



Northern Ireland
Assembly

Committee for the Office of the First Minister and deputy First Minister

Legacy Report 2011-16

Ordered by the Committee for the Office of the First Minister and deputy First Minister
to be printed 09 March 2016

NIA 338/11-16

Membership and Powers

The Committee for the Office of the First Minister and deputy First Minister (the Committee) is a Statutory Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and under Assembly Standing Order 48. The Committee has a scrutiny, policy development and consultation role with respect to the Office of the First Minister and deputy First Minister (OFMDFM) and has a role in the initiation of legislation.

The Committee has power to:

- Consider and advise on Departmental Budgets and Annual Plans in the context of the overall budget allocation;
- Approve relevant secondary legislation and take the Committee stage of relevant primary legislation;
- Call for persons and papers;
- Initiate inquiries and make reports; and
- Consider and advise on matters brought to the Committee by the First Minister and deputy First Minister.

Membership

The Committee has 11 members, including a Chairperson and Deputy Chairperson, with a quorum of 5 members.

The membership of the Committee is as follows:

- Chairperson** Mr Mike Nesbitt (Chairperson)
- Deputy Chairperson** Mr Chris Lyttle (Deputy Chairperson)
- Mr Andy Allen
- Mr Alex Attwood
- Miss Megan Fearon
- Mr Paul Frew
- Mr Chris Hazzard
- Mr Gordon Lyons
- Mr Alex Maskey
- Mr David McIlveen
- Mr Stephen Moutray

Changes to Committee membership throughout the mandate can be found at Appendix 2.

Abbreviations

DSC	Delivering Social Change
EU	European Union
LCM	Legislative Consent Motion
MLA	Member of the Legislative Assembly
MEP	Member of the European Parliament
MP	Member of Parliament
NGO	Non-governmental organisation
NIHRC	Northern Ireland Human Rights Commission
NIPSO	Northern Ireland Public Services Ombudsman
OFMDFM	Office of the First Minister and deputy First Minister
PfG	Programme for Government
SEUPB	Special EU Programmes Body
SIF	Social Investment Fund
T:BUC	Together: Building a United Community
VSS	Victims and Survivors Service

Achievements and key successes

Committee Bills

- **Public Services Ombudsman Bill**

1. The development of proposals to bring forward legislation to update and reform the Office of the Northern Ireland Ombudsman formed a significant part of the Committee's work throughout the course of the mandate. Work was informed by the views of a wide range of stakeholders who engaged with the Committee to inform its Report on Proposals for a Northern Ireland Public Services Ombudsman (NIPSO) Bill, which was agreed by the Committee in June 2013 and subsequently endorsed by the Assembly in September 2013. A copy of the Report is available at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-proposals-for-a-northern-ireland-public-services-ombudsman-bill/>
2. The Committee subsequently finalised a number of policy decisions before commissioning the drafting of the Bill. The Public Services Ombudsperson Bill was introduced to the Assembly on 20 April 2015. It completed its passage through the Assembly with the Final Stage on 10 February 2016 and received Royal Assent on 19 February. The Committee is pleased to have brought forward this significant piece of legislation which will enhance the NIPSO's independence, in part through a closer relationship between the Ombudsman and the Assembly, to complement their shared responsibility for holding the Executive and public service providers to account.

- **Ombudsman and Commissioner for Complaints (Amendment) Bill**

3. To prevent a vacancy in the current Ombudsman's office during the development of the NIPSO Bill and its subsequent passage through the Assembly, it was necessary for the Committee to bring forward a short Ombudsman and Commissioner for Complaints (Amendment) Bill. This Bill was introduced on 27 April 2015 and proceeded via the accelerated passage procedure. The Bill received Royal Assent on 20 July 2015.

Inquiries

- **Together: Building a United Community**

4. Together: Building a United Community (T:BUC) is the Executive's strategy, launched in May 2013, to achieve "a united community, based on equality of opportunity, the desirability of good relations and reconciliation - one which is strengthened by its diversity, where cultural expression is celebrated and

embraced and where everyone can live, learn, work and socialise together, freed from prejudice, hate and intolerance”¹

5. The terms of reference for the Committee’s Inquiry were agreed in July 2014. It was not intended as a review of the T:BUC strategy; instead it was an opportunity for members to hear from government, statutory agencies, the community and voluntary sector and interested individuals, and make recommendations to support and enhance policy in building a united community.
6. The Committee received representations from 70 individuals, academics and community, voluntary and statutory organisations; held two stakeholder events; and invited a range of stakeholders to give formal evidence.



Young people from the Bytes project meet with COFMDFM Members to discuss the Committee’s Inquiry into Building a United Community, February 2015

7. The report was published on Monday 28 September 2015 to coincide with the Committee’s debate on the Inquiry in plenary and can be found at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-the-inquiry-into-building-a-united-community/>. The Report includes over 30 key conclusions and recommendations to the First and deputy First Ministers, as well as their Executive colleagues.
8. In its initial response, OFMDFM confirmed that 21 recommendations were being implemented/progressed, while 12 were welcomed, noted or under further consideration. In its ongoing scrutiny of the T:BUC strategy and the implementation of the recommendations arising from the Report the Committee is pleased to note progress made, e.g. the creation of the T:BUC forum. The Committee also welcomes the consideration being given to the development of multi-year budgets with an element of flexibility, which may address some concerns in relation to short-term funding identified in the Inquiry.

