

A FRESH START

THE STORMONT AGREEMENT AND IMPLEMENTATION PLAN

An agreement to consolidate the peace, secure stability, enable progress and offer hope



**Northern Ireland
Executive**

www.northernireland.gov.uk

Contents

	First Minister-deputy First Minister - Ministerial Introduction	
	Foreword from the UK Government	
	Foreword from the Irish Government	
	Context and Respective Responsibilities	Page 13
Section A	Ending Paramilitarism and Tackling Organised Crime	Page 14
Section B	NI Executive Financial Reforms and Context	Page 19
Section C	NI Executive Welfare and Tax Credits Top-Ups	Page 22
Section D	UK Government Financial Support	Page 24
Section E	Irish Government Financial Support	Page 30
Section F	Implementation of other aspects of the Stormont House Agreement	Page 33
	Appendices, setting out the NI Executive’s detailed proposals for specific aspects of implementation for which it is responsible	Page 41

FIRST MINISTER-DEPUTY FIRST MINISTER - MINISTERIAL INTRODUCTION

We are pleased to present in this document a set of inter-related proposals which seek to provide a far-reaching and comprehensive framework for addressing some of the most challenging and intractable issues that have impacted on our community. It is our belief and conviction that this framework, when implemented with goodwill and shared purpose, has the potential to nudge history forward by transforming how we support each other in overcoming our deepest divisions.

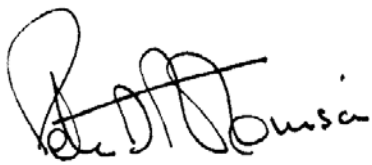
At the heart of this Agreement is our common commitment to a better way of doing business together. There are, of course, some issues on which we do not agree but there are many, many more upon which we do. We are firm in our determination to defend our core public services, to attract foreign investment and support our own indigenous businesses to provide more and better jobs, particularly for our young people, to protect the most vulnerable in our society, to improve our health service on which so many depend, to ensure a high quality education for all our children and to achieve equality of opportunity for all our people.

While unquestionably real terms reductions to our Block Grant have created enormous difficulties for our society, particularly given our unique challenges as a community emerging from a long and bitter conflict, we have made enormous progress towards a durable peace over recent times. This Agreement is our earnest effort to build on that progress and to move into a period of positive co-operation.

We are profoundly aware that the leadership challenge is to build hope and confidence throughout our community so that we can all rise above narrow sectional interests to play a bigger part in creating a truly reconciled and regenerated community. There is a need to build upon the considerable momentum, peace and progress that has undoubtedly been achieved in recent years, notwithstanding our unresolved difficulties.

We reached agreement on this framework fully aware of the many areas of disagreement and mistrust that have bedevilled progress in embedding peace and reconciliation. Confidence has to be built if we are to fully overcome the legacy of our tragic past. The essence of this Agreement, the vision which must inspire our leadership, is our shared belief that the civic values of respect, mutuality, fairness and justice must take precedence over those narrow values that too often manifest in division.

This document signals our resolve to engender the sea change so longed for by our community – a new beginning, an opportunity to move forward with a real sense of hope and purpose. Our commitment is to address the complexities, pain and trauma within our society but we appreciate that no agreement, plan or framework is self-implementing and will not be delivered without leadership. Our pledge is that together we will use the Office of the First Minister and deputy First Minister to lead by example, and through co-operation and common purpose, to ensure that the spirit, vision and promise of the document is fulfilled.



First Minister



deputy First Minister

17 November 2015

**FOREWORD BY THE RT HON THERESA VILLIERS MP
SECRETARY OF STATE FOR NORTHERN IRELAND**

Last December, the Stormont House Agreement was reached after 11 weeks of talks between the five largest Northern Ireland parties and the UK and Irish Governments. That Agreement dealt with a number of the most difficult challenges facing Northern Ireland including the Executive's finances, flags and parades, the legacy of the past and reform of the Assembly to strengthen devolution. It was underpinned by a financial package from the UK Government which would give the Executive £2 billion in additional spending power. In the Government's view, that Agreement was, and remains, a good deal for Northern Ireland.

By the summer, however, it was clear that the implementation of the Stormont House Agreement had stalled. Disagreements within the Executive over the budget and the implementation of welfare reform meant that decisions on other elements of the Agreement were no longer being made. We were faced with the prospect of early elections, and a real risk that collapse of devolution and a return to direct rule might follow. In addition, two murders in Belfast once again raised the spectre of paramilitary activity in Northern Ireland and its malign impact on society.

In these circumstances the UK Government decided in early September that it was necessary to convene a fresh round of cross party talks, operated in accordance with the well-established three-stranded approach. The objectives were twofold: to secure the full implementation of the Stormont House Agreement; and to deal with the impact of continued paramilitary activity.

Ten weeks later, the Government believes that the agreements contained in this document go a long way to fulfilling both those objectives.

On the Stormont House Agreement the agreed package will help give the Executive a stable and sustainable budget. For our part the UK Government will provide further financial support of around £500 million. This will assist the Executive in tackling issues unique to Northern Ireland including support for their programme to remove peace walls. The package also paves the way for completion of the devolution of corporation tax powers.

The measures in the Stormont House Agreement designed to address the issues of flags and parades will now go ahead. In addition there is agreement on institutional changes to make devolution work better including on the size of the Assembly, the number of departments, use of the petition of concern and provision for an official opposition.

On paramilitary activity, the document strongly reaffirms support for the rule of law and places fresh obligations on Northern Ireland's elected representatives to work together on their shared objective of ridding society of all forms of paramilitary activity and groups. It also commits to a concerted and enhanced effort to combat organised and cross border crime, which the UK Government will help to fund.

Despite some significant progress we were not able at this stage to reach a final agreement on the establishment of new bodies to deal with the past. The Government continues to support these provisions of the Stormont House Agreement and to providing better outcomes for victims and survivors. We will now reflect with the other participants on how we can move forward and achieve broad consensus for legislation.

As the overwhelming majority of issues are in devolved areas, this package has rightly been driven by Northern Ireland's political leaders, in particular the First and deputy First Ministers, and I pay tribute to their work and leadership. In a wide range of ways, however, this document reflects points made by all of the participants in the talks process during hundreds of roundtable, bilateral and trilateral meetings which have taken place over the last ten weeks.

On behalf of the UK Government I believe that this document, and the commitments it contains, represents the opportunity for a fresh start for the Executive and for devolution. It takes us closer to our goal of a Northern Ireland where politics works, the economy grows and society is stronger. It will be a further stage in delivering one of the Government's key

manifesto commitments for Northern Ireland, the full implementation of the Stormont House Agreement. And it is another step forward towards a brighter, more secure future for everyone in Northern Ireland.



**FOREWORD BY MR CHARLES FLANAGAN TD
MINISTER OF FOREIGN AFFAIRS AND TRADE**

On 5 September 2015, An Taoiseach, Enda Kenny TD and Prime Minister, Rt Hon David Cameron MP asked the Secretary of State for Northern Ireland and I to convene talks with the political parties which subscribed to the Stormont House Agreement. They envisaged that these talks would deal with the implementation of the Stormont House Agreement, as well as the trust and confidence issues arising from the legacy of paramilitarism.

The succeeding ten weeks of intensive negotiations have been challenging but also constructive and cordial. The resulting agreement provides a credible roadmap for the implementation of many aspects of the Stormont House Agreement and for tackling the continuing impact and legacy of paramilitarism. It also builds on the hard won peace on this island achieved by the Good Friday Agreement and supports all of our efforts to bring greater reconciliation and economic prosperity to the people of Northern Ireland.

This Agreement will tackle the insidious influence of paramilitarism and reinforce efforts to tackle organised crime and criminality. Significantly, it contains a firm commitment to achieving a society free of paramilitarism, to working for the disbandment of all paramilitary organisations and their structures and to challenging paramilitary attempts to control communities. The Agreement will also support effective public services, which are so important for economic development, as well as provide enhanced support for building an all island economy, creating employment and prosperity for all of our citizens.

While important progress was made on taking forward aspects of the Stormont House Agreement dealing with the legacy of the past, it did not prove possible to resolve all of the key issues within the timescale of this negotiation. Nevertheless, the two Governments will

persist in our efforts to secure an agreed basis for the establishment of the institutions dealing with the past envisaged in the Stormont House Agreement.

This Agreement has benefited from the positive contributions made by many of those involved in the talks. Now it is time for implementation - for the Northern Ireland Executive and the respective parties to show that they can effectively deliver for the people of Northern Ireland. Through the implementation of this Agreement, there is an opportunity to demonstrate that power-sharing devolution can provide good government and can offer a vista of hope for future generations. It is for the parties to this Agreement, with the support of the two Governments, to ensure that this new opportunity, this fresh start, is fully embraced.

As a co-guarantor of the Good Friday Agreement, the Irish Government remains determined to fulfil our responsibilities to all the people of this island. With this sense of determination, I and my colleague, Minister of State Seán Sherlock, approached the task given to us by the Taoiseach and Tánaiste. The consolidation of peace and reconciliation in Northern Ireland remains an ongoing journey. This Agreement represents an important milestone on that journey. I commend it to the people of Northern Ireland and am convinced that its implementation will ensure a better and brighter future for all citizens on this island.

