

**CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND
SUMMARY RECORD OF BUSINESS MEETING
18 JANUARY 2022 10am & 20 JANUARY 2022 2.15pm
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. A number of items of other business were raised for discussion after the agenda items had been covered.

SUMMARY RECORD AND ACTION MATRIX OF SEPTEMBER BUSINESS MEETING (Paper 01/22)

1b. Commissioners agreed the Summary Record and action points of the 14 September Business Meeting. The Secretary confirmed that all actions in the matrix were either completed or ongoing. Outstanding actions were discussed and the action matrix updated as appropriate.

MATTERS ARISING AND CONFLICTS OF INTEREST

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

SECRETARY'S REPORT (Paper 02/22 and Annex A)

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:

- The 2020/21 Annual Report was published in November;
- Consideration of and action taken in relation to:
 - Recommendations made in the NIAO's Report on Capacity and Capability in the NICS and in subsequent Report of the Public Accounts Committee on the Capacity and Capability in the NICS; and

- Letter issued on 27 September from the PAC to the Secretary of State for NI on recommendations from the PAC's report.
- Drafting and regular updating of the Report on Commissioners' Future Role following publication of the above reports;
- Engagement with NICS, NICS HR and NIO on Commissioners' role in furthering the delivery of Recommendation 3.4 of the NIAO Report, leading to the development of a Recruitment and Selection Transformation Group, with ToR developed by Secretariat and agreed with NICS HR in December;
- Engagement with NICS HR on:
 - Inward and Outward Secondment Policies.
 - NICS Approach to Recruitment and Selection and a Draft NICS Recruitment and Selection Policy.
 - 2019 NICS Workforce Review.
 - Rollout of the Jobstart Scheme (this also involved engagement with DfC).
 - Guaranteed Interview Scheme.
 - Other Initiatives aimed at improving pathways to employment in the NICS for people with disabilities and other groups.
- Review of the Audit Framework;
- Review and publication of Revised Recruitment Code to reflect a number of developments, including proposed changes to the Audit Framework; a change to the section on Ministerial Involvement; and the expected publication of a Revised NICS Code of Ethics;
- Agreement of further revisions to the Recruitment Code to reflect changes to the NICS Secondment Policy;
- Consideration of revisions to the General Regulations and the Recruitment Code to accommodate Apprenticeship schemes and other initiatives to increase pathways to employment in the NICS;
- Sourcing and receiving legal opinion on the above through engagement with the Crown Solicitor's Office;
- Preparation of the 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 relocation plans of other ALBs;
- Engagement with Charlotte Goodrich (NIO Deputy Director) and other NIO representatives, representatives of the HMRC, other ALBs and NIO/ALB Forum, in relation to a range of matters associated with the relocation from Stormont House to Erskine House, Belfast;
- Agreement of an updated Commissioners Code of Ethics Guidance Document in advance of the release of the revised Code of Ethics by the NICS (which is still awaited);
- Consideration and completion of a Spending Review exercise at the request of the 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 NIO on:
 - Filling of Commissioner Vacancy (J Scholes' tenure is due to end on 30 June 2022) and the number of Commissioners required in the future to deliver statutory functions.

- Three Year Spending Review and requirement to make 5% savings.
- Internal Audit Review of ALB Sponsorship.
- Framework Document Cyber Risk and Resilience.
- Retention and Disposal Schedule.
- Completion and return of ALB Half Yearly Stewardship Statement to the NIO – 12 November 2021;
- Engagement with Business Consultancy Services (including set up of meeting with Commissioners which was held on 29 November 2021) on End-to-End Review of Recruitment and Selection in the NICS;
- Preparation of Briefing documents for meetings with:
 - NIO Executive Directors (Chairperson).
 - Business Consultancy Services.
- Setting up of meeting with Representatives of the NICS Board, (formerly PSG);
- Introductory meeting with recently appointed HOCS;
- Updating of key documents on the CSC website;
- Updating of Consultee Database in preparation for consultation exercises on Disability Action Plan and other relevant matters;
- Business Planning Meeting on 23 November 2021:
 - Horizon Scanning exercise completed in advance.
 - Preparation of associated documents.
- Processing of casework:
 - Commissioners considered and approved one request to appoint under Regulation 3(a) of the Recruitment Code.
 - Commissioners considered and approved two requests for extension under 3(a).