¹ https://www.ofmdfmni.gov.uk/sites/default/files/publications/ofmdfm_dev/together-building-a-united-community-strategy.pdf

- **Barroso Task Force**

9. In July 2014 the Committee reported on its Inquiry into the work of the Northern Ireland Taskforce, which was established by President Barroso in 2007 to support Northern Ireland in its efforts to improve its economic competitiveness and to create sustainable employment. The terms of reference for the inquiry were to: consider the work and structures of the Taskforce including the Barroso Taskforce Working Group; identify the outcomes from the Taskforce and assess against the objectives; and identify and consider lessons learned from the functioning of the Taskforce in order to inform recommendations for future engagement in EU affairs post Barroso.
10. The evidence received from external stakeholders was vital to the Committee's considerations and in particular the Committee was pleased to note the positive comments from the European Commission's Director General for Regional and Urban Policy Walter Deffaa on his cooperation with the authorities in Northern Ireland. Furthermore, the Committee was grateful for the detail provided by the European Commission submission in particular which highlighted a number of outcomes, across a wide range of policy areas, which could be directly or indirectly attributed to the work of the Taskforce.
11. In consideration of this evidence the Committee found that the Taskforce in Brussels and the Taskforce Working Group in Northern Ireland had stimulated a marked increase in engagement in European affairs by Executive Departments. The Committee's Report on the Inquiry into the Barroso Task Force included 11 recommendations, all of which were accepted by the Department. A copy of the Report can be found at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-inquiry-into-barroso-task-force/>
12. The Committee monitored the implementation of the recommendations and continues to receive regular briefings on European matters.

Legislation

- **The Inquiry into Historical Institutional Abuse Bill**

13. The Inquiry into the Historical Institutional Abuse Bill was introduced to the Assembly on 12 June 2012 to "make provision relating to an inquiry into institutional abuse between 1945 and 1995"². The Bill was referred to the Committee for Committee Stage scrutiny on 26 June 2012. The Committee received 19 submissions in response to its request for written evidence on the clauses of the Bill. A number of those who made written submissions also provided oral evidence, including Sir Anthony Hart, Chair of the Inquiry Panel, the Human Rights Commission, Amnesty International and SAVIA (Survivors and Victims of Institutional Abuse).

² http://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/session-2011-12/niabill_7_11-15.pdf

14. Having considered the evidence received the Committee agreed to request that an amendment was brought forward to replace 1945 with 1922, which would extend the remit of the Inquiry and allow investigation of abuse that occurred in institutions pre-1945. The First Minister and deputy First Minister issued a written statement on 18 October 2012 containing an amendment to the Terms of Reference to reflect this change. The Committee's Report on the Inquiry Into Historical Institutional Abuse Bill was published on 24 October 2012 and is available at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/inquiry-into-historical-institutional-abuse-bill-nia-711-15/>.
15. In January 2015 the Committee agreed to support a one-year extension to the Inquiry's timeframe. The Committee also welcomed the baseline allocation for the Inquiry in the 2015-16 Budget, placing its funding on a more stable footing.
16. In its Report on the Bill the Committee had acknowledged that there were victims and survivors of abuse who fell outside the remit of the Inquiry and undertook to engage with OFMDFM further on this matter. In December 2013, in response to correspondence from the Committee, the Department confirmed that the First Minister and deputy First Minister had appointed a senior civil servant to draw up a scoping paper in regard to the Magdalene Laundry type institutions that operated in Northern Ireland to inform them of what potential actions they might be able to take. A further scoping exercise was also subsequently undertaken, relating to issues arising from mother-and-baby homes like the one in Tuam.
17. Throughout 2014 and 2015 the Committee tried unsuccessfully to obtain information on the scoping exercises and the options being considered for those outside the scope of the ongoing Inquiry. The Committee considered legal advice and, towards the end of 2015, agreed to use its powers under section 44 of the Northern Ireland Act 1998 to compel the Department to provide the information sought. Before the Speaker was asked to issue the notice, the First Minister and deputy First Minister advised that the information would be provided once it had been received by Executive colleagues. After further correspondence between the Committee and Ministers the information was provided on 16 February 2016.

- **Children's Services Co-operation Bill**

18. The Children's Services Co-operation Bill was a Private Members' Bill brought forward by Steven Agnew MLA. Its principle purpose was to introduce a statutory duty to co-operate, which would require Northern Ireland departments and bodies represented on the Children and Young People's Strategic Partnership to work together towards the achievement of six specified high level outcomes relating to the well-being of children and young people.
19. In its consideration of the Bill at Committee Stage, members heard support for the aims of the Bill from a range of stakeholders. However, concerns were expressed that the Bill as introduced to the Assembly would not meet its own objectives. Throughout Committee Stage, significant work was undertaken by OFMDFM officials, who engaged with the Bill sponsor and key stakeholders to consider how the Bill could be improved.

20. The amendments considered by the Department were significant to the extent that a revised draft Bill was presented so the Committee could see how concerns could be addressed, while still delivering against the Bill sponsor's key objectives. Unfortunately, a final set of amendments was not available by the time the Committee undertook its clause-by-clause scrutiny. While highlighting its support for the principles of the Bill, the Committee opposed its clauses as drafted. Members were supportive of the direction of travel outlined by OFMDFM in relation to a number of issues, subject to sight of any final amendments. A copy of the Committee's Report on the Bill can be found at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-the-childrens-services-co-operation-bill-nia-bill/>
21. The Bill was amended significantly before reaching its Final Stage and those amendments reflected a number of the changes that had been considered by the Committee in its engagement with Departmental officials.

Policy Scrutiny

- **Victims & Survivors**

22. The Victims and Survivors Service (VSS) was established in April 2012 and from the outset the Committee was active in monitoring its work, receiving regular briefings from the Department, the Commissioner for Victims and Survivors and VSS. The Committee was a catalyst in drawing out issues with the delivery of services and weaknesses within the process for assessing victims and survivors. The Committee closely scrutinised the implementation of the recommendations in the Independent Assessment of the Victims and Survivors Service carried out by the Commissioner for Victims and Survivors to ensure that service delivery was improved. The Commissioner highlighted that if it wasn't for the Committee's intervention progress wouldn't have been as swift. The Committee was pleased to hear from the Commissioner in October 2015 that 53 out of 70 recommendations had been implemented while a number of the remaining 17 recommendations were nearing completion.

