that the draft letter should be amended to reflect the strength of their concern on this issue and it was agreed that a further draft be prepared for Commissioners' approval.

ACTION: Secretary to discuss wording with Jim Scholes and a further draft be prepared for Commissioners' approval.

10. In addition to the issues laid out above, Commissioners noted the:-

- Secretary's Summary Report
- Update on Key Issues
- Corporate Governance and Management Update (including Budget Update)
- Casework Update
- Audit Update
- Recent Meetings
- Update on Future Meetings
- Coronavirus Pandemic Update

MINISTERIAL INVOLVEMENT IN COMPETITIONS

11. The Chairperson reminded Commissioners that the issue of Ministerial involvement in competitions had been referred from the last Business meeting for discussion and accordingly invited comment on this matter. The observation was made that at all CIM meetings for SCS competitions, the question was asked as to whether there would be Ministerial involvement, giving the impression that the Panel had a choice in such matters. Commissioners suggested that this practice may simply have arisen from a misunderstanding by HR Connect staff and that it could be best addressed informally with HR Connect to remind them of the requirements of the Code.

ACTION: Secretary to raise this matter informally with HR Connect.

EXTENSIONS TO SECONDMENTS DUE TO COVID-19 PANDEMIC

12. Commissioners discussed whether it would be appropriate in these unprecedented times if the OCSC were to offer the NICS an assumption of approval for the extension of secondments for a limited period of time. Following discussions, it was agreed to maintain the status quo as to act otherwise would risk undermining the statutory functions of Commissioners.

FUNCTIONING OF GOVERNMENT (MISCELLANEOUS PROVISIONS) BILL (PAPER 8/20)

13. The Secretary presented a paper in relation to the Draft Functioning of Government (Miscellaneous Provisions) Bill which was the subject of a letter of 27 March 2020 from Jim McManus, Clerk, Committee for Finance (previously circulated). The letter advised that the Committee was currently scrutinising the draft Functioning of Government (Miscellaneous Provisions) Bill and invited Commissioners to provide a written response to provisions contained within each clause of the Bill and accompanying Explanatory and Financial Memorandum (EFM). The Bill sponsor was Mr Jim Allister MLA (“the Member”) and a response was requested by noon on Friday, 24 April 2020.
14. Commissioners stated that, both generally and specifically in relation to this Bill, it was not within their role or responsibility, nor would it be appropriate, to express an opinion on matters of a political nature.
15. Reference was made to a Draft response, prepared by Jim Scholes and circulated to all Commissioners for consideration. Commissioners agreed that the Draft be accepted and issued to Jim McManus, Committee for Finance, subject to a minor change to be made as per the discussion.

ACTION: Secretariat to amend letter of response, as detailed above, and issue to Committee for Finance by 24 April 2020.

AOB

UPDATE ON NICS HR RECRUITMENT PLANS

16. Commissioners sought an update on NICS HR’s recruitment plans in light of the ongoing Coronavirus Pandemic.
17. The Secretary stated that the OCSC had not formally received any information on this matter, however, it was understood that competitions for priority posts would continue.

EQUALITY AND DISABILITY TRAINING

18. Commissioners were reminded that Equality and Disability Training had been scheduled for 20 April 2020. Given the restrictions arising from the ongoing Coronavirus Pandemic, including the Government directive to work from home, where possible, it was agreed that the training should be delivered as scheduled via the “Zoom” communication platform, subject to that method being suitable to the training providers.

ACTION: Secretariat to confirm with ECNI and Disability Action the suitability of the “Zoom” facility and, if so, issue invitations to training session to Commissioners and OCSC staff.

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