

**Central Services & Contingency Planning  
Group**

Office of the Permanent Secretary



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

**Our reference: DAERA/23-27**

Via e-mail:

Office of the Permanent Secretary  
1<sup>st</sup> Floor  
Clare House  
303 Airport Road West  
Belfast  
BT3 9ED

Telephone: [REDACTED]

Email: [REDACTED]

30 June 2023

Dear [REDACTED]

**Freedom of Information Act (FOIA) 2000**

With regard to your request for information which you clarified for the Department on 22 February 2023 which sought the following:

*All material returned from a search of the email accounts and other forms of electronic communication (whether text messages, WhatsApps, etc) of Katrina Godfrey, Robert Huey, Julian Henderson and Joanne McAuley for any of the terms 'PwC', 'Bronckaers' or 'Oscar' from 1 December – 26 January, disregarding reference to 'the Online System for Central Accounting and Reporting.'*

I would like to thank you for your patience given the additional time required to process this request.

I can advise that the Department has completed its search and confirm that it holds information relevant to your request. However, the Department has decided not to disclose some of the information as the following exemptions apply:

- Section 42 - Legal professional privilege

In these circumstances, the Department is required to consider the public interest. A Public Interest has been conducted and is attached.

- Section 40(2) – Personal Data, of which you are not the data subject.

***Sustainability** at the heart of a living, working, active landscape valued by everyone.*

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



As some of the information held constitutes personal data of which you are not the data subject, the Department is required to consider if disclosure would breach the first Data Protection Principle which states that processing must be lawful, fair and transparent.

The Department has considered this element and has determined that no lawful basis for disclosure under FOI / EIR exists, bearing in mind that any such disclosure must be considered in terms of disclosure to the “world at large”, and not just you the requester. Consequently, the personal data falling within the scope of this request has been withheld. A copy of the Lawful Processing & Fairness Test is attached for your information.

A copy of the information which can be disclosed is attached. Please note that some further material is still subject to consideration under the Public Interest Test and will be provided as soon as possible.

Please note that the Department has engaged section 21 (information accessible by other means) for copies of the PwC reports which fell within the scope of this request. These reports were provided to you on 24 March for Phase 2 reports and 24 April for Phase 1 reports.

If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review Section either by e-mailing [daera.informationmanager@daera-ni.gov.uk](mailto:daera.informationmanager@daera-ni.gov.uk) or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Ballykelly House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE, SK9 5AF, who will undertake an independent review of the Department’s decision.

Yours sincerely



**Office of the Permanent Secretary**

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# LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA/23-27 - Freedom of Information Act 2000 (FOIA)

## Request Details:

*All material returned from a search of the email accounts and other forms of electronic communication (whether text messages, WhatsApps, etc) of Katrina Godfrey, Robert Huey, Julian Henderson and Joanne McAuley for any of the terms 'PwC', 'Bronckaers' or 'Oscar' from 1 December – 26 January, disregarding reference to 'the Online System for Central Accounting and Reporting.'*

## Brief description of the Personal Data falling within the scope of the request

Personal information of NICS Officers and employees of other organisations contained within material in scope for this request.

## LAWFULNESS

### Please identify the lawful basis for processing

Personal data is processed when it is lawfully disclosed in response to an FOI / EIR request.

The lawful bases for processing are set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

- Consent:** This will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.
- Legitimate interests:** the processing is necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

## Consideration of Legitimate Interests

### 1. PURPOSE

As the disclosure of personal data under FOIA is a disclosure to the world at large, doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

### 2. NECESSITY

The right of access under FOIA does not in itself constitute a pressing social need, however there has been a considerable interest generated in the handling of this case particularly given the issues around animal welfare and the whistleblowing policy for public sector employees insofar as its aim includes protecting matters that will often be of legitimate public interest, e.g. use of public finances, policies that may impact on daily life etc. The main data subject has given numerous interviews across all media including television, radio and newspapers and so the details of the case are in the public domain.

For the information identified, the Department considers that, even when taking into account the high levels of public & media interest, it has not identified any such need for the personal data of NICS Officials below SCS level or of employees of other organisations to have their personal data further processed nor their right to privacy to be interfered with.

With no pressing social need identified, further processing would be considered unlawful.

Dr Bronckaers is the main data subject for this request, however given the ongoing litigation against the Department and to be respectful of the court taking precedence over the media interest, the Department has decided not to further process Dr Bronckaers personal data for this request. This is a material difference to

the approach taken in July 2022 for a broadly similar request. This timeframe has allowed the Department to re-think the approach and to respect the supremacy of the court. Likewise, the Department has decided not to further process the personal data of other DAERA Officials involved in this case.

### **3.BALANCING**

NICS Officials at SCS level have not provided their consent for this data to be released so again this has been considered against the legitimate interest in disclosure and balanced against their right to privacy. The legitimate interest in disclosure is as set out in the paragraphs above. These NICS Officials are in senior decision making roles so their names are already in the public domain. Their right to privacy would not out-balance the legitimate public interest surrounding this case.

### **CONCLUSION**

Having considered all of the information contained within this test, the Department has established that there is no lawful basis for the disclosure of third-party personal data belonging to Dr Bronckaers, DAERA Officials involved in this case, NICS Officials below SCS level and employees of other organisations.

The names of NICS Officials at SCS level will be released under this request.

[REDACTED]

[REDACTED]

**Office of the Permanent Secretary**

# Public Interest Test – FOI

**Reference Number – DAERA/23-27**

## **Requested Information:**

*All material returned from a search of the email accounts and other forms of electronic communication (whether text messages, WhatsApps, etc) of Katrina Godfrey, Robert Huey, Julian Henderson and Joanne McAuley for any of the terms 'PwC', 'Bronckaers' or 'Oscar' from 1 December – 26 January, disregarding reference to 'the Online System for Central Accounting and Reporting.'*

## **Exemption / Exception under consideration**

Section 42 - Legal Professional Privilege

## **Reasons why the public interest would favour disclosure:**

- Openness and transparency to promote government accountability, recognising that this may also increase public trust; and
- Public interest in this issue and need to be better informed particularly given the cost to the public purse.

## **Reasons why the public interest would favour withholding:**

### **Section 42**

- This advice is recent and the legal process is live;
- Disclosure of this information has the possibility to inhibit future exchange of free and frank discussions between client and lawyer and the loss of this could lead to poorer decision making in the future. Future decisions could be legally unsound and attract successful challenge at a further cost to the public purse; and
- Safeguarding the openness in all communication between client and lawyer to maintain the access to full and frank legal advice is also fundamental to the administration of justice and ensures fairness in legal proceedings.

## **Conclusion**

Following consideration of the Public Interest Test, the Department has decided that, on balance, the public interest in maintaining the exemptions outweighs the public interest in disclosure. Therefore, some of this material will be only partially disclosed (with redaction). Withholding this material will ensure effective a fair process for those involved.



**Office of the Permanent Secretary**

[REDACT]

**From:** [REDACT] on behalf of Gibson, Neil  
**Sent:** 01 December 2022 10.03  
**To:** McCavigan, Tracey  
**Cc:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Crilly, Louise  
**Subject:** CM: RE: HF - PRINTED ACTION SSUB-0357-2022 FW: OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1

Tracey

With sincere apologies I have not had time to focus on this for the last couple of weeks. I don't have anything further to add at this stage. Could you ensure Jill has a copy and given the same right to input as Hugh has had. I have briefed Jill as to the fact that the report is now with us and she will receive a copy. Apologies if this has already happened.

Neil

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**From:** McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>  
**Sent:** 30 November 2022 15:58  
**To:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>  
**Subject:** HF - PRINTED ACTION SSUB-0357-2022 FW: OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1

All

Please see comments below received from DSO on the phase 1 report. Prior to contacting PWC, can I check if are there any further comments or do we need a meeting to discuss the latest version of both reports before they are finalised?

Happy to discuss  
Tracey

**Tracey McCavigan**  
Acting Group Head of Internal Audit and Fraud Investigation Services  
Hillview Buildings | Stormont Estate | Belfast | BT4 3TA  
☎ (028) 91 279669 Ext: 59669

[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 05 December 2022 09:04  
**To:** McCavigan, Tracey; Brady, Jayne; Gibson, Neil; Cilly, Louise  
**Cc:** DAERA PermSec  
**Subject:** 1 CM. RE: FW: OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1

Hi Tracey

I've raised an issue regarding escalation with you separately and you're pursuing with PwC.

Separately, I'd be grateful for Louise's view on the point highlighted.

I think I am now at the stage where I will ask one or two of my longer serving, trusted G3s to read in confidence as, with not being in DAERA for any of this, I just want to check that there are no glaring inaccuracies or omissions on the policy context front.

Katrina

[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 05 December 2022 10:39  
**To:** Fulton, Norman; DAERA Central Services Deputy Secretary  
**Subject:** 2 CM: : OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1  
**Attachments:** DAERA External Review updated Draft Report\_29 November 2022.pdf

**Importance:** High  
**Sensitivity:** Personal

Norman and Brian

With my huge thanks, and obviously in strict confidence, I've attached the very latest version of the PwC report.

As discussed with Brian last week and with Norman this morning, I'm now at the stage where I'm satisfied that the content has been informed by the documentation we hold and where any comments by [REDACT] via Maxwellisation have been received and considered by PwC. However, not having been here for any of this, I am just concerned to make sure I am not missing any obvious contextual points so, if anything at all strikes you as you read through, please would you come back to me?

The document is password protected and I will send the password separately to you.

Thank you again

Katrina



# DAERA External Review

## Phase 1: Draft Report

29 November 2022

[REDACT]

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**From:** McCavigan, Tracey  
**Sent:** 06 December 2022 08:48  
**To:** Godfrey, Katrina (DAERA – Perm Sec); Brady, Jayne; Gibson, Neil; Crilly, Louise  
**Cc:** DAERA PermSec  
**Subject:** CM: RE: OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Katrina

I have provided and discussed the issue regarding escalation with PWC last week. They are awaiting any further comments prior to finalising the reports, therefore if we are intending to publish next week, I would require all comments to be provided no later than tomorrow morning.

I still require a response from HR and understand that DSO and DAERA may have further comments following consideration by relevant operational/policy senior officials.

Happy to discuss

Tracey

[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 06 December 2022 09:19  
**To:** Crilly, Louise; Brady, Jayne; Gibson, Neil  
**Cc:** McCavigan, Tracey; Byrne, Jayne; [REDACT]  
**Subject:** OFFICIAL - SENSITIVE: DAERA PwC report  
**Attachments:** PwC report letters.DOCX

**Importance:** High

Thanks Louise. As you say, the letters should issue once we've agreed final amendments with PwC and, like Tracey, I'm keen to get to this stage as quickly as we can.

My updated drafts are attached – I have also added one for [REDACT]

Grateful for any comments and grateful also if [ ] could arrange to set up as individual letters so that we can issue smoothly once we're ready. REDACT

Katrina

[REDACT]

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**From:** [REDACT]  
**Sent:** 06 December 2022 09:38  
**To:** Godfrey, Katrina (DAERA – Perm Sec); Fulton, Norman  
**Subject:** CM: OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1: IN CONFIDENCE

**Sensitivity:** Personal

Katrina

Thank you for sight of the PWC Review Report.

Upon reading the report there does not appear to be any contextual issues/matters missing.

However from a point of completeness/accuracy there is reference in paragraph 2.31 to paragraph 2.31 (above), when in fact I think the reference should be to paragraph 2.30.

Also, paragraph 7.30 references the fact that I (not named) reviewed the TP process for the DCVO post filled by [REDACT]. I wonder if it would be worth noting in that sentence that this review determined that the TP process was administered appropriately in accordance with Temporary Promotion guidance.

Happy to discuss.

[REDACT]

[REDACT]

[REDACT]

Jubilee House, 111 Ballykelly Road, Limavady, BT49 9HP

Contact: [REDACT]

Tel: [REDACT]

[REDACT]

[REDACTED]

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**From:** Fulton, Norman  
**Sent:** 06 December 2022 10:00  
**To:** Godfrey, Katrina (DAERA – Perm Sec); DAERA Central Services Deputy Secretary  
**Subject:** CM: RE: : OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1  
[UNSCANNED]  
**Attachments:** Report Dec 2022.docx  
**Sensitivity:** Personal

Katrina – a few comments attached (same password as the report).

N

Katrina,

A few comments.

1. The comparison between the handling of problems at Ballymena mart and Pomeroy mart concerns me slightly. As I recall, the reason why Pomeroy was escalated to Perm Sec (i.e. discussed at TMT) was that the mart was going to be closed temporarily if the failings were not rectified, which would obviously have affected livestock sales and farmers in the locality. In other words, the escalation came at the end of the investigation and enforcement process (when handling issues and stakeholder impact came to the fore), not at the beginning. This is very different to Ballymena, where there were no issues of potential closure, and the investigation was just starting. Therefore, I question whether this is a valid comparison, and I'm not clear as to the purpose of making the comparison in the first place – what material difference would have resulted had the Permanent Secretary been made aware that an investigation was commencing? What conclusions are the authors trying to validate here?
2. I don't understand the purpose of Para 4.34 and 4.35 (particularly if this document is to become public domain at some point). The last sentence makes clear that TAG was effectively stood down before the first issue of concern was raised by the complainant. How could the concern have been discussed at a forum that no longer existed? Red herring?
3. At Para 4.76, it is noted that the specification in NIFAIS to address amendments to movement records was provided to the IRM SPVO in June 2018, almost 16 months after the first disclosure by the claimant. That statement by the authors is just left hanging, with no conclusion. Given the challenges of the NIFAIS build at the time, was this more a symptom of the delays in NIFAIS than anything else? Was the notification in June 2018 the first point at which such a specification could have been addressed in the phased build of NIFAIS – i.e. not a failure to respond quickly to the concerns raised by the claimant (as perhaps implied by the statement of the authors)? Maybe a question for Brian.
4. The logic flow in Para 4.87 seems a bit off. Why would the Strategic HR Director be consulted on issues relating to deleted animal movements and animal welfare? I suspect there are a few sentences missing.
5. The last two sentences in Para 5.43 concern me. These are theoretical statements, not conclusions drawn from the evidence trail in this specific case.
6. The first sentence of Para 5.47 also seems a little off. I think the evidence trail cited earlier indicated that the CVO was content with the positions put to him. That would suggest a collective decision-making process. Para 7.40 would

similarly suggest a co-decision process (i.e. "*Departmental of officials provided their agreement to this approach*").

7. The statements at Para 7.39 are very surprising. The authors were brought in to investigate and follow the evidence. If the evidence is inconclusive, they should state that as the conclusion. But offering their "view" based on what they expected should have happened and what they presumed to be the process is not close to being evidence. (Para 5.24 is similarly framed.)
8. For me, the major issue not adequately covered in this report is the decisions and processes followed at the time the claimant decided to introduce the protected disclosures (whistleblowing) dimension. This was months after the lodging of the claim and long after LRA and the claimant's legal team would have first considered their approach to the case. It had a major impact on the outcome, not least removing the £90k cap on potential damages. Up until that point, it was essentially a case about differences of professional opinion on how best to achieve compliance. Was that move by the claimant ever challenged by DSO/Counsel given its significance/late introduction? Was the possibility of a challenge discussed with DAERA? Was it dismissed as an option? It just seems such a critical change of direction that I can't understand why it was not given major prominence by the legal team and a trigger for a reassessment of the merits of the case in this new context. And yet it just seemed to have been accepted. I don't understand why, and the authors haven't really covered that point adequately in my view. It seems pivotal to the final outcome.

[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 06 December 2022 10:57  
**To:** Fulton, Norman; DAERA Central Services Deputy Secretary  
**Subject:** 3 CM RE: : OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1  
[UNSCANNED]

**Sensitivity:** Personal

Thank you both so much – really appreciate your help. I am going to forward all comments to Tracey and Louise to consider further.

Katrina



[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 06 December 2022 11:03  
**To:** McCavigan, Tracey; Cilly, Louise  
**Cc:** DAERA PermSec  
**Subject:** 4 CM: RE: RE: OFFICIAL SENSITIVE Draft Report DAERA External Review Phase 1  
**Attachments:** Report Dec 2022.docx

Tracey and Louise

Please see attached comments provided to me as indicated below. The password is the same as for the original version of the report.

I'd be grateful if you would consider and determine which need to be relayed to PwC to ensure the accuracy and completeness of the final report.

I have also pasted below a couple of further points.

Katrina

*From a point of completeness/accuracy there is reference in paragraph 2.31 to paragraph 2.31 (above), when in fact I think the reference should be to paragraph 2.30.*

*Also, paragraph 7.30 references the fact that I (not named) reviewed the TP process for the DCVO post filled by [REDACT]. I wonder if it would be worth noting in that sentence that this review determined that the TP process was administered appropriately in accordance with Temporary Promotion guidance.*

[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 06 December 2022 12:29  
**To:** [REDACT]  
**Cc:** Crilly, Louise; DAERA PermSec  
**Subject:** CM: RE[REDACT] Opinion from Counsel

REDACT

Thanks [ ] – I was just thinking last week that we were still awaiting this and was going to ask Louise in the margins of another meeting tomorrow. Please let me know as soon as we have something.

Katrina

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 06 December 2022 18:29  
**To:** [REDACT]  
**Cc:** Minne, Jill; DAERA PermSec  
**Subject:** CM: FW: RE: FW: Recruitment Competition - DCVO  
**Attachments:** IRC276640 CIB Draft VN 2 Nov.docx

[REDACT]

My thanks and my apologies for the slowness in coming back to you on this one but I knew it was not going to be time-critical until we had all our other ducks lined up.

I've inserted a few comments and also proposed a change to the foreword including, as these are first and foremost SCS appointments, to have it coming from me.

Very happy for you to share this or any updated version with the panel which will have its own views which will take precedence over mine!

Katrina

**From:** [REDACT]  
**Sent:** 02 November 2022 18:16  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Minne, Jill <Jill.Minne@finance-ni.gov.uk>  
**Cc:** Quinn, Aisling (NICS HR) <Aisling.Quinn2@finance-ni.gov.uk>; NICSHR HR Director <HRDirector@finance-ni.gov.uk>; DAERA PermSec <perm.sec@daera-ni.gov.uk>; [REDACT]  
**Subject:** CM: RE: FW: Recruitment Competition - DCVO

Katrina,

I have reworked a draft CIB for the DCVO competition as attached. You will be familiar with this template format which we have used recently for another DAERA competition.

I have suggested the 6 competencies as per the TP notice. The full descriptors have also been included and make it clear to applicants what is required, though there is a link to the competency framework if that would be sufficient.

[REDACT] will be competition lead. She has advised HRConnect of the new panel composition and they will be in contact shortly with everyone to set a date for the Competition Initiation Meeting (CIM), with Jill also to attend as requested re below.

Once the panel have agreed the CIB at CIM, we will liaise with the DoF Comms team to produce in pdf and insert graphics as required.

Hope this is helpful meantime.

[REDACT]

[REDACT]

[REDACT] | SCS RESOURCING BRANCH | PEOPLE & ORGANISATIONAL DEVELOPMENT |  
NI CIVIL SERVICE

3rd Floor | 2-4 Bruce Street | Belfast | BT2 7JD

Contact: [REDACT]



Northern Ireland

Civil Service

People and Organisational Development

From: Minne, Jill

Sent: 30 October 2022 18:21

To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>

Cc: Quinn, Aisling (NICS HR) <Aisling.Quinn2@finance-ni.gov.uk>; I [REDACT]

NICSHR HR Director <HRDirector@finance-ni.gov.uk>; DAERA PermSec <perm.sec@daera-ni.gov.uk>

Subject: RE: FW: Recruitment Competition - DCVO

Thank you Katrina.

Yes, of course I will attend to do that.

Jill

From: Godfrey, Katrina (DAERA – Perm Sec)

Sent: 30 October 2022 17:52

To: Minne, Jill <Jill.Minne@finance-ni.gov.uk>

Cc: Quinn, Aisling (NICS HR) <Aisling.Quinn2@finance-ni.gov.uk>; [REDACT]

NICSHR HR Director <HRDirector@finance-ni.gov.uk>; DAERA PermSec <perm.sec@daera-ni.gov.uk>

Subject: RE: FW: Recruitment Competition - DCVO

Many thanks Jill – letter will issue in the morning on that basis, with you and Louise copied in

The next thing to do is convene the panel to work up a refreshed CIB and I know [REDACT] has been asking about this

The panel is:

- Chair – Sinead Burns, Civil Service Commissioner
- Members – Christine Middlemiss, UK Chief Vet; [REDACT]; Julie Harrison, DfI Permanent Secretary; Fiona McCandless, DAERA Deputy Secretary and NICS Gender Champion

Could I ask whether you might attend the first panel meeting to explain to the panel the parameters we have agreed with the Commissioners that allow us to proceed with this particular competition?

Many thanks again – your support as we have worked through this one has been invaluable.

Katrina

From: Minne, Jill <Jill.Minne@finance-ni.gov.uk>  
Sent: 27 October 2022 11:04  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: Quinn, Aisling (NICS HR) <Aisling.Quinn2@finance-ni.gov.uk>; [REDACT]  
NICS HR Director <HRDirector@finance-ni.gov.uk>  
Subject: CM: FW: Recruitment Competition - DCVO

Katrina

further to our 'phone conversation this morning I can confirm that I will make arrangements within the SCS Resourcing team to establish (through HRConnect) whether or not [REDACT] applies. The team will do so in a way that provides necessary assurance without compromising confidentiality/the rationale behind anonymising application forms; . should [REDACT] apply for the role the SCS resourcing team will ensure that [redact] recused from the panel in advance of any scheduled sift meeting.

Regards,

Jill

From [REDACT]  
Sent: 21 October 2022 11:57  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; DAERA PermSec <perm\_sec@daera-ni.gov.uk>  
Cc: Minne, Jill <Jill.Minne@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>  
Subject: Recruitment Competition - DCVO

Caution – This email has been received from outside the NICS network.  
Please ensure you can verify the sender's name and email address.  
Treat all attachments and links with caution.  
**FOR INTERNAL NICS STAFF ONLY** - If you have any concerns regarding the email please forward to [spam@finance-ni.gov.uk](mailto:spam@finance-ni.gov.uk).

Dear Katrina,

**Recruitment Competition - DCVO**

Please find attached letter dated 21 October 2022 from Deirdre Toner, Chairperson, about the above.

Kind regards

[REDACT]

--  
[REDACT]

Office of the Civil Service Commissioners  
Erskine House, 20-32 Chichester Street, Belfast, BT1 4GF

[REDACT]

**Department of Agriculture, Environment  
and Rural Affairs  
Deputy Chief Veterinary Officer (2 posts)**

**£74,912 - £84,122 (under review)**

**IRC276640**

Completed application forms must be submitted to HRConnect no later than 12 noon (UK time) on xxxx xxxxx 2022.

Please retain a copy of this booklet for your reference throughout the selection process.

**Candidate Information Booklet**

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## FOREWORD

We are looking to recruit new to appoint motivated and enthusiastic veterinarians to join our senior leadership team within the Department of Agriculture, Environment & Rural Affairs (DAERA) as Deputy Chief Veterinary Officers (DCVOs) in our Veterinary Service Animal Health Group (VSAHG). There are currently 2 vacancies.

DAERA has a vision of "Sustainability at the heart of a living, working, active landscape valued by everyone." Our vision is the foundation of everything we do as we seek to enhance our environment, grow a sustainable, vibrant economy, and support the development of thriving rural communities. At the heart of our vision is a desire to make DAERA a great place to work, with engaged people delivering a twenty-first century agenda.

The successful candidates will work at the highest levels of the Northern Ireland Civil Service (NICS), an organisation which aims to be well led, high performing and outcome focused in delivering for the public. They will have the opportunity to use and develop further their professional skills as veterinarians and also to develop new skills and enjoy new opportunities to work not only across DAERA but also across the NICS, with councils and with other partners to deliver public services that can ensure happy and healthy communities and animals.

We are particularly looking for professionals with a proven track record of delivery, decision making, leadership, and an ability to develop strong partnerships within their organisations and with stakeholders. In return, we can offer:

- Opportunity as a senior civil servant to play a key leadership role inspiring, influencing and shaping future government veterinary services and wider agri-food policy in Northern Ireland.
- Responsibility for a wide range of veterinary roles and responsibilities in animal health & welfare and public health.
- New Ways of working – provides flexible ways of working including a blend of home and office working.
- Generous Annual Leave and Bank Holiday Allowance.
- Wide range of learning and professional development opportunities.
- Career progression opportunities within the department and wider Northern Ireland Civil Service.
- Attractive Northern Ireland Civil Service Pension (defined benefit career average pension scheme).
- RCVS fee (currently €340) paid annually by the department.

If you are interested in making a difference for the public and have the professional qualifications, skills and experience we need, we would love to hear from you.

**KATRINA GODFREY**  
Permanent Secretary



## **CONTEXT – DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS (DAERA)**

**OUR VISION: “Sustainability at the heart of a living, working, active landscape valued by everyone.”**

DAERA employs some 3,000 people over 230 sites across Northern Ireland, investing some £579 million Resource and £95m Capital budget per annum in delivering public services. It owns almost 85,000 hectares of land and has operations right across all of our landscapes, including marine, watercourses, uplands and farming lands.

The department has responsibility for environment, food, farming, fisheries, forestry, rural development and sustainability policy. We support the development of thriving rural communities; the conservation and enhancement of the environment; the sustainable development of the agri-food industry, having regard for the needs of the consumers, the protection of human, animal and plant health and the welfare of animals; the development of the fisheries sector; and the development of our forested land.

Through the Northern Ireland Environment Agency (NIEA), DAERA has responsibility for creating prosperity and wellbeing by environmental regulation. We provide a Knowledge Advisory Service - a business development service for farmers and growers, and a veterinary service for administration of animal health and welfare. Our College of Agriculture, Food and Rural Enterprise (CAFRE) delivers training and further and higher education courses in the agri-food sector.

### **DAERA's Strategic Outcomes**

- sustainable agri-food, fisheries, forestry and industrial sector;
- a clean, healthy environment, benefiting people, nature and the economy;
- a thriving rural economy, contributing to prosperity and wellbeing; and
- a well-led, high performing organisation focused on outcomes.

The department also sponsors six Arm's Length Bodies (ALBs) including:

**Advisory NDPB** - Council for Nature Conservation and the Countryside (CNCC),  
**Executive NDPBs** - Agri-Food and Biosciences Institute (AFBI), Livestock and Meat Commission (LMC), Northern Ireland Fisheries Harbour Authority (NIFHA), and Agricultural Wages Board for Northern Ireland (AWB),  
**North South Body** - The Loughs Agency of the Foyle, Carlingford and Irish Lights Commission.



**CONTEXT –  
VETERINARY SERVICE ANIMAL HEALTH GROUP (VSAHG)**

Veterinary Service Animal Health Group (VSAHG) is responsible for the development of animal health and welfare policy for both farmed and non-farmed animals and the implementation of that policy in respect of farm animals. We are also responsible for policy development and implementation in respect of food animal identification, imports of livestock and products of animal origin into Northern Ireland, and work with Defra in the export of animals and animal products internationally.

We contribute to DAERA's strategic goal to: "Develop sustainable agricultural, fisheries and industrial sectors" (Goal 1) by ensuring that the health standards of the farmed animal population are such that the Northern Ireland producers have the maximum access to all markets, European and overseas, and that production costs associated with poor animal health and welfare are minimised.

We support DAERA and the Food Standards Agency through the implementation, delivery and the enforcement of veterinary public health controls, and agri-food legislation relating to feed and food safety, product certification, marketing standards, labelling, classification and price reporting.

VSAHG contribute to the departmental vision, supporting the economy, the environment and the health of the public, local and global, through the assurance of high standards of animal health, animal welfare and food safety. Our living landscape encompasses farms, farmed and companion animals and their products and all those places where those animals and products pass through such as livestock markets, seaports and airports, meat and milk processing and storage premises, egg packaging stations, export assembly centres, licensed kennels, riding establishments, pet shops and zoos, registered animal by-products, germ plasma and animal feed storage premises.

Through our work efforts and those of our partners and in the public interest we:

- (i) Safeguard the welfare of all kept animals, farmed, companion and sporting, including where appropriate: on farm; during animal transport; and at point of export or slaughter.
- (ii) Protect and improve the health of farmed animals through:
  - Rigorous standards of animal identification, registration and movement controls based on integrated animal health and public information system (APHIS) with approximately 25 years of recorded data.

- Surveillance for economically important diseases whilst implementing plans to eradicate those present and prevent establishment of those which pose a threat.
  - Effective regulatory controls on the import of live animals and products of animal origin.
  - Effective controls on animal waste products.
  - Assisting the Industry to help itself.
  - Enforcing non-compliance in line with the department's enforcement policy.
- (iii) Protect public health through:
- Delivering, on behalf of the Food Standards Agency, official control systems for primary meat and milk production.
  - Promoting responsible use of anti-microbial products in animals.
  - Investigating and controlling important zoonotic conditions.
- (iv) Enable exports and imports of animals and agri-food products through:
- Delivery of official controls including export health certification.
  - Import controls.
  - Developing access to new markets.

## **CONTEXT – JOB ROLE**

In order to meet significant and evolving challenges, and to accommodate a new VSAHG Renewal Project, the divisional responsibilities for DCVOS have been reviewed and re-assorted. The successful candidates will be appointed with responsibility for one of three new Directorates outlined below:

**DCVO 1 - Enzootic Control, Animal Welfare & Field Delivery Division**

**DCVO 2 - Epizootic Control, Compliance & Public Health Delivery Division**

**DCVO 3 - Traceability, Corporate Management & Trade Delivery Division**

The main duties and responsibilities of the DCVO role include the following:

1. Setting high standards for the veterinary profession in Northern Ireland, engaging stakeholders to implement strategies that improve animal health and welfare standards and secure industry compliance.
2. Implementing/delivering national, EU and international policies pertaining to animal health and welfare and veterinary public health, providing effective leadership for staff and industry partners and demonstrating a high level of stewardship of finance, staffing and other resources.
3. Influencing how resources are obtained and used within VSAHG and the wider department to achieve both business area and departmental objectives, always ensuring the proper and effective use of public funds. This includes developing and contributing to the strategies that address corporate departmental policies and objectives.
4. Preparing for and co-ordinating the logistics of change to implement new policy developments across a wide range of animal and public health and animal welfare issues.
5. Procurement of VSAHG's services, equipment and materials.
6. Operation of key enzootic disease eradication programmes. This involves coordinating the activities needed to translate policy into coherent programmes of action across a broad range of veterinary issues or ensuring delivery of those programmes.

7. Collaborating closely and working innovatively with stakeholders to optimise the potential of the industry to contribute meaningfully to the achievement of key enzootic disease control programmes such as bovine TB and including industry-led, production disease programmes of farmed animals.
8. Dealing with epizootic disease incidents including the planning and provision of adequate staff resources with the capability to respond quickly to such incidents in line with departmental contingency plans.
9. Management of operational staff providing frontline delivery of VSAHG activities within the animal health and welfare programmes across Northern Ireland.
10. Liaison with veterinary authorities in the Republic of Ireland and in the devolved administrations of the United Kingdom on issues of common interest and to support the Minister's priorities.
11. Development of strategies for VSAHG and other delivery partners to implement agreed policy and monitoring effectiveness and efficiency of these arrangements.
12. Leading and managing a significant period of change across VSAHG which will see new structures and different working priorities.
13. Provision of assurance on the governance of VSAHG and the management of associated budget in line with national legislation and Government guidance.
14. Provision of corporate support to the CVO and, when required, deputising for the CVO.
15. Contributing to corporate activities and decision making within VSAHG and as a part of the department's Senior Civil Service Group.

**The above list is not exhaustive but gives a good indication of the main duties of the posts. The emphasis on particular duties will vary over time according to evolving business needs.**

## PERSON SPECIFICATION

### Eligibility Criteria

Applicants must provide evidence in their application form which demonstrates that they meet the following eligibility criteria:

1a. Be a Fellow or a Member of the Royal College of Veterinary Surgeons (RCVS).

OR

1b. Be eligible to seek membership of the Royal College of Veterinary Surgeons (RCVS).

AND

2. A sound knowledge of the veterinary profession and the significance of its role in the agri-food industry.
3. At least 2 years' experience of having successfully discharged senior management\*\* level responsibilities in a large and complex\*\*\* public, private or voluntary sector organisation.
4. A proven track record of successfully forging, maintaining and managing constructive working relationships with stakeholders to develop positive solutions to contentious issues.
5. The ability, gained at executive level\*\*\*\* to deliver value for money services and challenging objectives within constrained budgets within a large and complex\*\*\* public, private or voluntary sector organisation.

The following additional clarification is provided:

\* Please note that the successful candidate, if not already fully registered with the RCVS, will be required to obtain registration in a timescale deemed reasonable by the department and prior to taking up appointment, and must remain on the register while in the post.

\*\* "Senior management" is defined as providing detailed advice on, or being party to decisions affecting, strategic issues concerning the corporate body or organisation with which an individual is working, either as an employee or advisor.

\*\*\* "Large and complex organisation" is defined as having the following features: A mix of professional, technical and administrative staff (minimum 50 staff) with an operating budget in excess of £1 million.

\*\*\*\* 'Executive level' is defined as the corresponding level within an organisation which entails working and reporting directly to individuals at Board or Director level.

### Shortlisting Criteria

Following an eligibility sift, should it be necessary to shortlist candidates to go forward to interview, the following criteria will be applied in the order listed:

1. Evidence of experience gained within the last 5 years in a post which has provided the applicant with a working knowledge of UK and EU legislation in relation to animal health and welfare and veterinary public health.
2. Evidence of experience at \*\*senior management level of delivering structural and cultural organisational change and improvement in a large and complex\*\*\* organisation, whilst continuing to deliver day to day business objectives.

### Guaranteed Interview Scheme

As part of our commitment to the employment of disabled people, we operate a Guaranteed Interview Scheme (GIS). The GIS does not guarantee a job. However, its objective is to ensure disabled applicants, who meet the minimum essential eligibility criteria for the role they have applied for, are offered an interview. Further information on the GIS can be found at [Information for Disabled Applicants](#)

If you wish to apply under the GIS, you must declare this on your application form. Shortlisting criteria will not apply to GIS applicants.

If you do not wish to apply under the GIS, but do require us to make reasonable adjustments during the recruitment process, you should provide details on your application form. We will consider all requests for reasonable adjustments for any stage of this recruitment process. Details of any disability are only used for these purposes and do not form any part of the selection process.

If you have indicated on your application that you have a disability, are successful in the selection process and are being considered for appointment, you may be asked to outline any reasonable adjustments you consider necessary in order for you to take up an appointment. If you wish to discuss your disability requirements further, please contact HRConnect.

Commented [GK-P51]: Is this not confusing – why have senior and executive as definitions? Would one not do?




## RECRUITMENT PROCESS

### The Merit Principle

In accordance with the Civil Service Commissioners' Recruitment Code, appointments to the NICS are made under the 'merit principle', where the best person for any given post is selected in fair and open competition. Further information on the Civil Service Commissioners can be found at [www.nicscommissioners.org](http://www.nicscommissioners.org).

### Recruitment Panel

Sinead Burns – Civil Service Commissioner (Chair)  
Julie Harrison - Permanent Secretary, Department for Infrastructure  
Christine Middlemiss - LJK Chief Veterinary Officer  
  
Fiona McCandless - DAERA Deputy Secretary and NICS Gender Champion

### Timetable

(Dates are indicative and may be subject to change)

Date	Stage
	Advertise
	Closing date for applications
	Eligibility sift
	Interviews

It is intended that interviews for this recruitment competition will take place in xxxx.

## SELECTION PROCESS

### Application Sift

After the closing date, all applications will be carefully considered and evaluated by the selection panel on the basis of the written evidence provided against the eligibility criteria, and shortlisting criteria if necessary. Only the employment history, eligibility and shortlisting sections will be made available to the panel.

Throughout the process, candidates will be assessed against the skills and experience set out under Person Specification, mapped against the following leadership behaviours of the Northern Ireland Civil Service competency framework:

**Setting Direction:** Seeing the Big Picture and Changing and Improving

**Engaging People:** Leading and Communicating, Collaborating and Partnering, Building Capacity for All

**Delivering Results:** Delivering Value for Money

Descriptors of the leadership behaviours and competences (skills, knowledge and behaviours) are set out below and further information can be found [here](#)

#### 1. Setting Direction - Seeing the Big Picture

Seeing the big picture is about having an in-depth understanding and knowledge of how your role fits with, and supports, organisational objectives and the wider public needs. For all staff, it is about focusing your contribution on the activities which will meet departmental and Programme for Government goals and deliver the greatest value.

At senior levels, it is about understanding the political context and taking account of wider impacts, including the broader legislative agenda, to develop long term implementation strategies that maximise opportunities to add value to the citizen, support economic, sustainable growth and help to deliver the Northern Ireland Executive's priorities.

#### 2. Engaging People - Leading and Communicating

At all levels, effectiveness in this area is about leading from the front and communicating with clarity, conviction and enthusiasm. It is about supporting principles of fairness of opportunity for all and a dedication to a diverse range of citizens.

Commented [GK](-PS2): I think there is one too many here. We should not drop leading and communicating or seeing the big picture and we should ensure one competence from each area but I think it would be better to have a max of 5 criteria (one per panel member) and to take plenty of time (10 minutes per criterion) to dig into each one and actually have a conversation

At senior levels, it is about establishing a strong direction and a persuasive future vision, managing and engaging with people with honesty and integrity, and upholding the reputation of the department and the Northern Ireland Civil Service.

### 3. Engaging People - Collaborating and Partnering

People skilled in this area create and maintain positive, professional and trusting working relationships with a wide range of people within and outside the Northern Ireland Civil Service, to help to achieve business objectives and goals. At all levels, it requires working collaboratively, sharing information and building supportive, responsive relationships with colleagues and stakeholders, whilst having the confidence to challenge assumptions.

At senior levels, it is about delivering business objectives through creating an inclusive environment, encouraging collaboration which may cut across departmental, organisational and wider boundaries. It requires the ability to build constructive partnerships and effective relationships with Ministers and their Special Advisers.

### 4. Setting Direction - Changing and Improving

People who are effective in this area are responsive, innovative and seek out opportunities to create effective change. For all staff, it is about being open to change, suggesting ideas for improvements to the way things are done, and working in 'smarter', more focused ways.

At senior levels, this is about creating and contributing to a culture of innovation and allowing people to consider and take managed risks. Doing this well means continuously seeking out ways to improve policy development and implementation and building a more flexible and responsive Northern Ireland Civil Service. It also means making use of alternative delivery models including digital and shared service approaches where possible.

### 5. Engaging People - Building Capability for All

Effectiveness in this area is having a strong focus on continuous learning for oneself, others and the organisation. For all staff, it is about being open to learning and keeping their knowledge and skill set current and evolving.

At senior levels, it is about ensuring a diverse blend of capability and skills is identified and developed to meet current and future business needs. It is also about creating a learning and knowledge culture across all levels in the organisation to inform future plans and transformational change.

### 6. Delivering Results – Delivering Value for Money

Delivering value for money involves the efficient, effective and economic use of taxpayers' money in the delivery of public services. For all staff, it means seeking out and implementing solutions which achieve a good mix of quality and effectiveness for the least outlay, thus reducing the risk of fraud and error. People who do this well base their decisions on evidenced information and follow agreed processes and policies, challenging these appropriately where they appear to prevent good value for money.

At senior levels, effective people embed a culture of value for money within their area/function. They work collaboratively across boundaries to ensure that the Northern Ireland Civil Service maximises its strategic outcomes within the resources available.

These indicators are not designed to be comprehensive, but rather to give an understanding of what is expected of our leaders.

### **Presentation**

Candidates will be required to make a presentation relevant to the responsibilities of the DCVO role. The presentation will be used to assess the 'Seeing the Big Picture' and 'Leading and Communicating' competencies. More information including the presentation topic will be provided to candidates in the invitation to interview letter.

### **Interview**

In the interview which follows the presentation, the panel will further assess candidates against the skills and experience set out under Person Specification, assessing the leadership behaviours of the Northern Ireland Civil Service competency framework.

The panel will score and list those candidates suitable for appointment in order of merit.

### **TERMS AND CONDITIONS**

This competition will be used to fill two full time vacancies, with the successful candidates being allocated to DCVO posts by the department based on their specific competencies and the business need.

Further appointments may be made should another DCVO position become vacant during the lifetime of the competition, which is one year.

These are permanent Grade 5 appointments to the Senior Civil Service (SCS), the Civil Service top leadership and management resource.

**Commented [GK(-PS3)]:** Can be tricky in my experience to try to do two criteria given the range of behaviours than need to be covered in each – perhaps better just going for one for the presentation

## **Secondment**

Alternatively, consideration will be given to filling these posts by secondment of the successful candidate from their current employer. "Secondment" means a voluntary transfer from a permanent employer for a fixed period which does not sever the employment relationship of the person seconded with the permanent employer.

The duration will be agreed by all parties prior to the start of any secondment. A secondment would be on a candidate's current terms and conditions of service.

It is advisable that candidates interested in a secondment option make their employers aware that, under our secondment arrangements, the successful candidate will remain an employee of their current employer. The necessary administration arrangements will be agreed with the department and the employer before a secondment arrangement commences.

## **Location**

The posts will be based at Jubilee House, Ballykeily, Limavady, BT49 9HP. A hybrid style of work which blends working at home (and remotely) with working in the office will be in the context of the Northern Ireland Civil Service New Ways of Working policy.

## **Salary**

Salary will be within the Senior Civil Service Grade 5 Pay Band range £74,912 - £84,122 (under review).

The successful candidates can expect to be placed at the minimum point of the pay scale, although a higher starting salary within the range may be available if they have exceptionally relevant skills/experience. If a successful candidate is an existing Northern Ireland Civil Servant, starting pay on promotion/transfer to a new substantive grade will apply.

In order to comply with the disclosure requirements in our Annual Accounts, we may be required to disclose details of the total remuneration, including any taxable benefits in kind and pension benefits for this post in our annual accounts. Further information may be disclosed in line with any future disclosure requirements relating to the senior management of departments. It is a condition attaching to the appointment to any SCS post in Northern Ireland that appointees agree to these disclosure requirements.

## Pensions

We offer all employees an attractive pension package providing a range of valuable benefits both for the member and their dependants, providing peace of mind when it comes to planning for future retirement. Provisions also include generous ill-health, death and dependants' benefits and scope to top up pension through paying Additional Voluntary Contributions.

For 2022 – 23 the current employer contribution is 34.2% of salary and the employee contribution is 7.35% of salary between £56,400.00 and £153,299.99.

More details can be obtained from the website [www.finance-ni.gov.uk/civilservicepensions-ni](http://www.finance-ni.gov.uk/civilservicepensions-ni) or if you are unable to access the website please contact Civil Service Pensions at Waterside House, 75 Duke Street, Londonderry, BT47 6FP.  
Telephone: 02871 319000 Email: [cs pensions.@finance-ni.gov.uk](mailto:cs pensions.@finance-ni.gov.uk)

## Holidays

In addition to public and privilege holidays, currently 12 days, the annual leave allowance will be 30 days.

## Hours of Work

The normal conditioned hours of work are full-time: 37 hours net per week Monday to Friday. In common with all SCS appointments, the post holders may be required to work outside of their normal conditioned hours, where necessary, to fulfil the demands of the posts.

## Travel

Access to a form of transport will be required in order to fulfil the responsibilities of these posts. Travel throughout Northern Ireland will be required, and travel nationally and internationally may also be required on a regular basis.

## Vetting

An appointment will be dependent on the individual satisfying the vetting requirements for these posts. The level of vetting required for these posts is Baseline Personnel Security Standard.

Commented [GK(-PS-4)]: Are we absolutely certain only basic is required given the level of information and access that DCVOs have? Would CTC not be more appropriate?

## **Probation**

Confirmation of appointment will be dependent upon the satisfactory completion of a probationary period of 1 year. If performance, conduct or attendance during this period is not satisfactory an appointment may be terminated.

## **Career Development**

We are committed to career development and offers attractive career prospects across a wide variety of roles and professions. Career development is an integral part of the performance management system. Personal development plans identify learning and development needs with a view to enhancing skills and capabilities. Northern Ireland Civil Servants have access to a wide range of internal job opportunities, including secondments with external organisations and are encouraged and supported in proactively managing their career.

## **Conflict of Interest**

It is a basic requirement of all Civil Servants that their private activities should not bring them in to conflict with their official duties.

Conflict of interest is not limited to the individual's own private, financial or other interests, as family, friends and associates may also have dealings which affect the department's business directly or indirectly. Therefore to avoid any conflict or potential conflict and to demonstrate impartiality to the public at all times, an officer must not, without prior approval, engage in any activity which could be considered to be in conflict with official business.

As such, to protect employees and the department from public criticism, it will be mandatory for the successful candidates to complete a DAERA Conflict of Interest declaration on appointment.

The successful candidates will also be required to sign a Register of Interests. To ensure openness and transparency, registers of interests of senior officials and board members of public bodies should be made available/published. Further information can be found by clicking the link below.

<http://www.lincoln.gov.uk/sites/default/files/publications/tp/canofis10721-att.pdf>

## **Further Information**

Applicants wishing to learn more about the role before deciding to apply may contact either Michael Hatch on 028 77442319 or via email to [Michael.Hatch@dara-ni.gov.uk](mailto:Michael.Hatch@dara-ni.gov.uk) or Brian Dooher on 028 77442192 or via email to [Brian.Dooher@dara-ni.gov.uk](mailto:Brian.Dooher@dara-ni.gov.uk)

If you have any questions about the recruitment process, or you require any documentation in an alternative format, you should contact HRConnect on 0800 1 300 330 or email: [recruitment@hrconnect.ni.gov.net](mailto:recruitment@hrconnect.ni.gov.net)



## HOW TO APPLY

Please register to this vacancy and complete an online application form via the Northern Ireland Civil Service recruitment website: [www.nicsrecruitment.org.uk](http://www.nicsrecruitment.org.uk)

### Please note:

- When completing the online application, your information is saved as you move through the pages. You may leave the application at any time, providing you have clicked on the 'Save & Continue' button. Once your application has been submitted the option to edit will no longer be available.
- The session timeout for the online application is 40 minutes, if you do not save or change page within this time you will automatically be logged out and any unsaved work will be lost.
- You must click SUBMIT once you have finished your online application. You will receive an acknowledgement email. Please contact HRConnect if you do not receive an acknowledgment email within 24 hrs.

### Help with making your application:

If you require any documentation in an alternative format, you should contact HRConnect on 0800 1300 330 or email [recruitment@hrconnect.ni.gov.uk](mailto:recruitment@hrconnect.ni.gov.uk)

Should you require it, you can get advice or assistance from local disability employment organisations. To find out more about local disability employment organisations contact Northern Ireland Union of Supported Employment (NIUSE), an umbrella group for individuals and organisations promoting opportunities for people with disabilities to access and maintain employment, email [info@niuse.org.uk](mailto:info@niuse.org.uk), tel. 0044 (0)28 71 377709, text phone 0044 (0) 28 71 372077.

The closing date for receipt of completed applications is 12 noon on xxxxxxxx.

## **FURTHER INFORMATION**

### **Northern Ireland Civil Service HR Privacy Notice**

NICSHR is committed to protecting your privacy. HRConnect manage job applications on behalf of NICSHR, in line with the NICSHR privacy notice available via [www.nicsrecruitment.org.uk](http://www.nicsrecruitment.org.uk)

### **Changes in personal circumstances and contact details**

HRConnect will issue electronic competition communications. Please check your email account regularly, including junk mail folder, to make sure that you don't miss any important communications in relation to this competition. There may, however, still be a necessity to issue some correspondence by hard copy mail.

Please ensure you inform HRConnect immediately of any changes in personal circumstances.

### **Transgender Requirements**

Should you currently be going through a phase of transition in respect of gender and wish this to be taken into consideration, in confidence, to enable you to attend any part of the assessment process please contact HRConnect. Details of this will only be used for this purpose and do not form any part of the selection process.

### **Disability Requirements**

We will ask on the application form if you require any reasonable adjustments, due to disability, to enable you to attend any part of the assessment process. Details of any disability are only used for this purpose and do not form any part of the selection process. If you have indicated on your application that you have a disability and are successful in the selection process and are being considered for appointment, you may be required to outline any adjustments you consider necessary in order for you to take up an appointment. If you wish to discuss your disability requirements further, please contact HRConnect.

### Documentation

Identification documents to satisfy the Nationality and Security requirements of the post will be required. You should ensure that the required documents are readily available. Failure to provide the appropriate documentation when requested will result in your application being rejected.

### Right to Work and Nationality Requirements

We must ensure that you are legally entitled to work in the United Kingdom and satisfy the Nationality requirements for appointment to the NICS. Please note ALL applicants for external recruitment will be subject to a Nationality validation check.

Applicants must be either:

- (i) UK national; or
- (ii) National of a Commonwealth country; or
- (iii) National of the Republic of Ireland; or
- (iv) EEA national with settled status under the EU Settlement Scheme; or
- (v) Relevant EEA or Turkish national working in the Civil Service; or
- (vi) Relevant EEA or Turkish national who have built up the right to work in the Civil Service; or
- (vii) Certain family members of the relevant EEA & Turkish nationals

Further Guidance on Nationality requirements is available via [www.nicsrecruitment.org.uk](http://www.nicsrecruitment.org.uk).

### Security

For these posts the level of vetting is Baseline Personnel Security Standard.

For this check you will be required to provide the following:

- a) Your passport OR
- b) A document verifying your permanent National Insurance number (e.g. P45, P60 or National Insurance card) AND your birth certificate which includes the names of your parents (long version).
- c) A specimen signature at any assessment event and have this validated against passport, driving licence, application form etc.

Further information regarding the Baseline Personnel Security Standard, including other acceptable documents is available via [www.finnance-ni.gov.uk](http://www.finnance-ni.gov.uk). Criminal Record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.

**Equal Opportunity Monitoring Form**

**Please note the Equal Opportunities monitoring section of the application form is mandatory in order to submit an application.**

For guidance on completing the Monitoring Form and to read the NICS Equal Opportunities Policy Statement please refer to the DoF website [www.finnance-ni.gov.uk](http://www.finnance-ni.gov.uk).

**POSITIVE ADVERTISING ACTION STATEMENT TO BE INSERTED**

**The Northern Ireland Civil Service is an Equal Opportunities Employer. All applications for employment are considered strictly on the basis of merit.**

**Feedback**

We are committed to ensuring that the processes used to recruit and select staff are fair and in accordance with the principles of the Civil Service Commissioners Code. We are consequently committed to providing feedback in respect of decisions taken at each stage of the recruitment process.

**THIS CANDIDATE INFORMATION BOOKLET DOES NOT FORM PART OF CONDITIONS OF EMPLOYMENT**

[REDACTED]

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**From:** Byrne, Jayne  
**Sent:** 07 December 2022 16:27  
**To:** Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Cc:** McCavigan, Tracey; Crilly, Louise  
**Subject:** CM: DAERA Oversight Board - Thursday 8 December @ 5pm  
**Attachments:** 21.11.22 draft DAERA Actions arising.docx; 8.12.22 agenda.docx

**Importance:** High

Katrina, Neil

Please find attached Agenda for tomorrow's Oversight Board meeting and a draft note of actions arising from the last meeting held on 21 November 2022.

I have added Comms Plan to the agenda. As far as I am aware this has not been followed up on to date. I am planning on inviting the Comms leads to the meeting tomorrow. They aren't aware of this so may not be available but I think Jayne is keen to have a conversation around Comms in line with next steps. Would you be in agreement with this?

Please let me know what you think.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

**DAERA Issue – Action arising from meeting of Oversight Group held on Monday 21 November 2022 @ 1:15pm**

**Attendees:** Jayne Brady Tracey McCavigan Neil Gibson Louise Crilly Katrina Godfrey

Action	Lead	Comments	Timeframe
<p><b>(1) Previous Actions – Update</b></p> <p>PWC provided an updated phase 1 report following their consideration of the responses received during Maxwellisation process. Updated Phase 2 report is expected tomorrow and will be circulated on receipt.</p> <p>Recommendations on the way forward is still being considered.</p>	<p>TMcC</p> <p>LC/TMcC</p>		
<p><b>(2) Way forward</b></p> <p>Liaise with Comms Teams to develop a comms plan to cover internal and external communications</p> <p>Draft letter to advise key persons intention to publish</p> <p>Brief NICS HR on relevant issues relating to HR</p> <p>Brief NIAO prior to publication</p> <p>Draft NICS action plan to report</p>	<p>??</p> <p>LC</p> <p>LC/TMcC</p> <p>KG</p> <p>LC/TMcC</p>		
<p><b>(3) Date of next meeting to be circulated</b></p>	<p>J Byrne</p>		

7 December 2022

Thursday 8 December 2022 @ 5pm

DAERA Issue – Oversight Board

Via Zoom

**DRAFT AGENDA**

- (1) Actions arising from meeting - 21 November 2022 J Brady
- (2) Finalisation of PWC reports L Crilly/T McCavigan
- (3) Framework for next steps
- (4) **Comms plan**
  - Sharon McFlynn, DAERA
  - Mark McLaughlin, DoF (HR)
  - EIS
  - Natasha Sayee, HoCS
- (5) AOB
- (6) Date of next meeting

Attendees: Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Louise Crilly  
Tracey McCavigan  
Jayne Byrne

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 07 December 2022 20:19  
**To:** Byrne, Jayne; Gibson, Neil  
**Cc:** McCavigan, Tracey; Crilly, Louise  
**Subject:** 5 CM: RE: DAERA Oversight Board - Thursday 8 December @ 5pm

Hi Jayne

I agree that comms should be on the agenda but I think we need to agree among ourselves the next steps and nail those down before we rehearse them with the comms leads so my inclination is not to involve them until we're absolutely clear on our own plans and timelines.

This may mean we have to brief them separately on Friday or Monday and then give them some space to work up their advice to us on comms and media handling.

I'm conscious that there have been quite a few issues raised from our collective review of the latest reports that have to go back to PwC but would be keen to get final reports turned round and then to brief the comms folk.

Happy to hear contrary views though

Katrina

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))



[REDACT]

---

**From:** [REDACT]  
**Sent:** 08 December 2022 16:37  
**To:** Godfrey, Katrina (DAERA – Perm Sec)  
**Cc:** Minne, Jill; DAERA PermSec; [Redact].  
**Subject:** CM: RE: Recruitment Competition - DCVO  
**Attachments:** IRC276640 CIB Draft 8 Dec 22.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Katrina,

Many thanks for this– good we now have a date arranged for CIM on 12 January.

Responses to comments and queries are on pages 11, 13, 15 ,16 and 17.

We'll get an updated version sent to the panel and flag up any areas which the panel can consider further and agree at the CIM.

Regards,

[REDACT]

[REDACT]

---

**From:** McCavigan, Tracey  
**Sent:** 08 December 2022 18:23  
**To:** Byrne, Jayne  
**Cc:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Crilly, Louise  
**Subject:** CM: Current version for Comms  
**Attachments:** DAERA External Review updated Draft Report\_ 29 November 2022.pdf; DAERA - phase 2 - updated draft report.pdf

Jayne

Please see attached most recent versions of both phase 1 & 2.

I will send the password separately.

Kind regards  
Tracey

**Tracey McCavigan**  
**Acting Group Head of Internal Audit and Fraud Investigation Services**  
**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**

4  
[REDACT]

---

**From:** Byrne, Jayne  
**Sent:** 12 December 2022 16:09  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; McCavigan, Tracey; Crilly, Louise  
**Subject:** CM: DAERA Oversight Board - Monday 12 December @ 5.30pm  
**Attachments:** 12.12.22 draft agenda.docx; 8.12.22 draft DAERA Actions arising.docx  
**Importance:** High

Please find attached an agenda and draft action list for this afternoon's meeting.

Please note the Comms Leads will join this meeting.

Any queries please do not hesitate to contact me.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

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Monday 12 December 2022 @ 5.30pm

**DAERA Issue – Oversight Board**

**Via Zoom**

**DRAFT AGENDA**

- (1) Actions arising from meeting – 8 December 2022 J Brady
- (2) Finalisation of PWC reports L Crilly/T McCavigan
- (3) Framework for next steps L Crilly/T McCavigan
- (4) **Comms plan – Comms leads attending**  
Sharon McFlynn, DAERA  
Mark McLaughlin, DoF  
Chris McNabb, EIS  
Natasha Sayee, HoCS
- (5) AOB
- (6) Date of next meeting

Attendees: Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Louise Crilly  
Tracey McCavigan  
Jayne Byrne

**DAERA Issue – Action arising from meeting of Oversight Group held on Thursday 8 December 2022 @ 5pm**

**Attendees:** Jayne Brady Neil Gibson Katrina Godfrey  
Tracey McCavigan Louise Crilly Jayne Byrne

Action	Lead	Comments	Timeframe
<b>(1) Finalisation of PWC Reports</b> Final comments to be returned to PWC with return by Monday 12 December 2022 Reports to be shared on a confidential basis with Comms Leads Circulation of Final Reports to concerned staff before wider release of reports -- <i>dates to be finalised</i>	TMcC J Byrne TMcC/LC		
<b>(2) Framework for next steps</b> Finalisation of the next steps framework and circulation to the Board for advice Noted no abridged report needed	TMcC/LC		
<b>(3) Way forward</b> Provide briefing to Comms leads to inform preparation of suggested way forward Update PSS – 9 December 2022	TMcC/LC KG		
<b>(3) Date of next meeting – Monday 12 December @ 5.30pm</b>	J Byrne		

12 December 2022

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 12 December 2022 16:36  
**To:** DAERA PermSec  
**Subject:** 6 RE: Registration Confirmation for Ulster University Gala Dinner [SINV-0609-2022]

[REDACT]

I am going to pull out of this dinner as it looks like we will have the PwC report on Thursday and it could turn out to be a very busy 48 hours between Thursday and Friday and I would rather give the University as much notice as I possibly can.

Would you mind just letting them know that, unfortunately, due to a change in diary arrangements, I'm no longer able to attend (but am sending my very best wishes for an enjoyable evening) and then just noting in G&H that the invitation was originally accepted and then subsequently declined due to non-availability?

Very many thanks

Katrina

**From:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Sent:** 30 November 2022 14:52  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Subject:** FW: Registration Confirmation for Ulster University Gala Dinner [SINV-0609-2022]

Good afternoon Katrina,

Please see the following details regarding this event:

**Starting Time:** 19.00

**Venue:** The Atrium, Block BC, Ulster University, Belfast campus

**Instructions:** This is a ticket-less event and there is no requirement to bring your confirmation email.

**Running Order:** A drinks reception will take place from 19:00 and we would request that guests be seated no later than 19:30. The welcome address will commence promptly at 19:45.

**Dress Code:** Black tie

If you require anything else please let us know.

Thanks,

[REDACT]

[REDACT]

Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

D  
[REDACT]

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From: Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>  
Sent: 24 November 2022 11:40  
To: DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)>  
Subject: RE: Registration Confirmation for Ulster University Gala Dinner [SINV-0609-2022]

No thanks [REDACT] just need the instructions, running order, venue, dress code etc which we should have ourselves

K

From: DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)>  
Sent: 24 November 2022 11:38  
To: Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>  
Cc: DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)>  
Subject: FW: Registration Confirmation for Ulster University Gala Dinner [SINV-0609-2022]

Good morning Katrina,

Grateful if you can confirm if you would like us to go out for any briefing for the Ulster University Gala Dinner on 15 December 2022.

Thanks,  
[REDACT]

[REDACT]  
Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

[REDACT]

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From: Eventbrite <noreply@order.eventbrite.com>  
Sent: 19 October 2022 09:53  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Subject: Registration Confirmation for Ulster University Gala Dinner

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**Katrina,  
you've got tickets!**




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# Ulster University Gala Dinner



 **1 x Registration**  
Order total: Free

 **Thursday, 15 December 2022 at 19:00 (United Kingdom Time)**  
[Add to Google](#) · [Outlook](#) · [iCal](#) · [Yahoo](#)

 **Ulster University**  
York Street  
Belfast  
BT15 1ED  
United Kingdom  
[View on map](#)

[View event details](#)

**Ulster University**

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## Order Summary

Order #4900772799 - 19 October 2022

Katrina Godfrey                      1 x Guest

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This order is subject to Eventbrite's [Terms of Service](#) and [Privacy Policy](#), and [Cookie Policy](#).

## Registration Information

### Questions

Please provide your phone number for Covid track and trace purposes

07814699412

## Your registrations

### 1 eRegistration

The organiser will contact you with instructions on how to redeem your registration and access the event.

## Additional Information

The event organiser has provided the following information.

Please accept this email as confirmation of your booking to attend the Ulster University Graduate Dinner at The Atrium, Block BC, Ulster University, Belfast campus.

This is a ticket-less event and there is no requirement to bring your confirmation email.

A drinks reception will take place from 19:00 and we would request that guests be seated later than 19:30. The welcome address will commence promptly at 19:45.

Best wishes.

PLEASE NOTE that photographs and/or video footage will be taken throughout this event, by confirming your attendance you are confirming your consent. This footage could be used by the University for marketing and publicity, including but not limited to, publications, campaigns, social media on our website. Please contact the event organiser in advance of the event if you have any concerns or if you wish to be exempted from this at [ulster.ac.uk/gdpr](http://ulster.ac.uk/gdpr)



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[REDACT]

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From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 13 December 2022 20:11  
To: Gibson, Neil; Brady, Jayne  
Subject: 7 RE: PRINTED FOR REVIEW SINV-0161-2022 NPwC's Green Job Barometer - being published tomorrow

Yes thanks - [REDACT] in PwC kindly sent me an advance copy too. It makes for really interesting reading and is very timely from a Mission 2 perspective.

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

From: [REDACT] on behalf of: Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
Date: Tuesday, 13 Dec 2022 at 11:16 am  
To: Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Subject: FW: PRINTED FOR REVIEW SINV-0161-2022 NPwC's Green Job Barometer - being published tomorrow

Jayne/Katrina

Neil wasn't sure if you both have seen this but asked me to forward on just in case.

Regards

[REDACT] on behalf of Neil

[REDACT]  
Permanent Secretary's Office  
Department of Finance  
2<sup>nd</sup> Floor Clare House  
303 Airport Road West  
Belfast BT3 9ED

[REDACT]

[REDACT]

From: [REDACT]  
Sent: 11 December 2022 13:53  
To: Brennan, Mike <Mike.Brennan@economy-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
Cc: [REDACT]  
Subject: PRINTED FOR REVIEW SINV-0161-2022 NPwC's Green Job Barometer - being published tomorrow

----- End of message text -----

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 13 December 2022 20:13  
**To:** Teague, Tracey; Hegarty, Kevin  
**Subject:** 8 FW: PRINTED FOR REVIEW SINV-0161-2022 NPwC's Green Job Barometer - being published tomorrow  
**Attachments:** Green Jobs Barometer 2022 DRAFT.pdf

Tracey and Kevin - in case you haven't seen already. Very helpful and topical given the discussions we've been having on Green Growth and Mission 2.

Katrina

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([www.blackberry.com](http://www.blackberry.com))

## Davidson, Ashley

---

**From:** Byrne, Jayne  
**Sent:** 15 December 2022 11:11  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Crilly, Louise; McCavigan, Tracey; Stewart, Chris (TEO); Sayee, Natasha; McNabb, Chris; McLaughlin, Mark (DOF); McFlynn, Sharon  
**Subject:** CM: [In Meetings Folder - Ashleigh] DAERA Oversight Board @ 4.45pm today  
**Attachments:** 15.12.22 agenda.docx, 12.12.22 draft DAERA Actions arising docx  
**Importance:** High

Please find attached an agenda for today's Oversight Board meeting and an action list arising from the meeting held on Monday 12 December 2022.

Jayne, I hope to have a copy of the draft Action and draft Comms Plan by 4pm today for you to have sight of in advance of the meeting.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

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Thursday 15 December 2022 @ 5.30pm

DAERA Issue – Oversight Board

Via Zoom

**DRAFT AGENDA**

- |     |   |                      |
|-----|---|----------------------|
| (1) | Actions arising from meeting – 12 December 2022   | J Brady              |
| (2) | Finalisation of PWC reports   | L Crilly/T McCavigan |
| (3) | Action Plan   | Chris Stewart        |
| (4) | <b>Comms Action plan</b><br>Sharon McFlynn, DAERA<br>Mark McLaughlin, DoF<br>Chris McNabb, EIS<br>Natasha Sayee, HoCS | C McNabb/N Sayee     |
| (5) | AOB   |                      |
| (6) | Date of next meeting  |                      |

Attendees:

Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Louise Crilly – *apology*  
Tracey McCavigan  
Jayne Byrne

Chris Stewart  
Mark McLaughlin  
Sharon McFlynn  
Chris McNabb  
Natasha Sayee

DAERA Issue – Action arising from meeting of Oversight Group held on Monday 12 December 2022 @ 5.30pm

Attendees:

Jayne Brady  
Tracey McCavigan  
Natasha Sayee

Neil Gibson  
Louise Cilly  
Mark McLaughlin

Katrina Godfrey  
Jayne Byrne  
Sharon McFlynn

	Action	Lead	Comments	Timeframe
(1)	<p><b>Finalisation of PWC Reports</b></p> <p>Final reports from PWC due by Thursday 15 December 2022 at the latest</p> <p>Reports to be courtesy shared to those who have not had sight of reports – shared on a date to be agreed</p> <p>[REDACT]</p>	<p>TMCC/LC</p> <p>TMCC/LC</p> <p>LC</p> <p>TMCC</p>	<p></p> <p>Supported by E Morelli, D Hughes</p>	
(2)	<p><b>Framework for next steps</b></p> <p>Development of robust action plan</p> <p>Update to NICS Board – Tues 20 December 2022</p>	<p>Chris Stewart</p> <p>Chris Stewart</p>	<p>Supported by E Morelli, D Hughes</p>	
(3)	<p><b>Comms Action Plan</b></p> <p>Comms plan to be development for consideration by Oversight Board on Thursday 15 December 2022</p>	<p>CMcN/NS</p>		
(3)	<p><b>Date of next meeting – Thursday 15 December @ 5.30pm</b></p>	<p>J Byrne</p>		

14 December 2022

[REDACT]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 19 December 2022 15:44  
**To:** Byrne, Jayne; Gibson, Neil; Brady, Jayne; Crilly, Louise; McCavigan, Tracey;  
[REDACT]  
**Subject:** RE: OFFICIAL - SENSITIVE: LETTERS  
**Attachments:** C&AG PwC report.DOCX

Letter to C&AG also now attached – still waiting for the phase 2 report

K

From the Permanent Secretary  
Katrina Godfrey



Department of  
**Agriculture, Environment  
and Rural Affairs**

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Office of the Permanent Secretary  
Room 636  
Dundonald House  
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Ballymiscaw  
Belfast BT4 3SB  
Telephone: 028 9052 4608  
Email: [perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)

19 December 2022

Dear Dorinnia

#### **PwC EXTERNAL REVIEW**

When we met on 8 December, I provided an update on the progress of external review being undertaken by PwC into the circumstances and decision-making relating to the Industrial Tribunal case involving DAERA and [REDACT], and the emerging findings and promised that I would send you the final review reports when available.