Corporate Management and Governance

3. The Secretary updated Commissioners on the budget position at the end of quarter three of 2021-22. She stated that the service charge levied by the NIO for accommodation and IT costs is expected soon. Staff and Commissioners' costs are in line with the profile. The Secretary reminded Commissioners that accurate reflections of spend are only possible if Commissioners keep Secretariat updated on the number of days they are involved with SCS recruitment competitions.
4. Commissioners inquired whether the financial position and policy allowed for travel arrangements to be made for 2022-23 but paid for in the 2021-22 financial year. The SO undertook to explore that possibility accordingly.

Action: SO to ask NIO Finance if it is possible to buy flights in this financial year for use in the next year.
5. The Secretary stated that it would be useful if Commissioners could indicate the number of days they expect to be involved in SCS competitions, for budget planning purposes.

Action: Commissioners to provide Secretariat with estimate of days involved with SCS competitions up to the end of March.

6. 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 and engagement with NIO, the NIO Permanent Secretary had written to OCSC in December confirming the Spending Review Settlement for 2023/24 and 2024/45.

Noted.

2021/22 Business Planning Documents

7. 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

8. The Secretary confirmed that the 2021/22 Business Plan is available on the Commissioners' website. 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

9. The Secretary confirmed that the Secretariat is currently at full staffing complement, with John Murphy's period of secondment having been extended to 31 March 2022. The SO post was advertised through the Interchange scheme and , subject to satisfactory security clearance, the successful candidate is due to take up the post on 1 April 2022.
10. The Secretary reported that she has continued to engage with NICSHR over the continued embargo on secondments from the NICS, as it has an impact on the filling of OCSC vacancies, especially in the next two years as existing NICS staff return to their substantive posts.
11. The Secretary reminded Commissioners that as a result of the NIO's Spending Review, the necessary budget savings for 2022/23 are dependent upon the EO post not being filled when Anne Rainey's secondment ends on 30 April 2022.

2020/21 Annual Report

12. The Secretary advised that the Annual Report was published in November 2021, with the accompanying press release issued to the distribution list. A copy was issued to HM The Queen, and subsequently an acknowledgement had been received from the Principal Private Secretary at Buckingham Palace.

13. The Secretary invited Commissioners to note that a report and proposed timetable for the preparation of the 2021/22 Annual Report will be included on the Agenda for the April Business Meeting.

Action: Secretariat to provide a report and draft timetable for the preparation of the 2021/22 Annual Report for the April Business Meeting.

Casework Update

14. The Secretary updated Commissioners on casework completed and ongoing over the last period. This included:

- three requests from NICSHR in relation to appointments or extensions under Regulation 3(a) of the Recruitment Code;
- one request to fill a post from an existing Merit List;
- one Recruitment Code-related query.

(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 had confirmed that the Minister of Finance had cleared the revised Secondment Policy, and that it will be shared with Trade Unions and Commissioners for comment shortly. The Secretary advised that NICSHR hopes to have the Policy implemented by the end of March 2022.

Guaranteed Interview Scheme – Update

16. The Secretary updated Commissioners that NICSHR wrote to them on 7 January 2022, thanking them for their positive comments and support for the implementation of a Guaranteed Interview Scheme in their correspondence of 22 November 2021. NICSHR confirmed that the use of the Scheme will be considered for any external recruitment being planned from 1 January 2022.

17. NICSHR noted Commissioners' intentions to revise the Recruitment Code to clarify the legality of such positive actions as part of the recruitment and selection process.