23. Budgetary concerns for the VSS were also a key focus for the Committee, as there was often a reliance on allocations at in-year monitoring rounds to enable VSS to deliver services to victims and survivors. The Committee was pleased to note that the final Budget settlement for VSS for 2015-16 was higher than ever before. The allocation for VSS for 2016-17 was not available at the time of this report.

- **Programme for Government**

24. Scrutiny of the Programme for Government (PfG) was a key priority for the Committee throughout the mandate. The Committee took the lead in co-ordinating the responses of Assembly statutory committees to the draft PfG and draft Investment Strategy for Northern Ireland. The composite Report was published on 15 February 2012 and included a number of recommendations for the Department and the Executive. A copy is available at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-the-executives-draft-programme-for-government-2011-2015-and-draft-investment-strategy-for-northern-ireland-2011-2021/>. A number of amendments were made subsequent to the

Committee's report, including an additional commitment in relation to increasing uptake of competitive EU funds.

25. The Committee received regular updates from OFMDFM officials on progress against Departmental PfG commitments and from the First Minister and deputy First Minister.

- **Delivering Social Change**

26. In October 2012 OFMDFM announced the development of six Signature Programmes under the Delivering Social Change (DSC) framework, which aims to tackle poverty and social exclusion. Delivery of the Signature Programmes is the responsibility of a number of Executive departments, although the allocated budget for these Programmes is drawn from the DSC Central Fund for which OFMDFM has management and governance responsibility.

27. Given the cross-cutting nature of the six Signature Programmes, the Committee held an event to take the views of stakeholders and to provide a platform for discussion on potential enhancement of the Programmes. This comprised relevant government departments, nongovernmental organisations (NGOs), members of the Committee for OFMDFM and stakeholders from the public and private sector. The evidence gathered from stakeholders at this event informed a number of Committee recommendations which were forwarded to the OFMDFM for consideration and response. A copy of the Committees recommendations and the Report on the event can be found at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/report-on-delivering-social-change-signature-programmes-event/>



Delivering Social Change – Stakeholder Roundtable discussion – November 2013

28. A seventh signature programme was announced in October 2013, and a further three new programmes were announced in September 2014, to be jointly funded

by Atlantic Philanthropies. The Committee continued to receive regular briefings on progress in respect of DSC throughout the Assembly term.

- **European Issues**

29. In addition to undertaking an inquiry on the work of the Barroso Taskforce, the Committee scrutinised the Department's and the Executive's work in Europe. A European Panel Forum was established early in the mandate and met on four occasions. The Committee also met with and took evidence from a wide range of stakeholders throughout the mandate, including the UK's Minister for Europe, Rt Hon David Lidington MP, Northern Ireland MEPs, representatives on the Committee of the Regions and members of the European Economic and Social Committee.

30. The Committee visited Edinburgh to discuss European matters with the Scottish European and External Relations Committee. The Committee also travelled to Brussels on two occasions. The first of these was to consider how countries holding the rotating presidency of the EU develop the agenda for their term, to develop contacts and to gain insight into structural and cohesion funds. The second visit to Brussels was to attend the 'Bringing Divided Communities Together' conference. The Committee took the opportunity to also meet with the Chair of the Barroso Taskforce and officials from the Office of the Northern Ireland Executive in Brussels.



Committee Members with Members of the Scottish European and External Relations Committee, Edinburgh Oct 2011

31. The Chairperson represented the Committee at the meetings of the EC-UK Forum, where Chairpersons of European Scrutiny Committees across the UK meet to discuss European matters. This was hosted twice by the Assembly. The Committee also hosted the Irish Minister for European Affairs, Lucinda Creighton TD, when she briefed the business sector on the Irish Presidency of the EU. Other events hosted by the Committee include an event to highlight the work undertaken in Northern

Ireland through EU Peace Funding, which was held for MLAs in May 2013, and a visit from the Enlarged Presidency of the European Economic and Social Committee.



The Chairperson with the UK Minister for Europe, Rt hon David Lidington MEP, the Chief Executive of SEUPB, Pat Colgan and Teya Sepinuck from Theatre of Witness

32. Following on from the work of its predecessor in the previous mandate, the Committee produced an annual report setting out European priorities for scrutiny by Assembly statutory committees. In setting their priorities, committees considered issues of relevance which were highlighted by the Assembly's Research and Information Service's analysis of the European Commission's Work Programme. The Committee also led debates on the reports in plenary.

Legislative Consent Motions

33. The Committee considered and reported on four Legislative Consent Motions (LCM) within the mandate:

- i. **Antarctic Bill** – to make the regulation of activities in Antarctica an excepted matter;
- ii. **Intellectual Property Bill: Freedom of Information Provisions** – extension of Freedom of Information provisions on the protection of pre-publication research;
- iii. **Childcare Payments Bill** – extension of the Childcare Payments Bill to Northern Ireland and that its operation be made an excepted matter;
- iv. **Northern Ireland (Stormont Agreement and Implementation Plan) Bill** – power of the First Minister and deputy First Minister, acting jointly, to nominate two members of the Independent Reporting Commission; and the establishment of new measures relating to the financial responsibility of the Assembly.

