

From: Peter May
Principal Private Secretary

19 May 2000

cc Mr Loughran
Mr McCusker
Mr Haire
Mr Lavery
Mr Beattie
Mr Gamble

PS/Mr Semple

AWAYDAY OUTCOMES

I attach a draft submission for deployment with Ministers on their return to office summarising the main outcomes of the 'Establishing OFM/DFM as a Department' exercise. The material is drawn from the papers circulated to, and comments made at, the awayday.

2. In addition to specific proposals, I have included a short section on the role of the Centre designed to give context to the proposals and provide Ministers with the opportunity to shape how they see the Department operating. This section is based on our discussions yesterday morning and comments on the way it is formulated would be particularly welcome.

3. I have floated the idea of individual responsibilities for junior Ministers. The FM's side had this as one of their points they felt had not been included in our material. I fear though that the DFM will react against it given his current view of the issue. The note is therefore deliberately less prescriptive on this point.

4. Could I ask for comments by lunchtime on Wednesday 24 May so that a draft can be circulated to advisers during next week.

Peter May

PETER MAY

From: John Semple

May 2000

Copy distribution below

PS/First Minister

PS/Deputy First Minister

NEW WAYS OF WORKING

Issue: **Proposals to improve the functioning of devolved Government.**

Timing: **An early indication from Ministers on the proposals would be welcome to allow implementation where approved.**

Recommendations: **This note sets out proposals on the role of the Centre and a range of specific measures which could be implemented rapidly.**

Background

In the period of suspension, officials in OFM/DFM, supported by a consultant from Ernst & Young, have been working to explore what lessons can be learnt from the previous experience of devolution and what proposals we could put to Ministers to improve matters.

In the course of that work, interviews were conducted with the Deputy First Minister, junior Ministers and both sets of advisers. Feedback from those interviews has informed our work. A meeting with the First Minister could not be arranged in recent weeks, but we would intend to organise one speedily.

We might discuss this paper at our initial business meeting. Other suggestions and ideas would be very welcome. I have asked Tony McCusker to hold a session with both sets of advisers to cover any further issues which may not yet have come to our attention.

Role of the Centre

The following description of the role of OFM/DFM is offered for consideration.

OFM/DFM exists to support its Ministers and the institutions of Government as well as taking forward three key policy areas: equality and human rights, Economic Policy Unit and the overall co-ordination of the business of Government. The key roles for the Department are

- *to work for the success of the institutions established by the GFA;*
- *to demonstrate that devolved Government makes a positive difference to the people of Northern Ireland;*
- *to promote the equality and human rights agenda.*

OFM/DFM should have a 'strong' central role acting

- *to provide leadership, drive and innovation;*
- *to promote and build corporacy and cohesion across Government;*
- *to facilitate the overall business of the Executive Committee including by brokering deals and maximising consensus where appropriate.*

This is in line with the roles played by obvious comparators such as No.10/Cabinet Office in London; Department of the Taoiseach in Dublin

and EU institutions. It recognises the limits that exist under the new dispensation in terms of forcing Departmental Ministers to act in specified ways, whilst seeking to give direction to Government and ensure it is coherent and co-ordinated.

Proposals

Ministers are asked to approve the following specific proposals.

Executive Committee meetings

- (a) Meetings should move to Thursdays (with a first meeting proposed for 25 May) to avoid clashes with plenary business and, after the first two meetings, become fortnightly. In the meeting-free week, the Executive Committee members should provide a weekly briefing note on major issues within their Departments to inform First Minister, Deputy First Minister and Executive Committee colleagues, as the balancing factor for less frequent meetings. Previous reluctance by some Ministers to provide papers means this issue will need to be formally addressed at an Executive Committee meeting.
- (b) The Ministerial Representatives meetings should look at the agenda for the Executive Committee three or four meetings ahead, and be given responsibility for agreeing the outline agenda for the forthcoming meeting 10 days ahead (allowing urgent items to be added subsequently). They should also have sight of the papers for that meeting (or at least their likely conclusions) and highlight any potential political difficulties. Officials from OFM/DFM could, in

- appropriate circumstances, facilitate discussions designed to resolve issues or identify alternative approaches.
- (c) Routine Executive Committee business from OFM/DFM should be put to the First Minister and Deputy First Minister for clearance the week before the Executive Committee meeting in question (except for any urgent or unforeseeable business).
 - (d) Non-controversial items should be dealt with by Ministerial correspondence or as take note items on the Executive Committee agenda. Ministers would retain the right to ask that any such issues be discussed at an Executive Committee meeting.
 - (e) Day-long meetings of the Executive Committee outside Stormont should be held say twice a year to facilitate more reflective discussion on key issues. The Executive Committee should aim to meet in different locations around Northern Ireland 2-3 times per year to make the devolved Government more visible and meaningful for people.
 - (f) The Programme for Government is recognised as the key means of developing overarching shared policy priorities. The initial objective should be, as part of the overall process, for a broad initial statement of the Executive Committee's objectives to be prepared before the summer recess. This would offer Departments a clear focus and develop a sense of the direction of Government in the public consciousness.

