

**CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND
SUMMARY RECORD OF BUSINESS MEETING
TUESDAY 17 JANUARY 2023, 10.00AM
ERSKINE HOUSE, BELFAST**

ATTENDEES:

Commissioners

Deirdre Toner, Chairperson
Sinead Burns
Lesley Carroll (via Zoom)

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. Two items were raised as additional business:

- (i) Women in Leadership Conference, Belfast; and
- (ii) Register of Conflicts of Interest during Competitions.

ACTION MATRIX OF SEPTEMBER BUSINESS MEETING (Paper 01/23 & Annex A)

- 1b. Commissioners agreed the Summary Record and action points from the 9 September 2022 Business Meeting.

Commissioners discussed Annex A, Chairing of SCS Competitions – Commissioner Unavailability at Short Notice. The policy had been updated to outline steps that should be taken in the event a Commissioner was not available on the day of scheduled interviews due to illness, bereavement or another emergency. Commissioners discussed the changes and requested a number of further revisions.

The Secretary reviewed the remaining items on the matrix and confirmed that all actions were either ongoing or completed.

Action: Update the policy, Chairing of SCS Competitions – Commissioner Unavailability at Short Notice and share with Commissioners

MATTERS ARISING AND CONFLICTS OF INTEREST

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

SECRETARY'S REPORT (Paper 02/23 and Annex 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 Annexes A, B, & C) since the last business meeting on 9 September 2022 which included:

- Engagement with NICSHR: an overview of recent discussions was provided on competitions and parameters in place to ensure the integrity and to uphold the merit principle in all competitions;
- Mid-Year Stewardship statement completed and returned to NIO on 11 November 2022;
- Meeting held with Geraldine McGahey OBE and Dr Evelyn Collins CBE from the Equality Commission on 21 October 2022;
- Conference entitled "Make Equality a Priority – Equality Law Reform in NI", organised by the Equality Commission NI and attended by Chairperson and Secretary on 22 November 2022. It focused on the need for a single Equality Act and the implications of Brexit and the NI Protocol on equality law;
- Equality Monitoring meeting including Diversity and Inclusion update held with NICSHR on 29 November 2022 to discuss the revised proposal for Equality Monitoring;
- Audit and Engagement meeting held on 30 November 2022 with NICSHR to discuss audit activity during the period 2022/2023 and the Audit Plan for 2023/2024;
- Engagement with NICSHR (Recruitment and Selection Transformation Group) to further the delivery of Recommendation 3.4 of the NIAO Report.
 - Meetings held on 27 September 2022 and 30 November 2022;
 - Terms of reference amended to include the option of setting up Task and Finish Sub-Group;

- Engagement with Kavalneer Walia, Chief Executive of the UK Civil Service Commission on 14 October 2022 to discuss issues of mutual interest;
- Commissioners were advised that a date was currently being sought to meet in Belfast with Baroness Gisela Stuart, UK First Commissioner and Dr Jayne Brady.
- Publication of Commissioners' 2021/22 Annual Report in December 2021 and issued to His Majesty the King;
- Re-arrangement of meeting with the HOCS and Representatives of the NICS Board. To be held on Thursday 23 March 2023.
- The Chairperson met with Sean McCourt-Kelly, a student with a keen interest in international and local politics, democracies and current affairs, on 4 November 2022;
- Meeting held with Catherine Shannon, the recently appointed Director of NICSHR, held on 11 November 2022;
- Business Planning Meeting on 16 November 2022 to consider:
 - Horizon Scanning paper;
 - Business Plan for 2023-24;
 - Learning and Development Plan for 2023-24;
 - Risk Register and agreed to remove risk CR9;
 - Introduction of a Commissioners' Twitter account and Website Blog.
- Meeting held between NIO and ALB representatives on 7 December 2022 on the current financial situation and staff changes in the NIO;
- Review of Data Sharing Agreement with NICSHR;
- Review of the OCSC's Privacy Statement;
- Review of the OCSC's Human Rights Statement. After discussion, the Secretariat is of the view that, as Human Rights are given careful consideration during the Equality Screening process, a separate Human Rights statement on the website is not required;
- Engagement with NICSHR and the NICS on issues relating to:
 - Recruitment Competition(s) and potential Conflict of Interest;
 - Shortlisting of high volume SCS recruitment exercises;
 - Administrative issues to be raised, in turn, with HR Connect.