Reports on the Committee's consideration of each LCM are available on the Committee's website at <http://www.niassembly.gov.uk/assembly-business/committees/office-of-the-first-minister-and-deputy-first-minister/reports/>

Forthcoming Issues

34. Issues that the incoming Committee may wish to consider are set out below.

- **Receipt of departmental papers**

35. The Committee's scrutiny of the work of the Department was often impacted by the lateness of papers from the Department, delays in receiving briefings and delays in responding to Committee requests for information. This was raised with the Head of the Civil Service, junior Ministers and the First Minister and deputy First Minister, which led to improvements in the 2013-14 and 2014-15 Assembly sessions. However, the improvements were not sustained throughout the final year of the mandate. The Committee would draw its successor's attention to the guidelines agreed between the Executive and Chairpersons' Liaison Group on the timescales for interaction between Assembly Committees and Departments. The Committee wishes to highlight the importance of early communication and the need for constructive engagement with Ministers and the Department to ensure that the Committee can actively scrutinise the Department's policies, strategies and legislation.

- **Frequency of Ministerial Briefings**

36. The First Minister and deputy First Minister briefed the Committee on five occasions throughout the course of the 2011-16 mandate, with no briefing during the 2014-15 Assembly session. These briefings focused on progress in respect of the Programme for Government. As well as accompanying the First and deputy First Ministers on those occasions, junior Ministers appeared before the Committee on eight other occasions to discuss a range of issues, including children and young people, DSC, T:BUC and proposals for age discrimination legislation in respect of goods, facilities and services.

37. The Committee would suggest that the new Committee should engage with The Executive Office early in the new mandate to formalise arrangements for more frequent briefings from the First Minister and deputy First Minister.

- **Programme for Government and Investment Strategy**

38. The Committee recommends that the incoming Committee continues the co-ordinating role in liaising with other statutory committees and gathering their views on the Executive's Draft Programme for Government and draft Investment Strategy for Northern Ireland. The Committee saw this as an important part of its early work and would recommend that an incoming Committee undertakes this key role.

- **Together: Building a United Community**

39. Details of the Committee's consideration of this strategy, including its Inquiry, are set out under 'Achievements and Key Successes' above. The successor Committee may wish to follow on with the Committee's work in this regard and ensure

progress continues on the implementation of the recommendations in the new mandate.

- **Review of Transfer of Functions**

40. At its meeting on 10 February 2016 the Committee considered the proposal for the Departments (Transfer of Functions) Order (NI) 2015 and agreed that it was content with the proposal. The Committee also agreed that a short, focused ex-post review of the transfer of functions should be conducted six months after the Order comes into effect to ensure that services are being delivered effectively and efficiently under the restructured nine department model. The Committee for the Executive Office may wish to monitor this review.

- **Historical Institutional Abuse**

41. The Historical Institutional Abuse Inquiry is scheduled to report in January 2017. The Committee has respected the independence of the Inquiry and therefore has not undertaken detailed scrutiny throughout the process. The Committee is aware that Sir Anthony Hart undertook a targeted consultation on redress for victims and survivors of historical institutional abuse. However, OFMDFM advised the Committee that no budgeting provisions will be made in this regard until the Inquiry Report is finalised. This is a matter that the new Committee may wish to consider at the appropriate time.

42. In addition, in terms of those that fall outside the remit of the Inquiry, in February 2016 the Committee noted that the Executive agreed the following:

- Mother and Baby Homes/Magdalene Asylums (Laundries), residents aged 18 or over – to establish an interdepartmental working group led by DHSSPS to review the evidence with the objective of making recommendations to the Executive within 6 months;
- Clerical child abuse, outwith the HIA Inquiry – to engage the Safeguarding Board for NI (established by DHSSPS) to examine the issue of Clerical Abuse/Child Abuse and make recommendations to the Executive.

43. The Committee recommends that its successor monitors progress and ensures that the Department works constructively with the Department of Health as this work develops.

- **Age Discrimination Legislation**

44. Towards the end of the mandate OFMDFM undertook a consultation on proposals for age discrimination legislation in respect of goods, facilities and services. Legislation had not been finalised before dissolution of the Assembly. While the responsibility for older people, acting aging strategy etc. will transfer to the new Department for Communities, the Executive Office will retain the responsibility for age discrimination legislation through to enactment when it is expected that it too

will transfer. The new Committee may wish to ensure this is progressed in a timely manner.

- **Refugee Integration Strategy**

45. The new Racial Equality Strategy was published on 10 December 2015 and the Executive Office will retain policy responsibility on this issue. Feedback received by OFMDFM during the consultation on the strategy indicated support for a separate Refugee Integration Strategy. During a briefing on the Executive's participation in the Vulnerable Persons Relocation Scheme OFMDFM officials advised that it was hoped a draft Refugee Integration Strategy would be available for consideration by Ministers before the end of 2015. The Committee received no further information on this. The new Committee may wish to pursue this issue with The Executive Office.

- **Delivering Social Change**

46. Funding for DSC Signature Programmes had been intended as 'seed funding' and it was hoped that those programmes deemed to be successful could be mainstreamed by the lead department, with future costs found from within its own budget. The Signature Programmes will be subject to a formal evaluation to identify their success or otherwise. The Committee has asked that the Department advises when programmes are mainstreamed or shows how their legacy will be taken forward.

- **Social Investment Fund**

47. The Social Investment Fund (SIF) aims to tackle poverty and deprivation in communities in Northern Ireland. Funding of £80million was ring-fenced for the delivery of SIF in the 2011-15 Budget period and the principles of how it would operate were agreed in 2012. However, expenditure was much slower than envisaged. On 27 January 2016 OFMDFM officials advised they expected £7.1m to be spent by the end of the 2015-16 financial year. At that time, £58million had been committed to projects which was expected to increase to £70million by the end of the financial year, with the full £80million being committed by the end of summer 2016. The new Committee may wish to continue to scrutinise the operation and delivery of the Fund to ensure that money is targeted to those areas most in need.

- **European Matters**

48. A referendum on whether the UK should remain in or leave the EU is scheduled for 23 June 2016. At the time of this Report, the Northern Ireland Affairs Committee was undertaking an Inquiry into the issues affecting Northern Ireland in respect of the referendum on the UK's membership of the EU. The findings of that Inquiry will be of interest to the Committee.