We have now received, and I am enclosing in confidence, the phase 1 and phase 2 reports from the review. While I appreciate that the review has taken much longer than we initially expected, as explained when we met the process has helped in exploring the full context in which the handling of [REDACT] initial concerns and decision-making around the Tribunal case took place.

In the interests of transparency, it is our intention to publish both reports with a short statement and an accompanying action plan in mid-January and I will let you know the precise timescale as soon as I can. Tracey McCavigan, our Group Head of Internal Audit, will liaise with Neil Gray, to whom this letter is also copied, on the action plan.

If there is any further clarification that it would be helpful for me to provide, please do let me know.

**KATRINA GODFREY**

**OFFICIAL – SENSITIVE**

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[REDACT]

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**From:** McCavigan, Tracey  
**Sent:** 19 December 2022 15:59  
**To:** Godfrey, Katrina (DAERA - Perm Sec); Byrne, Jayne; Gibson, Neil; Brady, Jayne; Crilly, Louise; [REDACT]  
**Subject:** RE: OFFICIAL - SENSITIVE: LETTERS

I have chased with PWC again. They just said it will be this afternoon.

Tracey

[REDACT]

---

**From:** Hughes, David (DoF)  
**Sent:** 19 December 2022 16:26  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Crilly, Louise; McCavigan, Tracey; McLaughlin, Mark (DOF); McFlynn, Sharon; McNabb, Chris  
**Cc:** Morelli, Emer  
**Subject:** RE: URGENT: Raising a Concern

Also, just to confirm that the publication and implementation of the RaC Policy Framework will fulfil the Executive's commitment in response to the RHI Inquiry recommendations, and should address the specifics of the Inquiry recommendations to the NIAO's requirements.

*David Hughes*

Department of Finance

Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 19 December 2022 17:21  
**To:** McCavigan, Tracey; Byrne, Jayne; Gibson, Neil; Brady, Jayne; Crilly, Louise; [REDACT]  
[REDACT]  
**Subject:** 9 RE: OFFICIAL - SENSITIVE: LETTERS

Thanks Tracey – my letters will now be re-dated for issue in the morning.

Katrina

[REDACT]

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**From:** Brady, Jayne  
**Sent:** 19 December 2022 21:40  
**To:** Byrne, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Subject:** RE: NICS Board report - Tuesday 20 December 2022

I concur with Katrina's comments. We need to agree pathway to get to final action report.

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([www.blackberry.com](http://www.blackberry.com))

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**From:** Byrne, Jayne <[Jayne.Byrne@executiveoffice-ni.gov.uk](mailto:Jayne.Byrne@executiveoffice-ni.gov.uk)>  
**Date:** Monday, 19 Dec 2022 at 9:37 pm  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>, Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>, Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>  
**Subject:** RE: NICS Board report - Tuesday 20 December 2022

Katrina, thank you for coming back to me. I really appreciate it.  
I fully understand this position. Maybe a verbal update from you tomorrow at the Board at this stage?  
Thanks Katrina  
Jayne

**From:** Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>  
**Sent:** 19 December 2022 21:27  
**To:** Byrne, Jayne <[Jayne.Byrne@executiveoffice-ni.gov.uk](mailto:Jayne.Byrne@executiveoffice-ni.gov.uk)>; Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>  
**Subject:** RE: NICS Board report - Tuesday 20 December 2022

Jayne

I'm not ready to share any DAERA actions - as explained at our earlier meeting I do want to go through this in great detail and today's diary hasn't permitted that. I'd really hoped that we would bring something to the board this week but that was predicated on us having the final phase 2 report last Thursday and an action plan on Friday and we're not there yet (much to my frustration!). I'd also planned to issue copies of both reports in advance to perm sec colleagues and again, without the phase 2 report, that has not been possible.

Katrina

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** Byrne, Jayne <[Jayne.Byrne@executiveoffice-ni.gov.uk](mailto:Jayne.Byrne@executiveoffice-ni.gov.uk)>  
**Date:** Monday, 19 Dec 2022, 9:21 pm  
**To:** Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>, Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>, Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>  
**Cc:** Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>, Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>, McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>, Morelli, Emer <[Emer.Morelli@finance-ni.gov.uk](mailto:Emer.Morelli@finance-ni.gov.uk)>  
**Subject:** NICS Board report - Tuesday 20 December 2022



Jayne, Katrina, Neil

Are you content for the attached cover report and action list to be shared with the Board for the meeting tomorrow? I will issue now and bring hard copies with me to the meeting tomorrow if you are content with this.

Many thanks  
Jayne

**From:** Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>  
**Sent:** 19 December 2022 18:39  
**To:** Brady, Jayne <[HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>  
**Cc:** Morelli, Emer <[Emer.Morelli@finance-ni.gov.uk](mailto:Emer.Morelli@finance-ni.gov.uk)>  
**Subject:** RE: URGENT: Raising a Concern

Apologies that this is late coming in. a draft minute to cover the action plan, if colleagues are content.

*David Hughes*  
Department of Finance  
Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388

**From:** Hughes, David (DoF)  
**Sent:** 19 December 2022 16:26  
**To:** Brady, Jayne <[HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>  
**Cc:** Morelli, Emer <[Emer.Morelli@finance-ni.gov.uk](mailto:Emer.Morelli@finance-ni.gov.uk)>  
**Subject:** RE: URGENT: Raising a Concern

Also, just to confirm that the publication and implementation of the RaC Policy Framework will fulfil the Executive's commitment in response to the RHI Inquiry recommendations, and should address the specifics of the Inquiry recommendations to the NIAO's requirements.

*David Hughes*  
Department of Finance  
Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388

**From:** Hughes, David (DoF)  
**Sent:** 19 December 2022 16:20  
**To:** Brady, Jayne <[HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>

Cc: Morelli, Emer <Emer.Morelli@finance-ni.gov.uk>

Subject: URGEiT: Raising a Concern

Oversight Board and Colleagues –

I attach a **tabular version of the Action Plan**. DAERA colleagues will be able to complete the timescales/owner section for the department. I shall follow up with Hugh and Jill on the DSO/NICSHR aspects and with Paul Duffy on the IGB commitment.

I have some notes about the Action Plan:

- PwC recommends that concerns that emerge from line of business activity ought to be registered as such. I wasn't clear whether this should already happen under DAERA policy. It would certainly be the case within the proposed policy framework. Are they actually recommending something new?
- The Service-level response overall depends heavily on the completion of the RaC Policy Framework. Can colleagues confirm that the tabular format sufficiently reflects the breadth of that action?
- I am proposing that the Policy Framework is published in January, with a commitment to roll it out by the end of March (*i.e.* nominate Designated Officers, provide training, prepare detailed operational guidance, *etc.*). We cannot do everything at once!
- The service-level response to the recommendation to improve record keeping focusses on record-keeping around concerns. I think we need to commit to an action that will improve record keeping in general. This was why I proposed that good record keeping should be included in performance management arrangements (*viz* mid-year and end-year reviews). I would like to reinstate that action, or invite suggestions as to other specific actions that can be included.

I attach the current drafts of the three documents which result from the prior policy development exercise around Raising a Concern:

- The Policy Framework, addressed to a readership of people thinking of raising a concern; for publication
- Principles for Handling Concerns, addressed to an internal readership, especially managers; for publication internally on the Intranet
- Statement of intent – for publication, as part of a launch.

Below these documents, each Department will need to review their own policies to make sure there are operational arrangements in line with the Framework. Whether there is a need for any centrally-mandated operational guidance is doubtful. But there should be further policy documents such as the ToRs for the Designated Officers' Forum; and the arrangements for reporting *iro* Concerns to NICS Board.

I understand that NIAO, NIPSO and TUS are expecting to have sight of the policy framework before publication. They have already seen and commented on an earlier draft; this would be a courtesy and can be done just in advance of publication.

I shall prepare a covering minute for the Action Plan to go to the Board in the morning, and circulate as soon as I can.

Happy to take any comments.

*David Hughes*

**Department of Finance**

**Clare House | 303 Airport Road | Sydenham Intake | BELFAST | BT3 9ED**

**Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388**

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 19 December 2022 21:42  
**To:** Byrne, Jayne; Brady, Jayne; Gibson, Neil  
**Subject:** 11 RE: NICS Board report - Tuesday 20 December 2022

Not a problem - although Neil or Jayne should feel entirely free to disagree with me.

Also i do have copies of the phase 1 report printed ready for departmental perm sec colleagues (with the exception of Neil obviously and also of Denis and Hugh who will receive separately but am reluctant to issue without the phase 2 report.

Katrina

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 20 December 2022 07:51  
**To:** McFlynn, Sharon; DAERA Central Services Deputy Secretary; Downey, Roger  
**Cc:** DAERA PermSec  
**Subject:** FW: OFFICIAL Sensitive - Final reports  
**Attachments:** DAERA - phase 2 - final report (19 Dec).pdf

Sharon, Brian and Roger

I am enclosing the final version of the PWC Phase 2 report in strict confidence. Could we please have a short discussion to finalise our elements of the action plan? Would 12.30 suit? If not, might we go for 3.15?

Many thanks

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

---

**From:** McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>  
**Date:** Monday, 19 Dec 2022, 10:13 pm  
**To:** Brady, Jayne <[HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)>, Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>, Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>, Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>  
**Subject:** OFFICIAL Sensitive - Final reports

All

Please see final reports for phase 1 and phase 2.

I will send password separately for phase 1 report.

Kind regards  
Tracey

**Tracey McCavigan**  
**Acting Group Head of Internal Audit and Fraud Investigation Services**  
**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 20 December 2022 09.57  
**To:** DAERA PermSec  
**Cc:** DAERA PermSec  
**Subject:** 13 RE: Meeting with [REDACT] [SINV-0621-2022]

All good thanks [redact] happy that I don't need anything except from time and venue!

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Date:** Tuesday, 20 Dec 2022, 9:51 am  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Subject:** FW: Meeting with [REDACT] [SINV-0621-2022]

Good morning Katrina,

Grateful if you can confirm if you require any briefing for this meeting on 19 January 2023 and if anyone will be accompanying you.

Thanks,  
[REDACT]

[REDACT]  
Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

Pronouns: He/Him  
Tel: [REDACT]  
email: [REDACT]

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Department of  
Agriculture, Environment  
and Rural Affairs  
www.daera.ni.gov.uk

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living, working, active landscape  
valued by everyone.*

From: [REDACT]  
Sent: 01 November 2022 13:48  
To: DAERA PermSec <[perm.sec@daera.ni.gov.uk](mailto:perm.sec@daera.ni.gov.uk)>  
Subject: Re: Meeting with [REDACT]

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to [spam@finance-ni.gov.uk](mailto:spam@finance-ni.gov.uk).

Hi [REDACT]

I have issued a calendar invitation to Katrina for 19 January. If anyone will be attending the meeting with Katrina,  
could you let me know in advance, as we need to book individuals into the building through our security team.

Regards

[REDACT]

[REDACT]

PwC | PA to [REDACT] NI Regional Market Leader  
[REDACT] - Forensics Director & [REDACT] Tax Director  
Office: 07783902152 | Fax: +44 (0) 28 9041 5600  
Email: [REDACT]  
PricewaterhouseCoopers LLP  
Merchant Square, 20-22 Wellington Place, Belfast, BT1 6GE  
<http://www.pwc.com/uk>

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recognise me here <https://pwcgems.achievers.com/recent-activity>

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**At PwC we work flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours**

On Mon, 31 Oct 2022 at 18:10, DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)> wrote:

Hi [REDACT]

I have checked Katrina's diary and 19 January at 10.30-11.30 suits. I will hold this date in Katrina's diary until you confirm.

Kind Regards

[REDACT]

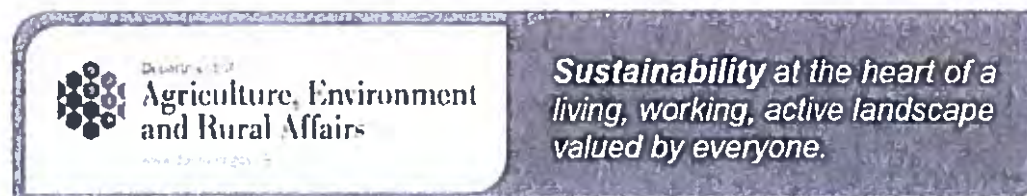
[REDACT]

Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

[REDACT]  
[REDACT]

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From: [REDACT]  
Sent: 31 October 2022 14:34  
To: DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)>  
Subject: Re: Meeting with [REDACT]

Hi [REDACT]

Apologies for the delay in coming back to you with dates

November isn't a great month as [REDACT] is away on business quite a bit so I've listed some dates Dec/Jan if you can take a look and let me know if any of these would work for Katrina to come to our offices in Merchant Square to meet with



14 Dec 3pm - 4pm  
10 Jan 4pm - 5pm  
11 Jan 11am - 12 noon  
12 Jan 4pm - 5pm  
19 Jan 10.30 - 11.30

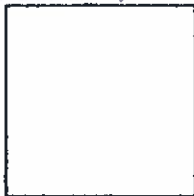
Many thanks

[REDACT]

[REDACT]

PwC | PA to [REDACT] NI Regional Market Leader  
[REDACT] Forensics Director & [REDACT] Tax Director  
Office: 07783902152 | Fax: +44 (0) 28 9041 5600  
Email: [REDACT]  
PricewaterhouseCoopers LLP  
Merchant Square, 20-22 Wellington Place, Belfast, BT1 6GE  
<http://www.pwc.com/uk>

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recognise me here [https://pwcgems.achievers.com/recent\\_activity](https://pwcgems.achievers.com/recent_activity)

*I am no longer available on my previous office landline number. As part of PwC's aim of supporting greater flexibility in how we deliver for our clients, we have adopted a mobile first approach.*

**At PwC we work flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours**

On Fri, 21 Oct 2022 at 11:30, DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)> wrote:

Hi [REDACT]

Hope you are well.

I look after Katrina's diary so if you want to send over a few dates/times/information etc, hopefully we can get a date in both Katrina's and [REDACT] diary.

Kind Regards

[REDACT]

[REDACT]

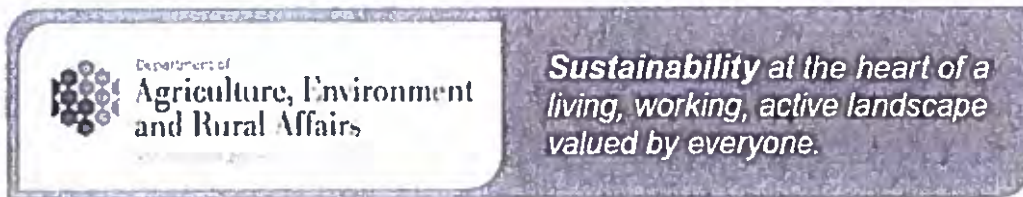
Office of the Permanent Secretary  
Room 636

Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

[REDACT]  
[REDACT]

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From: [REDACT]  
Sent: 20 October 2022 15:21  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Subject: Meeting with [REDACT]

Hi Katrina


I am just following up on the email exchange between yourself and [REDACT] and wonder can you share your PA's details and we can work towards getting a date for you both to meet

Regards

[REDACT]  
[REDACT]

PwC | PA to [REDACT] NI Regional Market Leader  
[REDACT] - Forensics Director & [REDACT] Tax Director  
Office: 07783902152 | Fax: +44 (0) 28 9041 5600  
Email: [REDACT]  
PricewaterhouseCoopers LLP  
Merchant Square, 20-22 Wellington Place, Belfast, BT1 6GE  
<http://www.pwc.com/uk>

Celebrate success - if you feel I added value, went that extra mile, or am just an

overall GEM then recognise me here  [https://pwcgems.achievers.com/recent\\_activity](https://pwcgems.achievers.com/recent_activity)  
*I am no longer available on my previous office landline number. As part of PwC's aim of supporting greater flexibility in how we deliver for our clients, we have adopted a mobile first approach.*

**At PwC we work flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours**

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-----

[REDACT]

**From:** [REDACT]  
**Sent:** 20 December 2022 16:27  
**To:** Brady, Jayne; Byrne, Jayne; Stewart, Chris (TEO); [redact]  
**Cc:** McNabb, Chris; [REDACT]  
**Subject:** Query from: [redact]

Hi all,

Please see query below from [redact] which has been sent to us, DAERA and DoF. Given the reference to HOCS, I suggest the response comes from us, not DAERA, as has been the case previously.

I have drafted the response below so grateful if you can let me know what you think and I'll then share with DAERA and DoF.

The second line is taken from the latest response DAERA gave on this issue.

Thanks,

[REDACT]

**Query:**

In April, when Jayne Brady set up the external investigation into the [REDACT] case, she said that "it is a personal priority for me to deal with it promptly".

It's now eight months since that promise and six months since the relevant part of the external report was received by the NICS. Not a single action has been taken to deal with behaviour which has been so costly both for taxpayers and the collective reputation of the good civil servants with the NICS. There has not been any public explanation of what is happening, despite the NICS's claims that it has been reformed.

As the three departments who jointly commissioned this investigation, can you please explain why the PwC report remains unpublished, when the taxpayers who paid for it can expect to see it, and whether any disciplinary action has been taken against anyone who treated [REDACT] so appallingly?

**Draft response:**

Preparations are being made for the publication of the external review in the new year.

We will not be commenting further until the review is published.

[REDACT]

Principal Information Officer | The Executive Office Press Office

Stormont Castle | Stormont Estate | BT4 3TT

Telephone: [REDACT]

Mobile: [REDACT]

Email: [REDACT]

[REDACT]

**From:** Brady, Jayne  
**Sent:** 20 December 2022 17:03  
**To:** Godfrey, Katrina (DAERA – Perm Sec); Byrne, Jayne; Gibson, Neil  
**Subject:** RE: NICS Board report - Tuesday 20 December 2022

**Categories:** Logged on CM

I think the level is perfect- Neil do we also want to include the revised disciplinary process for SCS for system level issues. We should also consider what aspects should be agreed by NICS board.

Well done,  
Jayne

Jayne Brady  
Head of the Northern Ireland Civil Service  
The Executive Office | Room FD34 | Stormont Castle | Stormont | BELFAST | BT4 3TT  
E-mail: [HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)  
Tel: 028 9037 88147 | Network: 88147 | [www.executiveoffice-ni.gov.uk](http://www.executiveoffice-ni.gov.uk)

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**From:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Sent:** 20 December 2022 16:57  
**To:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
**Subject:** RE: NICS Board report - Tuesday 20 December 2022

Jayne and Neil

Perhaps this is too detailed but I for one what to be both robust and very specific about what action is going to be taken. Before we share more widely, grateful for any quick thoughts on whether this represents a better basis for moving forward.

Katrina

[REDACT]

---

From: McCavigan, Tracey  
Sent: 21 December 2022 13:21  
To: Godfrey, Katrina (DAERA – Perm Sec); McFlynn, Sharon  
Cc: DAERA PermSec, [REDACT]  
Subject: CM: RE: For clearance: [redact] query

Katrina

I will get that note to you.

Tracey

From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 21 December 2022 13:14  
To: McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
Cc: DAERA PermSec <perm.sec@daera-ni.gov.uk>; [REDACT]  
Tracey <Tracey.McCavigan@finance-ni.gov.uk>  
Subject: RE: For clearance: [redact] query

McCavigan,

Yes thanks Sharon.

Tracey – Jayne's suggested amendments remind me that I need a note from you both conveying that assurance to me.

Katrina

From: McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
Sent: 21 December 2022 13:11  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: DAERA PermSec <perm.sec@daera-ni.gov.uk>; [REDACT]  
Subject: FW: For clearance: [redact] query

Katrina,

Are you content to clear the updated line?

Sharon

From: [REDACT]  
Sent: 21 December 2022 12:09  
To: McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; [REDACT]  
Cc: [REDACT]  
Subject: FW: For clearance: [redact] query

Hi both,

Can you please check with Katrina that she is happy with this amended line.

Thanks,

[REDACT]

[REDACT]

Principal Information Officer | The Executive Office Press Office  
Stormont Castle | Stormont Estate | BT4 3TT  
Telephone: [REDACT]  
Mobile: [REDACT]  
Email: [REDACT]

From: Brady, Jayne <[HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)>

Sent: 21 December 2022 11:01

To: [REDACT]

Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Byrne, Jayne <[Jayne.Byrne@executiveoffice-ni.gov.uk](mailto:Jayne.Byrne@executiveoffice-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>

Cc: McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>; [REDACT]

[REDACT]

[REDACT]

[REDACT]

Subject: RE: For clearance: [redact] query

Thanks [REDACT] very helpful.

I suggest the following:

We have now completed the *quality assurance process to ensure the outcomes report meets the agreed Terms of Reference*. On Monday the 19<sup>th</sup> Dec we received both the final outcomes and lessons learnt report. Preparations are now being made for the publication of the external review early in the new year.

Jayne Brady

Head of the Northern Ireland Civil Service

The Executive Office | Room FD34 | Stormont Castle | Stormont | BELFAST | BT4 3TT

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Tel: 028 9037 88147 | Network: 88147 | [www.executiveoffice-ni.gov.uk](http://www.executiveoffice-ni.gov.uk)

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From: [REDACT]

Sent: 21 December 2022 10:22

To: Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Byrne, Jayne <[Jayne.Byrne@executiveoffice-ni.gov.uk](mailto:Jayne.Byrne@executiveoffice-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>



Cc: McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; [REDACT]  
[REDACT] [REDACT]  
ni.gov.uk>  
Subject: For clearance: [redact] query

Hi all,

Thanks for your input on this.

For info, the last response which went to [redact] in October was as follows:

A DAERA spokesman said: "The NICS received the final draft report from PwC on Friday 30th September. Any report received goes through a quality assurance process to ensure it meets the agreed Terms of Reference. "We are currently considering its contents to ensure publication would not prejudice any potential internal processes. "After this process is complete the outcome of the review will be published."

Given this, are you content to give him the line as agreed last night?

A TEO spokesperson said:

The final reports were received on Monday 19th December. Preparations are now being made for the publication of the external review early in the new year.

Thanks,

[REDACT]

[REDACT]

Principal Information Officer | The Executive Office Press Office  
Stormont Castle | Stormont Estate | BT4 3TT  
Telephone: [REDACT]  
Mobile: [REDACT]  
Email [REDACT]

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 23 December 2022 11:53  
**To:** [REDACT]  
**Cc:** [REDACT]  
**Subject:** 16 RE: Green Jobs Barometer - advance release

Hi [REDACT]

Thanks so much for sending this through in advance of general release – its timing was so helpful as was its relevance to our work on green growth and climate action.

My best wishes also for a lovely Christmas. I'm very much looking forward to catching up with you in January.

Katrina

Katrina Godfrey  
Permanent Secretary  
Department of Agriculture, Environment and Rural Affairs  
Room 636  
Dundonald House

028 90 524608  
Ext 24608



Department of  
**Agriculture, Environment  
and Rural Affairs**  
www.dae.gov.uk

***Sustainability at the heart of a  
living, working, active landscape  
valued by everyone.***

**From:** [REDACT]  
**Sent:** 08 December 2022 20:11  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** [REDACT]  
**Subject:** Green Jobs Barometer - advance release

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Hi Katrina

How are you? I hope all is well. I look forward to meeting you on the 19 January and in advance I wanted to give you early notice that we will be publishing the annual update to our Green Jobs Barometer on Monday (12 December). The Barometer, which we launched last year, tracks movements in green job creation, job loss, carbon intensity of employment, and worker sentiment across regions and sectors.

The associated report will be finalised shortly, but I wanted to share a draft (attached) with you now, so that you can have a little time to digest its conclusions for Northern Ireland.

The headline findings of the report are that:

- Green jobs are growing at around four times the rate of the overall UK employment market, with the number of green jobs advertised in the UK having almost tripled in the last year, equating to a jump from 124,600 to 336,805 unique adverts.
- The number of green jobs in Northern Ireland has doubled since 2021, but the region has one of the lowest proportions of green jobs in the UK.
- In 2021, 1.24% of all advertised jobs in Northern Ireland were green jobs, equivalent to 1,018 jobs, just ahead of the UK average (1.20%). This number doubled in 2022 to 2,185 job advertisements, but only represents 1.95% of the total NI jobs market - compared to 2.2% of all new jobs in the UK being classed as green.
- Every region of the UK saw green jobs accounting for a greater share of the job market, and the number of green jobs at least doubled in absolute terms.
- Scotland has the highest proportion of green jobs, at 3.3% (up from 1.7% last year). London saw the second strongest increase in green jobs as a proportion of its job market, and by volume of jobs London and the South East are pulling away from the rest of the country. For example, just 7,594 unique green job ads were for roles in the North East in 2022, compared to the significant 110,067 located across London and the South East.

As you'll note from this data, it is encouraging that the economy is becoming greener, but the regional disparity we highlighted last year is becoming more pronounced. Also, the growth is being led by green professional and scientific roles, whilst the skills gap in areas such as the new green trades retrofitting jobs important for the net zero transition is continuing to grow.

If you would like to discuss the Barometer's findings or our plans for next year, then please do let me know. I think that this is another area where convening cross-sector workings is key in NI. Keen to get your thoughts and, as always, happy to set up a conversation with you and /or key colleagues if helpful.

Kind regards

[REDACT]

[REDACT]

PwC | NI Regional Market Leader | Partner

Mobile:

Email: [REDACT]

PricewaterhouseCoopers LLP

<http://www.pwc.co.uk>

Follow me on Twitter: [REDACT]

Alternative Contact: [REDACT]  
[REDACT]

[REDACT]

PwC | Partner - NI Regional Market Leader  
Mobile: [REDACT]  
Email: [REDACT]  
PricewaterhouseCoopers LLP  
<http://www.pwc.co.uk>

Alternative Contact: [REDACT]

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[REDACT]

---

**From:** McCavigan, Tracey  
**Sent:** 09 January 2023 15:56  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Crilly, Louise  
**Subject:** CM: OFFICIAL SENSITIVE Revised Final Reports  
**Attachments:** DAERA External Review Final Report\_9 January 2023.pdf; DAERA - Project Oscar phase 2 final report.pdf

**Categories:** Logged on CM

All

Please see revised reports from PWC which are to be used for publication. I will send password separately.

There was a minor correction at Para 7.25 in Phase 1 report and Phase 2 they changed their template.

I will also share with Comms at this stage.

Kind regards  
Tracey

**Tracey McCavigan**  
**Group Head of Internal Audit and Fraud Investigation Services**  
**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**

[REDACT]

---

**From:** McCavigan, Tracey  
**Sent:** 09 January 2023 22:36  
**To:** Godfrey, Katrina (DAERA – Perm Sec); Brady, Jayne; Gibson, Neil, Crilly, Louise  
**Subject:** CM: RE: CM: OFFICIAL SENSITIVE Revised Final Reports

**Categories:** Logged on CM

Katrina

I can liaise with PWC in the morning – I will check if the FOI paras etc is in the phase 1 report as well prior to contacting them.

Tracey

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 09 January 2023 22:33  
**To:** McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>, Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>, Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>  
**Subject:** RE: CM: OFFICIAL SENSITIVE Revised Final Reports

Tracey

Many thanks. On phase 2, the intro (see extract pasted below) still says the report is draft and subject to amendment. Should this now be corrected to reflect the final status of the report?

The second and third points are, I know, standard but have we already communicated with PWC to ensure it knows of our intention to publish or do we need to pick that element up at my end?

Katrina

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**From:** McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>  
**Date:** Monday, 09 Jan 2023, 3:56 pm  
**To:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>, Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>, Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>  
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**☎ (028) 91 279669 Ext: 59669**

[REDACT]

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**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**



[REDACT]

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---

**From:** McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>  
**Date:** Monday, 09 Jan 2023, 3:56 pm  
**To:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>, Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>, Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>  
**Subject:** CM: OFFICIAL SENSITIVE Revised Final Reports

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Tracey

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**Group Head of Internal Audit and Fraud Investigation Services**  
**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**

[REDACT]

---

**From:** Godfrey, Katrina (DAERA - Perm Sec)  
**Sent:** 11 January 2023 14:41  
**To:** DAERA Central Services Deputy Secretary; Downey, Roger  
**Cc:** McFlynn, Sharon; [REDACT]  
**Subject:** FW: CM: OFFICIAL SENSITIVE Revised Final Reports  
**Attachments:** DAERA External Review\_Final Report\_9 January 2023.pdf; DAERA - Project Oscar phase 2 final report.pdf

Fiona, Brian, Roger

With thanks again for the work on the action plan and other aspects, these are the final reports. Password will follow for the phase 1 report

We still don't have a firm date for publication, depending on the comms approach it will be either next week or the following week (Sharon - correct me if I've missed any new developments on that front).

Katrina

[redact]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 12 January 2023 11:38  
**To:** DAERA PermSec  
**Subject:** 27 RE: \*Action required\* Meeting Lord Benyon to discuss the Target Operating Model 19/1/23

My thinking was either (a) let PWC know I would have to leave at 11.20 and ask [redact] to find me a room in DfI to dial in from or (b) ask PWC could they lend me a space for an hour! May be rather than saying I'm not free, could we go back to [redact] and ask if this date and time is settled yet?

K

[redact]

---

**From:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Sent:** 12 January 2023 11:35  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Subject:** \*Action required\* Meeting Lord Benyon to discuss the Target Operating Model 19/1/23

Hi Katrina

I don't see a response issued to this request. Given that others have responded that it doesn't suit, would you like me still to respond? Looking at your diary, at the moment I don't think it suits you either as you are in Belfast City Centre until 11.30.

Let me know your thoughts.

Kind Regards

[redact]

[redact]

Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

Tel: [redact]  
Email: [redact].

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From: PS, Lord Benyon <[ps.lord.benyon@defra.gov.uk](mailto:ps.lord.benyon@defra.gov.uk)>

Sent: 09 January 2023 12:13

To: [CabSecRAI@gov.scot](mailto:CabSecRAI@gov.scot); [Correspondence.Lesley.Griffiths@gov.wales](mailto:Correspondence.Lesley.Griffiths@gov.wales); Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>

Cc: Jinks, Peter <[Peter.Jinks@defra.gov.uk](mailto:Peter.Jinks@defra.gov.uk)>; [redact], PS, Lord Benyon <[ps.lord.benyon@defra.gov.uk](mailto:ps.lord.benyon@defra.gov.uk)>

Subject: Meeting Lord Benyon to discuss the Target Operating Model 19/1/23

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FAO Malri Gougeon MSP / Lesley Griffiths MS / Katrina Godfrey

Good Afternoon,

Lord Benyon would like to arrange a Ministerial meeting to discuss the Target Operating Model and welcome your views and concerns ahead of upcoming UK Cabinet Committee discussions.

Can I please confirm Ministers availability for a virtual meeting at **11.45-12.30 on Thursday 19 January**? As well as the relevant Minister, you may also wish to invite a senior official (or your Chief Veterinary Officer) if helpful. We are also inviting the Chair of the FSA and will circulate a full agenda once we confirm attendance.

Any questions please get in touch.

Best wishes,  
Jim

[redact]

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[REDACT]

**From:** McCavigan, Tracey  
**Sent:** 12 January 2023 14:51  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Cilly, Louise  
**Cc:** McFlynn, Sharon; McNabb, Chris; McLaughlin, Mark (DOF); Sayee, Natasha  
**Subject:** CM: FW: FW: Phase 2 final report  
**Attachments:** DAERA - Project Oscar phase 2 final report pdf

**Categories:** Logged on CM

All

Please see final phase 2 report to be used for publication. It was amended to remove the draft reference in previous version.

Kind regards  
Tracey

**Tracey McCavigan**  
**Group Head of Internal Audit and Fraud Investigation Services**  
**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 12 January 2023 18:06  
**To:** McFlynn, Sharon  
**Subject:** 29 RE: CM: OFFICIAL SENSITIVE Revised Final Reports

Sharon

Yes – at this juncture that seems a very sensible step and [REDACT] input and perspective will be very helpful. I am therefore content that the final reports are shared in confidence with her.

Many thanks

Katrina

**From:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Sent:** 12 January 2023 17:58  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Subject:** FW: CM: OFFICIAL SENSITIVE Revised Final Reports

Katrina,

In preparation for publication of the reports and in anticipation of media interest, I think it would be helpful to draw [REDACT] into the comms planning at this juncture. Are you content that I share the final reports with her?

Sharon

[REDACT]

---

**From:** Byrne, Jayne  
**Sent:** 16 January 2023 11:41  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Stewart, Chris (TEO); Crilly, Louise; McCavigan, Tracey; Hughes, David (DoF); Sayee, Natasha, McNabb, Chris; McLaughlin, Mark (DOF); McFlynn, Sharon  
**Subject:** CM: RE: Monday 16 January @ 1pm - DAERA Oversight Board  
**Attachments:** 9.1.23 draft DAERA Actions arising.docx  
**Importance:** High

Please find attached draft actions arising from last week's meeting. I am so sorry for the delay in circulating this to you.

Regards  
Jayne

---

**From:** Byrne, Jayne  
**Sent:** 13 January 2023 13:31  
**To:** Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Subject:** Monday 16 January @ 4.45pm - DAERA Oversight Board  
**Importance:** High

Please find attached a draft agenda and an updated Action plan for Monday's Oversight Board.

An action list from the meeting of 9 January and the updated Comms plan will follow later today.

Please do not hesitate to contact me should you have any queries.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)



**DAERA Issue – Action arising from meeting of Oversight Group held on Monday 9 January 2023 @ 4.45pm**

**Attendees:** Jayne Brady / Jayne Byrne  
Chris Stewart  
Natasha Sayee/ Chris McNabb

Katrina Godfrey  
David Hughes  
Sharon McFynn

Neil Gibson  
Tracey McCavigan/Louise Crilly  
Mark McLaughlin

Action	Lead	Comments	Timeframe
<p>(1) Finalisation of PWC Reports</p> <p>Final reports received. An inaccuracy was identified within Phase 1 report which required a minor change to the report. PWC also requested to update the template for presentation of Phase 2 report. These have been completed.</p>	<p>TMcG</p>		
<p>(2) Action Plan</p> <p>Action plan to be updated and a plain English review to be undertaken on the document.</p> <p>3XO Disciplinary Review / Independent Panel to be considered and fed into Action Plan.</p> <p>Comms Action Plan</p> <p>Comms Team require robust plain English action plan, policy leads draft answers to all questions and support from legal in reviewing LTT.</p> <p>Comms Action Plan to be circulated for decision by Oversight Board.</p>	<p>D Hughes L Crilly</p>		
<p>(3)</p>	<p>Comms Leads</p>		
<p>(4)</p>	<p>J Byrne</p>		<p>Date of next meeting – Monday 16 January 2023 @ 4.45pm</p>

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 16 January 2023 11:51  
**To:** Downey, Roger; McGurnaghan, Paul  
**Cc:** DAERA PermSec; DAERA Central Services Deputy Secretary  
**Subject:** CM. FW. DAERA External Review - Supplier Brief fulfilled (Jayne Brady confirmation)  
**Attachments:** CM: Assurance to DAERA PS 09 01 23

Colleagues

To see and for your records – this note is part of our governance arrangements for oversight of the PWC contract and complements the assurance provided by Tracey last week (also attached).

Katrina

---

**From:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>  
**Sent:** 16 January 2023 11:41  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>  
**Subject:** DAERA External Review - Supplier Brief fulfilled (Jayne Brady confirmation)

Katrina,

Please see comments below from Jayne:

#### **EXTERNAL REVIEW**

***'I have received the final reports for the external review and in line with the agreed process I have reviewed these. I am therefore writing to confirm that I am content that all elements of the Supplier Brief have been fulfilled'.***

[redact] on behalf of Jayne Brady

[REDACT]

---

**From:** McCavigan Tracey  
**Sent:** 09 January 2023 21:20  
**To:** Godfrey, Katrina (DAERA – Perm Sec)  
**Subject:** CM Assurance to DAERA PS 09 01 23  
**Attachments:** Assurance to DAERA PS 09 01 23.pdf

**Categories:** Logged on CM

Katrina

As promised please see attached assurance.

Kind regards  
Tracey

**Tracey McCavigan**  
**Group Head of Internal Audit and Fraud Investigation Services**  
**Hillview Buildings | Stormont Estate | Belfast | BT4 3TA**  
**☎ (028) 91 279669 Ext: 59669**

**Tracey McCavigan**  
**Group Head of Internal Audit & Fraud**  
**Investigation Services**

Room 14b  
Hillview Buildings  
Stormont Estate  
BELFAST

BT4 3TA  
Tel No: 028 91279669 (x59669)  
email: [tracey.mccavigan@finance-ni.gov.uk](mailto:tracey.mccavigan@finance-ni.gov.uk)



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---

**From:** Tracey McCavigan

**Date:** 9 January 2023

**To:** Katrina Godfrey  
DAERA Permanent Secretary

## **EXTERNAL REVIEW**

I have received the final reports for the external review and in line with the agreed process I have reviewed these. I am therefore writing to confirm that I am content that all elements of the Supplier Brief have been fulfilled.

Kind regards

Tracey

**TRACEY MCCAIVIGAN**

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 16 January 2023 15:08  
**To:** Stewart, Chris (TEO); Brady, Jayne, Gibson, Neil  
**Cc:** Hughes, David (DoF); Byrne, Jayne; McNabb, Chris; Sayee, Natasha, McLaughlin, Mark (DOF); Crilly, Louise; McFlynn, Sharon; McCavigan, Tracey  
**Subject:** 32 RE. PWC reports

Chris

I'm content with what this says thanks. My only concern is with dissemination – we have kept the reports themselves very tightly locked down (although each perm sec did receive a hard copy in strict confidence from me).

Could we similarly say that we are sharing the action plan in strict confidence and it is to be treated as such until the reports and action plan are published? This is on the basis that the action plan does give a fairly clear idea of what the phase 2 report says (and possibly an indication of some of what the phase 1 report says).

I was going to add something to your final sentence along the lines of "we can then discuss any issues in the margins of our meeting on Friday" but I don't think it's necessary because we don't have to write that to be able to do it.

Many thanks

Katrina

**From:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>  
**Sent:** 16 January 2023 14:54  
**To:** Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
**Cc:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>  
**Subject:** PWC reports

Jayne

I attach a draft covering note to Permanent Secretaries, to accompany the final reports and the draft action plan.

C

[REDACT]

---

**From:** Godfrey, Katrina (DAERA - Perm Sec)  
**Sent:** 16 January 2023 20:01  
**To:** Hughes, David (DoF), Brady, Jayne, Gibson, Neil, Byrne, Jayne  
**Cc:** Sayee, Natasha, Stewart, Chris (TEO), McLaughlin, Mark (DOF), McFlynn, Sharon, Cully, Louise, McCavigan, Tracey  
**Subject:** 34 CM RE: Official response to DAERA Whistleblowing Lessons Learnt Report by PwC with - 16 January 2022

Thanks David

Understood but can we decouple the action plan from the narrative for now so that it can be sent with Jayne's note to perm secs?

Katrina

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 17 January 2023 09.45  
**To:** Reid, David (DAERA RAFSETBOR)  
**Cc:** Downey, Roger; DAERA Central Services Deputy Secretary  
**Subject:** 36 RE: OFFICIAL - SENSITIVE DAERA External Review Reports from PWC

David – thank you for replying so quickly and yes, that's right and it's been picked up and considered but the PWC review obviously could only look at the version that was current at the time and PWC has therefore decided to stick with its wording on that basis. As it is an independent process, that's been accepted. Sharon has lines to cover queries on that front.

Katrina

**From:** Reid, David (DAERA RAFSETBOR) <DavidP.Reid@daera-ni.gov.uk>  
**Sent:** 17 January 2023 09.28  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Subject:** RE: OFFICIAL - SENSITIVE DAERA External Review: Reports from PWC

Katrina

Minor point but I think the information on the Whistleblowing policy is incorrect – I'm pretty sure it was updated by ~~Reid~~ in 2019 or 2020.

Regards

David Reid  
Deputy Secretary DAERA RAFSET  
Tel: 07711920349

[REDACT]

---

From: Godfrey, Katrina (DAERA - Perm Sec)  
Sent: 17 January 2023 18:29  
To: [REDACT]  
Subject: 39 RE: OFFICIAL - SENSITIVE: DAERA External Review Reports from PWC

Thanks [REDACT] hope you've made it safely to the north west. It's snowing very heavily here now so I feel we made the right call but you'll be well looked after in Jubilee House!

Talk on Thursday - would around 3.30 suit?

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

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From: [REDACT]  
Date: Tuesday, 17 Jan 2023 at 3:54 pm  
To: Godfrey, Katrina (DAERA - Perm Sec) <Katrina.Godfrey@daera.ni.gov.uk>  
Subject: RE: OFFICIAL - SENSITIVE: DAERA External Review: Reports from PWC

Katrina,

I appreciate having sight of the action plan and I am free to discuss its contents on Thursday afternoon. [redact]  
[redact] Arrangements are  
being made for me to Webex from the offices at Ballykelly - just in case you are also in the area tomorrow otherwise  
just let me know when suits on Thursday pm or Friday for a phonecall.

[REDACT]



[REDACT]

---

**From:** Godfrey, Katrina (DAERA - Perm Sec)  
**Sent:** 18 January 2023 09:04  
**To:** DAERA PermSec  
**Subject:** 40 FW. OFFICIAL - SENSITIVE DAERA External Review. Reports from PWC

[REDACT] - for diary for tomorrow thanks

K

**From:** [REDACT]  
**Sent:** 17 January 2023 22:41  
**To:** Godfrey, Katrina (DAERA - Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Subject:** RE: OFFICIAL - SENSITIVE: DAERA External Review: Reports from PWC

Katrina,

Battled through the snow and safely installed. Thursday 3:30 I'll be free to take your call.

See you virtually tomorrow.

[REDACT]

[REDACT]

---

From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 18 January 2023 15:06  
To: [REDACT]  
Cc: DAERA PermSec  
Subject: 41 RE: Draft Agenda for SCSG on Wednesday 25 January 2023  
Attachments: Draft SCSG Agenda - 25 January 2023.doc

Thanks [REDACT]

Yes please to briefing from [REDACT] and also I think that, if we do publish PWC next week, we need to have something ready on Raising Concerns so I've stuck this in too.

Katrina

From: I [REDACT]  
Sent: 17 January 2023 16:48  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: DAERA PermSec <perm.sec@daera-ni.gov.uk>  
Subject: Draft Agenda for SCSG on Wednesday 25 January 2023

Katrina

I've attached the draft agenda for next week's SCSG for your final consideration before issue. I've taken a guess at the timing so grateful for your thoughts.

We have 2 agenda items.

[REDACT] e-mail below advised of the first item – do you need any briefing or notes from [REDACT] for this item?

The second item on 'Decisions in the absence of a Minister' was agreed at last week's TLT and is timely as Sharon's briefing with the submission template and aide memoire advised that the guidance would be reviewed at the end of January. Again is there anything you would like commissioned from Sharon's side for this item?

I've ordered the usual soup and sandwich lunch and will confirm numbers with Mount Charles on Monday.

To date we have apologies from:

[REDACT]  
Dave Foster  
Tracey Teague  
[REDACT]

Happy to chat.

[REDACT]

From: [REDACT]  
Sent: 08 December 2022 11:53  
To: DAERA PermSec <perm.sec@daera-ni.gov.uk>  
Cc: [REDACT]  
Subject: January SCSG action point

Hello [REDACT]

As discussed, grateful if you could add the following item to the agenda for the January SCSG meeting:

DAERA Business Plan 2023-24 – Katrina to provide a verbal update on planning process for 2023/24 Business Plan.

Please note no papers are required.

Kind regards,

[REDACT]

[REDACT]

Strategic Planning Branch

2nd Floor | Jubilee House | 111 Ballykelly Road | Ballykelly | BT49 9HP

Email: [REDACT]

[REDACT]



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## Agenda

Wednesday 25 January 2023

Sports Hall, CAFRE, Greenmount

- 12.30 pm      Lunch served
- 1.00 pm      Opening – **Katrina Godfrey**
- 1.10 pm      Raising Concerns – **Katrina Godfrey**
- 1.30pm      DAERA Business Plan 2023 -24 – **Katrina Godfrey/Brian Doherty**
- 1.50 pm      Decisions in the absence of a Minister – **Sharon McFlynn**
- 2.30pm      Q&A – **Katrina Godfrey**
- 3.00pm      Close

[REDACT]

---

**From:** Brady, Jayne  
**Sent:** 16 January 2023 15:42  
**To:** Stewart, Chris (TEO); Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Cc:** Hughes, David (DoF); Byrne, Jayne; McNabb, Chris; Sayee, Natasha; McLaughlin, Mark (DOF); Crilly, Louise; McFlynn, Sharon; McCavigan, Tracey  
**Subject:** RE: PWC reports  
**Attachments:** Official sensitive JB to perm secs PWC reports)B.docx

Thanks Chris,  
I made a small change to the comms approach, until we agree final position.  
Jayne

Jayne Brady  
Head of the Northern Ireland Civil Service  
The Executive Office | Room FD34 | Stormont Castle | Stormont | BELFAST | BT4 3TT  
E-mail: [HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)  
Tel: 028 9037 88147 | Network: 88147 | [www.executiveoffice-ni.gov.uk](http://www.executiveoffice-ni.gov.uk)

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**From:** Stewart, Chris (TEO) <[chris.stewart@executiveoffice-ni.gov.uk](mailto:chris.stewart@executiveoffice-ni.gov.uk)>  
**Sent:** 16 January 2023 14:54  
**To:** Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>  
**Cc:** Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>; Byrne, Jayne <[Jayne.Byrne@executiveoffice-ni.gov.uk](mailto:Jayne.Byrne@executiveoffice-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>; Sayee, Natasha <[Natasha.Sayee@executiveoffice-ni.gov.uk](mailto:Natasha.Sayee@executiveoffice-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>  
**Subject:** PWC reports

Jayne

I attach a draft covering note to Permanent Secretaries, to accompany the final reports and the draft action plan.

C

OFFICIAL - SENSITIVE

From: Jayne Brady  
Date: 16 January 2023

To: Permanent Secretaries

**DAERA EXTERNAL REVIEW: REPORTS FROM PWC**

1. I attach copies of the final reports received from PWC, following an external review commissioned by Katrina Godfrey, Neil Gibson and me.
2. The intention is to publish the reports early next week, along with a comprehensive action plan, a near-final draft of which is attached. The majority of the actions will fall to DAERA or DoF to take forward in the first instance. However, some of the DoF actions may have implications for other Departments, or may require consequential action. You will also see from the foreword to the action plan that I am asking each Permanent Secretary to provide me with assurance that the action plan has been considered, and equivalent action taken in every Department, where necessary.
3. For that reason, I am circulating the report in draft, with a request that any comments are provided by the end of Thursday 19 January. There will be an opportunity to discuss the action plan at Friday's PSS stocktake if necessary.
4. The reports and the action plan are also being shared with the Northern Ireland Audit Office (NIAO). The schedule for publication, and a communications plan will be finalised after Friday, in light of any comments from colleagues and any response from the NIAO.
5. At this juncture, I envisage that the communications strategy will include:
  - ~~an on the record briefing with journalists, led by Katrina, Neil and me, supported by HR, DSO and communications colleagues;~~
  - ~~{interviews with journalists by me};~~
  - external briefing to stakeholders (including MLAs); and

OFFICIAL - SENSITIVE

- internal communications to NICS staff.
6. I should be grateful if you would send any comments on the action plan to David Hughes (DoF) by 5.00pm on Thursday 19 January.

**JAYNE BRADY**

[REDACT]

---

**From:** Boyle Colum (DfC)  
**Sent:** 19 January 2023 06:45  
**To:** Harrison, Julie (DfI - Perm Sec); Byrne, Jayne; Browne, Mark (Permanent Secretary), Godfrey, Katrina (DAERA - Perm Sec); Gibson, Neil; Brennan, Mike; May, Peter, Pengelly, Richard; McMahon, Denis; Widdis, Hugh  
**Cc:** Brady, Jayne; Stewart, Chris (TEO); Sayee, Natasha; [REDACT]  
**Subject:** [REDACT]  
RE: DAERA External Review: Reports from PWC

Jayne

I am in the same position as Julie. Due to other priorities, I will come back to you as soon as possible.

Regards

Colum

Sent with BlackBerry Work  
(www.blackberry.com)

---

**From:** Harrison, Julie (DfI - Perm Sec) <Julie.Harrison@infrastructure.ni.gov.uk>  
**Date:** Wednesday, 18 Jan 2023 at 10:24 am  
**To:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>, Boyle, Colum (DfC) <Colum.Boyle@communities-ni.gov.uk>, Browne, Mark (Permanent Secretary) <Mark.Browne@education-ni.gov.uk>, Godfrey, Katrina (DAERA - Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>, Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>, Brennan, Mike <Mike.Brennan@economy-ni.gov.uk>, May, Peter <Peter.May@health-ni.gov.uk>, Pengelly, Richard <Richard.pengelly@justice-ni.gov.uk>, McMahon, Denis <Denis.McMahon@executiveoffice-ni.gov.uk>, Widdis, Hugh <Hugh.Widdis@finance-ni.gov.uk>  
**Cc:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>, Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>  
**Subject:** RE: DAERA External Review: Reports from PWC

Jayne, thanks. With other pressures I do not think I will meet this deadline but will reply as soon as possible.  
Julie



[REDACT]

---

**From:** Godfrey, Katrina (DAERA - Perm Sec)  
**Sent:** 19 January 2023 14:00  
**To:** McNabb, Chris; Brady, Jayne; Gibson, Neil  
**Cc:** McLaughlin, Mark (DOF); Sayee, Natasha; McFlynn, Sharon; Stewart, Chris (TEO); Crilly, Louise; McCavigan, Tracey  
**Subject:** 42 CM: RE: Media advice for HOCS re publication on PwC reports

Thanks Chris - Jayne will have her own thoughts but I found this very helpful. I'd also observe, in relation to paragraphs 8 and 9, that within them may also lie a risk of us breaching the Code of Ethics which, given its centrality to this particular case, would obviously be intolerable.

Katrina

[REDACT]

**From:** Brady, Jayne  
**Sent:** 19 January 2023 14:01  
**To:** McNabb, Chris; Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Cc:** McLaughlin, Mark (DOF); Sayee, Natasha; McFlynn, Sharon; Stewart, Chris (TEO); Cully, Louise; McCavigan, Tracey  
**Subject:** CM RE: Printed [REDACT] 19.1.23 Media advice for HOCS re publication on PwC reports

Dear Chris,

Thank you for your submission in which you set out your view which strongly advises against media engagement at this juncture.

As you are aware I view this as a key priority and I remain open to considering all options to ensure openness, transparency and public accountability as far as is practicable. It would be helpful if you could set out the comms handling/mitigation plans for both the following scenarios please:

1. Proceed with media – please provide details on timing – (now or if not, at what stage this might be appropriate) and develop associated media handling plan; can other spokespersons be made available etc.
2. Do not proceed with media – please provide detailed handling plan to provide as much clarity and openness for the public as possible, whilst being mindful of the latest legal advice and need to protect the integrity of process outlined therein.

Can you please provide outline plans for discussion by noon tomorrow, Friday 19.1.23.

Regards

Jayne

Jayne Brady  
Head of the Northern Ireland Civil Service  
The Executive Office | Room FD34 | Stormont Castle | Stormont | BELFAST | BT4 3TT  
E-mail: [HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)  
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From: McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>

Sent: 19 January 2023 12:35

To: Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>

Cc: McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>

Subject: Printed 19.1.23 Media advice for HOCS re publication on PwC reports

[REDACT]

All

See advice from comms group re media interviews re publication of PwC reports.

Happy to discuss

Chris

[REDACT]

---

**From:** Byrne, Jayne  
**Sent:** 19 January 2023 16:13  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Stewart, Chris (TEO); Cilly, Louise; McCavigan, Tracey; Hughes, David (DoF); McNabb, Chris; Sayee, Natasha; McFlynn, Sharon; McLaughlin, Mark (DOF)  
**Subject:** CM: DAERA Oversight Board - Friday 20 January 2023 @ 11am  
**Attachments:** 20.1.23 draft agenda docx; 16.1.23 draft DAERA Actions arising docx  
**Importance:** High

Please find attached a draft agenda for tomorrow's meeting of the DAERA Oversight Board.

Also attached a draft action list from the meeting held on Monday 16 January.

Any queries please do not hesitate to contact me.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

**Friday 20 January 2023 @ 10.30am**

**DAERA Issue – Oversight Board**

**Venue: Executive Room**

**DRAFT AGENDA**

- |            |  |                     |
|------------|--|---------------------|
| <b>(1)</b> | <b>Actions arising from meeting – 16 January 2023</b><br><i>Copy attached</i>          | <b>J Brady</b>      |
| <b>(2)</b> | <b>Update on draft Action Plan – to follow</b>   | <b>David Hughes</b> |
| <b>(3)</b> | <b>Comms Action plan – to include detailed media Handling plan</b><br><i>to follow</i> | <b>C McNabb</b>     |
| <b>(4)</b> | <b>AOB</b>   |                     |
| <b>(5)</b> | <b>Date of next meeting</b>  |                     |

**Attendees:**

**Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Chris Stewart  
Louise Crilly  
Tracey McCavigan  
David Hughes  
Jayne Byrne**

**Chris McNabb  
Mark McLaughlin  
Sharon McFlynn  
Natasha Sayee**

**DAERA Issue – Action arising from meeting of Oversight Group held on Monday 16 January 2023 @ 4.45pm**

**Attendees:**

Jayne Brady / Jayne Byrne  
Chris Stewart  
Nalasha Sayee/ Chris McNabb

Kathina Godfrey  
David Hughes  
Sharon McFlynn

Neil Gibson  
Tracey McCavigan/Louise Crilly  
Mark McLaughlin

Action	Lead	Comments	Timeframe
<p><b>(1)</b> Finalisation of PWC Reports</p> <p>Noted - final reports received.</p>	<p>TMCG</p>		
<p><b>(2)</b> Action Plan</p> <p>Agreed to circulate Final Reports and Action Plan to Perm Secs for consideration and comment by Thursday 19 January 2023. Discussion may take place at PSS if required.</p> <p>Advice to be sought on inclusion of 3XO Disciplinary Review / Independent Panel.</p> <p>Content accuracy and potential cascade plan to be discussed.</p> <p>Draft to be shared with critical friend for public endorsement.</p> <p>To check that all Perm Secs have responded to the communication on Raising a Concern which issued by email December 2022.</p>	<p>J Byrne</p> <p>L Crilly/HR</p> <p>J Milne L Crilly T McCavigan N Sayee</p> <p>T McCavigan</p> <p>D Hughes</p>		

<b>(3)</b>	<b>Comms Action Plan</b> Stakeholder engagement piece needs updated with further inclusions. Timeline for release of reports to be included. Combined advice from HR, Legal, Audit to be sought to inform Comms Action Plan.	Comms Leads Comms Leads Comm Leads		
<b>(4)</b>	Date of next meeting – Friday 20 January 2023 @ 10.30am	J Byrne		

19 January 2023

[REDACT]

**From:** [REDACT]  
**Sent:** 19 January 2023 18:19  
**To:** Byrne, Jayne, Boyle, Colum (DfC), Harrison, Julie (DfI – Perm Sec); Browne, Mark (Permanent Secretary); Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil, Brennan, Mike; May, Peter; Pengelly, Richard; McMahon, Denis; Widdis, Hugh  
**Cc:** Brady, Jayne, Stewart, Chris (TEO); Sayee, Natasha, [REDACT]  
**Subject:** [REDACT] Hughes, David (DoF) DfC Permanent Secretary Support  
**Attachments:** CM RE: DAERA External Review Reports from PWC  
PSC 0054.23 - RAISING A CONCERN POLICY FRAMEWORK - Letter to Neil Gibson.pdf

Jayne,

With thanks for your understanding regarding the late response.

I am broadly content with proposed plan of action with proviso that my recent comments to Neil Gibson in the attached letter regarding raising a concerns policy are taken into account in respect of actions relating to this policy.

I would also query why we are publishing a copy of the Action Plan as I believe I would be sufficient to state we are implementing the recommendations.

Best Regards,  
Colum

On behalf of Colum Boyle

[REDACT] | Executive Assistant | Permanent Secretary's Office | Department for Communities  
Level 9 | Causeway Exchange | 1-7 Bedford Street | Belfast BT2 7EG

[REDACT]

[REDACT]

Supporting people, Building communities, Shaping places

**INVESTORS IN PEOPLE**  
We invest in people Standard



**From:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Sent:** 19 January 2023 10:11  
**To:** Boyle, Colum (DfC) <Colum.Boyle@communities-ni.gov.uk>; Harrison, Julie (DfI – Perm Sec) <Julie.Harrison@infrastructure-ni.gov.uk>; Browne, Mark (Permanent Secretary) <Mark.Browne@education-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Brennan, Mike <Mike.Brennan@economy-ni.gov.uk>; May, Peter <Peter.May@health-ni.gov.uk>; Pengelly, Richard <Richard.pengelly@justice-ni.gov.uk>; McMahon, Denis <Denis.McMahon@executiveoffice-ni.gov.uk>; Widdis, Hugh <Hugh.Widdis@finance-ni.gov.uk>  
**Cc:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-



ni.gov.uk>, Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>, [REDACT]

[REDACT]

Hughes, David (DOF) <David.Hughes@finance-ni.gov.uk>

Subject: RE: DAERA External Review: Reports from PWC

Importance: High

Thanks Colum for the update. I appreciate it.

Regards

Jayne

From: Boyle, Colum (DFC) <Colum.Boyle@communities-ni.gov.uk>

Sent: 19 January 2023 06:45

To: Harrison, Julie (DfI – Perm Sec) <Julie.Harrison@infrastructure-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Browne, Mark (Permanent Secretary) <Mark.Browne@education-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Brennan, Mike <Mike.Brennan@economy-ni.gov.uk>; May, Peter <Peter.May@health-ni.gov.uk>; Pengelly, Richard <Richard.pengelly@justice-ni.gov.uk>; McMahon, Denis <Denis.McMahon@executiveoffice-ni.gov.uk>; Widdis, Hugh <Hugh.Widdis@finance-ni.gov.uk>

Cc: Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; [REDACT]

[REDACT]

Subject: RE: DAERA External Review: Reports from PWC

Jayne

I am in the same position as Julie. Due to other priorities, I will come back to you as soon as possible.

Regards

Colum

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

From: Harrison, Julie (DfI – Perm Sec) <Julie.Harrison@infrastructure-ni.gov.uk>

Date: Wednesday, 18 Jan 2023 at 10:24 am

To: Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>, Boyle, Colum (DFC) <Colum.Boyle@communities-ni.gov.uk>, Browne, Mark (Permanent Secretary) <Mark.Browne@education-ni.gov.uk>, Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>, Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>, Brennan, Mike <Mike.Brennan@economy-ni.gov.uk>, May, Peter <Peter.May@health-ni.gov.uk>, Pengelly, Richard <Richard.pengelly@justice-ni.gov.uk>, McMahon, Denis <Denis.McMahon@executiveoffice-ni.gov.uk>, Widdis, Hugh <Hugh.Widdis@finance-ni.gov.uk>

Cc: Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>, Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>

Subject: RE: DAERA External Review: Reports from PWC

Jayne, thanks. With other pressures I do not think I will meet this deadline but will reply as soon as possible.

Julie

From: Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>

Sent: 16 January 2023 21:08

To: Boyle, Colum (DFC) <[Colum.Boyle@custom-ties-ni.gov.uk](mailto:Colum.Boyle@custom-ties-ni.gov.uk)>; Browne, Mark (Permanent Secretary) <[Mark.Browne@education-ni.gov.uk](mailto:Mark.Browne@education-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Harrison, Julie (DfI – Perm Sec) <[Julia.Harrison@infrastructure-ni.gov.uk](mailto:Julia.Harrison@infrastructure-ni.gov.uk)>; Brennan, Mike <[Mike.Brennan@economy-ni.gov.uk](mailto:Mike.Brennan@economy-ni.gov.uk)>; May, Peter <[Peter.May@health-ni.gov.uk](mailto:Peter.May@health-ni.gov.uk)>; Pengelly, Richard <[Richard.pengelly@justice-ni.gov.uk](mailto:Richard.pengelly@justice-ni.gov.uk)>; McMahon, Denis <[Denis.McMahon@executiveoffice-ni.gov.uk](mailto:Denis.McMahon@executiveoffice-ni.gov.uk)>; Widdis, Hugh <[Hugh.Widdis@finance-ni.gov.uk](mailto:Hugh.Widdis@finance-ni.gov.uk)>  
Cc: Brady, Jayne <[HOCs@executiveoffice-ni.gov.uk](mailto:HOCs@executiveoffice-ni.gov.uk)>; Stewart, Chris (TEO) <[chris.stewart@executiveoffice-ni.gov.uk](mailto:chris.stewart@executiveoffice-ni.gov.uk)>; Sayee, Natasha <[Natasha.Sayee@executiveoffice-ni.gov.uk](mailto:Natasha.Sayee@executiveoffice-ni.gov.uk)>  
Subject: DAERA External Review: Reports from PWC  
Importance: High

Official - Sensitive

Dear Perm Sec

Please find attached the following items for your immediate consideration.

1. Official sensitive memo from Jayne Brady seeking your views, by 5pm on Thursday 19 January, on the attached confidential draft Action Plan.
2. PWC DAERA External Review Final report (password protected – I will send access code separately).
3. DAERA Phase 2 final report
4. Confidential Draft Action plan

Many thanks  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*



Department for

**Communities**

www.communities-ni.gov.uk

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Department for

**Commonities**

**From: Colum Boyle  
Permanent Secretary**

**Level 9  
Causeway Exchange  
1-7 Bedford Street  
BELFAST  
BT2 7EG**

**Telephone: 028 90 823301  
E-mail: [colum.boyle@communities-ni.gov.uk](mailto:colum.boyle@communities-ni.gov.uk)  
Our Ref: PSC 0054.23  
Date: 16 January 2023**

**Neil Gibson  
DoF Permanent Secretary  
2nd Floor West, Clare House  
303 Airport Road West  
BELFAST BT3 9ED**

**Via email: [REDACT]**

**Dear Neil,**

**DOF paper - RAISING A CONCERN POLICY FRAMEWORK**

Thank you for the paper to the NICS Board dated 22 December 2022 in which you shared three draft documents on Raising Concerns.

You have asked the NICS Board to agree the three documents and their publication week commencing 15 January. Unfortunately, there are substantive matters that I believe need to be addressed before I can give my agreement.

I provided detailed comments previously that included matters around NICS HR policies / terms and conditions of employment and GDPR considerations. For convenience, I have included these at Annex A.

The current documentation does not seem to recognise that (certainly in our experience) many examples of Raising Concerns are allegations of misconduct by civil servants or other employees that either may already or may potentially result in disciplinary/other HR action. In this context the inclusion of, for example, case conferences in the "Principles for Handling" document would appear at odds with the need for staff against whom allegations are made to have their rights to due process under HR procedures and GDPR requirements honoured. Our concern is the potential for HR action to be jeopardised and the potential for future employment claims. My team has reviewed a wide range of Whistleblowing policies and procedures across UK public bodies and has not identified a single example where a "case committee" approach is used, and we believe this is because of the conflict between this approach and the right to due HR processes.

It would seem appropriate for the Raise a Concern policy to simply state that the relevant Department's Designated Officer would determine the appropriate steps in light of the specific nature of the concerns so that expectations remain realistic in terms of what

information can be shared with Whistle-blowers in the light of the duty of confidentiality / requirements of GDPR in respect of all parties.

The NICS handbook which sets out the Terms and Conditions of NICS staff includes, at Chapter 6 Section 6.01, "Standards of Conduct" the NICS policy on Public Interest Disclosure including the role of the NICS Director of Employee Relations as the Nominated Officer for such disclosures. We understand that this is the key document in terms of the rights and responsibilities of NICS staff in relation to making public interest disclosures and the protections offered by the NICS. In my view the proposed NICS Framework document needs to make reference to the Handbook policy.

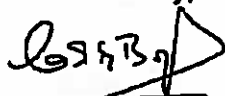
Para 27 of the policy states that where a Whistle-blower is not content with the handling of the concern, they should contact the Permanent Secretary. This is at odds with the legal perspective we have received that there are no appeal rights as such for Whistle-blowers and that Whistle-blowers come forward in the public interest. The policy also includes a new process where concerns about a Permanent Secretary are referred to a (to be specified) officer in DoF. There is no clarity in the policy as to how this relates to or differs from the existing Top Management Complaints Procedure or on the personal data issues that will arise where allegations about NICS staff and others would in effect need to be shared with DoF to allow them to fulfil such a role.

A further matter to be addressed is the Employment Rights (NI) Order 1996 responsibilities that appear to fall to Ministers of every Department with ALB responsibilities. There is no reference to this in the current drafts and this may result in NICS staff being unaware of the existence of this legal responsibility in respect of protected disclosures and what to do if concerns are raised.

There are other matters throughout the documents that are important but may not be sufficiently clear or may be potentially misleading. For example, the term "partner" may be open to interpretation and the meaning of the term "worker" which is used in the Public Interest Disclosure legislation itself appears to have been lost. In addition, the inclusion of safeguarding and data protection matters without acknowledgement that each Department has separate guidance and reporting routes for such matters may cause confusion. Also, the lack of distinction in the category examples between matters included in Public Interest Disclosure legislation and those that have been added to this (which may lead a Whistle-blower to believe they have protection under legislation when they may not). Finally, the reference that NICS will not tolerate harassment or victimisation of those who raise concerns can be challenging when Departments have no ability to do anything about this unless the Whistle-blower is a Civil Servant.

I trust that the examples provided above, and the key matters included in Annex A can be addressed in order that I can then endorse them and their publication.

Yours sincerely,



**COLUM BOYLE**  
PERMANENT SECRETARY

## **ANNEX A**

### **Draft NICS Raising Concerns Policy Department for Communities Comments**

The Department for Communities welcomes the move to a consistent approach to the handling of concerns across the NICS. The following comments and observations, which reflect DfC practical experience of handling concerns, may be useful in the next stage of the development of the NICS policy.

**Alignment between (i) the new NICS Code of Ethics, (ii) the NICS Staff Handbook HR Policy on Code of Ethics / Whistleblowing and (iii) the draft NICS Whistleblowing Policy and Principles (processes).**

The new NICS Code of Ethics establishes reporting lines for use by Civil Servants where a breach of the Code of Ethics has occurred or may occur. For example, the new NICS Code of Ethics assigns responsibilities to the NICS Nominated Officer (Director of Employee Relations), the relevant Permanent Secretary and exceptionally the Head of the Civil Service. Paras 22, 23 and 24 refer.

