

6. Current Issues

6.1 Equality Directorate

Community Relations

- 6.1.1 A review of Community Relations Policy led by Dr Jeremy Harbison, is on course for completion by November/December. An Executive discussion on the Review is planned for November. The work of the North Belfast inter-departmental liaison group and Senior Liaison Official is ongoing. A report will be made to the Executive in November. Final preparations are being made for the implementation of the 'Reconciliation for Sustainable Peace' measure of the European Peace II Programme.

Commissioner for Children

- 6.1.2 Consultation on the proposal for a Commissioner for Children will end on 9 November. Policy and legislative proposals will be finalised as soon as possible thereafter, with a view to introducing legislation to the Assembly by January.

Human Rights

- 6.1.3 Work is ongoing to co-ordinate advice from Departments on the consultation document on a Bill of Rights produced by the Human Rights Commission. The closing date for responses is 1 December 2001.

Victims

- 6.1.4 Development of a Victims' Strategy: Around 1800 copies of a consultation paper have been issued since 7 August to a wide range of interested parties. The consultation period ends on 9 November and a summary of responses will be issued to all those who reply. It is anticipated that the cross-departmental strategy which will cover the period up to 2004 will be developed and in place around the end of this year.

Peace II

- 6.1.5 There will be a specific victim's measure, administered by an Intermediary Funding Body, totalling approximately £6.67m, £1.67m of which is contributed by the Executive. The application form is being finalised and it is anticipated that a call for applications will be made in the next 2 weeks.

Single Equality Bill

- 6.1.6 A submission will be brought forward very shortly on the proposed way forward on the Bill. This will require Executive approval. Once this has been agreed, papers will be brought forward over the next 2/3 months seeking policy decisions on issues arising in the Bill.

Executive Response to Disability Rights Task Force recommendations.

- 6.1.7 The Executive's response is currently out to consultation which will close on 14 December. It is proposed to include some of the legislative amendments in the Equality Bill. Decisions from Ministers will be sought on the issues arising from the consultation.

Gender Policy and Strategy

- 6.1.8 A series of pre consultation interviews with key community and voluntary groups to determine the issues effecting the sector and what they would like to see included in the new policy is currently underway. It is anticipated the document will be issued for public consultation in March 2002.

Mainstreaming Equality -An Outline Guide for European Union Structural Funds:

- 6.1.9 It is planned to publish this document within the next few weeks. It will provide an overview of the EU approach to Gender Mainstreaming as well as guidance on the selection and presentation of projects proposed for support from EU Structural Funds. It will also support and assist with the implementation of the Balanced Interpretation/Equal Opportunities Horizontal Principles which apply to the PEACE11 and Building Sustainable Prosperity Programmes. The document will provide guidance for equality mainstreaming in relation to Section 75 of the Northern Ireland Act (1998).

New TSN

6.1.10 Ministers, through the Programme for Government, are committed to "implement New TSN Action Plans, updating them in 2001 and 2002, and publishing Annual Reports on progress". Arrangements are now well advanced for the publication of the New TSN Annual Report which summarises progress on New TSN across the Administration and is due to be published in November. All Northern Ireland Departments and the Northern Ireland Office are publishing their own progress reports and revised New TSN Action Plans to coincide with the publication of the New TSN Annual Report.

Promoting Social Inclusion (PSI)

6.1.11 PSI Working Group Report on Travellers: A consultation exercise of the recommendation outlined in this report closed at the end of August. Departments are actively considering responses with the aim of publishing a strategic response by March 2002 (PfG commitment).

6.1.12 PSI Working Group on Ethnic Minorities: Arising from the work of this Group, a cross-departmental Race policy is currently being developed. A number of recommendations made by the Group have already been put in place including the establishment of a Race Equality Branch within OFMDFM and the creation of a funding scheme for minority ethnic voluntary organisations.

6.1.13 Consultation on future PSI priorities: A consultation exercise on future issues to be addressed as part of PSI, ended on 31 August 2001. A report for the Executive setting out the points raised and highlighting potential future priorities which are within the remit of the devolved administration, is being prepared. It is planned that the Executive will consider the report and announce new priorities in November 2001.

Section 75 of the Northern Ireland Act 1998

6.1.14 A draft "Guide to consultation methods for Northern Ireland public authorities" is due to go out for formal consultation next week. The consultation period will last until February 2002 to allow for the Christmas holidays.

6.2 Executive and Corporate Services Directorate

Appointments to Public Bodies in Northern Ireland

6.2.1 The current arrangements for making appointments to public bodies in Northern Ireland were designed prior to devolution. The issues that need to be addressed in considering the future approach to public appointments are set out in papers of the 31 May 2001 and the 13 August 2001.

6.2.2 It has been recommended to the First Minister and Deputy First Minister that proposals are put to the Executive for a consultation paper based on the issues identified.