Relocation/Office Accommodation – Update

18. The Secretary provided Commissioners with an update on the NIO's relocation plans. She informed Commissioners that it now seemed unlikely that OCSC would have a direct relationship with HMRC and that the NIO will deal with HMRC for the purposes of occupancy, at least at the outset.

19. The Secretary informed Commissioners that a NIO/ALB Forum had been set up to address queries and issues and that the most recent meeting had taken place earlier that morning. Options around telecommunications at Erskine House had, amongst other things, been discussed. The ALBs have set up their own support group to discuss matters of shared interest.

Action: Secretariat to explore with IT Assist the preferred option of having a landline number to mask a mobile number, subject to there being no additional charge for the public accessing the OCSC.

20. The NIO has stated that it remains committed to the move to Erskine House on 7 February. Virtual inductions are currently being arranged. In the meantime, OCSC has cleared its offices in Stormont House in line with NIO guidance.
21. Commissioners were reminded that there would be no storage facilities at Erskine House and that, in the interests of efficiency and sustainability, the offices would be paperless.

Internal Audit Review on NIO Sponsorship

22. The Secretary reminded Commissioners of the OCSC's earlier engagement with the Government Internal Audit Agency as part of their review of NIO Sponsorship. The NIO corresponded with ALBs on 20 December 2021, commenting that the audit gave overall assurance that sponsorship arrangements were proportionate to the risk, profile and relationship with each ALB. Auditors further noted that there were good channels of communication between NIO and its sponsored bodies at all levels. Some recommendations were made relating to the NIO's Risk Management Policy and the Stewardship Statement process, and ALBs were asked to discuss any concerns within their areas with their sponsor teams.
23. The NIO was also in the process of reviewing its Framework Documents with ALBs and had asked the OCSC to review its current Framework Document and identify any changes it wished to have made. The Review was to be completed by 31 March 2022.

Action: Secretariat to circulate the most up to date Framework Document to Commissioners for comment, prior to responding to the NIO.

NIAO Report on Capacity and Capability in the NICS

24. The Secretary updated Commissioners on developments in relation to the NIAO report and the subsequent Public Accounts Committee report which reviewed the NIAO's findings. The Secretary reminded Commissioners of the PAC's letter to the NIO on 27 September 2021 in relation to recommendations in the PAC report, and the engagement between both bodies that followed. The OCSC had been provided with a copy of the response from the Secretary of State for NI to the Chairman of the PAC issued on 22 December 2021. Commissioners had met on 7 January 2022 to discuss and agree the content of a letter from the Chairperson to the NIO Permanent Secretary which was issued on 11 January 2022.

OCSC Retention and Disposal Schedule – Update

25. The Secretary updated Commissioners that the latest draft of the OCSC's Retention and Disposal Schedule is with PRONI which is awaiting legal advice from the DSO regarding the signing off of the Retention and Disposal Schedules and the requirement to lay them at the NI Assembly. PRONI officials have undertaken to revert to Secretariat in due course.

Recent and Future Meetings

26. Commissioners referred to the table of recent and future meetings.

Action: To ask the HOCS Office if the meeting with the NICS Board Representatives, scheduled for 3pm on 28 January 2022, can be held at the later time of 4pm.

AUDIT REPORT (Paper 03/22)

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

Outstanding work: 2020/21 Audit Plan

28. The DP Audit advised Commissioners that following their letter to NICSHR on 9 December 2021, advising that they were pleased that 10 of the 11 recommendations from the desktop compliance review of competitions below SCS had been accepted, Secretariat has asked NICSHR for an update on the completion dates for the actions.

29. The remaining recommendation, that the NICS revised proposal for equality monitoring addresses how Commissioners' key performance questions and indicators in this area can be established, is still under consideration. Secretariat advised NICSHR that they will seek a further update in February.

Action: Secretariat to seek update on recommendation 10 in February.