Code of Ethics breaches will very frequently also have a public interest aspect and so may also be potentially protected disclosures which fall within the NICS HR Policy on Whistleblowing / Public Interest Disclosures. Both the Code of Ethics and Whistleblowing HR Policy is set out in NICS Staff Handbook Chapter 6 – 6.01 Standards of Conduct.

The draft NICS Whistleblowing Policy and Principles also create a number of new roles - the Designated Officer and Review Officer.

It is important that the various reporting lines and responsibilities are in alignment and that no ambiguities exist.

It is also important that staff can recognise that a report of a Code of Ethics breach / potential breach may constitute a potential protected disclosure and act accordingly.

**In her memo to NICS staff dated 29 April 2022 "NICS Whistleblowing Concerns" the Head of the Civil Service (HOCS) set out her expectations in relation to raising and handling of concerns. HOCS's approach was grounded firstly in the NICS Code of Ethics core values and it may also be helpful to introduce the new NICS Whistleblowing policy from the Code of Ethics perspective in the same manner as it is fundamental to the proper identification and handling of internal and external concerns.**

**In our experience it is also important to ensure that the Whistleblowing policy has very clear signposting from the introduction section to the relevant content for members of the public as this differs, as detailed below, in significant ways from the relevant content for staff / workers.**

#### **Proposed Designated Officer Role**

**The Policy refers to a Designated Officer role for internal concerns and when external concerns are reported. In dealing with concerns, the Department for Communities has found a single point of contact beneficial (the DIC Head of Governance) as it helps to ensure consistency of approach across the Department.**

**For staff/worker concerns the distinction between the role of the NICS Nominated Officer under Chapter 6 Standards of Conduct and the Designated Officer for the NICS policy needs to be made clear. Perhaps an infographic could be developed to show the various reporting lines and responsibilities under the three documents (Code of Ethics, NICS Whistleblowing / Code of Ethics HR Policy and the NICS Whistleblowing Policy / Principles).**

**In our experience the "case conference" model is frequently at odds with GDPR / confidentiality responsibilities to staff. Departments have responsibilities to those raising concerns in terms of confidentiality but they also have duties to staff under terms and conditions of employment. In general, raising concern allegations in relation to staff represent potential disciplinary matters and so confidentiality and proper adherence to**

the Staff Handbook HR policies and processes, including appeal processes, which form part of terms and conditions of employment is essential.

The exception to this is potentially at the end of the process when investigation / HR action has been concluded with appropriate confidentiality and the focus is on implementation of lessons learned. In this scenario working groups may be beneficial (as long as this does not lead to identification of those raising concerns or breach confidentiality owed to staff).

#### **Proposed Review Officer Role**

The Policy recommends that the Department's Designated Officer appoints a Review Officer for every concern, with a role to oversee each investigation and maintain contact with the person raising the concern. In the Department's experience of handling concerns, there is often little that can be shared with individuals who raise concerns due to Data Protection requirements and the need to maintain the integrity of any investigation.

While it is important to maintain contact to reassure and instil confidence in any investigation, the expectations of what may be disclosed require careful management from the outset. More often than not the information that can be shared is minimal due to GDPR / confidentiality duties and this will generally not meet the expectations of the person raising the concern. There are no instances to date where DfC has been in a position to "publish" the outcome of a Concern / Whistleblowing investigation.

Additionally, in many cases the outcome of a case cannot be relayed with any certainty until the review/ investigation nears completion, so care needs to be exercised so as not to pre-empt outcomes. It may be helpful to enhance the Policy and Principles to make these constraints clearer.

Within DfC the Head of Governance is the single point of contact in relation to concerns and is also responsible for determining (and documenting) the steps to address the

---

concern (unless these are solely HR steps in which case NICS HR progress these and provide the Head of Governance with a high level description of the outcome.)

The steps in addressing a concern will either be undertaken by the Governance Unit or by commissioning work for (for example) the NICS Group Internal Audit and Fraud Investigation Service or exceptionally an external resource may be procured. In a smaller number of cases a business area manager may be asked to investigate a concern (where they have the appropriate independence to do so and can do so whilst observing confidentiality).

It may not be possible to adopt a "Review Officer" role in every case. It would therefore be helpful if the policy could clarify that this role may be used "where appropriate" but may not be appropriate in all cases.

### **Raising Concerns Champion**

The NI Audit Office Raising Concerns – A Good Practice Guide for the NI Public Sector (June 2020) supported the establishment of a "Raising Concerns Champion" role. Organisations are free to define this role in any way which supports the specific needs/business activities of the body.

For example the Champion may be a Board Member with top leadership responsibility for championing a "Speak Up" culture and maintaining awareness about the value of Raising Concerns / Whistleblowing through team briefing materials, articles, video presentations and so on. Further added value may be derived from incorporating this within a wider Ethics leadership role establishing Board level visibility and leadership on the development and maintenance of an Ethical Culture within the organisation.

Consideration of a Board level Champion / leadership role as part of recommended good practice within the NICS policy in the light of the NI Audit Office Good Practice Guide reference may be helpful.

**Public Interest Disclosure and Prescribed Persons - Department for the Economy Guidance**



The Prescribed Person role can be confusing for both staff/ workers and members of the public who are employed in non-public sector entities in terms of what it means if they raise a concern or make a potentially protected disclosure to a Prescribed Person.

It may be helpful for the policy to include a link to the guidance issued by the Department of the Economy in relation to the Public Interest Disclosure NI Order 1998 including useful content in relation to the Prescribed Persons Order NI 1999.

It may be helpful for the policy to make clear that Prescribed Persons can only take action within their existing powers and generally have no additional powers as a result of their Prescribed Person designation.

#### **Members of the Public**

Where the person raising a concern is a "worker" there are a range of actions which a Department/Public Body can take, in addition to observing confidentiality, in order to protect the individual (for example a move away from current duties etc).

It will be important that the policy does not lead members of the public or individuals who are employees of private sector or voluntary organisations to believe that a Department /Public Body (even if a Prescribed Person) can provide them with protection in any way beyond observing confidentiality in relation to their identity (where it is possible to do so). In small bodies, a Department's enquiries or actions may inadvertently identify the person who has alerted them to the concerns.

The statement in the draft policy that *"If you raise a genuine concern under these arrangements you will not be at risk of losing your job or suffering any form of retribution by us as a result of doing so"* and use of the term "safe" may be read by a member of the public employed in for example a voluntary body or commercial business that a public body can ensure that they are not dismissed or subject to other detriment by their employer.

Public bodies have no power to ensure this other than for their own staff / workers. The recent DAERA case has also highlighted that detriment may be caused to a worker without it being clear at the time that detriment has occurred. Only a court / Tribunal can be definitive on this and in order to access their legal rights where detriment has occurred an individual may ultimately need to make a claim at Tribunal. It is important that the Policy does not lead to unrealistic expectations being formed either by staff or the public.

It may be helpful for the Policy, at the very beginning, to signpost members of the public / employees who are not NICS staff/ workers to a section that deals solely with their needs and that this section is clear on the reality of the protection available to them and where to seek detailed advice (for example the signposting to "Protect" or legal advice being prominent.)

#### **Dealing with Whistleblower Dissatisfaction**

One of the most challenging aspects of handling concerns is dealing with dissatisfaction from those raising concerns.

Whistleblowers are frequently dissatisfied with the outcome of the investigation of their concerns. A common source of dissatisfaction is the inability of the Department to share information with the Whistleblower on the actions they have taken due to confidentiality constraints (GDPR / duty of confidentiality owed to the subject of the concern). In addition, Whistleblowers will often have a specific outcome in mind – for example action against a member of staff - and may be dissatisfied if this is not the outcome following the department's investigation / fact finding.

Whistleblowers are often described as a being *'a witness who reports potential wrongdoing to the appropriate authority in order that the authority can take action'*. This contrasts with a complaint or an employment grievance situation where the individual who complains/raises the grievance will have been directly impacted.

In reality Whistleblowers will often view themselves as complainants who should be provided with a multi stage process similar to the complaints process to pursue their desired outcome. In addition, whistleblowing correspondence may include a mix of matters some of which are complaints and some which are concerns about potential wrongdoing. It is important that aspects that are complaints are dealt with under the two stage complaints process with recourse to the NI Public Services Ombudsman.

For Whistleblowing concerns the Department for Communities does not adopt a two stage process and our review of examples of whistleblowing policies and procedures available on-line suggests that it is rare for there to be a formal multi stage process for matters which are solely Whistleblowing allegations of wrongdoing. In some cases, the Whistleblower may provide further information and we will always review this to see if there are any further steps to be taken. In addition, we always consider in the event that a Whistleblower complains about the outcome if there are any matters which would fall within the Department's complaints process. In cases where the outcome has resulted from an employer's HR process in line with HR policy a complaints process in relation to this would be inappropriate.

This is an area where it would be helpful if the policy could set out principles and perhaps engagement with the NI Public Services Ombudsman may help to establish this.

#### **Qualifying Disclosures by Public Appointees / Arm's Length Body Staff**

An extract from the Employment Rights (NI) Order 1996 is shown below. This appears to suggest that potentially protected disclosures can be made to a Minister / Department by Public Appointees and staff of any Arm's Length Bodies (bodies whose members are appointed by departments/ Ministers).

It would be helpful if the NICS Policy / Principles could clarify this area as it may need to be added to the Whistleblowing policies of Arm's Length Bodies across NICS. The NICS Policy should also make clear how such appointees / workers should go about making a potentially protected disclosure (lines of reporting) under this provision.

It may be helpful to seek a legal review of the legislation to clarify this point and to identify if there are any other requirements arising from any Employment Rights (including Public Interest Disclosure / Prescribed Person) legislation which are not already covered/addressed in the NICS Policy and Principles.

**[F1] Disclosure to Minister of the Crown or a Northern Ireland department**

**67E.** A qualifying disclosure is made in accordance with this Article if—

(a) the worker's employer is—

(i) an individual appointed under any statutory provision by a Minister of the Crown or a Northern Ireland department, or

(ii) a body any of whose members are so appointed, and

(b) the disclosure is made **F2...** to a Minister of the Crown or a Northern Ireland department.]

**Concerns About Public Appointees and Senior ALB Staff**

In general, concerns about Public Appointees often represent alleged breaches of their Code of Conduct.

The Scottish Government has issued a "*Model Code of Conduct for Members of Devolved Public Bodies*" which sets out the standards of conduct expected from all those who serve on the Boards of Scottish Public Bodies. The Scottish Parliament also established an Independent Standards Commissioner and the post of Ethical Standards Commissioner in Public Life in Scotland.

Where a concern arises in relation to a Scottish Public Body Board Member this can be reported to the Independent Standards Commissioner who will carry out an independent review and determine the actions required as a result.

There is no equivalent to this independent statutory arrangement for Board Members in Northern Ireland. Where concerns are raised in relation to an Arm's Length Body Board member /Public Appointee, if the concern is minor, it may be possible, if sufficiently

independent from the concern, for the Chair, a Board Sub Committee or if within their Terms of Reference, the Audit Committee to undertake an investigation. However, if the concern is more serious or there are issues with independence then the Sponsor Department is generally required to determine the appropriate steps to investigate the concerns and retain ownership of the investigation in order to ensure sufficient independence in the investigation process (for example the Department may carry out a review or engage external expertise to do so).

This would appear to be a cross cutting issue for departments and again it would be helpful for consistency of approach across NICS if the Guidance could provide some best practice guidance/principles in relation to concerns about Public Appointees. Alternatively, perhaps the Commissioner for Public Appointments may be able to provide guidance for departments in relation to concerns about appointees.

Dear Accounting Officer letter 02/15 followed the PAC report into the NI Fire and Rescue Service which identified shortcomings in the handling of concerns. The DAO provided guidance on the arrangements between Departments and their Arm's Length Bodies in relation to Concerns / Whistleblowing. This included:

*"Where whistleblowing concerns relate to senior members of ALB staff or Board members, the department should retain ownership of the investigation.....  
Consideration will need to be given to the role of the ALB Board (and Audit Committee) in dealing with any such cases."*

The Dear Accounting Officer letter appears to have been removed following the issue of the NIAO good practice guide in June 2020; however, the NIAO good practice guide does not appear to deal with this issue. Confirmation that the PAC recommendations and the central point about independence in dealing with Concerns / Whistleblowing allegations about Arm's Length Body Board Members and Senior Staff would be helpful.

**It may be helpful for the Policy / Principals to include a section on arrangements with Arm's Length Bodies including Concerns/Whistleblowing allegations received in relation to Board Members/Public Appointees and senior staff.**

**Following from DAO 02/15 DIC Arm's Length Bodies are required to notify this Department of all concerns received. This allows the Department to consider in cases where the concerns relate to senior managers or Board Members / Public Appointees if the Department should determine the approach / retain ownership of the investigation of the concerns in order to ensure independence.**

#### **GDPR Considerations**

**Raising Concerns / Code of Ethics cases present unique challenges in terms of GDPR requirements, particularly in relation to the processing and retention of Personal Data. Retention periods in current disposal schedules were established pre GDPR and may no longer represent best practice in this area.**

**Frequently Departments/ Public Bodies will find themselves in a position where they are processing Personal Data of named staff in external organisations or members of the public about whom allegations of wrongdoing have been made. The individuals may have no idea that that allegations of wrongdoing (which may be unfounded) have been made against them and that the Department / Public Body is in possession of / processing and retaining their Personal Data. Staff may also be unaware that their Personal Data is being processed and retained for this purpose (GDPR / Article 14 Right to Be Informed). We understand that in terms of retention, where allegations are not upheld all Personal Data should be disposed of promptly. We also understand that there are particular considerations where anonymous allegations are made about a named individual resulting in the processing and retention of their Personal Data. This may conflict with current Disposal Schedules which were established prior to GDPR and more recent thinking on best practice on record keeping within Whistleblowing investigations.**

Discussion of GDPR issues within the NICS Policy (including at what stage the subject of a concern should be made aware that their Personal Data is being processed and for what purpose / on what lawful basis) would be helpful to ensure a compliant and consistent approach is adopted across the NICS to GDPR responsibilities to data subjects who are Whistleblowers and those who are the subject of allegations of wrongdoing, whether they are staff/workers, employees of external bodies or members of the public.

Due to the unique nature of concerns, in our view it is unlikely that this can be adequately covered in a Department / Public Body's generic Privacy Notice and a specific Raising Concerns Privacy Notice would appear to represent Best Practice. (Many organisations now have specific Privacy Notices in relation to Complaints and FOI Requests due to the particular nature of these).

An NICS Privacy Notice to accompany the NICS Policy would be helpful to ensure consistency of processing across all NICS Departments / Public Bodies. In addition, there may be a need for a privacy impact assessment to be carried out in relation to the NICS Policy and Principles and associated Privacy Notice.

HOCS now has a formal role in Code of Ethics complaints (para 24), and the NICS Top Management Complaints Process (DoF website).

It also appears that there is an increasing trend for members of the public to write directly to HOCS in relation to their dissatisfaction with responses to their concerns/ complaints about Departments and Arm's Length Bodies. This may reflect a lack of understanding of the role of HOCS and the role of departmental Permanent Secretaries.

This often means that it is unavoidable that Personal Data of staff/ workers and members of the public is being shared between departments and The Executive Office. It may be the case that Data Sharing Agreements are necessary to allow sharing for the purposes of concerns and complaints. If so it would be helpful for a template Data Sharing

**Agreement to be provided in order that all departments adopt a consistent approach to sharing of Personal Data in this context.**

**It is unclear what the data sharing arrangements are between Departments and the Civil Service Commissioners. A civil servant may approach Commissioners to raise a Code of Ethics concern about a fellow civil servant who may be completely unaware that allegations have been made. The relevant Department in answering questions from the Commissioners may need to disclose / share Personal Data of the officer about whom the alleged Code of Ethics concern has been raised and of other persons who may have been referenced. It is unclear whether there needs to be data sharing agreements in place between departments and the Civil Service Commissioners. Guidance on the approach Departments should take to alerting staff who are the subject of allegations to the fact that a Department is dealing with allegations of wrongdoing against them under the NICS Code of Ethic or the Public Interest Disclosure Order (NI) 1998 and is processing and sharing their Personal Data for this purpose would be helpful.**

**As Raising Concerns/ Whistleblowing is an important transparency and accountability mechanism for Departments / Public Bodies it is important that Personal Data is always processed and retained in accordance with best practice and that this is clearly explained to staff and members of the Public at the outset.**

**It might be helpful for advice to be obtained from the ICO Regions team for NI in relation to the GPRP implications of Raising Concerns / Whistleblowing including privacy notices, the approach to alerting the subject of concerns that their data is being processed, and the approach to retention and disposal of Personal Data processed within an Whistleblowing investigation involving staff/workers, employees of external organisations or members of the public.**

#### **Training and Skills**

**DfC staff have attended virtual training provided by "Protect". The training, which was extremely helpful, was delivered by Protect staff who (we understand) were legally**



qualified. In terms of attendees many (from Public Bodies, Councils and some private sector entities) were from the organisation's Legal or Human Resources departments.

It would appear that emerging best practice for Whistleblowing (allegations of wrongdoing against staff from any source, named or anonymous within the legal framework of the Public Interest Disclosure Order (NI) 1998) may be best handled within the Human Resources department or the legal department of the employer in order that staff have full access to their contractual rights under their contract of employment including the proper application of due investigation and disciplinary / grievance processes and their right to confidentiality. This might be jeopardised and staff placed at a disadvantage if the correct steps are not taken from the outset. An organisation's ability to defend itself should legal action follow might also be jeopardised where staff without skills or experience are tasked with dealing with employment matters.

It may be helpful for DoF to create a "Senior Whistleblowing Advisor" within NICS HR to formally support the network of Designated Officers. A designated Senior Legal Advisor within DSO might also be helpful to support the Designated Officer network.

We understand that "Protect" provide bespoke training to organisations on request. This may provide an opportunity for detailed training to be provided to NICS Designated Officers covering all the relevant areas of responsibility including GDPR considerations in Whistleblowing. There may, of course, be alternative providers available.

#### **Interdepartmental Working Group – Designated Officers**

DOF may wish to consider a working group of departmental Designated Officers to review the new NICS policy prior to implementation and throughout the first year of operation in order to identify any practical issues which may require amendment. It would be helpful if the group could be supported by NICS Human Resources staff with responsibility for

**Code of Ethics / Whistleblowing and a DSO representative with employment law expertise.**

### **Reporting Requirements**

**We understand that the Department for the Economy may have recently commenced legislative reporting requirements in relation to annual public reporting of concerns / disclosures received by Prescribed Persons. It would be helpful for this to be referenced in the NICS Policy.**

**As explained above the issues in relation to GDPR / staff confidentiality mean that there can be limitations on internal reporting of concerns to senior management or, for example for Audit Committee purposes beyond statistics on the number of concerns received / closed. The more information that is included in internal reports the more likely that a Whistleblower's Identity or the individual who is the subject of a concern may be inadvertently exposed.**

**Due to the constraints in providing information to individual Whistleblowers, DoF may wish to consider publication of an annual Raising Concerns Report to act as an accountability / transparency mechanism to reassure the public about how the NICS deals with Concerns /Whistleblowing. As well as including statistical information from Departments this may provide an opportunity for selected Concerns/Whistleblowing disclosures which are suitable to be shared publicly to be used as case studies to showcase the actions taken by the relevant public body and to demonstrate the NICS commitment.**

[REDACT]

---

**From:** Hughes, David (DoF)  
**Sent:** 20 January 2023 09:34  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA - Perm Sec)  
**Cc:** Simons, Tony; Cilly, Louise; Morelli, Emer; McCavigan, Tracey; [REDACT]  
[REDACT] Byrne, Jayne  
**Subject:** DAERA Whistleblowing - note David Hughes to Oversight Group summarizing NICS  
- 19 January 2023  
**Attachments:** DAERA Whistleblowing - note David Hughes to Oversight Group summarizing NICS  
- 19 January 2023 DOCX

**FROM:** DAVID HUGHES

**DATE:** 19 JANUARY 2023

**TO**

1. **CHRIS STEWART**  
[agreed. 20 January]
  
2. **JAYNE BRADY**  
**NEIL GIBSON**  
**KATRINA GODFREY**



#### **DAERA WHISTLEBLOWING: ACTION PLAN**

1. The draft action plan in response to the PwC review of the DAERA whistleblowing case was circulated to NICS Board on 16 January.

2. We have received replies from colleagues:

- a. Colum Boyle is broadly content with proposed plan of action with the proviso that his recent comments to Neil Gibson regarding the raising a concerns policy framework are taken into account in respect of actions relating to this policy. He has also queried why the oversight group is publishing a copy of the Action Plan; he believes it would be sufficient to state we are implementing the recommendations.

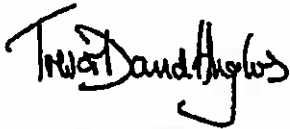
*(I would note that DoF has revised the Raising a Concern Policy Framework in line with Colum's letter, and I am recommending that the Policy Framework is published without the internal 'Handing Principles' which will need to be further developed in light of the DfC input.)*

- b. Peter May has confirmed that DOH is able to comply and will undertake the required actions set out in the Action Plan as detailed in bullet points 12 and 14. He has asked that DAERA could share their specific guidance under Action 20, which can then be picked up via the Designated Officer's Forum. DOH is also content to take forward the other actions which apply to DOH – some are already in place. He also notes that corporate actions will be addressed via existing forums on which the Department will be represented including the Information Governance Board. Relevant business areas will pick up actions should there be further corporate guidance to be implemented.
- c. Mike Brennan has written to confirm DfE's arrangements in respect of actions 12 and 14: referencing their dedicated Fraud & Raising Concerns Branch, centralising responsibility for the recording, oversight and management of all cases received, including in Arm's Length Bodies;

quarterly reports for the Audit and Risk Assurance Committee, particularly highlighting sensitive and high value cases or those with potential media interest; the suite of DfE policies pertaining to fraud and raising concerns; consistency with the key points of the NICS Raising a Concerns Policy Framework; the DfE Raising Concerns Champion at G5 level equating to the Designated Officer recommended in the Framework. DfE's commitment to ensuring that all actions which need to be taken in order to deal with any concerns raised are done so promptly and that all investigations are conducted thoroughly.

- d. Julie Harrison has advised that DfI has no comments on draft Plan – equivalent actions are being taken forward by the Department.
- e. Denis McMahon has given assurance that the Action Plan has been considered and, where appropriate, equivalent action taken in TEO;
- f. Richard Pengelly has set a nil return.

3. No comments have been received from Hugh or Mark at this point.



**DAVID HUGHES**  
**078252141388**

Copies to  
Tony Simpson  
Louise Cilly  
Emer Morelli  
Tracey McCavigan  
[REDACT]

[REDACT]

From: McCavigan, Tracey  
Sent: 23 January 2023 10:57  
To: [REDACT] Godfrey, Katrina (DAERA - Perm Sec)  
Cc: DAERA PermSec  
Subject: RE: CM: OFFICIAL – SENSITIVE: PWC EXTERNAL REVIEW  
Attachments: DAERA - Project Oscar phase 2 final report pdf, DAERA External Review\_Final Report\_9 January 2023.pdf

[REDACT]

They should be but I have attached the final versions to be sure. I will send password separately

Kind regards  
Tracey

From: [REDACT]  
Sent: 23 January 2023 10:27  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; DAERA PermSec <perm\_sec@daera-ni.gov.uk>  
Subject: RE: CM: OFFICIAL – SENSITIVE: PWC EXTERNAL REVIEW

Katrina, no problem

Tracey – the most recent version of reports I hold were circulated by HOCS to Perm Secs on 16 January – would these be the versions which I should include with these letters?

Thanks

[REDACT]

[REDACT]

Department of Agriculture, Environment and Rural Affairs  
Office of the Permanent Secretary  
Room 636  
Dundonald House

[REDACT]

[REDACT]



Department of  
**Agriculture, Environment  
and Rural Affairs**  
ni.gov.uk

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valued by everyone.*

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**From:** Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera.ni.gov.uk](mailto:Katrina.Godfrey@daera.ni.gov.uk)>

**Sent:** 23 January 2024 09:56

**To:** [redact]

**Cc:** McCavigan, Tracey <[Tracey.McCavigan@finance.ni.gov.uk](mailto:Tracey.McCavigan@finance.ni.gov.uk)>; DAERA PermSec <[perm.sec@daera.ni.gov.uk](mailto:perm.sec@daera.ni.gov.uk)>

**Subject:** CM: OFFICIAL – SENSITIVE: PWC EXTERNAL REVIEW

[redact]

Letters to issue this morning please – do speak to Tracey if any doubts at all about which versions of the reports to attach.

Thanks so much

Katrina

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 23 January 2023 12:39  
**To:** Fulton, Norman, [REDACT] Hegarty, Kevin, Reid, David (DAERA RAFSETBOR)  
DAERA Central Services Deputy Secretary, Donnelly, Paul (DAERA)  
**Cc:** Gartland, Neal; DAERA PermSec, McFlynn, Sharon, Foster, Dave, Mil's, John,  
Downey, Roger  
**Subject:** FW: \*Meeting confirmed\* Letter from Katrina Godfrey, DAERA Permanent Secretary  
- ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Colleagues

Any gaps in briefing will be commissioned through the normal channels but this is just to give you an early heads up and to stress the importance of a full turnout please.

Katrina

**From:** [REDACT]  
**Sent:** 23 January 2023 12:00  
**To:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Cc:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Subject:** Re: \*Meeting confirmed\* Letter from Katrina Godfrey, DAERA Permanent Secretary - ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Caution – This email has been received from outside the NICS network.  
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Treat all attachments and links with caution.  
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Hi Katrina

Please see list of issues we would like to raise;

- Update on Departmental Budget (Roger – already covered)
- Update on Climate Change Act: including climate change plans for Agriculture; Carbon Auditing and Equality impact assessments (Kevin – largely already covered but to be aware of questions on EIA and prepared)
- EU animal health law [REDACT] note and be ready)
- Current impact of British governments environment legislation on North (Brian – relates to REUL so to stand ready to provide an overview)
- Single use plastics (Kevin – to cover in Tracey's absence please)
- Update on Future Agriculture Policy (Norman – you will I know be ready for this one as was the case before)
- Update on Rural Policy framework (David to note and be ready)



- Update on Peatlands Policy (Kevin - to cover in Tracey's absence please)
- Update on bovine TB Policy [REDACT] to note and be ready)
- Update on Ammonia Strategy (Kevin - to cover in Tracey's absence please with input from Paul)
- Update on [REDACT] case (I will cover)

Thanks  
[REDACT]

On 18 Jan 2023, at 14:12, DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)> wrote:

Hi [REDACT]

Thank you for getting back to me so quickly.

I can confirm that the meeting with Katrina will take place on Monday 30 January at 15.30 – 16.30 in Dundonald House.

Grateful if you could confirm names of attendees as soon as possible.

Kind Regards

[REDACT]

[REDACT]

Diary Secretary  
Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

Tel: [REDACT]  
Email: [REDACT]

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From: [REDACT]

Sent: 18 January 2023 13:29

To: DAERA PermSec <perm.sec@daera-ni.gov.uk>

Subject: Re: "Availability" Letter from Katrina Godfrey, DAERA Permanent Secretary - ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Hi [REDACT]

Can we go with Monday 30th please

Thanks

[REDACT]

On 18 Jan 2023, at 10 41, DAERA PermSec <perm.sec@daera-ni.gov.uk> wrote:

Hi [REDACT]

I have checked Katrina's availability and can offer the following dates for a meeting in Dundonald House:

Monday 30 January - 15.30 – 16.30

Monday 06 February – 14.00 – 15.00

Monday 20 February – 14.00 – 15.00

I will hold these dates in the meantime, grateful if you could let me know as soon as possible if any of these dates are suitable.

Kind Regards

[REDACT]

[REDACT].

Diary Secretary  
Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Belfast  
BT4 3SB

Tel: [REDACT]

Email: [REDACT]

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From: [REDACT]

Sent: 18 January 2023 10:28

To: DAERA PermSec <perm.sec@daera-ni.gov.uk>

Subject: Re: Letter from Katrina Godfrey, DAERA Permanent Secretary -  
ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Good morning [REDACT]

A Monday afternoon in Dundonald House would best suit for a departmental meeting.

Thanks

[REDACT]

On 13 Dec 2022, at 16:11, DAERA PermSec <perm.sec@daera-ni.gov.uk> wrote:

Good Afternoon,

Please see attached letter from Katrina Godfrey, DAERA Permanent Secretary.

Please note a hard copy of this letter will not follow in the post

Regards,

[REDACT]

| Correspondence Secretary  
Office of the Permanent Secretary | Central Services & Contingency  
Planning

Department of Agriculture, Environment & Rural Affairs | Room 636 |  
Dundonald House

Upper Newlowards Road | Belfast | BT4 3SU

e-mail: [REDACT]

[REDACT]



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[REDACT]

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**From:** Byrne, Jayne  
**Sent:** 23 January 2023 15:26  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Stewart, Chris (TEO); Crilly, Louise; McCavigan, Tracey; Hughes, David (DoF); Sayee, Natasha; McNabb, Chris; McFlynn, Sharon; McLaughlin, Mark (DOF)  
**Subject:** [Copy in Meetings Folder - A] CM: DAERA Oversight Board - Tuesday 24 September 2023 @ 8:45am  
**Attachments:** 24.1.23 draft agenda.docx; 20.1.23 draft DAERA Actions arising.docx  
**Importance:** High

Good afternoon all

Please find attached a draft agenda for tomorrow's meeting and a draft action list from the last meeting which took place on Friday 20 January 2023.

Please let me know if you have any amendments.

Many thanks  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

**Tuesday 24 January 2023 @ 8.45am**

**DAERA Issue – Oversight Board**

**Via Zoom**

**DRAFT AGENDA**

- |            |   |                     |
|------------|---|---------------------|
| <b>(1)</b> | <b>Actions arising from meeting – 20 January 2023</b><br><i>Copy attached</i>                       | <b>J Brady</b>      |
| <b>(2)</b> | <b>Update on draft Action Plan – now included in the</b><br><i>Communications Pack from N Sayee</i> | <b>David Hughes</b> |
| <b>(3)</b> | <b>Update on Raising a Concern Framework</b>  | <b>David Hughes</b> |
| <b>(4)</b> | <b>Communications Pack</b> <i>to follow</i>   | <b>N Sayee</b>      |
| <b>(5)</b> | <b>AOB</b>  |                     |
| <b>(6)</b> | <b>Date of next meeting</b>   |                     |

**Attendees:**

**Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Chris Stewart  
Louise Crilly  
Tracey McCavigan  
David Hughes  
Jayne Byrne**

**Chris McNabb  
Mark McLaughlin  
Sharon McFlynn  
Natasha Sayee**

**DAERA Issue – Action arising from the In-person meeting of Oversight Group held on Friday 20 January 2023 @ 11.30am**

**Attendees:** Jayne Brady / Jayne Byrne  
Chris Stewart

**Comms Leads:** Natasha Saysee/ Chris McNabb

Katrina Godfrey  
David Hughes  
Sharon McFlynn

Nail Gibson  
Louise Crilly/Mark McLaughlin  
Tracey McCavigan (virtual)

Action	Lead	Comments	Timeframe
(1) Actions arising from 16 January 2023  Finalisation of PWC Reports Noted - final reports received -- no further actions required.	T McG		
(2) Action Plan  Comments received from most Perm Secs. Follow up with those who have not responded as yet.  For content accuracy and potential cascade plan the Action Plan to be shared with J Minne  Follow up for response from critical friend for public endorsement.	D Hughes  ?????  T McCavigan		
(3) Comms Action Plan  Action Plan to be updated to include advice received from HR, Legal, and Audit.  Next steps and actions to be taken, to include timeline for release of reports, to be prepared.	Comms Leads  Comms Leads		

<p>Meeting with HoCS for input into press release, the narrative to the Action Plan and way forward.          Note: point of contact with PWC is Tracey McCavigan</p>	<p>C Stewart          C McNabb          N Sayee</p>		
<p>(4) Date of next meeting -- Tuesday          24 January 2023 @ 8.45am</p>	<p>J Byrne</p>		

23 January 2023



[REDACT]

---

**From:** Stewart, Chris (TEO)  
**Sent:** 23 January 2023 14:32  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA - Perm Sec) Gibson, Neil  
**Cc:** Byrne, Jayne; McNabb, Chris; Sayee, Natasha  
**Subject:** CM: PWC reports - notifying TUS  
**Attachments:** CS to Carmel Gates PWC reports DOCX

Jayne and colleagues

I attach a draft note to Carmel Gates, to issues with copies of the reports, action plan and press release.

C

OFFICIAL SENSITIVE AND EMBARGOED UNTIL 1300 ON 25/1/23

From: Chris Stewart  
The Executive Office  
Date: 23 Jan 2023

cc Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Jill Minne  
Catherine Shannon

Carmel Gates  
NIPSA

**PWC REPORTS: DAERA EXTERNAL REVIEW**

1. On behalf of Jayne Brady, I am writing to let you know that DAERA intends to publish on 25 January the reports of an external review of the handling of concerns raised by a former DAERA civil servant. The review was commissioned jointly by Jayne Brady, and the Permanent Secretaries of DAERA and DoF. DAERA will also publish an NICS action plan in response to the recommendations in the reports.
2. I attach, on the basis of a strict embargo until 13.00 on 25 January 2023, copies of the reports, the action plan, and a press release. Individual NICS colleagues (and former colleagues) with a direct interest in the reports have been advised of the forthcoming publication.
3. I should be happy to take a call or to meet you to clarify or discuss any aspect of the reports and action plan if that would be helpful.

Yours sincerely

Handwritten signature of Chris Stewart in black ink, underlined.

**CHRIS STEWART**

[REDACT]

---

From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 23 January 2023 17:05  
To: [REDACT]  
Cc: DAERA PermSec  
Subject: RE: \*Meeting confirmed\* Letter from Katrina Godfrey, DAERA Permanent Secretary - ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Thanks [REDACT] - yes, it's a bit of both. So officials should ensure they are able to cover at the briefing but very brief background and key points should be included in the briefing pack which can be shared with all G3s attending.

Katrina

From: [REDACT] On Behalf Of Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 23 January 2023 16:03  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-nl.gov.uk>  
Cc: DAERA PermSec <perm.sec@daera-nl.gov.uk>  
Subject: FW: \*Meeting confirmed\* Letter from Katrina Godfrey, DAERA Permanent Secretary - ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Hi there Katrina

Just reading this, and would like to double check.

Do you want officials to provide briefing notes for you with lines to take on all the issues identified for discussion?

Or is this simply to let officials know, so that they can be ready to answer possible questions on these topics and the current presentation and briefing stands?

I would be very grateful for clarification.

Many thanks

[REDACT]

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 24 January 2023 17:26  
**To:** [REDACT]; McFlynn, Sharon  
**Cc:** DAERA PermSec, DAERA Central Services Deputy Secretary  
**Subject:** 46 RE: PUBLICATION OF THE PWC REPORTS: MESSAGE TO DAERA STAFF  
**Attachments:** Blank doc 6 (004) DOCX

Thanks a million Jo – updated in the attachment now:

K

**From:** [REDACT]  
**Sent:** 24 January 2023 12:17  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>; DAERA Central Services Deputy Secretary <csdeputysecretary@daera-ni.gov.uk>  
**Subject:** RE: PUBLICATION OF THE PWC REPORTS: MESSAGE TO DAERA STAFF

Just a few small tracks and comments from me.

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Sent:** 24 January 2023 11:53  
**To:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Cc:** [REDACT]; DAERA PermSec <perm.sec@daera-ni.gov.uk>, DAERA Central Services Deputy Secretary <csdeputysecretary@daera-ni.gov.uk>  
**Subject:** PUBLICATION OF THE PWC REPORTS: MESSAGE TO DAERA STAFF

Sharon

As discussed and for any advice, amendments etc.

Thanks so much

Katrina

Katrina Godfrey  
Permanent Secretary  
Department of Agriculture, Environment and Rural Affairs  
Room 636  
Dundonald House

028 90 524608  
Ext 24608

Dear colleagues

### PWC EXTERNAL REVIEW AND NICS RAISING A CONCERN FRAMEWORK

I am writing to let you know that, today, the Department is publishing the reports from the independent external review carried out by PWC into how DAERA dealt with the concerns raised in the recent Industrial Tribunal case involving *CREDACT3*, and of the decision-making of both DAERA and DoF relating to this case. The reports are available at this link: [DN: insert]

As I said when we announced the review, it was important to take such a step in order to establish the facts and ensure lessons are identified, applied and factored into future handling of such cases.

The review has taken much longer to complete than I initially expected but one result of the longer duration is that it has also identified a much wider set of lessons than I had first envisaged. Those lessons relate to how we handle concerns; the standard of some of our record keeping; and how we review and update our core policies. There is also important learning in relation to how we define and discharge our responsibilities when decisions are needed on employment-related legal cases.

At the heart of this particular case was our handling of concerns raised by a former colleague. We simply must learn from this to prevent a similar situation from arising again in DAERA or in any other department. That is why, today, the Head of the Civil Service is also launching a new Raising a Concern Policy Framework which will apply across all departments [DN: insert link]. Within DAERA, I want us to lead by example in implementing and giving life to the new Raising a Concern procedures and will set out in the coming weeks how the framework will be applied across the Department, including in NIEA and in Forest Service.

In response to this and to the other issues raised in the PWC reports, we have agreed and are also publishing today a detailed action plan setting out how we plan to address, within DAERA and DoF and where applicable across all departments, to respond to the recommendations made in the second PWC report. You can read the action plan [here].

Commented [MJK1]: Is it new or updated?

Commented [GX(-PSAR1)]: Good question. Need to check for consistency with the wider line being developed

Commented [MJK2]: Sure?

Commented [GX(-PSAR3)]: I mentioned the two agencies specifically because they have their own boards and accounting officers. Care is a part of the core department so I wasn't going to single it out on that basis

I have asked the chair of the Departmental Audit and Risk Assurance Committee (DARAC) to make the action plan a standing item on its agenda until I am satisfied that the DAERA actions have been completed and embedded and I am grateful for her agreement and for the support from DARAC and my Departmental Board as we work to respond to the findings of the PWC reports.

It is, however, important for me to recognise that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness will be defined not by a completed list of actions but by our behaviours and by the culture we create in the teams to which we belong. Our real test of success will be when any colleague in any part of the Department who wants to raise a concern feels confident to do so and any manager receiving a concern knows to take it seriously and to listen and take action on it. I will do all that I can to lead by example but I know I will need everyone's help to make sure that is the case across all parts of DAERA.

KATRINA GODFREY

Commented [M15]: Is this at risk of suggesting it wasn't taken seriously at all? Perhaps it's better to say 'receiving a concern knows what action to take'

Commented [M15]: Agreed - a good point

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 24 January 2023 13:26  
**To:** [REDACT]  
**Cc:** [REDACT]; Hegarty, Kevin  
**Subject:** 47 RE: A word of thanks

[REDACT]  
Thank you so much, [REDACT] – like you, I skipped out of your (very lovely) offices with a rekindled enthusiasm for the issues we discussed

I'm copying in Kevin Hegarty who leads on much of our green growth work, including in relation to our thinking on how to stimulate innovation and partnership working – if your colleagues would find it helpful, they can also get in touch with Kevin directly when he's back in the office later this week.

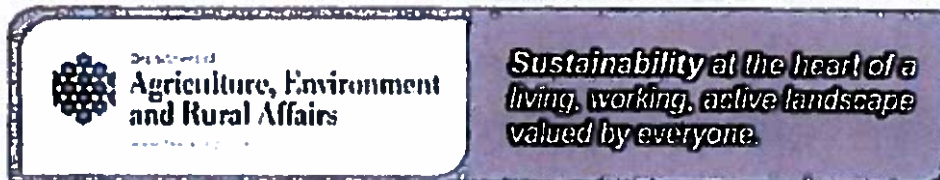
As you say, it will be good to keep in touch and I look forward to further discussions in the areas you mention below.

Best wishes

Katrina

Katrina Godfrey  
Permanent Secretary  
Department of Agriculture, Environment and Rural Affairs  
Room 636  
Dundonald House

028 90 524608  
Ext 24608



**From:** [REDACT]  
**Sent:** 24 January 2023 08:25  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** [REDACT]  
**Subject:** A word of thanks

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Hi Katrina

How are you? I just wanted to send a quick note to say how much I appreciated you taking the time to come to meet me yesterday. I walked away from our conversation genuinely energised. You have a great grip of the education issues here in NI and I am also really keen to explore how we can work together on some of the areas that we discussed - Tech She Can, Green Growth, Green Jobs Barometer to name but a few.

I have also reached out to the wider team to explore the funds that are available to accelerate Green Growth - I will share any insights. Let's keep connected and I'd welcome any introductions that you feel would be useful to make. I hope that you have a great weekend.

[REDACT]

[REDACT]

[REDACT]

PwC | NI Regional Market Leader | Partner

Mobile: [REDACT]

Email: [REDACT]

PricewaterhouseCoopers LLP

<http://www.pwc.co.uk>

Follow me on Twitter: [REDACT]

Alternative Contact: [REDACT] | PA | Mobile: [REDACT] | Email: [REDACT]

[REDACT] | Mobile: [REDACT] | Email: [REDACT]

[REDACT]

PwC | Partner - NI Regional Market Leader

Mobile: [REDACT]

Email: [REDACT]

PricewaterhouseCoopers LLP

<http://www.pwc.co.uk>

Alternative Contact: [REDACT]

----- End of message text -----

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-----

[REDACT]

From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 24 January 2023 13:39  
To: McFlynn, Sharon; [REDACT]  
Cc: DAERA PermSec; DAERA Central Services Deputy Secretary; [REDACT]  
Subject: 48 CM: RE: PUBLICATION OF THE PWC REPORTS: MESSAGE TO DAERA STAFF

That's great thanks Sharon – and thanks to [REDACT] as I know what I mean on the culture front so am only capable of reading it that way! Content with the amendments therefore

Katrina

From: McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
Sent: 24 January 2023 13:27  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; [REDACT]  
[REDACT]  
Cc: DAERA PermSec <perm.sec@daera-ni.gov.uk>; DAERA Central Services Deputy Secretary <csdeputysecretary@daera-ni.gov.uk>; [REDACT]  
Subject: RE: PUBLICATION OF THE PWC REPORTS: MESSAGE TO DAERA STAFF

Katrina,

A few more suggested changes from me and [REDACT] (with a fresh pair of eyes).

In regard to the closing paragraph, [REDACT] raised the following point:

***Our real test of success will be when any colleague in any part of the Department who wants to raise a concern feels confident to do so and any manager receiving a concern knows what action to take.***

*This may be wholly appropriate depending on the report but upon reading to me it seems a very narrowly focussed test, furthermore knowing what action to take and taking it are two different things and require different actions. The former is straightforward the latter not so much and finally could it intimate the heart of all of this is people were just lacking the necessary information as managers ( which would be easily fixed) or is it a more fundamental cultural issue?*

The last paragraph has been tweaked to address this point.

Sharon

[REDACT]

---

**From:** Sayee, Natasha  
**Sent:** 24 January 2023 14:58  
**To:** McNabb, Chris; Godfrey, Katrina (DAERA – Perm Sec); Byrne, Jayne; Gibson, Neil; Brady, Jayne  
**Cc:** McLaughlin, Mark (DOF); McFlynn, Sharon; McCavigan, Tracey; Stewart, Chris (TEO); Hughes, David (DoF)  
**Subject:** CM: RE: Emailing Document1  
**Attachments:** REVISED INTERNAL COMM .docx

All,

Following on from Press Release, revised internal comm.

Thank you,

Natasha

-----Original Message-----

**From:** McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>  
**Sent:** 24 January 2023 13:54  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>  
**Cc:** McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Subject:** RE: Emailing Document1

Thanks

-----Original Message-----

**From:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Sent:** 24 January 2023 13:51  
**To:** McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>  
**Cc:** McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Subject:** RE: Emailing Document1

Chris

Many thanks and well done - I think this is in much better shape. Have tried to address a couple of your challenges in the attachment.

Katrina

-----Original Message-----

From: McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>

Sent: 24 January 2023 13:43

To: Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>

Cc: McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>

Subject: Emailing: Document1

All

Here's a revised draft press release as discussed at this morning's meeting - Mark and Sharon have both seen this draft.

Sorry for the untidiness which highlights my inability to format documents.

Chris

Chris

Your message is ready to be sent with the following file or link attachments:

Document1

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

## **INTERNAL COMMUNICATION – HOCS EMAIL ALL Staff**

Dear Colleagues,

A 33-point action plan [\[hyperlink\]](#) to improve governance across the NI Civil Service has been published today.

The plan is in response to findings from an independent external review [\[hyperlink\]](#) undertaken by PwC to examine the handling of concerns and other matters raised in a case taken by a former DAERA employee.

Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and myself as the Head of the Civil Service, the reports and action plan have been shared with staff, trade unions, MLAs and the NI Audit Office.

Together, we welcome the findings in the reports and as a Service are committed to learning from this review and addressing the issues identified. We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for you our workforce and the public.

The External Review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

Concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

A new NICS Raising a Concern Policy Framework has also been published. These guidelines for Departments set out, for the first time, a single, overarching approach to dealing with concerns raised.

A refreshed Civil Service Code of Ethics will be embedded into performance management processes, which includes the obligation on all civil servants to keep proper records.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service. Real success requires behavioural and cultural change and work is already underway to

empower and support you in effectively delivering the work of government and to develop a more inclusive workplace culture.

While the review and action plan focus on how we can improve, it is important not to lose sight of the excellent work of civil servants who deliver for the public here.

I very much hope that none of this detracts from the pride you should rightly take in the very important work you do.

Thank you for your support,

Jayne Brady

[REDACT]

---

**From:** Byrne, Jayne  
**Sent:** 24 January 2023 15:02  
**To:** Brady, Jayne; Gibson, Neil, Godfrey, Katrina (DAERA – Perm Sec), Stewart, Chris (TEO); Crilly, Louise; McCavigan, Tracey; Hughes, David (DoF); McNabb, Chris, Sayee, Natasha McLaughlin, Mark (DOF), McFlynn, Sharon  
**Subject:** CM: DAERA Oversight Board - Tuesday 24 January @ 3.30pm  
**Attachments:** 24.1.23 draft DAERA Actions arising from 8.45am meeting.docx; 24.1.23 draft @ 3.30pm agenda.docx  
**Importance:** High

Please find attached a draft note of actions from this morning's meeting and an agenda for the meeting at 3.30pm.

Please feel free to amend / update.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

**DAERA Issue – Action arising from the meeting of Oversight Group held on Tuesday 24 January 2023 @ 8.45am**

**Attendees:** Jayne Brady (left at 9.20am)  
Chris Stewart / Jayne Byrne  
Nataasha Sayee/ Chris McNabb

Katrina Godfrey  
David Hughes  
Sharon McFlynn

Neil Gibson  
Mark McLaughlin  
Tracey McCavigan (virtual)

Action	Lead	Comments	Timeframe
<p><b>(1)</b> Finalisation of PWC Reports</p> <p>A copy of the Report 1, without password protection, to be sourced from PWC.</p>	T McG		
<p><b>(2)</b> Action Plan</p> <p>Final content/ordering of issues agreed.</p> <p>Redraft of preface to Action Plan</p> <p>Formal agreement of Action Plan to be sought from Oversight Board. Submission to be sent.</p> <p>Feedback received from critical friend. Public comment unlikely, or very brief.</p>	<p>D Hughes</p> <p>C Stewart N Sayee</p> <p>D Hughes</p> <p>T McCavigan</p>		
<p><b>(3)</b> Raising a Concern Framework</p> <p>RaC policy framework to be published by DoF on website Wed 25 January with covering text explaining the nature of the framework, links to departments' whistleblowing policies, and an outline of next steps for implementation.</p> <p>All Perm Secs have agreed the policy framework, except Colum Boyle, who has raised extensive issues. These are being</p>	<p>N Gibson</p> <p>D Hughes</p>		



	addressed it is anticipated he will be content with the version for publication.			
(3)	<p><b>Comms Action Plan</b></p> <p>Draft letter to Trade Unions</p> <p>Redraft of press release</p> <p>Wednesday 25 January @ 12noon agreed for release of reports, action list and RaC framework</p>	<p>C Stewart</p> <p>M McLaughlin</p> <p>C McNabb</p>		
(4)	<p><b>Date of next meeting – Tuesday</b></p> <p><b>24 January 2023 @ 3.30pm</b></p>	<p>J Byrne</p>		

24 January 2023 (meeting ended at 9.50am)

**Tuesday 24 January 2023 @ 3.30pm**

**DAERA Issue – Oversight Board**

**Via Zoom**

**DRAFT AGENDA**

- |     |   |            |
|-----|---|------------|
| (1) | <b>Actions arising from meeting this morning</b><br><i>Copy attached</i>        | J Brady    |
| (2) | <b>Updated Press Release final sign-off</b>                                     | Comms Team |
| (3) | <b>Internal comms release for final sign-off</b>                                | N Sayee    |
| (4) | <b>Way forward for release of documents</b><br><b>Wednesday 25 January 2022</b> | Comms Team |
| (5) | <b>AOB</b>  |            |
| (6) | <b>Date of next meeting</b>   |            |

**Attendees:**

**Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Chris Stewart  
Louise Crilly  
Tracey McCavigan  
David Hughes  
Jayne Byrne**

**Chris McNabb  
Mark McLaughlin  
Sharon McFlynn  
Nalasha Sayee**

[redact]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 24 January 2023 17:08  
**To:** Hughes, David (DoF); Brady, Jayne; Gibson, Neil  
**Cc:** Stewart, Chris (TEO); Crilly, Louise; McNabb, Chris; McLaughlin, Mark (DOF); McCavigan, Tracey; Sayee, Natasha; McFlynn, Sharon; [redact] Byrne, Jayne  
**Subject:** 49 CM: RE: CM: Minute to Oversight Group to clear the Action Plan and accompanying text

David

Apologies – one more tiny point from me on a further re-read which I missed previously. We say "competitive tender process". My memory is that we went to a government framework contract and PwC was the only respondent. To me "competitive" suggests open ad so might we run past Sharon S just to be sure?

Katrina

**From:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Sent:** 24 January 2023 15:13  
**To:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; [redact] [redact]; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Subject:** CM: Minute to Oversight Group to clear the Action Plan and accompanying text

-----< Content Manager Record Information >-----

Record Number: FI1/23/93091

Title: Minute David Hughes to Oversight Group covering Action Plan for agreement - 24 January 2023

-----< Content Manager Record Information >-----

Record Number: FI1/23/92753

Title: Action Plan - 24 January 2023

[REDACT]

---

**From:** Sayee Natasha  
**Sent:** 24 January 2023 17:56  
**To:** Godfrey, Katrina (DAERA – Perm Sec)  
**Subject:** RE: RE: Minute to Oversight Group to clear the Action Plan and accompanying text

Will sort that now Katrina, apologies, Natasha

**From:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Sent:** 24 January 2023 17:53  
**To:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>  
**Subject:** RE: RE: Minute to Oversight Group to clear the Action Plan and accompanying text

N

Tiny typo which I won't trouble everyone with as it will be easily fixed! Will come back properly shortly

Neither PwC's Lessons learned and recommendations report, nor the action plan, address addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

Katrina

[REDACT]

---

**From:** Sayee, Natasha  
**Sent:** 24 January 2023 17:56  
**To:** Godfrey, Katrina (DAERA – Perm Sec)  
**Subject:** RE: RE: Minute to Oversight Group to clear the Action Plan and accompanying text

Will sort that now Katrina, apologies, Natasha

**From:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Sent:** 24 January 2023 17:53  
**To:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>  
**Subject:** RE: RE: Minute to Oversight Group to clear the Action Plan and accompanying text

N

Tiny typo which I won't trouble everyone with as it will be easily fixed! Will come back properly shortly.

Neither PwC's Lessons learned and recommendations report, nor the action plan, ~~address~~ addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

Katrina

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 24 January 2023 18:55  
**To:** McFlynn, Sharon  
**Cc:** DAERA PermSec [redact]  
**Subject:** 52 RE: PWC EXTERNAL REVIEW – REPORTS AND ACTION PLAN

Thanks Sharon - will amend accordingly.

On timings, I am inclined to let Sharon share the action plan because I want the independent ARAC members to have some detail in advance of us broadcasting more widely the role I will be asking them to play. I recognise the risk but, given the nature of ARAC and the role that the 3 other members play, I think the benefits outweigh the risk. I will though make clear that I am sharing in confidence just as an added layer of risk management.

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Date:** Tuesday, 24 Jan 2023 at 6:37 pm  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>, [REDACT]  
**Subject:** RE: PWC EXTERNAL REVIEW – REPORTS AND ACTION PLAN

Katrina,

I think this reads very well. For consistency of message and to address points raised earlier in relation to culture, I've added a couple of words (third para from the bottom, in red). In terms of sequencing, if this letter is going to issue to [REDACT] first thing in the morning, are you content that she shares it and the action plan with members in advance of the note from HOCS and your internal comms? I'm conscious that there is an overlap between these audiences and want to ensure that we manage information flow and (the associated risks) as best we can. Therefore, I would recommend that it isn't shared more widely until all of the documents have gone live and the NICS and DAERA internal comms have been issued.

Sharon

**From:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Sent:** 24 January 2023 17:48  
**To:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>, [REDACT]  
[REDACT]  
**Subject:** PWC EXTERNAL REVIEW – REPORTS AND ACTION PLAN

Hi [REDACT] as discussed and for any comment. I'd propose to issue first thing in the morning to [REDACT] [REDACT] with whatever version of the action plan is available at that point.

Katrina

Dear [REDACT]

#### **PWC EXTERNAL REVIEW – REPORTS AND ACTION PLAN**

Following our recent discussions, I am writing to let you know that, following completion of the Independent External Review carried out by PwC into the handling of concerns and other serious matters raised in an industrial tribunal case taken by a former DAERA employee which we commissioned jointly with the Department of Finance and the Head of the Civil Service, we are today publishing both the phase 1 and phase 2 (lessons learned) reports in full. The reports will be available on the Department's webpage later today as will the new Raising a Concern framework mentioned below.

I welcome the findings in the two reports and want to make sure that, within DAERA, we learn from this review and the issues it raises and we take action to improve both our processes and how we implement them. We want to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us.

Separately, we are also publishing a new NICS Raising a Concern Policy Framework which sets out for departments, for the first time, a single approach to dealing with concerns raised.

You will also see from the reports that there are very clear areas for improvement not only in how we record, escalate and respond to concerns but also in the standards of record-keeping and in decision-making.

We are also publishing an action plan which sets out our collective response to the recommendations and some service-wide issues raised by the review and an advance copy is attached in confidence. The action plan sets out 33 actions designed to deliver improvement. Sixteen of these are for DAERA and a further 2 apply to all departments, including DAERA. It is very important to me that DAERA takes swift action to implement those 18 actions and we have already discussed the valuable role of our Departmental Audit and Risk Assurance Committee (DARAC) in applying rigorous scrutiny and in providing me with assurance that the necessary actions have been taken. Because transparency is important in building confidence in our response to the PwC reports, it is also my intention to publish quarterly progress reports on the DAERA actions on our website.

This note therefore also confirms formally my request to you that DARAC considers the action plan as a standing item on its agenda until such times as you and I are content that the actions have been delivered and validated as such by our internal audit team.

As I have reflected in the note I will be sending to DAERA staff, it is to recognise that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness

will be defined not by a completed list of actions, but by our behaviours and by the culture we create in the teams to which we belong. Our real test of success will be when any colleague in any part of the Department who wants to raise a concern feels confident to do so and any manager receiving a concern knows what action to take and takes it. That will be harder to measure but it must remain a central focus for me and for the DAERA senior team.

I will be available to discuss the reports and action plan further with DARAC members at the start of your next meeting on 7 February. I appreciate that this might mean putting the start time back for other attendees to join to conduct the main business but I am keen to be able to engage personally with the committee at the earliest opportunity if that would be helpful.

I am content that you share this letter with [REDACTED] We will follow up with links to the reports, the final version of the action plan and the new Raising a Concern framework as soon as these are live later today. Finally, my thanks again to you for the effective manner in which you lead and steer our DARAC and to the members of your committee for their support and for the role I know they will play as we take forward this work.

**KATRINA GODFREY**



[REDACT]

---

From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 25 January 2023 18:18  
To: [REDACT]  
Cc: G\_DAERA PressOffice.Group, DAERA, DAERA PermSec, McFlynn, Sharon  
Subject: CM. RE: PwC report

[REDACT]

Just a thought - is it possible for us all (Neil, Jayne and me) to see all queries and the responses provided across all three departments?

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

From: [REDACT]  
Date: Wednesday, 25 Jan 2023 at 3:27 pm  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: G\_DAERA PressOffice.Group, DAERA <PressOffice.Group@daera-ni.gov.uk>, DAERA PermSec <perm.sec@daera-ni.gov.uk>, McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
Subject: RE: PwC report

Please note, Katrina and I have discussed and she has approved this line for issue.

Many thanks

[REDACT]

From: [REDACT]  
Sent: 25 January 2023 14:28  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: G\_DAERA PressOffice.Group, DAERA <PressOffice.Group@daera-ni.gov.uk>, DAERA PermSec <perm.sec@daera-ni.gov.uk>, McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
Subject: FW: PwC report

Hi Katrina, please see Bel Tel query below and the proposed line.

Grateful for your consideration.

[REDACT]

#### QUERY

In relation to the PwC report into the treatment of [REDACT] I have several questions:

- 1) Do [REDACT] and [REDACT] remain in post working for the department?
- 2) Does either man, as members of the senior civil service, face disciplinary action?
- 3) Was the decision not to suspend them taken by Katrina Godfrey?
- 4) Neither man has even been named in the report, despite the department's acceptance of the fact they acted appallingly. Why is that so?

**DRAFT RESPONSE**

**"It is not appropriate to comment on individual employee matters. Neither PwC's Lessons learned and recommendations report, nor the action plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or department may comment on these."**

[REDACT]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 25 January 2023 18:49  
**To:** DAERA PermSec  
**Subject:** 60 FW: Retail NI Supplier Event & Launch of New Supply Chain Forum - Thursday 23rd February

Folk

Could you send regrets as unfortunately I have another event that day. There's no hospitality mentioned so it may not need a G&H entry.

Thank you

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** [REDACT]  
**Date:** Wednesday, 25 Jan 2023 at 2:42 pm  
**Subject:** Retail NI Supplier Event & Launch of New Supply Chain Forum - Thursday 23rd February

**Caution – This email has been received from outside the NICS network.  
Please ensure you can verify the sender's name and email address.  
Treat all attachments and links with caution.  
FOR INTERNAL NICS STAFF ONLY - If you have any concerns regarding the email please forward to [spam@finance-ni.gov.uk](mailto:spam@finance-ni.gov.uk).**

We are delighted to announce that we will be holding a supplier event on Thursday 23<sup>rd</sup> February at 4pm in PWC's Merchant Square Offices. At this event we will be launching our new Supply Chain Forum.

This is a strictly invite only event and advance registration for the event is required.

All details are contained below:



# Retail NI Supplier Showcase

Retail NI is delighted to invite you to our  
**First ever Supplier Showcase event**  
to highlight and celebrate the huge contribution local  
producers, manufacturers and suppliers make to our  
members and the wider local economy.

**Thursday 23rd February 2023**  
**4-6pm**

**PWC, Merchant Square,  
2-22 Wellington Place, Belfast BT1 6GE**

Steve Baker  
MP

**30**  
companies

**Free Car  
Parking**

Launch of  
Supply  
Chain For

Supported by



UNITED  
WINES



Value Car Parks

Regards

[REDACT]

[REDACT]

Retail NI  
245 Upper Newtownards Road  
Ballyhackamore  
BELFAST  
BT4 3JF

T: [REDACT]

M: [REDACT]

[www.retailni.com](http://www.retailni.com)



RetailNI

Standing up for  
Independent Retailers

[REDACT]

From: Godfrey Katrina (DAERA – Perm Sec)  
Sent: 25 January 2023 10:10  
To: [REDACT]  
Subject: 55 RE: PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

Ok – just put in the correct date

Katrina

From: [REDACT] · On Behalf Of Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 25 January 2023 09:55  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; [REDACT]  
[REDACT] ; DAERA PermSec <perm.sec@daera-ni.gov.uk>  
Subject: RE: PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

Katrina

Need to speak with you before issue, you've quoted 7 Feb as date for ARAC but it's 8 Feb.

You spoke to me last night about wanting to arrange your diary to allow you to attend ARAC and I remember you told me 7 Feb for the meeting. [REDACT]

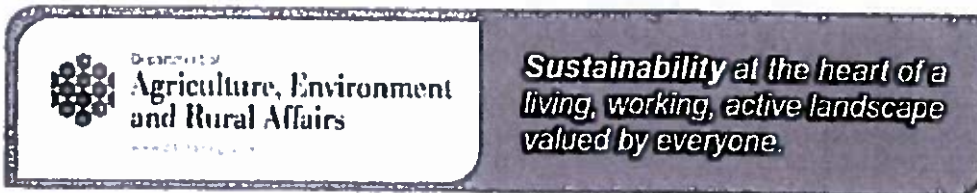
Need to be sure you happy that we change the letter to say you will be available to attend the next ARAC meeting on 8 Feb???? (you can do this as it's held in your diary)

[REDACT]

[REDACT]

Department of Agriculture, Environment and Rural Affairs  
Office of the Permanent Secretary  
Room 636  
Dundonald House

[REDACT]



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From: Godfrey, Katrina (DAERA – Perm Sec)

Sent: 25 January 2023 09:34

To: [REDACT]

, PermSec <perm\_sec@daera.ni.gov.uk>

Subject: RE: PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

[REDACT]

This can now issue to [REDACT] and to [REDACT] and [REDACT] with this attachment. Would you copy me into the final version?

Many thanks

K

From: Godfrey, Katrina (DAERA – Perm Sec)

Sent: 25 January 2023 07:23

To: [REDACT]

DAERA PermSec <perm.sec@daera.ni.gov.uk>

Subject: PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

[REDACT]

Could we get this into final form please and I will let you know when to send?

Many thanks

Katrina

Dear [REDACT]

#### PWC EXTERNAL REVIEW – REPORTS AND ACTION PLAN

Following our recent discussions, I am writing to let you know that, following completion of the Independent External Review carried out by PwC into the handling of concerns and other serious matters raised in an industrial tribunal case taken by a former DAERA employee which we commissioned jointly with the Department of Finance and the Head of the Civil Service, we are today publishing both the phase 1 and phase 2 (lessons learned) reports in full. The reports will be available on the Department's webpage later today as will the new Raising a Concern framework mentioned below.

I welcome the findings in the two reports and want to make sure that, within DAERA, we learn from this review and the issues it raises and we take action to improve both our processes and how we implement them. We want to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us.

Separately, we are also publishing a new NICS Raising a Concern Policy Framework which sets out for departments, for the first time, a single approach to dealing with concerns raised.

You will also see from the reports that there are very clear areas for improvement not only in how we record, escalate and respond to concerns but also in the standards of record-keeping and in decision-making.

We are also publishing an action plan which sets out our collective response to the recommendations and some service-wide issues raised by the review and an advance copy is attached in confidence. The action plan sets out 33 actions designed to deliver improvement. Sixteen of these are for DAERA and a further 2 apply to all departments, including DAERA. It is very important to me that DAERA takes swift action to implement those 18 actions and we have already discussed the valuable role of our Departmental Audit and Risk Assurance Committee (DARAC) in applying rigorous scrutiny and in providing me with assurance that the necessary actions have been taken. Because transparency is important in building confidence in our response to the PwC reports, it is also my intention to publish quarterly progress reports on the DAERA actions on our website.

This note therefore also confirms formally my request to you that DARAC considers the action plan as a standing item on its agenda until such times as you and I are content that the actions have been delivered and validated as such by our internal audit team.

As I have reflected in the note I will be sending to DAERA staff, it is to recognise that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness will be defined not by a completed list of actions, but by our behaviours and by the culture we create in the teams to which we belong. Our real test of success will be when any colleague in any part of the Department who wants to raise a concern feels confident to do so and any manager receiving a concern knows what action to take and takes it. That will be harder to measure but it must remain a central focus for me and for the DAERA senior team.

I will be available to discuss the reports and action plan further with DARAC members at the start of your next meeting on 7 February. I appreciate that this might mean putting the start time back for other attendees to join to conduct the main business but I am keen to be able to engage personally with the committee at the earliest opportunity if that would be helpful.

I am content that you share this letter with **[REDACT]** We will follow up with links to the reports, the final version of the action plan and the new Raising a Concern framework as soon as these are live later today. Finally, my thanks again to you for the effective manner in which you lead and steer our DARAC and to the members of your committee for their support and for the role I know they will play as we take forward this work.

**KATRINA GODFREY**

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))



REDACT

---

**From:** Hughes, David (DoF)  
**Sent:** 25 January 2023 10:19  
**To:** Byrne, Jayne  
**Cc:** Godfrey, Katrina (DAERA – Perm Sec) Gibson, Neil; Brady, Jayne, Cilly, Louise  
McCavigan, Tracey; McFlynn, Sharon; Sayee, Natasha; McNabb, Chris; McLaughlin, Mark  
(DOF)  
**Subject:** CM: Action Plan - 25 January 2023  
**Attachments:** Action Plan - 24 January 2023.DOCX

Updated to reflect the procurement issue

[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 25 January 2023 10:20  
**To:** Hughes, David (DoF); Brady, Jayne; Gibson, Neil, McFlynn Sharon  
**Cc:** Stewart, Chris (TEO); Crilly, Louise; McNabb, Chris; McLaughlin, Mark (DOF); McCavigan Tracey; Sayee, Natasha; [REDACT], Byrne, Jayne  
**Subject:** RE: CM: Minute to Oversight Group to clear the Action Plan and accompanying text

Content thanks David – and grateful to you for following up

Katrina

**From:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Sent:** 25 January 2023 10:17  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
**Cc:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; [REDACT] <[REDACT]@executiveoffice-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Subject:** RE: CM: Minute to Oversight Group to clear the Action Plan and accompanying text

Confirmation from CPD that it wasn't a competitive tender process. I am going to recommend that the line is left as The Independent External Review was carried out by PwC without reference to the procurement methodology.

David Hughes  
Department of Finance  
Tel: (028) 90519631 | Ext: 37631 | Mob: 07525141388

[REDACT]

From: [REDACT], on behalf of Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 25 January 2023 10:21  
To: [REDACT]  
Cc: DAERA Central Services Deputy Secretary Godfrey, Katrina (DAERA – Perm Sec);  
McFlynn, Sharon; Doherty, Brian; McCandless, Fiona; DAERA PermSec  
Subject: OFFICIAL - SENSITIVE: PwC External Review Reports and Action Plan  
Attachments: [REDACT] 25 January 2023 pdf, 24 1 23 draft Action Plan.docx  
Categories: Logged on CM

Good Morning [REDACT]

Please see attached letter from Katrina Godfrey for your attention.

