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# DEPARTMENTAL STRUCTURES – A PAPER BY THE OFFICE OF THE FIRST AND DEPUTY FIRST MINISTERS (DESIGNATE)

## 1. Introduction

1.1 This paper draws together the main strands of the Parties' contributions to the First and Deputy First Ministers' initial round of consultations. Its purpose is to try to focus on the main themes that have emerged and to facilitate discussion on where there might be convergence and where there remains a clear difference of view.

1.2 It is in 4 parts:

- ◆ a reminder of the relevant provisions of the Bill giving legal effect to the Agreement and an illustration of the practical applications of the d'Hondt formula, depending on the number of Departments;
- ◆ issues relating to a central Department under the auspices of the First and Deputy First Ministers;
- ◆ a summary of Parties' views on Departmental structures; and
- ◆ issues arising from a possible wider review of public administration in Northern Ireland.

## 2. Provisions of the Bill

2.1 In line with the Agreement, the Bill provides for up to 10 Ministers and for their functions to be determined by the First and Deputy First Minister acting jointly, subject to approval by a resolution of the Assembly passed with cross-community support. Functions may include responsibilities as head of a Northern Ireland Department, but this is not an obligation. It will therefore be

possible for Ministers to be appointed to the Executive Committee without a Departmental portfolio. They may instead have some other specified responsibilities. This is touched on again below.

## 2.2 The Bill also provides:

- ◆ for the First and Deputy First Ministers to determine, subject to the approval of the Assembly, a procedure for the appointment, role, tenure and number of Junior Ministers; and
- ◆ for a central Department under the joint control and authority of the First and Deputy First Ministers

2.3 Again, these issues are touched on below. Meanwhile, it is worth noting that any proposed central Department would be exempt from the system of allocation of posts set out in the Bill (the d'Hondt procedure), which would otherwise operate as follows in distributing posts in an Executive Committee:

	UUP	SDLP	DUP	Sinn Fein
6 posts	2	2	1	1
7 posts	2	2	2	1
8 posts	2	2	2	2
9 posts	3	2	2	2
10 posts	3	3	2	2

## 3. A Central Department

3.1 A number of Parties have highlighted the need for a range of co-ordination functions to be brigaded at the centre of the new Administration – what some have referred to as the Department of the First and Deputy First Ministers.

3.2 Parties have pointed to the need to achieve the integration of all efforts of government in the achievement of strategic aims and objectives. Others have stressed that issues such as equality and personnel are so central to the work of the Assembly that they are best handled at the centre, of the administration by being designated as cross-Departmental functions.

3.3 Clearly there is a balance to be struck between on the one hand drawing to the centre of a range of functions that are suitable, appropriate and make sense and on the other cover-centralising functions and over-burdening the First and Deputy First Ministers.

3.4 By way of illustration some of the following functions have been suggested as suitable candidates for brigading at the centre:

- ◆ the Secretariat for the Executive Committee; ✓
- ◆ cross-Departmental co-ordination; ✓
- ◆ the Secretariat for North-South Ministerial Council; ✗
- ◆ liaison with the Secretariat of the British-Irish Council; ✓
- ◆ liaison with Secretary of State on reserved and excepted matters; ✓
- ◆ international relationships; ✓
- ◆ the co-ordination of the legislative programme; ✓
- ◆ a Policy Co-ordination and Innovation Unit; and ?
- ◆ Information Services. ✓

3.5 A range of others, for example EU issues, <sup>sep.</sup> finance and personnel, <sup>sep.</sup> equality, the consultative Civic Forum and consideration for victims could be added. The

Social Inclusion

First and Deputy First Ministers would wish to explore further with Party representatives:

- ◆ the optimum range of roles and functions that should be drawn to the centre of the administration under the auspices of the First and Deputy First Ministers;
- ◆ what functions should be added to or subtracted from the list above;
- ◆ what role Junior Ministers might play in support of the First and Deputy First Ministers.

#### 4. Northern Ireland Departments

4.1 Annex A summarises in tabular form the First and Deputy First Ministers' understanding of the various views on the appropriate number of Northern Ireland Departments, at least initially under devolution, and how the wide range of functions currently discharged should be grouped or re-ordered.

4.2 Most Parties favour a 10-Department model although there are differences in the proposals that have been put forward. Moreover, given the provisions in the Bill, it will be important to strike an appropriate balance between arguments for exercising to the full the potential in the Agreement to maximise participation in the responsibilities of government (up to 10 Departments) and the cost to the public purse of creating up to 4 new Departments and re-grouping to varying degrees the functions of the existing 6 Departments.