Emergency Planning

6.2.3 Since events of 11 September in the USA the Central Emergency Planning Unit (CEPU) has been monitoring the situation closely to ensure that any actions taken in Northern Ireland mirror those being taken in the rest of the UK. CEPU has asked NI Departments and infrastructure providers to revisit their emergency planning arrangements, including those relating to IT systems and processes to ensure that they are robust, up to date and can cater for the widest range of possibilities so that services could be delivered as normal should the need arise.

6.3 North/South Ministerial Council Secretariat

6.3.1 The Joint Secretariat is currently developing a schedule of NSMC Sectoral meetings for the coming six months. Work is also underway in relation to arranging NSMC meetings in Plenary and Institutional Formats. Specific plans are in place for NSMC meetings in the Tourism, Health/Food Safety, Waterways and Language Sectors before the end of November.

6.3.2 Work is underway to finalise the consultants' report on the Study of Obstacles to Mobility that was commissioned following a decision by NSMC meeting in Plenary Format in September 2000. The Steering Group of officials established to oversee the study will report to the NSMC Plenary.

6.3.3 The NSMC Annual Report, which covers the work of NSMC in calendar year 2000, will be put to an early meeting of NSMC.

6.4 Executive Information Service

Corporate Identity

6.4.1 Up to now a real sense of corporacy has been lacking in the activities of the Executive. That must be remedied if the public is really to believe that the Executive is "working together" and "making a difference". Accordingly, it would be extremely valuable if the Executive could endorse the proposed corporate identity at the meeting proposed in the week beginning 12 November. Much work has already been done on this project and the Ministerial Sub-Group, comprising Messrs McGuinness, McGimpsey and Dr Farren, have given their approval to the presentation being made to the First Minister and Deputy First Minister and then to the full Executive.

6.4.2 If the new identity can be signed off as soon as possible there will be clear presentational benefits in relation to events after Christmas such as the official openings of the Brussels and Washington offices. These events will allow us to use our new corporate identity to push home our message on the international stage. There is also a strong argument for having an advertising campaign at home, based on the new corporate identity, to get across what the Executive is doing for its citizens and the new government brand. This will be essential in raising public awareness and acceptance of the value of the new political structures in Northern Ireland.

6.5 Economic Policy and Public Service Directorate

Programme for Government

- 6.5.1 Following consultation and an Assembly debate on 12/13 November, a new draft of the PfG needs to be discussed by the Executive on 26 November, prior to seeking approval from the Assembly in early December.

Draft Budget

- 6.5.2 In parallel with PfG, DFP will be preparing the draft Budget for Executive, and finally Assembly, consideration, and EPU will be working closely with this exercise.

Executive Programme Funds

- 6.5.3 EPU and DFP have put forward a joint paper to DFP and OFMDFM Ministers on the autumn tranche of the EPFs. Officials from both departments feel that there is a need for a more strategic approach to the development of proposals under these funds, which could link to any possible initiative to establish sub-committees of the Executive.

Civil Service Numbers

- 6.5.4 EPU has been developing work on the rise in Civil Service numbers since devolution, and the issue of whether control systems may be appropriate needs to be discussed with DFP.

Impact of 11 September 2001

- 6.5.5 EPU is preparing a paper on the economic impact of 11 September, linked to the issue of contingency planning in the Northern Ireland Civil Service. It is proposed that this paper should go to an early meeting of the Executive.

Review of Public Administration

- 6.5.6 A paper is being prepared for OFMDFM Ministers to send to the Executive, suggesting how the RPA could be taken forward in the coming months. It is suggested that this could be a useful early initiative of the Executive, and urgent action is needed if the target of launching the review in Spring 2002 is to be achieved.

Preparation for Spending Review

- 6.5.7 EPU will be working in close conjunction with DFP as papers are prepared for the Executive on its approach to the forthcoming Spending Review. This will seek to draw on the analysis of Needs, which has been taking place in recent months, and will seek to give Ministers a view on how they might approach the new Spending Review.

Needs and Effectiveness Review

- 6.5.8 In addition to the work carried out on Needs, work continues on the effectiveness reviews on key expenditure areas. This will include work to be done on the situation in DCAL, seeking to give an overview of its aims and objectives and issues of expenditure.

Freedom of Information

- 6.5.9 Proposals for the handling of freedom of information legislation and its implementation will be coming forward to the Executive in the coming weeks. Decisions will need to be made on handling prior to an announcement to be made by the Lord Chancellor on 27 November.

EU Policy

- 6.5.10 The EU Policy Group, chaired by Mr Haughey and Mr Nesbitt, is preparing a paper on the Executive's overall policy in relation to the EU. This paper should come forward to the Executive by December, and will fit in with the review of EU policy which is being undertaken by the Committee of the Centre.