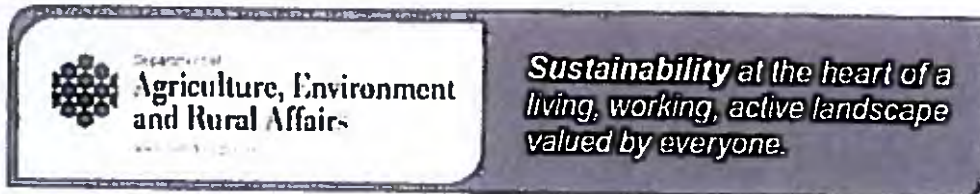
Regards

[REDACT]

[REDACT]

Department of Agriculture, Environment and Rural Affairs  
Office of the Permanent Secretary  
Room 636  
Dundonald House

[REDACT]  
[REDACT]



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OFFICIAL – SENSITIVE

From the Permanent Secretary  
Katrina Godfrey



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Via e-mail:

[REDACT]

Office of the Permanent Secretary  
Room 636  
Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast BT4 3SB  
Telephone: 028 9052 4608  
Email: [perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)

Dear [REDACT]

25 January 2023

## PWC EXTERNAL REVIEW – REPORTS AND ACTION PLAN

Following our recent discussions, I am writing to let you know that, following completion of the Independent External Review carried out by PwC into the handling of concerns and other serious matters raised in an industrial tribunal case taken by a former DAERA employee which we commissioned jointly with the Department of Finance and the Head of the Civil Service, we are today publishing both the phase 1 and phase 2 (lessons learned) reports in full. The reports will be available on the Department's webpage later today as will the new Raising a Concern framework mentioned below.

I welcome the findings in the two reports and want to make sure that, within DAERA, we learn from this review and the issues it raises and we take action to improve both our processes and how we implement them. We want to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us.

Separately, we are also publishing a new NICS Raising a Concern Policy Framework which sets out for departments, for the first time, a single approach to dealing with concerns raised.

You will also see from the reports that there are very clear areas for improvement not only in how we record, escalate and respond to concerns but also in the standards of record-keeping and in decision-making.

We are also publishing an action plan which sets out our collective response to the recommendations and some service-wide issues raised by the review and an advance copy is attached in confidence. The action plan sets out 33 actions designed to deliver

*Sustainability at the heart of a living, working, active landscape valued by everyone.*

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



OFFICIAL – SENSITIVE

improvement. Sixteen of these are for DAERA and a further 2 apply to all departments, including DAERA. It is very important to me that DAERA takes swift action to implement those 18 actions and we have already discussed the valuable role of our Departmental Audit and Risk Assurance Committee (DARAC) in applying rigorous scrutiny and in providing me with assurance that the necessary actions have been taken. Because transparency is important in building confidence in our response to the PwC reports, it is also my intention to publish quarterly progress reports on the DAERA actions on our website.

This note therefore also confirms formally my request to you that DARAC considers the action plan as a standing item on its agenda until such times as you and I are content that the actions have been delivered and validated as such by our internal audit team.

As I have reflected in the note I will be sending to DAERA staff, it is to recognise that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness will be defined not by a completed list of actions, but by our behaviours and by the culture we create in the teams to which we belong. Our real test of success will be when any colleague in any part of the Department who wants to raise a concern feels confident to do so and any manager receiving a concern knows what action to take and takes it. That will be harder to measure but it must remain a central focus for me and for the DAERA senior team.

I will be available to discuss the reports and action plan further with DARAC members at the start of your next meeting on 8 February. I appreciate that this might mean putting the start time back for other attendees to join to conduct the main business but I am keen to be able to engage personally with the committee at the earliest opportunity if that would be helpful.

I am content that you share this letter with [REDACT] We will follow up with links to the reports, the final version of the action plan and the new Raising a Concern framework as soon as these are live later today. Finally, my thanks again to you for the effective manner in which you lead and steer our DARAC and to the members of your committee for their support and for the role I know they will play as we take forward this work.

Yours sincerely



**Katrina Godfrey**  
**DAERA Permanent Secretary**

*Sustainability at the heart of a living, working, active landscape valued by everyone.*

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



[REDACT]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 25 January 2023 10:44  
**To:** DAERA PermSec  
**Subject:** 56 PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN  
**Attachments:** Action Plan - 24 January 2023 DOCX

URGENT – MEMO TO ISSUE TO BRIAN AND FIONA PLEASE

Memo to [REDACT]

PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

1. As you are aware, we will publish later today the reports from the external review carried out by PwC following the completion of the tribunal processes for the case involving [REDACT] and an action plan designed to address the recommendations flowing from the review. I am very grateful to you both for the role you have played in developing this action plan and, particularly, in ensuring that the timescales were deliverable.
2. It is important now that we move swiftly towards implementation of the DAERA actions in the plan and that we put in place the necessary steps to ensure DAERA can implement effectively any NICS-wide actions. The purpose of this memo, therefore, is to ask you to put in hand the necessary processes to ensure this happens. These should include reinserting an SCS lead for each relevant action, commissioning the work needed to deliver the action and setting up the necessary reporting mechanisms so that progress can be tracked and reported on, both internally and, on a quarterly basis, publicly. The latest version of the action plan is attached for this purpose.
3. It will be important to ensure that, as well as ensuring that actions are taken in the core department, there is assurance from our agency Accounting Officers that they are also being taken forward in our two agencies. I would therefore welcome your proposals, informed by discussions with Paul and John Joe and reflecting the personal nature of their AO responsibilities and the remits of their audit and risk assurance committees, on how best to integrate action by and reporting from our two agencies into the overall scrutiny and reporting regime for DAERA as a whole.
4. As you are aware, I have asked [REDACT] as chair of DARAC to put the action plan as a standing item on the DARAC agenda until I have assurance that all of the actions that are relevant to DAERA have been delivered and embedded. I also intend that the 2023-24 Internal Audit work programme will include, as a priority piece of work, a validation exercise to confirm actions reported as delivered as this will give us all confidence that we have taken the steps that are needed. The next meeting of DARAC is scheduled for 8 February and it would be helpful if you would liaise with [REDACT] on a paper to be brought to DARAC setting out the approach to ensuring implementation in the core department and explaining the interface with our two agencies and their audit committees.
5. Finally, as I will reflect shortly in my note to staff, the reality is that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness will be defined not merely by a completed list of actions, but by our behaviours and by the culture we create in the teams to which we belong. I would also therefore welcome a discussion and further suggestions on how we take forward that wider focus across all parts of the Department.
6. I am of course happy to discuss any aspect of this note.

KATRINA GODFREY

[REDACT]

---

From: Godfrey, Katrina (DAERA – Perm Sec)  
Sent: 25 January 2023 11:00  
To: DAERA PermSec  
Subject: PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

Sorry folk – another urgent memo to issue please – no attachments this time but could we remember to forward the notes from HoCS and from me to all staff to [REDACT] and to [REDACT] and [REDACT] after they issue if they don't automatically receive them?

Katrina

MEMO TO MEMBERS OF THE DAERA DEPARTMENTAL BOARD, COPIED TO SHARON MCFLYNN AND TO [REDACT] AS BOARD APPRENTICE AND ALSO TO JOHN JOE O'BOYLE

### PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN

1. As many of you will be aware, we will publish later today the reports from the external review carried out by PwC following the completion of the tribunal processes for the case involving [REDACT] and an action plan designed to address the recommendations flowing from the review. We are also publishing a new NICS Raising a Concern Policy Framework which sets out for departments, for the first time, a single approach to dealing with concerns raised.
2. Notes to all NICS staff from the Head of the Civil Service and to all DAERA staff from me will issue shortly and these will contain the links to the reports, action plan and policy framework.
3. Moving swiftly towards implementation of the DAERA actions in the plan is a key priority for me and I have asked Brian and Fiona to lead the process of commissioning the work needed to deliver those actions and setting up the necessary reporting mechanisms so that progress can be tracked and reported, both internally and, on a quarterly basis, publicly. They will work with Paul and John Joe to ensure that the department's two agencies also have the necessary arrangements in place to deliver actions and to scrutinise and report progress and that there is a joined up approach across the department.
4. It is important, given the nature of my responsibilities as Departmental Accounting Officer, that I can have assurance on progress in delivering the action plan. Our Departmental Audit and Risk Assurance Committee will therefore play a key role in applying scrutiny and challenge in that regard and I am very grateful to [REDACT] for her support as the Chair of DARAC and for the role that DARAC will play in reviewing progress in delivering all of the actions that fall to, or are relevant to, DAERA. I also intend that the 2023-24 Internal Audit work programme will include, as a priority piece of work, a validation exercise to confirm actions reported as delivered.
5. We already have good reporting mechanisms from [REDACT] as DARAC chair to the Departmental Board and will be able to discuss further as a Board when we meet next month. In the meantime, I would like to say thank you to board colleagues for your support as we reflect on the reports, deliver the actions and apply any learning. Our goal here must be to use the experience and learning from this case as an opportunity to improve how we do things; to double down on the importance of good record-keeping; and to build further the confidence of our staff and customers that, when concerns are raised, our focus is on listening, acting and improving.

[REDACT]

---

**From:** [REDACT]  
**Sent:** 25 January 2023 11:29  
**To:** Malcolm, David; McGeown, Declan, Gordon, Alexander, Widdis, Hugh; Stewart, Chris (TEO); Brady, Jayne; Boyle, Colum (DfC); Brennan, Mike; Browne, Mark (Permanent Secretary); Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Harrison, Julie (DfI – Perm Sec); May, Peter; McMahon, Denis; Pengelly, Richard  
**Cc:** [REDACT], Byrne, Jayne, [REDACT]  
**Subject:** PSS Agenda & Papers  
**Attachments:** PSS Agenda 27 January 2023 (002).DOCX; PSS Minutes 13.1.23 (003).DOCX; Assistant Secretary Network Flyer.PDF; 230118 ASN Annual Conference - draft agenda for speakers.DOCX

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** To file in PSS CM container please

Good morning,

Please find attached a copy of the agenda and relevant papers for PSS this Friday morning.

Gratefully,

[REDACT]

Deputy Principal, Office of the Head of the Civil Service (HOCS)

The Executive Office | Room FD34 | Stormont Castle | Stormont | BELFAST | BT4 3TT

E-mail: [REDACT]

[REDACT]

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## PERMANENT SECRETARIES' STOCKTAKE

Friday 27 January 2023 @ 9am

Executive Room, Stormont Castle

### AGENDA

	Item of Business	Status	Lead Officer	Anticipated time
(1)	<b>Apologies</b>  *Julie Harrison on leave – Declan McGeown deputising *Katrina Godfrey – no deputy available *Mike Brennan – David Malcom deputising *Colum Boyle – deputy lbc		HoCS	9am
(2)	<b>Minutes 13 January 2023</b>  <i>For clearing and publishing</i>	<i>Copy attached</i>	HoCS	
(3)	<b>Budget 2023-24 Update</b>		N Gibson	
(4)	<b>Update on Decision-Making</b>		C Stewart	
(5)	<b>Update on US Economic Envoy Engagement</b>		HoCS	
(6)	<b>Tour de Table</b>		HoCS	
(7)	<b>AOB</b>  <b>8.1 Assistant Secretary Network Annual Conference, 20-21 April</b>		C Stewart	

	<b>* Event info flyer &amp; draft programme attached for consideration of Grade 3 attendance</b>			
(8)	<b>Date of next meeting: Friday 10 February 2023 @ 9am</b>			

# Assistant Secretary Network ANNUAL CONFERENCE 2023

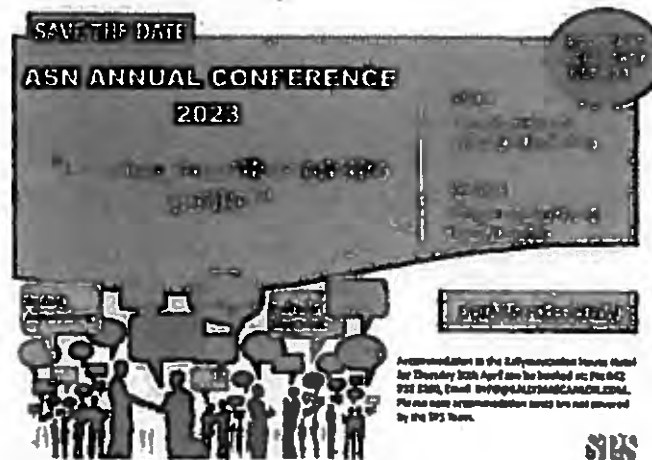
Dear colleagues,

On behalf of the Assistant Secretary Network Executive Committee we are delighted to announce the return of the Assistant Secretary Network Annual Conference in 2023 following a three year absence. All Assistant Secretaries are invited to attend to connect with existing and new colleagues, share learnings and insights and look forward to how to collaborate together for the public in changing times.

This year's conference will take place on the evening of Thursday 20<sup>th</sup> and full day Friday 21<sup>st</sup> of April 2023, in Ballymascanlon House Hotel, Dundalk, Co. Louth. The conference opens on the evening of Thursday 20<sup>th</sup> with the Welcome and Networking Dinner followed by a full day programme on Friday 21<sup>st</sup> April. Further details on the conference are attached below.

Accommodation at the Ballymascanlon House Hotel for Thursday 20th April can be booked at: Ph: 042 935 8200, Email: [INFO@BALLYMASCANLON.COM](mailto:INFO@BALLYMASCANLON.COM).

(Please note accommodation costs are not covered by the SPS Team). Please also note that the special conference discount rate for accommodation of €120 is only available until the 20<sup>th</sup> March, so please book your accommodation early to avoid disappointment.



Please RSVP to [spsteam@per.gov.ie](mailto:spsteam@per.gov.ie) and indicate if you plan to attend one or both days.

[redact]

An Roinn Tithíochta, Rialtais Áitiúil agus Oldhreachta  
Department of Housing, Local Government and Heritage

Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0  
Custom House, Dublin 1, D01 W6X0

T +353 (0)1 888 2475 E [spsteam@per.gov.ie](mailto:spsteam@per.gov.ie)  
[www.tithiocht.gov.ie](http://www.tithiocht.gov.ie)

[redact]

## ASN ANNUAL CONFERENCE

### "Leading together for the public"

Ballymascanlon House Hotel, Co. Louth  
The Garden Room

AGENDA  
20/21 APRIL 2023

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Thursday, 20 April

---

6:30pm                      Networking Dinner & Speaker

Jim Gavin - Gaelic Football manager and Chair of the Dublin Citizens' Assembly

*Standalone piece on leadership and resilience, inspiring others to achieve success in leadership (before dinner remarks).*

**Session Co-ordinator:** [redacted]

- Provide background information to the speaker on the ASN (Who are we?)
- Objective of the session
- Format/Timing of the session

---

Friday, 21 April

---

**8:30am** Tea/Coffee and registration

**9:00am** Opening remarks/Welcome, Chair – Sheenagh Rooney, ASN Executive Committee

---

Session 1 "What next? A rocky road ahead? HORIZON SCANNING"

**9:15am** Panel discussion  
Moderator: [redact]

*Economic, environmental, societal and geopolitical challenges ahead*

1. [redact]
2. [redact]
3. [redact]

Session Co-ordinator: [redact]

- Provide background information to the speaker on the ASN (Who are we?)
- Objective of the session
- Format/Length of session

---

Coffee 10:30am

---

Session 2

How to prioritise and respond effectively across Government?

11:15am

Panel discussion

Moderator: [redacted]  
Protection

Dept. of Social

- Risk anticipation; Risk assessment and Risk management - prioritisation
- evidence-based policy- and decision-making;
- collaboration and co ordination (support networks) across Departments/Agencies in Ireland and with international counterparts (EU/other)

1.  
2.  
3.

[redacted]

**Session Co-ordinator**

- Provide background information to the speaker on the ASN (Who are we?)
- Objective of the session
- Format/length of session

Lunch

12:30pm

KEYNOTE SPEAKER

[redacted]

2:00pm

*An inspiring speaker – a leader who has lead an organisation through difficult challenges and uncertainty*

**Session Co-ordinator**

- Provide background information to the speaker on the ASN (Who are we?)
- Objective of the session
- Format/length of session

Session 3 "How to bring the public along with us? How to build and maintain the trust of the people of Ireland in Government?"

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3:00pm

**Panel discussion**

**Moderator: ASN Committee Member/Journalist**

- *Risk communication; insights from behavioural sciences, the role of social media in agenda setting*

1. [redact]
2. [redact]

**Session Co-ordinator:** [redact]

- Provide background information to the speaker on the ASN (Who are we?)
- Objective of the session
- Format/timing of session

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Assistant Secretary Network AGM

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Session 5

Secretary General Closing Address

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4:00pm

Secretary General Panel discussion

Moderator: ASN Committee Member

1. [redact] D/Taoiseach [Availability confirmed in diary]
2. [redact] (D/PER) [Availability confirmed in diary]



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## Assistant Secretary Network

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**Background:** The Assistant Secretary Network (ASN) developed in the late 1980s through a desire by a number of Assistant Secretaries, who had participated in management development courses run by the Civil Service Training Centre, to continue to engage beyond formal business channels. Later, with the development of a range of initiatives over the last thirty years, the Network broadened out to provide a space and structure involving potentially all members of the grade. Deputy Secretaries and Directors (who are members of their Management Board and have Principals as direct reports) also were included as members of the Network. Supported by the senior level training resources in the Department of Finance, and more recently, the Department of Public Expenditure and Reform (DPER), the ASN has continued to develop. The Network has been steered by an Executive Committee which has taken responsibility for overseeing and developing, with the secretariat, its varying programme of activities. While not intended to represent individual Departments and Offices, the Committee has sought to have good coverage of the grade and equivalents across the Civil Service. The ASN is not involved in industrial relations matters which is the role of the Senior Civil Service Association. With the advent of the Senior Public Service (SPS) in 2011, consideration was given as to how the ASN should operate in this new landscape. Arrangements and continuing support from DPER for the ASN were agreed and the Network has continued to work closely with the SPS Secretariat across all fronts. In addition to its Annual Conference, the ASN principally arranges for short seminars on topics of interest throughout the year. These provide ASN members with the opportunity to engage in a confidential space. Events are also arranged in cooperation with the SPS to provide a "sounding board" on a range of public management issues.

**Designed for you:**

In planning networking events, the ASN Executive Committee endeavours to cover a broad range of topics and to arrange these at times that best facilitate optimal attendance.

In your conference pack you will find a suggestions card. Please feel free to offer names of suggested speakers or topics that you think would be interesting and valuable to include in our work programmes.

### ASN EXECUTIVE COMMITTEE MEMBERS 2023



Dept. of Children, Equality, Disability, Integration and Youth  
Dept. of Justice  
Dept. of Justice  
Office of the Revenue Commissioners  
Office of Public Works  
Dept. of Children, Equality, Disability, Integration and Youth  
Dept. of Agriculture, Food and the Marine  
Dept. of Housing, Local Government and Heritage  
Dept. of Foreign Affairs and Trade  
Central Statistics Office

[redact]

Dept. of the Environment, Climate and Communications  
Dept. of Housing, Local Government and Heritage  
Office of Public Works  
Dept. of Health

[REDACT]

**From:** DAERA PermSec  
**Sent:** 25 January 2023 11:43  
**To:** Godfrey, Katrina (DAERA – Perm Sec)  
**Subject:** [To Brian and Fiona] Memo from the Permanent Secretary  
**Attachments:** Memo from the Permanent Secretary.pdf, Action Plan - 24 January 2023.DOCX

Katrina,

As requested.

[REDACT]

**From:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Sent:** 25 January 2023 11:26  
**To:** DAERA Central Services Deputy Secretary <csdeputysecretary@daera-ni.gov.uk>  
**Cc:** DAERA PermSec <perm.sec@daera-ni.gov.uk>  
**Subject:** Memo from the Permanent Secretary

Good Morning Brian and Fiona,

Please find attached memo and associated action plan from Katrina.

Regards,

[REDACT] | Correspondence Secretary  
Office of the Permanent Secretary | Central Services & Contingency Planning  
Department of Agriculture, Environment & Rural Affairs | Room 636 | Duntonald House  
Upper Newtownards Road | Belfast | BT4 3SU  
e-mail: [REDACT]



Department of  
**Agriculture, Environment  
and Rural Affairs**

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All e-mails and attachments issued by the Office of the Permanent Secretary must be filed appropriately by the responsible business area. The Office does not keep official records of such correspondence.

From the Permanent Secretary  
Katrina Godfrey



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast BT4 3SB  
Tel: 028 905 24608

Email: [perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)

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**From:** Katrina Godfrey  
**Date:** 25 January 2023  
**To:** Brian Doherty  
Fiona McCandless

#### **PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN**

1. As you are aware, we will publish later today the reports from the external review carried out by PwC following the completion of the tribunal processes for the case involving [REDACT] and an action plan designed to address the recommendations flowing from the review. I am very grateful to you both for the role you have played in developing this action plan and, particularly, in ensuring that the timescales were deliverable.

2. It is important now that we move swiftly towards implementation of the DAERA actions in the plan and that we put in place the necessary steps to ensure DAERA can implement effectively any NICS-wide actions. The purpose of this memo, therefore, is to ask you to put in hand the necessary processes to ensure this happens. These should include reinserting an SCS lead for each relevant action, commissioning the work needed to deliver the action and setting up the necessary reporting mechanisms so that progress can be tracked and reported on, both internally and, on a quarterly basis, publicly. The latest version of the action plan is attached for this purpose.

3. It will be important to ensure that, as well as ensuring that actions are taken in the core department, there is assurance from our agency Accounting Officers that they are also being taken forward in our two agencies. I would therefore welcome your proposals, informed by discussions with Paul and John Joe and reflecting the personal nature of their AO responsibilities and the remits of their audit and risk assurance committees, on how best to integrate action by and reporting from our two agencies into the overall scrutiny and reporting regime for DAERA as a whole.

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4. As you are aware, I have asked [REDACT] as chair of DARAC to put the action plan as a standing item on the DARAC agenda until I have assurance that all of the actions that are relevant to DAERA have been delivered and embedded. I also intend that the 2023-24 Internal Audit work programme will include, as a priority piece of work, a validation exercise to confirm actions reported as delivered as this will give us all confidence that we have taken the steps that are needed. The next meeting of DARAC is scheduled for 8 February and it would be helpful if you would liaise with [REDACT] on a paper to be brought to DARAC setting out the approach to ensuring implementation in the core department and explaining the interface with our two agencies and their audit committees.

5. Finally, as I will reflect shortly in my note to staff, the reality is that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness will be defined not merely by a completed list of actions, but by our behaviours and by the culture we create in the teams to which we belong. I would also therefore welcome a discussion and further suggestions on how we take forward that wider focus across all parts of the Department.

6. I am of course happy to discuss any aspect of this note.



KATRINA GODFREY

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If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



[REDACT]

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**From:** NICS No\_Reply Corporate Communications  
**Sent:** 25 January 2023 12:07  
**Subject:** Message from Head of Civil Service - Action plan published in response to external review

Dear Colleagues,

A 33-point action plan to improve governance across the NI Civil Service has been published today.

The plan is in response to findings from an external independent review undertaken by PwC, to examine the handling of concerns and other matters, raised in a case taken by a former DAERA employee.

Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and myself as the Head of the Civil Service, the reports and action plan are being shared with staff, trade unions, MLAs and the NI Audit Office.

Together, we welcome the findings in the reports and as a Service are committed to learning from this review and addressing the issues identified. We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for you our workforce and the public.

The External Review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

Concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

A new NICS Raising a Concern Policy Framework has also been published. These guidelines for Departments set out, for the first time, a single, overarching approach to dealing with concerns raised.

A refreshed Civil Service Code of Ethics will be embedded into performance management processes, which includes the obligation on all civil servants to keep proper records.

Neither PwC's Lessons learned and recommendations report, nor the action plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

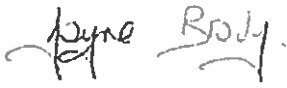
The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service. Real success requires behavioural and cultural change and work is already underway to empower and support you in effectively delivering the work of government and to develop a more inclusive workplace culture.

While the review and action plan focus on how we can improve, it is important not to lose sight of the excellent work of civil servants who deliver for the public here.

I hope that none of this detracts from the pride you should rightly take in the very important work you do.

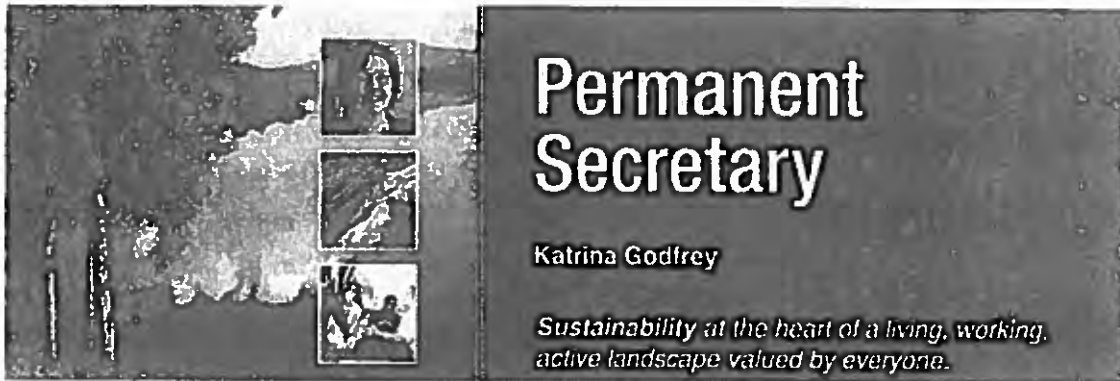
Thank you for your support,

A handwritten signature in black ink that reads "Jayne Brady". The signature is written in a cursive style with a large initial 'J' and 'B'.

**JAYNE BRADY**  
Head of the Northern Ireland Civil Service

[REDACT]

**From:** DAERA Internal Comms  
**Sent:** 25 January 2023 12:10  
**Subject:** Memo from Permanent Secretary to All DAERA Staff - PwC External Independent Review and NICS Raising a Concern Framework



**Memo to all staff from Katrina Godfrey, Permanent Secretary**

**PwC EXTERNAL INDEPENDENT REVIEW AND NICS RAISING A CONCERN FRAMEWORK**

Dear Colleagues,

I am writing to let you know that, today, the Department is publishing the reports from the external independent review carried out by PwC into how DAERA dealt with the concerns raised in the recent industrial tribunal case involving [REDACT] and of the decision-making of both DAERA and DoF relating to this case.

As I said when we announced the review, it was important to take such a step in order to establish the facts and ensure lessons are identified, applied and factored into future handling of such cases.

The review has taken much longer to complete than I initially expected, but one result of the longer duration is that it has also identified a much wider set of lessons than I had first envisaged. Those lessons relate to how we handle concerns; the standard of some of our record keeping; and how we apply, review and update our core policies. There is also important learning in relation to how we define and discharge our responsibilities when decisions are needed on employment-related legal cases.

At the heart of this particular case was our handling of concerns raised by a former colleague. We simply must learn from this to prevent a similar situation from arising



again in DAERA or in any other department. That is why, today, the Head of the Civil Service is also launching a new Raising a Concern Policy Framework which will apply across all departments. Within DAERA, I want us to lead by example in implementing and giving life to the new Raising a Concern procedures and will set out in the coming weeks how the framework will be applied across the Department, including in NIEA and in Forest Service.

In response to this and to the other issues raised in the PwC reports, we have agreed and are also publishing today a detailed action plan setting out how we intend, within DAERA and DoF and where applicable across all departments, to respond to the recommendations made in the second PwC report.

I have asked the chair of the Departmental Audit and Risk Assurance Committee (DARAC) to make the action plan a standing item on its agenda until I am satisfied that the DAERA actions have been completed and embedded and I am grateful for her agreement and for the support from DARAC and my Departmental Board as we work to respond to the findings of the PwC reports.

It is, however, important for me to recognise that, no matter how diligently we take forward our work to address the actions in that plan, our effectiveness will be defined not by a completed list of actions, but by our behaviours and by the culture we create in the teams to which we belong. Our real test of success will be when any colleague in any part of the Department who wants to raise a concern feels confident to do so and any manager receiving a concern knows what action to take and takes it. I will do all that I can to lead by example to build a culture fitting of the exemplar organisation that we strive to be, but I will need everyone's help to make sure that is the case across all parts of DAERA.



**Katrina Godfrey**  
**PERMANENT SECRETARY**

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 Department of  
**Agriculture, Environment  
and Rural Affairs**

[REDACT]

---

From: Brady, Jayne  
Sent: 25 January 2023 12:18

To: [REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]  
[REDACT]

Subject: (b) (5) - Brady - Publication of action plan in response to internal review  
Attachments: Jayne Brady to MLAs - publication of action plan in response to external review docx

Dear Members,

I attach a letter from Jayne Brady, Head of the Northern Ireland Civil Service for your attention.

Kind regards,

[REDACT] or Jayne Brady



The  
**Executive Office**

www.eo.gov.uk

**Jayne Brady**  
Head of the Civil Service  
Room FD.34, Stormont Castle  
Stormont Estate, Belfast  
BT4 3TT, Northern Ireland  
Tel: 028 9037 8133

25 January 2023

Dear Members,

**The Northern Ireland Civil Service publishes action plan in response to external review**

A 33-point action plan to improve governance across the NI Civil Service has been published today.

The plan is in response to findings from an external independent review undertaken by PwC to examine the handling of concerns and other matters raised in a case taken by a former DAERA employee.

Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and myself as the Head of the Civil Service, the reports and action plan are being shared with staff, trade unions, the NI Audit Office and all MLAs.

We welcome the findings in the two reports which we have published in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for our workforce and the public.

The external review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

Concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

**INVESTORS IN PEOPLE™**

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The Investors in People (IIP) award is a recognition of excellence in the way that organisations manage their people. It is a commitment to the highest standards of people management and to the continuous improvement of the way that organisations manage their people. The award is a recognition of excellence in the way that organisations manage their people. It is a commitment to the highest standards of people management and to the continuous improvement of the way that organisations manage their people.

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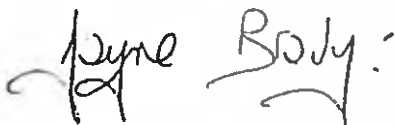
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The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service. Real success requires behavioural and cultural change and work is already underway to empower and support civil servants in effectively delivering the work of government and to develop a more inclusive workplace culture.

Kind regards,



**JAYNE BRADY**  
Head of the Northern Ireland Civil Service

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The Investors in People (IIP) award is a recognition of excellence in the way that organisations manage their people. It is a global award that is awarded to organisations that have achieved the highest standards of people management. The award is given to organisations that have achieved the highest standards of people management. The award is given to organisations that have achieved the highest standards of people management.

[REDACT]

From: Godfrey Katrina (DAERA – Perm Sec)  
Sent: 25 January 2023 16:28  
To: DAERA PermSec  
Cc: DAERA PermSec  
Subject: 58 RE: \*Please Advise\* ARAC 8 February 2023

A

You're right - can't make it before 2.00 so your plan is exactly what my thinking had been. I am going to try to stay in Clare House and dial into ARAC from there.

K

Sent with BlackBerry Work  
(www.blackberry.com)

From: DAERA PermSec <perm.sec@daera-ni.gov.uk>  
Date: Wednesday, 25 Jan 2023 at 4:23 pm  
To: Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
Cc: DAERA PermSec <perm.sec@daera-ni.gov.uk>  
Subject: \*Please Advise\* ARAC 8 February 2023

Katrina,

GEUFB have asked, considering your comment regarding discussions at the next ARAC in your letter this morning to [REDACT] if you'd like an extra 30 minutes with [REDACT] and [REDACT] before others join.

On 8 February you are attending Clare House for the Bilateral until 13.30, so beginning the ARAC meeting earlier doesn't suit. I have suggested to [REDACT] that you may use the first half an hour of the already scheduled meeting for a chat with [REDACT] : and [REDACT] and the others could join at 2.30 with a view to ending half an hour later – let me know your thoughts on this please.

[REDACT]

From: DAERA Governance and EU Funding Branch <governanceandeufundingbranch@daera-ni.gov.uk>  
Sent: 25 January 2023 13:10  
To: DAERA PermSec <perm.sec@daera-ni.gov.uk>  
Subject: ARAC meeting 8 Feb - time

Afternoon

Can you please indicate if Katrina would be available earlier, say 1:30, to discuss the PwC report and action plan before others join the meeting at 2pm?

Kind Regards

vodafone UK

15:38



**Sharon McFlynn**

last seen yesterday at 14:15



Thu 8 Dec

Have been out all day and then my pc crashed 🤖🤖 but have asked that you and Natasha and Mark are sent the latest version of the PwC reports as we're now in endgame and Jayne Byrne might be looking for you for a meeting in the morning. Will try to call you tomorrow after PSS if you're around? K

19:05 ✓✓

Hi [REDACT] - just to let you know we will publish PwC reports and action plan tomorrow - as promised I will have a letter with you to share with ARAC members in the morning. K

Thank you Katrina. [REDACT]

From: [REDACTED]  
To: [REDACTED]  
Subject: FW: DAERA stamp - location of BR38  
Date: 27 February 2023 11:01:14  
Attachments: [REDACTED]

---

From: [REDACTED]  
Sent: 12 December 2022 09:51  
To: [REDACTED]  
Subject: RE: DAERA stamp - location of BR38

[REDACTED]  
[REDACTED] departure was 5 years ago. I don't remember if the stamp was one of the things that [REDACTED] surrendered to me. At the time she was sitting in the CET office so it might be worth asking [REDACTED] to check there.

Anything that was surrendered I gave to [REDACTED] to return/dispose of but she has since retired.

[REDACTED]  
From: [REDACTED]  
Sent: 07 December 2022 12:14  
To: [REDACTED]  
Subject: DAERA stamp - location of BR38

Hi [REDACTED]

How are you? And welcome back to VSAHG.

I have a quick question, sorry to have to ask.

We have recently issued [REDACTED] with a new aPVP stamp for certification. We needed to check that her old DAERA stamp had been handed in.

We asked Omagh DVO if they could confirm or if they had the stamp – BR38, but they were unable to find it – they checked the safe and the pedestals, and advised that it would probably have been yourself she gave it to.

Do you have any recollection of the stamp being handed in/ know of its whereabouts?

Thanks

[REDACTED] | Trade Certification and Standards Branch | Veterinary Service Animal Health Group | DAERA

Dundonald House | Upper Newtownards Road | Belfast | BT4 3SB

Contact: Tel: [REDACTED] [REDACTED] [REDACTED] [REDACTED]



Email: [REDACTED]



Traceability Issue	Cause	Mitigating Actions	Person Responsible
<p>Animal identities are registered to dams shortly after they are moved on APHIS into a herd.</p>	<p>Cows are moved into herds and progeny identities are registered against them, these identities are then used to launder cattle.</p>	<p>Set up COGNOS run to identify suspect herds and animals,            Carry out unannounced inspections to check the existence of progeny.            Carry out enforcement CILs on suspect herds.            DNA tag all suspect cattle.</p>	<p>[Redacted]</p> <p>[Redacted]</p>
<p>Cattle with very young DOBs being presented for slaughter.</p>	<p>Fraudulent identities e.g. 1 year old or less are being used to slaughter older cattle.</p>	<p>COGNOS run to check ages of cattle being presented at abattoirs.            Liaise with FBOs and require them to check cattle ages prior to slaughter e.g. &lt; 14 months.            CILs of herds.</p>	<p>[Redacted]</p> <p>[Redacted]</p>
<p>Renderers are "killing off" cattle identities for a fee e.g. £20 head.</p>	<p>Cattle identities that are excess to requirements are removed from APHIS by telephoning certain renderers.</p>	<p>Carrying out unannounced inspections of renderers. (CET)            Liaising with PSNI who have good intelligence.            Surveillance.            CILs of herds.</p>	<p>[Redacted]</p>
<p>Herdkeepers are giving dealers blank and partially completed</p>	<p>Farmers either hand over blanks or MC2s with no dates and these</p>	<p>CILs of herds.            Analyse VSEB intelligence and database.</p>	<p>[Redacted]</p>

MC2 documents to facilitate illegal moves to slaughter.	are completed later by the dealer when the tag has been switched	Liaise with OVSS to get names of presenters. Surveillance. (RIPA)	[REDACTED]
3rd party cheques	Dealers using 3rd party cheques.	3rd party cheques group being set up.	[REDACTED]
"D"Transit"	Animals registered dead on MC1 & sent to rendering. Animal never arrives and moves to suspense.	COGNOS run to identify main offenders. Clls of herds. Surveillance.	[REDACTED]
PVPs recording animals at tb tests which were not present.	PVPs are putting cattle down as present at a test when they are not, this keeps the identity "alive" on APHIS and the PVP gets paid.	Enf Clls by CET immediately after day 4 of test. Supervision of suspect PVPs Bring tb tests "in house"	[REDACTED]
Male calves in restricted herds being illegally exported.	Males calves are being sold and moved off farms without identities. They are then given another identity and certified for export.	COGNOS run to identify herds with large percentage of female calves and / or low numbers of male calves registered. Unannounced inspections and Clls of suspect farms and EACs. DNA tag all suspect cattle.	[REDACTED]
Cattle recorded as missing / stolen.	Method of recording not sufficient	Liaise with PSNI re recording and incident no's Check recent tb tests.	[REDACTED]
Herdkeepers are able to source suspect / fraudulent tags from	Unscrupulous individuals seem to be able to obtain new tags from	Unannounced inspection by VSEB of tag suppliers.	[REDACTED]

Target Date	Actions from 16th Nov 16 Meeting
<p>COGNOS runs completed by 18/03/2016</p> <p>Animal checks completed by 25/03/2016</p>	<p>Some herds identified - calves were present at checks. Possible WATR issues. Action - CET to complete further checks by next meeting including multiple CIs. Action CET to Identify VDF herds</p>
<p>██████ to liaise with VPHU by 31/03/16. Provide list of priority herds to VPHU Part of 10% checks Ask Ovs to check altered MC2s</p>	<p>Action - ██████ to set up COGNOS runs to identify trends. Action - ██████ to liaise with VPHU (M Hatch) and offer training to VPHU and XC re identifying tampered tags</p>
<p>██████ to meet ██████ by 25/03/16 AHWI checks at renderers July 2016</p>	<p>Action - ██████ to meet ██████</p> <p>1. Review current controls in hunt kennels and renderers.</p> <p>Action ██████ to consider removing renderers approval.</p> <p>Action ██████ to consider referring to PSNI financial investigators</p> <p>Action CET to obtain and peruse commercial documents at renderers</p>
<p>Problem with system</p>	<p>Action ██████ to consider false accounting Action ██████ to consider removal of</p>

tag suppliers	suppliers. These are put in e.g. stolen cattle laundering them and makes it difficult for inspectors to find them.	COGNOS run to identify suspect suppliers. Clls of suspect herds. Limit number of tag suppliers to one as per ROI. Evaluate DARD eartag specification.	
Herdkeepers have 7 days to notify moves on and off.	Herdkeepers can submit movement documents retrospectively to cover up moves that never took place and animals missing at Clls.	COGNOS run to identify trends. Clls Follow-up checks to verify alleged moves.	[REDACTED]
Category 3 Business Abuse			[REDACTED]

	<p>MC2s from offending herdkeepers</p> <p>Action - [redacted] to liaise with VPHU [redacted] re MC2 intelligence from abattoirs</p> <p>Met 4 main banks 5/02/16 in Belfast</p> <p>Ongoing- BBA to write to members</p> <p>Still problems getting buyer ids</p> <p>Action - [redacted] to liaise with DOJ</p>
Jul-16	
[redacted] to speak to [redacted] re getting All tags read at CIs. 31/03/16 All cattle to be put up crush.	<p>Action [redacted] and [redacted] to share intelligence on 13k herds. Identify top 20 herds for next meeting</p>
Identify suspect herds and PVPs by 30/04/2016	<p>Action - [redacted] to report by Sept 16 CLOSED</p>
COGNOS run by 31/03/2016	<p>Action - [redacted] to set up COGNOS run to identify herds with large numbers of twins.</p>
Ongoing - PSNI training	
Checks of tag suppliers	<p>Action [redacted] to get examples of tags which do not meet the specifications</p>

DARD policy re tag suppliers  
31/03/2016

<p>Forward to [redacted] - possibly delist them?</p> <p>Action - [redacted] to speak to NIMEA to explore attitude to DNA &amp; traceability.</p>	
<p>Discussion [redacted] - all programme issues e.g. AOL emovements &amp; times.</p>	<p>Carry forward</p>
<p>Action [redacted] to bring details to next meeting</p>	

	offending herdkeepers. Action - [redacted] to liaise with VPHU [redacted] re MC2 intelligence from abattoirs
Jul-16	Met 4 main banks 5/02/16 in Belfast Ongoing- BBA to write to members Still problems getting buyer ids Action - [redacted] to raise at RCP meeting 9th Feb 2017.
[redacted] to speak to [redacted] re getting All tags read at CILs. 31/03/16 All cattle to be put up crush.	Action [redacted] and [redacted] to share intelligence with PSNI. Identify top 20 herds for next meeting
Identify suspect herds and PVPs by 30/04/2016	CLOSED
COGNOS run by 31/03/2016	Rory to set up COGNOS run to identify herds with large numbers of twins. Action [redacted] - identify restricted herds with few males.
Ongoing - PSNI training	Action [redacted] & [redacted]. Get list and match with "D'Transit"
Checks of tag suppliers	Action [redacted] to get examples of tags which do not meet the specifications



DARD policy re tag suppliers  
31/03/2016

	Forward to [redacted] - possibly delist them. Action [redacted] See [redacted] re use of metal tags.
Carry forward	Closed
	Action [redacted] & [redacted] Meeting HMRC on 29/03/17 1. Should CAT3 go on the fraud register? [redacted] 2. VEU run criteria?

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: AE1 17 87210 Traceability Assurance Group (TAG)(2).XLSX  
**Date:** 27 February 2023 11:00:50  
**Attachments:** [REDACTED]

---

**From:** [REDACTED]  
**Sent:** 10 January 2023 15:50  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** AE1 17 87210 Traceability Assurance Group (TAG)(2).XLSX

Try this [REDACTED].

[REDACTED]

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: Traceability Assurance Group (TAG).xlsx  
**Date:** 27 February 2023 11:00:36  
**Attachments:** [REDACTED]

---

**From:** [REDACTED]  
**Sent:** 11 January 2023 09:27  
**To:** [REDACTED] >  
**Cc:** [REDACTED]  
**Subject:** Traceability Assurance Group (TAG).xlsx

[REDACTED] this is the only other version I can find and looks pretty similar.

[REDACTED]

Traceability Issue	Cause	Mitigating Actions	Person Responsible
Animal identities are registered to dams shortly after they are moved on APHIS into a herd.	Cows are moved into herds and progeny identities are registered against them, these identities are then used to launder cattle.	Set up COGNOS run to identify suspect herds and animals, Carry out unannounced inspections to check the existence of progeny. Carry out enforcement CILs on suspect herds. DNA tag all suspect cattle.	[Redacted]
Cattle with very young DOBs being presented for slaughter.	Fraudulent identities e.g. 1 year old or less are being used to slaughter older cattle.	COGNOS run to check ages of cattle being presented at abattoirs. Liaise with FBOs and require them to check cattle ages prior to slaughter e.g. < 14 months. CILs of herds.	[Redacted]
Renderers are "killing off" cattle identities for a fee e.g. £20 head.	Cattle identities that are excess to requirements are removed from APHIS by telephoning certain renderers.	Carrying out unannounced inspections of renderers. (CET) Liaising with PSNI who have good intelligence. Surveillance. CILs of herds.	[Redacted]
Herdkeepers are giving dealers blank and partially completed	Farmers either hand over blanks or MC2s with no dates and these	CILs of herds. Analyse VSEB intelligence and database.	[Redacted]

MC2 documents to facilitate illegal moves to slaughter.	are completed later by the dealer when the tag has been switched	Liaise with OVSS to get names of presenters. Surveillance. (RIPA)	[REDACTED]
3rd party cheques	Dealers using 3rd party cheques.	3rd party cheques group being set up.	[REDACTED]
"D'Transit"	Animals registered dead on MC1 & sent to rendering. Animal never arrives and moves to suspense.	COGNOS run to identify main offenders. CILs of herds. Surveillance.	[REDACTED]
PVPs recording animals at tb tests which were not present.	PVPs are putting cattle down as present at a test when they are not, this keeps the identity "alive" on APHIS and the PVP gets paid.	Enf CILs by CET immediately after day 4 of test. Supervision of suspect PVPs Bring tb tests "in house"	[REDACTED]
Male calves in restricted herds being illegally exported.	Males calves are being sold and moved off farms without identities. They are then given another identity and certified for export.	COGNOS run to identify herds with large percentage of female calves and / or low numbers of male calves registered. Unannounced inspections and CILs of suspect farms and EACs. DNA tag all suspect cattle.	[REDACTED]
Cattle recorded as missing / stolen.	Method of recording not sufficient	Liaise with PSNI re recording and incident no's Check recent tb tests.	[REDACTED]
Herdkeepers are able to source suspect / fraudulent tags from	Unscrupulous individuals seem to be able to obtain new tags from	Unannounced inspection by VSEB of tag suppliers.	[REDACTED]

Target Date	Actions from 18th Feb 2017 Meeting
<p>COGNOS runs completed by 18/03/2016</p> <p>Animal checks completed by 25/03/2016</p>	<p>Some herds identified - calves were present at checks.</p> <p>Possible WATR &amp; Market issues. See [redacted] CET to complete further checks by next meeting including multiple CIs.</p> <p>Action Ongoing</p>
<p>[redacted] to liaise with VPHU by 31/03/16.</p> <p>Provide list of priority herds to VPHU</p> <p>Part of 10% checks</p> <p>Ask Ovs to check altered MC2s</p>	<p>Action - [redacted] to set up COGNOS runs to identify trends.</p> <p>Action - [redacted] -list to M Hatch</p>
<p>[redacted] to meet [redacted] by 25/03/16</p> <p>AHWI checks at renderers July 2016</p>	<p>1. Review current controls in hunt kennels and renderers.</p> <p>Action Policy to consider removing renderers approval.</p> <p>Action [redacted] to consider referring to PSNI financial investigators.</p> <p>Action CET to obtain and peruse commercial documents at renderers - consider false information offence.</p> <p>Action [redacted] to consider false accounting.</p> <p>Action Policy to consider removal of MC2s from</p>
<p>Problem with system</p>	

tag suppliers	suppliers. These are put in e.g. stolen cattle laundering them and makes it difficult for inspectors to find them.	COGNOS run to identify suspect suppliers. CIs of suspect herds. Limit number of tag suppliers to one as per ROI. Evaluate DARD eartag specification.	
Herdkeepers have 7 days to notify moves on and off.	Herdkeepers can submit movement documents retrospectively to cover up moves that never took place and animals missing at CIs.	COGNOS run to identify trends. CIs Follow-up checks to verify alleged moves.	[REDACTED]
Category 3 Business Abuse			[REDACTED]

From the Permanent Secretary  
Katrina Godfrey



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast BT4 3SB  
Tel: 028 905 24608

Email: [perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)

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**From:** Katrina Godfrey

**Date:** 25 January 2023

**To:** DAERA Departmental Board

**cc:** Sharon McFlynn

[REDACTED]  
**John Joe O'Boyle**

## **PWC EXTERNAL REVIEW - REPORTS AND ACTION PLAN**

1. As many of you will be aware, we will publish later today the reports from the external review carried out by PwC following the completion of the tribunal processes for the case involving [REDACTED] and an action plan designed to address the recommendations flowing from the review. We are also publishing a new NICS Raising a Concern Policy Framework which sets out for departments, for the first time, a single approach to dealing with concerns raised.
2. Notes to all NICS staff from the Head of the Civil Service and to all DAERA staff from me will issue shortly and these will contain the links to the reports, action plan and policy framework.
3. Moving swiftly towards implementation of the DAERA actions in the plan is a key priority for me and I have asked Brian and Fiona to lead the process of commissioning the work needed to deliver those actions and setting up the necessary reporting mechanisms so that progress can be tracked and reported, both internally and, on a quarterly basis, publicly. They will work with Paul and John Joe to ensure that the department's two agencies also have the necessary arrangements in place to deliver actions and to scrutinise and report progress and that there is a joined up approach across the department.
4. It is important, given the nature of my responsibilities as Departmental Accounting Officer, that I can have assurance on progress in delivering the action plan. Our Departmental

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Audit and Risk Assurance Committee will therefore play a key role in applying scrutiny and challenge in that regard and I am very grateful to [redact] for her support as the [redact] and for the role that DARAC will play in reviewing progress in delivering all of the actions that fall to, or are relevant to, DAERA. I also intend that the 2023-24 Internal Audit work programme will include, as a priority piece of work, a validation exercise to confirm actions reported as delivered.

5. We already have good reporting mechanisms from [redact] as [redact] to the Departmental Board and will be able to discuss further as a Board when we meet next month. In the meantime, I would like to say thank you to board colleagues for your support as we reflect on the reports, deliver the actions and apply any learning. Our goal here must be to use the experience and learning from this case as an opportunity to improve how we do things; to double down on the importance of good record-keeping; and to build further the confidence of our staff and customers that, when concerns are raised, our focus is on listening, acting and improving.



**KATRINA GODFREY  
PERMANENT SECRETARY**

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**From:** DAERA PermSec  
**To:** DAERA Central Services Deputy Secretary; Fulton, Hilary [REDACT] Donnell, Paul (DAERA); Reid, David (DAERA RASSETOR); Teeague, Tracey; Downey, Roger; Clarke, Kathryn (DAERA); [REDACT]  
**Cc:** DAERA PermSec; McFlynn, Sharon; O'Boyle, John Joe; [REDACT]  
**Subject:** Memo from the Permanent Secretary  
**Date:** 25 January 2023 11:41:47  
**Attachments:** [REDACT]

---

Good Morning,

Please find attached memo from Katrina.

Regards,

[REDACT] Correspondence Secretary  
Office of the Permanent Secretary | Central Services & Contingency Planning  
Department of Agriculture, Environment & Rural Affairs | Room 636 | Dundonald House  
Upper Newtownards Road | Belfast | BT4 3SU

e-mail: [REDACT]  
DAERA Signature Strip New 2020 Green

All e-mails and attachments issued by the Office of the Permanent Secretary must be filed appropriately by the responsible business area. The Office does not keep official records of such correspondence.

From: DAERA VSAHG Co-Ordination  
To: [REDACT]  
Cc: DAERA VSAHG Co-Ordination; [REDACT]  
Subject: \*\*URGENT - FOR CVO CLEARANCE\*\* - BRIEFING PACK - ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE  
Date: 25 January 2023 11:09:36  
Attachments: [REDACT]  
Importance: High

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Good morning [REDACT]

Following the request below for an update to the slides and a briefing pack for Katrina for her upcoming meetings with [redact] officials have provided on the attached CM links for your consideration and clearance.

Our response is to be returned by 4pm today.

Regards



Department of Agriculture, Environment and Rural Affairs (DAERA)  
Business Management Branch  
Veterinary Service Animal Health Group – VSAHG Coordination and Comms Unit

DAERA Signature Strip New 2020 Green



Jabber



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From: DAERA VSAHG Co-Ordination <VSAHG.Co-Ordination@daera-ni.gov.uk>

Sent: 24 January 2023 15:38

To: Gartland, Neal <Neal.Gartland@daera-ni.gov.uk>; [REDACT]; [REDACT]

Cc: DAERA VSAHG Co-Ordination <VSAHG.Co-Ordination@daera-ni.gov.uk>; [REDACT]  
[REDACT]

Subject: \*\*URGENT FOR ACTION\*\* 10am Wednesday 25 January - BRIEFING PACK - ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Importance: High

Good afternoon all,

We have received a further email from Corporate Support noting Katrina's request for a briefing pack for her upcoming meetings with [redact] for Permanent Secretary.

Please provide a one-page brief maximum per issue on the attached CM link. Track changes are active to help identify the authors.

Please confirm you have completed your briefing to VSAHG Co-Ordination mailbox by 10am tomorrow, Wednesday 25 January.

Once again, apologies for the very tight deadline set below.

Many thanks

[redacted]  
Department of Agriculture, Environment and Rural Affairs (DAERA)  
Business Management Branch  
Veterinary Service Animal Health Group – VSAHG Coordination and Comms Unit  
Jubilee House, 111 Ballykelly Road, Limavady, BT49 9HP

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**From:** DAERA Corporate Support Section (CMB) <[Corporate.SupportSection@daera-ni.gov.uk](mailto:Corporate.SupportSection@daera-ni.gov.uk)>

**Sent:** 24 January 2023 14:38

**To:** Downey, Roger <[Roger.Downey@daera-ni.gov.uk](mailto:Roger.Downey@daera-ni.gov.uk)>; Teague, Tracey <[Tracey.Teague@daera-ni.gov.uk](mailto:Tracey.Teague@daera-ni.gov.uk)>; Hegarty, Kevin <[Kevin.Hegarty@daera-ni.gov.uk](mailto:Kevin.Hegarty@daera-ni.gov.uk)>; Fulton, Norman <[Norman.Fulton@daera-ni.gov.uk](mailto:Norman.Fulton@daera-ni.gov.uk)>; Reid, David (DAERA RAFSETBOR) <[DavidP.Reid@daera-ni.gov.uk](mailto:DavidP.Reid@daera-ni.gov.uk)>; DAERA Central Services Deputy Secretary <[csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk)>; Donnelly, Paul (DAERA) <[Paul.Donnelly@daera-ni.gov.uk](mailto:Paul.Donnelly@daera-ni.gov.uk)>; [REDACT]  
[REDACT]

**Cc:** DAERA Corporate Support Section (CMB) <[Corporate.SupportSection@daera-ni.gov.uk](mailto:Corporate.SupportSection@daera-ni.gov.uk)>; DAERA Central Communications <[DAERACentralCommunications@daera-ni.gov.uk](mailto:DAERACentralCommunications@daera-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; [redacted]

DAERA FFG Co-ordination <[ffgcoord@daera-ni.gov.uk](mailto:ffgcoord@daera-ni.gov.uk)>; DAERA RAFSET Co-Ordination <[RAFSET.Coordination@daera-ni.gov.uk](mailto:RAFSET.Coordination@daera-ni.gov.uk)>; DAERA CSCPG Co-ordination <[cscpg.co-ordination@daera-ni.gov.uk](mailto:cscpg.co-ordination@daera-ni.gov.uk)>; DAERA VSAHG Co-Ordination <[VSAHG.Co-Ordination@daera-ni.gov.uk](mailto:VSAHG.Co-Ordination@daera-ni.gov.uk)>; DAERA EMFG Coordination <[EMFG.Coordination@daera-ni.gov.uk](mailto:EMFG.Coordination@daera-ni.gov.uk)>; DAERA NIEA Coordination <[NIEACoordination@daera-ni.gov.uk](mailto:NIEACoordination@daera-ni.gov.uk)>; [redacted]



Good afternoon

Ahead of the upcoming party meetings, please review the info below from Katrina and send any updates/amendments for inclusion on the slide deck attached.

Can all changes (including NILs) be sent to DAERA Corporate Support Section (CMB)  
[Corporate.SupportSection@daera-ni.gov.uk](mailto:Corporate.SupportSection@daera-ni.gov.uk) by 4pm, Wednesday 25<sup>th</sup> January 2023.

Apologies once again for the short turnaround on this.

Kind regards,

Corporate Support Section

---

**From:** Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>  
**Sent:** 23 January 2023 12:39  
**To:** Fulton, Norman <[Norman.Fulton@daera-ni.gov.uk](mailto:Norman.Fulton@daera-ni.gov.uk)> [redact]  
Hegarty, Kevin <[Kevin.Hegarty@daera-ni.gov.uk](mailto:Kevin.Hegarty@daera-ni.gov.uk)>; Reid, David (DAERA RAFSETBOR)  
<[DavidP.Reid@daera-ni.gov.uk](mailto:DavidP.Reid@daera-ni.gov.uk)>; DAERA Central Services Deputy Secretary  
<[csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk)>; Donnelly, Paul (DAERA) <[Paul.Donnelly@daera-ni.gov.uk](mailto:Paul.Donnelly@daera-ni.gov.uk)>  
**Cc:** Gartland, Neal <[Neal.Gartland@daera-ni.gov.uk](mailto:Neal.Gartland@daera-ni.gov.uk)>; DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)>;  
[redacted] Foster, Dave <[Dave.Foster@daera-ni.gov.uk](mailto:Dave.Foster@daera-ni.gov.uk)>;  
Mills, John <[John.Mills@daera-ni.gov.uk](mailto:John.Mills@daera-ni.gov.uk)>; Downey, Roger <[Roger.Downey@daera-ni.gov.uk](mailto:Roger.Downey@daera-ni.gov.uk)>  
**Subject:** FW: \*Meeting confirmed\* Letter from Katrina Godfrey, DAERA Permanent Secretary -  
ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

Colleagues

Any gaps in briefing will be commissioned through the normal channels but this is just to give you an early heads up and to stress the importance of a full turnout please.

Katrina

---

**From:** [redact]  
**Sent:** 23 January 2023 12:00  
**To:** DAERA PermSec <[perm.sec@daera-ni.gov.uk](mailto:perm.sec@daera-ni.gov.uk)>  
**Cc:** Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>  
**Subject:** Re: \*Meeting confirmed\* Letter from Katrina Godfrey, DAERA Permanent Secretary -  
ENGAGEMENT WITH POLITICAL PARTIES ENTITLED TO FORM AN EXECUTIVE

**Caution** – This email has been received from outside the NICS network.  
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Treat all attachments and links with caution.  
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please forward to [spam@finance-ni.gov.uk](mailto:spam@finance-ni.gov.uk).

Hi Katrina

Please see list of issues we would like to raise;

- Update on Departmental Budget (Roger – already covered)

- Update on Climate Change Act: including climate change plans for Agriculture; Carbon Auditing and Equality impact assessments (Kevin – largely already covered but to be aware of questions on EIA and prepared)
- EU animal health law (Robert to note and be ready)
- Current impact of British governments environment legislation on North (Brian – relates to REUL so to stand ready to provide an overview)
- Single use plastics (Kevin – to cover in Tracey's absence please)
- Update on Future Agriculture Policy (Norman – you will I know be ready for this one as was the case before)
- Update on Rural Policy framework (David to note and be ready)
- Update on Peatlands Policy (Kevin – to cover in Tracey's absence please)
- Update on bovine TB Policy (Robert to note and be ready)
- Update on Ammonia Strategy (Kevin – to cover in Tracey's absence please with input from Paul)
- Update on [redacted] case (I will cover)

Thanks

[redact]

[redact]

**From:** Byrne, Jayne  
**Sent:** 06 January 2023 15:38  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Crilly, Louise; McCavigan, Tracey; Hughes, David (DoF); McNabb, Chris; McLaughlin, Mark (DOF); McFlynn, Sharon; Sayee, Natasha  
**Subject:** CM: DAERA Oversight Board - Monday 9 January @ 4.30pm  
**Attachments:** 21.12.22 draft DAERA Actions arising.docx; 9.1.23 draft agenda.docx; 6.1.23 Official response to DAERA Whistleblowing Lessons Learnt Report by PwC.DOCX

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good afternoon

Please find attached papers for discussion at the above meeting.

Any queries please do not hesitate to contact me.

Have a great weekend!

Jayne

**Jayne Byrne**  
**Chief of Staff**  
**Office of the Head of the Civil Service**

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*



**DAERA Issue – Action arising from meeting of Oversight Group held on Wednesday 21 December 2022 @ 4.45pm**

**Attendees:** Jayne Brady / Jayne Byrne  
Neil Gibson  
Tracey McCavigan  
Mark McLaughlin

**Comms Leads:** Katrina Godfrey – *Chaired the meeting*  
David Hughes (*for part of the meeting only*)  
Louise Crilly  
Sharon McFlynn

Action	Lead	Comments	Timeframe
<p><b>(1) Finalisation of PWC Reports</b></p> <p>Phase 1 and Phase 2 report both received and circulated.</p> <p>Issue of memo to KG confirming ToR for review have been met.</p>	<p>JB(1)/KG/NG</p> <p>TMcG</p>		
<p><b>(2) Action Plan</b></p> <p>HoCS to consider performance management input into Action Plan on receipt of final update from DoF</p> <p>Update of narrative once HoCS input complete</p> <p>Validation of action plan</p>	<p>JB(1)</p> <p>D/Hughes</p> <p>??????</p> <p>TMcC</p>		
<p><b>(3) Comms Action Plan</b></p> <p>Chronology of events from instigation of review to be prepared</p> <p>To review final report and prepare lines to take and potential media questions.</p>	<p>Comms Leads</p> <p>Comms Leads</p>		<p>Immediate</p>

Monday 9 January 2023 @ 4.30pm

**DAERA Issue – Oversight Board**

**Via Zoom**

**DRAFT AGENDA**

- (1) Actions arising from meeting – 21 December 2022  
*copy attached* J Brady
- (2) Final PWC reports update T McCavigan
- (3) Update on draft Action Plan - *copy attached* David Hughes
- (4) **Comms Action plan**  
Sharon McFlynn, DAERA  
Mark McLaughlin, DoF  
Chris McNabb, EIS  
Natasha Sayee, HoCS C McNabb
- (5) AOB
- (6) Date of next meeting

**Attendees:**

Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Louise Crilly  
Tracey McCavigan  
David Hughes  
Jayne Byrne

Chris McNabb  
Mark McLaughlin  
Sharon McFlynn  
Natasha Sayee

**DAERA EXTERNAL REVIEW – ACTION PLAN**

This action plan sets out the actions that DAERA and DoF will take in response to the recommendations in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

The Audit and Risk Assurance Committees of both departments have been asked by the respective accounting officers to keep the action plans as a standing item on their agendas for their meetings until the actions have all been completed and to scrutinise progress rigorously so that assurance can be provided that the necessary action is being taken.

Both departments will also publish [quarterly] progress reports on their respective actions on their websites so that there can be full transparency and accountability for progress being made.

The Head of the Civil Service shall seek assurances from the Permanent Secretaries of DAERA and DoF and the Departmental Solicitor, and where appropriate from the NICS Board collectively, that actions have been completed and that the lessons have been learnt.

[DN: add anything here about NIAO and external scrutiny that might be appropriate.]