Context and Respective Responsibilities

These talks were convened to address two urgent issues:

- the legacy and impact of paramilitary activity; and
- the implementation of the Stormont House Agreement (SHA) of 23 December 2014.

The participants throughout these talks were the UK and Irish Governments, each participating in accordance with their respective responsibilities, and the five main Northern Ireland parties entitled to Executive positions when the talks started.

Over 10 weeks of discussions, all the issues were extensively discussed with the opportunity for each participant to put forward proposals and to consider and scrutinise the proposals of others.

This Agreement sets out the successful outcome of these talks. Building on the SHA, it sets out the detailed commitments to implement that Agreement and to address the legacy and impact of paramilitary activity.

These include:

- commitments of all the participants, for example the statement of principles on paramilitarism;
- specific actions agreed by the UK Government, or the Irish Government, or both; and
- specific actions agreed by the NI Executive.

Each participant is responsible for the actions to which each is committed, as clearly set out in the papers. All, however, will continue to work together to implement the overall vision of a stable, secure, peaceful and prosperous Northern Ireland.

SECTION “A”

Ending Paramilitarism and Tackling Organised Crime

This section records agreement between the NI Executive, the UK Government and the Irish Government.

Introduction

- 1.1 Building on the political Agreements reached in the past, the progress made to date - and to ensure it continues - we reiterate the primacy and centrality of peace and the political process to the continued transformation of our society, through democracy, inclusion, reconciliation, equality of opportunity for all and the absence of violence.
- 1.2 The Executive and the UK and Irish Governments recommit to:
- the partnership government that underpins the forward trajectory of a peaceful society;
 - giving full effect to the principles of peace and democracy set out in previous Agreements including the growth of mutual respect and equality of treatment that forms the basis of a united and stable society;
 - supporting law and order and the justice system;
 - North South and East West cooperation for mutual benefit;
 - maximising for citizens the political cohesion of our society, political inclusivity and participative democracy; and
 - the achievement of a comprehensive peace.

Statement of Principles

- 2.1 There has been huge progress in recent years in helping transform society in Northern Ireland. However it is clear that there is work that still remains to be done in completing this transition.
- 2.2 Our goal is the primacy of the democratic political process in Northern Ireland and the ending of paramilitarism. This Agreement represents a resolute commitment to complete this process once and for all.
- 2.3 We have entered into the most far-reaching commitments ever taken here to uphold the rule of law and bring about the end of paramilitarism.
- 2.4 Building on the Mitchell Principles that affirmed all the main parties were committed to democratic and exclusively peaceful means of resolving political issues the Executive agreed to a Ministerial Code and Pledge of Office that incorporated:

SECTION “A”

- a commitment to non-violence;
 - support for law and order; and
 - support for the PSNI and the criminal justice system.
- 2.5 All the parties to this Agreement remain fully dedicated to each and all of these principles and *further commit* to:
- work collectively to achieve a society free of paramilitarism;
 - support the rule of law unequivocally in word and deed and support all efforts to uphold it;
 - challenge all paramilitary activity and associated criminality;
 - call for, and work together to achieve, the disbandment of all paramilitary organisations and their structures;
 - challenge paramilitary attempts to control communities;
 - support those who are determined to make the transition away from paramilitarism; and
 - accept no authority, direction or control on our political activities other than our democratic mandate alongside our own personal and party judgment.
- 2.6 These commitments shall also be added to the Pledge of Office as a requirement of a person taking Ministerial office through an amendment of the Northern Ireland Act 1998.
- 2.7 They will also form the basis of a new undertaking, in Assembly standing orders, for each Member of the Legislative Assembly analogous to the previous obligations on those in local government.
- 2.8 In committing to these principles the parties do not agree simply to a passive acceptance of these values but to an active fulfilment of them.

Tackling Paramilitarism, Criminality and Organised Crime

- 3.1 A tri-lateral cross-border Ministerial meeting will take place in December 2015, involving the UK Government, the Irish Government and the NI Executive. It will agree new measures to enhance law enforcement co-operation aimed at tackling organised crime and criminality, including that linked to paramilitarism.
- 3.2 In a concerted and enhanced effort to tackle cross-jurisdictional organised crime and to bring to justice those involved in it, a Joint Agency Task Force will be established under this Agreement. The Task Force will be led by senior officers from the PSNI, An Garda Síochána, the Revenue Commissioners and HM Revenue and Customs. The

SECTION “A”

Task Force will report on its work in accordance with the statutory arrangements in place for the law enforcement agencies.

The Task Force will include:

- a Strategic Oversight Group (comprised of representatives from the relevant law enforcement agencies at senior management level) that will identify strategic priorities for combating cross-jurisdictional organised crime. The Oversight Group will provide a report on the work of the Task Force to the six-monthly Ministerial meetings under the Intergovernmental Agreement on cooperation on criminal justice matters; and
- an Operations Co-ordination Group (comprised of senior operational management personnel from the relevant law enforcement agencies) that will co-ordinate joint operations and direct relevant resources in that context.

3.3 The tri-lateral Ministerial meeting in December will set out further details, including membership, priorities and agreed goals of the Task Force.

3.4 The UK Government, in support of the front-line efforts of the PSNI, the Executive and the Minister for Justice, will give high priority to tackling paramilitary-related crime in Northern Ireland.

3.5 The Irish Government will maintain and intensify its focus on combating paramilitary activity and organised criminality, whatever its aims and origins, and will continue to work in close cooperation with the Executive in this regard.

3.6 The Executive will implement additional measures aimed at tackling the impact of criminality and paramilitarism in Northern Ireland, to include:

3.7 **Criminal Justice**

- Further measures to speed up criminal justice and support victims to give evidence.
- Measures to improve forensic capabilities to enable evidence to be secured more effectively.

3.8 **Proceeds of Crime**

- Support for agencies to enhance specialist capabilities, such as forensic accounting.

SECTION “A”

3.9 **Community Engagement and Prevention**

- Cross-departmental programme to prevent vulnerable young people being drawn into paramilitary activity.
- Development of a programme to increase the participation and influence of women in community development.
- Additional programmes aimed at reducing re-offending.
- Rigorous enforcement of rules that prevent funding from being misused.

3.10 **Support for Transition**

- Initiatives to help moves away from paramilitary structures and activity.
- The reintegration of people previously involved in the Troubles taking into account the report of the Review Panel on employers’ guidance on recruiting.

A Strategy to End Paramilitarism

4.1 A three person panel will be appointed by the Executive by the end of December with the task of bringing back to the Executive for agreement and action a report before the end of May 2016 with recommendations for a strategy to disband paramilitary groups.

4.2 The Executive shall:

- carry out research into the social costs and implications of paramilitarism and further steps that the Executive can take to promote a more integrated cohesive and lawful society;
- undertake a public awareness campaign to raise public understanding of the harm done by paramilitarism and organised crime and the steps that everyone can take to contribute to the prevention of crime and progress towards the end of paramilitarism in Northern Ireland; and
- report on how efforts to tackle paramilitarism will be linked to wider cross-departmental and statutory agency work programmes aimed at reducing community division and the causes of sectarianism and racism in NI.

4.3 Before the end of June 2016, the Executive will publish an action plan including all of the above measures, together with timescales for implementation.

Monitoring and Implementation

5.1 A four member international body including persons of international standing will be established by the UK and Irish Governments. The UK Government and the Irish

SECTION “A”

Government will nominate one member each and the Executive shall nominate two members. The body will:

- report annually on progress towards ending continuing paramilitary activity connected with NI (or on such further occasions as required);
- report on the implementation of the relevant measures of the three administrations; and
- consult the UK Government and relevant law enforcement agencies, the Irish Government and relevant law enforcement agencies and, in Northern Ireland, the Executive, PSNI, statutory agencies, local councils, communities and civic society organisations.

5.2 The reports of the body will inform future Executive Programme for Government priorities and commitments through to 2021.

SECTION “B”

NI Executive Financial Reforms and Context

Introduction

This section sets out the Executive’s assessment of its existing financial reforms and efficiencies.

Reform and Efficiency

- 1.1 The Executive is undertaking a programme of Public Sector Reform, designed to maximise available resources and deliver enhanced services to citizens. Current reform activities are building upon cumulative savings of £3.7 billion achieved in the seven years from 2008-15. The Executive is seeking to engage in more meaningful ways with citizens to design and deliver services that meet needs as well as ensuring a more sustainable financial approach.
- 1.2 **Public Sector Reform and Restructuring Transformation Fund:** The SHA included public sector voluntary exit schemes to reduce pay-bill costs. NI Civil Service (NICS) staff numbers are being reduced through a recruitment freeze (from November 2014) and the voluntary exit scheme. Between April 2014 and March 2016, the NICS is set to reduce headcount by approximately 5,210 and between April 2015 and March 2016 a further 2,200 will exit from the wider public sector.
- 1.3 **Departmental Restructuring and Reduction in the Number of MLAs:** Reducing from 12 to nine departments cuts the number of ministers, special advisers, permanent secretaries and central management and support functions. From May 2016, this will provide better co-ordinated and more efficient services. A Bill to reduce the number of MLAs to five per constituency will be introduced into the Assembly and will have effect from the first Assembly election after the May 2016 election.
- 1.4 **Reform of Property Management:** This will reduce the running costs of the central government property estate.
- 1.5 **Asset Management Strategy:** Between 2011-12 and 2013-14 savings of £22m per annum were delivered from asset management interventions.
- 1.6 **Digital Transformation Programme (16 by 16):** There are nine online services live, and a further 13 services in delivery. The aim is to have 3.5 million transactions by 31 March 2016 and the programme is on track to exceed targets.

