



Northern Ireland
Assembly

Committee for Culture, Arts and Leisure

OFFICIAL REPORT (Hansard)

Sport NI Board Resignations: Minister of
Culture, Arts and Leisure

9 July 2015

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Nelson McCausland (Chairperson)
Mr Dominic Bradley
Mr Leslie Cree
Mr William Humphrey
Ms Rosaleen McCorley
Mr Basil McCrea
Mrs Karen McKeivitt
Mr Oliver McMullan
Mr Cathal Ó hOisín

Witnesses:

Ms Ní Chuilín	Minister of Culture, Arts and Leisure
Mr Fergus Devitt	Department of Culture, Arts and Leisure
Dr Denis McMahon	Department of Culture, Arts and Leisure

The Chairperson (Mr McCausland): I welcome the Minister of Culture, Arts and Leisure, Carál Ní Chuilín; the permanent secretary, Denis McMahon; and the director of sport, museums and recreation, Fergus Devitt. You may make your opening statement.

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Thank you. Go raibh maith agat, a Chathaoirligh. Good afternoon. I thank you for the opportunity to brief the Committee on recent events in Sport NI, including the resignation of nine board members on Monday. I also want to set out the actions that I am taking to address the serious concerns raised by staff. Hopefully, you will have received my letter, which sets out some of the background. I want to go into some in more detail, but I am conscious, as, I am sure, are all members, that the allegations have come forward to the Department as a result of whistle-blowing. We all, therefore, need to be mindful of the protections that are in place for those individuals and staff who may be the subject of allegations.

Following an approach from a whistle-blower, Denis commissioned an investigation by the head of internal audit. On the advice of the investigator, he also wrote to all staff in Sport NI in early June, advising them that the head of internal audit was available as a point of contact if they wanted to raise issues that they felt unable to raise within the organisation. As a result, a number of staff came forward with a range of concerns. Last week, the head of internal audit then provided the Department with an initial report, which sets out her views. That report indicated that staff had a range of concerns. The nature, scope and consistency of the allegations are seriously troubling to me. The concerns relate to leadership and management; the culture within Sport NI; sexism and gender bias; harassment and bullying; and the application of HR policies. It is not normally the role of DCAL to

intervene in individual Sport NI employment issues, but, given the nature of the concerns and the number of staff coming forward, I need to treat this as a significant risk.

I am extremely concerned about these serious issues and recognise that decisive action is required in order to reassure those who have come forward that we take their concerns seriously and that their concerns will be fully investigated.

On Monday evening, I had a constructive and open meeting with the board of Sport NI to discuss those issues. Just before the meeting, I received a letter from nine of the board members, tendering their resignations with immediate effect. I accepted the resignations, and I am grateful to those board members for their contribution to sport. I am also grateful to the remaining board members for their continuing work on behalf of Sport NI and sport more generally. I met the remaining board members again yesterday, and I set out a range of measures to support Sport NI staff and the board through these very challenging times. Again, that engagement was very constructive. It recognised the seriousness of the concerns and the need to take appropriate action.

We have appointed an interim executive leadership team. It is headed by an experienced senior civil servant who will take responsibility for the management of Sport NI as an interim CEO until the substantive chief executive is in place. He will be supported by other team members who will bring with them experience from their current and previous respective roles, including their work in governance and sports policy. The team will operate with support, as necessary, from DCAL's governance and HR teams and with expert advice from a DCAL independent board member, Marie Mallon. The team will implement the head of internal audit's recommendations. Specifically, they will be to develop an action plan for addressing the issues highlighted in the audit report; to run a confidential and independent employee survey; to take forward a cultural audit to establish whether the allegations regarding the culture in the organisation are founded; to identify areas of concern and make recommendations; to evaluate leadership and management capabilities and effectiveness within the organisation; to review and update Sport NI's HR policies and procedures; and to undertake a comprehensive review of ongoing grievances and appeals. While these are important measures for the short to medium term, I also believe that we need to have ongoing discussions about longer-term options to strengthen relationships with Sport NI and to improve the interface between Sport NI and DCAL.

I want to remind the Committee that these allegations have come to the Department's attention through whistle-blowing. There are clear protections in place for staff in organisations who are whistle-blowers, and no attempt should be made by anyone to try to identify the individuals concerned. I look forward to discussing these issues with the Committee while recognising the need to protect whistle-blowers and staff who may be the subject of these allegations. Thank you very much.

The Chairperson (Mr McCausland): OK, Minister. You will appreciate that there is considerable concern about all of this.

Ms Ní Chuilín: Absolutely.

The Chairperson (Mr McCausland): There has been an interim chief executive brought in. First, in some other cases where there were difficulties in organisations, what has happened is that a retired civil servant has been brought in as opposed to a current civil servant, who is, therefore, under your direction. Two other people have then been brought in at that top level. What consideration was given to bringing in a retired civil servant who would have some measure of independence?

Ms Ní Chuilín: First, as the Chair will know, Sport NI is an arm's-length organisation of DCAL. Frankly, I felt that the situation warranted putting arrangements in place with immediate effect. As the Chair may be aware, trying to get a retired civil servant in the short term might take some weeks. I believe that we did not have those weeks. I believe that we needed to put in place interim arrangements with immediate effect. I also believe that the interim team that we have put in is a very good team that will help to bring some assurance to the staff working in Sport NI.

The Chairperson (Mr McCausland): I am aware of a number of instances where there have been difficulties with other organisations in the DCAL family. On at least two, and maybe three, occasions, retired former civil servants were brought in because they had that sort of independence. If the previous chief executive is not there, why does it take three people to do the job of one person?

Ms Ní Chuilín: It is an interim chief executive and a team to support the interim chief executive. It is three at the minute. We may need five. We may need seven. We may need more.

The Chairperson (Mr McCausland): What is the relationship of those two additional people? I can understand the position of an interim CEO replacing another CEO, but what is the role, relationship and standing in the organisation of the other two people? Where in the chain of authority and structure of Sport NI do they stand?

Ms Ní Chuilín: In DCAL, they have vast experience in HR and in developing sports policy. So, not only do they have an understanding of the organisation, they have an understanding of what mechanisms of support to bring.

The Chairperson (Mr McCausland): So, are they being put above and beyond the authority of all the other staff? Are they up there at the top with the chief executive?

Ms Ní Chuilín: No. They are there to support the chief executive.

The Chairperson (Mr McCausland): There is no clarity around that, though. I am sure that others will want to touch on that.

Your letter refers to the interim CEO being there:

"until the substantive chief executive is in place."

Can you spell out what exactly you mean by "substantive" in that case?

Ms Ní Chuilín: The interim chief executive is there until the issues that have been presented to us through the internal audit report have been completed. Part of that, as I set out in the letter — if you want, I will read it out to you again in case you did not hear it.

The Chairperson (Mr McCausland): No; I was quoting from the letter.

Ms Ní Chuilín: What I would like to do is just go through it. Part of the role of the interim chief executive and the interim team will be to undertake a comprehensive review of grievances and appeals that are ongoing. Once that process has been completed, they will obviously conclude their work and all the issues that I have outlined.

The Chairperson (Mr McCausland): So the people within the organisation at the moment, or up until now, who dealt with grievances and human resources issues have been put aside?

Ms Ní Chuilín: No, I do not think you understand, Chair.

The Chairperson (Mr McCausland): I would appreciate an explanation then.

Ms Ní Chuilín: I am going to try to help you here.

The Chairperson (Mr McCausland): Thank you.

Ms Ní Chuilín: The issue is that there has been an interim report from the internal auditor, who has concluded thus far that there are concerns within the organisation. The concerns within the organisation cover a range of issues, including bullying and harassment. The interim chief executive's role is to ensure not only that all grievance procedures are put in place but to look at ongoing issues and others that might come forward. It is to work in conjunction with the staff who are there. It is not to replace them or undermine them. It is to act as an interim chief executive.

The Chairperson (Mr McCausland): It has been reported and stated that the previous chief executive was suspended. When was she suspended? Two dates have been mentioned in the media.