<b>Finding 1: Updating of core policy documents</b>				
<i>The last review date of [MPMNI], the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</i>				
Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
DAERA	The DAERA Enforcement policy will be reviewed and updated and an updated policy	May 2023	Brian Doherty & Fiona McCandless	

		will be published on the DAERA website and communicated to staff and stakeholders			
<u>2</u>	DAERA	A formal review cycle will be introduced for the Enforcement policy which will require it to be formally reviewed every [5 years] unless an earlier review is needed	May 2023 <sup>2</sup>	Brian Doherty & Fiona McCandless	
<u>3</u>	DAERA	The DAERA Enforcement policy will have a clear owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023 <sup>2</sup>	Brian Doherty & Fiona McCandless	
<u>4</u>	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the new NICS <i>Raising a Concern</i> framework	March 2023 <sup>2</sup>	Roger Downey	
<u>5</u>	DAERA	A responsible owner and formal review cycle will be introduced for the DAERA Whistleblowing policy and this will be documented in the policy and on the relevant web page	March 2023 <sup>2</sup>	Roger Downey	
<u>6</u>	DOF	MPMNI remains under continuous review with a further updated version available for the Executive on return. A formal review cycle will be introduced for MPMNI and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023 <sup>2</sup>	Stuart Stevenson	
<u>7</u>	DOF	<del>The [Add-something-about-ownership-and-review-of-NICS Code of Ethics ]has been updated and is available to all staff. The Code will be proactively promoted on a bi-annual basis in-line with performance management reporting cycles. Questions in staff survey will be refreshed and highlighted.</del>	March 2022 <sup>2</sup> 2023	Tony-Simpson David Hughes	

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8	TEO	<p><u>Or</u> A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.</p> <p>The Code of Ethics will be promoted on a bi-annual basis in line with performance management reporting cycles.</p>	March 2023	HOCS		
9	DOF	<p>The NICS HR Handbook remains, under continuous review and is available to all staff. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally, will be publicised so all staff are aware.</p> <p><u>Or</u> A schedule for the regular review of each element of the NICS HR Handbook will be introduced and this, along with the responsible owner, will be documented in the policy and on the relevant web page.</p>	March 2023	Jill Minne TBC	Discipline, Grievance, Dignity at Work, Recruitment and Special Leave policies have all been reviewed in the past year and a review of Sickness Absence is near completion.	
10	DOF	<p>Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.</p>	March 2023	Stewart Barnes Neil Gibson/ Paul Duffy Information Governance Board		

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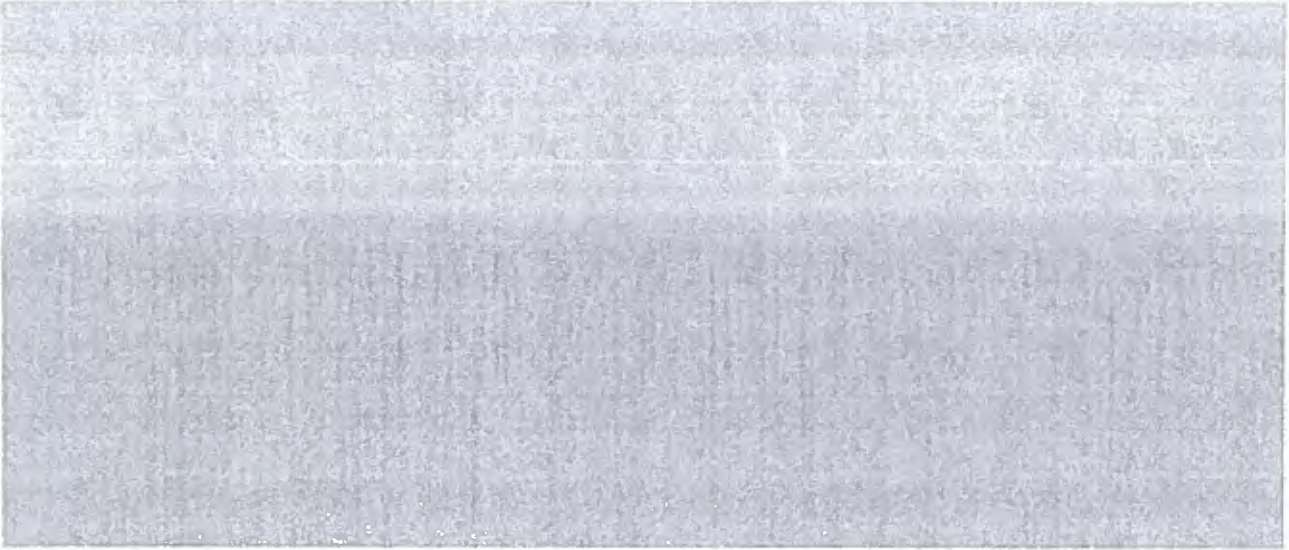
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<b>Finding 2: Recording and escalating line of business concerns</b>					
<p>Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.</p> <p>Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.</p>					
Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only] agreed	Progress Report [to be completed every quarter for ARAC review and publication]	
11 DOF	<p>DoF will finalise and publish a new Raising a Concern framework which will apply across the NICS.</p> <p>The policy framework will include detailed operational guidance, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.</p>	January 2023 New Framework	<u>David Hughes</u>		
12 DOF	<p>The policy framework will be followed by reflected in detailed operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.</p>	March 2023	<u>David Hughes</u> Permanent Secretaries		
13 DOF	<p>Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in</p>	June 2023	<u>David Hughes</u> Head of Internal Audit (with input from TOA)		

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		dealing with concerns raised by staff or members of the public.				
	DOF	<del>New arrangements for monitoring how departments individually and the NICS as a whole are handling concerns will be developed and implemented</del>	<u>April 2023</u>	<u>David Hughes</u> <u>Head of Internal Audit</u>		
<u>14</u>	DoF	The new framework will require each department to have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record and will also recommend that Designated Officers should report to their departmental Audit and Risk Assurance Committee on a regular basis.	<u>January 2023</u>	<u>David Hughes</u> <u>All Permanent Secretaries</u> <u>Designated Officers</u>		
<u>15</u>	DoF	The Designated Officers will meet regularly in a forum to discuss common issues around the raising and handling of concerns, to develop system-wide learning, and to set out actions for the improvement of the arrangements.	<u>April 2023</u>	<u>David Hughes</u> <u>Head of Internal Audit</u>		
<u>16</u>	DoF / TEO	The NICS Board will commission and consider regular reports on the concerns being raised across departments, in order to monitor trends and address problems.	<u>July 2023</u>	<u>HOCS</u> <u>David Hughes</u>		
<u>17</u>	DoF	The NICS Internal Audit service will review how well the framework helps departments to manage the concerns they receive and to ensure consistency and good practice and a report will be produced setting out any findings and recommendations for further improvement.	<u>From April 2023</u>	<u>Head of Internal Audit</u>		
<u>18</u>	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record	<u>January 2022</u>			

19	DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed	January 2022		
20	DAERA	In addition to playing its part in the actions above, DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2022		
21	DAERA	This guidance will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2022		
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2022		

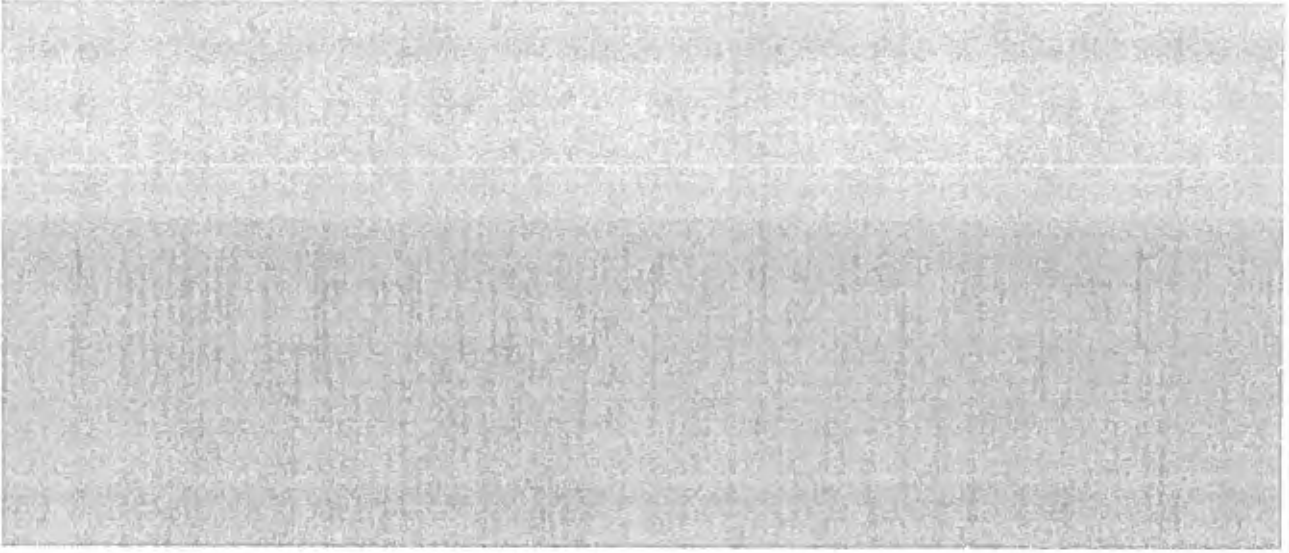




<p><b>Finding 3: Record keeping</b>  <i>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with</i></p>					
Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]	
23 DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2022			
24 DAERA	All line managers in DAERA will be required to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2022			
25 DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records will be dealt with under NICS disciplinary processes	February 2022			
26 DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2022			

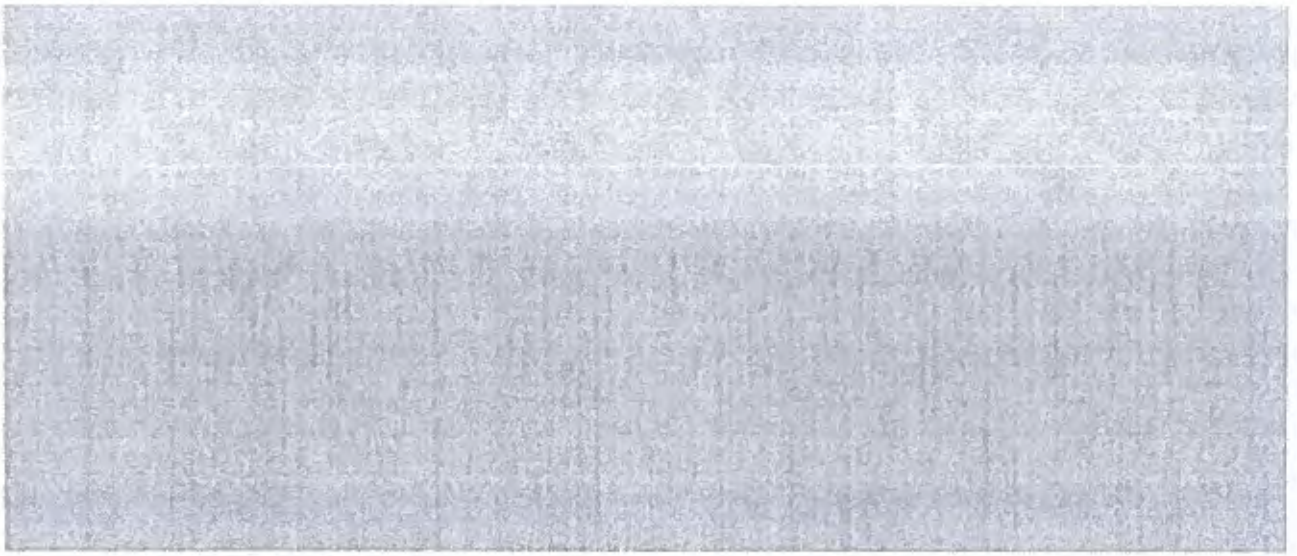
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<u>27</u>	<u>DoF</u>	The Code of Ethics sets out an explicit obligation on civil servants to keep accurate official records. [Breaches of the Code are treated within the performance management arrangements and may be dealt with under NICS disciplinary processes].	<u>February 2022</u>	<u>David Hughes</u>	<u>Completed</u>
<u>28</u>	<u>DOF</u>	The new <i>Raising a Concern</i> framework will set out the requirement for good record-keeping relating to concerns-the new <i>Raising a Concern</i> framework will include specific requirements-for-record-keeping-relating-to concerns	<u>January 2023</u>	<u>David Hughes</u>	




<p><b>Additional Finding: Roles and responsibilities in dealing with employment-related legal cases</b>  <i>The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF (DSO/NICSHR) have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.</i>  <i>The phase 1 report from the external review also highlighted some deficiencies and a lack of clarity in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF have identified some additional actions to be taken to help ensure these deficiencies can be prevented for the future</i></p>					
Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]	
29 DOF	<p>A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will DOF will introduce a new protocol when supporting departments on employment-related legal cases to ensure that set out the respective roles, and responsibilities and decision-making authorities of all stakeholders. In particular of the employing department, NICS-HR and the Departmental Solicitor's Office and any external legal support (e.g., counsel), and the central Human Resources/ Organisational Development functions, the purpose being to ensure these are clear, understood and known, are clearly documented and communicated</p> <p>Clear Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry</p>	April 2023	Hugh Widdis	ToR for the review and development of the protocol have been agreed between DSO and the People and OD function.	
30 DOF		April 2023	Hugh Widdis		

	DOF	Specific advice on managing conflicts of interest in employment-related legal cases will be issued to all departments	April 2023 (TBC)	Hugh Widdis	
<u>31</u>	DAERA	Roles and responsibilities of senior staff in DAERA, including in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated	Immediate	Brian Doherty/Fiona McCandless	
<u>32</u>	DAERA	New arrangements will be put in place in DAERA to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action cannot be involved in any part of the decision-making on that legal action	Immediate	Brian Doherty/Fiona McCandless	



[redact]

**From:** Sayee, Natasha  
**Sent:** 09 January 2023 18:23  
**To:** Byrne, Jayne; Brady, Jayne; McCavigan, Tracey; Crilly, Louise; Stewart, Chris (TEO); McNabb, Chris; McLaughlin, Mark (DOF); [redact]; McFlynn, Sharon; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Hughes, David (DoF)  
**Subject:** CM: DAERA OVERSIGHT BOARD - Communications Team Requirements and Suggested Approaches  
**Attachments:** RE: PRINTED: DAERA Oversight Board - Wednesday 21 December @ 4.30pm  
**Categories:** Logged on CM

 COMMUNICATIONS UPDATE 090123.docx

Dear All,

Please find attached paper from comms team (Sharon, Chris, Mark, [redact] and I).

Following the discussion you will know that we do not have a clean recommendation for you, each option carries risk.

Please let us know if we can provide any further analysis to support the decision-making process.

Each of you has been granted access to the document, but if you are having an issue with this please let me know (there are some server issues this evening).

Kind regards,

Natasha

**Natasha Sayee (she/her)**  
**Director of Marketing, Outreach & Internal Communications**

The Executive Office  
Stormont Castle  
Tel: ☎ 028 90 378 202 (Internal extension 88202) / 07775017210  
E-mail: ✉ [natasha.sayee@executiveoffice-ni.gov.uk](mailto:natasha.sayee@executiveoffice-ni.gov.uk)

### Report production

In May DAERA stated the review was expected to be completed by end of July 2022.

- When was the review completed?
- When was this report first received by the NICS?
- When was the final report provided?
- What were the steps in between?
- Why has it taken until now to publish the findings?
- How much was the report expected to cost?
- How much did it cost?
- If it was above projected cost – why?
- HOCS said this was a personal priority – could this not have been handled much quicker?
- Do the NICS think this report meets the objectives and will make a difference?

### **Access to information to compile report**

#### **The report states:**

“We were not responsible for identifying the relevant documentation, nor determining the completeness of the document population provided to us. In addition, we have not sought clarification from relevant officials on the actions taken by persons involved in the case. In the absence of doing so, it has not been possible to determine conclusively, the extent of compliance with relevant policies, procedures and processes.”

- “Subsequent to the issue of our draft report, however, the Review Oversight Group asked key parties 2 to provide a written response to it. We have considered the comments made, updating our report to correct any potential factual inaccuracies identified or to add additional clarity. We have also considered additional documentation located by the Departmental Solicitor’s Office (“DSO”) when asked to respond to our draft report.” Were the report authors given access to all the information they needed?

Why was additional documentation only located by DSO at review stage? What assurance can you give that other documentation hasn’t gone unlocated?

#### **The report states:**

“As agreed, no stakeholder interviews were held as part of fieldwork.... We are therefore unable to draw conclusions for all areas in scope?”

- Who made the decision to not hold stakeholder interviews and why?

#### **The report states:**

“Following discussions with DoF, we have been instructed to omit from this report reference to any privileged information that we may have reviewed.”

- Why were the report authors asked to omit references to privileged information?

#### **The report states:**

“We have not been asked to provide an opinion on the adequacy of action taken?”

- Why were the report authors not asked to provide an opinion on the action taken in this case?

### **Report findings & associated actions**

- Has / will any disciplinary action be taken against anyone as a result of this report?
- What action will be taken to address the report findings?
- Who ultimately owns the policies that should have been updated?
- Who will oversee this?
- Has the report been shared with Dr Bronckaers?
- If not are there any plans to do so?

### **Record keeping**

#### **The report states:**

“In addition, more broadly, from the documentation reviewed, there appears to be a gap in notes of key meetings/consultations, or written follow-up notes by way of an alternative record of the meetings/consultations, which we would expect as a means of keeping an audit trail of key discussions and decisions.”

- The report indicates a lack of record keeping which was also raised as part of the RHI Inquiry. What action has been taken to address this following RHI?

#### **The report states:**

“We also note that there is no evidence of a communication to witnesses in relation to the preservation of emails, notes or any documents that could be considered relevant to the claim.”

- Were witnesses advised to preserve emails, notes, documents?

### **Policies and procedures**

#### **The report states:**

“There is no evidence to demonstrate that three of the five policies had been reviewed within the last 9 years.”

- When were the Managing Public Money NI, NICS Code of Ethics, NICS HR Handbook, DAERA Whistleblowing Policies and Procedures and DAERA Enforcement Policy last reviewed?

#### **The report states:**

“There is no guidance in place for line managers to help them assess where line of business concerns may require internal escalation to ensure they are being dealt with appropriately. Furthermore, escalated matters are not recorded in a central document.”

- What guidance is in place to help line managers?
- What procedures are in place to record escalated matters centrally?

- Are there plans to introduce training?
- Who will do it and by when?

### **Whistleblowing procedures**

#### **The report states:**

"...we note that none of the concerns were recorded in the relevant Departmental Whistleblowing Registers, including by the claimant?"

- Why were the concerns raised not recorded in the Departmental Whistleblowing Registers?
- Is the current NICS whistleblowing policy sufficient and are appropriate procedures in place?
- Are the policy and procedures easily accessible to all NICS staff?
- Are you confident that line managers know what to do

### **Training**

#### **The report states:**

"We have not had visibility of all training that is provided or the completion rates but we are aware of the following training modules are available: A Framework for Ethical Decision Making, NICS Online Induction Programme on Equal Opportunities and Conduct, Public Interest Disclosure – Whistleblowing and Unconscious Bias."

- What are the completion rates for these course?
- Are these training courses mandatory?
- Are line managers adequately trained in how to manage disclosures and how they should be raised and acted upon.

### **DSO**

#### **Merits of the claim**

#### **The report states:**

"From the documentation we have reviewed, we have not seen any evidence of advice from the legal team on the merits of claim."

"We note that Counsel's fee note dated 2 July 2020 does not include reference to time spend advising or drafting a merits of claim note."

- Did DSO set out the merits of the claim?
- Would DSO normally set out the merits of the claim?

### **Appealing the case**

#### **The report states:**



“The notice of appeal was lodged by DSO on 2 November 2021. Based on the initial documentation we reviewed, in addition to that subsequently provided, it remains unclear who made the decision to do so.”

“In regard to the initial decision to appeal, there is a paucity of documentation currently available to support this decision and therefore to determine whether it was a transparent process, such as would be required by Managing Public Money Northern Ireland.”

- Who made the decision to appeal the case?
- Did they have the necessary authority?

**The report states:**

“It appears that the former Permanent Secretary of DAERA was not aware of the decision to appeal (but may retrospectively have agreed with the decision to do so). Therefore an established approval process does not appear to have been followed.”

- Was an established approval process followed? If not, why not?

**Record keeping**

**The report states:**

“We note, however, that in its written response to our draft report, DSO stated that ‘oral advice on the merits was given [by Counsel in a meeting with the Chief Veterinary Officer on 7 October 2019’ ...although this advice is not recorded in the notes of the meeting?”

- Why was oral advice on the merits of the case not recorded in notes of the meeting?
- Is record keeping being reviewed and or monitored NICs wide?
- What action will be taken NICS wide in relation to record keeping?

**Legal advice**

**The report states:**

“...the inclusion of whistleblowing claims meant that the financial cap on unfair dismissal (approximately £90,000) was removed as there is no limit on the compensation that can be awarded for unfair dismissal linked to whistleblowing. Although this fact appears to have been recognised, given the significant impact on the potential award for this case, we would have expected the legal team i.e. DSO and Counsel to provide advice in relation to the potential impact this would have had in relation to proceeding to hearing both from a legal and commercial perspective.

- Did DSO and Counsel provide advice to DEARA on the financial impact (i.e., cap removal) of the inclusion of whistleblowing claims in the case?
- Would the legal advice have been updated at this juncture?
- What were the legal costs involved with this case?

## Preparing witnesses

### The report states:

"Based on the comments in the judgement, it is apparent that a number of the Officials providing oral testimony were not as prepared as we would routinely expect them to be. In our view, it would be reasonable to expect the legal team to be cognisant of the level of preparedness of the witnesses, albeit it is ultimately the witnesses' responsibility."

"Based on the documentation we have reviewed; we have not seen evidence of any written advice and guidance provided to the officials who gave evidence via oral testimony at the Tribunal."

"Based on the documentation we have reviewed; we have not seen any contemporaneous documentation in relation to the assessment of the preparedness of the officials providing oral testimony."

"Based on the documentation we have reviewed; there is limited evidence of DSO undertaking an assessment of the level of preparedness of the officials providing oral testimony prior to the hearing."

We note a memo dated 12 April 2022 from the Permanent Secretary, (DAERA) (until April 2022) which includes references to 'unpreparedness' of the DAERA witnesses: "due to performance of our witnesses in the original Tribunal hearing and what I understand to be our general unpreparedness in terms of the level of depth of questioning that they faced it is clear that real deficiencies in our processes has left us facing a liability of significant proportions at a time when our resource budget is so severely constrained."

- How did DSO prepare officials for the case?
- Did DSO assist with written statements?
- Were DSO staff at the right grade with the right experience allocated to this case?
- Is there a performance issue in relation to the service provided by DSO on this occasion?
- Will any DSO policies or procedures be reviewed as a result of this?

## NICS HR

### Conciliation/arbitration

#### The report states:

"On 5 September 2018 an email and letter was received from the Labour Relations Agency Conciliation Service asking "if the Respondent [was] interested in conciliation or arbitration"... In response to an email from the Deputy Principal DAERA asking what this would entail, the Executive Officer (NICS HR) stated, 'Generally speaking in cases we do not go down that route, however the option is available. Personally speaking, with the claimant leaving the service, mediation may not be beneficial to the department."

On 15 November 2018 the Chief Veterinary Officer confirmed to the Deputy Principal DARA that he thought "we should show willing". Having received, however, the Executive Officer's NICS HR email (above) of explanation, it appears that the Chief Veterinary Officer no longer "wish[ed] to avail of the conciliation/arbitration facility.

- Did NICS HR give a view on entering conciliation or arbitration?
- Should the conciliation/arbitration facility have been pursued?

The report states:

"...While this is a hugely disappointing outcome for us all, from our perspective it would seem clear that Judge Murray was favourably disposed towards [the Claimant], making it extremely difficult for the Department to secure the decision we wanted/needed from the tribunal...

- Should NICS HR have made comments on the Judge's disposition?

The report states:

"...Although this decision is a bitter pill [sic] to swallow, rest assured you were both individually and collectively a credit to your profession through the hearing."

- Should NICS HR staff have praised the individuals involved in the case?
- Were NICS HR staff at the right grade with the right experience allocated to this case?
- Is there a performance issue in relation to the service provided by NICS HR?
- Were NICS HR staff at the right grade with the right experience allocated to this case?
- Has / will any disciplinary action be taken against NICS HR staff involved in this case?

#### **DAERA- Animal welfare and deleted cattle moves**

The report states

Both sides agreed in the submissions hearing that the information conveyed in the protected disclosures is encapsulated in the following description:

- Issues of concern about welfare of animals in livestock markets particularly in Ballymena Livestock Market; and
  - Issues about the deletion of cattle moves in the recording carried out by livestock markets and the effect of that on traceability of cattle and the risk of Tuberculosis ("TB") in particular
- 
- What actions has DAERA taken to address these concerns and improve the robustness of controls for animal traceability in livestock markets and abattoirs.

## 09.01.23 DAERA NEXT STEPS – COMMUNICATIONS

1. What the comms team needs: Sharp, strategic, and robust action plan with actions/ milestones and accountability – with Quarterly published progress reports.
2. Policy Officials to provide initial lines to take in response to our Questions Document issued 21 dec – comms team will plain english the answers if necessary
3. Policy Official to provide high level key messages for Press Release – comms team will develop release
4. Clarity on the communications approach please see below – a corresponding strategy will be developed by the comms team to support this objective.
5. Comms plan needs fully reviewed by legal before implementation.
6. Clarity on the role of HOCS – [redact].
7. If Oversight Group decides on a proactive media approach, HOCS will require briefing and preparation – diary time and availability of EIS support will be critical.

It needs to be understood that there is no quick win here. This is a story which will continue to attract media attention and coverage will continue beyond the publication of the reports and action plan.

Key question from media will be:

- What is being done/what action is being taken against key protagonists?

If HOCS cannot definitively answer the above – she could appear weak, and face accusations of facilitating alleged misbehaviour, enabling a toxic culture etc.

### **Communications Approach 1:**

- Comms pack to be prepared including LTT, q&a and press release
- Off-Record Pre-Brief with selected journalists - set out objective of the PWC report and discuss action report
- Followed by:
- Publication of report, supported by internal and external communications (press release, HOCS staff message, DAERA/HOCs engagement with veterinary service (consideration to be given to DAERA PS staff message)
- HOCS, DAERA PS and DoF PS On-Record Interviews with BBC, UTV, Press Association and Bel Tel – key lead (HOCS) to be supported by DAERA PS and DOF PS
- Move to highlighting the quarterly reports as material for subsequent media queries

Strengths: Transparent, ownership, coordinated leadership, empathy, humanize, build media relationship, joint responsibility from all 3 leads

[redact]

- (We can also discuss mobilising this option without the off-record pre-brief)

## Communications Approach 2: HOCS Preferred Option (following discussion 09.10.23)

- Comms pack to be prepared including LTT, q&a and press release including our own communications channels
- Off-Record Pre-Brief with selected journalists - set out objective of the PWC report and discuss action report
- Followed by:
- Publication of report, supported by internal and external communications (press release, HOCS staff message, (consideration to be given to DAERA PS staff message)
- HOCS On-Record Interviews with BBC, UTV, Press Association and Bel Tel
- Move to highlighting the quarterly reports as material for subsequent media queries

Strengths: Transparent, ownership, leadership, empathy, humanize, build media relationship, HOCS clearly takes responsibility – aligning with ‘personal priority’

[ redact ] .

- (We can also discuss mobilising this option without the off-record pre-brief)

## Communications Approach 3:

- Comms pack to be prepared including LTT for future queries and press release
- Publication of report, supported by internal and external communications (press release, HOCS staff message, (consideration to be given to DAERA PS staff message)
- 
- Statement responses to queries – moving to the positioning the quarterly reports as material for subsequent media queries

Strengths: Transparent and controlled

Risk: Maybe perceived as not as transparent as Approach 1/2 and HOCS could face criticism for ‘not fronting up’ and not treating as a ‘personal priority’, does not support positive media relations approach.

Chris Stewart has indicated that this is his preferred option and that other approaches are high risk.

Comms team has indicated that all approaches are subject to risk and that the adopted approach will require careful execution.

[redacted]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 10 January 2023 14:56  
**To:** McFlynn, Sharon; DAERA Central Services Deputy Secretary  
**Cc:** Downey, Roger  
**Subject:** 25 CM: RE: CM: OFFICIAL SENSITIVE: PWC Report and associated draft Action Plan  
**Attachments:** 6.1.23 Official response to DAERA Whistleblowing Lessons Learnt Report by PwC.DOCX

Thanks a million Sharon – just a couple of minor additions/deletions from me.

Katrina

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**From:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Sent:** 10 January 2023 14:50  
**To:** DAERA Central Services Deputy Secretary <csdeputysecretary@daera-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** Downey, Roger <Roger.Downey@daera-ni.gov.uk>  
**Subject:** RE: CM: OFFICIAL SENSITIVE: PWC Report and associated draft Action Plan

Hi all,

For convenience I have dropped Katrina's proposed changes into the document attached. In an attempt to improve consistency of language and flow, I have also tweaked some of the wording (highlighted in the attached version). I have also inserted a comment for consideration. When we have agreed our changes, I will forward the updated document to David Hughes.

Katrina- as agreed at the OG yesterday, when the AP has been populated it will be reviewed by the comms leads to plain English it, as required and returned to the OG for final approval.

Sharon

---

**From:** DAERA Central Services Deputy Secretary <csdeputysecretary@daera-ni.gov.uk>  
**Sent:** 10 January 2023 14:04  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** Downey, Roger <Roger.Downey@daera-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Subject:** RE: CM: OFFICIAL SENSITIVE: PWC Report and associated draft Action Plan

Katrina

Your proposed change in wording to Action 31 is much clearer and the date of May 23 better aligns with action 29.

With regard to action 32 you are aware that this is largely done but appropriate communications is required and I will progress that.

Others will have their own views.

Brian

Fiona McCandless/Brian Doherty

DAERA | Deputy Secretary and (joint) Head of Central Services and Contingency Planning Group

Jubilee House, 111 Ballykelly Road, Limavady, BT49 9HP

Contact: [csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk) |

Tel: Brian Doherty: (028) 77 442252 | DD: 49252

Fiona McCandless: (028) 77 442306 | DD: 49306

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From: Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>

Sent: 10 January 2023 13:57

To: DAERA Central Services Deputy Secretary <[csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk)>

Cc: Downey, Roger <[Roger.Downey@daera-ni.gov.uk](mailto:Roger.Downey@daera-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>

Subject: RE: CM: OFFICIAL SENSITIVE: PWC Report and associated draft Action Plan

Brian

Many thanks to all of you for the work on this. I take the point you make on actions 31 and 32 and have suggested an amendment below on which I'd welcome thoughts. On 'limits of delegation', just to be clear that I don't just mean in relation to approval of expenditure but also in relation to decision-making more generally (in case that's not apparent).

Katrina

31	DAERA	Following development of the protocol referenced at action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated	May 2023	Brian Doherty/Fiona McCandless	
32	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action	Immediate	Brian Doherty/Fiona McCandless	

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From: DAERA Central Services Deputy Secretary <[csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk)>

Sent: 10 January 2023 11:53

To: Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>

Cc: Downey, Roger <[Roger.Downey@daera-ni.gov.uk](mailto:Roger.Downey@daera-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; DAERA Central Services Deputy Secretary <[csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk)>

**Subject:** CM: OFFICIAL SENSITIVE: PWC Report and associated draft Action Plan  
**Importance:** High

Katrina

In your email attached you asked Roger, Sharon and I to consider the draft Action Plan and agree who should take ownership of the further development of any DAERA actions and then complete the relevant columns. I understand the Oversight Group has discussed on the draft Action Plan and your original plan has been developed further.

I attach the most up to date version, which I understand was discussed yesterday by the Oversight Group. Roger, Sharon and I met this morning and have added some tracked changes for your consideration/discussion for your meeting tomorrow with HOCS.

Please give me a buzz if you would like to discuss.

Brian

**Fiona McCandless/Brian Doherty**

**DAERA | Deputy Secretary and (joint) Head of Central Services and Contingency Planning Group**

Jubilee House, 111 Ballykelly Road, Limavady, BT49 9HP

**Contact:** [csdeputysecretary@daera-ni.gov.uk](mailto:csdeputysecretary@daera-ni.gov.uk) |

**Tel:** Brian Doherty: (028) 77 442252 | DD: 49252

Fiona McCandless: (028) 77 442306 | DD: 49306



**DAERA EXTERNAL REVIEW – ACTION PLAN**

This action plan sets out the actions that DAERA and DoF will take in response to the recommendations in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

The Audit and Risk Assurance Committees of both departments have been asked by the respective accounting officers to keep the action plans as a standing item on their agendas for their meetings until the actions have all been completed and to scrutinise progress rigorously so that assurance can be provided that the necessary action is being taken.

Both departments will also publish [quarterly] progress reports on their respective actions on their websites so that there can be full transparency and accountability for progress being made.

The Head of the Civil Service shall seek assurances from the Permanent Secretaries of DAERA and DoF and the Departmental Solicitor, and where appropriate from the NICS Board collectively, that actions have been completed and that the lessons have been learnt.

[DN: add anything here about NIAO and external scrutiny that might be appropriate.]

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
1 DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the	May 2023 <sup>3</sup>	Brian Doherty & Fiona McCandless	

**Finding 1: Updating of core policy documents**  
*The last review date of [MPMN], the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.*

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2	DAERA	DAERA website and communicated to DAERA staff and stakeholders A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every 5 years unless an earlier review is needed.	May 2023 <sup>2</sup>	Brian Doherty & Fiona McCandless	
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023 <sup>2</sup>	Brian Doherty & Fiona McCandless	
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS Raising a Concern framework (referred to at Action 11). The updated policy will be published on the DAERA Intranet and communicated to all DAERA staff.	March 2023 <sup>2</sup>	Roger Downey	
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates	March 2023 <sup>2</sup>	Roger Downey	
6	DOF	MPMNI remains under continuous review with a further updated version available for the Executive on return, or A formal review cycle will be introduced for MPMNI and this, along with the responsible owner, will be documented in the policy and on the relevant web page	March 2023 <sup>2</sup>	Stuart Stevenson	
7	DOF	The [Add something about ownership and review of NICS Code of Ethics] has been updated and is available to all staff. The	March 2022 <sup>2</sup> 2023	Tony Simpson David Hughes	

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8	TEO	<p><u>Code will be proactively promoted on a bi-annual basis in line with performance management reporting cycles. Questions in staff survey will be refreshed and highlighted.</u></p> <p><u>Or</u></p> <p>A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.</p> <p><u>The Code of Ethics will be promoted on a bi-annual basis in line with performance management reporting cycles.</u></p>	March 2023	HOCS	
9	DOF	<p><u>The NICS HR Handbook remains under continuous review and is available to all staff. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally, will be publicised so all staff are aware.</u></p> <p><u>Or</u></p> <p><u>A schedule for the regular review of each element of the NICS HR Handbook will be introduced and this, along with the responsible owner, will be documented in the policy and on the relevant web page.</u></p>	March 2023 Ongoing	Jill Minne Minne TBC	<p><u>Discipline, Grievance, Dignity at Work, Recruitment and Special Leave policies have all been reviewed in the past year and a review of Sickness Absence is near completion.</u></p>
10	DOF	<p>Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.</p>	March 2023	Stewart Barnes Neil Gibson / Paul Duffy Information Governance Board	

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**Finding 2: Recording and escalating line of business concerns**

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

	Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only] agreed	Progress Report [to be completed every quarter for ARAC review and publication]
11	DOF	DoF will finalise and publish a new Raising a Concern framework which will apply across the NICS.  The policy framework will include detailed operational guidance, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	January 2023 New Framework	David Hughes	
12	DOF	The policy framework will be followed by reflected in detailed operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	March 2023	David Hughes Permanent Secretaries	
13	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in	June 2023	David Hughes Head of Internal Audit (with input from TOA)	

		dealing with concerns raised by staff or members of the public.	<u>April 2023</u>	<u>David Hughes</u> <u>Head of Internal Audit</u>	
<u>14</u>	<u>DoF</u>	<u>New arrangements for monitoring how departments individually and the NICS as a whole are handling concerns will be developed and implemented</u> <u>The new framework will require each department to have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record and will also recommend that Designated Officers should report to their departmental Audit and Risk Assurance Committee on a regular basis.</u>	<u>January 2023</u>	<u>David Hughes</u> <u>All Permanent Secretaries</u> <u>Designated Officers</u>	
<u>15</u>	<u>DoF</u>	<u>The Designated Officers will meet regularly in a forum to discuss common issues around the raising and handling of concerns; to develop system-wide learning; and to set out actions for the improvement of the arrangements.</u> <u>The NICS Board will commission and consider regular reports on the concerns being raised across departments, in order to monitor trends and address problems.</u>	<u>April 2023</u>	<u>David Hughes</u> <u>Head of Internal Audit</u>	
<u>16</u>	<u>DoF / TEO</u>	<u>The NICS Internal Audit service will review how well the framework helps departments to manage the concerns they receive and to ensure consistency and good practice and a report will be produced setting out any findings and recommendations for further improvement.</u>	<u>July 2023</u>	<u>HOCS</u> <u>David Hughes</u>	
<u>17</u>	<u>DoF</u>		<u>From April 2023</u>	<u>Head of Internal Audit</u>	
<u>18</u>	<u>DAERA</u>	<u>DAERA will nominate a Designated Officer responsible for overseeing the handling of</u>	<u>January 2023<sup>2</sup></u>	<u>Brian Doherty/Fiona McCandless</u>	

**Commented [M51]:** Is there something missing/cut off from this point? A record of all concerns raised?

**Commented [GK(-PSR-1)]:** Yes, I think you're right!

19	DAERA	concerns, including maintaining a record of all concerns raised.	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed.	At each quarterly meeting January 2022	ARAC Chairperson ARAC secretariat
20	DAERA	In-addition-to-playing-its-part-in-actions-12-17 above DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	The DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2022	Roger Downey
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2023	Kathryn Clarke
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2022	Kathryn Clarke

<b>Finding 3: Record keeping</b>					
<i>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with</i>					
	Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
<u>23</u>	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2023 <sup>2</sup>	<u>Roger Downey</u>	
<u>24</u>	DAERA	All line managers staff in DAERA will be reminded required to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management.	February 2022 <sup>2</sup>	<u>Brian Doherty/Fiona McCandless</u>	
<u>25</u>	DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records may will be dealt with under NICS disciplinary processes	February 2023 <sup>3</sup>	<u>Brian Doherty/Fiona McCandless</u>	
<u>26</u>	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2022 <sup>3</sup>	<u>Kathryn Clarke</u>	

27	<u>DoF</u>	<p><u>The Code of Ethics sets out an explicit obligation on civil servants to keep accurate official records.</u></p> <p><u>Breaches of the Code are treated within the performance management arrangements and may be dealt with under NICS disciplinary processes].</u></p>	<u>February 2022</u>	<u>David Hughes</u>	<u>Completed</u>
28	DOF	<p><u>The new Raising a Concern framework will set out the requirement for good record-keeping relating to concerns-the new-Raising a Concern framework will include specific requirements for record-keeping relating to concerns</u></p>	<u>January 2023</u>	<u>David Hughes</u>	



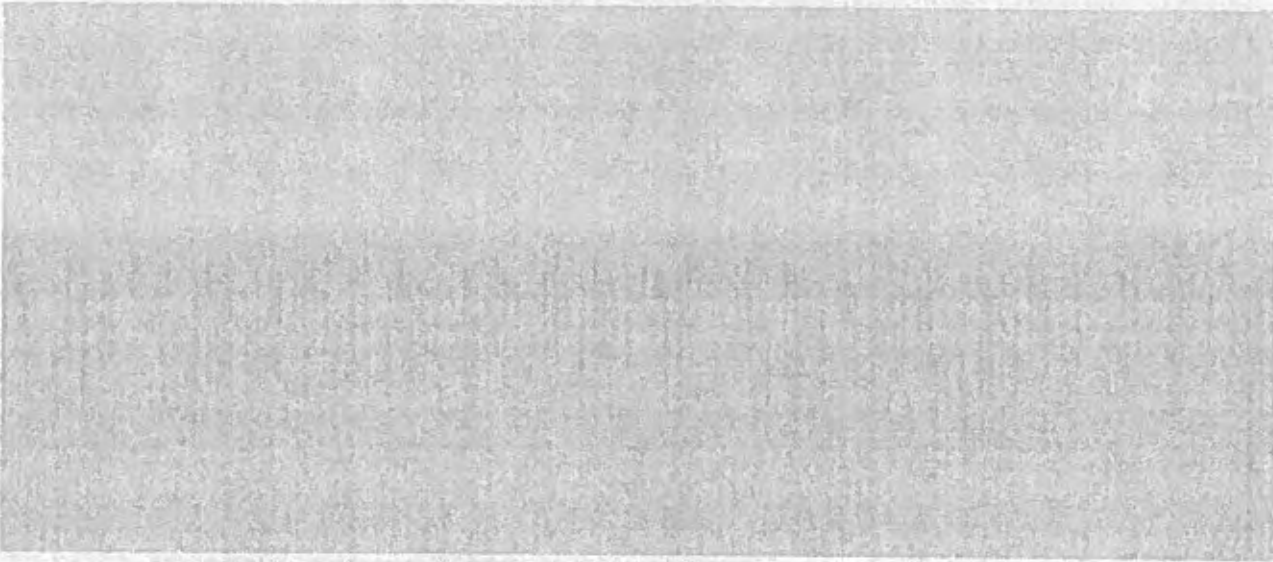
**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF/IDSO/NICSHRI have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.

The phase 4 report from the external review also highlighted some deficiencies and a lack of clarity in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF have identified some additional actions to be taken to help ensure these deficiencies can be prevented for the future

Department	Action	Timescale for completion	Responsible Senior Officer (DN: propose this column for internal use only)	Progress Report (to be completed every quarter for ARAC review and publication)
29 DOF	<p><u>A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will DOF will introduce a new protocol when supporting departments on employment-related legal cases to ensure that set out the respective roles, and responsibilities and decision-making authorities of all stakeholders, in particular of the employing department, NICS-HR and the Departmental Solicitor's Office and any external legal support (e.g., counsel), and the central Human Resources/ Organisational Development functions, the purpose being to ensure these are clear, understood and known, are clearly documented and communicated</u></p> <p><u>Clear Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry</u></p>	April 2023	Hugh Widdis	<p><u>ToR for the review and development of the protocol have been agreed between DSO and the People and OD function.</u></p>
30 DOF		April 2023	Hugh Widdis	

	DOF	Specific advice on managing conflicts of interest in employment-related legal cases will be issued to all departments	<u>April 2023</u> <u>(HBC)</u>	<u>Hugh Widdis</u>	
<u>31</u>	DAERA	Following development of the protocol referenced at action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated. New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action	May 2023	Brian Doherty/Fiona McCandless	
<u>32</u>	DAERA		Immediate	Brian Doherty/Fiona McCandless	



[redacted]

**From:** Stewart, Chris (TEO)  
**Sent:** 12 January 2023 14:59  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Crilly, Louise; Hughes, David (DoF)  
**Cc:** Byrne, Jayne  
**Subject:** CM: FW: Content Manager DoF Document : FI1/23/13295 : Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - 10 January 2022  
**Attachments:** Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - 10 January 2022.DOCX  
**Categories:** Logged on CM

David

Thank you. I have added one or two suggestions.

C

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**From:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Sent:** 10 January 2023 17:07  
**To:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>  
**Subject:** Content Manager DoF Document : FI1/23/13295 : Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - 10 January 2022

Chris –

I understand that this ought to come to you before it goes further.

I have made the changes indicated at yesterday's meeting. And I have spoken to Stuart Stevenson about the idea of a supplementary DAO letter about managing conflicts of interest in respect of legal cases (now action 31). This feels better than it being incorporated into the protocol described at line 30 (about which Hugh was unsure).

Happy to discuss further if that is helpful.

*David Hughes*

Department of Finance

Clare House | 303 Airport Road | Sydenham Intake | BELFAST | BT3 9ED

Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388

**DAERA EXTERNAL REVIEW -- ACTION PLAN**

This action plan sets out the actions that DAERA and DoF will take in response to the recommendations in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

The Audit and Risk Assurance Committees of both departments have been asked by the respective accounting officers to keep the action plans as a standing item on their agendas for their meetings until the actions have all been completed and to scrutinise progress rigorously so that assurance can be provided that the necessary action is being taken.

Both departments will also publish [quarterly] progress reports on their respective actions on their websites so that there can be full transparency and accountability for progress being made.

The Head of the Civil Service shall seek assurance from the Permanent Secretaries of DAERA and DoF and the Departmental Solicitor, and where appropriate from the NICS Board collectively, to provide assurance that action is underway, s-have-been-completed-and that the lessons have been learnt and to confirm, in due course, that all recommendations have been implemented fully. The Permanent Secretaries of other Departments have also been asked to take similar steps, where needed, in their Departments.

[DN; add anything here about NIAO and external scrutiny that might be appropriate].

**Finding 1: Updating of core policy documents**

*The last review date of [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.*

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]

**Commented [SQ1]:** I'm not sure that implementation has a collective dimension, and it would look a bit odd for Jayne to seek assurance from a Board that sit chairs.

**Commented [SQ2]:** I'm not sure what we might say here, unless you wish to invite NIAO to review/implementation.

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1	DAERA	The DAERA Enforcement policy will be reviewed and updated and an updated policy will be published on the DAERA website and communicated to staff and stakeholders A formal review cycle will be introduced for the Enforcement policy which will require it to be formally reviewed every [5 years] unless an earlier review is needed	May 2023 <del>3</del>	Brian Doherty & Fiona McCandless	
2	DAERA	The DAERA Enforcement policy will have a clear owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023 <del>2</del>	Brian Doherty & Fiona McCandless	
3	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the new NICS Raising a Concern framework	March 2023 <del>2</del>	Roger Downey	
4	DAERA	A responsible owner and formal review cycle will be introduced for the DAERA Whistleblowing policy and this will be documented in the policy and on the relevant web page	March 2023 <del>2</del>	Roger Downey	
5	DAERA	<del>Managing Public Money NI (MPMNI) remains under continuous review, with a further updated version to be available shortly. A formal review cycle will be introduced for MPMNI and this, along with the responsible owner, will be documented in the policy and on the relevant web page. MPMNI remains under continuous review with a further updated version available for the Executive on return or</del> A formal review cycle will be introduced for MPMNI and this, along with the responsible	March April 2023 <del>2</del>	Stuart Stevenson	
6	DOF				

Commented [SC3]: This jars a bit. If it's under continuous review then why would we need a formal cycle. I would omit the words before 'a further version'.

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7	DOF	<p><u>owner, will be documented in the policy and on the relevant web page.</u></p> <p><u>The Add something about ownership and review of NICS Code of Ethics has been updated and is available to has been drawn to the attention of all staff. The Code will be proactively promoted on a bi-annual basis in line with performance management reporting cycles. Questions in staff survey will be refreshed and highlighted.</u></p> <p><u>Of</u></p> <p><u>A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.</u></p> <p><u>The Head of the Civil Service will initiate the bi-annual promotion of the Code of Ethics in line with performance management reporting cycles. It will include a reminder that a breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.</u></p> <p><u>The NICS HR Handbook remains under continuous reviews reviewed regularly and is available to all staff. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally. will be publicised so all staff are aware.</u></p> <p><u>Or</u></p> <p><u>A schedule for the regular review of each element of the NICS HR Handbook will be</u></p>	March 2022-2023	Tony Simpson David Hughes	
8	IEO		March 2023	HOCS	
9	DOF		March 2023	Jill Minne Minne-IBG	<p><u>Discipline, Grievance, Dignity at Work, Recruitment and Special Leave policies have all been reviewed in the past year and a review of Sickness Absence is near completion.</u></p>

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**Commented [SC6]:** I don't think that references to continuous review carry much conviction (or signal change), and saying that something is available is somewhat passive.

**Commented [SC5R4]:** could we sharpen this? Promoting the code may imply that compliance is aspirational, could we not say something like: "Performance management will include an assessment of behaviours in relation to the Code, as well as the delivery of business objectives." i.e. how we do things is as important as what we do.

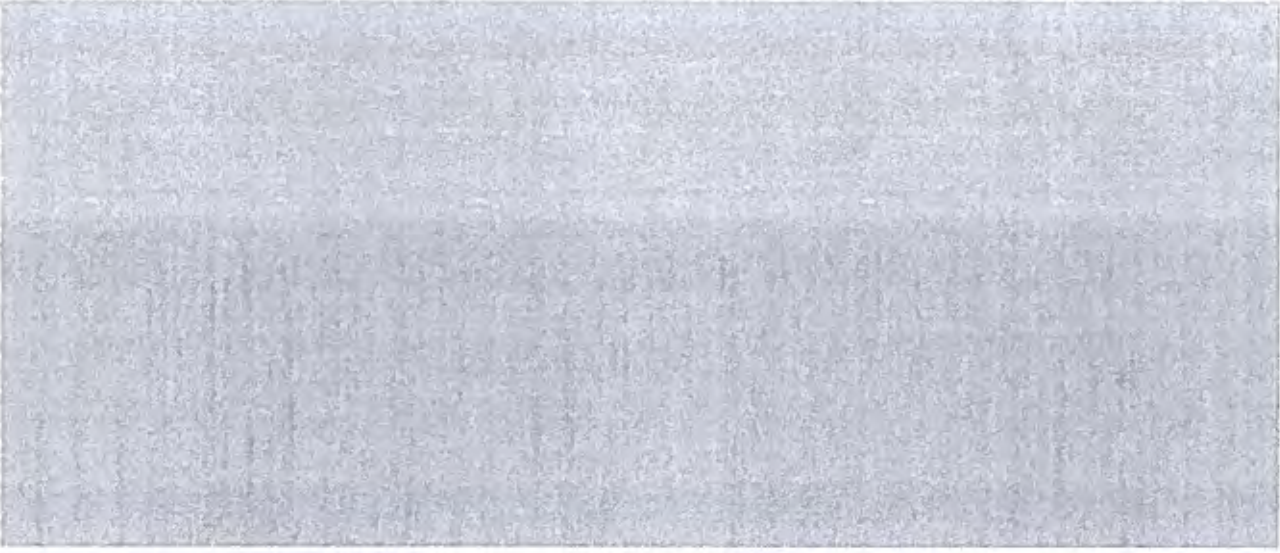
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10	DOF	<p><del>introduced and this, along with the responsible owner, will be documented in the policy and on the relevant web page</del></p> <p>Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.</p>	March 2023 <sup>2</sup>	Stewart Barnes Neil Gibson / Paul Duify <u>Information Governance Board</u>	
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**Finding 2: Recording and escalating line of business concerns**

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

	Department	Action	Timescale for completion	Responsible Senior Officer (DN; propose this column for internal use only) agreed	Progress Report (to be completed every quarter for ARAC review and publication)
11	DOF	<p>DoF will finalise and has published a new Raising a Concern framework which will apply across the NICS.</p> <p>The policy framework will include detailed operational guidance, including guidance on registering concerns, recognising protected disclosures arising from line of business issues and identifying the thresholds for escalating concerns.</p>	January 2023 New Framework	David Hughes	
12	DOF	<p>The policy framework will be followed by reflected in detailed operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.</p>	March 2023	David Hughes Permanent Secretaries	
13	DOF	<p>Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in</p>	June 2023	David Hughes Head of Internal Audit (with input from TOA)	



<u>18</u>	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record	January 2022		
<u>19</u>	DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed	January 2022		
<u>20</u>	DAERA	In addition to playing its part in the actions above, DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2022		
<u>21</u>	DAERA	This guidance will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2022		
<u>22</u>	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2022		

<b>Finding 3: Record keeping</b>					
<i>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgments to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with</i>					
	Department	Action	Timescale for completion	Responsible Senior Officer (DN: propose this column for internal use only)	Progress Report (to be completed every quarter for ARAC review and publication)
<u>23</u>	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2022		
<u>24</u>	DAERA	All line managers in DAERA will be required to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2022		
<u>25</u>	DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records will be dealt with under NICS disciplinary processes	February 2022		
<u>26</u>	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2022		

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27	DoF	<p>The Code of Ethics has been revised to include an explicit obligation on civil servants to keep accurate official records. This will be relevant to the bi-annual promotion of the Code line with performance management reporting cycles (action 8 above).</p>	February 2022	David Hughes	Completed
28	DOF	<p>The new Raising a Concern framework will set out the requirement for good record-keeping relating to concerns. The new Raising a Concern framework will include specific requirements for record-keeping relating to concerns.</p>	January 2023	David Hughes	

**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**  
*The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.*  
*The phase 1 report from the external review also highlighted some deficiencies and a lack of clarity in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF have identified some additional actions to be taken to help ensure these deficiencies can be prevented for the future*

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
29 DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will DOF will introduce a new protocol when supporting departments on employment-related legal cases to ensure that set out the respective roles, and responsibilities and decision-making authorities of all stakeholders, in particular of the employing department, NICS-HR and the Departmental Solicitor's Office and any external legal support (e.g., counsel), and the central Human Resources/ Organisational Development functions, the purpose being to ensure these are clear, understood and known, are clearly documented and communicated	April 2023	Hugh Widdis	ToR for the review and development of the protocol have been agreed between DSO and the People and OD function.
30 DOF	Clear-Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry	April 2023	Hugh Widdis	

<u>31</u>	DOF	Specific advice on managing conflicts of interest in the context of employment-related legal cases will be issued to all departments	April 2023 (TBC)	<u>Hugh Widdis Stuart Stevenson</u>	
<u>32</u>	DAERA	Roles and responsibilities of senior staff in DAERA, including in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated	Immediate	Brian Doherty/Fiona McCandless	
<u>33</u>	DAERA	New arrangements will be put in place in DAERA to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action cannot be involved in any part of the decision-making on that legal action	Immediate	Brian Doherty/Fiona McCandless	

[redacted]

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**From:** Byrne, Jayne  
**Sent:** 13 January 2023 13:31  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Stewart, Chris (TEO); Crilly, Louise; McCavigan, Tracey; Hughes, David (DoF); Sayee, Natasha; McNabb, Chris; McLaughlin, Mark (DOF); McFlynn, Sharon  
**Subject:** CM: Monday 16 January @ 4.45pm - DAERA Oversight Board  
**Attachments:** Item (3) Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - 10 January 2022.DOCX; 16.1.23 draft agenda.docx

**Importance:** High

**Categories:** Logged on CM

Please find attached a draft agenda and an updated Action plan for Monday's Oversight Board.

An action list from the meeting of 9 January and the updated Comms plan will follow later today.

Please do not hesitate to contact me should you have any queries.

Regards  
Jayne

**Jayne Byrne**  
**Chief of Staff**  
**Office of the Head of the Civil Service**

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
**Tel:** 028 90 379 810 (Internal extension 89810)  
**Mob:** 07776 667627  
**E-mail:** [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

## DAERA EXTERNAL REVIEW – ACTION PLAN

This action plan sets out the actions that DAERA and DoF will take in response to the recommendations in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

The Audit and Risk Assurance Committees of both departments have been asked by the respective accounting officers to keep the action plans as a standing item on their agendas for their meetings until the actions have all been completed and to scrutinise progress rigorously so that assurance can be provided that the necessary action is being taken.

Both departments will also publish [quarterly] progress reports on their respective actions on their websites so that there can be full transparency and accountability for progress being made.

The Head of the Civil Service has asked the Permanent Secretaries of DAERA and DoF and the Departmental Solicitor to provide assurance that action is underway as set out below, and to confirm, in due course, that all recommendations have been implemented fully. The Permanent Secretaries of other Departments have also been asked to take similar steps, where needed, and to fulfil shared actions in their Departments.

### Finding 1: Updating of core policy documents

*The last review date of [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.*

	Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
1	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the	May 2023	Brian Doherty & Fiona McCandless	

		DAERA website and communicated to DAERA staff and stakeholders				
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every 5 years unless an earlier review is needed.	May 2023	Brian Doherty & Fiona McCandless		
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023	Brian Doherty & Fiona McCandless		
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS Raising a Concern framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023	Roger Downey		
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023	Roger Downey		
6	DOF	Managing Public Money NI (MPMNI) is presently under review, with a further updated version to be available shortly. A formal review cycle will be introduced for MPMNI and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023	Stuart Stevenson		
7	DOF	The NICS Code of Ethics was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be	March 2023	David Hughes		



8	TEO	<p>Introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.</p> <p>The Head of the Civil Service will circulate the Code of Ethics in line with the performance management reporting cycle. She will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.</p>	March 2023	HOCS	
9	DOF	<p>The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally</p>		Jill Minne	<p>Discipline, Grievance, Dignity at Work, Recruitment and Special Leave policies have all been reviewed in the past year and a review of Sickness Absence is near completion.</p>
10	DOF	<p>Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.</p>	March 2023	Neil Gibson/ Paul Duffy Information Governance Board	

**Finding 2: Recording and escalating line of business concerns**

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

	Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only] agreed	Progress Report [to be completed every quarter for ARAC review and publication]
11	DOF	DoF has published a new Raising a Concern policy framework which will apply across the NICS.	January 2023	David Hughes	
12	DOF	The policy framework will be reflected in detailed operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	March 2023	Permanent Secretaries	
13	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023	David Hughes Head of Internal Audit (with input from the Treasury Officer of Accounts)	
14	DoF	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental	April 2023	All Permanent Secretaries	

		Audit and Risk Assurance Committee on a regular basis.				
15	DoF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns; to develop system-wide learning; and to set out actions for the improvement of the arrangements.	April 2023	David Hughes Head of Internal Audit		
16	DoF / TEO	The NICS Board will commission a regular report on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023	HOCS		
17	DoF	The NICS Internal Audit service will review how well the framework helps departments to manage the concerns they receive and to ensure consistency and good practice and a report will be produced setting out any findings and recommendations for further improvement.	From April 2023	Head of Internal Audit		
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023	Brian Doherty/Fiona McCandless		
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed.	At each meeting	ARAC secretariat		
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2023	Roger Downey		
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all	September 2023	Kathryn Clarke		

22	DAERA	<p>DAERA staff at Grade 7 and above on handling concerns</p> <p>DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public</p>	March 2023	Kathryn Clarke	
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**Finding 3: Record keeping**

The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with

	Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2023	Roger Downey	
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2023	Brian Doherty/Fiona McCandless	
25	DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes	February 2023	Brian Doherty/Fiona McCandless	
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2023	Kathryn Clarke	

27	DoF	The Code of Ethics has been revised to include an explicit obligation on civil servants to keep accurate official records. This will be relevant to the bi-annual promotion of the Code line with performance management reporting cycles (action 8 above).	February 2022	David Hughes	Completed
28	DOF	The new <i>Raising a Concern</i> framework will set out the requirement for good record-keeping relating to concerns	January 2023	David Hughes	

**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.

	Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will set out the respective roles, responsibilities and decision-making authorities of all stakeholders, in particular the employing department, the Departmental Solicitor's Office and any external legal support (e.g., counsel), and the central Human Resources/Organisational Development functions, the purpose being to ensure these are clear, understood and known.	April 2023	Hugh Widdis	ToR for the review and development of the protocol have been agreed between DSO and the People and OD function.
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry	April 2023	Hugh Widdis	
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments	April 2023	Stuart Stevenson	
32	DAERA	Following development of the protocol referenced at action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on	May 2023	Brian Doherty/Fiona McCandless	

33	DAERA	<p>how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.</p> <p>New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action</p>	Immediate	Brian Doherty/Fiona McCandless	
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Monday 16 January 2023 @ 4.45pm

**DAERA Issue – Oversight Board**

**Via Zoom**

**DRAFT AGENDA**

- (1) **Actions arising from meeting – 9 January 2023**  
*To follow* J Brady
- (2) **Final PWC reports update** T McCavigan
- (3) **Update on draft Action Plan - copy attached** David Hughes
- (4) **Comms Action plan – to follow** C McNabb  
Sharon McFlynn, DAERA  
Mark McLaughlin, DoF  
Chris McNabb, EIS  
Natasha Sayee, HoCS
- (5) **AOB**
- (6) **Date of next meeting**

**Attendees:**

Jayne Brady  
Neill Gibson  
Katrina Godfrey  
Chris Stewart  
Louise Grilly  
Tracey McCavigan  
David Hughes  
Jayne Byrne

Chris McNabb  
Mark McLaughlin  
Sharon McFlynn  
Natasha Sayee

[redacted]

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**From:** Hughes, David (DoF)  
**Sent:** 16 January 2023 18:21  
**To:** Byrne, Jayne  
**Cc:** Stewart, Chris (TEO); Sayee, Natasha; McCavigan, Tracey; Crilly, Louise; McFlynn, Sharon; McLaughlin, Mark (DOF); Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Brady, Jayne  
**Subject:** Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022  
**Attachments:** Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022.DOCX

I attach the Action Plan, with the preliminary text that Natasha has been working on. Thanks to Natasha for her input.

I know the intention is to issue this evening.

There are still a gap for text from Sharon on the elements that the review did not cover.

Also, I have not established whether / how the review of the disciplinary policy or the introduction of the disciplinary panel is intended to respond to the findings of the PwC reports; I understand that Jill intends to speak to Jayne about that. If it is determined that that shall be incorporated, can I ask for a steer as to where and on what terms; I will need some draft text, please.

I will be able to pick up later, as required.

David  
07825141388

# NI Civil Service Action Plan

## Response to Independent External Review [draft 01]

January 2023

### Document Control

<b>Document Title:</b> NI Civil Service Action Plan – Response to Independent External Review January 2023
<b>Version Number:</b> draft 01
<b>Authors:</b> David Hughes, Natasha Sayee, Sharon McFlynn, Tracy McGavigan, Mark McLaughlin
<b>Fact Check:</b> Tracy McGavigan carried out on [date]
<b>First Proofing Review:</b> Natasha Sayee and David Hughes carried out on [date]
<b>Legal Review:</b> Louise Crilly carried out on [date]
<b>HR Review:</b> Jill Minne and Catherine Shannon carried out on [date]
<b>Second Proofing Review:</b> Natasha Sayee, David Hughes and Sharon McFlynn carried out on [date]
<b>Final review and approval:</b> Oversight Group carried out on [date]

### Preface

In April 2022, this Oversight Group, comprising the Head of the Civil Service along with the Permanent Secretaries for the Departments of Finance (DoF) and Agriculture, Environment & Rural Affairs (DAERA), proactively commissioned an Independent External Review following a recent case, which highlighted serious failures relating to the handling of concerns.

To deal with the issues raised in the case robustly and effectively, this Oversight Group acted decisively to implement an extensive and objective examination of the handling of the concerns raised and of decision making throughout this process. In June 2022, following a competitive tender process, PwC were appointed to undertake the review.

The Independent External Review commenced voluntarily with a cross-departmental remit, a new departure for the Northern Ireland Civil Service, demonstrating our commitment to meaningful, transparent and accountable action.

As leaders of the NI Civil Service, the findings make for difficult reading; we deeply regret that the confidence of both staff and the public in the Civil Service has been damaged, but we must learn from what went wrong and improve.

We are clear: concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant works to up-to-date and understood policies and maintains proper records. These are the foundations of good governance.

We acknowledge that some of the issues identified were previously raised by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.

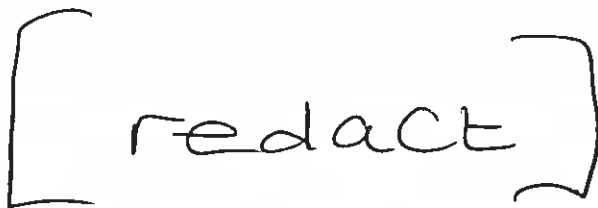
This is not good enough and we are sorry.

### **Meaningful, Transparent and Accountable Change**

The NI Civil Service is on a journey of constant improvement, but this process has highlighted the need for reform in particular areas of procedure and policy. While the majority of these improvements are the responsibility of the Department of Agriculture, Environment & Rural Affairs, with implications for the Department of Finance, the findings of the Independent External Review and this Action Plan have an impact on all Departments.

This process has also identified that cultural and behavioural reform is essential and has accelerated change which is already underway. A separate and substantial body of work is ongoing to build the capacity and capability of the Civil Service and develop an inclusive culture across all departments which supports and enables our workforce.

In Spring 2023 we will publish our plan for embedding and sustaining this transformative change.



It is a privilege to serve.

We are putting things right, without delay.

(images of Jayne Brady, Katrina Godfrey, Neil Gibson – with names and signatures)

## Action Plan: Introduction

In January 2023, PWC provided the NI Civil Service with the findings and recommendations of the Independent External Review, which they had undertaken since appointment in June 2020. Due to the complexities of the issues [redact]

[redact] the Independent External Review from PWC has taken longer than expected.

This action plan sets out the actions that DAERA, DoF and the Head of the Civil Service will take that will address the recommendations and findings in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC. Some of these will arise from work that is already ongoing, and others have been designed specifically to respond to this Report.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report

Each of these actions has been assigned to a named senior leader in the NI Civil Service, with direct responsibility for implementation, evaluation, reporting and optimisation.

This Action Plan is limited to addressing the recommendations made by PWC and systemic issues raised by the review. [redact]

[redact] [redact]

[This document does not include ... Add lines in on the animal welfare and traceability internal audit and outcomes – Sharon McFlynn – ensure lines highlight importance to DAERA PS]

### Transparency and Accountability

Transparency and accountability are at the core of our response. As such, the Audit and Risk Assurance Committees of both DAERA and DoF have been asked by the relevant Permanent Secretaries to make the Action Plan a key element of their meetings. As a standing agenda item, progress against the Action Plan will be rigorously scrutinised.

To further support transparency and accountability, both departments will also publish quarterly progress reports on the websites.

The Head of the Civil Service, as Chair of the NI Civil Service Board, will monitor the status of actions; monthly updates will be sought from the Permanent Secretaries of DAERA and DoF and the Departmental Solicitor outlining progress. This will provide assurance that action is underway as set out below, and to confirm, in due course, that all recommendations have been implemented fully. Where an action applies

across the organisation, the NICS Board will collectively report on progress to the Chair. The Permanent Secretaries of other departments have also been asked to take similar steps, where needed, and to fulfil shared actions in their Departments.

<b>Finding 1: Updating of core policy documents</b>			
<i>The last review date of [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</i>			
	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every 5 years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
10	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
6	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023

7	DOF	The NICS Code of Ethics was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023
8	TEO	The Head of the Civil Service will circulate the Code of Ethics in line with the performance management reporting cycle. She will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
9	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally	

**Finding 2: Recording and escalating line of business concerns**

*Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.*

*Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.*

	Department	Action	Timescale for completion
11	DOF	DoF has published a new <i>Raising a Concern</i> policy framework which will apply across the NICS.	January 2023
12	All	The Raising a Concern Policy Framework will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	June 2023
14	All	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023

13	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DoF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns; to ensure system-wide learning.	April 2023
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DoF	The NICS Internal Audit service will review how well the Raising a Concern policy framework helps departments to manage the concerns they receive and to ensure consistency and good practice. A report will be produced for the Designated Officers' Forum setting out any findings and recommendations for further improvement. This report will inform the Forum's report to the NICS Board.	From April 2023
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2023
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2023

**Finding 3: Record keeping**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should*



*be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with*

	Department	Action	Timescale for completion
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2023
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes	February 2023
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2023
27	DoF	The Code of Ethics was revised to include an explicit obligation on civil servants to keep accurate official records. This will be promoted to staff bi-annually in line with performance management reporting cycles (action 8 above).	February 2022
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns	January 2023

**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

*The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.*

	Department	Action	Timescale for completion
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will clarify the respective roles, responsibilities and decision-making authorities of all stakeholders. This will include the employing department, the central Human Resources/ Organisational Development functions of the	April 2023

		NICS, the Departmental Solicitor's Office, and any external legal support (e.g., counsel), and .	
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry	April 2023
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments.	April 2023
32	DAERA	Following development of the protocol referenced at action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.	May 2023
33	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action	Immediate

[redact]

**From:** Stewart, Chris (TEO)  
**Sent:** 16 January 2023 19:21  
**To:** Brady, Jayne; Hughes, David (DoF); Byrne, Jayne  
**Cc:** Sayee, Natasha; McCavigan, Tracey; Crilly, Louise; McFlynn, Sharon; McLaughlin, Mark (DOF); Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Subject:** CM: RE: Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022  
**Attachments:** Official sensitive JB to perm secs PWC reports v2.DOCX

Jayne

Revised version attached.

C

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**From:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>  
**Sent:** 16 January 2023 18:43  
**To:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Cc:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
**Subject:** RE: Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022

Thanks all, I have spoken to Jill and am content not to include the reference to external panel. I suggest we send this evening. Chris is the letter in final form?  
Jayne

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Date:** Monday, 16 Jan 2023 at 6:20 pm  
**To:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Cc:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>  
**Subject:** Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022

From: Jayne Brady  
Date: 16 January 2023

To: Permanent Secretaries

**DAERA EXTERNAL REVIEW: REPORTS FROM PWC**

1. I attach copies of the final reports received from PWC, following an external review commissioned by Katrina Godfrey, Neil Gibson and me.
2. The intention is to publish the reports early next week, along with a comprehensive action plan. A near-final draft of the action plan is attached, for your personal consideration, and in strictest confidence until publication. The majority of the actions will fall to DAERA or DoF to take forward in the first instance. However, some of the DoF actions may have implications for other Departments, or may require consequential action. You will also see from the foreword to the action plan that I am asking each Permanent Secretary to provide me with assurance that the action plan has been considered, and equivalent action taken in every Department, where necessary.
3. For that reason, I am circulating the action plan in draft, with a request that any comments are provided by the end of Thursday 19 January. There will be an opportunity to discuss the action plan at Friday's PSS stocktake if necessary.
4. The reports and the action plan are also being shared with the Northern Ireland Audit Office (NIAO) and Trade Union Side. The schedule for publication, and a communications plan will be finalised after Friday, in light of any comments from colleagues and any response from the NIAO.
5. At this juncture, I envisage that the communications strategy will include:
  - an on the record briefing with journalists;
  - external briefing to stakeholders (including MLAs); and
  - internal communications to NICS staff.

6. I should be grateful if you would send any comments on the action plan to David Hughes (DoF) by 5.00pm on Thursday 19 January.