- Engagement with NIO generally on:
 - Financial Management and Budget Forecasting;
 - Options for budget savings;
 - Extension of the appointment of the Chairperson for a further 5 years until 31 May 2028;
 - Staffing proposals;
 - Routine governance and stewardship issues.
- Compilation of a 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.

CORPORATE MANAGEMENT AND GOVERNANCE

2022/3 Budget Report – Quarter 3

The Secretary referred Commissioners to the table detailed within the report that provided an overview on the current financial position.

The Secretary advised that the NIO Finance Business Partner had left and that his replacement had recently started. It was anticipated that monthly budget meetings would recommence shortly. In the interim period, the Secretariat continued to review the monthly forecast to identify any anomalies.

Commissioners noted that as there were fewer SCS recruitment competitions than previously estimated there had been less expenditure than anticipated. It was predicted that the OCSC would end the current financial year with a surplus that would be returned to the NIO.

ALB Stewardship Statement

Commissioners were reassured that the mid-year Stewardship Statement was duly completed and submitted to the NIO on 11 November 2022.

The statement (a copy of which was circulated to Commissioners) provided assurances that the OCSC adhered to good practice and governance arrangements in relation to Staff Management, Financial Management, Strategy and Policy and Information Assurance and Data Handling.

2022/23 Business Planning Documents

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

8. Commissioners noted the following:

- Business Plan: on track to achieve all Q3 targets and objectives in the 2022/23 Business Plan;
- Risk Register: The Corporate Risk Register, which was amended following the Business Planning Meeting in November, is regularly reviewed and currently details eight identified risks. All risks are currently assessed as 'managed effectively'.
- Learning and Development Plan: All Q3 targets and objectives are on track to be met.

Commissioners' Strategic Priorities 2020-25

It was acknowledged that the Secretariat would continue to review the 2022/23 Business Planning documents to ensure clarity around roles, responsibilities and successful implementation of the Business Plan.

Staffing – Update

The Secretary provided an update on staffing within the OCSC. A 12-month extension to the secondment period of the Deputy Secretary had been approved by their host employer, bringing the secondment up to a total of three years, ending January 2024.

The Secretary notified Commissioners that the Administrative Officer was planning on retiring on 31 March 2023 and advised that the position would not be automatically filled. The duties would be temporarily absorbed by the remaining team members and the vacancy reviewed after a period.

Commissioners' Appointments

Commissioners were invited to note that, following engagement between the OCSC and the NIO, the Secretary of State recently agreed to a five-year extension to the tenure of the Chairperson, Deirdre Toner, up to 31 May 2028.

2021/22 Annual Report

Commissioners were provided with a hard copy of the Annual Report and advised that a copy had been forwarded to HM The King and that the Report was available on the OCSC website. Commissioners noted the report had been circulated to a number of interested parties and a press release had been issued to the usual media outlets across the province.

Twitter Account and Website Blog - Update

Commissioners were supportive of activating the OCSC's recently opened Twitter account to enable a 'tweet' announcing the publication of the CSCNI 2021-22 Annual Report. The tweet would signpost interested parties to the OCSC website.

Commissioners were invited to forward suggestions for topical issues which may be included in a Blog on the OCSC's website.

Action: Tweet the publication of the OCSC Annual Report.

Letter to Dr Evelyn Collins CBE, Equality Commission for NI on her retirement

Commissioners approved a draft letter to Dr Collins wishing her well on her forthcoming retirement and thanking her for more than 40 years of public service, including her role as Chief Executive of the Equality Commission for NI.

Action: Write to Dr Collins, Chief Executive of the Equality Commission for Northern Ireland.

CASEWORK UPDATE

Appointments by Way of Exception

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

Other Casework

Commissioners noted the update on casework and discussed Exceptional Appointment Requests. They asked that this item be added to the agenda for the next Recruitment and Selection Transformation Group meeting. Commissioners were keen to discuss the timeliness of requests and consistency of approaches.