SECTION “B”

- 1.7 **OECD Review:** The SHA includes a commitment that the Organisation for Economic Co-operation and Development will conduct a strategic review and forward recommendations to maximise the impact of reforms. The review concludes at the end of 2015.
- 1.8 **Impact of Division:** The report of the NI Centre for Economic Policy which is expected at the end of November 2015 is to identify options for ameliorating or rectifying the structural divisions which impact on service delivery and costs.
- 1.9 **Cross Cutting Reform:** In January 2015, the Executive agreed to a review to identify and assess NICS cross-cutting reform opportunities. This work has generated over 30 proposals in six thematic areas:
- (i) greater consolidation of services across the NICS;
 - (ii) changing how the NICS interacts with the citizen;
 - (iii) better utilisation of resources across the NICS;
 - (iv) more effective use of technology;
 - (v) proportionate governance; and
 - (vi) management and generation of revenue streams.
- 1.10 Benchmarking, alternative models of delivery and structural reform in the big spending areas of education, health, and justice are inherent in these themes. It is anticipated that the Executive will shortly endorse the implementation of action plans associated with these proposals.
- 1.11 The Executive is also committed to progressing significant structural reform of social housing provision. This will be focused on reducing the Departmental Expenditure Limit subsidy pressures.
- 1.12 **Cost Reduction Targets:** The Executive will have to set challenging cost reduction targets for each of the nine new departments for each year of the forthcoming Spending Review period. Each percentage point set as a cost reduction-efficiency target across all departments would generate approximately £100m Resource DEL.

Reform Summary

- 1.13 The Executive has a record of delivering a programme of reforms and cost reductions in recent years and this will continue.
- 1.14 In addition to the Reform and Efficiency savings outlined above, the Executive will consider revenue raising measures if cost reductions cannot be achieved quickly enough or if there is a decision to maintain enhanced public services.

SECTION “B”

NI Economy

- 1.15 The NI economy is growing, the unemployment claimant count falling and the number in work is up by 33,000 since 2010. NI continues to be one of the top destinations in the UK for foreign direct investment. We have some world class businesses. However there is a range of economic and social problems that are a legacy from the past. In addition, uniquely of the devolved regions we share a land border with its associated challenges.

NI Executive’s position on Corporation Tax

- 1.16 As a means of rebalancing the economy and addressing the social and economic challenges facing Northern Ireland, the Executive is committed to an affordable and more competitive Corporation Tax rate.
- 1.17 In this context the Executive attaches importance, on the basis of fairness and proportionality, to Northern Ireland bearing the full costs and receiving the full benefits of the devolution of Corporation Tax consistent with the Azores criteria.
- 1.18 In accordance with the requirements of the Stormont House Agreement, the Executive reaffirms its commitment to take all the actions necessary to demonstrate that its finances are on a sustainable footing for the long term including successfully implementing measures in the Stormont House Agreement, this Agreement and subsequent reform measures.
- 1.19 On this basis:

The NI Executive commits to a commencement date of April 2018, and a Northern Ireland rate of 12.5%.

SECTION “C”

NI Executive Welfare and Tax Credit Top-Ups

This section sets out the approach agreed by the Executive to implementing welfare reforms.

Executive Welfare and Tax Credits Enhancements

- 1.1 The Executive has agreed to allocate a total of £585 million from Executive funds over four years to ‘top-up’ the UK welfare arrangements in NI with a review in 2018-19. This sum incorporates the present discretionary fund.

Year	2016-17	2017-18	2018-19	2019-20
Agreed Amount	£135m	£150m	£150m	£150m
Welfare	£75m	£90m	£90m	£90m
Tax Credits	£60m	£60m	£60m	£60m

- 1.2 The Executive will establish a small working group under the leadership of Professor Eileen Evason¹ to bring forward proposals within this financial envelope (including administrative costs) to maximise the use of these additional resources.
- 1.3 The Executive has agreed to implement the findings of the working group within the financial envelope available.
- 1.4 Within the welfare funding set out above, it has been agreed that the social sector size criteria – the so called bedroom tax – will not apply, as agreed by the Executive.

Legislative Process

- 2.1 It is agreed that Legislative Counsel in the NI Assembly will work with Parliamentary Counsel at Westminster to prepare the necessary legislation and Order in Council to effect current welfare changes.
- 2.2 The Welfare Bill will be debated and approved by the Assembly by way of a Legislative Consent Motion no later than the week commencing 23 November 2015. This approval will also cover the draft Order in Council which gives effect in NI to the 2012 welfare changes in GB, the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster and the Executive’s proposals to enhance payments flowing from this Agreement.

¹ Eileen Evason is Emeritus Professor in social administration (University of Ulster)

SECTION “C”

- 2.3 Following Assembly approval, the Bill will be passed at Westminster in order to meet the Executive’s timetable.
- 2.4 Any subsequent changes to the welfare elements of the Welfare Reform and Work Bill will be brought to the Assembly for debate and approval.
- 2.5 The welfare and tax credit top-ups will be taken forward by the Assembly.
- 2.6 The provisions of the Welfare Bill will lapse at the end of 2016.

Advice Centre Support

- 3.1 The Executive, in preparing its budget for next year, will provide additional funding for independent advice services in recognition of the complexity of welfare and tax credit changes.

SECTION “D”

UK Government Financial Support

This section sets out the financial support the UK Government will provide to support implementation of the SHA and this Agreement and a number of accompanying NI Executive commitments.

1.1 In the SHA the UK Government agreed to provide support. This included:

- flexibility to use £700m of capital borrowing to fund a voluntary exit scheme over a period of 4 years with £200m in 2015-16, £200m in 2016-17, £200m in 2017-18 and £100m in 2018-19;
- a contribution of up to £500m over 10 years of new capital funding to support shared and integrated education subject to individual projects being agreed between the Executive and the UK Government;
- up to an additional £350m borrowing for infrastructure projects with a profile over four years with £100m in 2015-16, £100m in 2016-17, £100m in 2017-18 and £50m in 2018-19;
- allowing the proceeds of specific agreed asset sales to be retained in their entirety and exceptionally consideration of these funds being used for a combination of both capital and resource spending;
- flexibility to repay both the £100m loan from the Treasury and £114m welfare deductions from asset sales and capital budgets;
- if the implementation of welfare reform is completed during 2015-16 (including the relevant secondary legislation) the £114m deduction will be reduced to reflect the proportion of the year prior to implementation of the measures; and
- up to £150m over 5 years to help fund the bodies to deal with the past.

This support remains subject to the conditions set out in the financial annex to the SHA, and funding for bodies to deal with the past is subject to agreement on their establishment.

Further UK Government Support

2.1 The parties have highlighted the need for further financial assistance and flexibilities from the UK Government where:

SECTION “D”

- (i) the request addresses a problem which is unique to the Executive; and
- (ii) a case can be made for greater financial flexibility.

2.2 The UK Government recognises the efficiency and reform steps the Executive has already taken.

2.3 The UK Government also welcomes the commitment to deliver a balanced budget in 2015-16 and to take steps to put Northern Ireland’s finances on a sustainable footing including setting challenging cost reduction targets for the new departments.

2.4 The UK Government recognises the specific challenges facing Northern Ireland but this support must also reflect the continuing difficult fiscal environment and the need to be fair to all parts of the UK.

Welfare Reform

3.1 New arrangements will be made to ensure the implementation of welfare reform as quickly as possible.

3.2 The Assembly will approve a consent motion no later than next week to enable primary and secondary legislation to make changes to the welfare system to proceed at Westminster.

3.3 Following this the UK Government will progress legislation which will comprise:

- A Bill in Parliament to allow for changes to the welfare regime in Northern Ireland, including:
 - equivalent reforms to those introduced in GB by the Welfare Reform Act 2012, amended where necessary to reflect previous agreements between the UK Government and the NI parties on differences in e.g. sanctions;
 - the welfare provisions only of the Welfare Reform and Work Bill as currently drafted; and
 - interactions as required which ensure the Executive can implement the range of additional support which it intends to fund.
- A sunset clause will be included in the Bill to bring this arrangement to an end at the end of 2016.