Ms Ní Chuilín: It was 5 March. Sorry, 10 March.

The Chairperson (Mr McCausland): OK. Why was the CAL Committee not informed of such a serious development at that stage?

Dr Denis McMahon (Department of Culture, Arts and Leisure): Up until now, a lot of those issues have been internal employment matters.

Ms Ní Chuilín: Matters for Sport NI.

Dr McMahon: The Department would not normally intervene on internal employment matters. As the Minister said, it is when those employment matters get to the stage that there are such concerns that it puts at risk the entire organisation. At that stage —

The Chairperson (Mr McCausland): I can appreciate your point, but we had a situation where staff from Sport NI were in here giving evidence. The suspended chief executive was interviewed outside here and stated to the media that she remained the chief executive and the accounting officer. Although we knew that that probably was not the case, we did not have clear facts because the Committee was excluded. We were not told that she had been formally suspended and when. I would have thought that it would have been respectful to the Committee and helpful for our deliberations to have been told. It is not as if there are dozens of arm's-length bodies. There is only a small number. Therefore, if the chief executive — the most senior person, the accounting officer — in an arm's-length body is suspended, the Committee should at least have been told. Maybe we were and I missed it, but I do not think so. I am just asking why we were not told.

The Chairperson (Mr McCausland): It is normally the practice of a board to take responsibility for its staff. If you feel that Sport NI should have informed or the Department should have informed, I will take your point on board.

Mr B McCrea: Minister, why did nine members of Sport NI's board resign?

Ms Ní Chuilín: I have no idea, Basil. I was informed an hour before the meeting was due to take place.

Mr B McCrea: Why is the chair of Sport NI still in post?

Ms Ní Chuilín: Why would the chair of Sport NI not be in post? The chair of Sport NI has not resigned.

Mr B McCrea: If you are the chair of a board and nine of your members resign, it must cause some concern.

Ms Ní Chuilín: I met the chair twice this week — on Monday and again yesterday — and the chair is very concerned, as are the vice-chair and the remaining members.

Mr B McCrea: When you met the chair, did you ask him why he thought his board had resigned?

Ms Ní Chuilín: I did ask him. He was told that they stuck to the letter, which I am sure the member has. In the absence of the members' reasons for resignation, other than what they said, the chair basically did not go further than that.

Mr B McCrea: So, it is a complete mystery to the chair as to why his board resigned?

Ms Ní Chuilín: It is a complete mystery to me as to why the board resigned. The chair furnished us with a copy of the letter. The chair was respectful to the letter. The chair did not feel that he could speculate — and that is what it would be: speculation — because the members were not prepared to stand over any other reason than that which was cited in their letter.

Mr B McCrea: He is a pretty appalling chair if he cannot work out what is going on with his board.

Ms Ní Chuilín: I think that comment is completely unacceptable.

Mr B McCrea: You may well do. I will repeat it. I think that if a chair does not know what is going on with his board, and nine people resign without him knowing why, then there are questions to be asked.

You wrote a letter on 3 July stating that you:

"wish to make it clear that these allegations are distinct from those which were raised by another member of Sport NI staff".

Can you tell me how the action was initiated? Why was the issue initiated?

Ms Ní Chuilín: As I said in my opening statement, I asked Denis McMahon, the permanent secretary, to write to all members of staff, given the fact that it is distinct from the accusations that Mr Scott made at this Committee on 30 April.

Mr B McCrea: Why would you do that, given that the acting permanent secretary wrote to us on 1 July, setting out the terms of references, in which, if I can refer to paragraph 6(g), it says:

"identify and comment on other issues that emerge as a result of the investigation that are relevant to this case".

There is no mention of wider concerns.

Ms Ní Chuilín: Just to be clear, Denis McMahon is not the acting permanent secretary. He is the permanent secretary of the Department. If you do not mind, Basil, I will pass you on to Denis, and he can respond.

Dr McMahon: It is important to understand that there are a number of processes going on. The process that you are referring to is, I believe, the process in relation to the allegations of bullying and harassment in relation to Casement. I wrote to the Committee about how that was being taken forward.

This was an entirely separate issue. The issue we are talking about today is about whistle-blowing that initially started at the end of May. It was a whistle-blowing case that came in. When that case came in, I commissioned the head of internal audit to take forward an investigation, in line with normal practice and whistle-blowing procedures. The head of internal audit felt that the issues were such that it required further work and —

Mr B McCrea: Can I just clarify, Denis —

Dr McMahon: Just to finish —

Mr B McCrea: I am not sure that I am on the right line here. Are you telling me that there are two sets of whistle-blowing issues?

Dr McMahon: We are treating the Casement Park issues that came out on 30 April as whistle-blowing, as far as —

Mr B McCrea: Are there any other whistle-blowing issues?

Dr McMahon: The other set of whistle-blowing issues came about through the process that we are referring to today.

Ms Ní Chuilín: Effectively there are two sets.

Dr McMahon: There are two sets. There is one around Casement, and there is this other one. I will just finish the point. The reason why the Minister referred to the fact that I wrote out — and that the Minister agreed that I would write out — to Sport NI staff is that the head of internal audit, having heard some of the allegations, was concerned that people were fearful about coming forward and decided that one of the best ways to try to address this was for me to write to them and give the number of the auditor so that people could contact her. That was not just in relation to these

allegations; it was in relation to anything that they wanted to bring forward, including if they felt the need to complain about the Department.

Mr B McCrea: I do not understand why we have details about whistle-blowing allegation number one, but not whistle-blowing allegation — or allegations — number two.

Dr McMahon: It is because whistle-blowing allegation number one, while we are dealing with it as a whistle-blowing case, started as a result of a public hearing. We were able to deal with the second set of whistle-blowing issues in line with the whistle-blowing practice by ensuring that we maintained the confidentiality of the whistle-blowers. A range of whistle-blowers came forward.

Mr B McCrea: All I would say to you is that it is not clear from the Minister's letter of 8 July, where she says that whistle-blowing allegations have been raised, but then says:

"and a number of staff have come forward".

I am confused about what is going on. I cannot see what has brought this to a head — that is the issue. Was the board given a copy of any reports, for example, from the head of audit? Did the board get sight of any papers?

Ms Ní Chuilín: I gave an executive summary of the report to the board on Monday evening.

Mr B McCrea: Why was it an executive summary and not the full papers?

Dr McMahon: The board was given an executive summary followed by —

Ms Ní Chuilín: It was followed up with a full interim report.

Mr B McCrea: I understand that the board was unhappy that you were going to give its members only an executive summary, given that it felt that it had a remit to investigate these issues.

Ms Ní Chuilín: The board did not say that to me, Basil.

Mr B McCrea: No, you have already said that it was a mystery to you what the board's problem was. I am putting to you that they were concerned that the reports were not provided to them and that they could not —

Ms Ní Chuilín: I assume that you are referring to one of the nine members who resigned.

Mr B McCrea: I am just putting to you that —

Ms Ní Chuilín: You are just saying, OK.

Mr B McCrea: I am putting a proposition to you that members of the board, who have oversight arrangements for these issues, did not get the information.

Ms Ní Chuilín: I met three members of the board of Sport NI on Monday evening, and they did not raise those concerns with me.

Mr B McCrea: OK. Minister, can I refer you to the report of the March 2013 DCAL review of Sport NI? Are you familiar with that document?

Ms Ní Chuilín: I do not have it here.

Mr B McCrea: Maybe your officials will help you out. It was a fundamental review of DCAL, and the report stated:

"A number of critical governance issues emerged during Stage 1 and the Minister"

— I presume that was you —

"concluded that the Department's Stage 1 review should be postponed while these issues were addressed."

It sets out the board's role, which is to:

"Represent the Minister's interests. Crucially, board members should be clear about the Minister's policies and expectations"

and "provide active leadership". It is surprising to me that this body is there to represent your interests, but you do not know what its concerns are.

Ms Ní Chuilín: That is a bit of a sweeping statement, if I may say so. It is not really based on any position of fact. We are in a much different place in July 2015 from where we were in March 2013, when that paper was written.