Action: Add Exceptional Appointment Requests to the agenda of the next Recruitment and Selection Transformation Group meeting.

Complaints and Queries

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

Requests for Information

The Secretariat advised that two Freedom of Information requests had been received, one relating to expenditure on equality, diversity and inclusivity, the second relating to the use of Social Media. Responses were issued within the statutory timeframe of 20 working days.

RECRUITMENT AND SELECTION TRANSFORMATION GROUP (RSTG) – REVIEW

This group was set up to address recommendation 3.4 of the NIAO Report on Capacity and Capability in the NICS. The Secretariat and Commissioners discussed the recent activity of the Group and noted that minutes from the previous meetings would be circulated when received from P&OD.

Commissioners raised several items that they would like to discuss at the next meeting. These included requesting an update on the recruitment and selection comparison work being carried out by NICSHR against models in other jurisdictions and also an update on the Executive Response to the RHI Inquiry and Action Plan.

RECRUITMENT CODE – MINISTERIAL INVOLVEMENT (Paper 04/23 & Annex A)

Commissioners reviewed the letter dated 28 November 2022 from Jill Minne which referred to Ministerial Involvement in SCS recruitment and the provisions of the Recruitment Code. The current wording of the Recruitment Code did not provide for any circumstances to waive (where required) the Ministerial endorsement to allow an appointment to be made, for example, should there be no Assembly in place. It was agreed to write to Jill Minne, Director of People & Organisation Development to seek both her comments and suggestions and those of the HOCS regarding a potential amendment to the Recruitment Code.

Commissioners then discussed Ministerial involvement in appointment of Principal Private Secretaries. It was agreed that Commissioners respond, welcoming that Ministers had not been involved in a recent recruitment exercise, but raising questions in relation to the use of compatibility tests. It was further agreed that Commissioners suggest an amendment to the NICS Career Opportunities and Promotion Policy. It was agreed write to Jill Minne, Director of People & Organisational Development accordingly.

Action: Draft a letter to Jill Minne detailing Commissioners thoughts and comments.

ENGAGEMENT WITH UK CIVIL SERVICE COMMISSION

The Secretariat provided an update on a meeting that took place on 14 October 2022 with the Chief Executive of the UK Civil Service Commission, Kavalneer Walia and the Secretariat. The purpose of the meeting was to build on the good relationship already established between the Secretariats and to discuss issues of mutual interest. It was agreed that further meetings would take place on a quarterly basis.

Commissioners were reminded that the 26 January 2023 was no longer being held for a meeting with Baroness Gisela Stuart, Dr Jayne Brady and the Commissioners. A suitable alternative date was still being sought and an agenda would be circulated once details were confirmed.

Action: Confirm meeting date and share agenda once received.

RECENT AND FUTURE MEETINGS

Commissioners were referred to the table of recent and future meetings and were asked to provide details of their availability in the coming months to facilitate further meetings.

AUDIT REPORT (Paper 03/23 and Annex A)

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

Outstanding Equality and Diversity Audit Recommendations

Commissioners were reminded of two outstanding recommendations, one from the 2018/19 audit and one from 2020/21 audit in relation to equality and diversity. At the meeting on 29 November 2022 Commissioners confirmed they were broadly content with the proposal for revised equality monitoring. It was anticipated that the 2021 monitoring information would be completed shortly allowing this recommendation to be closed. In relation to the other recommendation, the NICS advised at this meeting that it would respond to Commissioners shortly and an update is awaited.

Outstanding recommendations: 2021/22 Audit and Review Plan

The DP referred to the 2021/22 Review of NICS Processes for Managing and Monitoring the Tenure of Secondments, noting that the NICS has advised that a

validation exercise is underway. The DP will provide Commissioners with an update in due course.

Progress against 2022/23 Audit and Review Plan

The DP referred to the Article 6 compliance audit, advising that the NICS had noted at the Audit and Engagement meeting on 30 November 2022 that the minor improvement recommended by Commissioners regarding electronic signatures had been addressed.