3.4 The UK Government legislation will not diminish the legislative competence of the devolved institutions.

SECTION “D”

3.5 Although the timetable for savings from welfare reform in Northern Ireland will continue to be severely delayed when compared to implementation in GB, the UK Government confirms:

- welfare deductions for 2015-16 will stop following Assembly approval of the consent motion set out above and the UK Government will refund the proportion of deduction due for the remainder of the year, making an equivalent sum available to the NI Executive spread equally over 2016-17 and 2017-18. The parties have put forward a number of proposals for what this could fund, including construction of the Desertcreat Integrated Training College;
- it will not make any welfare-related Annually Managed Expenditure deductions on the basis of savings anticipated by the 2012 Welfare Reform Act in 2016-17;
- it will support the proposal put forward to address welfare error and fraud in Northern Ireland, and will provide up to £25m of new ring-fenced funding per year for five years to support implementation; and
- any successful bid for a share of error and fraud savings will need to demonstrate forecast savings that can be verified by the Office for Budget Responsibility, in line with the process for assuring similar forecasts by the Department for Work and Pensions.

3.6 The parties project that this error and fraud initiative will generate significant net savings in the next five years, and the UK Government has agreed that half of all savings certified by the OBR can be reinvested by the Executive (for example for integrated health, work and wellbeing interventions; employer support to hiring young unemployed and long-term unemployed).

Budget controls

4.1 The UK Government welcomes the Executive’s plans to establish an Independent Fiscal Council for Northern Ireland. The Council will:

- prepare an annual assessment of the Executive’s revenue streams and spending proposals and how these allow the Executive to balance their budget; and
- prepare a further annual report on the sustainability of the Executive’s public finances, including the implications of spending policy and the effectiveness of long-term efficiency measures.

SECTION “D”

The membership and terms of reference of this Council will be agreed with the UK Government.

- 4.2 The UK Government will legislate, with Assembly consent, to ensure that the Assembly cannot consider spending plans which exceed the Block Grant allocated by the Treasury or the NIE’s borrowing limits, where planned spending relies on those funding sources.

In-Year Pressures

- 5.1 The UK Government will release those additional in-year budgetary flexibilities as set out in the SHA to support the Executive in ensuring public services continue to be delivered whilst wider reforms are being pursued.
- 5.2 The Northern Ireland Executive will complete a monitoring round by the end of November 2015, setting out clearly the action being taken to balance its 2015-16 position. The UK Government welcomes the Executive’s commitment to balance the budget this year through the monitoring round, and the UK Government has made a commitment of support from the Reserve should it be necessary.

Corporation Tax

- 6.1 The UK Government recognises the Executive’s commitment to introduce a devolved Corporation Tax rate to Northern Ireland of 12.5% from April 2018. The UK Government remains committed to the devolution of Corporation Tax powers, subject to the conditions set out in the SHA.
- 6.2 The UK Government will undertake an ex-post review of the costs of the devolution of Corporation Tax four years after the implementation of a devolved rate by the Executive. This review will consider the extent of behavioural costs (but not second round effects) and will make further adjustments to the Northern Ireland Block Grant as supported by new evidence.

Stormont House Agreement Flexibilities and Support

- 7.1 Subject to:
- the conditions set out in the SHA financial annex on the need for UK Government agreement where specified for specific projects; and

SECTION “D”

- confirmation by the Executive as part of this supplementary agreement that the flexibility and support offered is sufficient to deliver a balanced budget for 2015-16 by the end of November 2015 and the publication of a balanced budget for 2016-17 in the Assembly by the end of January 2016;

the UK Government will agree to the release of the support and flexibility outlined in the SHA financial annex as it relates to the 2015-16 and 2016-17 budgets. The detailed plan for incorporating this support into budgets should be agreed with HM Treasury in advance of the publication of the 2016-17 NI Executive budget.

7.2 The UK Government will provide a number of further flexibilities:

- ensuring that the NI Executive can access the full amount of additional borrowing provided by the SHA even if it is able to realise agreed efficiency savings from Voluntary Exit Scheme without switching the full amount of existing borrowing for that purpose;
- capital funding for shared and integrated education can be used to support shared housing projects, with individual projects to be agreed by the UK Government; and
- any underspend of new legacy funding in 2015-16 may be carried forward to 2020-21 (but funding for bodies to deal with the past is subject to agreement on their establishment).

Tackling Continued Paramilitary Activity

- 8.1 The UK Government confirms that it will provide additional security funding of £160m over the next five years to support the PSNI to address the continuing ‘SEVERE’ National Security threat, as well as provide greater capability to tackle continued paramilitary activity and criminality.
- 8.2 The UK Government will provide an additional £25m over five years to tackle continuing paramilitary activity. The UK Government funding will only be released after the Executive has agreed a strategy to address continuing paramilitary activity.
- 8.3 The NI Executive will match the UK Government’s additional funding to tackle continuing paramilitary activity.

SECTION “D”

- 8.4 The UK Government will ensure in the Spending Review that UK Government agencies are appropriately resourced to ensure that the concerted UK / PSNI policing and criminal justice response to paramilitarism and criminal activity is delivered.
- 8.5 The UK Government recognises the need to ensure progress against any strategy to tackle paramilitary activity is delivered effectively. It will provide funding of up to £3m over four years to establish and fund the new Monitoring and Implementation body.

Shared Future

- 9.1 The UK Government will provide an additional £60m over five years in support of the Executive’s delivery of confidence and relationship building measures within and between communities, contributing to the conditions that will allow the removal of peace walls and the creation of a shared future.

SECTION “E”

Irish Government Financial Support

This section sets out the Irish Government’s financial support for this Agreement.

- 1.1 Predicated on a stable political environment in Northern Ireland, with all of the institutions and cross-border agencies operating to full effect, the Irish Government remains committed to investing in infrastructure to support North-South co-operation to help unlock the full potential of the island economy. Targeted investment in cross-border economic infrastructure will be key to the continued growth of the island's indigenous enterprise base and to driving and sustaining overseas investment levels. This is crucial for job creation and all-island prosperity and to ensure that the socio-economic dividend made possible by the Belfast/Good Friday and subsequent Agreements is fully realised.
- 1.2 This commitment is set out in "Building on Recovery", the Irish Government's Capital Plan for 2016-2021.
- 1.3 The Irish Government reaffirms its support for the EU PEACE and INTERREG programmes, which includes substantial funding negotiated during the Irish Presidency of the European Union. It will continue to work closely with the Northern Ireland Executive to ensure that funding opportunities are maximised under these EU programmes. Almost half a billion euro will be available from EU sources during the period 2016 to 2021.
- 1.4 The Capital Plan states that there will be renewed focus on investing in a number of the key transport corridors, including ongoing review of the scope for building on the current commitment to the A5 road project, which is of major strategic importance to the North-West and the Dublin-Belfast rail line, critical to the development of the Dublin-Belfast corridor and which is currently in receipt of an €18 million upgrade package.
- 1.5 The Capital Plan also confirms that there will continue to be a significant cross-border dimension to the flood relief investment programme, and also in the energy and communications sectors, which already have high levels of cross-border integration. The Irish Government will also continue to explore capital investment in health projects and services that benefit the border region.

A5 Western Transport Corridor Serving the North West

- 2.1 The Irish Government remains supportive of the commitment under the St Andrews Agreement to co-fund the construction of the A5 through Northern Ireland to Derry-Londonderry, which will improve access to Derry-Londonderry and North Donegal.

SECTION “E”

The timeframe for this period is dependent on planning issues which are currently being addressed by the Northern Ireland authorities.

- 2.2 Under this Agreement the Irish Government reaffirms its existing commitment to providing funding of £50 million for this project. It will also commit an additional £25m to ensure that Phase 1 of the project can commence as soon as the necessary planning issues have been resolved by the Northern Ireland authorities. In accordance with the revised project timeline, the Irish Government funding will be provided in three tranches of £25m in the years 2017, 2018 and 2019 respectively.
- 2.3 On this basis, the Northern Ireland Executive and the Irish Government have agreed that construction on the first section of the A5 will commence in 2017 with a view to completion by 2019. The first section will be the route between Newbuildings (outside Derry-Londonderry) to north of Strabane.

The Ulster Canal

- 3.1 The Irish Government will continue to explore the development of further cross-border Greenways and Blueway cycling-walking-water leisure routes, including the Ulster Canal.
- 3.2 In February 2015, the Irish Government announced €2m in funding for the restoration of the 2.5km Upper Lough Erne to Castle Saunderson section. Work on this is now underway and is expected to be completed in 2017.
- 3.3 The Northern Ireland Executive and the Irish Government agree to undertake a review with a view to identifying options for jointly developing future phases of the Ulster Canal restoration project, for consideration by the North South Ministerial Council in June 2016.
- 3.4 As part of the Mid Term Review of the Capital Plan, the Irish Government will work also with the Northern Ireland Executive to seek agreement on a funding plan for the Atlantic Youth Trust initiative. This proposal involves a new sail training vessel to facilitate youth development, mentoring, and training on an all-island basis.

Narrow Water Bridge

- 4.1 The Irish Government remains committed to the concept of the Narrow Water Bridge, which would provide a valuable North-South link between counties Louth and Down with potential to provide jobs and a significant boost to tourism in the area.

SECTION “E”

- 4.2 The Northern Ireland Executive and the Irish Government agree to undertake a review of the project with a view to identifying options for its future development, for consideration by the North South Ministerial Council in June 2016.