Mr B McCrea: Apparently not, because you have had chaos in the Department and nine board members have resigned. You have all sorts of whistle-blowing actions going on, and there have been such serious actions that you feel the need to take to take direct control. I refer you to paragraph 3.6.3 of that document:

"Following their review of governance, implementation of the governance action plan and appointment of a new chair, initial evidence indicate that the board is now operating in a more robust manner".

Why are we going through this again, given that you have a new chair, new governance and absolute control by the Department? Why are you saying that this is all a mystery to us and that it has all suddenly come out of nowhere?

Ms Ní Chuilín: Let us be clear about what the issue is: where problems have been identified, a resolution has been brought forward. That is the point of doing a review of governance arrangements. The situation is that these allegations were not cited in that report. They were brought to my attention, and I looked at them personally after receiving a report late last week. I acted decisively and immediately. We can all pull out bits of paper and try to look smart, but the fact of the matter is that I have a responsibility. Legally, I am the Department, and I am responsible for these people. I will do my best to ensure that they are supported, as I will do for the board.

The Chairperson (Mr McCausland): I will stop you there, Basil, and maybe come back to you at the end. Before I bring in Dominic Bradley, I want to raise two points. Is there someone in the organisation who has a particular role in what was described in minutes as "transformation"?

Ms Ní Chuilín: Yes, there is.

The Chairperson (Mr McCausland): Is there a director of transformation? I am not sure of the exact title.

Mr Fergus Devitt (Department of Culture, Arts and Leisure): Are you talking about in the Department?

The Chairperson (Mr McCausland): In Sport NI.

Ms Ní Chuilín: Sorry, I thought that you were talking about the Department.

The Chairperson (Mr McCausland): No. Is there a transformation process?

Mr Devitt: We understand that one of the individuals, who is on temporary promotion to director level, assists with that process — one of the staff of Sport NI.

The Chairperson (Mr McCausland): Was the individual promoted to that position?

Mr Devitt: Temporarily.

The Chairperson (Mr McCausland): Temporarily — how long ago did that happen?

Mr Devitt: I am not quite sure. It was certainly since the current chief executive has been in post. It was to assist with the transition and change management programme.

The Chairperson (Mr McCausland): Is there a connection between the transformation/change of management programme and the issues that were identified in the paper that Mr McCrea referred to?

Mr Devitt: I do not know, Chair.

The Chairperson (Mr McCausland): We are going into the summer recess, and we have an unprecedented situation in which nine members of a public arm's-length body have resigned. According to what I have read, the board is about to be populated by people from the Civil Service who will be appointed by the Minister — civil servants will be parachuted into posts such as chief executive officer and so on. All that is happening, yet we cannot get answers on simple questions about what happened to that report and what the position is with the transformation process — all that. That concerns me. People across the sporting world — we have people today in the Public Gallery from the sporting world — will be asking what is going on. We need to get answers about all that.

Ms Ní Chuilín: With respect, have you asked the Department those questions before now?

The Chairperson (Mr McCausland): I only got some of the correspondence from you in the last day or so.

Ms Ní Chuilín: OK. So, you have the correspondence and have asked questions within the last few days. We will respond to the questions that you have asked.

The Chairperson (Mr McCausland): With respect, Minister, what I am saying is that I would expect senior civil servants in a Department — You only have about three or four arm's-length bodies — there are museums, arts and sport.

Ms Ní Chuilín: And libraries.

The Chairperson (Mr McCausland): And the libraries; sorry, four. You have four main ones and a number of smaller organisations. I would have thought that senior officials would have been over all those issues. There must be a director — There is a director —

Ms Ní Chuilín: Chair, which questions do you feel have not been answered and we will try to get an answer back to you?

The Chairperson (Mr McCausland): I have said quite clearly that I am surprised that there is not an answer about the transformation process. Does that relate to what was being talked about? Is it something different? Those are the things that I would expect a —

Mr Devitt: I can try to answer that for you, Chair. My understanding is that the transformation process was more about organisational change rather than direct issues that relate to governance, which are a matter for the board. Those were more about how the structures within Sport NI were fit for purpose to respond to the requests from the Department and the interfaces with the governing bodies. It was more about an internal organisational change process rather than the governance issues that were brought up in the report that Basil has pointed out.

The Chairperson (Mr McCausland): Would it be possible to give us a report on that?

Mr Devitt: Certainly.

Ms Ní Chuilín: Certainly.

The Chairperson (Mr McCausland): All of that. When that person was appointed, what they have been doing, who they are answerable to and all of that.

Mr Devitt: Yes.

Mr D Bradley: Dia daoibh, agus fáilte romhaibh go dtí an cruinniú.

Ms Ní Chuilín: Go raibh maith agat, a Dhominic.

Mr D Bradley: You are very welcome. Thanks for coming.

Allegations have been made about leadership and management issues, sexism, gender bias, harassment, bullying and the application of HR policies. One might ask whether there is anything right about the organisation, because that covers almost everything.

As Mr McCrea said, the board of Sport NI is largely appointed by you. Was there no communication between the board and the Department over the period of their tenure to date and before they resigned?

Ms Ní Chuilín: I learnt the precise detail of the allegations when I saw the interim report on Friday. As soon as I saw that report, I communicated the concerns and asked for a meeting with the board on Monday.

Mr D Bradley: With respect, I have read up on what has happened — the whistle-blower and your response to it and so on. Was the board not communicating with you or senior officials in your Department to flag up issues — there were enough to flag up — and saying, "Look, hold on here. There are things that are not right in this body and the Department will have to take action"?

Ms Ní Chuilín: Without going into too much detail, I think that it is fair to say that when I relayed the detail of the allegations to the board members, they were quite shocked and worked with us to try to get a resolution and a remedy as soon as possible.

Mr D Bradley: The board members who remained.

Ms Ní Chuilín: Yes.

Mr D Bradley: Right, but there were no —

Ms Ní Chuilín: Dominic, I have not had the opportunity to talk to those who resigned.

Mr D Bradley: Right. I understand that. You are saying that there was no communication from board members who were appointed by you to represent you and your Department's interests in Sport NI. You are saying that there was no communication or information coming back from them to say, "Hold on one minute, things are not right here, and we need to do something".

Ms Ní Chuilín: No.

Mr D Bradley: Not a word. OK. That is strange, but, anyway, thanks for your answer.

When you say "application of HR policies", can you — obviously, without giving out any personal details — give us a bit more detail about what that means?

Ms Ní Chuilín: That probably follows on from your previous question a bit, because what is very clear is that there is a culture of fear in the organisation. People are afraid to come forward. The application of HR policies will ensure that people have confidence in the ability to come forward to have —

Mr D Bradley: Are you saying that the HR policies were not being implemented properly or that they were being used to bully people?

Ms Ní Chuilín: No. I am saying that people did not feel that the HR policies in place were strong enough to support them with any grievance or that the conditions attached to those policies, or their implementation, were robust enough to help them with their grievances or concerns.

Mr D Bradley: As Mr McCrea said, a review of arm's-length bodies was carried out, and DCAL's were among those reviewed. How was the deficiency in the HR documents not identified, highlighted and amended then?

Ms Ní Chuilín: That is a fair and valid question. I am given information, which I review in good faith. However, the difficulty is this: so did the board. If, for example, it transpired, as it has done, that over time, a significant number of staff felt unable to use the existing structures to bring forward their complaints, obviously that section of the 2013 review into ALBs, based on where we are today, needs to be changed.

Mr D Bradley: You are going to carry out an investigation into the issues that you highlighted in your letter to us — the issues that I mentioned earlier. Can you tell us what form that investigation will take?

Ms Ní Chuilín: To be clear, the role of the interim executive team will be to look at all the policies, grievances and complaints thus far. That team will not only review those but look at any potential new ones that are coming forward. The team will take those on board and register them with the independent auditor. Effectively, it is acting as the accounting officer for the organisation to the Department.