49. The outcome of the referendum will influence the work of the Committee in respect of European matters. The Committee will wish to consider how the Executive engages with the UK Government on issues of relevance to Northern Ireland. The Chairperson currently attends the EC-UK Forum (which meets every six months) and continued engagement with relevant Committees in other jurisdictions is recommended.
50. In January 2016 the European Commission announced the continuation of the NI Task Force. President Juncker also requested that an assessment on the work of the NI Task Force was completed by the Directorate-General for Regional and Urban Policy together with counterparts in NI before the end of 2018. OFMDFM has undertaken to brief the Committee when further details on the composition and role of the Task Force are agreed.
51. The Committee would recommend that, if appropriate, its successor continues to compile an annual report setting out the forthcoming EU priorities for Assembly committees together with details of work undertaken in respect of EU issues in the previous year.
- **The UK reporting cycle to the UN and Council of Europe treaties**
52. The Executive Office will lead on each of these and will be required to report. The human rights and equality lead within the Department will produce documents that could be shared for Committee scrutiny and good practice elsewhere would suggest that this ought to happen.
53. The Northern Ireland Human Rights Commission (NIHRC) Chief Commissioner has raised this issue of scrutiny previously with the Committee. The NIHRC will also issue parallel reports for scrutiny.
54. In addition to the treaty obligations there are outstanding matters relating to the Bill of Rights advice and the advice on a proposed Charter of Rights for the island of Ireland. The NIHRC should be invited early in the next mandate to brief the Executive Office Committee on these matters and, when appropriate, the matters set out below:
- i. International Covenant on Economic, Social and Cultural Rights UK examination June 2016;
 - ii. Convention on the Rights of the Child UK examination May 2016;
 - iii. Convention on the Elimination of All Forms of Racial Discrimination UK examination August 2016;
 - iv. International Covenant on Civil and Political Rights UK Follow Up due July 2017;
 - v. Convention on the Elimination of All Forms of Discrimination Against Women UK examination July 2017;
 - vi. Convention Against Torture UK report due by May 2017;
 - vii. Convention on the Rights of Persons with Disabilities 2017 (exact date to be set);

- viii. Universal Periodic Review by the UN Human Rights Council 2017 (probably June/July);
- ix. Framework Convention National Minorities Opinion on the 4th UK Report expected in June 2016.

- **Ebrington Barracks and Maze/Long Kesh**

55. The Executive Office will be responsible for the Ebrington Barracks and the Maze/Long Kesh site. The capital budget for 2016-17 has been agreed and the incoming Committee may wish to monitor progress in respect of these sites.

Work of the Committee during the 2015-16 Session

Meetings Held

1. In the period from September 2015 to March 2016, the Committee held a total of 27 Committee meetings, 7 of which were fully public. 18 meetings were held in partially closed session and 2 were fully closed, the majority of which related to the Committee's development of the Northern Ireland Public Service Ombudsman Bill. All meetings of the Committee since September 2015 were held in Parliament Buildings.

Primary Legislation

- **Committee Bill - The Public Services Ombudsman Bill**
2. The Ad Hoc Committee established to take the Committee Stage of the Public Services Ombudsman Bill completed its work on 29 September. The Committee agreed to make changes to the Bill to reflect some of the concerns raised by the Ad Hoc Committee during the course of its consideration. This including changing the title from "Ombudsman" to "Ombudsman".
 3. The Committee made a number of amendments at Consideration Stage and Further Consideration Stage. Most notable of these is the inclusion of a Complaints Standards Authority, the provisions of which will be commenced when the Assembly considers that appropriate resources are available. In addition, although it was firmly of the belief that the Bill was competent, the Committee agreed to schedule an Exceptional Further Consideration to safeguard the Bill by addressing a concern raised by the Attorney General for Northern Ireland. The Bill passed its Final Stage in the Assembly on 10 February and received Royal Assent on 19 February.
- **The Departments Bill**
4. At its meeting on the 30 November 2015, the Committee received a briefing from junior Minister McCann and junior Minister Pengelly on the Departments Bill, which the Executive wished to progress by the accelerated passage procedure. In line with the requirement of Standing Order 42(3) the junior Ministers explained the reasons for the use of accelerated passage in respect of the Bill and the consequences of accelerated passage not being granted.
 5. During the briefing members heard that the reduction in the number of Departments from 12 to nine will provide for a leaner, more streamlined and efficient administration from the beginning of the new Assembly mandate. Whilst some members expressed concern at the lack of time to scrutinise the Bill, the Committee agreed by majority to support the request for accelerated passage. The motion for

accelerated passage was approved by the Assembly on 8 December. The Bill passed its Final Stage on 2 February 2016 and received Royal Assent on 29 February.

Subordinate Legislation

- **Departments (Transfer of Functions) Order (NI)**

6. While the Departments Bill set out the high level framework for the nine department model, the reallocation of statutory functions was provided for in a transfer of functions order. While the junior Ministers had committed to engage with the Committee on this matter, members considered that the time that would be available for scrutiny of the order would be limited. The Committee therefore wrote to all statutory committees in December to ask for views on the proposed transfer of functions as set out in Section F of 'A Fresh Start'. Details of consultation with or representation from stakeholders were also subsequently requested.
7. In respect of OFMDFM, the Committee was briefed by senior Departmental officials on the restructuring of the Department (which will be known as The Executive Office) and wrote to relevant Departmental arm's length bodies on seeking views on the proposed transfer of functions.
8. The Committee took evidence on the proposed Departments (Transfer of Functions) Order (NI) on 27 January. At its meeting on 10 February the Committee noted the responses received from statutory Assembly committees and OFMDFM arm's length bodies on the proposed transfer of functions. The Committee agreed that it was content for the Order to be made, but recommended that an ex-post review of the transfer of functions is undertaken six months after the Order comes into operation.
9. The Committee formally considered the Statutory Rule at its meeting on 2 March 2016 and agreed that it should be affirmed by the Assembly.

