

**CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND
SUMMARY RECORD OF BUSINESS MEETING
14 SEPTEMBER 2021 AT 10am
HELD VIA ZOOM**

ATTENDEES:

Commissioners

Deirdre Toner, Chairperson
Sinead Burns
Jim Scholes

Secretariat

Amanda Martin, Secretary
Joanne Wray, Deputy Secretary
Heather Caulfield
John Murphy

INTRODUCTION AND PRE-MEETING BUSINESS

1. The Chairperson welcomed everyone to the meeting.

ANY OTHER BUSINESS

1a. Two items of other business were raised for discussion after the agenda items had been covered.

**SUMMARY RECORD AND ACTION MATRIX OF JUNE BUSINESS MEETING
(Paper 11/21)**

1b. Commissioners agreed the Summary Record and action points of the 15 June Business Meeting. The Secretary confirmed that all actions in the matrix were either completed or ongoing.

MATTERS ARISING AND CONFLICTS OF INTEREST

1c. No conflicts of interest were declared in relation to the September business meeting agenda and papers, nor any matters arising not already detailed on the agenda.

SECRETARY'S REPORT (Paper 12/21 and Annexes A, B & C)

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 Annex A) since the last business meeting, which included:

- Ongoing preparation of drafts of the Annual Report;
- Preparation of a draft Guidance on 'Submitting Evidence for Review by Commissioners' (Breach of Merit Principle);
- Submission of the Equality Progress Report to the Equality Commission of Northern Ireland;

- Ongoing preparation of OCSC Retention and Disposal Schedule and consultation with PRONI to ensure the schedule is in line with Records Management and all other relevant legislation;
- Review of the Recruitment Code to reflect a number of developments, including proposed changes to the NICS Secondment Policy, proposed changes to the Audit Framework, a change to the section on Ministerial involvement and the expected publication of the revised NICS Code of Ethics;
- Review of the Audit Framework;
- Review of the Code of Practice;
- Review of the Publication Scheme;
- Review of the Data Sharing Agreement with NICSHR;
- Engagement with the Deputy Director, NIO, representatives of the HMRC, other ALBs, private accommodation providers and NICS Estates Management officials in relation to future office accommodation options;
- Engagement with NIO on asset management/disposal;
- Preparation of an updated Commissioners Code of Ethics Guidance Document in advance of the release of the revised Code of Ethics by the NICS;
- Consideration and completion of a Spending Review exercise at the request of HM Treasury to outline savings of 5% annually on current budget, followed by engagement with the NIO Finance and Strategy team to discuss the savings review and completion of the required paperwork;
- Engagement with Government Internal Audit Agency as part of an audit exercise on the NIO's sponsor relationships with ALBs;
- Engagement with NICSHR on:
 - Extensions to merit lists coming to an end,
 - Top slicing,
 - Fixed term contracts,
 - Inward secondment policy,
 - Outward secondment policy and its implications for future staffing of the OCSC,
 - Jobstart scheme and its rollout within the NICS (pilot in DfC),
 - Review of Data Sharing Agreement;
- Engagement with Interim HOCS and Department of Finance Permanent Secretary on the future role of Commissioners following the publication of the NIAO Report on Capacity and Capability in the NICS and the report from the Public Accounts Committee and seeking an update on the Memorandum of Reply from DoF;
- Drafting of Report on Commissioners' Future Role following publication of the above reports and the subsequent circulation and consideration of the Memorandum of Reply from DoF to the NI Assembly's Public Accounts Committee which was published on 12 August 2021.

Corporate Management and Governance

3. The Secretary updated Commissioners on the budget position at the end of quarter two of 2021-22. She highlighted that spend on operating expenses

appeared particularly low in the year to date because they did not take into account the accommodation and service charge due to be paid to NIO in quarter three.

4. The Secretary updated Commissioners on HM Treasury's Savings and Efficiency Review. Following submission of proposals to meet the demanded 5% budget savings over the next three years, the NIO Permanent Secretary had written to OCSC with details of the NIO Spending Review 2021 which confirmed a required 5% savings from baseline budgets over the next three years. The Secretary confirmed to Commissioners that, following their special meeting to discuss their limited options, she submitted the required templates to NIO Finance but also highlighted the effect the cuts would have on the effective working of the Secretariat.

Noted.

2021/22 Business Planning Documents

5. The Secretary reminded Commissioners that the quarterly business planning documents would be circulated to Commissioners after the meeting.