Opening of Brussels Office

6.5.11 The proposed opening of the Brussels office in September had to be postponed. As soon as possible a date needs to be set for the opening, and preparations made. The advice from Sir Nigel Sheinwald is strongly of the view that January 2002 would be a more appropriate date, since December, at the end of the current Presidency, will be too busy in the Brussels calendar.

Review of Independent Economic Advice

6.5.12 This Review, which in particular is examining the role institutions such as the Northern Ireland Economic Council and the Northern Ireland Economic Research Centre play in providing independent economic advice to the Executive, will be coming to OFMDFM Ministers for decision prior to discussion with the Executive, the organisations, DETI and the Committee of the Centre. OFMDFM Ministers have already given their initial views, and work is being carried out on what a possible unified body might cover. Papers should be ready for Ministers later in November.

PPP Review

6.5.13 EPU and DFP are working together on a joint review of PPP, in line with the PfG commitment. DFP and OFMDFM Ministers have already launched the review, and work will continue in the coming months. At present the ICTU has not indicated whether it will join the review body.

Service Delivery Agreements

6.5.14 Work will continue with Departments through to January 2002 on the development of Service Delivery Agreements. These are related to the Public Service Agreements which will be in the PfG and PSA, but these will go into greater detail as to how Departments are to deliver on their PfG and PSA commitments.

6.6 Legal Services Related to the Institutions

6.6.1 Resisting the challenge by DUP Ministers to the withholding of Executive papers by the First Minister and Deputy First Minister.

6.6.2 Providing legal input as appropriate to the current issues of OFMFD.

(i) Executive meetings to focus on political and long-term issues and address strategic policy issues (paragraphs 7.2 – 7.4)

(ii) Issues for early consideration (Annex A)

(iii) Weekly or fortnightly Executive meetings (paragraph 7.3)

Assembly

(iv) Oral Questions on 12 November, PM on 12/13 November (paragraph 6)

(v) Relations with the Committee of the Centre (paragraph 7.6)

(vi) Single Equality and Children's Commissioner Bills (paragraph 7.7)

BIC and NSMC

(vii) Early BIC plenary (paragraph 7.3); early NSMC plenary, institutional meetings (paragraph 7.14)

(viii) BIC Secretariat arrangements (paragraph 7.9)

(ix) Agree 6-month schedule of NSMC sectoral meetings (paragraph 7.13)

(x) Agree Agenda, papers, etc. for NSMC and BIC meetings (paragraphs 7.8, 7.11, 7.12)

7. Urgent Business Related to the Institutions

7.1 The following issues will require early consideration.

Executive

- (i) Executive meetings to focus on political and long-term issues and address strategic policy issues (paragraphs 7.2 – 7.4)
- (ii) Issues for early consideration (Annex A)
- (iii) Weekly or fortnightly Executive meetings (paragraph 7.3)

Assembly

- (iv) Oral Questions on 12 November; PfG on 12/13 November (paragraph 5)
- (v) Relations with the Committee of the Centre (paragraph 7.6)
- (vi) Single Equality and Children's Commissioner Bills (paragraph 7.7)

BIC and NSMC

- (vii) Early BIC plenary (paragraph 7.8); early NSMC plenary, institutional meetings (paragraph 7.14)
- (viii) BIC Secretariat arrangements (paragraph 7.9)
- (ix) Agree 6-month schedule of NSMC sectoral meetings (paragraph 7.13)
- (x) Agree Agenda, papers, etc, for NSMC and BIC meetings (paragraphs 7.8, 7.11, 7.12)

Civic Forum

- (xi) Civic Forum support; review; status (paragraph 7.16)

The Executive

- 7.2. Executive business has so far fallen into 2 broad categories, (i) Departmental business; and (ii) more political and long-term issues which engage Ministers collectively as members of the Executive as well as in relation to their Departmental portfolios. In addition, the Executive has noted on a number of occasions that it has not yet begun to focus on and address fundamental and major policy issues in a strategic manner and there is a role for Executive involvement on an ongoing basis in major policy consultation issues, such as the Burns Report.
- 7.3. It is proposed that, at an early stage, an effort should be made to move to a situation where Executive meetings focus mainly on the latter types of issue, with the main Departmental issues being dealt with at meetings as "items for agreement without discussion" or through written procedure. The role of the Ministerial Representatives' Committee would be important as a forum for identifying and resolving issues. Annex A contains an annotated list of issues which will require early consideration by the Executive. A decision also needs to be taken on whether Executive meetings are scheduled on a weekly or fortnightly basis.
- 7.4. If Executive meetings were focussed in this way, the Press Releases and Press Conferences following meetings and the Executive's Business Programme in the Assembly would have a higher profile than in the past and the collectivity of the Executive would be underlined and emphasised.