**JAYNE BRADY**

[redact]

**From:** Hughes, David (DoF)  
**Sent:** 16 January 2023 19:27  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Byrne, Jayne  
**Cc:** Sayee, Natasha; Stewart, Chris (TEO); McLaughlin, Mark (DOF); McFlynn, Sharon; Crilly, Louise; McCavigan, Tracey  
**Subject:** CM: Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022  
**Attachments:** Official response to DAERA Whistleblowing Lessons Learnt Report by PwC - with ~ 16 January 2022.DOCX

Please find attached the action plan, with the preface that Natasha has been working on. There are two places where the text will need to be finalised before publication – text around the elements that were not covered in the PwC review, and points that will need to get checked by DSO [redact],

David

# NI Civil Service Action Plan

## Response to Independent External Review [draft 01]]

January 2023

### Document Control

<b>Document Title:</b> NI Civil Service Action Plan – Response to Independent External Review January 2023
<b>Version Number:</b> draft 01
<b>Authors:</b> David Hughes, Natasha Sayee, Sharon McFlynn, Tracy McGavigan, Mark McLaughlin
<b>Fact Check:</b> Tracy McGavigan carried out on [date]
<b>First Proofing Review:</b> Natasha Sayee and David Hughes carried out on [date]
<b>Legal Review:</b> Louise Crilly carried out on [date]
<b>HR Review:</b> Jill Minne and Catherine Shannon carried out on [date]
<b>Second Proofing Review:</b> Natasha Sayee, David Hughes and Sharon McFlynn carried out on [date]
<b>Final review and approval:</b> Oversight Group carried out on [date]

## Preface

In April 2022, this Oversight Group, comprising the Head of the Civil Service along with the Permanent Secretaries for the Departments of Finance (DoF) and Agriculture, Environment & Rural Affairs (DAERA), proactively commissioned an Independent External Review following a recent case, which highlighted serious failures relating to the handling of concerns. The review was carried out by PWC following a competitive tender process.

The voluntary commissioning of this review with a cross-departmental remit, is a new departure for the Northern Ireland Civil Service. It demonstrates our deep commitment to meaningful, transparent and accountable action.

As leaders of the NI Civil Service, the findings make for difficult reading. We deeply regret that the confidence of both staff and the public in the Civil Service has been damaged, but we must learn from what went wrong and improve.

We are clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant works to up-to-date and understood policies and maintains proper records. These are the foundations of good governance.

We acknowledge that some of the issues identified were previously raised by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.

This is not good enough and we are sorry.

### **Meaningful, Transparent and Accountable Change**

The NI Civil Service is on a journey of constant improvement, but this process has highlighted the need for reform in particular areas of procedure and policy. The majority of these improvements are the responsibility of the Department of Agriculture, Environment & Rural Affairs, with implications for the Department of Finance, the findings of the Independent External Review and this Action Plan have an impact on all Departments.

This process has also identified that cultural and behavioural reform is essential and has accelerated change which is already underway. A separate and substantial body of work is ongoing to build the capacity and capability of the Civil Service and develop an inclusive culture across all departments which supports and enables our workforce.

In Spring 2023 we look forward to publishing our plan for embedding and sustaining this transformative change.

[ redact ]  
[ redact ]

We know it is a privilege to serve. We are putting things right, without delay.

(images of Jayne Brady, Katrina Godfrey, Neil Gibson – with names and signatures)



## Action Plan: Introduction

In January 2023, PWC provided the NI Civil Service with the findings and recommendations of the Independent External Review, which they had undertaken since appointment in June 2022.

Due to the complexities of the issues, [redact]  
[redact] the Independent External Review process has taken longer than expected.

This action plan sets out the actions that DAERA, DoF and the Head of the Civil Service will take to address the recommendations and findings in the Phase 2 Lessons Learned and Recommendations report from the External Review.

Some of these actions arise from work that is already ongoing, and others have been designed specifically to respond to the Independent External Review.

This Action Plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

Each of these actions has been assigned to a named senior leader in the NI Civil Service, with direct responsibility for implementation, evaluation, reporting and optimisation.

This Action Plan is limited to addressing the recommendations made by PWC and systemic issues raised by the review. [redact]

[redact] [redact]

[This document does not include ... Add lines in on the animal welfare and traceability internal audit and outcomes – Sharon McFlynn – ensure lines highlight importance to DAERA PS]

### Transparency and Accountability

Transparency and accountability are at the core of our response. As such, the Audit and Risk Assurance Committees of both DAERA and DoF have been asked by the relevant Permanent Secretaries to make the Action Plan a key element of their meetings. As a standing agenda item, progress against the Action Plan will be rigorously scrutinised.

To further support transparency and accountability, both departments will also publish quarterly progress reports on the websites.

The Head of the Civil Service, as Chair of the NI Civil Service Board, will monitor the status of actions; monthly updates will be sought from the Permanent Secretaries of DAERA and DoF and the Departmental Solicitor outlining progress. This will provide assurance that action is underway as set out below, and to confirm, in due course,

that all recommendations have been implemented fully. Where an action applies across the organisation, the NICS Board will collectively report on progress to the Chair. The Permanent Secretaries of other departments have also been asked to take similar steps, where needed, and to fulfil shared actions in their Departments.

<b>Finding 1: Updating of core policy documents</b>			
<i>The last review date of [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</i>			
	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every 5 years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
10	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
6	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023

7	DOF	The NICS Code of Ethics was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023
8	TEO	The Head of the Civil Service will circulate the Code of Ethics in line with the performance management reporting cycle. She will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
9	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally	

**Finding 2: Recording and escalating line of business concerns**

*Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.*

*Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.*

	Department	Action	Timescale for completion
11	DOF	DoF has published a new <i>Raising a Concern</i> policy framework which will apply across the NICS.	January 2023
12	All	The Raising a Concern Policy Framework will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	June 2023
14	All	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023

13	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DoF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns; to ensure system-wide learning.	April 2023
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DoF	The NICS Internal Audit service will review how well the Raising a Concern policy framework helps departments to manage the concerns they receive and to ensure consistency and good practice. A report will be produced for the Designated Officers' Forum setting out any findings and recommendations for further improvement. This report will inform the Forum's report to the NICS Board.	From April 2023
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2023
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2023

**Finding 3: Record keeping**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should*

*be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with*

	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2023
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes	February 2023
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2023
27	DoF	The Code of Ethics was revised to include an explicit obligation on civil servants to keep accurate official records. This will be promoted to staff bi-annually in line with performance management reporting cycles (action 8 above).	February 2022
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns	January 2023

**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

*The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.*

	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will clarify the respective roles, responsibilities and decision-making authorities of all stakeholders. This will include the employing department, the central Human Resources/ Organisational Development functions of the	April 2023

		NICS, the Departmental Solicitor's Office, and any external legal support (e.g., counsel).	
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry	April 2023
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments.	April 2023
32	DAERA	Following development of the protocol referenced at action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.	May 2023
33	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action	Immediate

[redact]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 17 January 2023 08:00  
**To:** Donnelly, Paul (DAERA); Reid, David (DAERA RAFSETBOR); Fulton, Norman  
**Cc:** DAERA Central Services Deputy Secretary; McFlynn, Sharon; Downey, Roger, [redact]  
**Subject:** 35 OFFICIAL - SENSITIVE DAERA External Review: Reports from PWC  
**Attachments:** (4) draft Action Plan - 16 January 2023.docx; (1) Official sensitive memo from JB to perm secs PWC reports.docx; (2) DAERA External Review\_Final Report\_ 9 January 2023.pdf; (3) DAERA - Project Oscar phase 2 final report.pdf  
**Importance:** High

Senior colleagues

Please find attached **in strict confidence and not for sharing** the completed PWC reports and near final draft of the accompanying action plan. We will hold a copy of this email in CM; if you are also going to file at your end, please make sure the email and attachments are stored in a secure, suitably locked down container.

The DAERA elements of the action plan have already been agreed (with my thanks to Roger, Sharon, Brian and Fiona) but I thought it useful to let you have, in confidence, advance sight. If you have any concerns about the actions in the plan, please do speak to me.

In terms of communications, Sharon and I are working on a plan for internal comms to staff and will be in touch separately about this. Again, if you've any suggestions on this front, please speak with Sharon.

In terms of timing, current plans are that we will publish the reports and accompanying action plan early next week.

Finally, one of the reports requires a password which can be obtained from my office.

Thank you

Katrina

Sent with BlackBerry Work  
(www.blackberry.com)

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**From:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Date:** Monday, 16 Jan 2023 at 9:07 pm  
**To:** Boyle, Colum (DfC) <Colum.Boyle@communities-ni.gov.uk>, Browne, Mark (Permanent Secretary) <Mark.Browne@education-ni.gov.uk>, Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>, Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>, Harrison, Julie (Dfl – Perm Sec) <Julie.Harrison@infrastructure-ni.gov.uk>, Brennan, Mike <Mike.Brennan@economy-ni.gov.uk>, May, Peter <Peter.May@health-ni.gov.uk>, Pengelly, Richard <Richard.pengelly@justice-ni.gov.uk>, McMahon, Denis <Denis.McMahon@executiveoffice-ni.gov.uk>, Widdis, Hugh <Hugh.Widdis@finance-ni.gov.uk>  
**Cc:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>, Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>, Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>

**Subject: DAERA External Review: Reports from PWC**

**Official - Sensitive**

Dear Perm Sec

Please find attached the following items for your immediate consideration.

1. Official sensitive memo from Jayne Brady seeking your views, by 5pm on Thursday 19 January, on the attached confidential draft Action Plan.
2. PWC DAERA External Review Final report (password protected – I will send access code separately).
3. DAERA Phase 2 final report
4. Confidential Draft Action plan

Many thanks  
Jayne

**Jayne Byrne**  
**Chief of Staff**  
**Office of the Head of the Civil Service**

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
**Tel:** 028 90 379 810 (Internal extension 89810)  
**Mob:** 07776 667627  
**E-mail:** [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*



**Finding 1: Updating of core policy documents**

*The last review date of [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.*

	Department	Action	Timescale for completion
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3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023
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10	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
6	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023
7	DOF	The NICS Code of Ethics was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023

8	TEO	The Head of the Civil Service will circulate the Code of Ethics in line with the performance management reporting cycle. She will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
9	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally	

**Finding 2: Recording and escalating line of business concerns**

*Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.*

*Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.*

	Department	Action	Timescale for completion
11	DOF	DoF has published a new <i>Raising a Concern</i> policy framework which will apply across the NICS.	January 2023
12	All	The Raising a Concern Policy Framework will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	June 2023
14	All	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023
13	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DoF	DoF will establish a Designated Officers' Forum to discuss common issues around the	April 2023

		raising and handling of concerns; to ensure system-wide learning.	
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DoF	The NICS Internal Audit service will review how well the Raising a Concern policy framework helps departments to manage the concerns they receive and to ensure consistency and good practice. A report will be produced for the Designated Officers' Forum setting out any findings and recommendations for further improvement. This report will inform the Forum's report to the NICS Board.	From April 2023
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	March 2023
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2023

**Finding 3: Record keeping**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with*

	Department	Action	Timescale for completion
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to	February 2023

		decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes	February 2023
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2023
27	DoF	The Code of Ethics was revised to include an explicit obligation on civil servants to keep accurate official records. This will be promoted to staff bi-annually in line with performance management reporting cycles (action 8 above).	February 2022
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns	January 2023
<b>Additional Finding: Roles and responsibilities in dealing with employment-related legal cases</b>			
<i>The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.</i>			
	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will clarify the respective roles, responsibilities and decision-making authorities of all stakeholders. This will include the employing department, the central Human Resources/ Organisational Development functions of the NICS, the Departmental Solicitor's Office, and any external legal support (e.g., counsel).	April 2023
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation	April 2023

		available to staff giving evidence in a court, tribunal or public inquiry	
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments.	April 2023
32	DAERA	Following development of the protocol referenced at action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.	May 2023
33	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action	Immediate

From: Jayne Brady  
Date: 16 January 2023

To: Permanent Secretaries

**DAERA EXTERNAL REVIEW: REPORTS FROM PWC**

1. I attach copies of the final reports received from PWC, following an external review commissioned by Katrina Godfrey, Neil Gibson and me.
2. The intention is to publish the reports early next week, along with a comprehensive action plan. A near-final draft of the action plan is attached, for your personal consideration, and in strictest confidence until publication. The majority of the actions will fall to DAERA or DoF to take forward in the first instance. However, some of the DoF actions may have implications for other Departments, or may require consequential action. You will also see from the foreword to the action plan that I am asking each Permanent Secretary to provide me with assurance that the action plan has been considered, and equivalent action taken in every Department, where necessary.
3. For that reason, I am circulating the action plan in draft, with a request that any comments are provided by the end of Thursday 19 January. There will be an opportunity to discuss the action plan at Friday's PSS stocktake if necessary.
4. The reports and the action plan are also being shared with the Northern Ireland Audit Office (NIAO) and Trade Union Side. The schedule for publication, and a communications plan will be finalised after Friday, in light of any comments from colleagues and any response from the NIAO.
5. At this juncture, I envisage that the communications strategy will include:
  - an on the record briefing with journalists;
  - external briefing to stakeholders (including MLAs); and
  - internal communications to NICS staff.

6. I should be grateful if you would send any comments on the action plan to David Hughes (DoF) by 5.00pm on Thursday 19 January.

**JAYNE BRADY**

[redact]

---

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 17 January 2023 12:53  
**To:** [redact]  
**Subject:** 37 CM: OFFICIAL - SENSITIVE: DAERA External Review: Reports from PWC  
**Attachments:** (4) draft Action Plan - 16 January 2023.docx; (2) DAERA External Review\_Final Report\_9 January 2023.pdf; (3) DAERA - Project Oscar phase 2 final report.pdf

**Importance:** High

OFFICIAL - SENSITIVE

Hello [redact].

Since I won't now see you in person tomorrow, I thought I would share the final reports and, importantly, also the near final draft of the action plan by email. If you've any time in the next couple of days, I'd be happy to chat by phone. There are no significant changes from the versions of the reports I shared previously – it's largely been just some presentational tidying

As discussed previously and with my huge thanks again for your support, my intention remains that, as soon as we have published (probably early next week), I will formally ask ARAC through you to scrutinise and monitor progress against all of the DAERA actions in the plan and to keep the plan as a standing item on the ARAC agenda until the actions have been completed and validated as complete.

Thanks again

Katrina



**Finding 1: Updating of core policy documents**

The last review date of [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.

	Department	Action	Timescale for completion
	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every 5 years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
10	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
6	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023
7	DOF	The NICS Code of Ethics was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023

8	TEO	The Head of the Civil Service will circulate the Code of Ethics in line with the performance management reporting cycle. She will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
9	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally	

**Finding 2: Recording and escalating line of business concerns**

*Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.*

*Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.*

	Department	Action	Timescale for completion
11	DOF	DoF has published a new <i>Raising a Concern</i> policy framework which will apply across the NICS.	January 2023
12	All	The Raising a Concern Policy Framework will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	June 2023
14	All	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023
13	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DoF	DoF will establish a Designated Officers' Forum to discuss common issues around the	April 2023

		raising and handling of concerns; to ensure system-wide learning.	
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DoF	The NICS Internal Audit service will review how well the Raising a Concern policy framework helps departments to manage the concerns they receive and to ensure consistency and good practice. A report will be produced for the Designated Officers' Forum setting out any findings and recommendations for further improvement. This report will inform the Forum's report to the NICS Board.	From April 2023
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21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2023
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**Finding 3: Record keeping**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with*

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**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

*The phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.*

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		available to staff giving evidence in a court, tribunal or public inquiry	
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[Redacted]

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**From:** McNabb, Chris  
**Sent:** 19 January 2023 12:35  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Cc:** McLaughlin, Mark (DOF); Sayee, Natasha; McFlynn, Sharon; Stewart, Chris (TEO); Crilly, Louise; McGavigan, Tracey; McNabb, Chris  
**Subject:** CM: Media advice for HOCS re publication on PwC reports  
**Attachments:** 19-01-2023 EIS SUB re ADVICE TO HOGS RE PUBLICATION OF PWC REPORT.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

All

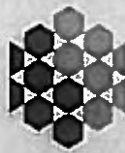
See advice from comms group re media interviews re publication of PwC reports.

Happy to discuss

Chris

**Executive Information Service**

Chris McNabb  
Stormont Castle  
BELFAST  
BT4 3TT



The  
**Executive Office**

[www.executiveoffice-ni.gov.uk](http://www.executiveoffice-ni.gov.uk)

Tel: 028 90378003

Email: [chris.mcnabb@executiveoffice-ni.gov.uk](mailto:chris.mcnabb@executiveoffice-ni.gov.uk)

**FROM: CHRIS MCNABB**

**DATE: 19/01/2023**

**TO: JAYNE BRADY, HEAD OF THE CIVIL SERVICE**

**MEDIA ADVICE ON THE PUBLICATION OF PWC REPORTS**

**Issue:** You have asked for media advice on whether or not to make yourself available for interviews following the publication of the two PWC reports commissioned by the Oversight Group at the conclusion of the **[redact]** IT case.

**Timescale:** Immediate. It is hoped to publish the reports on the w/c January 23

**Presentational issues:** The publications of the reports will be of media interest.

**FOI:** Elements of this submission could be considered for release under FOI.

**Recommendation:**

**[redact]**

**BACKGROUND**

1. You chair an Oversight Group established to work through external reports commissioned by DAERA at the conclusion of the **[redact]** Industrial Tribunal case.

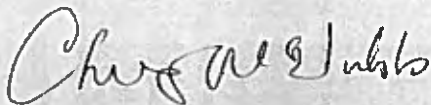
2. As the work nears conclusion, communications colleagues have been invited to join some meetings where we have been asked for advice on how to handle the publication of the reports to external and internal audiences and key stakeholders.
3. At our most recent meeting at the start of the week, you asked for communications advice on the handing of the report and whether you should conduct media interviews on the day of publication.
4. I have discussed this with communication colleagues in TEO, Finance and DAERA and we have considered both the arguments for and against interviews.
5. As communication professionals, we would always come from the position of full media engagement to show visible leadership and transparency with as much information put into the public domain as possible. On that basis and in normal circumstances, we would be suggesting you undertake interviews with all interested media outlets and also chair an on the record briefing on the associated action plan with the Permanent Secretaries of DAERA and DoF.
6. However, having now engaged with colleagues, covering policy, legal and audit advice, the Communications Group is of the shared view that any interviews at this stage have the potential to [ redact ]  
[ redact ] .
7. [ redact ]
8. [ redact ]
9. [ redact ]
10. Finally, there is no statutory obligation to inform the media or the public of what, if any, processes are ongoing or being considered.
11. Based on the information and advice available to us we recommend you should issue a written statement on the day of publication which deals with the findings of the reports, including specific responses to the recommendations of the report.



12. To ensure these do not create any legal or procedural issues these should be cleared by legal and HR colleagues, covering what if anything we can say about [redact] We would also advise against a media briefing on the publication of any action plan at this stage, instead we should proactively publish and communicate progress in the respective areas identified.
13. Our view has been informed by the note issue to the Oversight Group from Chris Stewart on January 12, attached at **Annex A** for information, and further discussions and advice from legal and audit colleagues which is provided in **Annex B** (Tracey McGavigan Group Head of Internal Audit and Fraud Investigation Services) and **Annex C** (Louise Crilly, Departmental Solicitors Office).
14. Inevitably there will be criticism for not undertaking media interviews. However, it is our shared view that [redact]  
[redact] [redact]
- 15.

#### RECOMMENDATION

That at this stage, you decline all media interviews in relation to the publication of the two PWC reports.



**CHRIS McNABB**  
EIS Head of Communications

#### Distribution list:

Katrina Godfrey  
Neil Gibson  
Chris Stewart  
Louise Crilly  
Tracey McGavigan  
Mark McLaughlin  
Sharon McFlynn  
Natasha Sayee

## ANNEX A: INPUT FROM CHRIS STEWART

From: Chris Stewart  
Date: 12 January 2023

cc Chris McNabb  
Natasha Sayee  
Mark McLoughlin

Jayne Brady  
Neil Gibson  
Katrina Godfrey

### PWC REPORT AND APPROACH TO COMMUNICATIONS

1. On 9 January, the oversight group discussed the potential approach to communications in relation to the above report. I expressed the view (which I continue to hold) that offering media interviews is the wrong approach.
2. There are two risks to be managed: that of reputational damage to the NICS from an unsuccessful interview (or from declining an interview), and redact  
redact ] In my view the latter is the more significant in terms of long-term damage. Failure to manage the first risk may lead to short-term unfavourable media coverage. Failure to manage the second may damage the confidence of staff in the values and leadership of the NICS.
3. The two risks are, of course, connected. In any interview situation, the more cautious we are in relation to the second risk, the more we increase the first. But cautious we must be. It is for that reason that my earnest advice is that we do not offer interviews and decline any request.
4. My concern is perhaps best illustrated by the attached draft Q&A briefing, which illustrates that a prudently cautious approach to answering predictable questions does nothing to address the first risk.
5. I suggest that both risks would be better managed by a communications strategy that might include: a press statement and direct communication to stakeholders (such as MLAs) and NICS staff.
6. Glad to discuss.

CF Stewart

CHRIS STEWART

Q [redact]

A [redact]

Q [redact]

A [redact]

Q [redact]

A [redact]

Q [redact]

A [redact]

Q [redact]

A [redact]

Q **So if this report isn't about holding those responsible to account, what is it about?**

A The Report identifies a number of systems failures, and I have set out an action plan to address those failures.

Q **But systems are designed and operated by people. So who failed to do their job in relation to those systems, and what are you doing about it?**

A The action plan is about fixing the systems, not apportioning individual blame; [redact]  
redact ]

Q **After RHI there was a 'systems action plan' but virtually no-one held to account – one civil servant got a slap on the wrist; others got honours or promotions. Here we have a 'systems action plan' and no-one being held to account. Where is the accountability in JB's civil service?**

A Accountability must be the result of due process. As with any employer, the NICS is obliged to carry out those processes properly and fairly. Keeping the

process fair requires confidentiality [redact]  
[redact]

Q. [redact]

A [redact]

Q [redact]

A [redact]

Q Today, the NICS, headed by you, is making life and death decisions on the delivery of public services. In light of [redact] do you think the public can have confidence in the NICS, or will you just bury your mistakes?

A I can assure you and the people of NI of three things:

First, we will do our very best, as we have always done, to provide the best public services in these difficult circumstances – and our record shows that we can do that.

Second, when we [redact] and accept responsibility.

Third, we will put right [redact] and change behaviour to prevent recurrence.

**ANNEX B: INPUT FROM TRACEY McCAVIGAN**

**From:** McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>  
**Sent:** 19 January 2023 09:02  
**To:** Sayee, Natasha <[Natasha.Sayee@executiveoffice-ni.gov.uk](mailto:Natasha.Sayee@executiveoffice-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>  
**Subject:** Audit comments

All

As discussed yesterday from my audit perspective in considering all the documentation to be published collectively, I have the following comments;

- Has all the policy leads considered the content of the and provided what this means for them going forward. I think this is a fundamental step and key in terms of the lines to take/ direction of any commentary on the reports.
- It is essential that any communications are considered in terms of the risk of any impact the statements may have on [redact] completion of the reports;
- Whilst the reports are finalised [redact] It should be noted that the report is a factual account of the written documentation which the report has highlighted there are still some gaps therefore [redact]
- Action plan currently has a significant number of actions in comparison to the number of recommendations. Are these all as a direct result of the reports? [redact] so could a reduced action plan addressing the recommendations in the report and the overarching commentary covering broadly the wider actions be an option for publication and then the extended action plan for internal monitoring?

Happy to discuss  
Tracey

**Tracey McCavigan**  
Group Head of Internal Audit and Fraud Investigation Services  
Hillview Buildings | Stormont Estate | Belfast | BT4 3TA  
( 028) 91 279669 Ext: 59669

[redact]

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**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 19 January 2023 13:42  
**To:** McFlynn, Sharon  
**Cc:** [redact] Downey, Roger; DAERA Central Services Deputy Secretary  
**Subject:** CM: OFFICIAL - SENSITIVE: DRAFT questions  
**Attachments:** DRAFT potential questions 180123.docx; 20 questions for HOCS NS EDIT.docx  
**Categories:** Logged on CM

OFFICIAL – SENSITIVE

Thanks a million Sharon – some tracks, comments, queries etc from me but this is enormously helpful and represents a lot of work for which I'm very grateful. I am copying Roger and Fiona in too as I think you might need help from them in a couple of places to respond to my queries.

Katrina

---

**From:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>  
**Sent:** 18 January 2023 23:18  
**To:** Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** [redact]  
**Subject:** CM: DRAFT questions

Katrina,

Please find attached the latest draft composite Q and A list with DoF input been cleared by Neil.

As you will see throughout the document, DoF has highlighted areas that require DAERA/TEO input. I have provided draft responses for most of them (inserted as tracked changes) and where there are gaps, I have highlighted the questions in yellow. The draft responses have been cleared with the relevant policy leads- Roger (Finance) and Neal (VSAHG Policy) and are for your consideration and clearance.

Alongside this document, Chris McNabb prepared a list of top 20 questions which was been requested by HOCS for COP today (copy attached for information). It is still a working draft and Chris is awaiting further input from colleagues across a variety of disciplines but he is hopeful that a near final draft will be available tomorrow.

In addition to these two documents there has been a considerable amount of work done on developing the internal and external comms materials (as set out in the document shared by Natasha). We will keep working on this with a view to having a well developed suite to discuss at our meeting on Friday.

I will be out of the office tomorrow at the NICS G5 Leadership Programme but will have my mobile with me if you need to contact me.

Many thanks.

Sharon

## External Review Report publication

### Report production

In May DAERA stated the review was expected to be completed by end of July 2022.

- When was the review completed?
- The final reports were received on January 9 2023
- When was this report first received by the NICS?
- When was the final report provided?
- The final reports were received on 09 January 2023.
- What were the steps in between?
- [Jayne and Tracey to provide as we agreed that Neil and I would not comment on the interim reports]
- Why has it taken until now to publish the findings?
- The intention was to complete the investigation and the lessons learned reports as swiftly as possible but also as thoroughly as possible. In the process of the investigation, some new information came to light that needed to be followed up.
- How much was the report expected to cost?
- It was anticipated that the two reports would cost up to £107,500.
- How much did it cost?
- Final costs are currently being finalised and will be published in due course.
- If it was above projected cost – why?
- Final costs are currently being finalised and will be published in due course.
- HOCS said this was a personal priority – could this not have been handled much quicker?
- We received the final reports on January 9 2023 and are publishing them today.
- I accept that it took longer than originally anticipated to get to the point of having final reports but there are steps we all had to work through to get to this stage.
- My focus is delivering on the Action Plan so that the gaps identified in the report can be addressed.
- Do the NICS think this report meets the objectives and will make a difference?

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Commented [MS1]: Has this figure been disclosed before?

Commented [DR2R1]: I recall emails around publishing the cost and there was an agreement to do so in due course. However, I'm not aware that this amount has been disclosed.

Commented [MS3]: These are the draft lines prepared by Chris McNabb for the list of top 20 questions for HOCS

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Commented [CC4]: TEO / DAERA to provide responses

### Access to information to compile report

#### The report states:

"We were not responsible for identifying the relevant documentation, nor determining the completeness of the document population provided to us. In addition, we have not sought

clarification from relevant officials on the actions taken by persons involved in the case. In the absence of doing so, it has not been possible to determine conclusively, the extent of compliance with relevant policies, procedures and processes."

"Subsequent to the issue of our draft report, however, the Review Oversight Group asked key parties 2 to provide a written response to it. We have considered the comments made, updating our report to correct any potential factual inaccuracies identified or to add additional clarity. We have also considered additional documentation located by the Departmental Solicitor's Office ("DSO") when asked to respond to our draft report."

- **Were the report authors given access to all the information they needed? DAERA /TEO to insert response**

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DAERA provided PWC with full access to all its files and its auditors ensured that PWC was signposted to all relevant documentation

- **Why was additional documentation only located by DSO at review stage? What assurance can you give that other documentation hasn't gone unlocated?**  
The additional documentation referred to consisted of a small number of hand written consultation notes that had not been attached to the main hard copy file due to oversight arising from the unprecedented working practices required during the pandemic.

**The report states:**

"As agreed, no stakeholder interviews were held as part of fieldwork.... We are therefore unable to draw conclusions for all areas in scope?"

- **Who made the decision to not hold stakeholder interviews and why? DAERA /TEO to insert response**
- The Oversight Group took the decision at the outset to follow the normal audit processes where all documentation is available for review and where officials are available to clarify any follow-up questions. [An additional factor was that, if interviews are to be held as part of any process, they must be held in a consistent and fair manner and in line with NICS processes and must include all stakeholders. We considered at the time that such approach risked delaying very significantly the completion of the review.]

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**The report states:**

"Following discussions with DoF, we have been instructed to omit from this report reference to any privileged information that we may have reviewed."

- **Why were the report authors asked to omit references to privileged information?**  
The detail was made available to and fully considered by the review team in drawing their conclusions. Some information is covered by legal professional privilege and therefore should not be included in a report for external publication.

**The report states:**

"We have not been asked to provide an opinion on the adequacy of action taken?"



- **Why were the report authors not asked to provide an opinion on the action taken in this case?**

The actions taken in this case have already been the subject of an Industrial Tribunal. This report is about identifying lessons learnt.

#### **Report findings & associated actions**

- Has / will any disciplinary action be taken against anyone as a result of this report? DAERA to insert response
- In common with other employers, our HR processes are confidential and must remain so and we do not [redact] -comment on individual employee matters.

[redact]

Commented [MS5]: Draft line prepared by Chris McNabb for the list of top 20 questions for HDOS.

[redact]

#### **What action will be taken to address the report findings?**

An Action plan is published with the report, addressing both the specific recommendations of the PwC Lessons Learnt report and the wider systemic issues identified in the review.

#### **Who will oversee this?**

In their capacity as Principal Accounting Officers for their Departments, the Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Audit Committees to scrutinise progress. They will also provide the Head of the Civil Service, as Chair of the NI Civil Service Board, with regular updates. Where an action applies across the organisation, the NICS Board will collectively report on progress to the Chair.

TEO to insert response

- **Who ultimately owns the policies that should have been updated?**  
Managing Public Money, the NICS Handbook and the Code of Ethics are the responsibility of the Department of Finance.

The DAERA Enforcement Policy and DAERA Whistleblowing Policy are the responsibility of that Department.

- Has the report been shared with [redact] DAERA /TEO to insert response

[DN: will it be shared at point of publication through legal teams?]

- **If not are there any plans to do so?** DAERA /TEO to insert response

#### **Record keeping**

The report states:

"In addition, more broadly, from the documentation reviewed, there appears to be a gap in notes of key meetings/consultations, or written follow-up notes by way of an alternative record of the meetings/consultations, which we would expect as a means of keeping an audit trail of key discussions and decisions."

- **The report indicates a lack of record keeping which was also raised as part of the RHI Inquiry. What action has been taken to address this following RHI?**

The requirement to keep accurate official records has been reinforced through a revision to the NICS Code of Ethics. The revised Code of Ethics includes an explicit requirement that staff must "keep accurate official records, including minutes of ministerial meetings, and handle information as openly and transparently as possible within the legal framework". A breach of the Code of Ethics may be treated as a disciplinary matter.

A data protection and information management hub has been launched on the NICS intranet with links to NICS Record Management Policy, Record Management Governance Framework, Email Management policy and guidance.

A records management training strategy for the NICS has been developed and a new e-learning package and guidance is being developed.

**The report states:**

"We also note that there is no evidence of a communication to witnesses in relation to the preservation of emails, notes or any documents that could be considered relevant to the claim."

- **Were witnesses advised to preserve emails, notes, documents?**  
On receipt of the Tribunal claim form a letter was issued by DSO which included a requirement to preserve and provide all relevant documentation.

**Commented [GK(-PS7):** This contradicts the point made in the report and quoted in the question above. Was this information not made available to PwC?

**Policies and procedures**

**The report states:**

"There is no evidence to demonstrate that three of the five policies had been reviewed within the last 9 years."

- **When were the Managing Public Money NI, NICS Code of Ethics, NICS HR Handbook, DAERA Whistleblowing Policies and Procedures and DAERA Enforcement Policy last reviewed?**  
Managing Public Money – currently under review – this will be complete in April 2023  
Code of Ethics – reviewed December 2021, published February 2022  
NICS HR Handbook – under continuous Review. Discipline, Grievance, Dignity at Work, Recruitment and Special Leave policies have all been reviewed in the past year and a review of Sickness Absence is near completion.  
DAERA to provide response on their policies

The DAERA Whistleblowing guidance was last reviewed in 2019. [The 2014 version of the Whistleblowing guidance was supplied to PwC as this was the version that was in place when the concerns were raised between February 2017 and February 2018]. It will be reviewed and updated in the coming weeks to ensure it reflects the new Raising Concerns framework also published today.

The DAERA Enforcement Policy was last reviewed in 2014. As part of the Action Plan, this policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders by May 2023.

Commented [MS8]: This is the version on the DAERA website. It doesn't have an owner assigned to it so I have not been able to identify a policy lead to confirm this statement.

Commented [GK(-PS9R8)]: We need to nail this down and appoint a policy lead!

**The report states:**

"There is no guidance in place for line managers to help them assess where line of business concerns may require internal escalation to ensure they are being dealt with appropriately. Furthermore, escalated matters are not recorded in a central document."

- **What guidance is in place to help line managers?**

Guidance is available to managers on handling concerns that are raised with them.

[DN: DoF hasn't asked us to provide input to this answer but we may want to include the following as a supplementary bullet point:

The current DAERA Whistleblowing guidance advisemakes clear that staff with concerns can approach their line manager, their next immediate line manager or alternatively their Head of Division. Guidance on escalation includes approaching the Finance Director, Corporate Services Director or Internal Audit. If a further escalation is required staff are advised that they can approach the Permanent Secretary or Deputy Secretary.]

Publication of the overarching NICS Raising a Concern Policy Framework and associated training will provide additional guidance for staff.

- **What procedures are in place to record escalated matters centrally?**

All departments currently keep a record of concerns raised with the department.

This practice is confirmed by the new Policy Framework, whether the concern is raised internally or externally, and whether it is raised explicitly as a concern or comes to be treated as a concern in due course.

Arrangements will be put in place for information about the number and type of concerns raised with departments to be reported to the NICS Board, allowing system-wide learning to be identified.

[DN: DoF hasn't asked us to provide input to this answer but we may want to include the following as a supplementary bullet point:

Within DAERA a Whistleblowing exercise is commissioned monthly across the Department to capture all new concerns raised. These concerns are reported to the Permanent Secretary and the Audit and Risk Assurance Committee.]

- **Are there plans to introduce training?**

Training on the Raising a Concern Policy Framework will be provided as part of the roll-out of the, between now and the sSummer 2023.

Commented [GK(-PS10)]: Can we say something like "...all new concerns raised, regardless of whether they are raised internally by staff or externally by customers and stakeholders. These concerns and the action taken in each case are presented to the ARAC for scrutiny and reported to the Permanent Secretary". Check with Brian/Fiona and Roger to make sure accurate wording used though

DAERA will also provide bespoke training for all DAERA staff at Grade 7 and above on handling concerns by September 2023.

- **Who will do it and by when?**  
DoF will provide training to designated officers and their teams. Training of others will be managed at a departmental level, reflecting the overarching arrangements for the NICS and the specific arrangements within the individual department.

#### Whistleblowing procedures

##### The report states:

"...we note that none of the concerns were recorded in the relevant Departmental Whistleblowing Registers, including by the claimant?"

- **Why were the concerns raised not recorded in the Departmental Whistleblowing Registers? DAERA to insert response**

Commented [GK(-PS11)]: Fiona and Roger – could you add, drawing on what the report actually says?

- **Is the current NICS whistleblowing policy sufficient and are appropriate procedures in place?**  
Each Department has a whistleblowing policy. These were reviewed recently by the Internal Audit service. In addition, an overarching policy framework has been introduced to support Departments, to secure consistency, and to provide assurance to those who wish to raise a concern.
- **Are the policy and procedures easily accessible to all NICS staff?**  
Whistleblowing policies are accessible on departments' intranet sites.
- **Are you confident that line managers know what to do?**  
Many managers will be familiar with handling concerns that are raised with them, and for those who are less familiar with their department's policies, these are easily available, and there will be colleagues able to advise.

The publication of the Raising a Concern policy framework will be an opportunity to refresh colleagues' understanding of the policy, and for staff to be trained.

DoF will provide training to designated officers and their teams. Training of others will be managed at a departmental level, reflecting the overarching arrangements for the NICS and the specific arrangements within the individual Department.

#### Training

##### The report states:

"We have not had visibility of all training that is provided or the completion rates but we are aware of the following training modules are available: A Framework for Ethical Decision Making, NICS Online Induction Programme on Equal Opportunities and Conduct, Public Interest Disclosure – Whistleblowing and Unconscious Bias."

- **What are the completion rates for these courses? Are these training courses mandatory?**

- Framework for Ethical Decision Making – this is an online Resource which is available to all staff. Completion rates are recorded for face to face/virtual training courses and for e-learning training packages, as this is an online resource access data is not recorded.
- Online Induction Programme on Equal Opportunities and Conduct – mandatory for new staff. Completion in 2021/22 year was 405 and in the 2022/23 year to date is 215. This is an e-Learning Induction Programme which includes training on Equal Opportunities and Conduct.
- Public Interest Disclosure – Whistleblowing – not a mandatory course, completion in 2021/22 year was 366 and in the 2022/23 year to date is 287.
- Unconscious Bias – was rolled out as a one off mandatory course to all staff. Members of the SCS received classroom based training in late 2016/early 2017. Staff at EO2 grade and above were to complete the e-Learning package which was rolled out in January 2022. Currently 79.7% of NICS staff are certified, i.e. have completed the package. DfC are the only Department who have made this mandatory for all new staff and was rolled out via the LinkS learning management system in January 2022.

## **DSO**

### **Merits of the claim**

#### **The report states:**

"From the documentation we have reviewed, we have not seen any evidence of advice from the legal team on the merits of claim."

"We note that Counsel's fee note dated 2 July 2020 does not include reference to time spend advising or drafting a merits of claim note."

- **Did DSO set out the merits of the claim?**  
Oral advice was provided on the merits of the claim by Counsel at meetings with DAERA held on 7 October 2019, 24 January 2020 and 4 February 2020.
- **Would DSO normally set out the merits of the claim?**  
In employment litigation cases DSO would where practicable and appropriate provide advice on the merits of a claim to NICS/HR/the client Department.

### **Appealing the case**

#### **The report states:**

"The notice of appeal was lodged by DSO on 2 November 2021. Based on the initial documentation we reviewed, in addition to that subsequently provided, it remains unclear who made the decision to do so."

"In regard to the initial decision to appeal, there is a paucity of documentation currently available to support this decision and therefore to determine whether it was a transparent process, such as would be required by Managing Public Money Northern Ireland."

- **Who made the decision to appeal the case?**  
As the report notes, it appears that the decision was reached during a meeting with DSO and Counsel held on 28<sup>th</sup> September 2021 but it is unclear who made the decision to appeal and the lack of documentation makes it difficult to establish the facts. A key lesson from this review is that there needs to be much greater clarity on

~~decision-making in employment-related legal cases and we are taking that on board, was made by DAERA officials during a meeting with DSO and Counsel held on 28<sup>th</sup> September 2024.~~

Commented [MS12]: The report states it remains unclear who made the decision. This line is contrary to that finding.

Commented [GK(-PS13R12)]: Agreed and we need to reflect the report

- **Did they have the necessary authority?**

~~While the process of decision-making was unclear in this case, decision-making is the responsibility of the employing department and there is a need to ensure that this is understood by all those involved in considering the next steps in all cases. Individual departments have different delegated approval limits. It is the responsibility of the Department seeking legal representation to have the necessary approvals in place.~~

Commented [GK(-PS14)]: That is true but I recall a case last year where DoF took a set of decisions on a different employment matter without any recourse at all to the line manager, budget holder or Accounting Officer. I have already drawn both Louise's and Tracey's attention to that case which, at the time, I also reported to the TOA.

- **Was the decision maker conflicted?**

**DAERA to insert response**

~~As stated in the report, it remains unclear who made the decision to appeal but, for the future, we need to do more to ensure that our processes are such that the decision maker is not the person directly involved in taking the steps being challenged in any employment-related legal cases.~~

#### The report states:

"It appears that the former Permanent Secretary of DAERA was not aware of the decision to appeal (but may retrospectively have agreed with the decision to do so). Therefore an established approval process does not appear to have been followed."

- **Was an established approval process followed? If not, why not?**

**DAERA to insert response**

~~As stated in the report, an established approval process does not appear to have been followed.~~

#### Record keeping

##### The report states:

"We note, however, that in its written response to our draft report, DSO stated that 'oral advice on the merits was given [by Counsel in a meeting with the Chief Veterinary Officer on 7 October 2019] ...although this advice is not recorded in the notes of the meeting?'"

- **Why was oral advice on the merits of the case not recorded in notes of the meeting?**

During consultations both solicitor and counsel will engage with the client, with a primary focus on understanding the issues and providing advice. It is not always possible for the solicitor to take a verbatim record of all discussions which take place during these meetings.

- **Is record keeping being reviewed and or monitored NICs wide?**

The NICS Code of Ethics requires staff to keep accurate records. A breach of the Code of Ethics may be treated as a disciplinary matter.

- **What action will be taken NICS wide in relation to record keeping?**

Extensive work was done in light of the RHI Inquiry Report – revising and promoting record keeping policies including the creation of an online Data Protection and

Information Management Hub. Further work is planned to support changed behaviours.

The NICS Code of Ethics has been updated and is available to all staff and shall be promoted on a bi-annual basis to all staff.

**Legal advice** (Any responses stating legal privilege should be checked with DAERA prior to issue)

**The report states:**

"...the inclusion of whistleblowing claims meant that the financial cap on unfair dismissal (approximately £90,000) was removed as there is no limit on the compensation that can be awarded for unfair dismissal linked to whistleblowing. Although this fact appears to have been recognised, given the significant impact on the potential award for this case, we would have expected the legal team i.e. DSO and Counsel to provide advice in relation to the potential impact this would have had in relation to proceeding to hearing both from a legal and commercial perspective.

- **Did DSO and Counsel provide advice to DEARA on the financial impact (i.e., cap removal) of the inclusion of whistleblowing claims in the case?**  
We cannot comment on the content of legal advice, as it is privileged.  
**Or [subject to discussing legal privilege with DAERA]:** Advice was provided on this topic to DAERA officials at a meeting held on 4 February 2020.
- **Would the legal advice have been updated at this juncture?**  
We cannot comment on the content of legal advice, as it is privileged. **Or [subject to discussing legal privilege with DAERA]:** The advice was not updated at the time but was provided before the hearing.
- **What were the legal costs involved with this case?**  
The claimant's legal costs have yet to be finalised. DAERA's legal costs to date are £121,146.54.

Commented [GK--PS15]: Content to allow this to be included

Commented [GK--PS16]: Content to allow this to be included

Commented [WH17]: One fee note from counsel remains outstanding

**Preparing witnesses**

**The report states:**

"Based on the comments in the judgement, it is apparent that a number of the Officials providing oral testimony were not as prepared as we would routinely expect them to be. In our view, it would be reasonable to expect the legal team to be cognisant of the level of preparedness of the witnesses, albeit it is ultimately the witnesses' responsibility."

"Based on the documentation we have reviewed; we have not seen evidence of any written advice and guidance provided to the officials who gave evidence via oral testimony at the Tribunal."

"Based on the documentation we have reviewed; we have not seen any contemporaneous documentation in relation to the assessment of the preparedness of the officials providing oral testimony."

"Based on the documentation we have reviewed; there is limited evidence of DSO undertaking an assessment of the level of preparedness of the officials providing oral testimony prior to the hearing."

We note a memo dated 12 April 2022 from the Permanent Secretary, (DAERA) (until April 2022) which includes references to 'unpreparedness' of the DAERA witnesses: "due to performance of our witnesses in the original Tribunal hearing and what I understand to be our general unpreparedness in terms of the level of depth of questioning that they faced it is clear that real deficiencies in our processes has left us facing a liability of significant proportions at a time when our resource budget is so severely constrained."

- **How did DSO prepare officials for the case?**  
DAERA witnesses were provided with guidance on preparing their witness statements. Witnesses were also offered and attended meetings with DSO and Counsel to discuss their statements to enable witnesses to complete further work on their statements before they were served.
- **Did DSO assist with written statements?**  
Witnesses must draft their own written statements. Legal advisers are not permitted to draft a written statement. Legal advisers can give advice and ensure there are no obvious gaps in the evidence provided / allegations addressed in the statement. Witnesses were also offered and attended meetings with DSO and Counsel to discuss their statements to enable witnesses to complete further work on their statements before they were served.
- **Were DSO staff at the right grade with the right experience allocated to this case?**  
DSO legal staff work as part of an experienced team with supervision and support from more senior lawyers.
- **Is there a performance issue in relation to the service provided by DSO on this occasion?**  
We can always improve levels of service, lessons have been learned and improvement actions put in place within DSO.
- **Will any DSO policies or procedures be reviewed as a result of this?**  
DSO opens at least 1,100 litigation cases every year for our clients. As with the rest of the NICS, DSO is engaged in continuous improvement and has over recent years rolled out many internal or client-facing service enhancements, for example improved procedures, guidance materials, template documents for use in case work and training of legal staff.

## **NICS HR**

### **Conciliation/arbitration**

#### **The report states:**

"On 5 September 2018 an email and letter was received from the Labour Relations Agency Conciliation Service asking "if the Respondent [was] interested in conciliation or arbitration"... In response to an email from the Deputy Principal DAERA asking what this would entail, the Executive Officer (NICS HR) stated, 'Generally speaking in cases we do not



go down that route, however the option is available. Personally speaking, with the claimant leaving the service, mediation may not be beneficial to the department."

On 15 November 2018 the Chief Veterinary Officer confirmed to the Deputy Principal DARA that he thought "we should show willing". Having received, however, the Executive Officer's NICS HR email (above) of explanation, it appears that the Chief Veterinary Officer no longer "wish[ed] to avail of the conciliation/arbitration facility.

- Did NICS HR give a view on entering conciliation or arbitration?

The conciliation process is voluntary and requires both parties' agreement to proceed. It would not be common practice, as indicated by the EU, to engage in conciliation at a very early stage in a case and before the issues in the case are fully understood. The option of conciliation or arbitration was left open to relevant managers in DAERA.

Background note: Note this relates to the procedures as they were in 2018 shortly after the claim was lodged – the procedures have changed since 2020 with the inception of the early conciliation process BEFORE the claim can be lodged although there is still an option for conciliation even after proceedings are lodged.

Commented [GK(-PS18)]: This is not complete and needs tied down to be consistent with the report

- Should the conciliation/arbitration facility have been pursued?

[DSO to advise]

The report states:

"...While this is a hugely disappointing outcome for us all, from our perspective it would seem clear that Judge Murray was favourably disposed towards [the Claimant], making it extremely difficult for the Department to secure the decision we wanted/needed from the tribunal...

- Should NICS HR have made comments on the Judge's disposition?

The reasons for the outcome of a case are considered when the judgment is received, however, the procedures for undertaking such an evaluation are under review and relevant staff have since been given advice about the extent of their role and reminded of their responsibilities.

The report states:

"...Although this decision is a bitter pill [sic] to swallow, rest assured you were both individually and collectively a credit to your profession through the hearing."

- Should NICS HR staff have praised the individuals involved in the case?
- Were NICS HR staff at the right grade with the right experience allocated to this case?
- Is there a performance issue in relation to the service provided by NICS HR?
- Has / will any disciplinary action be taken against NICS HR staff involved in this case?

Since the case concluded, relevant staff have been given advice and reminded of their responsibilities.

In addition, in April 2021, a new standard approach for the management of Industrial Tribunal cases in the NICS was introduced. The new procedures comprise a suite of template letters and process maps and includes guidance on support for and liaison with Respondents/witnesses which has helped to standardise the approach taken by case managers.

The relevant function (ER Industrial Tribunals team) has been moved from NICSHR ER team to the People & Organisational Development Strategic Litigation Unit to form one single team dealing with the HR case management of employment-related litigation against NI Departments. Following the move, job roles are being further developed to ensure specific duties are allocated at the appropriate grade. It is important to note that the role of HR is in the coordination of the NICS response to an employment-related legal case and to support legal advisers and decision takers in the relevant business areas; HR does not take decisions on the conduct of such cases.

A further review of the roles, responsibilities, processes and procedures of all relevant stakeholders (legal advisers, business areas and HR) is planned now that the April 2021 procedures have been in place for almost two years. This will provide the opportunity to make any further improvements as a result of any lessons learnt from this case.

#### DAERA- Animal welfare and deleted cattle moves

##### The report states

Both sides agreed in the submissions hearing that the information conveyed in the protected disclosures is encapsulated in the following description:

- Issues of concern about welfare of animals in livestock markets particularly in Ballymena Livestock Market; and
- Issues about the deletion of cattle moves in the recording carried out by livestock markets and the effect of that on traceability of cattle and the risk of Tuberculosis ("TB") in particular
- **What actions has DAERA taken to address these concerns and improve the robustness of controls for animal traceability in livestock markets and abattoirs.**
- Following the outcome of the case in October 2021, the Department established an Internal Audit Review of the Department's Cattle Traceability System. This review was focused on the robustness of current controls for animal traceability in livestock markets and abattoirs and also considered all of the issues raised by [redacted],
- The review made a number of recommendations almost all of which have been accepted and implemented by the Department. The implementation of these recommendations has further enhanced and strengthened the control measures in place to enable accurate, real-time recording of bovine animal movements between farms, markets and abattoirs.
- One recommendation [in relation to recording/deleting movements of cattle] remains outstanding. Implementation will require an amendment to domestic

Commented [GK(-PS19)]: See my comment above – that's not always my experience

Commented [MS20]: Neal included full details of the recommendation but I have taken them out. Posted below FYI

"Rec 4.1 Recording / Deleting Movements of Cattle

"Management should develop:

- a) A policy to deal with the Issue of deletions and amendments of cattle movement records; seeking appropriate legal advice to ensure it is fully compliant with all relevant legislation;
- b) Instructions/guidance for markets around deletion/amendment of moves to help achieve compliance with this policy; and
- c) Appropriate checks over markets to ensure they are complying with policy/legislative requirements.

"Implementation of the recommendation will require an amendment to domestic legislation due to application of the EU Animal Health Law in Northern Ireland. In the absence of a Minister, this matter is currently being considered under the Executive Formation etc Act 2022 and accompanying guidance. Once that process is complete, officials will seek legal advice to ensure the policy is in full compliance with the legislation."

Possible media questions for HOCS

1. [redact]  
[redact]  
[redact]  
[redact]  
  
[redact]  
[redact]

2. Has the process started?

It would not be appropriate to comment on individual employee matters.

[redact]  
[redact]

[redact]

3. But after such a damning IT judgment, the first thing any serious leader would do is order the HR processes to swing into action.

It would not be appropriate to comment on individual employee matters!

[redact]  
[redact]

4. Ok, so the process has to remain confidential, when did it start and how long will it take?

It would not be appropriate to comment on individual cases concerning employees.

[redact]

[redact]

5. But surely, you can provide a timescale as to when it started and when you expect it to be completed. Will it take a year?

It would not be appropriate to comment on individual cases concerning employees

[redact].

[redact]

6. [redact]

[redact]

[redact]

7. What are those HR processes? Can you explain them?

XXXXXXXXXEmployee cases are managed in accordance with agreed HR policies and processes which are publicly available at [DN: insert link to NICS HR Handbok]. These policies and processes are consistent with best practice and are consulted on with the recognised Civil service Central Trade Unions.

8. This is a classic response from the Civil Service to thwart the public getting answers?

We are being open and transparent as we can be at this stage.

We commissioned an external review and have today published both reports in full.

We are not hiding or shying away from public criticism, we have a clear plan of action to take forward to improve both how and the way we do business and we are am determined to deliver on it.

9. You said this was a personal priority for you, but it took over 6 months for the report to be published? Why the delay?

We received the final reports on January 9 and are publishing them today.

I accept that it took longer than originally anticipated to get to the point of having final reports but there are steps we all had to work through to get to this stage.

My Our focus The focus for me is delivering on the Action Plan so that the gaps identified in the report can be addressed.

10. When you say 'work through' – what do you mean? Did NICS influence the report? Or doctor it?

[DN, reference Oversight Group and also the fact that Neil and I did not get involved in the to-ing and fro-ing on the report and only at the end completed our factual accuracy checks,

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How much has this report, which tells us very little, cost the public purse and do you think that is justifiable?

11. How much did the report cost? [See answer in other list of questions]

12. Surely getting to grips with the HR issue employee matters should have been your personal priority, rather than a report which tells us very little other than the same mistakes and the same behavioural and cultural issues identified by RHI remain – your approach to this has been wrong. What do you say to that? ***DN: remember here that employee matters are the responsibility of the relevant department and also remember that, for senior staff, HoCS would be appeal officer should one be needed at any stage connected to this case so must not say anything that would go against the requirements of the Code of Ethics or put at risk the integrity of any HR processes***

13. Did you read the IT judgment and what did you think as the HOCS.

xxxx

Commented [QA(2): Query whether we need to include LTT?

14. [redact]

[redact]

15. [redact]

[redact]

Q 16 - 21 all withheld.

[redact]

22. So if this report isn't about holding those responsible to account, what is it about?

The Report identifies where improvements need to be made in our systems and I have set out a clear ~~an~~ action plan to address those issues.

23. But systems are designed and operated by people. So who failed to do their job in relation to those systems, and what are you doing about it?

The action plan is about fixing the systems, not apportioning individual blame.

[redact]

21. After RHI there was a 'systems action plan' but virtually no-one held to account – one civil servant got a slap on the wrist; others got honours or promotions. Here we have a 'systems action plan' and no-one being held to account. Where is the accountability in JB's civil service?

Accountability must be the result of due process.

As with any employer, the NICS is obliged to carry out those processes properly and fairly.

Keeping the process fair requires confidentiality.

[redact]

24..

[redact]

redact ]

[redact]

25..

[redact]

[redact]

[redact]

[redact]

26. Today, the NICS, headed by you, is making life and death decisions on the delivery of public services. In light of [redact] do you think the public can have confidence in the NICS, or will you just bury your mistakes?

I can assure you and the people of NI of three things:

First, we will do our very best, as we have always done, to provide the best public services in these difficult circumstances – and our record shows that we can do that.

Second, when we [redact] and accept responsibility.

Third, we will put right [redact] and change behaviour to prevent recurrence.

**27. Can you give any guarantees that there won't be another case in a year's time.**

Formatted: Font: (Default) Arial, 12 pt. Bold

Our shared My-focus is on delivering the Action Plan to address the gaps identified in the report; to learn from [redact] accept responsibility and to ensure processes are put in place to prevent future recurrence.

**27:28. Is the NICS fit for purpose?**

I don't accept that we are not fit for purpose.

First, we will do our very best, as we have always done, to provide the best public services in these difficult circumstances – and our record shows that we can do that.

Second, when we [redact] and accept responsibility.

Third, we will put right [redact] and change behaviour to prevent recurrence.



[redact]

**From:** Godfrey, Katrina (DAERA – Perm Sec)  
**Sent:** 23 January 2023 19:34  
**To:** Sayee, Natasha; Brady, Jayne; Gibson, Neil  
**Cc:** McFlynn, Sharon; McNabb, Chris; McLaughlin, Mark (DOF); Byrne, Jayne; McCavigan, Tracey; Stewart, Chris (TEO); Crilly, Louise; Hughes, David (DoF)  
**Subject:** 44 CM: RE: Final Action Plan and Supporting Comms  
**Categories:** Logged on CM

Natasha

Thank you. I have many comments and quite a few concerns but, as I work through the various documents, I find I am in danger of repeating myself so will stop commenting on the second half of the document until you can consider the comments I have already made.

I have some very fundamental concerns about the fact that in places we seem to be conflating the action plan and the RaC policy framework. I think that could be misleading.

To be absolutely clear, the RaC policy framework is something that DoF committed to publishing some time ago and it was publicly stated (quite sensibly) that it would be delayed to ensure that it took account of any learning from the PWC process.

The PWC external review was commissioned by DAERA on behalf of Jayne, Neil and me and the action plan has been developed by DAERA and DoF (with a small number of actions now added covering all departments). The action plan is the response to the PWC phase 2 report.

We need to make sure we are not confusing the two; rather ensuring that we explain with complete transparency the point at which they intersect.

We also need to make clear that there is absolutely no suggestion in the drafting that Neil and I are not taking full ownership, not least bearing in mind the personal nature of our Accounting Officer responsibilities, of the actions that fall to our departments. We will be demanding assurance from others that the actions in the plan are being addressed and that the RaC procedures are being implemented in our departments as we are, quite rightly, the ones who will be held accountable for making sure that action is taken.

Katrina

---

**From:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>  
**Sent:** 23 January 2023 17:46  
**To:** Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
**Cc:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; [redact].  
[redact]. Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Minne, Jill <Jill.Minne@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; [redact]

redact

]

**Subject:** Final Action Plan and Supporting Comms  
**Importance:** High

Dear All,

PwC Communications FINAL DRAFT

Please find near final Action Plan and supporting communications, with thanks to all copied, who have been consistently working off this shared link in recent days.

I should flag Jill has raised concerns with use of 'transformative' change and 'substantial body of work' re renewal. Jayne, I know you were keen on this wording, so it remains, but I can update the pack accordingly.

We do require sign off or amends on the comms, and in particular the Action Plan by noon tomorrow.

Kind regards,

Natasha

**Natasha Sayee (she/her)**  
**Director of Marketing, Outreach & Internal Communications**

The Executive Office  
Stormont Castle

**Tel:** ☎ 028 90 378 202 (Internal extension 88202) / 07775017210

**E-mail:** ✉ [natasha.sayee@executiveoffice-ni.gov.uk](mailto:natasha.sayee@executiveoffice-ni.gov.uk)

## Quality Assurance Process

The following documents require your review:

1. Action Plan
2. Press Release
3. LinkedIN HOCS Video
4. Internal Communication to staff – HOCS Email
5. HOCS Video to staff
6. HOCS Email to Party Leaders
7. HOCS Email to MLAs

You may add comments into the review panel.

We await hyperlinks for the various documents and wording in relation to the Raising a Concern Framework. These may be submitted following your review.

**To facilitate graphic design process your review is required by noon on Tuesday.**

**This document has been reviewed by the following:**

QA	SIGNED AND DATED
Louise Crilly – Legal Review	Louise Crilly 20 January 2023 at 21.20 And 23/01/23@19.56
Tracey McGavigan – Audit Review	Tracey McCavigan 23/01/23
David Hughes – Final Review/Fact Check	David Hughes 23/01/23
[redacted] Proofing	[redacted] 23/01/23
Chris Stewart – Policy Review	Chris Stewart 20/01/23 and 23/01/23

## Action Plan - Clean

### Preface

In May 2022, the Head of the Civil Service and the Permanent Secretaries for the Departments of Agriculture, Environment and Rural Affairs (DAERA) and the Department of Finance (DoF), jointly commissioned an Independent External Review into the handling of concerns and other serious matters raised in a case taken by a former DAERA employee.

The Independent External Review was carried out by PwC, following a competitive tender process. This action plan is our response to the recommendations and some service wide issues raised by the review. We have shared this action plan and the PwC reports with MLAs, staff, trade unions and with the NI Audit Office.

We welcome the findings in the two reports which we have published in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency.

We are committed to learning from this review and the issues it raises and to taking action to improve both our processes and how we implement them. We want to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us.

PwC's reports highlight areas for improvement in the recording and escalating of concerns, the application of some policies, and the way in which some employment related legal cases are managed by the organisation.

We are clear that concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

We also acknowledge that some of the issues identified in this review, particularly in relation to record-keeping, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.

This is not good enough. As leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations of the Independent External Review.

This action plan sets out 33 actions to deliver improvement and explains how change will be monitored and scrutinised.

Separately, we have also published a new NICS Raising a Concern Policy Framework. This sets out for departments, for the first time, a single, overarching approach to dealing with concerns raised.

Improving the application of policies and procedures across every department is a starting point, but real success requires behavioural and cultural change. That this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

Meanwhile, a substantial body of work is already underway, to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture.

By seeking out issues and by making positive change, we can build on the strengths of the NI Civil Service. This will ensure we are delivering the best possible service for the public and our workforce.

## **Introduction**

In January 2023, PwC provided DAERA as the commissioning department and, through it, the Oversight Group (comprising the Head of the Civil Service along with the Permanent Secretaries for DAERA and DoF and Group Head of Internal Audit), with the findings and recommendations of the Independent External Review, which it had undertaken following its appointment in May 2022.

This Action Plan sets out the actions that DAERA, DoF and the Head of the Civil Service will take to address the recommendations and findings in the Phase 2 Lessons Learned and Recommendations report from the External Review. It also responds to any service wide issues raised by the review.

Neither the Independent External Review, nor this Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or department may comment on these.

## **Accountability and Scrutiny**

In their capacity as Principal Accounting Officers for their Departments, the Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Audit Committees to scrutinise progress.

They will also provide the Head of the Civil Service, as Chair of the NI Civil Service Board, with regular updates. Where an action applies across the organisation, the NICS Board will collectively report on progress to the Chair.

Both DAERA and DoF will also publish quarterly progress reports on their respective websites.

This will provide assurance that action is underway as set out below, and confirm, in due course, that all recommendations have been implemented in full.

<b>Finding 1: Updating of Core Policy Documents</b>
<b>Recommendation:</b>

<p>The last review date of the 3 policies [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] indicated should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</p>			
	Department	Action	Timescale for completion
1	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders.	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every five years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates.	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
6	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the	March 2023

		Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	
7	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023
8	DOF	The NICS <u>Code of Ethics</u> was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023
9	TEO	The Head of the Civil Service will circulate the <u>Code of Ethics</u> in line with the performance management reporting cycle. This will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
10	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally.	

<b>Finding 2: Recording and escalating line of business concerns</b>
<b>Recommendation:</b>

<p><i>Guidance for staff with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity. Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to in (1) above.</i></p>			
	Department	Action	Timescale for completion
11	DOF	DoF has published a new <u>Raising a Concern Policy Framework</u> which will apply across the NICS.	January 2023
12	All NICS Departments	The <u>Raising a Concern Policy Framework</u> will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	June 2023
13	All NICS Departments	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023
14	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DOF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns to ensure system-wide learning.	April 2023
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the	July 2023



		concerns being raised across departments, in order to monitor trends and address problems.	
17	DOF	The Group Internal Audit Service will complete audits within all nine Departments to ensure the <u>Raising a Concern Policy Framework</u> is adequate and effective to manage the concerns raised. They will also provide an overall report to NICS Board on the summary of key findings across the NICS including good practice, lessons to be learned and any further enhancements required.	By March 2024
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue to have oversight of all whistleblowing/raising concerns cases relating to the Department.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags.'	March 2023
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns.	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public.	March 2023

<b>Finding 3: Record Keeping</b>			
<b>Recommendation:</b>			
<p><i>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including, date of discussion, who was involved, key matters discussed, and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters, recorded on the register per finding 2, are being dealt with.</i></p>			
	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring high standards of record-keeping are in place in their business areas.	February 2023
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management.	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the NICS <u>Code of Ethics</u> , staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes.	February 2023
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management.	January 2023
27	DOF	The <u>Code of Ethics</u> was revised to include an explicit obligation on civil servants to keep accurate official records. This will be	February 2023

		promoted to staff bi-annually in line with performance management reporting cycles (Action 8 above).	
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns.	January 2023

<b>Finding 4: Training</b>
<b>Recommendation:</b> <i>DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.</i>
Actions 14, 21, 22 above will fulfil this recommendation

<b>Additional Finding: Roles and responsibilities in dealing with employment-related legal cases</b>			
<b>Recommendation:</b> <i>The Phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the Phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.</i>			
	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will clearly set out the respective roles, responsibilities and decision-making authorities of all stakeholders. It will include the employing department, the Departmental Solicitor's Office, any external legal support (e.g., counsel), and the relevant HR functions.	April 2023
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving	April 2023

Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and the Head of the Civil Service Jayne Brady, the reports and action plan have been shared with MLAs, staff, trade unions and the NI Audit Office.

Jayne Brady said: "I welcome the findings in the reports and as a Service, we are committed to learning from this review and addressing the issues identified.

"We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

"We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for the public and our workforce."

The External Review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

A new NICS Raising a Concern Policy Framework has also been published. These guidelines for Departments set out, for the first time, a single, overarching approach to dealing with concerns raised.

A refreshed Civil Service Code of Ethics will be embedded into performance management processes, which includes the obligation on all civil servants to keep proper records.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service.

Jayne Brady said: "Concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

"Some of the issues identified in this review, particularly in relation to record-keeping, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) report. This is not good enough and as leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations.

“Improving the application of policies and procedures is a starting point, but real success requires behavioural and cultural change. Work is already underway to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture.”

## ENDS

### Notes to Editors:

1. The PwC reports were commissioned by DAERA, on behalf of the Department's Permanent Secretary, the Department of Finance Permanent Secretary and the Head of the Civil Service. The reports are available at [\[insert Link\]](#) and the Action Plan is available at [\[Insert link\]](#).
  
2. The ToR committed to the publication of the outcomes of the review. The decision was taken in the interest of transparency for both papers of the Independent External Review in full. This has taken longer than initially anticipated.
  
4. Neither the Independent External Review, nor this aAction pPlan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or dDepartment may comment on these.
  
5. Link to NICS Code of Ethics: [NICS Code of Ethics | Department of Finance \(finance-ni.gov.uk\)](#)
  1. Link to the new NICS Raising a Concern Policy Framework:  
<https://www.finance-ni.gov.uk/publications/raising-concern-policy-framework>
  
- 5.

Is there a line about costs to be added – what they are or future publication?

### 1. LinkedIn Video Script – Clean

**LinkedIn blurb: HEAD OF NI CIVIL SERVICE LAUNCHES ACTION PLAN FOR 'MEANINGFUL AND ACCOUNTABLE CHANGE'**

Jayne Brady, the Head of the NI Civil Service has today launched a 33-point Action Plan for improving governance, including a new approach to how concerns are dealt with across the organisation.

The Action Plan is in response to findings from an Independent External Review, commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former employee.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with Party Leaders, MLAs, staff, trade unions, and the NI Audit Office.

Read the PwC reports and NICS Action Report here:  
[graphics: Jayne Brady, Head of the NI Civil Service]

"Hello Everyone,

Today the civil service has taken some real steps to improve governance across the organisation. Our new action report outlines 33 timebound and clear actions for change.

We have revised our approach on how we deal with concerns – both those raised by the public and by staff. We have strengthened our policies and are introducing specially trained officers dedicated to dealing with concerns in each department.

We have revised our code of ethics which includes the onus on all staff for proper record keeping. This is now embedded in our performance management processes and any breach may be treated as a disciplinary matter.

While improving the application of policies and procedures is important – it is a starting point. Real success requires cultural and behavioural change and I am pleased to share that we are undertaking a substantial piece of work to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture. I look forward to sharing our plans for this transformative change later in year.