Action: Secretariat to circulate business planning documents to Commissioners.

Commissioners' Strategic Priorities 2020-25

6. The Secretary confirmed that the Secretariat continue to review business planning documents at team meetings to maintain clarity around roles and responsibilities, and forward job plans have been agreed in line with performance management procedures.

Staffing Update

7. The Secretary confirmed that the Secretariat is currently at full staffing complement, with John Murphy's period of secondment due to end on 1 January 2022. Arrangements for a replacement will commence shortly.

Action: Secretariat to advertise the Staff Officer post through the Interchange Scheme.

8. The Secretary advised that she has engaged with NICSHR to establish the current policy on extensions to outward secondments from the NICS, and also to seek an update on the embargo on secondments from the NICS, as both issues could have a serious impact on the filling of OCSC vacancies in the next few years. There would also be a negative impact on the knowledge and experience of the NICS within OCSC if secondees to posts can only be sourced from outside of the NICS.

2020/21 Annual Report

9. The Secretary advised that the third draft of the Annual Report was issued to Commissioners on 13 August, and further comments were subsequently

received.

10. The Secretary reminded Commissioners that the publication date of September 2021 was subject to OCSC receiving relevant data from NICSHR in their Annual Report for inclusion. It is understood that the NICSHR Annual Report is awaiting final approval.
11. Commissioners discussed and agreed to consider adding a line to the Annual Report to reflect the continued use of internal promotion lists to fill posts not originally advertised as part of the competition.
Action: Secretariat to draft text to include in the Annual Report in relation to the use of internal competitions to fill SCS posts.
12. Commissioners approved a draft Press Release to accompany the publication of the Annual Report, once it has been finalised.

Casework Update

13. The Secretary updated Commissioners on casework completed and ongoing over the last period. This included:
 - six requests from NICSHR in relation to appointments or extensions under Regulation 3(a) of the Recruitment Code,
 - two requests to fill posts from existing Merit Lists,
 - five Recruitment Code-related complaints and queries,
 - one other ongoing piece of casework.

Review of the Recruitment Code – Update

14. The Secretary updated Commissioners on the various amendments to the Recruitment Code that were agreed at an ad-hoc meeting held on 3 September. These amendments, including the addition of a footnote relating to the Covid-19 Direction were currently being made and the revised Code would be published soon.

Noted.

(Inward) Secondment Policy – Update

15. The Secretary advised Commissioners that following their agreement to NICSHR's request to extend the permitted length of inward secondments and allow consecutive secondments, NICSHR agreed to Commissioners' proposed amended wording to the relevant section of their Recruitment Code. NICSHR also informed Commissioners that they are about to commence a review of the entire secondment policy, and they would keep Commissioners informed of progress and any policy changes.

Relocation/Office Accommodation – Update

16. The Secretary provided Commissioners with an update on the NIO's relocation plans. She updated Commissioners on a meeting she had with a HMRC official in

relation to OCSC's requirements at Erskine House. Subsequent discussion had taken place with NIO in relation to decanting from Stormont House and the disposal of office equipment and furniture.

17. The Secretary reminded Commissioners that, as part of the NIO Spending Review, Secretariat had explored options for making savings by working from home or finding alternative accommodation to Erskine House. NIO officials had indicated that any alternative proposals for relocation would result in additional costs to the NIO and therefore not be accepted as valid savings proposals.

18. Commissioners asked if all of the ALBs of the NIO were in the same position as CSC in having no alternative but relocate to Erskine House.

Action: Secretariat to make enquiries with other ALBs as to their position regarding relocation to Erskine House.

NIAO Report on Capacity and Capability in the NICS

19. The Secretary updated Commissioners on progress towards completion of a paper considering the recommendations of the NIAO report along with the Public Accounts Committee's report, within the context of Commissioners' current legislative framework and the resources available to them. The Secretary also highlighted the section in the DoF Memorandum of Reply to the PAC report that referred to the role of Commissioners as being "*a matter for the Secretary of State for Northern Ireland to determine*". It was suggested that the Report should include a section on how they can best make an impact without additional resources.

Action: Secretary to add in a section as suggested.