The Assembly

- 7.5 The First Minister and Deputy First Minister are scheduled to answer oral Assembly questions on Monday 12 November. They are also scheduled to make the Programme for Government statement on 12 November, with the debate taking place on Tuesday 13 November.
- 7.6 Consideration should be given to improving relations between the Department and the Committee of the Centre.
- 7.7 Progress on legislation generally is an issue for Executive consideration, see Annex A. OFMDFM, in particular, may need to take action to progress the Single Equality and Children's Commissioner Bills.

British-Irish Council

- 7.8 The agenda, arrangements and papers for the second BIC plenary meeting remain unchanged from those agreed for the plenary which was postponed due to Donald Dewar's death. The papers have been reviewed and updated by the BIC Secretariat which also stands ready to arrange an early plenary meeting in Dublin Castle.
- 7.9 Work in BIC at sectoral level, led by the various administrations, continues at a relatively slow pace with a number of officials' meetings having been held, but no Ministerial meetings scheduled in this regard, an outstanding issue from previous discussions concerning the adequacy of the "virtual" BIC Secretariat, based in London and Dublin, will need to be addressed.

North/South Ministerial Council

- 7.10 The Weston Park statement anticipated that early dates for an NSMC meeting and Education and Health and Food Safety sectoral meetings would be agreed within one month. It also provided that meetings and Ministerial attendance for NSMC meetings would be, as far as possible, agreed 6 months in advance.
- 7.11 The last NSMC plenary anticipated an institutional format meeting would be held before the next plenary. The agenda and papers for this meeting have yet to be agreed but are likely to include a review of the existing sectoral areas, including the difficulties with Irish Lights and Transport co-operation, and the possible extension of some of the areas for co-operation.
- 7.12 An early NSMC plenary meeting will also be held. Again, the agenda and papers have yet to be agreed, but will include the Obstacles to Mobility Study and the North/South Consultative Forum.
- 7.13 A schedule of NSMC meetings will also need to be taken forward, including, in particular, the Education and Health/Food Safety sectoral meetings.

Timing of NSMC and BIC Meetings

- 7.14 Precise dates for the various NSMC and BIC meetings will depend, in large measure, on the availability of the First and Deputy First Ministers, the Prime Minister (or Deputy Prime Minister) and the Taoiseach. It will be necessary to agree a schedule for all these meetings as an early priority.

British-Irish Intergovernmental Conference

- 7.15 There is unlikely to be pressure for an early meeting of the BIIGC.

7.16 A number of issues relating to the Civic Forum need to be picked up fairly rapidly. These include:

- the establishment of a separate services company to provide support for the Forum together with a robust financial Memorandum, to underline the Forum's independence from the Department while ensuring accountability;
- the review of the Forum required on foot of the report agreed by the Assembly in February 1999; and
- action to counter criticism from the Forum that the administration is not according it its proper status with the possibility that FM/DFM might address the next Forum plenary in early December in the context of the Programme for Government.

ISSUES FOR EARLY CONSIDERATION BY THE EXECUTIVE

Item	Issues
1. Ministerial Code and corporate identity	Review of Code including issues around collectivity/corporacy; decision re putting Code to Assembly for noting or endorsement
2. Assembly Business and Legislative Programme	Delays in Legislative Programme may mean that a number of major Bills will not be completed before the end of this Session; very little other Executive business is being scheduled in the Assembly
3. DUP Ministers and the Executive	Non-attendance of DUP Ministers at Executive meetings; DRD/DSD issues at the Executive; refusal to comply with Ministerial Code; possibility of legislation on sanctions
4. Transport co-operation in NSMC and BIC	Possible options: <ul style="list-style-type: none"> (i) continue as at present – effectively no progress; (ii) agree to lead on different areas in BIC and NSMC; (iii) seek working arrangement to allow DRD Minister to attend BIC and to authorise another Minister to attend NSMC meetings on the basis of support and co-operation from the Department (for example, a Junior Minister in OFMDFM might shadow Transport issues for NSMC); and (iv) legislate to impose sanctions
5. Review of Public Administration	Need to move forward urgently to avoid further public/political criticism

6. Community Relations, including North Belfast	Need for Executive to be seen to be addressing these issues proactively
7. Programme for Government/ Budget	Ongoing need for collective discussion and agreement
8. North/South Obstacles to Mobility Study	Need for agreement on way ahead following Consultants' report
9. North/South Consultative Forum	Agreement on way ahead following Working Group report
10. North/South Co-operation	Issues around Irish Lights, Transport and other areas of co-operation
[11. Executive role in Public Appointments]	
[12. Independent Advisory Committee on Business Appointments]	Possible NI-based Committee rather than using Westminster Committee
13. Identification of Strategic Policy Issues for Future Consideration	
14. Ongoing involvement in major or policy consultation issues	<u>For example:</u> Burns Report Health City of Culture Animal disease issues Economic issues, etc