North West Development Fund

- 5.1 The Irish Government is committed to supporting the regional development work of the North West Gateway Initiative which involves Donegal County Council and Derry City and Strabane District Council and is part of the work programme of the North South Ministerial Council.
- 5.2 The Irish Government has agreed to provide funding of €2.5m to support the Initiative, which will be complemented by matching funding from the Northern Ireland Executive.

Next Steps

- 6.1 A group of senior officials from the Northern Ireland Executive and the Irish Government will meet regularly to maintain a strategic overview of economic and infrastructural investment, with regard to the projects set out in this Section. They will also consider opportunities for sourcing further investment for all-island infrastructure projects for mutual benefit, including through PPPs, EU funding and other non-Exchequer sources.
- 6.2 Regular progress reports will be provided to the North South Ministerial Council.

SECTION “F”

Implementation of other aspects of the Stormont House Agreement²

This section reports progress and further commitments to implement other aspects of the SHA. The text repeats the relevant paragraphs of the SHA and then sets out the next steps. Responsibility for implementation of these next steps rests with the administration identified.

Flags, Identity, Culture and Tradition

The participants agree:

15. A Commission on Flags, Identity, Culture and Tradition will be established by June 2015 as the basis for further addressing these issues, to report within 18 months of its being established. The Commission shall consist of 15 members, seven of which will be nominees appointed by the leaders of the parties in the Executive. These will comprise two members for each of the two largest parties and one for each of the three next-largest parties in the Northern Ireland Executive, all as measured by their number of seats in the Northern Ireland Assembly. The remaining eight members of the Commission will be drawn from outside of government. The report and recommendations will be agreed by a majority of the overall Commission, including at least five of the seven members appointed by party leaders. Its remit will focus on flags and emblems and, as required, broader issues of identity, culture and tradition, and seek to identify maximum consensus on their application. In its work, it will be guided by the principles of the existing Agreements including parity of esteem. As the Commission’s work may touch on expressions of sovereignty and identity, it may consult the UK and Irish Governments.

Next steps: The advertisement and information pack to enable the recruitment of the eight non-political members of the Commission will be placed by OFMDFM in December 2015. Details of the Commission’s work programme, the job description, a person specification, remuneration rate, terms of appointment and expected time commitment are included at Appendix F1. Political nominations from the five largest parties will be invited during December. It is planned to have the Commission established by March 2016.

Parades

16. Based on the considerable level of agreement in the Party Leader Talks, earlier this year, the UK Government proposes that –
17. Powers to take responsibility for parades and related protests should, in principle, be devolved to the NI Assembly.

² Paragraph numbers in this section relate to the original Stormont House Agreement

SECTION “F”

18. The Office of Legislative Counsel, working in conjunction with OFMDFM, shall provide a range of options on how the remaining key issues which include the Code of Conduct, criteria and accountability could be addressed in legislation. OFMDFM shall bring forward proposals to the Executive by June 2015.

19. The legislation will focus on the rights and responsibilities of those involved in, or affected by, parades and related protests, with proper regard for fundamental rights protected by the ECHR. The aim will be to balance the competing rights of those involved, but also to recognise the responsibilities they owe to others. The system will have regard to the following:
 - a. regulation of parades and related protests should be based on the following approach: i) respect for the rule of law; ii) respect for those who parade; iii) respect for those who protest; and iv) respect for those who live and work in areas in which parades and protests take place;
 - b. encouraging and facilitating direct, meaningful and sustained local dialogue should be at the heart of any new regulatory system for parades and protests;
 - c. transparency, proportionality, openness and fairness; and
 - d. independent adjudication will remain a necessary part of the regulatory process, but should be a last resort.

20. There will be a full public consultation on any agreed legislation.

Next steps: A discussion paper is currently being prepared for the Executive. The paper will outline options in relation to the model and operation of the regulation of parades and related protests and the key outstanding issues of contention such as code of conduct, criteria and accountability.

OFMDFM will bring this paper forward to the Executive.

The Past (paragraphs 21-55 of the SHA)

The parties to this Agreement reaffirm their commitment to the full and fair implementation of the SHA provisions on the past.

A large measure of agreement has been found on the detail of many of the issues addressed by the SHA. Some of these remain a work in progress.

SECTION “F”

While progress has been made on most aspects of the legacy of the past, we have been unable to agree a way forward on some of the key issues.

There remains a need to resolve the outstanding issues and the UK Government and Irish Government will reflect on the options for a process to enable this.

Institutional Reform

The participants agree:

56. The number of Assembly members should be reduced to five members per constituency, or such other reduction as may be agreed, in time for the 2021 Assembly election, and the Assembly will legislate accordingly.

Next steps: A Bill to reduce the number of MLAs to five members per constituency will be introduced to the Assembly no later than the end of November 2015. The Bill will have effect from the first Assembly election after the May 2016 election. A copy of that draft Bill is attached at Appendix F2.

57. The threshold for Petitions of Concern should remain at 30 members.
58. Changes will be made to the operation of the Petition of Concern mechanism through a protocol agreed between the parties.

Next steps: A Protocol governing the use of the Petition of Concern mechanism in the Assembly will be referred to the Speaker within a month of the date of this Agreement. The protocol is attached at Appendix F3.

59. Arrangements will be put in place by the Assembly by March 2015 to enable those parties which would be entitled to ministerial positions in the Executive, but choose not to take them up, to be recognised as an official opposition and to facilitate their work. These measures will include:
- a. Provision for financial and research assistance (from within existing Assembly budgets keeping these changes cost neutral); and
 - b. Designated speaking rights including the opportunity to ask questions and table business sufficient to permit the parties to discharge their opposition duties.

SECTION “F”

Next steps: A Statement of Proposed Entitlements for an Official Opposition will be introduced as part of the arrangements to enable those parties entitled to Executive ministerial positions but choose not to do so, to be recognised as an official opposition. The Speaker will be asked to arrange for the amendments to Standing Orders and relative administrative procedures. These amendments will make no change to the process for selecting and appointing Chairs and deputy Chairs of Statutory and Standing Committees. The Statement of Proposed Entitlements is attached at Appendix F4.

60. A reduction in the number of departments from twelve to nine should be made in time for the 2016 Assembly election, with the new allocation of departmental functions to be agreed by the parties.

Next steps: A statement was made to the Assembly on 2 March 2015 which reported the decisions reached by the Executive on the names and functions of future departments. The Executive has since agreed the draft Departments Bill which will be introduced to the Assembly no later than the end of November 2015. There have been some amendments to the transfer of functions from OFMDFM and between departments. These will be reflected in the supporting Transfer of Functions Order which is currently being drafted. The functions of the nine departments are listed at Appendix F5.

61. After the Assembly meets following an election and before the FM-DFM are selected and the d’Hondt process runs, representatives of the parties who are entitled to take up places in the Executive and who confirm their intention to do so will meet to resolve the draft Programme for Government. Changes to Westminster legislation (as soon as time permits) could extend the time available from seven days to fourteen days. The draft Programme would, once the Executive was formed be passed to the Assembly for approval.

Next steps: A Programme for Government framework adopting a more outcomes-based approach will be developed. Initial workshops will take place during the autumn with a view to having the framework prepared by the end of April 2016.

The necessary changes to Westminster legislation will be brought forward as soon as there is a suitable legislative vehicle.

62. To promote greater efficiency in the conduct and discharge of Executive business, the following practice shall be observed in line with the Northern Ireland Act 1998:

a. Agenda circulated one day in advance of an Executive meeting;

SECTION “F”

- b. Inclusion of papers as substantive agenda items no later than the third meeting following initial circulation;
 - c. Areas for resolution to be recorded in the list of “Executive papers in circulation” against those papers still outstanding after the third meeting;
 - d. Any three Ministers should have the facility to request a meeting of the Executive and the First and deputy First Minister would normally convene within three days (subject to the timing of the next scheduled Executive meeting);
 - e. Any Minister would be entitled to have a matter put on the agenda under ‘Any other Business’;
 - f. Any three Ministers would be entitled to put a matter on the substantive agenda for discussion and decision; and
 - g. A protocol shall be developed to this effect.
63. Where a Minister intends to make a statement to the Assembly they should also make clear at the start of the statement whether the statement reflects an agreed Executive position.

Next steps: A protocol was agreed and introduced by the Executive on 5 March 2015.

64. A new process will be brought forward for a more transparent and robust system for Members’ salaries and expenses.

Next steps: Responsibility for the system of Members’ salaries and expenses rests with the Assembly. The Assembly Commission has concluded that the fundamental architecture is sound and is an independent and affordable mechanism for setting Members’ pay and allowances. Assembly officials are also considering mechanisms to ensure that the Independent Financial Review Panel has all the necessary information to enhance the robustness and transparency of decision-making.

65. The maximum consultation requirement on policy will be reduced from twelve weeks to eight.

Next steps: Following the May 2016 Assembly elections the maximum consultation requirement on policy will be eight weeks. Draft Guidelines on Good Practice in Public Consultation and Engagement are attached at Appendix F6.

SECTION “F”

66. The UK Government also stands ready to consider potential further areas of devolution and changes to intergovernmental machinery, which are under discussion elsewhere in the UK and likely to command broad support among parties in Northern Ireland.