*maximalist interpretation of FA Departmental*

*Responsibilities (Agreement provided) Ministers with*

4.3 Against this background, the First and Deputy First Ministers would wish to explore further with Party representatives:

- ◆ the underlying principles on which structures should be based, including value for money, policy and spending priorities and the optimum

arrangement for developing and taking forward a comprehensive programme for government:

- ◆ the rationale for current proposals by Parties;
- ◆ the scope/argument for having fewer Departments than Ministers;  
*10 inclusive, pp. 12-13 - low spend policy generation (Budgets)*
- ◆ the responsibilities, power and authority of any Executive Committee Ministers without a Departmental portfolio;
- ◆ the role, tenure, method of appointment and number of Junior Ministers operating in Northern Ireland Departments.

## 5. Review of Public Administration *support, who need to move soon, normalisation*

5.1 A number of Parties have suggested the possibility of undertaking a comprehensive review of public administration in Northern Ireland. This has a number of attractions:

- ◆ substantive improvements to efficiency and effectiveness are more likely to be achieved by adopting a strategic approach to public sector administration; ✓
- ◆ the process of initiating a comprehensive review of public administration could itself challenge Assembly Members to develop a shared vision for the region, and this in turn could lead to a programme of government which identifies strategic challenges and the most appropriate structures to meet these challenges; Y
- ◆ the review might facilitate the Executive and the Assembly to consider a wide range of innovative institutional options rather than simply adopt or make small adjustments to existing forms of government.

- ◆ such a review could also result in the Assembly, in time, serving as a model of devolved and strategically co-ordinated government.

5.2 In terms of timing, a review of existing governmental structures for public administration in Northern Ireland, which would bring forward proposals for the future governance of the region to best meet the requirements of economy, efficiency, equity, transparency and accountability, could take between 12 and 18 months to complete, depending on its scope and on how it is framed.

5.3 The First and Deputy First Ministers would wish to explore further with Party representatives:

- ◆ whether they see merit in the proposal for a wider review; *yes*
- ◆ their views on terms of reference; *root & branch & involve local govt.*
- ◆ their views on methodology and timescales; *inclusive - participative - 1 year*
- ◆ their views on the role of the Assembly in the review;
- ◆ the extent to which such a review would have a bearing on the debate on Departmental structures and affect arguments about the amount of change to those structures initially under devolution.

28 October 1998

# AN UNDERSTANDING OF THE VIEWS EXPRESSED BY PARTIES ON DEPARTMENTAL STRUCTURES

ALLIANCE	DUP	PUP	SDLP	SINN FEIN	UUP	NIJWC
Agriculture	Agriculture	Agriculture	Agriculture & Rural Development Enterprise, Trade & Investment	Agriculture	Agriculture & Rural Development Enterprise, Trade & Investment	Agriculture + RD
Economic Development	Economic Development	Economic Development	Employment & Allied Training Education	Economic Development Training, Employment and Social Security Education	Economic Development Education & Training	Trade, Industry & Labour Education & Training
Education & Training	Education & Training	Education & Training	Education	Education	Education & Training	Education & Training
Environmental Protection/ Public Services	Environmental Protection/ Public Services	Environmental Protection/ Public Services	Environment and Natural Resources	Environmental Protection/ Public Services	Environmental Protection	Environment
Environment Infrastructure/ Development	Regeneration/ Development	Urban & Rural Development	Environment Infrastructure	Environment Infrastructure/ Development	Development/Transport	
Finance & Personnel	Finance & Personnel	Finance & Personnel	Finance & Local Government	Finance & Legal Services	Finance & Personnel	Finance & Personnel
Health & Social Services	Health & Social Services	Health & Social Services	Health, Social Care and Public Safety	Health & Social Services (not Social Security)	Health & Social Services	Health & Social Services
Equality/Community Relations	Equality/Community Relations	Equality/Community Relations	(FLCFL)	Equality/Social Inclusion (Including Personnel)	Equality, Human Rights and Reconciliation	Equality, Human Rights and Reconciliation
Arts, Culture, Heritage and Tourism	Culture, Arts and Sport	Culture, Arts and Sport	Culture, Leisure and Tourism	Tourism, Arts, Culture and Heritage	Arts, Culture, Tourism (only if Finance & Personnel is housed with Office of First and Deputy First Ministers)	Culture, Arts, Heritage and Sport
Local Government	Cross-Departmental Minister	Cross-Departmental Minister	Social Support & Development (incl social security)			Department of Children and Young People Department of Social Inclusion
(10 Departments)	(7 Departments)	(10 Departments)	(10 Departments)	(10 Departments)	(7 Departments)	(10 Departments)

**ANNEX A**