Progress against 2021/22 Audit Plan

30. The DP Audit advised Commissioners that three compliance audits are underway. The Staff Officer further updated Commissioners that the data had been received from HRConnect and was currently being reviewed.

Review of NICS processes for managing and monitoring tenure of secondments

31. The DP Audit informed Commissioners that the outcomes letter for this review, with three recommendations, issued on 16 November 2021. The NICS management response has not yet been received but Secretariat are aware that the NICS hopes to have the new policy agreed and in place by March 2022.

Review of Auditing for Improvement

32. The DP Audit informed Commissioners that the draft amended "Auditing for Improvement" was issued to NICSHR on 3 November 2021 for any comments on the planned revisions and a response had just been received. Commissioners discussed the commentary from NICSHR and finalised the revisions to "Auditing for Improvement".

Action: Secretariat to finalise the revisions to “Auditing for Improvement and to respond to NICSHR.

2022/23 Audit Plan

33. The DP Audit submitted proposals for the 2022/23 audit plan for Commissioners’ consideration. Commissioners agreed that Secretariat should seek details of closed volume competitions below SCS for audit.

Action: Secretariat to seek details of closed volume competitions below SCS.

Audit and Review Meetings

34. The DP Audit highlighted that there was normally a dedicated audit meeting, followed by an audit and engagement meeting with NICSHR, in March each year. However, Commissioners agreed that these meetings should be postponed until there were substantive items to discuss.

35. Commissioners noted the Update on Actions from the previous audit and engagement meeting held in October 2021.

PROPOSED AMENDMENTS TO GENERAL REGULATIONS AND RECRUITMENT CODE – APPRENTICESHIP SCHEMES AND PATHWAYS TO EMPLOYMENT IN THE NICS INITIATIVES – REPORT TABLED AT BUSINESS PLANNING MEETING ON 23 NOVEMBER 2021 (Paper 04/22 and Annex A)

36. The Chairperson invited discussion on the proposed amendments to the General Regulations and Recruitment Code, including the legal advice received from the Crown Solicitor’s Office on the subject. Commissioners considered the issues including the fundamental point of whether an apprenticeship could be considered to be an exception to merit or a government scheme. Commissioners agreed to consider whether there were any questions they would like to ask NICSHR in advance of the meeting with them scheduled for 25 January 2022.

Action: Commissioners to consider questions they would like to ask NICSHR about the proposed apprenticeship scheme and send to Secretariat.

EQUALITY SCHEME 2022 – 2025 AND ACTION PLAN (Paper 05/22)

37. The Chairperson invited the Deputy Secretary to present the Equality Scheme and Action Plan to Commissioners. The Deputy Secretary proposed that the actions in the current scheme be carried forward to the new scheme and action plan. Commissioners agreed, with some minor updates. The Deputy Secretary confirmed that the consultee list had been reviewed and updated.

DISABILITY ACTION PLAN (Paper 06/22)

38. The Deputy Secretary invited Commissioners to consider the Disability Action Plan and whether they wished any changes to be made for the new Plan. She asked Commissioners to consider and reply through correspondence.

Action: Commissioners to consider Disability Action Plan and reply to Deputy Secretary.

FUTURE ENGAGEMENT

39. The Secretary reminded Commissioners that a new First Commission was due to be appointed soon. She asked them to consider whether they wished to arrange a visit to meet with the Civil Service Commission. Commissioners agreed that when restrictions allow, a face to face meeting would be useful.

40. Commissioners agreed that it would also be useful to arrange a meeting with the new Permanent Secretary of DoF, when appointed, and with the Chief Commissioner and Chief Executive of the Equality Commission for Northern Ireland, particularly given recent work on improving access to the NICS for people with disabilities.

Action: Meetings to be arranged as outlined above.

HOUSEKEEPING/AOB/REGISTER OF INTERESTS

41. The Secretary provided Commissioners with an update on the move to Erskine House.

42. Commissioners were advised that the post of Commissioner to replace Jim Scholes would be advertised next week.

43. 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**