- **The Salaries (Assembly Ombudsman and Commissioner for Complaints) Order (Northern Ireland) 2016**

10. At its meeting on 27 January 2016 the Committee considered a proposal for an increase in the annual salary paid to the Assembly Ombudsman and Commissioner for Complaints. Following this consideration the Committee was content for the rule to be made.
11. The Committee considered the Statutory Rule at its meeting on 2 March 2016 and agreed that it had no objection to the Rule.

- **Salaries (Public Services Ombudsman) Order (NI) 2016**

12. The proposal to set the salary for the Ombudsman under the Public Services Ombudsman Act (Northern Ireland) 2016 was considered by the Committee at its meeting on 2 March. The Committee agreed that it was content with the proposal to make the rule.

13. The Committee formally considered the Salaries (Public Services Ombudsman) Order (NI) 2016 at its meeting on 16 March and agreed that it had no objection to the Rule.

- **Victims and Survivors Service – Retention and Disposal Schedule**

14. The Committee considered the Data Retention and Disposal Policy and Schedule of the Victims and Survivors Service at its meeting on 9 March. The Committee agreed that it had no objection to the Schedule.

- **The Departments (2016 Act) (Commencement Order) (Northern Ireland) 2016**

15. The Committee noted the Departments (2016 Act) (Commencement Order) (Northern Ireland) 2016 at its meeting on 2 March.

Legislative Consent Motions

- **Northern Ireland (Stormont Agreement And Implementation Plan) Bill**

16. A Legislative Consent Memorandum with regard to the Northern Ireland (Stormont Agreement and Implementation Plan) Bill was laid in the Assembly on 12 February and referred to the Committee for consideration. The Bill gives effect to a number of commitments contained in “A Fresh Start: The Stormont Agreement and Implementation Plan.” The Assembly’s consent was required in respect of two elements: the power of the First Minister and deputy First Minister, acting jointly, to nominate two members of the Independent Reporting Commission; and the establishment of new measures relating to the financial responsibility of the Assembly.

17. Given the relevance of the LCM to the Department of Finance and Personnel and the Department of Justice, officials from those Departments joined an OFMDFM official to give evidence on the LCM. The Committee also requested the views of the relevant statutory committees on the LCM.

18. At its meeting on 2 March the Committee agreed to support the Legislative Consent Motion in respect of the Northern Ireland (Stormont Agreement and Implementation Plan) Bill. The report on the LCM is available at <http://aims.niassembly.gov.uk/officialreport/minutesofevidencereport.aspx?AgendaId=17673&evid=10044>

Other Scrutiny Undertaken

i. **Together: Building a United Community and Good Relations**

19. The Committee’s Inquiry report was debated in plenary on 28 September. Two briefings were subsequently held with Departmental officials on the outcome of the Inquiry. The Committee is pleased that none of the findings and recommendations made in the report were rejected, and notes the progress made in respect of implementation such as the establishment of a T:BUC Forum, which is due to meet in March 2016 and will enhance community engagement and interaction within the

sector and between government and the sector. The Committee also notes that steps have been taken to open funding calls early to try to give certainty to organisations as soon as possible. The consideration of multi-year budgets, whilst retaining a degree of flexibility, was welcomed by members as it may alleviate some of the issues in respect of short term funding that were raised in the Inquiry. An annual report is also under development and consideration will be given to a 'take note' debate, which the Committee had recommended as an opportunity for progress to be identified and for good news stories to be heard.

20. At its meeting on 9 September 2015 the Committee received a briefing from Departmental officials on the Good Relations Indicators, which was followed by a briefing on the first report on the Good Relations Indicators at its meeting on 11 November 2015. The indicators will be used to help inform the annual report on T:BUC.

ii. Historical Institutional Abuse

21. Having tried unsuccessfully to obtain details of the scoping exercises in respect of those victims of abuse outside the remit of the ongoing Historical Institutional Abuse Inquiry, the Committee sought legal advice on how it might obtain the information. Following consideration of that advice the Committee agreed by majority at its meeting on 26 November to use its powers under section 44 of the Northern Ireland Act 1998 to compel persons or papers. Before such a notice was issued, the Committee received correspondence from the First Minister and deputy First Minister to advise that the papers would be shared with the Committee following receipt by the Executive. The Executive considered and agreed the way forward in respect of these matters on 10 February 2016, and papers were forwarded to the Committee on 16 February 2016.

iii. Victims & Survivors Service

22. The Committee maintained its scrutiny of the Victims & Survivors Service in this session. Senior representatives briefed the Committee on 7 October and members noted the ongoing progress in respect of service delivery. The Committee also heard from the new Commissioner for Victims and Survivors, Judith Thompson, on 21 October which included discussion on the Commission's constructive relationship with VSS.

iv. Vulnerable Persons Re-Location Scheme

23. To ensure that the Committee was fully informed of the arrangements to support refugees and asylum seekers in Northern Ireland members received a briefing from Departmental officials on the Vulnerable Persons Relocation Scheme at the meeting of 21 October. The Committee sought clarification on a number of issues during this briefing, such as discussions between the Department and the UK Government; whether a Refugee Integration Strategy would be developed separately to the Racial Equality Strategy; and on the level of engagement with local organisations which support refugees and asylum seekers. The Committee heard that a separate Refugee Integration Strategy would be developed, however no further information was forthcoming from the Department in this regard during the remainder of the session.

