

Terms of Reference: NICS exercise following conviction of Jeffrey Donaldson

The NICS Terms of Reference provide for the exercise to:

- I. determine what, if any, relevant NICS-held information or records exist in relation to the defined period and remit, including records potentially held by, or relating to, former OFMDFM/TEO arrangements, private office material, HR records where legally appropriate, correspondence logs, complaint routes, welfare/support records and wider records management arrangements;
- II. establish a safe, confidential and appropriately supported route through which current and former NICS staff may provide relevant information, seek welfare or support, raise a concern within the NICS remit, or be directed to the appropriate HR, welfare, statutory or other route;
- III. ensure that support arrangements are in place for current and former NICS staff, including access to the Employee Counselling and Welfare Support Service, appropriate HR support, external signposting where appropriate, and arrangements for urgent escalation where a risk, safeguarding issue or welfare concern is identified;
- IV. identify whether any matter arises which requires further action, including legal consideration, statutory referral, safeguarding action, additional staff support, further scoping, possible investigation, or advice to HOCS on whether a separate or different process may be required;
- V. ensure that any matters indicating potential criminality, safeguarding concern, immediate risk, statutory duty or other legal issue are escalated promptly in accordance with DSO advice and agreed referral thresholds;
- VI. avoid duplication with, or inappropriate overlap into, the Assembly Commission Review, while putting in place a controlled liaison arrangement to manage any necessary interface between the two processes;
- VII. develop a communications and handling plan covering current staff, former staff, Ministers, Permanent Secretaries, HR Directors, relevant senior contacts, liaison with the Assembly Commission, reactive media lines, support arrangements, and how the scope and limits of the exercise should be described;
- VIII. ensure appropriate data protection, confidentiality and records handling arrangements, including secure storage, access controls, lawful basis for processing, handling of sensitive personal data, retention arrangements, disclosure/referral obligations and a clear audit trail;
- IX. secure external assurance at the outset, with the external assurer providing independent critical friend assurance on the integrity, adequacy, proportionality and defensibility of the process; and
- X. provide HOCS with a final assurance report setting out the Terms of Reference, governance arrangements, methodology, records searched, limitations, staff contact route, support arrangements, any referrals made, any matters identified as outside the NICS remit, external assurance input, findings within the limited scope of the exercise and recommendations for any further action.