Mr D Bradley: For example, if a bullying allegation is made against person a in Sport NI, what happens?

Ms Ní Chuilín: It is the role of the interim chief executive to ensure that grievances are heard and acted on. That is done in a way that is very clear and transparent. Complainants will know exactly what the process is, from the minute that their complaint is made, the likely time that it will take to process and what the process will be from then until its outcome. They will know exactly what they need to do, and they will be kept informed. I am not saying that the chief executive will be doing anything new or different. Certainly, it will be the chief executive's job and the role of the team to examine the processes that have happened thus far. Where we need to tighten them up, on the advice of HR and others, we will tighten them up.

Mr D Bradley: You are saying that the interim chief executive will use processes that are in place already, when we already know, and you have said, that the processes in Sport NI do not seem to be fit for purpose.

Ms Ní Chuilín: The difference is that we have recognised that in the organisation, and that has now been made public. There is a recognition — acknowledgement of it is a first step — that people were working in a culture in which they were afraid. I think that my Department's intervention in Sport NI has brought a different degree of responsibility to bear and, hopefully, a bit more approachability not only for members of staff who have grievances but potentially for others who have yet to come forward. That is the important distinction.

The Chairperson (Mr McCausland): Before I go to William Humphrey, can I just ask whether an observer from the Department attends board meetings of Sport NI?

Mr Devitt: There is that opportunity, Chair. We have taken that up, and we certainly attend the audit and risk committee meetings —

The Chairperson (Mr McCausland): I am talking about the main board. It is perfectly in order for the Department to do so. Previously, with some arm's-length bodies, the Department sent an observer to sit in, as it did, for example, on Museums NI at one time. So that has not happened on a regular basis with Sport NI?

Mr Devitt: I have been in post since September, and I have not attended board meetings. Members of my staff, however, have attended the audit and risk committee meetings as observers.

The Chairperson (Mr McCausland): Is it the case that, over the past few months, there have been a lot of extra meetings of the board of Sport NI?

Mr Devitt: Not that we are aware of. I think that meetings have been fairly regular.

The Chairperson (Mr McCausland): Have there been meetings of committees or whatever?

Dr McMahon: There may have been meetings. Obviously, there are ongoing processes in relation to the chief executive. The board, or certain parts of it, may have met to discuss some of that.

It is really important to say something about that, because I think that it relates to some earlier points. As a Department, there is a really important line to cross — it is a point that members have made or touched on — in that, when there is an employment issue, it is important that we know about it from the point of view of governance. It is also very important that we and other external organisations do not find ourselves in an employment role or in the role of an employer, because, at a future point, we will begin to get involved in tribunal cases, and it will become very messy. That is why we have always tried to strike the right balance between knowing what the organisation is doing and having tighter arrangements, particularly on issues like audit and finance, but not necessarily attending every board meeting and certainly not attending board meetings at which, for example, there are discussions about individual members of staff, because that would be inappropriate. That is where we have tried to strike the right balance. I will be honest: it is a difficult one because, on the one hand, you are trying to stop problems arising and, on the other, one problem that can very quickly happen is that a Department starts to micromanage. That has happened before in other Departments. We are trying to get the balance right between the two, and, in this case, we have had to adjust our approach as the risk has changed and as we have identified the risks coming through this investigation.

The Chairperson (Mr McCausland): It will be perceived by many people that, with the Minister putting in an interim chief executive, two senior staff and nine board members or whatever number is put on the board, it is not a case of micromanaging; it is almost managing. It raises questions about public confidence and the nature of the organisation.

Dr McMahon: It certainly reflects the risks that the Department had identified and that the Minister asked officials to ensure were dealt with.

Mr Humphrey: I thank you very much for your attendance today. Minister, what you believe the term "arm's-length body" means?

Ms Ní Chuilín: It means a body one step removed from the Department.

Mr Humphrey: According to the definition that I looked up, it means:

"a body which has a role in the processes of ... government, but is not a government department or part of one".

Effectively, your actions in the last number of days basically deemed that Sport NI is no longer an arm's-length body but is, in fact, an integral part of your Department. Is that not correct?

Ms Ní Chuilín: There are many explanations of an ALB. If the member is suggesting that, from Friday, when I became aware that there were serious issues in the Department, I should not have intervened, I think that that would have been inappropriate. I think that, as an interim arrangement to ensure not only that there is public confidence but that staff and some board members are supported, that is completely appropriate.

Mr Humphrey: That may be your view. I did not suggest anything; I asked you a question. The fact is that, in practice and reality, you, as Minister, are the political head of a Department.

Ms Ní Chuilín: That is correct.

Mr Humphrey: The arm's-length body is not supposed to be part of your Department, and it now is. Mr McMahon, you are the accounting officer for the Department. What is your view of this action.

Dr McMahon: This action is entirely consistent with existing governance arrangements, but enhanced to reflect the fact that we have a particular set of circumstances to deal with.

In any normal circumstances, when a chief executive is in post in an arm's-length body, they have, in effect, two lines of accountability. They have one line of accountability to their board and report to the board for day-to-day management purposes. They also have a line of accountability to the principal accounting officer in the Department, which is normally the permanent secretary.

In this particular case, the chief executive will be working to, and accountable to, the board. The board is very clear that that will be the arrangement, and it was content with the arrangement on that basis. However, in line with normal processes, the chief executive will be accountable to me, as principal accounting officer.

The one difference and enhancement in the role in this particular case is that the nature of the grievances that have come forward means that they need to be dealt with by the Department. That was a clear recommendation of the auditor. That being the case, some of the issues will need to be escalated to the Department through the accounting officer relationship.

Mr Humphrey: This is a board, Mr McMahon, from which nine people resigned. Two other people are on holiday. What is the position of those two people?

Dr McMahon: We have yet to establish it, but we have not received any more letters of resignation at this stage.

Ms Ní Chuilín: That is correct.

Mr Humphrey: So, the board that you are talking about is not actually a board of people picked because of their interest in sport or their skill set in relation to sport or governance, or whatever. They are, effectively, civil servants.

Dr McMahon: The board that is there is not made up of civil servants.

Mr Humphrey: No; the people with whom you are going to replace the nine who resigned.

Dr McMahon: There are two things that are important to say. The intention is to initiate a public appointments process, but it will take —

Mr Humphrey: Mr McMahon, I heard the Minister, in response to the Chair, say that there are three people: Mr Scott is going in as the interim chief executive, together with two colleagues from your Department. I heard the Minister say that it is three at the moment, but it could be five or seven.

Dr McMahon: Sorry, I did not get the —

Ms Ní Chuilín: That is members of staff.

Mr Humphrey: In terms of staff. I do not think that it is acceptable that a board is appointed in such a way. As I said before, the Minister is a politician, and her job is to lead the Department politically. We now have the situation that the arm's-length body responsible for sport and funding for sport in Northern Ireland is being brought directly into a Department, and the head of that Department is a politician. I do not see how anybody can sit comfortably with that.

I would then like to ask the Minister —

Dr McMahon: Sorry, I did not get to finish my answer earlier, apologies.

Mr Humphrey: The question that I would like to ask now is this: you said in your statement that you had:

"two very constructive positive and open engagements."

Was the first constructive and open engagement the meeting that followed nine people resigning?

Ms Ní Chuilín: I was not there when they resigned. They resigned an hour before the meeting was due to take place.

Mr Humphrey: Is it true that they resigned because they were going to be politically interfered with?

Ms Ní Chuilín: I do not know what that means. Perhaps you could enlighten me.

Mr Humphrey: No, I am asking you the question.

Ms Ní Chuilín: And I am saying that I do not know what it means.

The Chairperson (Mr McCausland): The point is that, in your statement, you referred to political intervention. You used the word "intervention".

Ms Ní Chuilín: I did not use the term "political intervention".

The Chairperson (Mr McCausland): Ministerial intervention, then.

Ms Ní Chuilín: What we need to be very clear about, Chair, is that, as an elected representative, I have a mandate. I have been appointed, by my party, as a Minister. I think that the subtlety with which Mr Humphrey is suggesting that every civil servant working in my Department therefore has the political complexion of the Minister is completely wrong.