24. The Committee also heard from a representative panel of NGOs regarding the refugee and asylum seeker crisis. This comprised representatives from the British Red Cross NI, the NI Community of Refugees and Asylum Seekers and South Belfast Roundtable.

v. Age Discrimination Legislation

25. At its meeting of 20 January 2016 the Committee received a briefing from Departmental officials on the outcome of the consultation on proposals to extend age discrimination legislation to the provision of goods, facilities and services (GFS) and also on the EU Equal Treatment Directive. The Committee heard that there was a large degree of support for the inclusion of those under 16s in the scope of any proposed legislation on age discrimination. The final proposals for legislation had not been agreed by Ministers by the end of the Assembly term.

vi. Delivering Social Change

26. The Committee continued to monitor progress on DSC programmes and received a briefing from Departmental officials on 17 February 2016. The Committee also monitored DSC through its scrutiny of OFMDFM's Programme for Government commitments and budget allocations. The Committee noted that the budget allocation for 2016-17 in relation to DSC was £14million resource and £15million capital. This included funding for DSC programmes, SIF and the Childcare Strategy. The Committee also noted that a further £8m was to be held for Atlantic Philanthropies under the DSC agenda.

Europe

27. Throughout the 2015-16 session the Committee continued to scrutinise the Department's and Executive's work in Europe, receiving briefings from senior officials in the Office of the Northern Ireland Executive in Brussels on 9 September and 9 December (the latter via video link).

28. The 2014-15 European Priorities Implementation Report was not forwarded to the Committee until 22 January 2016, which followed agreement by the Executive on 17 December 2015. While the Committee had sight of the draft Executive priorities for 2015-16, it is of some concern that – as far as the Committee understands – these had not been formally agreed at the time of this report.

29. The Committee also considered issues with regard to EU Reform and on 26 November, the Committee met with Lord Boswell of Aynho, Chairman of the House of Lords European Committee, in respect of that Committee's Inquiry "Visions of EU Reform". Although this was not a formal evidence session, the issues discussed may be drawn on in the European Committee's Inquiry report.

30. The Assembly hosted the bi-annual meeting of the EC-UK Forum in November, which was chaired by the Committee Chairperson. A number of topics of mutual interest were discussed including EU reform and the referendum on the UK's membership of the EU.

31. On 20 January the Committee heard from OFMDFM officials and the Equality Commission on the EU Equal Treatment Directive. The Committee subsequently provided the House of Lords and House of Commons European Scrutiny Committees with an outline of the discussions. The House of Commons European Scrutiny Committee included the Committee's correspondence in their subsequent correspondence to the Parliamentary Under-Secretary of State for Women, Equalities and Family Justice and has advised that it will be included as an annex to a forthcoming report by the Committee. The Chairperson of that Committee, Bill Cash MP, advised that they will continue to bear the Committee's interest in mind in pursuing further scrutiny of this issue.
32. The Committee agreed its Report on Assembly Committee Priorities for European Scrutiny 2016 on 10 February 2016. As well as highlighting Committees' priorities for 2016, the report allowed reflection on performance in relation to their 2015 priorities. However, due to the time pressures associated with Plenary business in the final weeks of the mandate the Committee agreed not to hold the usual take-note debate. In terms of its own priorities, the Committee agreed to keep a watching brief on the New Skills Agenda for Europe initiative; the New start for working parents initiative; the Labour Mobility package; and the Better Migration Management initiative.

Committee Expenditure for the period 1 September 2015 – 25 February 2016*

Budget area	Details	Expenditure
Committee Travel - committee members and staff travel and subsistence in relation to visits and meetings outside Parliament Buildings	Includes the cost of committee visits to:	£0.00
Printing of committee reports	Includes the cost of committee reports on:	£0.00
Advertising – the cost of public notices relating to committee inquiries, the committee stage of Bills and meetings held outside Parliament Buildings	Includes the cost of public notices in relation to:	£0.00
Consultancy support - the cost of specialist advisers appointed by the committee and commissioned research, also the cost of drafting Standing Orders	Specialist adviser to the Committee on [issue/inquiry to which the advice related]	£0.00
General expenses	Cost of refreshments for committee meetings, working lunches, seminars, room hire, witness expenses, gifts provided by the committee during visits and conference fees for members.	£871.42
Total Expenditure		£871.42

*Expenditure for March 2016 will be included when expenditure reports are finalised.

Committee for the Office of the First Minister and deputy First Minister

The Committee has 11 members. The membership of the Committee throughout the current mandate was as follows:

Chairperson	Mr Mike Nesbitt (Chairperson) ^{1,2}
Deputy Chairperson	Mr Chris Lyttle (Deputy Chairperson)
	Mr Andy Allen ^{3,10,11,12,16,17,18,20}
	Mr Alex Attwood ¹⁴
	Miss Megan Fearon ⁵
	Mr Paul Frew ^{8,21}
	Mr Chris Hazzard ^{6,19}
	Mr Gordon Lyons ^{4,9,13,22}
	Mr Alex Maskey
	Mr David McIlveen ¹⁵
	Mr Stephen Moutray ⁷