Draft Guidance on Submitting Evidence for Review by Commissioners (Breach of Merit Principle)

20. The Secretary confirmed to Commissioners that following their meeting on 3 September, the draft Guidance has been adopted by Secretariat as an internal reference document for use in considering responses to concerns/submissions of evidence of breaches of merit. She assured Commissioners that cases will be escalated to Commissioners, should it be deemed appropriate to do so.

OCSC Retention and Disposal Schedule – Update

21. The Secretary updated Commissioners that PRONI had provided further suggested amendments to the OCSC Retention and Disposal Schedule. These suggestions were incorporated into a further draft and the Secretary informed Commissioners that Secretariat hope to have the Schedule ready for sign-off shortly.

Action: Secretariat to continue engagement with PRONI to finalise Schedule.

Civil Service Commissioners for Northern Ireland documents

22. The Secretary provided Commissioners with updates on the following reviews of documentation that the Secretariat had carried out:
- a. **Review of Code of Practice (Paper 12/21 Annex B):** Secretariat reviewed the existing Code of Practice and was of the view that it remained current, relevant and accurate.
 - b. **Review of Publication Scheme (Paper 12/21 Annex C):** Secretariat reviewed the Publication Scheme and made some minor revisions to reflect staff changes and to update links.
 - c. **Review of the Data Sharing Agreement with NICSHR:** In line with the commitment to review the Data Sharing Agreement annually to ensure it remains accurate and fit for purpose, Secretariat reviewed the Agreement and made minor revisions to reflect changes to staffing in both organisations, changes to the four-stage authorisation process, and how information will be securely transferred.
23. Commissioners were content with the findings of the above reviews, and noted that the Data Sharing Agreement had been sent to NICSHR for their consideration and approval.

Meetings

24. Commissioners noted the table of recent and future meetings. The Secretary advised Commissioners that HOCS office had suggested the annual meeting with PSG take place at the end of the weekly PSG stocktake on 19 November. Commissioners advised they were not available on that date, and asked the Secretary to draft a letter to HOCS to indicate they would be happy to meet separately on another date.
- Action: Secretary to draft letter from the Chairperson to HOCS to seek a separate meeting with PSG on another date.**

AUDIT REPORT (Paper 13/21)

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

Desktop Compliance Review of Competitions below SCS

26. The DP Audit advised Commissioners that the NICSHR response to their outcomes letter from this review had been delayed due to staff absence, but it is now expected shortly.

Article 6 Compliance Audits

27. The DP Audit advised Commissioners that Secretariat staff are currently liaising with HRConnect to obtain the required data to commence an audit this month and a second audit in Quarter 3.

Review of NICS processes for managing and monitoring tenure of secondments

28. The DP Audit informed Commissioners that the draft report from this review would be presented at the dedicated audit meeting scheduled for 28 September.

Preparation for Review of Auditing for Improvement

29. The DP Audit informed Commissioners that a revision to the review of Auditing for Improvement would be presented at the dedicated audit meeting on 28 September.

Audit and Review Meetings

30. Commissioners were invited to note the scheduled dates for upcoming audit and review meetings.

Agreed: That face to face meetings be arranged, where possible.

31. Commissioners noted the Update on Actions. They agreed that the Chair should discuss the action point regarding the Principal Private Secretary competition with Jill Minne.

Action: Chair to discuss the Principal Private Secretary competition with the NICSHR Strategic Director.

CODE OF ETHICS GUIDANCE (Paper 14/21 and Annex A)

32. The Chairperson invited the Deputy Secretary to present the Review of the Civil Service Commissioners' Guidance on the NICS Code of Ethics. She advised Commissioners that the new NICS Code of Ethics is due to be published imminently, supported by a high impact communications campaign.

33. In advance of its publication, the Deputy Secretary advised that she reviewed the Commissioners' Guidance in order to reflect the new Code, and also to make it more streamlined and user friendly. Commissioners commented on the revisions to the Guidance and suggested some amendments.

Action: Suggested amendments to be made to the Guidance Document. Once amended, the Guidance Document to be re-circulated for comment/approval.

HOUSEKEEPING/AOB

Apprenticeships in the NICS

34. Commissioners referred to Apprenticeship schemes available in the NICS and expressed their general support for them. A discussion took place on how participants in Apprenticeship schemes were selected and whether such schemes should be considered under the "Exception to Merit" provisions of the Recruitment Code.

Action: Secretariat to circulate the CIB for the Operational Delivery Apprenticeship Scheme and set up a meeting to enable Commissioners to consider the matter further.

Register of Interests

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

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