Mr Humphrey: Chairman, with respect, I am perfectly capable of constructing my own sentences. I did not use those words, and I did not make that statement.

Ms Ní Chuilín: It is good to have that clarified.

Mr Humphrey: Perhaps the Minister misheard it, but it is on record, and it has been recorded by Hansard. In terms of the first constructive and open engagement, nine people resigned before you had the opportunity to speak to them. If it is that open, tell us what happened.

Ms Ní Chuilín: It was open in that there was a discussion around the report on the allegations. I am not going to — I will not — tell you everything that was said because it is confidential. I can certainly give you a flavour and outline of the discussions and say that they were done in an open way, with people feeling free to say whatever they had to say and that their opinions, concerns and views were being listened to.

Mr Humphrey: OK. Mr McMahon, the Minister has not spoken to the nine people who have resigned. Have you, as permanent secretary, spoken to any of them?

Dr McMahon: To the nine people; no.

Mr Humphrey: The next paragraph of your statement says:

"The quality of leadership and management within Sport NI is critical to its long-term success".

What is that saying about the quality of leadership and management that there has been in that organisation up to this point?

Ms Ní Chuilín: The organisation has gone through some very big difficulties. That is fairly clear. There are some very, very good members. In fact, there is a big loyalty within the community towards Sport NI. However, there are big problems. There are huge challenges. There are staff there who have made some very serious allegations, and they need support. In order for them and the board to get support and for the organisation to plan for the work ahead, they need help.

I am not getting into any speculation or specifics about specific members of staff. That would be grossly unfair. However, I am content with the attitude that the board has taken, particularly from yesterday evening. Mr Humphrey, you may have heard the chair speak yesterday evening as well. There is a recognition that there are problems there and that support and help are needed.

Mr Humphrey: In the next paragraph of your statement, you talk about strengthening relationships within Sport NI. Does this sort of action not actually mean that, instead of strengthening the relationships, you are making a fissure, which may well be there in the organisation, even wider?

Ms Ní Chuilín: No. That is not my view, and I will tell you why. It is clear that relationships within the organisation have broken down. It is clear that there are people working within that organisation who feel that they are working in a culture of fear. Those relationships and that culture need to change. If there was any other way to do this that would actually help people and you had plenty of time to do it, that would be fine. However, we do not. I appreciate that there has been certain commentary, particularly on social media, demanding to see the details of the report. These are serious allegations. I am sure that all members will be very considerate and very sensitive to that and the fact that these allegations are ongoing.

Mr Humphrey: Finally, Minister, Mr McCrea referred earlier to the fact that we had a situation where the chief executive of National Museums Northern Ireland stepped aside from another arm's-length body of your Department. You now have the whistle-blowing and two reports in relation to Sport NI. You have the difficulties around the inquiries within your Department and the one that is being carried out by this Committee on Casement Park. You now have nine members of the Sport NI board resigning, and we do not know the position of the two who are on holiday. Is DCAL, under your leadership, not just dysfunctional?

Ms Ní Chuilín: No; absolutely not. Let me go back to put some factual accuracies into your statement. First, the chief executive of museums resigned for personal reasons. When someone resigns for personal reasons, it is not my business to go and find out exactly how personal those reasons are. That is point number one. Secondly, issues and allegations have been raised at this Committee about Casement Park. There needs to be investigations of those, irrespective of what is going on here. They need to be fully investigated. That is fine, and I am open to that. Resulting from that is a separate process, because one of the allegations was about the Department and the GAA, and that needs to be investigated independently, which is being done. As a result of that, other people — because of the way in which I run the Department and the way in which they have confidence that I will deal with their issues — have brought it to my attention, and I am happy that they did so. As a result of that, we have put in processes, through an internal auditor, to support not only them but others who want to come forward.

Rather than being obstructive or evasive, I have put appropriate mechanisms in place to ensure that, if people want to come forward, not only can they do so but that they are encouraged to do so and they will be supported. Rather than hiding from challenges or denying that challenges exist, I am dealing with the challenges. That is called leadership.

Mr Humphrey: In your view. Thank you.

Ms Ní Chuilín: Absolutely in my view. In my experience as well.

Ms McCorley: Go raibh maith agat, a Cathaoirigh. Thank you, Chair. Go raibh maith agat, a Aire, as teacht anseo inniu agus as an chur i láthair. Thanks, Minister, for coming today and for the presentation. These are really serious allegations that are coming out about an organisation, and I think it is really important that action is taken. But, listening to some members, it is nearly as if you have done the wrong thing by taking action. Was doing nothing ever an option?

Ms Ní Chuilín: Absolutely not. Doing nothing for people who are in distress and are miserable is not an option for me.

Ms McCorley: Can you give us some detail on when you found out about those allegations?

Ms Ní Chuilín: I saw the interim report late on Friday morning or early on Friday afternoon.

Ms McCorley: So, that was the first you knew about it.

Ms Ní Chuilín: That was the first time I saw the detail of some of the allegations that were brought forward.

Ms McCorley: OK. I think you have acted decisively. People might have a view on what action you take, but it is important that you do take action. What are the plans, or how do you see the vacant positions in Sport NI being filled? I am sorry, I mean the board of Sport NI rather than Sport NI.

Ms Ní Chuilín: That clarification is helpful. As of today we have made contact with the Public Appointments Commissioner and will be going into discussions with them; because, long-term, these are appointees to the board. That is what we hope to do. In order to support the remaining board members, I felt that it was completely appropriate and essential to try to get support for them, particularly from within the Civil Service, because it was the quickest way of getting in short-term support, but it is a short-term arrangement.

Ms McCorley: What do you see in the long term then?

Ms Ní Chuilín: In the long term, there will be new appointments to the board through a public appointment process.

Ms McCorley: That would be the normal process.

Ms Ní Chuilín: Yes, that is the normal process.

The Chairperson (Mr McCausland): That would take until about October to appoint people by the normal process, would it? I am just asking.

Dr McMahon: It could take about six months by the time you go through all of the processes.

Ms Ní Chuilín: Yes, I would expect it to be longer.

Mr Ó hOisín: Go raibh maith agat, a Cathaoirigh. Tá fáilte romhat, a Aire, agus roimh do fhoireann, chuig an Choiste. I welcome you and your team today. I agree. I think you have acted decisively on the matter. I know the difference between intervention and interference. Intervention is normally defined as being helpful or assisting, whereas interference could be malevolent or inappropriate, and I do not believe that to be the case.

In terms of the culture of the organisation — the "culture of fear" that you referred to — it is a relatively small organisation, with 100-odd staff, so any significant risk within that is important, and it is critical that it is dealt with. There might be two different breakdowns of it, in that perhaps the harassment and bullying aspects might be specific and relate to individuals, whereas the allegations on the application of HR policies, sexism and gender bias seem to be more systemic and might require different treatment.

Ms Ní Chuilín: In respect of the question that members have raised, I cannot get into any specifics and I am not making any assumptions. I am not being speculative either.

Mr Ó hOisín: I take that on board, but the point that I am trying to make, Minister, is that, if it is systemic, it may go back some period of time rather than being a more recent thing. Is it all recent or is it historical? I realise that there may be other ones.

Ms Ní Chuilín: My understanding of it is that some aspects of it might be historical.

Mr Ó hOisín: So, it may go back before your time even.

Ms Ní Chuilín: It absolutely does.

Mr Ó hOisín: As I say, there has been speculation about a culture in Sport NI, and those of us who are involved in sport recognise that. If it goes back in time, it needs a further investigation. Are you expecting any further investigations of allegations of any sort from any discussions that you have had to date?

Dr McMahon: I think that people are still coming forward.

Mr Ó hOisín: So there is still a chance of that.

Ms Ní Chuilín: Yes, as we speak.

Mr Ó hOisín: I am glad, too, that you identified the differential between the 30 April allegation and these more recent ones.