Next steps: The UK Government will consider any such proposals put forward by the Executive.

Outstanding Commitments

The participants agree:

67. It is important that civic voices are heard and civic views are considered in relation to key social, cultural and economic issues. A new engagement model could be achieved, by June 2015, through the establishment of a compact civic advisory panel which would meet regularly to consider key social, cultural and economic issues and to advise the NI Executive. The Chair would be appointed by the OFMDFM. Every effort would be made to minimise the administrative costs of such a body.

Next steps: A panel of six people will be established by the Executive. It will be tasked by the Executive to consider specific strategic issues relevant to the Programme for Government and report to the Executive. It may also propose subjects that it wishes to consider and seek Executive agreement to do so. The Panel will seek the views of a wide range of representatives and stakeholders from civic society. Panel members, including the Chair will be identified and appointed by OFMDFM. Terms of Reference for the Compact Civic Advisory Panel are attached at Appendix F7.

68. The UK Government and the Irish Government, recalling commitments from previous Agreements, and recognising the importance of understanding, tolerance and respect in relation to linguistic diversity, endorse the need for respect for and recognition of the Irish language in Northern Ireland, consistent with the Council of Europe Charter on Regional or Minority Languages.
69. Noting that there is not at present consensus on a Bill of Rights, the parties commit to serving the people of Northern Ireland equally, and to act in accordance with the obligations on government to promote equality and respect and to prevent discrimination; to promote a culture of tolerance, mutual respect and mutual understanding at every level of society, including initiatives to facilitate and encourage shared and integrated education and housing, social inclusion, and in particular community development and the advancement of women in public life; and to promote the interests of the whole community towards the goals of

SECTION “F”

reconciliation and economic renewal.

70. On the St Andrews Agreement Review, the NSMC (meeting in Institutional format) will agree before the end of February 2015 a report on new sectoral priorities for North-South cooperation, identified during Ministerial discussions since November 2013. A report on new sectoral priorities will be a standing item for future meetings of the NSMC meeting in Institutional format.

Next steps: A report on new sectoral priorities is now a standing item on meetings of the North South Ministerial Council in Institutional format.

71. In early 2015, a meeting of relevant Ministers from North and South will take place in the North West to consider strategic approaches to the development of the region as envisaged in the North West Gateway Initiative. Further meetings may also take place.

Next steps: At the NSMC Institutional meeting on 25 February 2015 it was agreed that a meeting would take place to consider strategic approaches for the development of the North West region. The meeting date is to be confirmed.

72. The Northern Ireland Executive will ensure full implementation of the Together: Building a United Community strategy, and beyond that will commit to a continuing effort to eradicate sectarianism in all its forms.

Next steps: Existing delivery mechanisms are in place and work continues under the auspices of the Ministerial Panel and Programme Board. The Executive has allocated £10m for Together: Building a United Community initiatives and a further £3m for the United Youth Programme.

Review and Monitoring

73. The participants in the talks are very conscious that the integrity and credibility of this Agreement is dependent on its effective and expeditious implementation. Accordingly, progress in implementing the provisions of this Agreement must be actively reviewed and monitored.
74. Review meetings will include the Northern Ireland Executive party leaders as well as the UK Government and Irish Government, reflecting the three stranded approach. Such meetings will be supported by the Northern Ireland Civil Service and, as appropriate, officials of the UK and Irish Governments.
75. There will be quarterly meetings, convened by the UK Government and Irish

SECTION “F”

Government, with the first meeting before the end of January 2015 at which an implementation timetable will be agreed. Six-monthly updates on progress on the implementation of the Agreement will be published.

Next steps: Review meetings were held on 30 January 2015, 27 March 2015 and 25 June 2015. Stormont House Talks were convened on 8 September and this document reflects the progress made to date and further actions that will be undertaken.

SECTION “F”

LIST OF APPENDICES

These Appendices set out the Executive’s detailed proposals for specific aspects of implementation for which it is responsible.

Appendix F1: Advertisement and Information Pack for the Recruitment of the Eight Non-Political Members of the Commission on Flags, Identity, Culture and Tradition

Appendix F2: Assembly Members (Reductions of Numbers) Bill

Appendix F3: Draft Protocol on the Use of the Petition of Concern

Appendix F4: Statement of Proposed Entitlements for an Official Opposition

Appendix F5: Structure of the Nine New Departments

Appendix F6: Draft Guidelines on Good Practice in Public Consultation-Engagement

Appendix F7: Compact Civic Advisory Panel – Terms of Reference

SECTION “F”

Appendix F1

Advertisement and Information Pack for the Recruitment of the Eight
Non-Political Members of the Commission on Flags, Identity, Culture
and Tradition

SECTION “F”

COMMISSION ON FLAGS, IDENTITY, CULTURE AND TRADITION

Non-political Members - Commission on Flags, Identity, Culture and Tradition

LOCATION: Belfast with extensive domestic travel to engage with stakeholders across the community.

Are you interested in playing an important role in building a united and shared community?

The Stormont House Agreement (SHA) commits to establishing a Commission on Flags, Identity, Culture and Tradition, consisting of 15 individuals, which will report within 18 months of its being established. The establishment of the Commission marks another key milestone in embedding the peace that has been built up over more than a decade and presents a unique opportunity to take a fresh approach to dealing with the complexities of flags, identity, culture and tradition.

The five main Party Leaders wish to appoint 8 non-political members to the Commission on Flags, Identity, Culture and Tradition and invite expressions of interest from a range of sectors across the community. Sectors could include, but are not limited to: Academia, Community, Churches, Local Government, Business, Tourism, Trade Unions, Minority Ethnic Groups and Mediation. The remaining membership will be made up of political appointments. There will be an Independent Chair and Co-Chair which will be identified from the list of nominees.

There will be a commitment of 3 days (6 half days) per month with the expectation that a proportion of the Commission’s work will take place during evenings and weekends. Additional days may be agreed if necessary. Additional days may also be required for the Joint Chairs’ role. Remuneration will be a per diem rate of £300 plus travel and subsistence costs

For an application form and more detailed information, including the duties and responsibilities of membership, and the criteria to be used in the recruitment and selection process please contact [] at the address below.

The closing date for applications is [].

SECTION “F”

EXPRESSION OF INTEREST: MEMBER- CHAIR OF THE COMMISSION ON FLAGS, IDENTITY, CULTURE AND TRADITION

BACKGROUND

The SHA commits to establishing a Commission on Flags, Identity, Culture and Tradition, which will report within 18 months of its being established.

The commitments in the SHA seek to build on the progress that has been made across our society in tackling segregation and division. The Executive’s strategic framework for building good relations, Together: Building a United Community sets out a range of actions to promote sharing and address the structural divisions that exist in education, housing and areas of our community that live in the shadow of interface barriers.

The establishment of the Commission marks another key milestone in embedding the peace that has been built up over more than a decade and presents a unique opportunity to take a fresh approach to dealing with the complexities of flags, identity, culture and tradition – within the context of the Agreements.

THE COMMISSION

The Commission will be established as a forum of individuals to take forward a programme of work which will include:

- scoping the range, extent and nature of issues relating to flags, identity, culture and tradition;
- mapping the benefits and opportunities in terms of flags and related issues whilst also highlighting where challenges remain; and
- producing a report and recommendations on the way forward.

As part of its role the Commission will:

- identify and acknowledge the opportunities presented by having a rich diverse community in which cultural expression can be celebrated;
- consult with the established and new elements of our community;
- identify key areas of commonality as well as difference;
- consult with the UK and Irish Governments as appropriate, should its work touch on the expression of sovereignty, national identity and political allegiance in a divided society; and
- encourage shared learning, active listening and understanding in a meaningful way across traditional boundaries.

SECTION “F”

It will also examine and seek to co-design with all sections of our community innovative solutions to address:

- the divisive nature of displays and expression of identity;
- specific contentious instances-events;
- sources of conflict which arise in displays and expression of cultural identity and in some cases sovereignty, national identity and allegiance and which compound the reality of living in a contested society;
- an agreed protocol around public flag displays; and
- displays and expressions of identity, or objection to such displays and expressions being used to provoke.

Being part of the Commission will allow the opportunity to contribute to a number of shared outcomes:

- the development of a Community where cultural expression is celebrated and embraced;
- the development of an open, tolerant and mutually respectful society, which seeks to increase and deepen understanding of differing cultural identities and expressions of these;
- the development of a shared identity that relies on its mutual interdependencies and seeks to identify areas of common value;
- an improved approach to dealing with contested displays and expressions of identity ;
- maximise opportunities to achieve significant reductions in manifestations and levels of Hate Crime;
- the development of a society that can seek to identify areas of commonality and have constructive debate around where challenges remain; and
- maximise opportunities to promote benefits of diversity and cultural expression.

ROLES

As outlined in the SHA the Commission will consist of 15 members. Seven members will be nominees appointed by the leaders of the political parties and eight will be drawn from outside of Government.

There will be 13 members, a Chair and a Co-Chair. The Chair and Co-Chair are likely to be selected from the non political nominees. Applicants should indicate in their application whether they would be interested in taking up the role of Joint Chair.