The DP referred Commissioners to their outcomes letter in relation to the Audit of Competitions below SCS which included two recommendations. The DP advised that the management response had not yet been received, but it was anticipated the Commissioners would be provided with an update in the near future.

Commissioners discussed the layout of recommendations and agreed to present the findings from future audits in a table format with columns for Recommendation, Accepted/Not Accepted and Action Taken.

Action: DP to present future audit findings/recommendations in a table format.

Agency Workers in the NICS

The DP referred the Commissioners to their supporting paperwork which provided information on agency workers across the NICS. Commissioners reviewed the data and advised they wished to discuss the position of agency workers at the next Recruitment and Selection Transformation Group meeting.

Commissioners also noted that it would be helpful to see the number of NICS employees by Department for comparison, if available.

Actions: (i) Provide NICS employees by Department on next Agency workers update and (ii) Include agency workers on the agenda for the next RSTG meeting.

Other outstanding issues

Commissioners were provided with the latest from the NICS on the development of the draft Internal Consultancy Policy.

With regard to the Audit plan for 2023/24, the DP reminded Commissioners that it intended to audit one competition from each Department unless, as discussed at the Audit and Engagement meeting on 30 November 2022, the NICS had any particular areas of concern which it wished to have considered for audit. NICS advised that they would discuss the matter and respond to Commissioners.

Secretariat await this response before Commissioners formally write to the NICS with their audit plan for 2023/24.

Commissioners noted that their Appendix C data requirements for 2022 had been issued to the NICS and were reminded of other outstanding issues in relation to conflict of interest, NICS HR role in recruitment competitions and the Internal Audit report into HRConnect processes (recruitment and selection).

COMMISSIONERS' CODE OF PRACTICE (Paper 05/23)

Commissioners reviewed the Code of Practice that set out the role and responsibilities of the Commissioners and outlined the standards of conduct that they would observe whilst undertaking their duties. They agreed that no revisions were required at this time.

SUBMISSION ON ACTION AND OUTPUTS (Paper 06/23)

A report was tabled on the recommendations of the NIAO's Report on Capacity and Capability in the NICS, the PAC's recommendations made in response to the report and the recommendation made in the Executive Summary of a report published by DoF in response to the recommendations of the RHI Inquiry. Commissioners had asked that a report be compiled for internal use only with details of each recommendation, actions taken to date and outputs achieved, as well as identifying the party responsible for delivery of those outputs. The Secretariat took the Commissioners through the paper and Commissioners and Secretariat discussed the actions and outputs. It was agreed to colour code the document in a RAG (Red, Amber and Green) status. The report would be updated as required and reviewed as a standing item on the Commissioners' Business meeting agendas.

HOUSEKEEPING

37. Commissioners were advised that mileage should be calculated via the AA route planner and were asked to ensure all car park or public transport receipts were retained for record keeping purposes. Commissioners were also asked to forward their fees in a timely manner to ensure prompt payment.
38. Commissioners were reminded to use their daily rate discount card at Victoria Square car park when parking in Belfast as this was the most cost effective method.

REGISTER OF INTERESTS (Paper 07/23)

39. The Chairperson asked for her Register of Interest form to be updated and advised of the changes to be made.

Action: Update the Chairperson's Register of Interest and publish on the OCSC website.

AOB

Women in Leadership Conference

Commissioners were made aware of a conference 'Women in Leadership' that would be taking place in Belfast on 22 February 2023. The Secretariat provided an overview of the event and provided information on costs.

Reference was also made to the NI Leadership Conference 2023 which was to be held at La Mon House Hotel on 1 March 2023.

It was agreed that, subject to budget, a number of places could be booked to allow the Commissioners and officers from the Secretariat to attend either of the above.

Action: Book places at the above conferences, in line with Commissioners' and Secretariat's preferences.

Declaration of Interest

Commissioners requested the Secretariat contact NICSHR to ensure the Declarations of Interest section within the Article 6 Assurance Statement was raised during every competition and appropriately recorded.

Action: Secretary to contact Chris Smart, NICSHR, accordingly.

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