Ms Ní Chuilín: There are two distinct processes, and it is important that that is clarified and understood.

Mr Ó hOisín: OK. I am glad that you clarified that.

The Chairperson (Mr McCausland): I note that the former chief executive was appointed in June 2013 and suspended on 10 March 2015, roughly two years later. These issues were around, apparently, for at least part or maybe all of the two years that she was the chief executive. Did the people not have confidence to go to her?

Ms Ní Chuilín: Some of these allegations predate the chief executive's appointment. I think that it is completely inappropriate to try to draw an inference that there is a lack of confidence. It is completely inappropriate to do that.

The Chairperson (Mr McCausland): If you had confidence in a chief executive, you would go to them.

Ms Ní Chuilín: Not all the allegations that have been brought forward in the last few days are related to someone's arrival or departure. It is completely speculative for anybody to assume that some of these allegations are about a lack of confidence in the chief executive.

The Chairperson (Mr McCausland): I just ask the question in a general way: would it not seem reasonable that, if you were the chief executive of an organisation and doing a grand job, people would have the confidence to come to you and say that they felt that they were being discriminated against or disadvantaged in some way or other?

Ms Ní Chuilín: In the absence of the chief executive, people can bring their complaints or grievances to someone else. I am sure that members have a copy of Sport NI's staff structures. I repeat: it is alleged that there is a culture of fear in the organisation. The staff structure includes the board, the chair, the vice-chair and the connections with the accounting officer and the chief executive. We need to look at the entire organisation.

The Chairperson (Mr McCausland): Fear of whom? It is very hard to understand this culture of fear. Fear of whom or what?

Ms Ní Chuilín: I am not being dismissive, Chair, with respect. If people say that they feel afraid, I have to accept that that is how they feel. Each person's experience is relative to them. It is a bit sniffy to shrug your shoulders, raise your eyebrows and ask, "Fear of what?"

The Chairperson (Mr McCausland): I am not being sniffy, with respect, Minister; I am simply asking a question.

Ms Ní Chuilín: I appreciate that it is a rhetorical question, but I do not think that it is helpful.

The Chairperson (Mr McCausland): Our job is to scrutinise.

Ms Ní Chuilín: Absolutely, your job is to scrutinise, but your job is not to analyse how people feel, nor is it mine.

The Chairperson (Mr McCausland): Our job is to understand how the organisation has got into a situation or been put into a position.

Ms Ní Chuilín: That is completely different.

The Chairperson (Mr McCausland): We need to understand how that happened. Central to that is the allegation or series of allegations that people felt that they were operating in a fearful situation.

Ms Ní Chuilín: I am sure that you will appreciate, Chair, that, if people are bringing forward allegations — it is worth bearing in mind that these are just allegations at this stage — there are particular protocols and protections for whistle-blowers. It is really important that they are considered and examined in that context.

The Chairperson (Mr McCausland): Absolutely everything —

Ms Ní Chuilín: It is not up to me or anyone else.

The Chairperson (Mr McCausland): Indeed, everything should be examined and investigated. I am not sure that I got an answer to what I was asking, but I will leave it there.

Mrs McKeivitt: Thank you very much, Minister. I would like to acknowledge the speed with which you have come to address the Committee when you were asked to come.

Ms Ní Chuilín: I appreciate that.

Mrs McKeivitt: Everybody has a busy schedule, but that showed the seriousness of the situation.

I suppose that you have no doubt that every member here has been shocked about what happened at the tail end of last week, with nine resignations.

Ms Ní Chuilín: Absolutely.

Mrs McKeivitt: It is good that you are here to answer some questions.

A lot of the questions in the angle that I was going to take have been covered, but do you feel that there were rumblings within Sport NI going back a number of years, rather than just in later times and this year? I am talking about rumblings of problems.

Ms Ní Chuilín: Like many other Members, I was aware of speculation and rumours about different organisations out there, but, at the end of the day, I have to be completely upfront and straightforward. I can only deal with issues when they are presented to me. I can certainly test the robustness, the openness and transparency of organisations through reviews, governance reviews and annual assessments. The last assessments certainly did not raise issues of this nature. Had they been raised, I would have dealt with them. That is to be completely frank about it.

If you were someone who believed everything that you heard on the radio, read in the newspapers or saw on the television, you could come to the conclusion that the organisation had issues, but that is different to what we are dealing with now. We are dealing with a series of complaints, which are now in double figures, and significant allegations that have been made about the organisation. As the member will probably agree, that is completely separate to some of the things that you may have heard about in the past.

Mrs McKeivitt: The reason that I ask that is that my first experience of meeting the CEO was with the Committee back in June. That was to do with a grievance within Sport NI, and she had to come and address the Committee. From memory, that was to do with the St Colman's College project, a journalist who was asking questions and the due process that had been carried out by Sport NI on that. It is ironic that we are back here today facing similar allegations, but that predated the CEO — and I appreciate —

Ms Ní Chuilín: With respect, they also predate me.

Mrs McKeivitt: Yes.

Ms Ní Chuilín: I am reluctant to go into that, particularly given the Chair's position, but they predate me as well.

Mrs McKeivitt: That is the reason why I was going to raise it. I am conscious that you have acted on a process that at least protects those who work within Sport NI. If that is for the short term, that is what it is, but I respect that you have put a process in place.

Ms Ní Chuilín: I appreciate that.

Mrs McKeivitt: The staff, let alone the public who could be waiting on funding etc, can have some form of confidence in those actions. I am quite conscious of protecting the whistle-blowers and protecting all, but I am also quite conscious of whether you protect the CEO. What happens to her now? She has been out of post for four months. Is there a plan or process there? Can we go into that?

Ms Ní Chuilín: The interim chief executive will look at all the previous procedures that have happened up until now.

Mrs McKeivitt: Does that include going back before your time?

Ms Ní Chuilín: No, it does not.

We are talking about the chief executive, and it is primarily an issue for the board of Sport NI, as, technically, it is her employer. The interim chief executive will certainly report to the board and the Department on the result of the review of those grievance procedures. It is not within my gift to go back to issues that were raised before my time, nor do I feel that that is appropriate.

Mrs McKeivitt: Do you feel that there are likely to be further resignations from the board?

Ms Ní Chuilín: I hope not, and I have no indication that that is the case. I also want to thank the board members who are there, given the challenging times that they face. Nonetheless, they are there and are dealing with the shock of hearing of the initial report and the attention by me and the Department, but they are content to work with us — in fact, they are happy to work with us.

Mrs McKeivitt: In answer to earlier questions, you said that there was a fear in Sport NI that the HR policy was not strong enough. What actions can you take now to alleviate that fear?

Ms Ní Chuilín: One of the first actions that the interim CEO needs to take is to ensure that all policies are, first, correct and, secondly, robust enough, not only to deal with the review of the complaints and grievances thus far but to encourage people, if they feel that they need to raise an issue in the future, that the policies are there and are being implemented, and are seen to be being implemented. That is key to it all.

Mrs McKeivitt: How many whistle-blowers, if any, have left their post or submitted a sick line for work-related stress?

Ms Ní Chuilín: I cannot get into that, Karen, because it might identify people who have come forward. However, what I can say is that, up until today, yesterday and the day before, the number of people whom we are dealing with who have come forward to make complaints is in double figures.

Mrs McKeivitt: I have a final question. What safeguards can you add to the actions to be put in place by you and the Department to support the integrity of the arm's-length body?

Ms Ní Chuilín: I think that the intervention will help the integrity of Sport NI. I understand and appreciate that the organisation has taken, particularly over the past while, a battering. Despite the fact that the public is still loyal to the organisation, its intent and the work that it does, there is an issue with public confidence, and we all need to work to restore that. It is important that we have the confidence of the staff who work in the organisation restored. That is where we need to start, and that is why I did what I did.

Mrs McKeivitt: With some allegations in the past, the Northern Ireland Office treated concerns as whistle-blowing, but the Department did not. Have you or your Department any plans to start looking back, particularly before the 2013 review?