Relations with the Assembly

- (g) An Executive Committee Minister or the two junior Ministers should have responsibility for co-ordinating and prioritising Executive Committee business in the Assembly (supported by OFM/DFM officials), along the lines of the 'Leader of the House' role at Westminster.
- (h) Better co-ordination mechanisms are needed between the Executive Committee and the Assembly Business Committee. Junior Ministers or the Minister charged with co-ordinating Executive Committee business should liaise regularly with relevant Party Whips.
- (i) An official liaison group between OFM/DFM and the Assembly should be created to address procedural and other 'rubbing' points in an attempt to improve the conduct of business.
- (j) OFM/DFM should co-ordinate with departments the development of a protocol on the procedures to be followed by Assembly Committees in terms of notice of questions, etc. Negotiation with the Assembly should then be undertaken.

Supporting Ministers in OFM/DFM

- (k) More time is needed for strategic policy direction than was available under devolution previously. In addition to less frequent Executive Committee meetings, a weekly meeting of the four Ministers in OFM/DFM with senior officials might be pencilled in to look at key issues and to review progress, priorities and the future work agenda. A 'political' meeting of the four Ministers without officials might precede this regular discussion.

- (l) A schedule of visits which might be undertaken by the First Minister and the Deputy First Minister will be prepared and updated by officials. These visits would increase the visibility of the new administration.
- (m) Special Advisers will be involved early in the policy development stage of work in future so that submissions to Ministers can take account of their input and clearly reflect the agreement of advisers and/or any areas of disagreement together with options to resolve such areas.
- (n) The areas of responsibility for junior Ministers have already been agreed. In order to increase the clarity over the decision-making authority of Junior Ministers, Ministers should agree that Junior Ministers have full authority in their designated areas of responsibility save where the issue or policy will either come before one of the institutions of Government (such as the Executive Committee) or where the First Minister and/or Deputy First Minister indicate they would wish to retain responsibility for a policy area. Ministers might also consider the circumstances in which Junior Ministers could be given individual responsibility for issues (with all Ministers having full access to papers, etc).
- (o) Papers should normally only be cleared through the set of Ministers with decision-taking authority, but all papers should be copied to other Ministers to allow them to contribute when they wished.

- (p) Private Offices will be re-organised to streamline procedures and increase efficiency. A single correspondence unit will support all 4 Ministers using a duty clerk system to ensure papers move quickly and action flows quickly. Staff in the junior Ministers' office will work on a joint basis to support both Ministers and their Private Secretaries.

Accommodation

- (q) Physical dislocation caused difficulties during the previous period of devolution. Ministers might consider spending 2-3 days per week in Castle Buildings to transact Departmental business, pending the completed refurbishment of Stormont Castle in early 2001 (on which matter the Secretary of State has yet to respond to the request by the First Minister and Deputy First Minister).

JOHN SEMPLE

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Mr Barrington
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FEEDBACK FROM INTERVIEWS WITH DFM, JUNIOR MINISTERS AND SPECIAL ADVISERS

Since the Project Board meeting on 5th April interviews have been held with the Deputy First Minister, the two Junior Ministers and both sets of special advisers.

Role and Nature of the Department

- OFM/DFM was not a department in the sense of the other functional Departments such as 'Agriculture' or 'Health'. It has a range of very disparate responsibilities that do not readily lend themselves to a coherent entity;
- There was general agreement that the Department should exercise a strong central role. It should initiate policy formulation, drive, facilitate, broker, and have the capacity to monitor and ensure the execution of decisions.
- In terms of strong leadership against a simple co-ordinating role, the balance was about 8 out of 10.
- The First Minister and Deputy Minister should be more Prime Ministerial in approach and in their oversight of policy issues. There was also a need for them to be more visible on the ground (particularly outside Belfast);
- The physical separation of FM and DFM from Junior Ministers, HOCS and other senior officials is a major handicap.
- There was less connection to their departments than experienced with other Ministers. A sense of 'place' needs to be developed.

Perception of Service to Ministers

- There was a sense that the system and events 'were running' Ministers and that not enough time was made available to think strategically about issues and agenda setting.

- Work was too process-oriented, and there were not enough big ideas around, designed to demonstrate that devolved government was better and more responsive than direct rule.
- The constant 'paper rush', particularly in respect of the Executive Committee, was cited. There is a need (a) to find a way of easing the burden of the paperwork and (b) provide concise quality briefing on the important key issues.
- Administrative priorities did not always fit with Ministerial priorities and greater recognition of the latter was needed. Difficulties in understanding and working the difference between 'policies' and 'politics'.
- A greater emphasis was needed on finding solutions to problems rather than elevating them to a political level immediately;
- There was criticism of the lack of control exercised over the versions (multiple drafts) issued and mode, e-mail/hard copy of document transaction.
- Evident frustration at length of time to commence the process (let alone fill) key posts in the areas of Equality and the Executive Information Service
- There was a view that the Department was not prepared for devolution and not adequately staffed to handle the demands placed on it.
- Perception that the civil service supported the 'status quo' and was too slow to change in response to political impetus.

Junior Ministers

- The role and responsibilities of junior Ministers were unclear. Greater clarity over scope to take their decisions was needed.
- They had insufficient access to FM and DFM, and were not briefed at all on Executive Committee business and on a number of important developments often leading either to nugatory work or duplication of effort.