It is likely that over the coming days you will hear media commentary relating to individuals in the NICS. As a responsible employer, *Credat*

*redact ]*

I am focused on positive change, on building upon what is already good, so that the NI Civil Service is the very best for our workforce and the people we serve. Please

take some time to read our Action Plan – it is a privilege to serve and we are on a journey of continuous change.

[GRAPHICS: link to action plan]

## Internal Communication EMAIL – Clean

Dear Colleagues,

Today the NI Civil Service has published a 33-point Action Plan [ – HYPERLINK] for improving key business areas, including a new approach to how concerns are dealt with across the organisation.

As a first step towards positive change, we have also published a new NICS Raising a Concern Policy Framework. This sets out, for the first time, a single, overarching approach to dealing with concerns raised with departments.

As part of this new approach, each department will have its own specially trained officers, dedicated to the effective and appropriate management of concerns from you as staff and from the public. The officers will champion the importance and value of receiving and responding to concerns.

To ensure that the organisation is consistently learning and improving, the officers will report to their Departmental Boards and to the NI Civil Service Board. They will be part of a forum which will drive a best-practice approach to the handling of concerns.

To further support this change, a new cross-service training programme is being rolled-out for anyone who may lead on dealing with concerns.

Our Action Plan will see the refreshed Code of Ethics embedded into performance management processes and breaches may be treated as a disciplinary matter. I am clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date, inclusive and applied properly. These are the foundations of good governance.

The Action Plan is in response to findings from an Independent External Review [HYPERLINK], proactively commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former employee in the Department of Agriculture, Environment and Rural Affairs.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which some employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with trade unions, all party leaders, all MLAs and with the NI Audit Office. Each of the 33 Actions will be implemented by a specified Senior Civil Servant, with oversight and monitoring from myself as Chair of the NICS Board and from all board members. The Permanent Secretaries of DAERA have already asked their respective Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

I will rigorously pursue progress against these important actions to ensure that change is delivered.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. I will not be commenting in the media.

While ensuring our policies are effective, inclusive, and applied properly and consistently across the organisation, is a starting point, real success requires behavioural and cultural change.

To lead by example, we have published both papers of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

Meanwhile, a substantial body of work is already underway, to empower and support you in effectively delivering the work of government and to and develop an inclusive workplace culture. A plan for embedding and sustaining this transformative change will be published later in the year and I look forward to sharing it with you.

While today's Action Plan focuses on improvement, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. You have my thanks.

It is a privilege to serve and we remain on a journey of continuous improvement.

Kind regards,

[INSERT E-SIG]

Jayne Brady



**ENDS**

## **Internal Communication VIDEO – Clean**

Colleagues, today we are taking some real steps to improving how we work as an organisation and I am pleased that we have published an NICS Action plan to deliver meaningful and accountable change.

[Graphics link to Action Plan]

This includes a new approach to dealing with concerns – whether those raised by you as staff or by the public.

I am clear that concerns must always be voiced, heard and acted upon in the proper manner.

A new policy framework for raising concerns will now provide departments with a single overarching approach to dealing with concerns.

[Graphics link to Raising Concerns Framework]

Each department will have its own officers dedicated to dealing with concerns and they will work across the organisation to ensure we are treating concerns in the most effective way and importantly – that we learn from issues raised.

We must become better at our record keeping, and this action plan will also see the refreshed Code of Ethics, which includes record keeping, embedded into performance management processes. Breaches may be treated as a disciplinary matter.

[Graphics link to Code of Ethics]

servants to keep proper records. Any breaches of this Code may be treated as a disciplinary matter.

I am clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up to date. These are the foundations of good governance.

While this Action Plan focuses on improvement, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. They have my thanks.

The Action Plan is in response to findings from an Independent External Review [\[HYPERLINK\]](#), commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which some employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with all party leaders, all MLAs, trade unions, staff and with the NI Audit Office. Each of the 33 Actions will be implemented by a specified Senior Civil Servant, with oversight and monitoring from myself as Chair of the NICS Board and from all board members. The Permanent Secretaries of DAERA have already asked their respective Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

I will rigorously pursue progress against these important actions to ensure that change is delivered.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. I will not be commenting in the media.

The review also identifies areas for improvement in the culture of the service. A substantial body of work is already underway to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture. A plan for embedding this transformative change will be published later in the year and I look forward to sharing this with you.

While improving the application of policies and procedures is a starting point, real success requires behavioural and cultural change. In leading by example, we have published both papers of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

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I acknowledge that some of the issues identified in this review were previously identified by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report. This is not good enough, but we will deliver meaningful and accountable change by implementing the recommendations of the Independent External Review.

I would be pleased to brief you in relation to our Action Plan.

Kind regards,

Jayne Brady

[redact]

**From:** Minne, Jill  
**Sent:** 24 January 2023 11:47  
**To:** Sayee, Natasha; McNabb, Chris; Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil  
**Cc:** McLaughlin, Mark (DOF); Stewart, Chris (TEO); Crilly, Louise  
**Subject:** RE: Final Action Plan and Supporting Comms  
**Attachments:** PwC Communications FINAL DRAFT\_.docx

**Importance:** High  
**Sensitivity:** Confidential

Couple of comments included in the attached word doc.

In relation to my concerns with use of language such as 'transformative' change and 'substantial body of work', you will be aware, some time ago it was decided that NICSHR (as it was then) would not be involved in this case. Rightly, given that decision, I have not been involved in any discussions, meetings etc in relation to it and obviously neither I nor my team have had any discussions with TUS about it. To my knowledge, this decision has not been reviewed/changed. Recently I have been asked to review draft communications and I have endeavoured to do so in a way that does not compromise that position and in doing so I flagged that consideration needs to be given to TUS engagement. I also suggested that some of the language in the drafts may be a bit at odds with some of the language used internally with TUS around the NICS renewal work and given the industrial relations landscape that too may require consideration. I appreciate however this may well be something that's been fully considered.

Hope this is helpful.

Jill

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**From:** Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>  
**Sent:** 23 January 2023 19:58  
**To:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>  
**Cc:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; ([redact]); ([redact]); Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Minne, Jill <Jill.Minne@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; ([redact]).  
**Subject:** RE: Final Action Plan and Supporting Comms

Added a word in. I am assuming the points raised by Katrina are being addressed ?

Regards  
Louise

**From:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>

**Sent:** 23 January 2023 17:46

**To:** Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>

**Cc:** McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; [redact]

[redact] Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Stewart, Chris (TEO)

<chris.stewart@executiveoffice-ni.gov.uk>; Minne, Jill <Jill.Minne@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; [redact]

[redact]  
**Subject:** Final Action Plan and Supporting Comms

**Importance:** High

Dear All,

### PwC Communications FINAL DRAFT

Please find near final Action Plan and supporting communications, with thanks to all copied, who have been consistently working off this shared link in recent days.

I should flag Jill has raised concerns with use of 'transformative' change and 'substantial body of work' re renewal. Jayne, I know you were keen on this wording, so it remains, but I can update the pack accordingly.

We do require sign off or amends on the comms, and in particular the Action Plan by noon tomorrow.

Kind regards,

Natasha

Natasha Sayee (she/her)  
Director of Marketing, Outreach & Internal Communications

The Executive Office  
Stormont Castle  
Tel: ☎ 028 90 378 202 (Internal extension 88202) / 07775017210  
E-mail: ✉ [natasha.sayee@executiveoffice-ni.gov.uk](mailto:natasha.sayee@executiveoffice-ni.gov.uk)

## Quality Assurance Process

The following documents require your review:

1. Action Plan
2. Press Release
3. LinkedIn HOCS Video
4. Internal Communication to staff – HOCS Email
5. HOCS Video to staff
6. HOCS Email to Party Leaders
7. HOCS Email to MLAs

You may add comments into the review panel.

We await hyperlinks for the various documents and wording in relation to the Raising a Concern Framework. These may be submitted following your review.

To facilitate graphic design process your review is required by noon on Tuesday.

This document has been reviewed by the following:

QA	SIGNED AND DATED
Louise Crilly – Legal Review	Louise Crilly 20 January 2023 at 21.20 <u>And 23.01/23@19.56</u>
Jill Minne – HR Review	Jill Minne 23/01/23
Tracey McGavigan – Audit Review	Tracey McGavigan 23/01/23
David Hughes – Final Review/Fact Check	David Hughes 23/01/23
[redact] - Proofing	[redact] 23/01/23
Chris Stewart – Policy Review	Chris Stewart 20/01/23 and 23/01/23

Action Plan - Clean

## Preface

In April 2022, the Head of the Civil Service ~~along with~~ and the Permanent Secretaries for the Departments of Agriculture, Environment and Rural Affairs (DAERA) and the Department of Finance (DoF), ~~jointly~~ commissioned an Independent External Review into the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The review was carried out by PwC, following a competitive tender process. This ~~a~~ Action ~~p~~Plan is our response to the recommendations and any service wide issues raised by the review. We have shared this ~~a~~ Action ~~p~~Plan, and the PwC reports with Party Leaders, MLAs, staff, trade unions and with the NI Audit Office.

We welcome the findings in the two reports that are being published today and are ~~committed to learning from this review and the issues it raises and to taking action to improve both our processes and how we operate them to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us~~ Our commitment to changing for the better and to doing things differently, where appropriate, is evidenced both in this Action Plan and in the commissioning of the Independent External Review.

By seeking out issues and routes to improvement, we can build on the strengths of the NI Civil Service. This will ensure we are delivering the best possible service for the public and our workforce.

PwC's reports highlight ~~weaknesses~~ issues in the recording and escalating of concerns, the application of some policies, and the way in which some employment related legal cases are managed by the organisation.

We are clear that concerns must always be ~~voiced~~ raised, listened to, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

We also acknowledge that some of the issues identified in this review, ~~particularly in relation to record-keeping~~, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.

This is not good enough. As leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations of the Independent External Review.

Our ~~a~~ Action ~~p~~Plan ~~sets out~~ outlines 33 actions to deliver that improvement and explains how change will be monitored and scrutinised.

As a first step towards positive change, we have also published a new NICS ~~Raising a Concern Policy Framework~~. This sets out, for the first time, a single, overarching approach to dealing with concerns raised with departments.

Improving the application of policies and procedures across ~~the whole organisation~~ every department is a starting point, but real success requires

Commented [GS1]: Hmm - not sure about this. We're taking credit for being transparent. Is this really the look we're going for here?

Commented [GS2]: Hugh's reminder that party leaders will not be the people with remits in this area is relevant. Do we mean former ministers?

Commented [GS3]: Should be lower case 'action plan' throughout

Commented [GS4]: I wonder if we are too slow to get to this point - it is a critical element of the announcement and we have expended a lot of words before getting to it

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behavioural and cultural change. To lead by example, we have published both reports of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency.

The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

Meanwhile, a substantial body of work is already underway, to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture. We look forward to publishing our plan for embedding and sustaining this transformative change later in the year.

While this Action Plan focuses on improvement, it is important that we recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. They have our thanks.

It is a privilege to serve and we remain on a journey of continuous improvement.

## HEAD SHOTS, NAME, TITLE AND SIGNATURES

### Introduction

In January 2023, PwC provided DAERA as the commissioning department and, through it, the Oversight Group (comprising the Head of the Civil Service along with the Permanent Secretaries for DAERA and DoF and Group Head of Internal Audit), with the findings and recommendations of the Independent External Review, which they had undertaken following its since appointment in June 2022.

This Action Plan sets out the actions that DAERA, DoF and the Head of the Civil Service will take to address the recommendations and findings in the Phase 2 Lessons Learned and Recommendations report from the External Review. It also responds to any service wide issues raised by the review.

Each of these actions has been assigned to a Senior Civil Servant, with direct responsibility for implementation, evaluation, reporting and optimisation.

Neither the Independent External Review, nor this Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters which may or may not arise.

The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or Department may comment on these.

### Accountability and Scrutiny

Commented [GS5]: That sounds just awful. Turn it around into a confident, positive statement. And bear in mind that our pay settlement won't look like valuing them

Commented [GS6]: True - but horribly cheesy

Commented [GS7]: Pretty sure we announced PwC in May?

Commented [GS8]: What does optimisation mean? Plain English please!

Commented [GS9]: Not sure what this adds?



In their capacity as Principal Accounting Officers for their Departments, the Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Audit Committees to scrutinise progress.

They will also provide the Head of the Civil Service, as Chair of the NI Civil Service Board, with regular updates. Where an action applies across the organisation, the NICS Board will collectively report on progress to the Chair.

Both DAERA and DoF will also publish quarterly progress reports on their respective websites.

This will provide assurance that action is underway as set out below, and confirm, in due course, that all recommendations have been implemented in full.

Finding 1: Updating of Core Policy Documents			
<b>Recommendation:</b>			
<p><i>The last review date of the 3 policies [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] indicated should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</i></p>			
	Department	Action	Timescale for completion
1	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders.	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every five years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates.	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework	March 2023

		(referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
6	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
7	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023
8	DOF	The NICS <u>Code of Ethics</u> was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023
9	TEO	The Head of the Civil Service will circulate the <u>Code of Ethics</u> in line with the performance management reporting cycle. This will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and	March 2023

		may be treated as a disciplinary matter.	
10	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally.	

Finding 2: Recording and escalating line of business concerns			
Recommendation:			
<p>Guidance for staff with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity. Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to in (1) above.</p>			
	Department	Action	Timescale for completion
11	DOF	DoF has published a new <u>Raising a Concern Policy Framework</u> which will apply across the NICS.	January 2023
12	All NICS Departments	The <u>Raising a Concern Policy Framework</u> will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	June 2023
13	All NICS Departments	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk	April 2023

		Assurance Committee on a regular basis.	
14	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DOF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns to ensure system-wide learning.	April 2023
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DOF	The Group Internal Audit Service will complete audits within all nine Departments to ensure the <u>Raising a Concern Policy Framework</u> is adequate and effective to manage the concerns raised. They will also provide an overall report to NICS Board on the summary of key findings across the NICS including good practice, lessons to be learned and any further enhancements required.	By March 2024
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue to have oversight of all whistleblowing/raising concerns cases relating to the Department.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including	March 2023

		those which arise through normal line of business activity, and monitoring for 'red flags.'	
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns.	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public.	March 2023

**Finding 3: Record Keeping**

**Recommendation:**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including, date of discussion, who was involved, key matters discussed, and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters, recorded on the register per finding 2, are being dealt with.*

	Department	Action	Timescale for completion
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring high standards of record-keeping are in place in their business areas.	February 2023
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management.	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the	February 2023

		NICS <u>Code of Ethics</u> , staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes.	
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management.	January 2023
27	DOF	The <u>Code of Ethics</u> was revised to include an explicit obligation on civil servants to keep accurate official records. This will be promoted to staff bi-annually in line with performance management reporting cycles (Action 8 above).	February 2023
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns.	January 2023

Commented [GS10]: My one comment about actions like this is that DoF will find it difficult to close them down and may have to keep reporting them as 'ongoing'

<b>Finding 4: Training</b>
<b>Recommendation:</b>
<i>DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.</i>
Actions 14, 21, 22 above will fulfil this recommendation

<b>Additional Finding: Roles and responsibilities in dealing with employment-related legal cases</b>			
<b>Recommendation:</b>			
<i>The Phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the Phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.</i>			
	<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>

29	DOF	A protocol <del>will be</del> <del>being</del> developed and introduced in relation to the management of employment-related legal cases. This will clearly set out the respective roles, responsibilities and decision-making authorities of all stakeholders. It will include the employing department, the Departmental Solicitor's Office, any external legal support (e.g., counsel), and the relevant HR functions.	April 2023
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry.	April 2023
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments.	April 2023
32	DAERA	Following development of the protocol referenced at Action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.	May 2023
33	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action.	Immediate

Commented [MU11]: I used 'is being' as the team with responsibility for tribunals now (after I moved it from ER) started work on this with DSO a while ago. But the use of 'will be' versus 'is being' not a big issue from my perspective, so don't really mind.

## Press Release – Clean

### HEAD OF NI CIVIL SERVICE LAUNCHES NEW RAISING A CONCERN FRAMEWORK ACTION PLAN FOR 'MEANINGFUL AND ACCOUNTABLE CHANGE'

Jayne Brady, the Head of the NI Civil ServiceThe Head of the Civil Service and the Permanent Secretaries of DAERA and DoF have today launched a 33-point Action Plan for Improving governance, including a new approach to how concerns are dealt with across the organisation. IDN. It might be better to say something like "The Head of the Civil Service has today launched a new NICS Raising a Concern Policy Framework which sets out for the first time, ...and then go into the fact that the framework has also been informed by the findings of the PWC external review which are also being published today]

The new NICS Raising a Concern Policy Framework, sets out for the first time, a single, overarching approach to dealing with concerns raised with departments.

As part of this new approach each department will have its own specially trained officers, dedicated to the effective and appropriate management of concerns from staff and the public. The officers will champion the importance and value of receiving and responding to concerns.

To ensure that the organisationdepartments are is consistently learning and improving, the officers will report to their Departmental Boards and to the NI Civil Service Board. They will be part of a forum which will drive a best-practice approach to the handling of concerns.

To further support this change, an organisation-wide training programme is being rolled out for any civil servant who may lead on dealing with concerns.

The Action Plan will see the refreshed Civil Service Code of Ethics embedded into performance management processes, which includes the obligation on all civil servants to keep proper records. Any breaches of this Code may be treated as a disciplinary matter.

Each of the 33 Actions will be implemented by a specified Senior Civil Servant, with oversight and monitoring from the NICS Board and its Chair Jayne Brady, the Head of the Civil Service:

*"I am clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.*

*"As Chair of the NICS Board, I will rigorously pursue progress against these important actions to ensure that change is delivered.*

Commented [GS12]: This is just wrong - has largely been developed by me and Neil and relates almost entirely to DAERA and DoF. It is not Jayne's plan; it is a plan the three of us own. We can't have come all this way in partnership for it to be jettisoned at the last minute. Also Neil and I have specific and personal AO responsibilities that we cannot delegate upwards.

Commented [GS13]: We are conflating two things here - the action plan is a response to the PWC reports; the RaC framework was always being published and we said publicly that we were just delaying it to ensure we captured any learning from the PWC process

Commented [GS14]: That's not correct - the officers don't report to the NICS Board

Commented [GS15]: This is not new and we shouldn't imply that it is - it's always been the case.

Commented [MJ16R15]: Totally agree ( I made this point before).

Commented [GS17]: Noooooo! That's simply not right - I've explained all this before



OFFICIAL SENSITIVE

*"While this Action Plan focuses on positive change, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. They have my thanks.*

*"It is a privilege to serve and we remain on a journey of continuous improvement."*

The Action Plan is in response to findings from an Independent External Review, commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with Party Leaders, MLAs, staff, trade unions, and the NI Audit Office.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The review also identifies areas for improvement in the culture of the service. A substantial body of work is already underway to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture. A plan for embedding this transformative change will be published later in the year.

The commissioning of the Independent External Review, with a cross-departmental remit, is a new departure for the Civil Service, Jayne Brady commented:

*"Improving the application of policies and procedures is a starting point, but real success requires behavioural and cultural change. To lead by example, we have published both papers of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency.*

*"The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.*

*"I acknowledge that some of the issues identified in this review were previously identified by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.*

*"This is not good enough, but we will deliver meaningful and accountable change by implementing the recommendations of the Independent External Review."*

**ENDS**

**Notes to Editors:**

1. The PwC reports were commissioned by DAERA, on behalf of the Department's Permanent Secretary, the Department of Finance Permanent Secretary and the Head of the Civil Service. The reports are available at [insert Link] and the Action Plan is available at [insert link].
2. The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.
3. Neither the Independent External Review, nor this Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or Department may comment on these.
4. Link to NICS Code of Ethics: [NICS Code of Ethics | Department of Finance \(finance-ni.gov.uk\)](#)
5. Link to the new NICS Raising a Concern Policy Framework: <https://www.finance-ni.gov.uk/publications/raising-concern-policy-framework>

**LinkedIn Video Script – Clean**

LinkedIn blurb: **HEAD OF NI CIVIL SERVICE LAUNCHES ACTION PLAN FOR 'MEANINGFUL AND ACCOUNTABLE CHANGE'**

Jayne Brady, the Head of the NI Civil Service has today launched a 33-point Action Plan for improving governance, including a new approach to how concerns are dealt with across the organisation.

The Action Plan is in response to findings from an Independent External Review, commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former employee.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with Party Leaders, MLAs, staff, trade unions, and the NI Audit Office.

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Read the PwC reports and NICS Action Report here:  
[graphics: Jayne Brady, Head of the NI Civil Service]

"Hello Everyone,

Today the civil service has taken some real steps to improve governance across the organisation. Our new action report outlines 33 timebound and clear actions for change.

We have revised our approach on how we deal with concerns – both those raised by the public and by staff. We have strengthened our policies and are introducing specially trained officers dedicated to dealing with concerns in each department.

We have revised our code of ethics which includes the onus on all staff for proper record keeping. This is now embedded in our performance management processes and any breach may be treated as a disciplinary matter.

While improving the application of policies and procedures is important – it is a starting point. Real success requires cultural and behavioural change and I am pleased to share that we are undertaking a substantial piece of work to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture. I look forward to sharing our plans for this transformative change later in year.

It is likely that over the coming days you will hear media commentary relating to individuals in the NICS. As a responsible employer, [redact

redact ]

[redact]

I am focused on positive change, on building upon what is already good, so that the NI Civil Service is the very best for our workforce and the people we serve. Please take some time to read our Action Plan – it is a privilege to serve and we are on a journey of continuous change.

[GRAPHICS: link to action plan]

## Internal Communication EMAIL – Clean

Dear Colleagues,

Today the NI Civil Service has published a 33-point Action Plan [ – HYPERLINK] for improving key business areas, including a new approach to how concerns are dealt with across the organisation.

As a first step towards positive change, we have also published a new NICS Raising a Concern Policy Framework. This sets out, for the first time, a single, overarching approach to dealing with concerns raised with departments.

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As part of this new approach, each department will have its own specially trained officers, dedicated to the effective and appropriate management of concerns from you as staff and from the public. The officers will champion the importance and value of receiving and responding to concerns.

To ensure that the organisation is consistently learning and improving, the officers will report to their Departmental Boards and to the NI Civil Service Board. They will be part of a forum which will drive a best-practice approach to the handling of concerns.

To further support this change, a new cross-service training programme is being rolled-out for anyone who may lead on dealing with concerns.

Our Action Plan will see the refreshed Code of Ethics embedded into performance management processes and breaches may be treated as a disciplinary matter. I am clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date, inclusive and applied properly. These are the foundations of good governance.

The Action Plan is in response to findings from an Independent External Review [[HYPERLINK](#)], proactively commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former employee in the Department of Agriculture, Environment and Rural Affairs.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which some employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with trade unions, all party leaders, all MLAs and with the NI Audit Office. Each of the 33 Actions will be implemented by a specified Senior Civil Servant, with oversight and monitoring from myself as Chair of the NICS Board and from all board members. The Permanent Secretaries of DAERA have already asked their respective Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

I will rigorously pursue progress against these important actions to ensure that change is delivered.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. I will not be commenting in the media.

While ensuring our policies are effective, inclusive, and applied properly and consistently across the organisation, is a starting point, real success requires behavioural and cultural change.

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To lead by example, we have published both papers of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

Meanwhile, a substantial body of work is already underway, to empower and support you in effectively delivering the work of government and to and develop an inclusive workplace culture. A plan for embedding and sustaining this transformative change will be published later in the year and I look forward to sharing it with you.

While today's Action Plan focuses on improvement, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. You have my thanks.

It is a privilege to serve and we remain on a journey of continuous improvement.

Kind regards,

[INSERT E-SIG]

Jayne Brady

**ENDS**

## Internal Communication VIDEO – Clean

Colleagues, today we are taking some real steps to improving how we work as an organisation and I am pleased that we have published an NICS Action plan to deliver meaningful and accountable change.

[Graphics link to Action Plan]

This includes a new approach to dealing with concerns – whether those raised by you as staff or by the public.

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I am clear that concerns must always be voiced, heard and acted upon in the proper manner.

A new policy framework for raising concerns will now provide departments with a single overarching approach to dealing with concerns.

[Graphics link to Raising Concerns Framework]

Each department will have its own officers dedicated to dealing with concerns and they will work across the organisation to ensure we are treating concerns in the most effective way and importantly – that we learn from issues raised.

We must become better at our record keeping, and this action plan will also see the refreshed Code of Ethics, which includes record keeping, embedded into performance management processes. Breaches may be treated as a disciplinary matter.

[Graphics link to Code of Ethics]

Take some time to refresh your knowledge of the code of ethics and to read the action plan. These documents are important – because they are part of the pathway to becoming the very best we can be for the people we serve.

While the Action Plan – and while it focuses on improvement, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. You have my thanks.

It is a privilege to serve and we remain on a journey of continuous improvement.

Thank you.

## EMAIL TO MLAs

### HEAD OF NI CIVIL SERVICE LAUNCHES ACTION PLAN FOR 'MEANINGFUL AND ACCOUNTABLE CHANGE'

Dear Member,

Today I have launched a 33-point Action Plan [\[HYPERLINK\]](#) for improving governance across the Northern Ireland Civil Service which includes a new approach to the handling of concerns.

As a first step towards positive change, we have also published a new NICS Raising a Concern Policy Framework. This sets out, for the first time, a single, overarching approach to dealing with concerns raised with departments.

As part of this new approach, each department will have its own specially trained officers, dedicated to the effective and appropriate management of concerns from staff and the public. The officers will champion the importance and value of receiving and responding to concerns.

To ensure that the organisation is consistently learning and improving, the officers will report to their Departmental Boards and to the NI Civil Service Board. They will be part of a forum which will drive a best-practice approach to the handling of concerns. To further support this change, an organisation-wide training programme is being rolled out for any civil servant who may lead on dealing with concerns.

The Action Plan will see the refreshed Civil Service Code of Ethics embedded into performance management processes, which includes the obligation on all civil servants to keep proper records. Any breaches of this Code may be treated as a disciplinary matter.

I am clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up to date. These are the foundations of good governance.

While this Action Plan focuses on improvement, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. They have my thanks.

The NICS Action Plan is in response to findings from an Independent External Review [\[HYPERLINK\]](#), commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some

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policies and the way in which some employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with Party Leaders, trade unions, staff and with the NI Audit Office.

Each of the 33 Actions will be implemented by a specified Senior Civil Servant, with oversight and monitoring from myself as Chair of the NICS Board and from all board members. The Permanent Secretaries of DAERA have already asked their respective Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

I will rigorously pursue progress against these important actions to ensure that change is delivered.

Neither the Independent External Review, nor the Action Plan, address the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise. I will not be commenting in the media.

The review also identifies areas for improvement in the culture of the service. A substantial body of work is already underway to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture. A plan for embedding this transformative change will be published later in the year and I look forward to sharing this with you.

While improving the application of policies and procedures is a starting point, real success requires behavioural and cultural change. In leading by example, we have published both papers of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

I acknowledge that some of the issues identified in this review were previously identified by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report. This is not good enough, but we will deliver meaningful and accountable change by implementing the recommendations of the Independent External Review.

Kind regards,

Jayne Brady

**EMAIL TO PARTY LEADERS**



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## HEAD OF NI CIVIL SERVICE LAUNCHES ACTION PLAN FOR 'MEANINGFUL AND ACCOUNTABLE CHANGE'

Dear Colleagues,

Today I have launched a 33-point Action Plan [HYPERLINK] for improving governance across the Northern Ireland Civil Service which includes a new approach to the handling of concerns.

As a first step towards positive change, we have also published a new NICS Raising a Concern Policy Framework. This sets out, for the first time, a single, overarching approach to dealing with concerns raised with departments.

As part of this new approach, each department will have its own specially trained officers, dedicated to the effective and appropriate management of concerns from staff and the public. The officers will champion the importance and value of receiving and responding to concerns.

To ensure that the organisation is consistently learning and improving, the officers will report to their Departmental Boards and to the NI Civil Service Board. They will be part of a forum which will drive a best-practice approach to the handling of concerns. To further support this change, an organisation-wide training programme is being rolled out for any civil servant who may lead on dealing with concerns.

The Action Plan will see the refreshed Civil Service Code of Ethics embedded into performance management processes, which includes the obligation on all civil servants to keep proper records. Any breaches of this Code may be treated as a disciplinary matter.

I am clear that concerns must always be voiced, heard and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up to date. These are the foundations of good governance.

While this Action Plan focuses on improvement, it is important that I recognise the valued efforts undertaken by civil servants, who work for the public in accordance with the behaviours, policies and standards expected of them. They have my thanks.

The Action Plan is in response to findings from an Independent External Review [HYPERLINK], commissioned by the Civil Service, to examine the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The review, undertaken by PwC, and published in full by the Civil Service today, highlights issues in the recording and escalating of concerns, the application of some policies and the way in which some employment related legal cases are managed by the organisation.

The PwC reports and NICS Action Plan have been shared with all party leaders, all MLAs, trade unions, staff and with the NI Audit Office. Each of the 33 Actions will be implemented by a specified Senior Civil Servant, with oversight and monitoring from

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myself as Chair of the NICS Board and from all board members. The Permanent Secretaries of DAERA have already asked their respective Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

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While improving the application of policies and procedures is a starting point, real success requires behavioural and cultural change. In leading by example, we have published both papers of the Independent External Review in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. The fact that this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

I acknowledge that some of the issues identified in this review were previously identified by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report. This is not good enough, but we will deliver meaningful and accountable change by implementing the recommendations of the Independent External Review.

I would be pleased to brief you in relation to our Action Plan.

Kind regards,

Jayne Brady

[redact]

---

**From:** Hughes, David (DoF)  
**Sent:** 24 January 2023 15:13  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec)  
**Cc:** Stewart, Chris (TEO); Crilly, Louise; McNabb, Chris; McLaughlin, Mark (DOF); McCavigan, Tracey; Sayee, Natasha; McFlynn, Sharon; [redact] Byrne, Jayne  
**Subject:** CM: Minute to Oversight Group to clear the Action Plan and accompanying text  
**Attachments:** Minute David Hughes to Oversight Group covering Action Plan for agreement - 24 January 2023.DOCX; Action Plan - 24 January 2023.DOCX

-----< Content Manager Record Information >-----

Record Number: FI1/23/93091

Title: Minute David Hughes to Oversight Group covering Action Plan for agreement - 24 January 2023

-----< Content Manager Record Information >-----

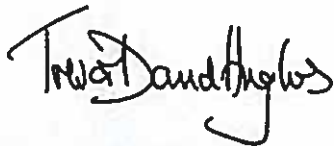
Record Number: FI1/23/92753

Title: Action Plan - 24 January 2023

**FROM: DAVID HUGHES**  
**DATE: 24 JANUARY 2023**  
**TO JAYNE BRADY**  
**NEIL GIBSON**  
**KATRINA GODFREY**

**DAERA WHISTLEBLOWING: ACTION PLAN**

1. Following recent conversations, the Action Plan and accompanying text have been revised.
2. I attach a final version for the Oversight Board's consideration and approval.
3. I note that Colum Boyle has indicated that his support for the Action Plan comes with the proviso that his recent comments about the *Raising a Concern Policy Framework* are taken into account.
4. We are meeting at 3:30pm.



**DAVID HUGHES**  
**078252141388**

**Copies to**  
Louise Crilly  
Chris McNabb  
Chris Stewart  
Jayne Byrne  
Tracy McCavigan  
Sharon McFlynn  
Mark McLaughlin  
Natasha Sayee

[redact]

# Action Plan – Latest version 24-01 12noon

## Preface

In May 2022, the Head of the Civil Service and the Permanent Secretaries for the Departments of Agriculture, Environment and Rural Affairs (DAERA) and the Department of Finance (DoF), jointly commissioned an Independent External Review into the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The Independent External Review was carried out by PwC, following a competitive tender process. This action plan is our response to the recommendations and some service-wide issues raised by the review. We have shared this action plan and the PwC reports with staff, trade unions, MLAs, and with the NI Audit Office.

We welcome the findings in the two reports which we have published in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. We are committed to learning from this review and the issues it raises and to taking action to improve both our processes and how we implement them. We want to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us.

PwC's reports highlight areas for improvement in the recording and escalating of concerns, the application of some policies, and the way in which some employment-related legal cases are managed by the NICS.

We are clear that concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

We also acknowledge that some of the issues identified in this review, particularly in relation to record-keeping, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.

This is not good enough. As leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations of the Independent External Review.

This action plan sets out 33 actions to deliver improvement and explains how change will be monitored and scrutinised.

Separately, we have also published a new NICS Raising a Concern Policy Framework. This sets out for departments, for the first time, a single, overarching approach to dealing with concerns raised.

Improving the application of policies and procedures across every department is a starting point, but real success requires behavioural and cultural change. That this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

Meanwhile, work is already underway, to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture.

By seeking out issues and by making positive change, we can build on the strengths of the NI Civil Service. This will ensure we are delivering the best possible service for the public and our workforce.

### **Introduction**

In January 2023, PwC provided DAERA as the commissioning department and, through it, the Oversight Group (comprising the Head of the Civil Service along with the Permanent Secretaries for DAERA and DoF and Group Head of Internal Audit), with the findings and recommendations of the Independent External Review, which it had undertaken following its appointment in May 2022.

This Action Plan sets out the actions that DAERA, DoF and the Head of the Civil Service will take to address the recommendations and findings in the Phase 2 Lessons Learned and Recommendations report from the External Review. It also responds to any service-wide issues raised by the review.

Neither the Independent External Review, nor this Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment-related matters, which may or may not arise.

The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or department may comment on these.

### **Accountability and Scrutiny**

In their capacity as Principal Accounting Officers for their Departments, the Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Audit Committees to scrutinise progress.

They will also provide the Head of the Civil Service, as Chair of the NI Civil Service Board, with regular updates. Where an action applies across the organisation, the NICS Board will collectively report on progress to the Chair.

Both DAERA and DoF will also publish quarterly progress reports on their respective websites.

This will provide assurance that action is underway as set out below, and confirm, in due course, that all recommendations have been implemented in full.

<b>Finding 1: Updating of Core Policy Documents</b>
<b>Recommendation:</b> <i>The last review date of the 3 policies [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] indicated should be updated to evidence the</i>

date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.

	Department	Action	Timescale for completion
1	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders.	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every five years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates.	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
6	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
7	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023

8	DOF	The NICS <u>Code of Ethics</u> was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023
9	TEO	The Head of the Civil Service will circulate the <u>Code of Ethics</u> in line with the performance management reporting cycle. This will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
10	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally.	

**Finding 2: Recording and escalating line of business concerns**

**Recommendation:**

*Guidance for staff with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity. Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to in (1) above.*

	Department	Action	Timescale for completion
11	DOF	DoF has published a new <u>Raising a Concern Policy Framework</u> which will apply across the NICS.	January 2023
12	All NICS Departments	The <u>Raising a Concern Policy Framework</u> will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues,	June 2023



		and identifying the thresholds for escalating concerns.	
13	All NICS Departments	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023
14	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DOF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns to ensure system-wide learning.	April 2023
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DOF	The Group Internal Audit Service will complete audits within all nine Departments to ensure the <u>Raising a Concern Policy Framework</u> is adequate and effective to manage the concerns raised. They will also provide an overall report to NICS Board on the summary of key findings across the NICS including good practice, lessons to be learned and any further enhancements required.	By March 2024
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue to have oversight of all whistleblowing/raising concerns cases relating to the Department.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal	March 2023

		line of business activity, and monitoring for 'red flags.'	
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns.	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public.	March 2023

### Finding 3: Record Keeping

#### **Recommendation:**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including, date of discussion, who was involved, key matters discussed, and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters, recorded on the register per finding 2, are being dealt with.*

	Department	Action	Timescale for completion
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring high standards of record-keeping are in place in their business areas.	February 2023
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management.	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the NICS <u>Code of Ethics</u> , staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes.	February 2023
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management.	January 2023

27	DOF	The Code of Ethics was revised to include an explicit obligation on civil servants to keep accurate official records. This will be promoted to staff bi-annually in line with performance management reporting cycles (Action 8 above).	February 2023
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns.	January 2023

#### **Finding 4: Training**

##### **Recommendation:**

*DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.*

Actions 14, 21, 22 above will fulfil this recommendation

#### **Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

##### **Recommendation:**

*The Phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the Phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.*

	Department	Action	Timescale for completion
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will clearly set out the respective roles, responsibilities and decision-making authorities of all stakeholders. It will include the employing department, the Departmental Solicitor's Office, any external legal support (e.g., counsel), and the relevant HR functions.	April 2023
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry.	April 2023
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments.	April 2023
32	DAERA	Following development of the protocol referenced at Action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to	May 2023

		decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.	
33	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action.	Immediate

[redact].

**From:** Sayee, Natasha  
**Sent:** 24 January 2023 17:23  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec)  
**Cc:** Stewart, Chris (TEO); Crilly, Louise; McNabb, Chris; McLaughlin, Mark (DOF); McCavigan, Tracey; McFlynn, Sharon; [redact] Byrne, Jayne; Hughes, David (DoF)  
**Subject:** CM: RE: Minute to Oversight Group to clear the Action Plan and accompanying text  
**Attachments:** PwC Communications Pack FIN 240123.docx

All,

Please find attached for consideration and approval of the Oversight Group.

It would be helpful if a colleague could please save to CM for me, who can do this please?

Kind regards,

Natasha

---

**From:** Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Sent:** 24 January 2023 15:13  
**To:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; [redact] Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Subject:** Minute to Oversight Group to clear the Action Plan and accompanying text

-----< Content Manager Record Information >-----

Record Number: FI1/23/93091  
Title: Minute David Hughes to Oversight Group covering Action Plan for agreement - 24 January 2023

-----< Content Manager Record Information >-----

Record Number: FI1/23/92753  
Title: Action Plan - 24 January 2023

**FROM: NATASHA SAYEE**

**DATE: 24 JANUARY 2023**

**TO JAYNE BRADY  
NEIL GIBSON  
KATRINA GODFREY**

**DAERA WHISTLEBLOWING: ACTION PLAN**

1. Please find attached for the Oversight Board's consideration and approval
  - Press Release
  - Internal Communication – HOCS Email
  - Email to MLAs – HOCS
  - Script for Video for Internal Communication - HOCS
  
2. I attach for your information the communications output schedule:

**COMMS OUTPUT TRACKER - PUBLICATION OF PRESS RELEASE WED 25<sup>th</sup> JAN 2023**

	OUTPUT IN ORDER OF SEQUENCING	TIMING	RESPONSIBLE	Person responsible to mark as complete
Output 1	DAERA WEBPAGE TEXT AND LINKS LIVE TO ACTION PLAN AND 2 X PWC REPORTS	1140 25/1	[redact]	
Output 2	DOF WEBPAGE TEXT AND LINKS LIVE TO - RAISING A CONCERN FRAMEWORK AND CODE OF ETHICS	1140 25/1	[redact]	
Output 3	HOCS ALL STAFF EMAIL LIVE	1145 25/1	[redact]	
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Output 6	HOCS EMAIL TO ALL MLAS	1155 25/1	NATASHA SAYEE TO [redact]	
CHECKPOINT	NS TO CONFIRM TO CHRIS MCNABB THAT ALL PREVIOUS 6 OUTPUTS HAVE BEEN ACTION – BEFORE PRESS RELEASE CAN ISSUE	NOON	NATASHA SAYEE	

Output 7	PRESS RELEASE ISSUES	1205PM 25/1	CHRIS MCNABB	
----------	-------------------------	-------------	--------------	--

\*HOCS Video to staff can be issued either with outputs 3 & 4 or inputted into output 4 retrospectively.

**Copies to**

Louise Crilly  
Chris McNabb  
Chris Stewart  
Jayne Byrne  
Tracy McCavigan  
Sharon McFlynn  
Mark McLaughlin  
David Hughes

[redacted]

# Press Release

## **Civil Service publishes action plan in response to external review**

A 33-point action plan to improve governance across the NI Civil Service has been published today.

The plan is in response to findings from an independent external review undertaken by PwC to examine the handling of concerns and other matters raised in a case taken by a former DAERA employee.

Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and the Head of the Civil Service Jayne Brady, the reports and action plan have been shared with staff, trade unions, MLAs and the NI Audit Office.

Jayne Brady said: "I welcome the findings in the reports. As a Service, we are committed to learning from this review and addressing the issues identified.

"We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

"We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for the public and our workforce."

The External Review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the NICS.

A new NICS Raising a Concern Policy Framework has also been published. These guidelines for Departments set out, for the first time, a single, overarching approach to dealing with concerns raised.

A refreshed Civil Service Code of Ethics, which includes the obligation on all civil servants to keep proper records, will be embedded into performance management processes.

Neither PwC's Lessons learned and recommendations report, nor the Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service.



Jayne Brady said: "Concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

"Some of the issues identified in this review, particularly in relation to record-keeping, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) report. This is not good enough and as leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations.

"Improving the application of policies and procedures is a starting point, but real success requires behavioural and cultural change. Work is already underway to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture."

## ENDS

### Notes to Editors:

1. The PwC reports were commissioned by DAERA, on behalf of the Department's Permanent Secretary, the Department of Finance Permanent Secretary and the Head of the Civil Service. The reports and action plan are available here: <https://www.daera-ni.gov.uk/publications/external-independent-review-pwc-reports-and-nics-action-plan>
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# Internal Communication

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Together, we welcome the findings in the reports and as a Service are committed to learning from this review and addressing the issues identified. We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for you our workforce and the public.

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While the review and action plan focus on how we can improve, it is important not to lose sight of the excellent work of civil servants who deliver for the public here.

I very much hope that none of this detracts from the pride you should rightly take in the very important work you do.

Thank you for your support,

[e-sig]

Jayne Brady

# Email to MLAs

Chris Stewart assistance required re text review and formatting

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[e-sig]

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## HOCS to Staff Video Script

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[redact].

---

**From:** Sayee, Natasha  
**Sent:** 24 January 2023 18:08  
**To:** Brady, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec)  
**Cc:** Stewart, Chris (TEO); Crilly, Louise; McNabb, Chris; McLaughlin, Mark (DOF); McCavigan, Tracey; McFlynn, Sharon; [redact] Byrne, Jayne; Hughes, David (DoF)  
**Subject:** RE: Minute to Oversight Group to clear the Action Plan and accompanying text  
**Attachments:** PwC Communications Pack FIN 250123 - USE.docx

Thank you Jayne,

Small typo caught and amended in attached.

Changes address – to – addresses.

There may be more fine tuning as colleagues read in-depth.

Kind regards,

Natasha

**From:** Brady, Jayne <HOCS@executiveoffice-ni.gov.uk>  
**Sent:** 24 January 2023 18:01  
**To:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>  
**Cc:** Stewart, Chris (TEO) <chris.stewart@executiveoffice-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; [redact], Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>  
**Subject:** RE: Minute to Oversight Group to clear the Action Plan and accompanying text

Thanks Natasha,

I am content but may make a few tweaks to my script this evening for tomorrow's video.  
Appreciate yours and all comms colleagues support in the drafting,  
Jayne

Jayne Brady

Head of the Northern Ireland Civil Service

The Executive Office | Room FD34 | Stormont Castle | Stormont | BELFAST | BT4 3TT

E-mail: [HOCS@executiveoffice-ni.gov.uk](mailto:HOCS@executiveoffice-ni.gov.uk)

Tel: 028 9037 88147 | Network: 88147 | [www.executiveoffice-ni.gov.uk](http://www.executiveoffice-ni.gov.uk)

All e-mails and attachments issued by the Head of the Civil Service Office must be filed appropriately by the responsible business area. HOCS office does not keep official records of such correspondence.

The personal information (e.g., name, personal email/home postal address) included in your correspondence, which the Executive Office now holds, will be handled in accordance with data protection legislation. It will be kept secure and only shared with relevant officials for the purpose of providing a response. This information will be retained for no longer than is necessary, and in line with the Department's retention and disposal schedule.'

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Output 7	PRESS RELEASE ISSUES	1205PM 25/1	CHRIS MCNABB	
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[redact]

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**From:** [redact] behalf of Gibson, Neil  
**Sent:** 24 January 2023 18:16  
**To:** Sayee, Natasha; Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec)  
**Cc:** Stewart, Chris (TEO); Crilly, Louise; McNabb, Chris; McLaughlin, Mark (DOF); McCavigan, Tracey; McFlynn, Sharon; [redact] Byrne, Jayne; Hughes, David (DoF)  
**Subject:** RE: PRINTED: SSUB-0357-2022 RE: Minute to Oversight Group to clear the Action Plan and accompanying text  
**Attachments:** PwC Communications Pack FIN 240123.docx

Natasha

One comment tracked from Neil in the notes to editors in the Press Release. Otherwise content.

Regards

[redact] on behalf of Neil

[redact]  
Permanent Secretary's Office  
Department of Finance  
2<sup>nd</sup> Floor Clare House  
303 Airport Road West  
Belfast BT3 9ED  
Tel: [redact]

Please note I do not work on Wednesdays



FROM: NATASHA SAYEE  
 DATE: 24 JANUARY 2023  
 TO: JAYNE BRADY  
 NEIL GIBSON  
 KATRINA GODFREY

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The plan is in response to findings from an independent external review undertaken by PwC to examine the handling of concerns and other matters raised in a case taken by a former DAERA employee.

Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and the Head of the Civil Service Jayne Brady, the reports and action plan have been shared with staff, trade unions, MLAs and the NI Audit Office.

Jayne Brady said: "I welcome the findings in the reports. As a Service, we are committed to learning from this review and addressing the issues identified.

"We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

"We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for the public and our workforce."

The External Review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the NICS.

A new NICS Raising a Concern Policy Framework has also been published. These guidelines for Departments set out, for the first time, a single, overarching approach to dealing with concerns raised.

A refreshed Civil Service Code of Ethics, which includes the obligation on all civil servants to keep proper records, will be embedded into performance management processes.

Neither PwC's Lessons learned and recommendations report, nor the Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service.

Jayne Brady said: "Concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

"Some of the issues identified in this review, particularly in relation to record-keeping, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) report. This is not good enough and as leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations.

"Improving the application of policies and procedures is a starting point, but real success requires behavioural and cultural change. Work is already underway to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture."

## ENDS

### Notes to Editors:

1. The PwC reports were commissioned by DAERA, on behalf of the Department's Permanent Secretary, the Department of Finance Permanent Secretary and the Head of the Civil Service. The reports and action plan are available here: <https://www.daera-ni.gov.uk/publications/external-independent-review-pwc-reports-and-nics-action-plan>
2. The ToR committed to the publication of the outcomes of the review. The decision was taken in the interest of transparency for both papers of the Independent External Review in full. This has taken longer than initially anticipated.
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6. The full costs of the review are currently being finalised and will be published in due course on the DAERA website

Commented [CG1]: Neil has commented that the first two sentences are already in the news release and so perhaps could be removed from here. And instead begin with The requirements of employment law...

# Internal Communication

## INTERNAL COMMUNICATION – HOCS EMAIL ALL Staff

Dear Colleagues,

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Commissioned by DAERA on behalf of the Department's Permanent Secretary Katrina Godfrey, the Department of Finance Permanent Secretary Neil Gibson and myself as the Head of the Civil Service, the reports and action plan are being shared with staff, trade unions, MLAs and the NI Audit Office.

Together, we welcome the findings in the reports and as a Service are committed to learning from this review and addressing the issues identified. We remain on a journey of continuous improvement and the action plan sets out our response to the review recommendations.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for you our workforce and the public.

The External Review highlights issues in the recording and escalating of concerns, the application of some policies and the way in which employment related legal cases are managed by the organisation.

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The review also identifies areas for improvement in the culture of the service. Real success requires behavioural and cultural change and work is already underway to empower and support you in effectively delivering the work of government and to develop a more inclusive workplace culture.

While the review and action plan focus on how we can improve, it is important not to lose sight of the excellent work of civil servants who deliver for the public here.

I very much hope that none of this detracts from the pride you should rightly take in the very important work you do.

Thank you for your support,

[e-sig]

Jayne Brady

## Email to MLAs

Chris Stewart assistance required re text review and formatting

Dear Colleagues,

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We welcome the findings in the two reports which we have published in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for our workforce and the public.

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Kind regards,

[e-sig]

Jayne Brady

## HOCS to Staff Video Script

Colleagues, today we are taking some real steps to improving I am pleased that we have published an NICS Action plan to deliver meaningful and accountable change.

We will implement each of the 33 actions so that there is greater confidence that we are delivering the best possible service for you our workforce and the public.

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[redact]

**From:** Byrne, Jayne  
**Sent:** 24 January 2023 23:15  
**To:** carmel.gates [redact] 'Alan Perry [redact] ; Allan Sampson; 'Scott, Gareth'  
**Cc:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Stewart, Chris (TEO); Sayee, Natasha  
**Subject:** CM: PWC REPORTS: DAERA EXTERNAL REVIEW  
**Attachments:** DAERA - External Review-Phase 2 Lessons Learned and Recommendations (1).pdf; 24.1.23 draft Action Plan.docx; 24.1.23 Memo from Chris Stewart.docx; COMMUNICATIONS PACK EMBARGOED 1205 250123.pdf; DAERA - External Review-Phase 1 Final Report.pdf  
**Importance:** High

Dear Carmel, Alan, Allan, Gareth

Please find attached a memo from Chris Stewart on behalf of Jayne Brady advising you of the intention to publish to above reports.

The memo is self-explanatory. If you have any queries, please do not hesitate to contact me.

Please note the attached is **embargoed until 1205 tomorrow afternoon**.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
Mob: 07776 667627  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

## Action Plan – as at 24-01 12noon

### Preface

In May 2022, the Head of the Civil Service and the Permanent Secretaries for the Departments of Agriculture, Environment and Rural Affairs (DAERA) and the Department of Finance (DoF), jointly commissioned an Independent External Review into the handling of concerns and other serious matters, raised in a case taken by a former DAERA employee.

The Independent External Review was carried out by PwC, following a competitive tender process. This action plan is our response to the recommendations and some service-wide issues raised by the review. We have shared this action plan and the PwC reports with staff, trade unions, MLAs, and with the NI Audit Office.

We welcome the findings in the two reports which we have published in full. We had previously committed to publishing only the outcomes of the review but have gone further. Regrettably, this has taken longer but has resulted in greater transparency. We are committed to learning from this review and the issues it raises and to taking action to improve both our processes and how we implement them. We want to ensure that there can be much greater confidence, among both our staff and the public, in how we handle concerns when they are raised with us.

PwC's reports highlight areas for improvement in the recording and escalating of concerns, the application of some policies, and the way in which some employment-related legal cases are managed by the NICS.

We are clear that concerns must always be raised, listened to and acted upon in the proper manner. It is critical that every civil servant maintains proper records and that all policies are up-to-date. These are the foundations of good governance.

We also acknowledge that some of the issues identified in this review, particularly in relation to record-keeping, were previously highlighted by the Inquiry into the Renewable Heat Incentive Scheme (RHI) in its March 2020 report.

This is not good enough. As leaders of the NI Civil Service, we will rigorously pursue progress against the recommendations of the Independent External Review.

This action plan sets out 33 actions to deliver improvement and explains how change will be monitored and scrutinised.

Separately, we have also published a new NICS Raising a Concern Policy Framework. This sets out for departments, for the first time, a single, overarching approach to dealing with concerns raised.

Improving the application of policies and procedures across every department is a starting point, but real success requires behavioural and cultural change. That this review was proactive and cross-departmental, is evidence of the collaborative culture we are driving throughout the service.

Meanwhile, work is already underway, to empower and support civil servants in effectively delivering the work of government and to develop an inclusive workplace culture.

By seeking out issues and by making positive change, we can build on the strengths of the NI Civil Service. This will ensure we are delivering the best possible service for the public and our workforce.

## **Introduction**

In January 2023, PwC provided DAERA as the commissioning department and, through it, the Oversight Group (comprising the Head of the Civil Service along with the Permanent Secretaries for DAERA and DoF and Group Head of Internal Audit), with the findings and recommendations of the Independent External Review, which it had undertaken following its appointment in May 2022.

This Action Plan sets out the actions that DAERA, DoF and the Head of the Civil Service will take to address the recommendations and findings in the Phase 2 Lessons Learned and Recommendations report from the External Review. It also responds to any service-wide issues raised by the review.

Neither the Independent External Review, nor this Action Plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment-related matters, which may or may not arise.

The requirements of employment law, the contractual obligations applying to every civil servant, and the obligation of fairness to all staff mean that any such matters must remain confidential in order to be lawful and fair and no individual civil servant or department may comment on these.

## **Accountability and Scrutiny**

In their capacity as Principal Accounting Officers for their Departments, the Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Audit Committees to scrutinise progress.

They will also provide the Head of the Civil Service, as Chair of the NI Civil Service Board, with regular updates. Where an action applies across the organisation, the NICS Board will collectively report on progress to the Chair.

Both DAERA and DoF will also publish quarterly progress reports on their respective websites.

This will provide assurance that action is underway as set out below, and confirm, in due course, that all recommendations have been implemented in full.

<b>Finding 1: Updating of Core Policy Documents</b>
<b>Recommendation:</b> <i>The last review date of the 3 policies [Managing Public Money NI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] indicated should be updated to evidence the</i>

date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.

	Department	Action	Timescale for completion
1	DAERA	The DAERA Enforcement policy will be reviewed and updated, published on the DAERA website and communicated to DAERA staff and stakeholders.	May 2023
2	DAERA	A formal review cycle will be introduced for the DAERA Enforcement policy which will require it to be formally reviewed every five years unless an earlier review is needed.	May 2023
3	DAERA	The DAERA Enforcement policy will have a designated owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates.	May 2023
4	DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the NICS <i>Raising a Concern</i> framework (referred to at Action 11). The updated policy will be published on the DAERA intranet and communicated to all DAERA staff.	March 2023
5	DAERA	The DAERA Whistleblowing Policy will have a designated owner who will take responsibility for ensuring implementation of the formal review cycle and the policy documents will include ownership and review dates.	March 2023
6	DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.	March 2023
7	DOF	A formal review cycle will be introduced for <i>Managing Public Money NI</i> (MPMNI) and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	April 2023

8	DOF	The NICS <u>Code of Ethics</u> was updated and drawn to the attention of all staff in February 2022. A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023
9	TEO	The Head of the Civil Service will circulate the <u>Code of Ethics</u> in line with the performance management reporting cycle. This will include a reminder that performance management includes an assessment of behaviours in relation to the Code, as well as the delivery of business objectives. A breach of the Code of Ethics will be treated under performance management arrangements and may be treated as a disciplinary matter.	March 2023
10	DOF	The NICS HR Handbook is regularly reviewed. Additions to and deletions from the Handbook are agreed through the formal agreed central Civil Service negotiating arrangements, advised to NICS trade unions and publicised to staff internally.	

## Finding 2: Recording and escalating line of business concerns

### **Recommendation:**

*Guidance for staff with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity. Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to in (1) above.*

	Department	Action	Timescale for completion
11	DOF	DoF has published a new <u>Raising a Concern Policy Framework</u> which will apply across the NICS.	January 2023
12	All NICS Departments	The <u>Raising a Concern Policy Framework</u> will be reflected in updated operational guidance at departmental level, including guidance on registering concerns, recognising protected disclosures arising from line of business issues,	June 2023

		and identifying the thresholds for escalating concerns.	
13	All NICS Departments	Each department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record, and reporting to their departmental Audit and Risk Assurance Committee on a regular basis.	April 2023
14	DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023
15	DOF	DoF will establish a Designated Officers' Forum to discuss common issues around the raising and handling of concerns to ensure system-wide learning.	April 2023
16	TEO	The NICS Board will commission an annual report from the Designated Officers' Forum on the concerns being raised across departments, in order to monitor trends and address problems.	July 2023
17	DOF	The Group Internal Audit Service will complete audits within all nine Departments to ensure the <u>Raising a Concern Policy Framework</u> is adequate and effective to manage the concerns raised. They will also provide an overall report to NICS Board on the summary of key findings across the NICS including good practice, lessons to be learned and any further enhancements required.	By March 2024
18	DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record of all concerns raised.	January 2023
19	DAERA	The DAERA Audit and Risk Assurance Committee will continue to have oversight of all whistleblowing/raising concerns cases relating to the Department.	At each meeting
20	DAERA	DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal	March 2023

		line of business activity, and monitoring for 'red flags.'	
21	DAERA	The guidance referred to at (action 20) will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns.	September 2023
22	DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public.	March 2023

### Finding 3: Record Keeping

#### **Recommendation:**

*The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including, date of discussion, who was involved, key matters discussed, and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters, recorded on the register per finding 2, are being dealt with.*

	Department	Action	Timescale for completion
23	DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring high standards of record-keeping are in place in their business areas.	February 2023
24	DAERA	All staff in DAERA will be reminded to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management.	February 2023
25	DAERA	Recognising the importance of record-keeping and its place in the NICS <u>Code of Ethics</u> , staff will be reminded that any breaches of the requirements to make and retain clear records may be dealt with under NICS disciplinary processes.	February 2023
26	DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management.	January 2023

27	DOF	The <u>Code of Ethics</u> was revised to include an explicit obligation on civil servants to keep accurate official records. This will be promoted to staff bi-annually in line with performance management reporting cycles (Action 8 above).	February 2023
28	DOF	The new <i>Raising a Concern</i> framework sets out the requirement for good record-keeping relating to concerns.	January 2023

#### Finding 4: Training

##### **Recommendation:**

*DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.*

Actions 14, 21, 22 above will fulfil this recommendation

#### Additional Finding: Roles and responsibilities in dealing with employment-related legal cases

##### **Recommendation:**

*The Phase 1 report from the external review also highlighted some learning in dealing with employment-related legal cases. While not specifically referenced in the Phase 2 report recommendations, DAERA and DOF [DSO/NICSHR] have identified some additional actions to be taken to help ensure that such learning can be embedded for the future.*

	Department	Action	Timescale for completion
29	DOF	A protocol will be developed and introduced in relation to the management of employment-related legal cases. This will clearly set out the respective roles, responsibilities and decision-making authorities of all stakeholders. It will include the employing department, the Departmental Solicitor's Office, any external legal support (e.g., counsel), and the relevant HR functions.	April 2023
30	DOF	Refreshed advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry.	April 2023
31	DOF	Advice on managing conflicts of interest in the context of legal cases will be issued to all departments.	April 2023
32	DAERA	Following development of the protocol referenced at Action 29 above, and reflecting its content, roles and responsibilities of senior staff in DAERA in relation to	May 2023



		decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated.	
33	DAERA	New arrangements will immediately be put in place in DAERA, pending development of the protocol, to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action are not involved in decision-making on that legal action.	Immediate

From: Chris Stewart  
The Executive Office

cc

Jayne Brady  
Neil Gibson  
Katrina Godfrey

Date: 24 January 2023

By email:

Carmel Gates, NIPSA  
Alan Perry, GMB  
Allan Sampson, FDA  
Gareth Scott, UNITE

[redact]  
[redact]  
[redact]  
[redact].

### PWC REPORTS: DAERA EXTERNAL REVIEW

1. On behalf of Jayne Brady, I am writing to let you know that DAERA intends to publish on 25 January the reports of an external review of the handling of concerns raised by a former DAERA civil servant. The review was commissioned jointly by Jayne Brady, and the Permanent Secretaries of DAERA and DoF. DAERA will also publish an NICS action plan in response to the recommendations in the reports.
2. I attach, on the basis of a strict embargo until 1205 on 25 January 2023, copies of the PWC reports, the draft NICS action plan which may be subject to minor changes, press release and the internal comms. Individual NICS colleagues (and former colleagues) with a direct interest in the reports have been advised of the forthcoming publication.
2. I should be happy to take a call or to meet you to clarify or discuss any aspect of the reports and action plan if that would be helpful.

Yours sincerely

CF Stewart

CHRIS STEWART

## **Press Release**

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A new NICS Raising a Concern Policy Framework has also been published. These guidelines for Departments set out, for the first time, a single, overarching approach to dealing with concerns raised.

A refreshed Civil Service Code of Ethics will be embedded into performance management processes, which includes the obligation on all civil servants to keep proper records.

Neither PwC's Lessons learned and recommendations report, nor the action plan, addresses the actions of individual civil servants. The NI Civil Service, as a responsible employer, does not comment on internal employment related matters, which may or may not arise.

The Permanent Secretaries of DAERA and DoF will monitor the status of actions and have already asked their respective Departmental Audit Committees to scrutinise progress. Quarterly progress reports will be published on their respective websites.

The review also identifies areas for improvement in the culture of the service. Real success requires behavioural and cultural change and work is already underway to empower and support you in effectively delivering the work of government and to develop a more inclusive workplace culture.

While the review and action plan focus on how we can improve, it is important not to lose sight of the excellent work of civil servants who deliver for the public here.

I very much hope that none of this detracts from the pride you should rightly take in the very important work you do.

Thank you for your support,

[e-sig]

Jayne Brady

CONFIDENTIAL

[REDACT]

---

**From:** Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>

**Sent:** 09 December 2022 16:55

**To:** Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>;  
McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>

**Cc:** McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>

**Subject:** Document

Hi All,

Document needs work. David H kindly reviewing.

Original attached.

Link to working draft here: [📎 DRAFT ACTIONS REPORT 091222.docx](#)

Many thanks,

N

Natasha Sayee (she/her)  
Director of Marketing, Outreach & Internal Communications

The Executive Office

Stormont Castle

Tel: ☎ 028 90 378 202 (Internal extension 88202) / 07775017210

E-mail: ✉ [natasha.sayee@executiveoffice-ni.gov.uk](mailto:natasha.sayee@executiveoffice-ni.gov.uk)



## Next steps

Whilst the review has taken longer than first expected this has been an extremely useful exercise to identify issues not only at individual Department level but for the wider Public Sector which we are committed to address promptly. The findings of the report are on sound evidence base and provides the Oversight Group with appropriate insight to identify systemic issues and highlighting the ever growing need for the Public Service to be a more joined up approach. [REDACT]

[REDACT]

The Oversight Group welcome the lessons learnt report and accept the four recommendations within the report as set out below;

### Recommendation 1 – Policy Documents

- The last review date of the 3 policies indicated should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.

### Recommendation 2: Recording and escalating line of business concerns

- Guidance for staff with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.
- Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to in (1) above.

### Recommendation 3: Record keeping

- The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including; date of discussion; who was involved; key matters discussed; and agreed next steps.

These records should be detailed enough to provide a full audit trail to show how escalated matters, recorded on the register per recommendation 2, are being dealt with.

#### **Recommendation 4: Training**

- DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.

In addition to these recommendations, the Oversight Group have identified further actions that will enhance the way we operate and build on previous reports recommendations such as RHI. There is a clear need for the NICS to operate in a more cohesive manner and embed a culture that our staff demonstrate our core values in all that they do and Senior Officials must lead this by example.

It is pleasing to note that work is in the final stages to update the raising concern framework and will take account of the lessons learnt from this case. This framework will consistently be applied across the NICS, so no matter which Department staff work in they know both how to raise and how to respond to concerns. This framework provides clarity and simplified arrangements for raising a concern and will be supported with effective training to empower our staff to consistently take forward concerns. In the interim, there are procedures in place to raise any concerns with details on department intranets sites.

It is recognised that this case has identified implications across the Civil Service, and for how we embed the correct culture, ethics and standards frameworks. We need to improve not only the recording of information but also the clarity in which they are recorded. We need to improve our capacity and capabilities across the piece and ensure the correct roles and responsibilities are appropriately allocated. There is a clear need to review the training needs and ensure these remain appropriate to address the Line Managers duties especially critical in the changing environment.

It is a matter of deep regret that confidence in the Public Service has been damaged. We will learn from what went wrong and improve. This is timely with the commencement of the NICS renewal programme which has a number of exploratory themes in the areas of: People and Organisation; Sustainable Strategically Aligned Resources, Ways of Working including Innovation; and Ethics, Values and Collaboration with a focus on continuous improvement and agile delivery.

[REDACT]

---

**From:** Stewart, Chris (TEO)  
**Sent:** 13 December 2022 12:39  
**To:** Morelli, Emer; Hughes, David (DoF); McNabb, Chris; Sayee, Natasha  
**Cc:** Brady, Jayne; Byrne, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec)  
**Subject:** CM: Official -sensitive DAERA external review  
**Attachments:** DAERA external review action plan and comms strategy.DOCX

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Colleagues

Please see the attached.

C

OFFICIAL - SENSITIVE

From: Chris Stewart  
Date: 13 December 2022

cc Jayne Brady  
Jayne Byrne

To: David Hughes (DoF)  
Chris McNabb  
Emer Morelli (DoF)  
Natasha Sayee

**DAERA EXTERNAL REVIEW: PHASE 1 AND 2 REPORTS**

1. We have been asked to develop a draft action plan and associated communications plan in response to the above reports. I understand that the reports are currently in draft, but are expected to be finalised shortly without major changes. Our products are required by Thursday 15 December.
2. I am grateful for the work done to date, which has resulted in a draft actions plan. This is a useful starting point, and contains elements of a communications strategy, system-wide actions, and DAERA specific actions. However, I suggest that those three elements would best be taken forward as separate, but co-ordinated strands.
3. Chris and Natasha will lead on the communications strand. At the risk of stating the obvious, we should bear in mind that there are three distinct audiences: the public / media / political interest; the broader NICS; and colleagues who are directly affected by the matters raised. Experience in RHI matters reminds me that the needs of the third group are easily overlooked.
4. I will engage with Katrina Godfrey and Neil Gibson, but my working assumption is that they will lead (or commission) the development of any actions that are specific to DAERA or DoF. We can then focus on the system-wide issues.
5. My initial thoughts on the latter are below. I should be grateful for your thoughts, and we should aim to meet later today or tomorrow to discuss.

CF Stewart

CHRIS STEWART

## DRAFT ACTION PLAN

1. Looking at the two reports, it strikes me that there are five main issues or sets of issues:
  - review of HR policies and procedures
  - handling of concerns / whistleblowing
  - decision making in respect of employment litigation
  - conduct of litigation / support of staff; and
  - record keeping.

### *HR policies and procedures*

2. This might be relatively straightforward to address, with action comprising:
  - early focussed reviews of the policies identified;
  - an annual audit plan for HR policies, approved by the NICS Board; and
  - a review schedule for HR policies, approved by the NICS Board

### *Handling of concerns*

3. This probably requires information, guidance and training. The aim might be to ensure that every civil servant has a working knowledge of the meaning of protected disclosures, and the relevance of that concept to their employment and their role as a line manager.
4. We should have a clear procedure in place for handling matters that would constitute protected disclosures, with a recognised 'threshold' between normal business and that procedure, including clarity on the circumstances in which an employee or manager can trigger the procedure.