Ms Ní Chuilín: I am dealing with the guidance issued by DFP. It is devolved guidance from DFP rather than something from a previous mandate, or even from before devolution, that has gaps in it. The guidance is robust, and staff-side representatives and the unions are aware of it. Staff are made aware of the process, so they feel that they can be confident in coming forward to make their complaints. I cannot, and will not, stand over what other people have or have not done, but when people come to me and to my Department about issues, those issues will be dealt with and the people will be supported. I appreciate that, at this stage, these are allegations, albeit of a very serious nature. The guidance and the clarity in the whistle-blowing protocols should provide assurance to anybody who has any doubt about their robustness or the protections that a whistle-blower is entitled to.

The Chairperson (Mr McCausland): OK. Thank you.

Mrs McKeivitt: Therefore, the concerns that were raised by the Northern Ireland Audit Office in the 2013 review will be included?

Dr McMahon: We recently issued whistle-blowing guidance. It is the standard DFP guidance, as the Minister said.

Ms Ní Chuilín: I am curious, so I will go back and check. I will compare and contrast.

Mr Cree: Good afternoon. The DFP guidance seems to work everywhere else. I am unaware of any difficulties elsewhere, although I do not know whether that is a good sign or a bad sign.

Organisational change always brings with it risks, and management is usually sensitive to those risks. Does this whole thing reflect a failure of line management to do just that?

Ms Ní Chuilín: I am reluctant to get into the specifics.

Mr Cree: It is a possibility, though.

Ms Ní Chuilín: Everything is possible, and that is where you get into the realm of speculation. However, it is clear that relationships have broken down across the organisation, and we need to restore and repair them, not only to assist staff who are experiencing difficulties now but to ensure that staff have confidence in the organisation in the future.

Mr Cree: Does this also mean — I guess that I am stating something that is self-evident — that there has been a failure in the grievance procedure over the last couple of years?

Ms Ní Chuilín: It is unfair to blame the robustness of the grievance procedures, because we are now dealing with accusations, which are fairly consistent, about a climate of fear and mistrust in the organisation. As part of going forward, I know — Mrs McKeivitt asked me the question — that, in terms of the HR procedures and whistle-blowing, the interim team will ensure that Sport NI's current policies are robust enough. We will be looking at all of that.

I think that people will have faith and trust if they see that relationships are being repaired and that there is a work ethic that will engender trust and better communication and facilitate confidence not only for them as individual members of staff and as staff team members but for the organisation going forward.

Mr Cree: That is true, but do you not also agree, Minister, that policies and procedures are one thing, but, unless they are being carried out properly — that is where the management function comes in — there is not much point in having them.

Ms Ní Chuilín: That is fair enough; that is your observation. I am reluctant to get into any detail that would point to specifics or anything that would give a hint that there are particular areas in the organisation that are culpable. However, it is fair to say that the relationships are poor. People feel that there has been a breakdown in relationships. There is an absence of trust, and, because of that, people feel afraid. That indicates that we need to look not only at staff, management and the board but at communications from within. We need to do that as a matter of urgency.

Mr Cree: I agree with that. Finally, I want to ask about the structure that you are putting up. Will you flesh it out a little more for us? What will these people be doing? What sort of areas or structures are envisaged?

Ms Ní Chuilín: The new interim chief executive will be the interim chief executive of the organisation, and the other two members are there to support the interim chief executive. It is about trying to build confidence in the organisation and going through the grievance procedures, the grievances and some of the complaints and allegations that have been brought thus far and to be seen to be doing it. I believe that it is very important at this stage that people in Sport NI feel that an intervention is made in order to help them through a very difficult period.

Mr Cree: Have you thought about the delegation of that at this stage, other than having three chief executives?

Ms Ní Chuilín: There are not three chief executives, Leslie.

Mr Cree: In parentheses, though. There are three people in charge.

Dr McMahon: I will add a little bit of detail to that, if I may. The chief executive will be there as chief executive, reporting to the board. As I said, the chief executive will also have a role as accounting officer, reporting to the Department. In addition to that, the chief executive will take forward a series of actions that have come out of the audit report. It would not be practical for the chief executive to take on that work to set up the independent employee survey and all those other things and to run the organisation effectively and give staff confidence. In order to give confidence to staff that matters are being dealt with independently, the other two officers will assist the chief executive in taking forward specific actions such as the employee survey that have come out of the audit report.

Mr Cree: What is the likely time frame, Minister? I know that you said that it would be in the short to medium term.

Ms Ní Chuilín: To be totally honest, we need to be there as long as it takes. I would be reluctant to say that it will take one month, two months or three months.

Mr Cree: Will it be done as quickly as possible?

Ms Ní Chuilín: It will be done as quickly as possible.

The Chairperson (Mr McCausland): How many people are employed in Sport NI?

Ms Ní Chuilín: One hundred and forty.

The Chairperson (Mr McCausland): If there are 140 people employed there, and you have indicated that 10 people have made allegations —

Ms Ní Chuilín: The number is more than that; it is in double figures.

The Chairperson (Mr McCausland): Well, 10 is in double figures.

Ms Ní Chuilín: The media have said up to 10 people. I have not; I said that it was in double figures.

The Chairperson (Mr McCausland): Right. I thought that you cited a figure earlier.

Ms Ní Chuilín: No.

The Chairperson (Mr McCausland): "In double figures" could mean 95, 10 or 11.

Ms Ní Chuilín: At this stage, it is certainly no more than 20.

The Chairperson (Mr McCausland): OK.

Dr McMahon: We are reluctant to be too specific because people are coming along all the time, and we do not want to identify them. It is not inaccurate to say that the figure is around 10%.

The Chairperson (Mr McCausland): Without identifying anyone, do they include allegations and counter-allegations?

Ms Ní Chuilín: I cannot comment on that, Chair.

Dr McMahon: The only thing that I would say in addition to that is that it is not possible to say because, to some extent, this is not a replacement for individual grievance procedures. The work that the auditor did was not to take over individual grievance procedures and give us a report on each individual grievance case. The idea behind the report was to identify the issues from the people who have come forward and write that up in a way that, as far as possible, captures the organisational issues because that is where our concern comes in.

The Chairperson (Mr McCausland): It just strikes me that there are 140 staff and the Minister said "people feel"; but only some people feel: if 20 people came forward and made allegations, 120 did not.

Dr McMahon: The only thing that I would say about that is this, and it is one of the points that the internal auditor made about it. It comes back to some of the points raised earlier about grievance procedures. It is a big step for somebody to take, particularly if they are in fear of losing their job, potentially. I am not talking about that in these particular cases, but if you read the whistle-blowing guidance you find that that is the big fear that many whistle-blowers have: that they will lose their job or be disadvantaged. Therefore it is a really big step for somebody to come forward, and we do not know how far this goes beyond those who have come forward.

Mr McMullan: You are very welcome, Minister. I congratulate you on how quickly you have moved on this. One of the things that is needed in a case like this is to restore confidence in the staff and the Department. A lead must be taken so that if anybody wants to come forward they can do so in confidence and will be treated correctly. For anybody to say that we do not know who these people are scared of, we saw what happened to one lady when she came forward to whistle-blow on an organisation recently and how she was vilified in public. In the organisations as well, people step down and nobody is accountable. So I think that it is important that you stepped in quickly to restore that confidence.

Can you assure me, Minister, that the board will demonstrate that it will fully engage with staff to deal with staffing issues, etc, that come forward in the interim?

Ms Ní Chuilín: Absolutely. That is why we have taken these steps. All of this is out of the ordinary and completely unusual, but to do nothing was not an option for me. The board has also asked for support so, in the short term, that is why we have asked to have some appointees from within the Civil Service in the short term. At the same time, we are talking to the Commissioner for Public Appointments about what we need to do in the longer term. That is what we are doing. Not only do the current board members need to be supported but also the whole staff complement and the entire organisation. I anticipate that the members from the Civil Service will sit on the board as a short-term measure.