Initially, the Secretariat to support the Commission will be provided from within the Good Relations and Financial Governance Division in OFMDFM. This and the Governance arrangements will be kept under review.

SECTION “F”

APPOINTMENT INFORMATION

Members will be required for three days-six half days per month (inclusive of evenings and weekends) with the scope for additional time to be agreed if necessary. Additional time may be required for the posts of Chair and Co-Chair.

Remuneration will be on a per diem rate plus travel and expenses costs.

There will be a requirement to travel extensively across NI in order to engage with as broad a range of stakeholders as possible although the meetings of the Commission are likely to be held within the Greater Belfast area.

The term of the appointment will initially be [18 months] in line with the commitment made in the Stormont House Agreement.

Remuneration

It is expected that the Commission on Flags, Identity, Culture and Tradition will carry out a significant programme of work over the lifetime of its existence – consisting of work at both evenings and weekends. The remuneration arrangements proposed for candidates reflect the considerable investment of time and commitment expected from applicants as envisaged by the Stormont House Implementation Group.

JOB DESCRIPTION

Members will be required to:

- apply personal expertise in contributing to the work of the Commission;
- take part in intensive and continuous stakeholder engagement. These will be through conferences, seminars, workshops and smaller scale meetings;
- fully participate in Commission meetings which are likely to take place once a month;
- participate in conducting a literature review of research studies that have been carried out on the issues around flags, identity, culture and tradition;
- jointly with the other members, identify gaps in knowledge- information that should be filled in order to build up a more complete and representative picture;
- scope out the range of work already being undertaken in terms of addressing flags and related issues – engaging with best practice at both Local Government and community level;
- examine all regional variations in practice and experience;
- contribute to the completion of the report and recommendations that suggest ways of dealing with challenges in a practicable and deliverable way; and
- contribute to a mid-term review after a period of 6-9 months.

SECTION “F”

PERSON SPECIFICATION

Candidates should demonstrate by example, experience and competence in all the following areas:

Knowledge and Expertise in the area of Flags, Identity, Culture and Tradition

You should be able to display, with examples, knowledge and awareness of the issues around the areas of flags, identity, culture and tradition. This may have been gained, for example, through public, political, community or professional work; experience in business or Trade Unions; work in the faith sector or the voluntary sector or from personal experience. You should be able to display an understanding of the objectives of the Commission and its purposes.

Judgment and Creative Thinking

You should demonstrate an ability to tackle and resolve difficult and complex practical problems or challenges. You should be able to show that you can analyse problems, take on board complex information and show how you came to a decision. You should also be able to demonstrate a capacity to understand difficult problems and suggest unexpected or creative solutions which resolved an apparently difficult dilemma.

Strategic Thinking and Planning

You should show both that you understand the context of the work of the Commission and that you can make a personal contribution to setting the objectives by which its vision can be achieved. Candidates should show that they are willing to approach the challenges faced by the Commission in an open minded and achievable way in the interests of all. You should demonstrate how, in your own professional or voluntary commitments, you have contributed to planning the future focus and direction of that group or team.

Experience of Stakeholder Engagement

You should demonstrate a commitment to engaging with a wide range of stakeholders across our community in a sensitive way. You should be able to demonstrate how you would communicate in a range of ways and engage in two-way conversations with individuals, groups and organisations across our society, recognising the importance of active listening within this context.

Team work

You should demonstrate experience of working effectively and impartially in reaching consensus and a commitment to collective responsibility. You should show you can work as part of a diverse team for the benefit of everyone across our community.

SECTION “F”

RECRUITMENT PROCESS AND INDICATIVE TIMETABLE

The closing date for applications is []. A paper sift will be undertaken and those candidates who are deemed to have met the experience and competence required will be invited to meet with the Stormont House Implementation Group.

SECTION "F"

Appendix F2

Assembly Members (Reductions of Numbers) Bill

SECTION "F"

**Assembly Members (Reduction of Numbers)
Bill**

CONTENTS

1. Reduction of number of members returned for each constituency [j1]
2. Short title [j3]

SECTION “F”

Assembly Members (Reduction of Numbers)

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TO

Reduce the number of members of the Assembly returned for each constituency.

B E IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Reduction of number of members returned for each constituency [j1]

1.—(1) In section 33(2) of the Northern Ireland Act 1998 (numbers of members returned for each constituency), for “six” substitute “five”.

(2) The amendment made by subsection (1) does not have effect until the first
5 Assembly election after the next Assembly election.

(3) In subsection (2) “Assembly election” means an election under section 31 or 32 of the Northern Ireland Act 1998 (whichever occurs first).

Short title [j3]

2. This Act may be cited as the Assembly Members (Reduction of Numbers) Act
10 (Northern Ireland) 2015.

SECTION “F”

Appendix F3

Protocol on the Use of the Petition of Concern

SECTION “F”

PROTOCOL ON THE USE OF THE PETITION OF CONCERN

1. This document sets out the terms of a protocol governing the use of the Petition of Concern mechanism in the NI Assembly, which has been agreed by the undersigned parties.
2. We recognise that this Protocol does not remove or mitigate the statutory entitlement conferred on Members of the Legislative Assembly in relation to petitioning the Assembly, but agree that it will only fulfil its intended purpose if adhered to by all signatory parties and operated in the spirit intended.
3. While the signatory parties acknowledge the voluntary nature of their commitment, they will honour their obligations under this protocol in good faith at all times.
4. The signatory parties have agreed to the following principles which will apply to their use of the Petition of Concern mechanism:
 - (i) that Petitions of Concern should only be tabled in exceptional circumstances;
 - (ii) that in order to minimise the incidence of the use of Petitions of Concern, Private Members’ motions tabled by members of the signatory parties should be so phrased that they do not bind the Assembly or the Executive by requiring a vote upon the matter under consideration;
 - (iii) to this end such business should be conducted in the form of ‘take note’ debates;
 - (iv) in cases where a tabled Private Members’ motion does not comply with the conditions set out at provisions outlined within paragraph 4(ii), other signatory parties will be permitted under the terms of this protocol to table a Petition of Concern on the matter under discussion;
 - (v) where a Petition of Concern is tabled, this should state the ground or grounds upon which it is being tabled and the nature of the detriment which is perceived as arising from an affirmative vote on the matter; and
 - (vi) the provisions of section 13(3) of the Northern Ireland Act 1998 and of paragraph 60 of Assembly Standing Orders relating to the referral of Bills to the Ad Hoc Committee on Conformity with Equality Requirements will continue to apply.

SECTION “F”

Appendix F4

Statement of Proposed Entitlements for an Official Opposition

SECTION “F”

STATEMENT OF PROPOSED ENTITLEMENTS FOR AN OFFICIAL OPPOSITION

- (i) Those parties which would be entitled to ministerial positions in the Executive but choose not to take them up, to be recognised as an official opposition. Those parties which choose to go into opposition should elect to do so at the time they decline the offer of a ministerial position in the Executive when d’Hondt is run.
- (ii) Provisions for an official opposition to be put in place by administrative, or other, means not requiring primary legislation. Parties noted that giving the provisions a legislative footing would require Westminster legislation as the issue was an excepted matter.
- (iii) No formal titles are to be conferred upon individual members, including leaders of parties, within the official opposition. It is acknowledged that titles may come to be conferred informally on such office holders through custom and practice.
- (iv) Provision should be made for cost neutral financial and research assistance for opposition parties, either through the Financial Assistance to Political Parties Scheme (FAPP), or a ring-fencing of Assembly research facilities.
- (v) Official opposition should have enhanced speaking rights during plenary business, and these should comprise the following:
 - (a) **Question Time**
The first supplementary question after the tabling Member for the first 3 listed Oral Questions to each Minister.
The first Topical Question to each Minister to be allocated outside the ballot.
The first supplementary after the tabling Member for a Question for Urgent Oral Answer.
 - (b) **Executive Business - Budget and PfG debates**
The first contributor following the Minister to Budget and PfG debates.
 - (c) **Executive Business - Legislation**
The first contributor following the relevant Statutory Committee Chairperson in Executive Bill debates; subordinate legislation motions; and legislative consent motions.
 - (d) **Ministerial Statements**
The first question to the Minister following an oral statement.
 - (e) **Matters of the Day**
The first contributor after the tabling Member to a Matter of the Day.

SECTION "F"

(f) Opposition Debates

The frequency of opposition debates to be determined by the Speaker in consultation with the Business Committee.

- (vi) Should the official opposition comprise more than one party the apportionment of speaking rights amongst parties will be determined by such parties themselves on the basis of party strength, in a manner similar to the allocation of Private Members' Business by the Business Committee.