### *Litigation decision-making*

5. Some aspects of this ought to be relatively straightforward to address, through a protocol for decision-making by the employing Department, covering:
  - roles and responsibilities;
  - role of legal advice;
  - levels of delegation and approval;
  - conflict of interest; and
  - reporting.
6. However, there is also an important cultural dimension that is not addressed in the PWC reports, namely, the policy stance of the NICS in relation to such matters. To put it crudely, is our primary objective the defence of our organisation; or is it the public interest? Do we play to win when we can, or seek to do the right thing? I would argue strongly that decisions on how to

respond to (or initiate) employment-related litigation ought to reflect the outcome of a public interest test. The NICS Board could address this through a policy statement and guidance, setting out the factors to be weighed and considered in carrying out such a test.

***Conduct of litigation / support of staff***

7. This ought to be relatively straightforward, and there is a model of good practice to be adopted, stemming from the preparation and support provided to witnesses who took part in the RHI public inquiry. The NICS should define and record the level of support and preparation that will be available to any employee giving evidence in a court, tribunal or public inquiry. If we follow the RHI model, this would comprise:

- a named solicitor acting on behalf of the employee;
- advice from counsel or senior counsel where required; and
- welfare support and advice

8. This could be supplemented by training in giving of evidence etc.

***Record keeping***

9. This is likely to be the focus of sharp criticism, not least because it is a repetition of a recognised RHI failing. In my view, the focus in the reports on training and documentation etc, fails to address the core issue – our system is not failsafe. The three-month deletion rule on the email system creates an unmanaged risk that our record keeping policies can be obviated (or circumvented) by accident or design.

10. Action is needed to manage that risk in a failsafe manner, and to provide guidance to (and clear employment requirements on) all employees on:

- their responsibility to maintain corporate records (decisions etc); and
- their responsibility to maintain personal records.

11. The latter is easily overlooked. Since RHI, I have adopted the personal practice of retaining a record of every email and document that I issue, in chronological order. That is a very old-fashioned practice that dates from my local government days (when it was ubiquitous). However, it means that I have a reliable record of my involvement in any matter.

[REDACT]

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**From:** Hughes, David (DoF)  
**Sent:** 15 December 2022 17:04  
**To:** Godfrey, Katrina (DAERA – Perm Sec); McNabb, Chris  
**Subject:** CM: Document1 (011) (002)  
**Attachments:** Document1 (011) (002).docx

## ***Official Response to the PwC Lessons Learnt Report***

The PwC Lessons Learnt Report has identified a number of key areas where practice needs to be improved. These are lessons that can be usefully applied across the Civil Service, and it is our intention to take actions that will lead to real improvements.

### ***Reviewing HR and related Policies***

The key policies that set out good practice and good conduct in the Civil Service must be kept up to date.

We will put in place arrangements to ensure that we know who is responsible for reviewing and updating the relevant policies; there is a schedule for reviewing them; the review status is recorded in each document; and colleagues can find them easily.

### ***Handling concerns***

Arrangements for handling concerns have been given particular attention recently. Following the review of individual Departmental policies by Internal Audit service in 2019, work was begun on a unified policy framework for all departments.

A single, overarching policy framework for the NICS is in preparation, to reflect good practice and to ensure greater consistency across departments. It will be informed by the learning from the DAERA case.

The policy framework will not just set out good practice in handling concerns but will primarily support and encourage people to raise concerns, by emphasizing the value to Departments of listening to the concerns that are raised by colleagues and members of the public.

The roll-out of the policy framework will require all departments to review their own arrangements to ensure that they are in line.

Responsible officials will be given training to ensure that there is a shared understanding of their role.

The overarching policy framework will be accompanied by more detailed operational guidance to support departments. This will include guidance on registering concerns, recognizing protected disclosures and identifying the thresholds for escalating concerns.

The policy framework will set out arrangements for the monitoring of how Departments and the NICS as a whole are managing concerns: it will set out requirements for the recording of concerns that are received, how they are handled, and how many are upheld. Through regular reporting, these arrangements will allow the Audit and Risk Assurance Committees of departmental boards and the NICS Board to identify issues and trends.



Internal Audit will review how well the framework helps departments to manage the concerns they receive. A further review by IA will be scheduled to ensure consistency and good practice.

### ***Record Keeping***

The Civil Service's guidance on record keeping was reviewed following the RHI Inquiry, and new web pages containing all the relevant help for colleagues were launched. A requirement to keep accurate official records was added to the Civil Service Code of Ethics in 2021.

There remains a challenge to ensure that good practice is fully embedded across the NICS. The DAERA case has highlighted a particular area of weakness in recording decisions, and this will inform work to be undertaken to strengthen good practice in general. We will bring to the NICS Board proposals for specific measures to change behaviours and support good habits around record keeping.

### ***Litigation***

In order to ensure that Departments faced with litigation properly manage their decision-making, we will introduce a protocol, covering:

- roles and responsibilities;
- the role of legal advice;
- levels of delegation and approval;
- handling conflicts of interest; and
- reporting.

In order to ensure that decisions are properly informed, we will institute a public interest test as part of the litigation protocol. The decision-making protocol will include guidance on the public interest considerations to be weighed when deciding how to respond to employment related litigation, including the wellbeing of our employees, the effectiveness of our management, and protecting the public purse. This will reflect the aim of the NICS to be an exemplar employer, with the broader public interest as our primary concern

We will also set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry, based upon existing good practice.

[REDACT]

---

**From:** Hughes, David (DoF)  
**Sent:** 16 December 2022 15:59  
**To:** Brady, Jayne  
**Cc:** Byrne, Jayne; Stewart, Chris (TEO); Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Crilly, Louise; McCavigan, Tracey; McLaughlin, Mark (DOF); McFlynn, Sharon; Sayee, Natasha  
**Subject:** CM: Official Response to PwC Lessons Learnt Report  
**Attachments:** Document1.docx

I attach a draft of the official response, reflecting yesterday's discussion. Colleagues are still considering it, so it is very much unfinished. We can discuss on Monday. And then I shall provide a covering paper for it to go to the NICS Board on Tuesday. We can think about the best presentational format once we know the content.

Many thanks.

*David Hughes*  
Department of Finance  
Clare House | 303 Airport Road | Sydenham Intake | BELFAST | BT3 9ED  
Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388

Official response to the PwC lessons learnt report arising from the DAERA whistleblowing case.

The last review date of [MPMNI, the DARD Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.

The relevant policies will be updated by [---] and the date of the revision recorded on the available version document.

Commented [HD(1)]: DAERA and DoF to confirm

The ownership of each policy will be specified within the policy document as part of the update.

[Across the Civil Service, by [---] we will roll out guidance specifying that relevant corporate policy documents must be clear about who is responsible for reviewing and updating them; the schedule for reviewing them; and the review status of the document.]

Commented [HD(2)]: DoF to confirm, probably for the Information Governance Board to issue.

This will ensure that the specific policies identified are reviewed promptly; going forward, every policy has a named individual responsible for its review; and the NICS Board will receive assurance from a rolling programme of audit and review of policies on the matters identified in the report.

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

DAERA will by [---] provide guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.

Commented [HD(3)]: DAERA to confirm

[Where a line-of-business issue is raised or escalated as a concern, it will be registered as such in line with the policy.]

Commented [HD(4)]: DAERA to confirm whether all concerns would be registered as such already under the current policy.

Our aim is to ensure that every employee understands what the new arrangements mean for them. In particular, every member of the NICS should have a clear understanding of what the procedures on protected disclosures mean for them as employees; and every NICS manager should understand how to manage protected disclosures. To help achieve this, a single, overarching Raising a Concern Policy

Framework for the NICS is in preparation, to reflect good practice and to ensure greater consistency across departments. The policy framework will be rolled out by [the end of March 2023].

The policy framework will be accompanied by more detailed operational guidance to support departments. This will include guidance on registering concerns, recognizing protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.

Responsible officials will be given training to ensure that there is a shared understanding of their role.

The policy framework will also set out arrangements for the monitoring of how Departments and the NICS as a whole are managing concerns.

Internal Audit will review how well the framework helps departments to manage the concerns they receive. A review by IA will be scheduled to ensure consistency and good practice.

**The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps.**

DAERA will by [ -- ] issue a notice to all staff about their responsibilities to keep accurate records, including key decisions, consultations and judgements, and in respect of the handling of concerns.

[The value of instituting a template for recording the handling of concerns will be assessed.]

The Raising a Concern Policy Framework will set out the requirements for record keeping in respect of handling concerns across all Departments.

The NICS has clear record keeping and management policies in place and a requirement to keep accurate official records was added to the Civil Service Code of Ethics in 2021. However, it is clear from the report that action is required to ensure better adherence. [The NICS Board has commissioned a review of performance management arrangements, to ensure that they include a clear focus on the duty to keep proper records.] This will ensure that there is a clear audit trail of how decisions are taken in the management of concerns.

DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.

Commented [HD(5)]: DAERA to consider whether this is the right implementation action.

Commented [HD(6)]: DAERA to advise

Commented [HD(7)]: For NICSB to consider

DAERA will review the training it provides for staff on handling concerns, and an action plan will be put in place by [ -- ].

Commented [HD(8)]: DAERA to confirm

The NICS also recognizes lessons to be learnt in respect of the handling of litigation. In order to ensure that Departments faced with litigation properly manage their decision-making, the Department of Finance will introduce a protocol, covering:

- roles and responsibilities;
- the role of legal advice;
- levels of delegation and approval;
- handling conflicts of interest;
- the conduct of the public interest test, and
- reporting.

We will also set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry, based upon existing good practice.

[REDACT]

---

**From:** Byrne, Jayne  
**Sent:** 19 December 2022 09:31  
**To:** Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Brady, Jayne; McCavigan, Tracey; Crilly, Louise; Hughes, David (DoF); McNabb, Chris; McFlynn, Sharon; McLaughlin, Mark (DOF)  
**Subject:** DAERA Oversight Board - Monday 19 December @ 11am  
**Attachments:** Document1.docx; 19.12.22 draft agenda.docx; 15.12.22 draft DAERA Actions arising.docx

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning

Please find attached papers for this morning's DAERA Oversight Board meeting. Should you have any amendments you would like made to the attached please let me know.

Regards  
Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

Official response to the PwC lessons learnt report arising from the DAERA whistleblowing case.

The last review date of [MPMNI, the DARD Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.

The relevant policies will be updated by [ --- ] and the date of the revision recorded on the available version document.

Commented [HD(1): DAERA and DoF to confirm

The ownership of each policy will be specified within the policy document as part of the update.

[Across the Civil Service, by [ --- ] we will roll out guidance specifying that relevant corporate policy documents must be clear about who is responsible for reviewing and updating them; the schedule for reviewing them; and the review status of the document.]

Commented [HD(2): DoF to confirm: probably for the Information Governance Board to issue.

This will ensure that: the specific policies identified are reviewed promptly; going forward, every policy has a named individual responsible for its review; and the NICS Board will receive assurance from a rolling programme of audit and review of policies on the matters identified in the report.

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person of appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

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[Where a line-of-business issue is raised or escalated as a concern, it will be registered as such in line with the policy.]

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Framework for the NICS is in preparation, to reflect good practice and to ensure greater consistency across departments. The policy framework will be rolled out by [the end of March 2023].

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Responsible officials will be given training to ensure that there is a shared understanding of their role.

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Internal Audit will review how well the framework helps departments to manage the concerns they receive. A review by IA will be scheduled to ensure consistency and good practice.

**The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps.**

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[The value of instituting a template for recording the handling of concerns will be assessed.]

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The NICS has clear record keeping and management policies in place and a requirement to keep accurate official records was added to the Civil Service Code of Ethics in 2021. However, it is clear from the report that action is required to ensure better adherence. [The NICS Board has commissioned a review of performance management arrangements, to ensure that they include a clear focus on the duty to keep proper records.] This will ensure that there is a clear audit trail of how decisions are taken in the management of concerns.

DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.

Commented [HD(5)]: DAERA to consider whether this is the right implementation action.

Commented [HD(6)]: DAERA to advise

Commented [HD(7)]: For NICSB to consider



DAERA will review the training it provides for staff on handling concerns, and an action plan will be put in place by [ -- ].

Commented [HD(8)]: DAERA to confirm

The NICS also recognizes lessons to be learnt in respect of the handling of litigation. In order to ensure that Departments faced with litigation properly manage their decision-making, the Department of Finance will introduce a protocol, covering:

- roles and responsibilities;
- the role of legal advice;
- levels of delegation and approval;
- handling conflicts of interest;
- the conduct of the public interest test; and
- reporting.

We will also set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry, based upon existing good practice.

Monday 19 December 2022 @ 11am

DAERA Issue – Oversight Board

Via Zoom

**DRAFT AGENDA**

- |     |  |                      |
|-----|--|----------------------|
| (1) | Actions arising from meeting – 15 December 2022<br><i>copy attached</i>                        | J Brady              |
| (2) | Finalisation of PWC reports  | L Crilly/T McCavigan |
| (3) | <b>Action Plan</b> – <i>copy attached</i>  | David Hughes         |
| 3.1 | NICS Board update report   |                      |
| (4) | <b>Comms Action plan</b><br>Sharon McFlynn, DAERA<br>Mark McLaughlin, DoF<br>Chris McNabb, EIS | C McNabb             |
| (5) | AOB  |                      |
| (6) | Date of next meeting   |                      |

Attendees:	Jayne Brady	Chris McNabb
	Neil Gibson	Mark McLaughlin
	Katrina Godfrey	Sharon McFlynn
	Louise Crilly	
	Tracey McCavigan	
	David Hughes	
	Jayne Byrne	

**DAERA Issue – Action arising from meeting of Oversight Group held on Thursday 15 December 2022 @ 4.45pm**

**Attendees:**

Jayne Brady  
 Chris Stewart  
 Tracey McCavigan  
 C McNabb/N Sayee

Katrina Godfrey (Chaired due to technical issues)  
 David Hughes  
 Jayne Byrne  
 Mark McLaughlin

Sharon McFlynn

**Comms Leads:**

Action	Lead	Comments	Timeframe
<p>(1) <b>Finalisation of PWC Reports</b></p> <p>Final reports now due by Friday 16 December</p> <p>Reports to be courtesy shared to those who have not had sight of reports – shared on a date to be agreed</p> <p>[REDACT]</p> <p>Once received share with independent reviewer before release</p>	<p>TMcC/LC</p> <p>TMcC/LC</p> <p>[REDACT]</p> <p>TMcC</p>		
<p>(2) <b>Framework for next steps/official response</b></p> <p>Response to be redrafted setting out clearly steps to be taken to address actions. To be circulated for comment.</p> <p>Update to NICS Board – Tues 20 December 2022</p>	<p>David Hughes</p> <p>David Hughes</p>		<p>Friday 16 Dec 2022</p>
<p>(3) <b>Comms Action Plan</b></p> <p>To draft a narrative to accompany action plan.</p>	<p>Comms Leads</p>		<p>Immediate</p>

<p>To review previous FOIs and media coverage to ensure consistency of message.</p> <p>Revisit options once timeline for release of documents agreed. Overview from Legal colleagues required.</p>			
<p>(4)</p>	<p><b>Date of next meeting – Monday</b></p>	<p><b>19 December 2022 @ 11am</b></p>	<p><b>J Byrne</b></p>

18 December 2022

DR  
R  
A

[REDACT]

**From:** Hughes, David (DoF)  
**Sent:** 19 December 2022 16:20  
**To:** Brady, Jayne; Godfrey, Katrina (DAERA – Perm Sec); Gibson, Neil; Crilly, Louise; McCavigan, Tracey; McLaughlin, Mark (DOF); McFlynn, Sharon; McNabb, Chris  
**Cc:** Morelli, Emer  
**Subject:** CM: URGENT: Raising a Concern  
**Attachments:** official response to DAERA Whistleblowing Lessons Learnt Report by PwC - December 2022.DOCX; Raising a Concern Policy Framework.DOCX; Raising a Concern Policy Framework - Principles for Handling Concerns - December 2022.DOCX; Raising Concerns Policy Framework - Statement of Intent.DOCX

Oversight Board and Colleagues –

I attach a tabular version of the Action Plan. DAERA colleagues will be able to complete the timescales/owner section for the department. I shall follow up with Hugh and Jill on the DSO/NICSHR aspects and with Paul Duffy on the IGB commitment.

I have some notes about the Action Plan:

- PwC recommends that concerns that emerge from line of business activity ought to be registered as such. I wasn't clear whether this should already happen under DAERA policy. It would certainly be the case within the proposed policy framework. Are they actually recommending something new?
- The Service-level response overall depends heavily on the completion of the RaC Policy Framework. Can colleagues confirm that the tabular format sufficiently reflects the breadth of that action?
- I am proposing that the Policy Framework is published in January, with a commitment to roll it out by the end of March (*i.e.* nominate Designated Officers, provide training, prepare detailed operational guidance, *etc.*). We cannot do everything at once!
- The service-level response to the recommendation to improve record keeping focusses on record-keeping around concerns. I think we need to commit to an action that will improve record keeping in general. This was why I proposed that good record keeping should be included in performance management arrangements (*viz* mid-year and end-year reviews). I would like to reinstate that action, or invite suggestions as to other specific actions that can be included.

I attach the current drafts of the three documents which result from the prior policy development exercise around Raising a Concern:

- The Policy Framework, addressed to a readership of people thinking of raising a concern; for publication
- Principles for Handling Concerns, addressed to an internal readership, especially managers; for publication internally on the Intranet
- Statement of intent – for publication, as part of a launch.

Below these documents, each Department will need to review their own policies to make sure there are operational arrangements in line with the Framework. Whether there is a need for any centrally-mandated operational guidance is doubtful. But there should be further policy documents such as the ToRs for the Designated Officers' Forum; and the arrangements for reporting iro Concerns to NICS Board.

I understand that NIAO, NIPSO and TUS are expecting to have sight of the policy framework before publication. They have already seen and commented on an earlier draft; this would be a courtesy and can be done just in advance of publication.

I shall prepare a covering minute for the Action Plan to go to the Board in the morning, and circulate as soon as I can.

Happy to take any comments.

*David Hughes*

**Department of Finance**

**Clare House | 303 Airport Road | Sydenham Intake | BELFAST | BT3 9ED**

**Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388**

Recommendation	DAERA/Dof Response	Timescale	Owner	NICS Response	Timescale	Owner
<p>The last review date of [MPMNI, the DARD Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</p>	<p>The relevant policies (will behave been) updated to include: up-to-date names; the date of revision; and policy ownership.</p>			<p>The Information Governance Board will issue guidance specifying that corporate policy documents must be clear about who is responsible for reviewing and updating them; the schedule for reviewing them; and the review status of the document.</p>	<p>January 2023</p>	<p>IGB / Paul Dufy</p>
<p>Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.</p>	<p>DAERA will provide guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.</p>			<p>A single, overarching Raising a Concern Policy Framework for the NICS will be published, to reflect good practice and to ensure greater consistency across departments. The roll-out of the policy framework will include detailed operational guidance, including guidance on registering concerns, recognizing protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns. Responsible officials will be given training to ensure that there is a shared understanding of their role. The policy framework will also set out arrangements for the monitoring of</p>	<p>Publication in January 2023 Roll-out by March 2023</p>	<p>SPAR / David Hughes</p>

<p>Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.</p>	<p>Where a line-of-business issue is raised or escalated as a concern, it will be registered as such in line with the department's policy.</p>		<p>how Departments and the NICs as a whole are managing concerns. Internal Audit will review how well the framework helps departments to manage the concerns they receive. A review by IA will be scheduled to ensure consistency and good practice.</p>	<p>By March 2023</p> <p>SPAR / David Hughes and all Department</p>
<p>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should</p>	<p>DAERA will issue a notice to all staff about their responsibilities to keep accurate records, including key decisions, consultations and judgements, and in respect of the handling of concerns. [The value of instituting a template for recording the handling of concerns will be assessed.]</p>		<p>The NICs has clear record-keeping and management policies in place and a requirement to keep accurate official records was added to the Civil Service Code of Ethics in 2021. Adherence to the Code of Ethics is a central aspect of performance management.</p>	<p>By March 2023</p> <p>SPAR / David Hughes and all Departments</p>

Commented [R1D(1)]: Can DAERA confirm that this is already the case



<p>be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps.</p>			<p>The Raising a Concern Policy Framework will set out the requirements for record-keeping.</p>	
<p>DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.</p>	<p>DAERA will provide training to staff on handling concerns in line with the roll-out of the Raising a Concern Policy Framework.</p>		<p>As part of the roll-out of the Raising a Concern Policy Framework, responsible officials will be given training to ensure that there is a shared understanding of their role.</p>	<p>By March 2023  SPAR / David Hughes</p>
<p>The NICS also recognizes lessons to be learnt in respect of the handling of litigation.</p>			<p>The Department of Finance will introduce a protocol, covering:</p> <ul style="list-style-type: none"> <li>▪ roles and responsibilities;</li> <li>▪ the role of legal advice;</li> <li>▪ levels of delegation and approval;</li> <li>▪ handling conflicts of interest;</li> <li>▪ the conduct of the public interest test; and</li> <li>▪ reporting.</li> </ul> <p>We will also set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry, based upon existing good practice.</p>	<p>By _____</p>

Commented [R10(2)]: Can NICSHR / DSO propose a timescale, please?

## STATEMENT OF INTENT – HOCS AND NICS BOARD

The Civil Service needs to be sure that it responds effectively whenever things go wrong. It is by listening to people's concerns that we are able to address problems and improve what we do. In particular, we need to be able to respond to suspected risk, danger, malpractice, wrongdoing or illegality.

To that end, we agree the following principles:

- it should be as easy as possible for staff, partners and members of the public to draw attention to things that have [redact] or have the potential to [redact] in the work of government
- colleagues must be able to recognize concerns and complaints that are brought to them, in whatever form they are communicated, and should be active in seeking to address them
- concerns will be passed to someone who can deal with them fairly
- whenever concerns are raised, they will be given appropriate consideration
- The NICS will endeavor to ensure that no one who raises a concern in the public interest will suffer any disadvantage as a result.
- substantive concerns will be properly investigated and addressed
- a record will be kept of all concerns raised in Departments
- senior management in Departments will be kept aware of the concerns that are received, and the progress and outcome of investigations
- the NICS Board will seek assurance that concerns are being properly handled across the Service as a whole, and will monitor themes and trends.

[REDACT]

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**From:** Byrne, Jayne  
**Sent:** 20 December 2022 16:49  
**To:** Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Brady, Jayne; McCavigan, Tracey; Crilly, Louise; Hughes, David (DoF); McNabb, Chris; McFlynn, Sharon; McLaughlin, Mark (DOF)  
**Subject:** DAERA Oversight Board - Wednesday 21 December @ 4.30pm  
**Attachments:** 21.12.22 draft agenda.docx; (3) draft official response to DAERA Whistleblowing Lessons Learnt Report by PwC - December 2022.DOCX; 19.12.22 draft DAERA Actions arising.docx; Query from Sam McBride  
  
**Importance:** High

Good evening all

Please find attached agenda, action list and draft official response for discussion at tomorrow's Oversight Board.

Should you have any queries / amendments please do not hesitate to contact me.

For information, attaching an FOI received this afternoon.

Regards  
Jayne

**Jayne Byrne**  
**Chief of Staff**  
**Office of the Head of the Civil Service**

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

Wednesday 21 December 2022 @ 4.30pm

**DAERA Issue – Oversight Board**

**Via Zoom**

**DRAFT AGENDA**

- |     |  |              |
|-----|--|--------------|
| (1) | Actions arising from meeting – 19 December 2022<br><i>copy attached</i>                        | J Brady      |
| (2) | Final PWC reports update   | T McCavigan  |
| (3) | <b>Draft Action Plan</b> – <i>copy attached</i>  | David Hughes |
| (4) | <b>Comms Action plan</b><br>Sharon McFlynn, DAERA<br>Mark McLaughlin, DoF<br>Chris McNabb, EIS | C McNabb     |
| (5) | AOB  |              |
| (6) | Date of next meeting   |              |

**Attendees:**

Jayne Brady  
Neil Gibson  
Katrina Godfrey  
Louise Crilly  
Tracey McCavigan  
David Hughes  
Jayne Byrne

Chris McNabb  
Mark McLaughlin  
Sharon McFlynn

Recommendation	DAERA/DoF Response	Timescale	Owner	NICS Response	Timescale	Owner
<p>The last review date of [MPMNI, the DARD Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.</p>	<p>The relevant policies (will be/have been) updated to include: up-to-date names; the date of revision; and policy ownership.</p>			<p>The Information Governance Board will issue guidance specifying that corporate policy documents must be clear about who is responsible for reviewing and updating them; the schedule for reviewing them; and the review status of the document.</p>	<p>January 2023</p>	<p>IGB / Paul Duffy</p>
<p>Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.</p>	<p>DAERA will provide guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.</p>			<p>A single, overarching Raising a Concern Policy Framework for the NICS will be published, to reflect good practice and to ensure greater consistency across departments. The roll-out of the policy framework will include detailed operational guidance, including guidance on registering concerns, recognizing protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns. Responsible officials will be given training to ensure that there is a shared understanding of their role. The policy framework will also set out arrangements for the monitoring of</p>	<p>Publication in January 2023 Roll-out by March 2023</p>	<p>SPAR / David Hughes</p>

<p>Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.</p>	<p>Where a line-of-business issue is raised or escalated as a concern, it will be registered as such in line with the department's policy.</p>			<p>how Departments and the NICS as a whole are managing concerns. Internal Audit will review how well the framework helps departments to manage the concerns they receive. A review by IA will be scheduled to ensure consistency and good practice.</p>	<p>By March 2023</p>	<p>SPAR / David Hughes and all Departments</p>
<p>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should</p>	<p>DAERA will issue a notice to all staff about their responsibilities to keep accurate records, including key decisions, consultations and judgements, and in respect of the handling of concerns. [The value of instituting a template for recording the handling of concerns will be assessed.]</p>			<p>The Policy Framework will set out how concerns will be recorded. Each Department will have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record. Designated Officers will report to their departmental Audit and Risk Assurance Committee on a regular basis.</p>	<p>By March 2023</p>	<p>SPAR / David Hughes and all Departments</p>

Commented [HD(1)]: Can DAERA confirm that this is already the case

<p>be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps.</p>				<p>The Raising a Concern Policy Framework will set out the requirements for record-keeping.</p>	<p>By March 2023</p>	<p>SPAR / David Hughes</p>
<p>DAERA should review and confirm they are satisfied with the adequacy of training in place for employees on how to manage concerns. If any gaps are identified an action plan should be put in place to address these.</p>	<p>DAERA will provide training to staff on handling concerns in line with the roll-out of the Raising a Concern Policy Framework.</p>			<p>As part of the roll-out of the Raising a Concern Policy Framework, responsible officials will be given training to ensure that there is a shared understanding of their role.</p>	<p>By</p>	
<p>The NICS also recognizes lessons to be learnt in respect of the handling of litigation.</p>				<p>The Department of Finance will introduce a protocol, covering:</p> <ul style="list-style-type: none"> <li>▪ roles and responsibilities;</li> <li>▪ the role of legal advice;</li> <li>▪ levels of delegation and approval;</li> <li>▪ handling conflicts of interest;</li> <li>▪ the conduct of the public interest test; and</li> <li>▪ reporting.</li> </ul> <p>We will also set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry, based upon existing good practice.'</p>	<p>By</p>	

Commented [HD(2)]: Can NCSHR / DSO propose a timescale, please?

**DAERA Issue – Action arising from meeting of Oversight Group held on Monday 19 December 2022 @ 11am**

**Attendees:** Jayne Brady, Neil Gibson, Tracey McCavigan, C McNabb, Katrina Godfrey, David Hughes, Louise Crilly, Mark McLaughlin, Jayne Byrne, Sharon McFlynn

**Comms Leads:**

Action	Lead	Comments	Timeframe
<p><b>(1)</b></p> <p><b>Finalisation of PWC Reports</b></p> <p>Phase 1 report received; awaiting Phase 2 report. Will advise when reports ready for release.</p> <p>Letters drafted and ready for issue on receipt of both reports.</p> <p>Reports to be shared with NIAO</p> <p>Action plan to be share with independent reviewer.</p>	<p>TMcC</p> <p>JB(1)/KG/NG</p> <p>KG</p> <p>TMcC</p>	<p>Jayne Byrne</p> <p>Sharon McFlynn</p>	
<p><b>(2)</b></p> <p><b>Framework for next steps/official response</b></p> <p>Further redraft of actions presenting the information in tabular format clearly setting out actions required, ownership and timelines.</p> <p>Raising a Concern policy framework to be circulated to the Board.</p> <p>DSO and HR to be consulted on the Action Plan.</p>	<p>David Hughes</p> <p>David Hughes</p> <p>David Hughes</p>		<p>Friday 16 Dec 2022</p>



	Update to NICS Board – Tues 20 December 2022	David Hughes		
(3)	<b>Comms Action Plan</b> To draft a narrative to accompany action plan. To review final report and prepare lines to take and potential media questions.	Comms Leads Comms Leads		Immediate
(4)	<b>Date of next meeting – Wednesday 21 December @ 4.30pm</b>	J Byrne		

20 December 2022

[REDACT]

From: [REDACT]  
Sent: 20 December 2022 16:27  
To: Brady, Jayne; Byrne, Jayne; Stewart, Chris (TEO); [redact]  
Cc: McNabb, Chris [REDACT]  
Subject: Query from [redact].

Hi all,

Please see query below from [redact] which has been sent to us, DAERA and DoF. Given the reference to HOCS, I suggest the response comes from us, not DAERA, as has been the case previously.

I have drafted the response below so grateful if you can let me know what you think and I'll then share with DAERA and DoF.

The second line is taken from the latest response DAERA gave on this issue.

Thanks,

[REDACT]

**Query:**

In April, when Jayne Brady set up the external investigation into the [REDACT] case, she said that "it is a personal priority for me to deal with it promptly".

It's now eight months since that promise and six months since the relevant part of the external report was received by the NICS. Not a single action has been taken to deal with behaviour which has been so costly both for taxpayers and the collective reputation of the good civil servants with the NICS. There has not been any public explanation of what is happening, despite the NICS's claims that it has been reformed.

As the three departments who jointly commissioned this investigation, can you please explain why the PwC report remains unpublished, when the taxpayers who paid for it can expect to see it, and whether any disciplinary action has been taken against anyone who treated [REDACT] appallingly?

**Draft response:**

Preparations are being made for the publication of the external review in the new year.

We will not be commenting further until the review is published.

[REDACT]

[Redact] | The Executive Office Press Office

Stormont Castle | Stormont Estate | BT4 3TT

Telephone: [REDACT]

Mobile: [REDACT]

Email: [REDACT]

---

**From:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>

**Sent:** 21 December 2022 09:09

**To:** Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>

**Subject:** RE: DAERA Oversight Board - Wednesday 21 December @ 4.30pm

**Importance:** High

Good morning all

Please find attached an updated draft of the official response for discussion at today's meeting.

Regards

Jayne

---

**From:** Byrne, Jayne

**Sent:** 20 December 2022 16:49

**To:** Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>

**Subject:** DAERA Oversight Board - Wednesday 21 December @ 4.30pm

**Importance:** High

Good evening all

Please find attached agenda, action list and draft official response for discussion at tomorrow's Oversight Board.

Should you have any queries / amendments please do not hesitate to contact me.

For information, attaching an FOI received this afternoon.

Regards

Jayne

Jayne Byrne  
Chief of Staff  
Office of the Head of the Civil Service

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

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**DAERA EXTERNAL REVIEW – ACTION PLAN**

This action plan sets out the actions that DAERA and DoF will take in response to the recommendations in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

The Audit and Risk Assurance Committees of both departments have been asked by the respective accounting officers to keep the action plans as a standing item on their agendas for their meetings until the actions have all been completed and to scrutinise progress rigorously so that assurance can be provided that the necessary action is being taken.

Both departments will also publish [quarterly] progress reports on their respective actions on their websites so that there can be full transparency and accountability for progress being made.

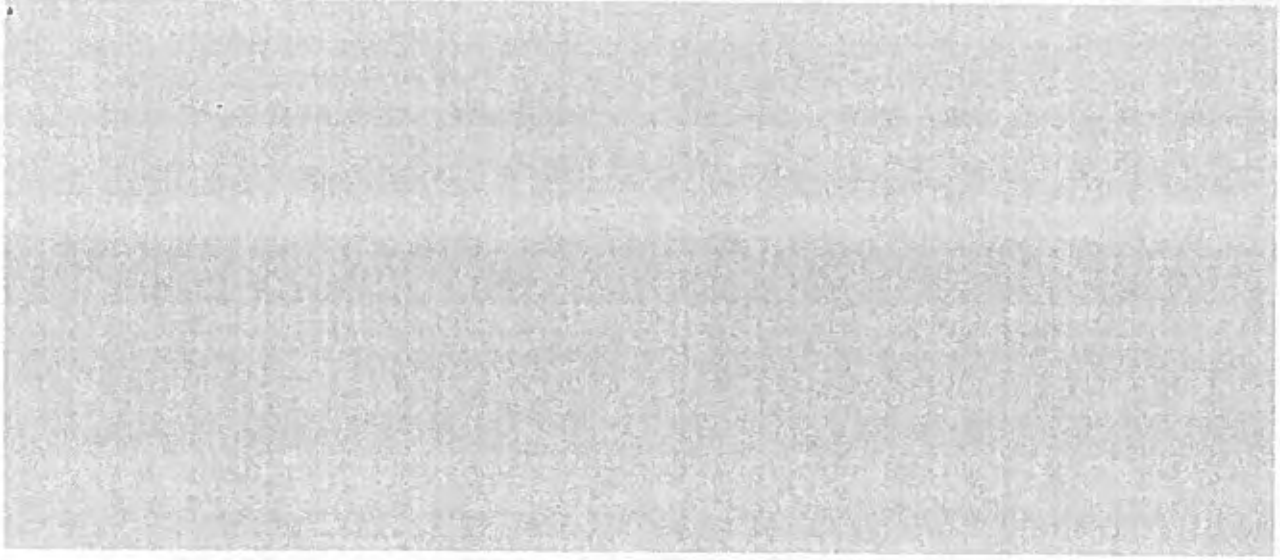
[DN: add anything here about NIAO and external scrutiny that might be appropriate.]

**Finding 1: Updating of core policy documents**

*The last review date of [MPMN], the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.*

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
DAERA	The DAERA Enforcement policy will be reviewed and updated and an updated policy will be published on the DAERA website and communicated to staff and stakeholders	May 2022	Brian Doherty & Fiona McCandless	
DAERA	A formal review cycle will be introduced for the Enforcement policy which will require it to be	May 2022	Brian Doherty & Fiona McCandless	

DAERA	formally reviewed every [5 years] unless an earlier review is needed	May 2022	Brian Doherty & Fiona McCandless	
DAERA	The DAERA Enforcement policy will have a clear owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	March 2022	Roger Downey	
DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the new NICS Raising a Concern framework	March 2022	Roger Downey	
DOF	A responsible owner and formal review cycle will be introduced for the DAERA Whistleblowing policy and this will be documented in the policy and on the relevant web page			
DOF	[Add something about ownership and review of MPMNI]			
DOF	[Add something about ownership and review of NICS Code of Ethics]			
DOF	[Add something about ownership and review of NICS HR Handbook]			
DOF	Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.			



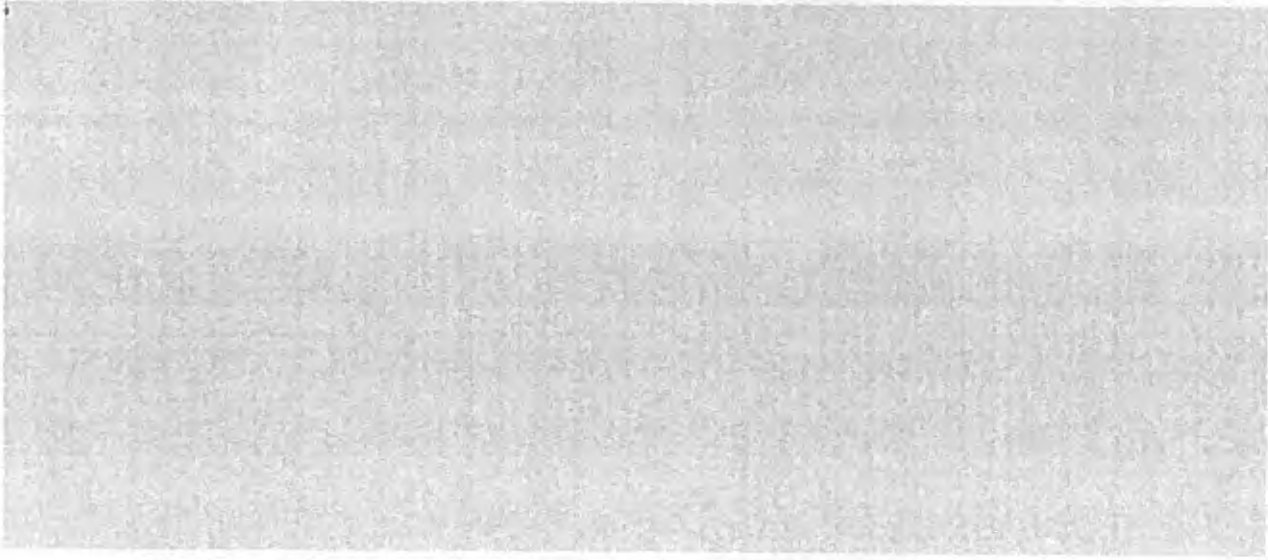
**Finding 2: Recording and escalating line of business concerns**

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
DOF	DoF will finalise and publish a new Raising a Concern framework which will apply across the NICS. The policy framework will include detailed operational guidance, including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.			
DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.			
DOF	New arrangements for monitoring how departments individually and the NICS as a whole are handling concerns will be developed and implemented			
DoF	The new framework will require each department to have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record and will also recommend that Designated Officers should report to their			

	departmental Audit and Risk Assurance Committee on a regular basis.			
DoF	The NICS Internal Audit service will review how well the framework helps departments to manage the concerns they receive and to ensure consistency and good practice and a report will be produced setting out any findings and recommendations for further improvement.			
DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record	January 2022		
DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed	January 2022		
DAERA	In addition to playing its part in the actions above, DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'	March 2022		
DAERA	This guidance will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2022		
DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2022		





<b>Finding 3: Record keeping</b>				
<i>The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with</i>				
<b>Department</b>	<b>Action</b>	<b>Timescale for completion</b>	<b>Responsible Senior Officer [DN: propose this column for internal use only]</b>	<b>Progress Report [to be completed every quarter for ARAC review and publication]</b>
DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2022		
DAERA	All line managers in DAERA will be required to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2022		
DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records will be dealt with under NICS disciplinary processes	February 2022		
DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2022		
DOF	The new <i>Raising a Concern</i> framework will include specific requirements for record-keeping relating to concerns			

<b>Additional Finding: Roles and responsibilities in dealing with employment-related legal cases</b>					
<i>The phase 1 report from the external review also highlighted some deficiencies and a lack of clarity in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF have identified some additional actions to be taken to help ensure those deficiencies can be prevented for the future</i>					
shoDepartment	Action	Timescale for completion	Responsible Senior Officer (DN: propose this column for internal use only)	Progress Report [to be completed every quarter for ARAC review and publication]	
DOF	DOF will introduce a new protocol when supporting departments on employment-related legal cases to ensure that the respective roles and responsibilities of the employing department, NICS HR and the Departmental Solicitor's Office and any external legal support (eg counsel) are clearly documented and communicated				[REDACT]
DOF	Clear advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry				
DOF	Specific advice on managing conflicts of interest in [REDACT] legal cases will be issued to all departments				[REDACT]
DAERA	Roles and responsibilities of senior staff in DAERA, including in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated	Immediate	Brian Doherty/Fiona McCandless		[REDACT]
DAERA	New arrangements will be put in place in DAERA to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action cannot be	Immediate	Brian Doherty/Fiona McCandless		[REDACT]

[REDACT]

**From:** McLaughlin, Mark (DOF)  
**Sent:** 21 December 2022 14:47  
**To:** Byrne, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Brady, Jayne; McCavigan, Tracey; Crilly, Louise; Hughes, David (DoF); McNabb, Chris; McFlynn, Sharon; Sayee, Natasha  
**Subject:** CM: RE: PRINTED: DAERA Oversight Board - Wednesday 21 December @ 4.30pm  
**Attachments:** Potential questions 201222 (004).docx

Apologies all – my fault, updated document with contributions from Sharon.

Sorry Sharon.

Mark

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**From:** McLaughlin, Mark (DOF)  
**Sent:** 21 December 2022 14:29  
**To:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>; Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; Sayee, Natasha <Natasha.Sayee@executiveoffice-ni.gov.uk>  
**Subject:** RE: PRINTED: DAERA Oversight Board - Wednesday 21 December @ 4.30pm

Hi all,

Please see attached an initial cut at the type of questions we may be asked following publication of the report for discussion at our meeting later if helpful.

From a DoF perspective I met with DSO this morning and will meet with NICS HR when Jill returns from leave so the policy leads can provide draft responses.

[ Redact ] the action plan remains the key document detailing, the action, timescale for completion, senior officer responsible and mechanism to monitor progress/performance.

Mark

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**From:** Byrne, Jayne <Jayne.Byrne@executiveoffice-ni.gov.uk>  
**Sent:** 21 December 2022 09:09  
**To:** Gibson, Neil <Neil.Gibson@finance-ni.gov.uk>; Godfrey, Katrina (DAERA – Perm Sec) <Katrina.Godfrey@daera-ni.gov.uk>; Brady, Jayne <Jayne.Brady@executiveoffice-ni.gov.uk>; McCavigan, Tracey <Tracey.McCavigan@finance-ni.gov.uk>; Crilly, Louise <Louise.Crilly@finance-ni.gov.uk>; Hughes, David (DoF) <David.Hughes@finance-ni.gov.uk>; McNabb, Chris <Chris.McNabb@executiveoffice-ni.gov.uk>; McFlynn, Sharon <Sharon.McFlynn@daera-ni.gov.uk>; McLaughlin, Mark (DOF) <Mark.McLaughlin@finance-ni.gov.uk>  
**Subject:** PRINTED: DAERA Oversight Board - Wednesday 21 December @ 4.30pm  
**Importance:** High

Good morning all

Please find attached an updated draft of the official response for discussion at today's meeting.

Regards  
Jayne

---

From: Byrne, Jayne

Sent: 20 December 2022 16:49

To: Gibson, Neil <[Neil.Gibson@finance-ni.gov.uk](mailto:Neil.Gibson@finance-ni.gov.uk)>; Godfrey, Katrina (DAERA – Perm Sec) <[Katrina.Godfrey@daera-ni.gov.uk](mailto:Katrina.Godfrey@daera-ni.gov.uk)>; Brady, Jayne <[Jayne.Brady@executiveoffice-ni.gov.uk](mailto:Jayne.Brady@executiveoffice-ni.gov.uk)>; McCavigan, Tracey <[Tracey.McCavigan@finance-ni.gov.uk](mailto:Tracey.McCavigan@finance-ni.gov.uk)>; Crilly, Louise <[Louise.Crilly@finance-ni.gov.uk](mailto:Louise.Crilly@finance-ni.gov.uk)>; Hughes, David (DoF) <[David.Hughes@finance-ni.gov.uk](mailto:David.Hughes@finance-ni.gov.uk)>; McNabb, Chris <[Chris.McNabb@executiveoffice-ni.gov.uk](mailto:Chris.McNabb@executiveoffice-ni.gov.uk)>; McFlynn, Sharon <[Sharon.McFlynn@daera-ni.gov.uk](mailto:Sharon.McFlynn@daera-ni.gov.uk)>; McLaughlin, Mark (DOF) <[Mark.McLaughlin@finance-ni.gov.uk](mailto:Mark.McLaughlin@finance-ni.gov.uk)>

Subject: DAERA Oversight Board - Wednesday 21 December @ 4.30pm

Importance: High

Good evening all

Please find attached agenda, action list and draft official response for discussion at tomorrow's Oversight Board.

Should you have any queries / amendments please do not hesitate to contact me.

For information, attaching an FOI received this afternoon.

Regards  
Jayne

**Jayne Byrne**  
**Chief of Staff**  
**Office of the Head of the Civil Service**

The Executive Office, Stormont Castle  
Stormont, Belfast BT4 3TT  
Tel: 028 90 379 810 (Internal extension 89810)  
E-mail: [jayne.byrne@executiveoffice-ni.gov.uk](mailto:jayne.byrne@executiveoffice-ni.gov.uk)

*I work flexibly and sometimes you may receive emails from me outside normal working hours. I respect your working pattern, so please do not feel obligated to respond out of your normal working hours.*

External Review Report publication

### Report production

In May DAERA stated the review was expected to be completed by end of July 2022.

- When was the review completed?
- When was this report first received by the NICS?
- When was the final report provided?
- What were the steps in between?
- Why has it taken until now to publish the findings?
- How much was the report expected to cost?
- How much did it cost?
- If it was above projected cost – why?
- HOCS said this was a personal priority – could this not have been handled much quicker?
- Do the NICS think this report meets the objectives and will make a difference?

### **Access to information to compile report**

**The report states:**

“We were not responsible for identifying the relevant documentation, nor determining the completeness of the document population provided to us. In addition, we have not sought clarification from relevant officials on the actions taken by persons involved in the case. In the absence of doing so, it has not been possible to determine conclusively, the extent of compliance with relevant policies, procedures and processes.”

- “Subsequent to the issue of our draft report, however, the Review Oversight Group asked key parties 2 to provide a written response to it. We have considered the comments made, updating our report to correct any potential factual inaccuracies identified or to add additional clarity. We have also considered additional documentation located by the Departmental Solicitor’s Office (“DSO”) when asked to respond to our draft report.” Were the report authors given access to all the information they needed?

Why was additional documentation only located by DSO at review stage? What assurance can you give that other documentation hasn’t gone unlocated?

**The report states:**

“As agreed, no stakeholder interviews were held as part of fieldwork.... We are therefore unable to draw conclusions for all areas in scope?”

- Who made the decision to not hold stakeholder interviews and why?

**The report states:**

“Following discussions with DoF, we have been instructed to omit from this report reference to any privileged information that we may have reviewed.”

- Why were the report authors asked to omit references to privileged information?

**The report states:**

“We have not been asked to provide an opinion on the adequacy of action taken?”

- Why were the report authors not asked to provide an opinion on the action taken in this case?

### **Report findings & associated actions**

- Has / will any disciplinary action be taken against anyone as a result of this report?
- What action will be taken to address the report findings?
- Who ultimately owns the policies that should have been updated?
- Who will oversee this?
- Has the report been shared with [REDACT] ?
- If not are there any plans to do so?

### **Record keeping**

#### **The report states:**

“In addition, more broadly, from the documentation reviewed, there appears to be a gap in notes of key meetings/consultations, or written follow-up notes by way of an alternative record of the meetings/consultations, which we would expect as a means of keeping an audit trail of key discussions and decisions.”

- The report indicates a lack of record keeping which was also raised as part of the RHI Inquiry. What action has been taken to address this following RHI?

#### **The report states:**

“We also note that there is no evidence of a communication to witnesses in relation to the preservation of emails, notes or any documents that could be considered relevant to the claim.”

- Were witnesses advised to preserve emails, notes, documents?

### **Policies and procedures**

#### **The report states:**

“There is no evidence to demonstrate that three of the five policies had been reviewed within the last 9 years.”

- When were the Managing Public Money NI, NICS Code of Ethics, NICS HR Handbook, DAERA Whistleblowing Policies and Procedures and DAERA Enforcement Policy last reviewed?

#### **The report states:**

“There is no guidance in place for line managers to help them assess where line of business concerns may require internal escalation to ensure they are being dealt with appropriately. Furthermore, escalated matters are not recorded in a central document.”

- What guidance is in place to help line managers?
- What procedures are in place to record escalated matters centrally?

- Are there plans to introduce training?
- Who will do it and by when?

### **Whistleblowing procedures**

#### **The report states:**

“...we note that none of the concerns were recorded in the relevant Departmental Whistleblowing Registers, including by the claimant?”

- Why were the concerns raised not recorded in the Departmental Whistleblowing Registers?
- Is the current NICS whistleblowing policy sufficient and are appropriate procedures in place?
- Are the policy and procedures easily accessible to all NICS staff?
- Are you confident that line managers know what to do

### **Training**

#### **The report states:**

“We have not had visibility of all training that is provided or the completion rates but we are aware of the following training modules are available: A Framework for Ethical Decision Making, NICS Online Induction Programme on Equal Opportunities and Conduct, Public Interest Disclosure – Whistleblowing and Unconscious Bias.”

- What are the completion rates for these course?
- Are these training courses mandatory?
- Are line managers adequately trained in how to manage disclosures and how they should be raised and acted upon.

### **DSO**

#### **Merits of the claim**

#### **The report states:**

“From the documentation we have reviewed, we have not seen any evidence of advice from the legal team on the merits of claim.”

“We note that Counsel’s fee note dated 2 July 2020 does not include reference to time spend advising or drafting a merits of claim note.”

- Did DSO set out the merits of the claim?
- Would DSO normally set out the merits of the claim?

### **Appealing the case**

#### **The report states:**

"The notice of appeal was lodged by DSO on 2 November 2021. Based on the initial documentation we reviewed, in addition to that subsequently provided, it remains unclear who made the decision to do so."

"In regard to the initial decision to appeal, there is a paucity of documentation currently available to support this decision and therefore to determine whether it was a transparent process, such as would be required by Managing Public Money Northern Ireland."

- Who made the decision to appeal the case?
- Did they have the necessary authority?

**The report states:**

"It appears that the former Permanent Secretary of DAERA was not aware of the decision to appeal (but may retrospectively have agreed with the decision to do so). Therefore an established approval process does not appear to have been followed."

- Was an established approval process followed? If not, why not?

**Record keeping**

**The report states:**

"We note, however, that in its written response to our draft report, DSO stated that 'oral advice on the merits was given [by Counsel in a meeting with the Chief Veterinary Officer on 7 October 2019] ...although this advice is not recorded in the notes of the meeting?'"

- Why was oral advice on the merits of the case not recorded in notes of the meeting?
- Is record keeping being reviewed and or monitored NICs wide?
- What action will be taken NICS wide in relation to record keeping?

**Legal advice**

**The report states:**

"...the inclusion of whistleblowing claims meant that the financial cap on unfair dismissal (approximately £90,000) was removed as there is no limit on the compensation that can be awarded for unfair dismissal linked to whistleblowing. Although this fact appears to have been recognised, given the significant impact on the potential award for this case, we would have expected the legal team i.e. DSO and Counsel to provide advice in relation to the potential impact this would have had in relation to proceeding to hearing both from a legal and commercial perspective.

- Did DSO and Counsel provide advice to DEARA on the financial impact (i.e., cap removal) of the inclusion of whistleblowing claims in the case?
- Would the legal advice have been updated at this juncture?
- What were the legal costs involved with this case?



## Preparing witnesses

### The report states:

"Based on the comments in the judgement, it is apparent that a number of the Officials providing oral testimony were not as prepared as we would routinely expect them to be. In our view, it would be reasonable to expect the legal team to be cognisant of the level of preparedness of the witnesses, albeit it is ultimately the witnesses' responsibility."

"Based on the documentation we have reviewed; we have not seen evidence of any written advice and guidance provided to the officials who gave evidence via oral testimony at the Tribunal."

"Based on the documentation we have reviewed; we have not seen any contemporaneous documentation in relation to the assessment of the preparedness of the officials providing oral testimony."

"Based on the documentation we have reviewed; there is limited evidence of DSO undertaking an assessment of the level of preparedness of the officials providing oral testimony prior to the hearing."

We note a memo dated 12 April 2022 from the Permanent Secretary, (DAERA) (until April 2022) which includes references to 'unpreparedness' of the DAERA witnesses: "due to performance of our witnesses in the original Tribunal hearing and what I understand to be our general unpreparedness in terms of the level of depth of questioning that they faced it is clear that real deficiencies in our processes has left us facing a liability of significant proportions at a time when our resource budget is so severely constrained."

- How did DSO prepare officials for the case?
- Did DSO assist with written statements?
- Were DSO staff at the right grade with the right experience allocated to this case?
- Is there a performance issue in relation to the service provided by DSO on this occasion?
- Will any DSO policies or procedures be reviewed as a result of this?

## NICS HR

### Conciliation/arbitration

#### The report states:

"On 5 September 2018 an email and letter was received from the Labour Relations Agency Conciliation Service asking "if the Respondent [was] interested in conciliation or arbitration"... In response to an email from the Deputy Principal DAERA asking what this would entail, the Executive Officer (NICS HR) stated, 'Generally speaking in cases we do not go down that route, however the option is available. Personally speaking, with the claimant leaving the service, mediation may not be beneficial to the department.'"

On 15 November 2018 the Chief Veterinary Officer confirmed to the Deputy Principal DARA that he thought "we should show willing". Having received, however, the Executive Officer's NICS HR email (above) of explanation, it appears that the Chief Veterinary Officer no longer "wish[ed] to avail of the conciliation/arbitration facility.

- Did NICS HR give a view on entering conciliation or arbitration?
- Should the conciliation/arbitration facility have been pursued?

The report states:

"...While this is a hugely disappointing outcome for us all, from our perspective it would seem clear that Judge Murray was favourably disposed towards [the Claimant], making it extremely difficult for the Department to secure the decision we wanted/needed from the tribunal...

- Should NICS HR have made comments on the Judge's disposition?

The report states:

"...Although this decision is a bitter pill [sic] to swallow, rest assured you were both individually and collectively a credit to your profession through the hearing."

- Should NICS HR staff have praised the individuals involved in the case?
- Were NICS HR staff at the right grade with the right experience allocated to this case?
- Is there a performance issue in relation to the service provided by NICS HR?
- Were NICS HR staff at the right grade with the right experience allocated to this case?
- Has / will any disciplinary action be taken against NICS HR staff involved in this case?

#### **DAERA- Animal welfare and deleted cattle moves**

The report states

Both sides agreed in the submissions hearing that the information conveyed in the protected disclosures is encapsulated in the following description:

- Issues of concern about welfare of animals in livestock markets particularly in Ballymena Livestock Market; and
  - Issues about the deletion of cattle moves in the recording carried out by livestock markets and the effect of that on traceability of cattle and the risk of Tuberculosis ("TB") in particular
- 
- What actions has DAERA taken to address these concerns and improve the robustness of controls for animal traceability in livestock markets and abattoirs.

[REDACT]

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**From:** Hughes, David (DoF)  
**Sent:** 21 December 2022 14:48  
**To:** McLaughlin, Mark (DOF); Byrne, Jayne; Gibson, Neil; Godfrey, Katrina (DAERA – Perm Sec); Brady, Jayne; McCavigan, Tracey; Crilly, Louise; McNabb, Chris; McFlynn, Sharon; Sayee, Natasha  
**Subject:** CM: RE: PRINTED: DAERA Oversight Board - Wednesday 21 December @ 4.30pm  
**Attachments:** official response to DAERA Whistleblowing Lessons Learnt Report by PwC - December 2022 (002).DOCX

With thanks to Emer for input, I attach some additions to the draft official response document. I have not had the opportunity to speak to Hugh yet about those elements that will rely upon DSO input.

*David Hughes*  
Department of Finance  
Tel. (028) 90819631 | Ext. 37631 | Mob. 07825141388

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**DAERA EXTERNAL REVIEW – ACTION PLAN**

This action plan sets out the actions that DAERA and DoF will take in response to the recommendations in the Phase 2 Lessons Learned and Recommendations report from the External Review carried out by PWC.

The plan is structured to reflect the key findings in the Phase 2 report. A further heading has been applied reflecting lessons that the departments have identified relating to decision-making that were not reflected in the report.

The Audit and Risk Assurance Committees of both departments have been asked by the respective accounting officers to keep the action plans as a standing item on their agendas for their meetings until the actions have all been completed and to scrutinise progress rigorously so that assurance can be provided that the necessary action is being taken.

Both departments will also publish [quarterly] progress reports on their respective actions on their websites so that there can be full transparency and accountability for progress being made.

[DN: add anything here about NIAO and external scrutiny that might be appropriate.]

**Finding 1: Updating of core policy documents**  
*The last review date of [MPMNI, the DAERA Enforcement Policy and the DAERA Whistleblowing Policy] should be updated to evidence the date of the last review. The names reported in the policy documents and on the website should be updated so they are consistent. Ownership for each policy should be assigned to a specific role or person within the relevant department.*

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
DAERA	The DAERA Enforcement policy will be reviewed and updated and an updated policy will be published on the DAERA website and communicated to staff and stakeholders	May 2023 <sup>3</sup>	Brian Doherty & Fiona McCandless	
DAERA	A formal review cycle will be introduced for the Enforcement policy which will require it to be	May 2023 <sup>2</sup>	Brian Doherty & Fiona McCandless	

	formally reviewed every [5 years] unless an earlier review is needed			
DAERA	The DAERA Enforcement policy will have a clear owner who will take responsibility for ensuring implementation of the regular review cycle (or earlier reviews if needed) and the policy document will include details of the ownership and review dates	May 2023 <sup>32</sup>	Brian Doherty & Fiona McCandless	
DAERA	The DAERA Whistleblowing policy will be reviewed and updated including to reflect fully the content and approach outlined in the new NICS Raising a Concern framework	March 2023 <sup>32</sup>	Roger Downey	
DAERA	A responsible owner and formal review cycle will be introduced for the DAERA Whistleblowing policy and this will be documented in the policy and on the relevant web page	March 2023 <sup>32</sup>	Roger Downey	
DOF	MPMNI remains under continuous review with a further updated version available for the Executive on return or A formal review cycle will be introduced for MPMNI and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2023 <sup>32</sup>	Stuart Stevenson	
DOF	The [Add-something-about-ownership-and-review of NICS Code of Ethics]has been updated and is available to all staff. The Code will be proactively promoted on a bi-annual basis in line with performance management reporting cycles. Questions in staff survey will be refreshed and highlighted. Or A formal review cycle will be introduced for the NICS Code of Ethics and this, along with the responsible owner, will be documented in the policy and on the relevant web page.	March 2022 in Place	Tony-Simpson David Hughes	

**Finding 2: Recording and escalating line of business concerns**

Guidance for staff in line with line management responsibilities should be introduced to understand what the criteria for escalation may be and the process that should be followed. This should include 'red flags' to be aware of such as repeated concerns being made and potential increase in severity.

Where escalation is deemed required, a process should be introduced which allows line managers to record line of business concerns on a register making a note of who the matter has been escalated to for action. This register should be reviewed by an independent person if appropriate seniority. This person would be responsible for ensuring that the matter is being dealt with appropriately. This process should be set out within the guidance referred to above.

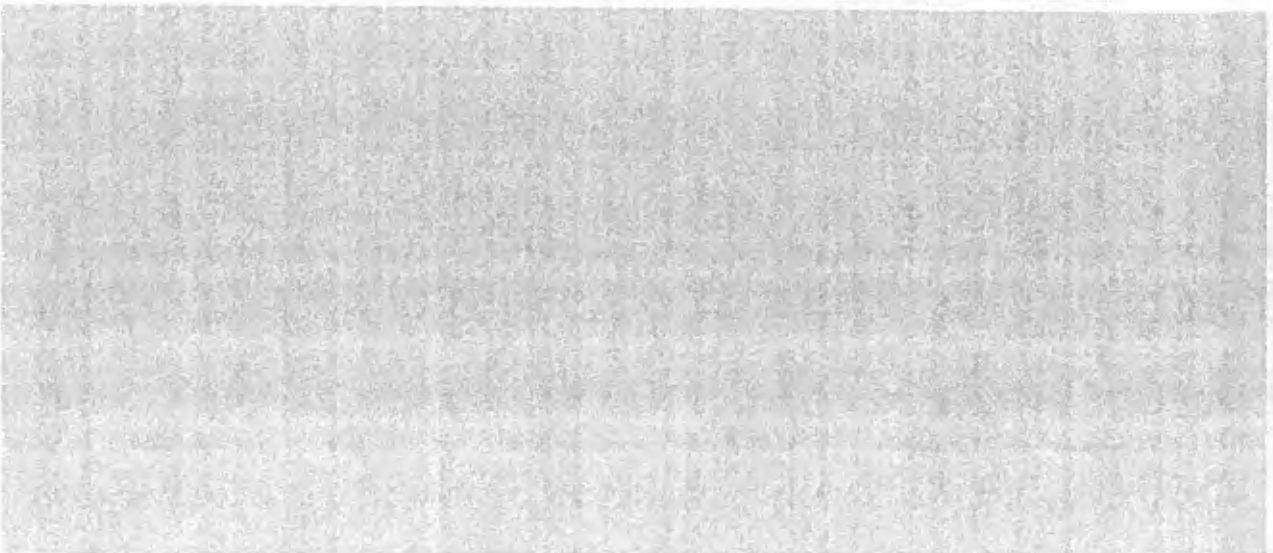
Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only] agreed	Progress Report [to be completed every quarter for ARAC review and publication]
DOF	DOF will finalise and publish a new Raising a Concern framework which will apply across the NICS.  The policy framework will include detailed operational guidance including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	January 2023 New Framework	David Hughes	
DOF	The policy framework will be followed by detailed operational guidance at departmental level including guidance on registering concerns, recognising protected disclosures arising from line of business issues, and identifying the thresholds for escalating concerns.	March 2023	David Hughes Permanent Secretaries	
DOF	Training will be rolled out to responsible officials across all departments to ensure that there is a shared understanding of their role in dealing with concerns raised by staff or members of the public.	June 2023	David Hughes Head of Internal Audit (with input from TOA)	

DOF	<p>[Add something about ownership and review of NICS HR Handbook] The NICS HR Handbook remains under continuous review and available to all staff. Additions to and deletions from the Handbook will be publicised so all staff are aware.</p> <p>Or</p> <p>[A schedule for the regular review of each element of the NICS HR Handbook will be introduced and this, along with the responsible owner, will be documented in the policy and on the relevant web page]</p>	March 2023 <sup>2</sup>	Jill MhreneMhrene TBC	
DOF	<p>Recognising that the points about policy ownership and regular review are more widely applicable across all departments, the Information Governance Board will issue guidance on the review arrangements for corporate policy documents.</p>	March 2023 <sup>2</sup>	Stewart Barnes Neil Gibson/ Paul Duffy Information Governance Board	

DOF	New arrangements for monitoring how departments individually and the NICs as a whole are handling concerns will be developed and implemented	<u>April 2023</u>	<u>David Hughes</u> <u>Head of Internal Audit</u>	
DOF	The new framework will require each department to have a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record and will also recommend that Designated Officers should report to their departmental Audit and Risk Assurance Committee on a regular basis.	<u>January 2023</u>	<u>David Hughes</u> <u>All Permanent Secretaries</u> <u>Designated Officers</u>	
DOF	The NICs Internal Audit service will review how well the framework helps departments to manage the concerns they receive and to ensure consistency and good practice and a report will be produced setting out any findings and recommendations for further improvement.	<u>From April 2023</u>	<u>Head of Internal Audit</u>	
DAERA	DAERA will nominate a Designated Officer responsible for overseeing the handling of concerns, including maintaining a record	<u>January 2022</u>		
DAERA	The DAERA Audit and Risk Assurance Committee will continue its discipline of reviewing how all whistleblowing/raising concern cases are being addressed	<u>January 2022</u>		
DAERA	In addition to playing its part in the actions above, DAERA will provide specific guidance to all staff with line management responsibilities on the identification and handling of protected disclosures, including those which arise through normal line of business activity, and monitoring for 'red flags'.	<u>March 2022</u>		



DAERA	This guidance will be supplemented with bespoke training for all DAERA staff at Grade 7 and above on handling concerns	September 2022		
DAERA	DAERA will revise its induction material to ensure that new staff joining the Department receive a briefing on how to handle concerns raised with them by staff or members of the public	March 2022		



**Finding 3: Record keeping**

The need to retain detailed and formal records should be reinforced within DAERA. This would include the need to ensure full and structured records are kept on key decisions, consultations and judgements to ensure an adequate audit trail is retained of how concerns are being managed. Templates should be introduced to assist staff documenting key discussions to ensure relevant information is retained including: date of discussion; who was involved; key matters discussed; and agreed next steps. These records should be detailed enough to provide a full audit trail to show how escalated matters recorded on the register per finding 2 are being dealt with.

Department	Action	Timescale for completion	Responsible Senior Officer (DN: propose this column for internal use only)	Progress Report [to be completed every quarter for ARAC review and publication]
DAERA	The Department will stress again to all staff the requirement to make and retain appropriate records including relating to decision-making and make clear that senior officers are responsible for ensuring that high standards of record-keeping are in place in their business areas.	February 2022		
DAERA	All line managers in DAERA will be required to include in their annual performance agreement a specific objective relating to record-keeping which will be subject to performance management	February 2022		
DAERA	Recognising the importance of record-keeping and its place in the NICS Code of Ethics, staff will be reminded that any breaches of the requirements to make and retain clear records will be dealt with under NICS disciplinary processes	February 2022		
DAERA	DAERA will revise its induction material to strengthen its content to ensure that new staff joining the Department are absolutely clear about their responsibilities for record keeping and records management	March 2022		
DOF	The new Raising a Concern framework will set out the requirement for good record-keeping relating to concerns-The new Raising a Concern framework will	January 2023	David Hughes	



**Additional Finding: Roles and responsibilities in dealing with employment-related legal cases**

The phase 1 report from the external review also highlighted some deficiencies and a lack of clarity in dealing with employment-related legal cases. While not specifically referenced in the phase 2 report recommendations, DAERA and DOF have identified some additional actions to be taken to help ensure those deficiencies can be prevented for the future

Department	Action	Timescale for completion	Responsible Senior Officer [DN: propose this column for internal use only]	Progress Report [to be completed every quarter for ARAC review and publication]
DOF	DOF will introduce a new protocol when supporting departments on employment-related legal cases to ensure that the respective roles and responsibilities of the employing department, NICS HR and the Departmental Solicitor's Office and any external legal support (eg counsel) are clearly documented and communicated	April 2023 (TBC)	Hugh Widdis	
DOF	Clear advice, reflecting existing good practice, will be provided to all departments to set out the level of support and preparation available to staff giving evidence in a court, tribunal or public inquiry	April 2023 (TBC)	Hugh Widdis	
DOF	Specific advice on managing conflicts of interest in employment-related legal cases will be issued to all departments	April 2023 (TBC)	Hugh Widdis	
DAERA	Roles and responsibilities of senior staff in DAERA, including in relation to decisions on how to respond to litigation in employment cases and the limits of delegation in such cases, including in relation to approval of expenditure, will be clearly communicated	Immediate	Brian Doherty/Fiona McCandless	
DAERA	New arrangements will be put in place in DAERA to ensure that staff who were involved in decisions or processes that may have given rise to employment-related legal action cannot be involved in any part of the decision-making on that legal action	Immediate	Brian Doherty/Fiona McCandless	