Dr McMahon: Can I just add, Minister, that the intention is to write to other Departments? These are not civil servants from DCAL, and the intention is that the board co-opts them, depending on who comes forward, onto some of its committees to get additional help on the HR and finance committees, for example.

The Chairperson (Mr McCausland): OK. Thank you. On Friday morning, I had cause to ring Sport NI about a constituency issue. I was told that it was a policy issue and that it therefore had to go to the board. The disruption in the board will have an impact on a number of issues and organisations. In particular, there was an issue about the recognition of a particular organisation in one sport and the ability of people to access money, or not, as the case might be. What will be done to minimise any impact in terms of delays caused by not having a full complement on the board?

Ms Ní Chuilín: Chair, that is why Denis has written to invite members of the Civil Service to come forward. We want to avoid at all costs a delay in organisations getting access to grants. It is important

that the necessary complement of skills and expertise is on the board as soon as possible in order to make those decisions.

The Chairperson (Mr McCausland): We will come back to that one, I am sure.

Mr B McCrea: Minister, I refer you to a document of March 2013. Sport NI had a review of governance issues, and concluded:

"there are a number of areas where a fresh approach is required and improvements can be made".

DCAL's stage 1 report of its review of Sport NI stated:

"Sport NI has agreed an action plan with the Department and has taken forward implementation to address the weaknesses".

Was that done?

Mr Devitt: Part of the work of the transformation manager whom we spoke about earlier was to help to take forward those organisational changes.

Mr B McCrea: The following year — this is from the departmental website — DCAL's final report in March 2014 noted, at paragraph 5.5:

"Stage 1 highlighted a number of concerns regarding governance within Sport NI and in light of these concerns Sport NI is implementing a governance action plan. The Department is of the view that full implementation of the action plan should address the governance matters which had been identified."

Is the Department still of that view?

Mr Devitt: We have a range of governance approaches in place whereby we deal with Sport NI: for example, accountability meetings are held every quarter with the accounting officer and senior staff in Sport NI to go through a range of issues, such as budgets, planning, the approach to risk and policy issues. Sport NI also completes biannual assurance statements to the Department, and the board completes an annual assurance statement to the Department. Sport NI follows the range of accountability and governance mechanisms and processes that we have in place for it. They are similar to other arm's-length bodies in the Department.

Mr B McCrea: If an accounting officer was accused of misleading the board, would that be reported to the Department?

Mr Devitt: That is a hypothetical situation that is difficult to comment on.

Mr B McCrea: Is the Minister aware of any allegations of an accounting officer misleading the board?

Ms Ní Chuilín: No, I am not aware of any.

Mr B McCrea: We have a situation in which you do not really know very much, but there might be some concern about a board feeling that it has been misled. That might explain why nine people have resigned.

Ms Ní Chuilín: You are very consistent — you are consistently inaccurate, to be frank. I take exception to you saying that I do not know very much. When allegations are brought to my attention, I deal with them. I take exception to the rest of your assertions, which are completely inaccurate.

Mr B McCrea: OK. I understand that you take exception, so take exception to this: you have failed completely and utterly. Your Department has failed. You, your Department and your senior officials have failed all those people whom you are now saying that there are serious failings or problems with. You had a review in 2013, in which you said that there were problems and that you were going to fix them. You said in 2014 that you were going to fix them. You are back going through the same thing

again. You can take exception to this if you like: your position, the chair's position and the board's position are untenable if even a fraction of what you are saying is right. You should consider your position because you are not doing your job.

The Chairperson (Mr McCausland): OK.

Ms Ní Chuilín: That is the sound bite for the news over with —

The Chairperson (Mr McCausland): Let me just —

Ms Ní Chuilín: Basil has made some very interesting points. First, he has no evidence. Staff came forward through this internal audit report. I am glad that they did that. They have done so because the guidelines that we have brought forward are working. That is a level of success —

Mr B McCrea: Not until now.

Ms Ní Chuilín: I did not interrupt you, so do not interrupt me.

The Chairperson (Mr McCausland): You are not chairing this meeting.

The Chairperson (Mr McCausland): OK, Basil.

Ms Ní Chuilín: I am asking through the Chair, and I am giving proper respect through the Chair. If I could finish the point that I am making, I will say that I am glad that these people feel confident that they can come forward despite the fact that they are unhappy. I find it disappointing that the board members who resigned could not explain their reasons to me. However, I thank them for the service they have given to sport and, particularly, the community. For some, that was over a period of decades. I take exception to Basil's indication that doing nothing would be better than what I have done. I completely refute that.

The Chairperson (Mr McCausland): May I just make two points? First, for nine members, or two thirds, of any board to resign is just incredible. I cannot recall that ever happening. I may be wrong. I may have forgotten something or missed something. However, I cannot recall two thirds of the board members of any public body resigning in one go. You may lose one, two or whatever, but this is just an extreme case. This is a body that impacts on sport. Sport is very popular in Northern Ireland. We have a wide range of sporting bodies and performance and participation at a high level, which I am sure we are trying to increase. However, against that background, there will be a view that we need some answers as to what was going on in there that led to nine resignations.

Ms Ní Chuilín: I am also trying to find out why nine people resigned. They did not do me the courtesy of going to the meeting to tell me their concerns or even the reasons why they were resigning; but that is their prerogative. I am also aware that some of the people who resigned from the board had been there from 2008 and, prior to that, had given decades of service to sport. Out of respect to them, we need to know their reasons. If they have issues with their experience in the organisation that they feel need to be discussed, they can come forward to the Department. However, it is wrong for anyone to assert the notion that doing nothing was an option that anybody could even consider in those circumstances.

The Chairperson (Mr McCausland): I am going to take two people in the last couple of minutes, and they will be very brief. It will be Karen and then William.

Mrs McKeivitt: Thanks. We are talking about the resignations and not knowing the reasons why. What was your reason for accepting them so quickly?

Ms Ní Chuilín: I assume that, if nine people made the decision to leave the board, they made that decision for a reason. It is not to be disrespectful but, to be honest, Karen, given the nature of some of the issues that were presented in the report, I did not have time to prioritise going to meet people individually to try to find out what their reasons were. My priority was to look after the staff. We are talking about grown adults here. These are people who came to that decision and, it would appear, did so, as a collective, in a letter to me. I am writing to the members who resigned. I am still keen to find out why. However, given the fact that they have made that decision, I have had to move on.

Mrs McKeivitt: One more question.

The Chairperson (Mr McCausland): I will make it one each. William is next.

Mr Humphrey: Minister, who makes the policy at Sport NI ordinarily?

Ms Ní Chuilín: It comes from DCAL.

Mr Humphrey: Therein lies the fears and concerns that I and other members have. The policy comes from the Department, and the board will now be populated by people from the Civil Service. A triumvirate of civil servants from your Department has been put in, and that is not to take away from them. Finally, given that there is a precedent, have any of those people come forward to express a fear of DCAL's being Big Brother in this?

Ms Ní Chuilín: They could have, but they have not. The DCAL policy is actually something that the Chair and your party presided over. It is in the Sport Matters strategy, which I have faithfully implemented. It was a cross-Executive departmentally funded policy document. To be frank, it is not fair to say that I wrote it and gave it to Sport NI to implement. The Sport Matters strategy has been accepted right across the Executive. It has been reviewed recently.

The other aspect of this is that the quickest solution was for civil servants to come from my Department to act as an interim executive rather than leaving the organisation in a state in which people were saying that they were afraid. I do not think that that is acceptable by anybody's guide. I felt that it was the quickest and most appropriate way in which to try to give people support. Where there are people making allegations, there are also people who potentially have allegations being made against them, and they, too, need support in this. The interim chief executive will be involved in an investigative process. It is really important to act not only swiftly but appropriately, and I believe that we have done so.

The Chairperson (Mr McCausland): We will leave the matter there for today. I thank the Minister for coming. You will appreciate that people still have a lot of concerns about where all this is going. A lot of people will be watching very closely how Sport NI is handled and dealt with as an organisation and any developments and decisions over the summer. Thank you indeed.

Ms Ní Chuilín: Thank you.