SECTION “F”

Appendix F5

Structure of the Nine New Departments

SECTION “F”

NINE DEPARTMENTAL MODEL

The number of NICS departments will reduce from twelve to nine. The functions of the nine new departments will be:

Agriculture, Environment & Rural Development

- **DARD** (less Rivers Agency) plus
- Environmental functions from DOE including regulation and excluding ‘Built Heritage’ from NIEA
- Inland fisheries from DCAL
- Policy responsibility for Sustainable Strategy

Infrastructure

- **DRD** plus
- Vehicle regulation, road safety & DVA functions from DOE
- Strategic planning from DOE
- Rivers Agency from DARD
- Inland waterways from DCAL
- Crumlin Road Gaol Programme-Project management from OFMDFM
- Regeneration Sites Team including responsibility for ex-MOD sites at St Patrick’s Barracks and St Lucia from OFMDFM

Economy

- **DETI** plus
- DEL functions except Employment Service

Education

- **DE** plus
- A range of children’s services excluding child protection which remains in DHSSPS
- Policy responsibility for Childcare Strategy from OFMDFM

Finance

- **DFP** remains unchanged
- NI Direct Central Editorial Team from OFMDFM
- Government Advertising Unit from OFMDFM

SECTION “F”

Health

- **DHSSPS**
- Northern Ireland Fire and Rescue Service to be retained

Justice

- **DOJ** plus
- Planning Appeals Commission and Water Appeals Commission administrative support from OFMDFM

The Executive Office

OFMDFM Plus:

- Strategic Policy and Innovation Unit

OFMDFM less:

- Policy responsibility for Sustainability Strategy
- Management of Social Investment Fund
- Racial Equality – delivery of grants Programme management and monitoring responsibility for Minority Ethnic Development Fund
- Delivery of grants for Good Relations
- Policy responsibility for Older People, Active Aging Strategy. Sponsor Branch for Older People with exception of appointment of Commissioner
- Policy responsibility within the Executive Office for Disability Strategy and Child Poverty. Co-ordinating work across departments
- Policy responsibility for Childcare Strategy
- Policy responsibility for Children and Young People. Sponsor Branch for Commissioner for Children and Young People with the exception of the appointment of the Commissioner
- Policy responsibility for Gender and Sexual Orientation
- Responsibility for Age Discrimination under Regulation 37 of the Employment Equality (Age) Regulations (NI) 2006
- Crumlin Road Gaol Programme - Project Management
- North West Sites and Strategy Team
- Regeneration Sites Team including responsibility for ex-MOD sites at St. Patrick’s Barracks and St. Lucia
- Planning Appeals Commission and Water Appeals Commission administrative support
- NI Direct Central Editorial Team

SECTION “F”

- Government Advertising Unit

Communities

- DSD plus
- DCAL functions including PRONI and excluding inland fisheries & waterways
- Employment Service from DEL
- Local Government from DOE including ‘Built Heritage’ from NIEA
- Functions from OFMDFM:
 - Management of the Social Investment Fund
 - Programme management and monitoring responsibility for Minority Ethnic Development Fund
 - Policy responsibility for Older People, Active Aging Strategy. Sponsor branch for Commissioner for Older People with the exception of the appointment of the Commissioner
 - Policy responsibility for Disability Strategy and Child Poverty and co-ordinating work across departments
 - Policy responsibility for Children and Young People. Sponsor branch for Commissioner for Children and Young People with the exception of the appointment of the Commissioner
 - Policy responsibility for gender and sexual orientation
 - North West Sites and Strategy Team
- Debt advice from DETI
- Financial Capability Strategy from DETI
- Economic Inactivity Strategy from DEL

If a related function moves to a new department the associated Arms Length Body will move to the new department. The necessary amendments will be made to the Transfer of Functions Order and the Departments Bill will be introduced into the Assembly in November 2015. Any amendments to the responsibilities of Arms Length Bodies will be provided subsequently.

SECTION “F”

Appendix F6

Draft Guidelines on Good Practice in Public Consultation-
Engagement

SECTION “F”

DRAFT GUIDELINES ON GOOD PRACTICE IN PUBLIC CONSULTATION- ENGAGEMENT

1. The objective of public consultation and-or stakeholder engagement in the development of policy proposals is threefold:
 - (i) to enhance decision-making by ensuring all voices are heard and all relevant data is considered;
 - (ii) to improve the acceptability of decisions reached by showing how opinions received have shaped the outcome and demonstrating inputs were taken seriously even in cases where they were not incorporated in the final policy outcome;
 - (iii) to build capacity both internally in terms of relationships with interested parties and externally in enabling stakeholders to understand how best to influence policy, political and decision-making processes.

2. The attached paper sets out 8 key steps in ensuring an effective consultation process regardless of the duration of the formal period in which to receive feedback. While the statutory and basic requirements of consultation are normally met, there remains significant concern about how government engages with complaints about ‘consultation fatigue’ as a result of many emailed documents with set times for response. It is important to recognise that stakeholder engagement is much wider than public consultation:

Public consultation is the formal stage of seeking views on proposed policies. Whereas stakeholder engagement includes the latter, but also encompasses the longer-term continuous process of engagement, whereby stakeholders feel involved in the development process; and relationships are built and maintained though to implementation, evaluation and beyond.

3. The steps outlined in the attached should enable the Executive to meet its twin objectives of reduced time to implement policy proposals and better quality of engagement to shape outcomes through meaningful dialogue with all interests.

SECTION “F”

EIGHT STEPS TO GOOD PRACTICE IN PUBLIC CONSULTATION - ENGAGEMENT

1. Preparation: early and continuous engagement - pre consultation

Early consideration of the issues through a dialogue with stakeholders prior to policy decisions being more formally considered. Ask yourself:

- what are the issues and how is Northern Ireland impacted? Do you know who your stakeholders are? Who is interested / affected in the very widest sense? How will you reach them all? Consider community outreach, media partners and social media; be innovative. Use local knowledge / amenities – schools, youth clubs, community hubs as well as business sector groups;
- how can government be as open and accessible as possible? and
- how can government ensure that all stakeholders input in a meaningful way to the policy development process from an early stage?

2. Consider the timing, duration & cost

This is about ensuring that engagement and consultation is meaningful, both to policymakers and consultees:

- provide advance notice, through targeted advertising, digital communications etc. which provides opportunity for stakeholders to consider the issue in advance of engagement, potentially reducing the time needed for formal consultation;
- avoid holiday periods where possible;
- remember any statutory requirements (S75 & Sch 9 of the N.I. Act 1998);
- what constitutes best value for money in reaching your audience? and
- the same approach to engagement will not be appropriate for all issues.

4. Be clear on the scope and impact

- Think about how you can motivate people to engage;
- manage stakeholders’ expectations – they often want to engage, but need to be assured that they can be heard. Need to be clear about what is and what is not within the scope of considerations, what consultees can and cannot influence; and
- demonstrate the impact of inputs received as the policy develops.

SECTION “F”

5. Consider methods of engagement³/ consultation

- Consultation doesn't always have to be a written process – the target audience must be taken into account; as must the policy under consideration. Public and specific interest group meetings, smaller face to face interviews, questionnaires, teleconferences, digital media events are all useful methods. Ask yourself:
 - who are you seeking to engage / consult with?
 - what do you-they hope or expect to get out of such consultation?
 - what is the most appropriate method of engagement?
 - would an independent facilitator help with the engagement process? and
 - which channels will reach your target audience e.g. social media for young people?

6. Be conscious of the burden on stakeholders

- Many statutory consultees may be small organisations, often inundated with multiple consultations at once;
- plan to mitigate that potential burden well in advance;
- provide your consultees / stakeholders with sufficient notice of your intended consultation. If your continuous engagement processes are working, they should already be well aware; and
- recognise there may be occasions where consultees want confidentiality.

7. Feedback-Feed-forward

- Government must be seen to give due weight to consultation responses;
- keep your stakeholders informed throughout the process. Nothing should be a surprise or present an opportunity for legal challenge;
- analysis must take place and be published giving reasons and justification for the final policy decision; and
- the dialogue needs to be two-way. Decision-makers must have the information required to allow them to develop informed policy responses.

8. Share best practice

- Evaluate your consultation / engagement process.
- What worked? What did not work? How can it be improved?

³ Consultation and engagement can include formal or informal conversations, engagement through social media, formal task and finish processes, innovation labs, co-design and co-production; as well as the more usual written consultation papers and formal written responses or questionnaires.

SECTION “F”

9. Implementation

- Have you implemented your policy successfully?
- Is it understood and supported by your stakeholders?
- Is there an ongoing engagement with all, including those less supportive?

SECTION “F”

Appendix F7

Compact Civic Advisory Panel – Terms of Reference

SECTION “F”

COMPACT CIVIC ADVISORY PANEL: TERMS OF REFERENCE

The Compact Civic Advisory Panel will be tasked by the Executive to proactively engage with civic society to develop strategic thinking, strategies and plans on issues that will help shape Northern Ireland’s future. It will do this by looking beyond immediate horizons to some of the challenges and opportunities to be faced in the future.

The Panel will look at issues identified by the Executive or proposed by the Panel and agreed with the Executive. Its modus operandi will be research and proactive engagement with a wide range of stakeholders and civic representatives who have interests and expertise in the subject area.

On completion of its work on a particular subject the Panel will prepare and submit a report to the Executive that will include a number of recommendations. It will be assisted in this task by a secondee from the NICS who will act as Secretariat to the Panel.

It is anticipated that the Panel will consider two issues per year.