Changes to Committee Membership

- 1 With effect from 26 September 2011 Mr Mike Nesbitt replaced Ms Sandra Overend
- 2 With effect from 17 April 2012 Mr Mike Nesbitt replaced Mr Tom Elliott as Chairperson
- 3 With effect from 23 April 2012 Mr Danny Kinahan was appointed to the committee
- 4 With effect from 21 May 2012 Mr Tom Buchanan replaced Mr Jimmy Spratt
- 5 With effect from 10 September 2012 Ms Megan Fearon replaced Mr Francie Molloy
- 6 With effect from 10 September 2012 Ms Bronwyn McGahan replaced Ms Cairiona Ruane
- 7 With effect from 01 October 2012 Mr Stephen Moutray replaced Mr William Humphrey
- 8 With effect from 01 October 2012 Mrs Brenda Hale replaced Mr Trevor Clarke
- 9 With effect from 01 October 2012 Mr Paul Givan replaced Mr Tom Buchanan
- 10 With effect from 15 October 2012 Mr John McCallister replaced Mr Danny Kinahan
- 11 With effect from 25 February 2013 Mr Robin Swann replaced Mr John McCallister
- 12 With effect from 11 March 2013 Mr Leslie Cree replaced Mr Robin Swann
- 13 With effect from 15 April 2013 Mr Jimmy Spratt replaced Mr Paul Givan
- 14 With effect from 07 October 2013 Mr Alex Attwood replaced Mr Colum Eastwood
- 15 With effect from 06 October 2014 Mr David McIlveen replaced Mr George Robinson
- 16 With effect from 06 October 2014 Mr Roy Beggs replaced Mr Leslie Cree
- 17 With effect from 13 October 2014 Mr Michael Copeland replaced Mr Roy Beggs
- 18 With effect from 31 August 2015 Mr Michael Copeland resigned as a Member
- 19 With effect from 14 September 2015 Mr Chris Hazzard replaced Ms Bronwyn McGahan
- 20 With effect from 28 September 2015, Mr Andy Allen was appointed to the Committee
- 21 With effect from 5 October 2015, Mr Paul Frew replaced Mrs Brenda Hale
- 22 With effect from 5 October 2015, Mr Gordon Lyons was appointed to the Committee

Committee for the office of the First Minister and deputy First Minister

Committee meetings & visits

Session	Number of meetings held	Percentage minutes public / closed	Number of meetings held outside Parliament Buildings	Number of committee visits
2011/2012	39	83% /17%	2	6
2012/2013	36	85% /15%	2	2
2013/2014	33	84% /16%	0	1
2014/2015	34	78% /22%	2	0
2015/2016	27	80% /20%	0	0

Committee Bills

Session	Name of Bill
2014/2015 2015/2016	Northern Ireland Public Services Ombudsman Bill
2014/2015	Ombudsman and Commissioner for Complaints (Amendment) Bill

Bills (Committee Stage)

Session	Name of Bill	Committee report (Ordered to print)
2012/2013	Inquiry into Historical Institutional Abuse Bill (NIA 7/11-15)	24/10/12
2014/2015	Children's Services Co-operation Bill (NIA Bill 44/11-16)	01/07/15

Committee Inquiries

Session	Name of report	Committee Report (ordered to print)	Date debated in Plenary (if applicable)
2013/2014	Report on Inquiry into Barroso Task Force: NIA 179/11-15	02/07/14	09/09/14
2014/2015	Report on the Inquiry into Building a United Community: NIA 257/11-16	01/07/15	28/09/15

Statutory Rules

Session	Number agreed by Committee
2011/2012	4
2012/2013	3
2013/2014	2
2014/2015	6
2015/2016	4

Committee Reports (excluding Bill and Inquiry reports)

Session	Name of report	Date (date approved by Committee)	Date debated in Plenary (if appropriate)
2011/2012	Report on the Executive's draft Programme for Government 2011-2015 and draft Investment Strategy for Northern Ireland 2011-2021 (NIA 29/11-15)	15/02/2012	
2012/2013	End of Session Report 12 May 2011 – 31 August 2012	26/09/12	
	Report on Statutory Committee Activity on European Issues May 2011 - August 2012 (NIA 81/11-15)	21/11/12	21/01/13
	Report on the Antarctic Bill Legislative Consent Motion (NIA 95/11-15)	25/02/13	
	Assembly Committees – Priorities for European Scrutiny in 2013 (NIA 108/11-15)	24/04/13	
	Report on Proposals for a Northern Ireland Public Services Ombudsman Bill (NIA 120/11-15)	27/06/13	16/09/13

2013/2014	Report on the Legislative Consent Motion Intellectual Property Bill – Freedom of Information Provisions (NIA 138/11-15)	23/10/13	12/11/13
	End of Session Report 1 September 2012 - 31 August 2013	19/11/13	
	Report on Delivering Social Change Signature Programmes Event (NIA150/11-15)	11/12/13	17/02/14
	Report on Assembly Committee Priorities for European Scrutiny in 2014 (NIA 159/11-15)	19/03/14	07/04/15
2014/2015	Report on the Legislative Consent Motion: Childcare Payments Bill (NIA 189/11-15)	01/10/14	
	End of Session Report 1 September 2013 - 31 August 2014	17/11/14	
	Report on Assembly Committee Priorities for European Scrutiny 2015 (NIA 225/11-16)	11/03/15	13/04/15
2015/2016	End of Session Report 2014-15	08/10/15	
	Report on Assembly Committee Priorities for European Scrutiny 2016 (NIA 303/11-16)	10/02/16	
	Report on LCM NI (Stormont Agreement and Implementation Plan) Bill (NIA320/11-16)	02/03/16	15/03/16
	Committee for the Office of First Minister and deputy First Minister Legacy Report 2011-16	09/03/16	

Witnesses

Session	Number of Organisations who give evidence to the committee
2011/2012	40
2012/2013	50
2013/2014	25
2014/2015	55
2015/2016	28

The information contained in this document is available online at:

www.niassembly.gov.uk

This document can be made available in a range of alternative formats including large print, Braille etc. For more information please contact:

Mrs Kathy O'Hanlon

Committee Clerk

Committee for the Office of the First Minister and deputy First Minister

Northern Ireland Assembly

Parliament Buildings

Ballymiscaw

Stormont

Belfast BT4 3XX

Tel: 028 90 521903

Email: kathy.o'hanlon@niassembly.gov.uk

ISBN 978-1-78619-258-5

© Copyright Northern Ireland Assembly Commission 2015