



Coimisiún Thithe
an Oireachtais
Houses of the
Oireachtas Commission

*Minutes of Commission Meeting
Monday 25 January 2021*

The first meeting of the Commission of 2021 took place at 11.00 a.m. via MS Teams.

1. MEMBERS PRESENT

Deputy Seán Ó Fearghaíl, Ceann Comhairle (Chairperson), Senator Mark Daly, Cathaoirleach of the Seanad (Deputy Chairperson), Deputy Joe Carey; Deputy Francis Noel Duffy; Senator Seán Kyne; Deputy Jennifer Murnane O'Connor; Deputy Louise O'Reilly; Senator Ned O'Sullivan; Deputy Duncan Smith; Senator Mark Wall; and Mr. Peter Finnegan (Secretary General).

2. MINUTES OF PREVIOUS MEETINGS

The minutes of the meeting of 30 November 2020, and the note of the meeting which was held incorporeally and took place on 16 – 17 December 2020, were agreed by the Commission.

3. HOUSES OF THE OIREACHTAS COMMUNICATIONS STRATEGY

(i) Programme of Public Engagements Events to commemorate the 2021-2023 phase of the *Decade of Centenaries*

The Commission agreed that the Houses of the Oireachtas would commemorate the 2021-2023 phase of the *Decade of Centenaries* through a programme of commemorative events in the Houses.

The Commission also agreed that a cross-party Working Group would be established to have responsibility for political oversight of the Commemorative Programme and that the Group would be chaired by the Cathaoirleach of the Seanad, Senator Mark Daly.

The Commission approved an outline programme of events and requested the Working Group to develop the programme further. The Commission noted that full costings and an implementation plan for delivery of the programme will be presented to it for approval following the Working Group's deliberations.

(ii) Report on the Houses of the Oireachtas Local Media Communications Plan

The Commission noted the report on the Oireachtas Local Media Plan. It referred the report to the Finance Committee for further consideration having regard to the need to achieve equality of treatment in the provision of communication services to members with respect to reporting of the parliamentary proceedings. The Commission further requested that a survey of members be carried out to inform future plans in relation to this matter and that the draft survey questions be reviewed by the Finance Committee.

4. PARLIAMENTARY BROADCASTING CONTRACT

Business Case for the Provision of Outside Broadcast Services

The Commission undertook initial consideration of a business case to establish a Framework Agreement for the procurement of outside broadcast services for the Houses of the Oireachtas.

It referred the business case to the Finance Committee for detailed consideration and requested the Committee to report back to the Commission with its recommendations.

5. SERVICE LEVEL AGREEMENT FOR THE PRINT FACILITY

Proposed Amendments to the Service Level Agreement (SLA)

The Commission considered proposed amendments to the SLA submitted to it by the Print Users' Council with respect to the definition of 'corporate material' as set out in paragraph 9(2) of the SLA.

It also considered the legal advice provided to the Print Users' Council concerning the application of the SLA and the role and responsibilities of Commission members in the performance of their functions as laid down in its Code of Conduct.

The Commission agreed to resume consideration of the proposed amendments at its next meeting. It requested that the material referred to the Print Users' Council for a determination, and which gave rise to the proposed amendments, be circulated for consideration at the meeting.

6. SCHEME FOR SECRETARIAL ASSISTANCE FOR MEMBERS

(i) Draft Statutory Instrument: Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2021

The Commission approved the Draft Statutory Instrument to give legal effect to its decision on the allocation of resources under the Scheme for Secretarial Assistance for Members for the 33rd Dáil and 26th Seanad in accordance with the Oireachtas (Allowances to Members) Act 1962, as amended, and the Ministerial and Parliamentary Offices Act 1938, as amended.

(ii) Commission Direction under Regulation 4(2)(c) of Statutory Instrument: Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2021

The Commission approved the updated Direction, as set out in regulation 4(2)(c) of the Draft Statutory Instrument, regarding the allocation of additional secretarial facilities to members.

(iii) Update on Pay Claim submitted for Political Staff

The Commission noted a verbal update on the pay claim submitted for political staff employed under the Scheme for Secretarial Assistance for Members. It requested that the response from the Department of Public Expenditure and Reform to the pay claim be circulated to the Commission when it is available.

7. LEGAL BRIEFING FROM THE OFFICE OF PARLIAMENTARY LEGAL ADVISERS

The Commission was briefed by the Office of Parliamentary Legal Advisers (OPLA) in relation to legal matters:

- (i) in respect of litigation proceedings issued against the Commission, it agreed that the case should proceed to mediation and that the Secretary General, as Accounting Officer, be authorised to give approval in relation to the process;
- (ii) in respect of judicial proceedings where Dáil Éireann is a Notice Party (Record No: 2020/569 JR), it agreed to table a motion in the Dáil to seek authorisation for the Commission to conduct the defence of the proceedings pursuant to section 4(2)(f)(iv) of the Houses of the Oireachtas Commission Acts 2003 to 2018, and authorised the OPLA to defend the proceedings in respect of Dáil Éireann and to engage legal representatives in respect of the case.

8. COVID-19 Update

The Commission:

- (i) noted a verbal update from the Head of Facilities Management on oversight of the preventative measures in place across the Leinster House complex in response to COVID-19 to ensure a healthy and safe work environment on the precinct;
- (ii) agreed that repeated failures to observe the *COVID-19 Code of Conduct for the Parliamentary Community* would be referred to the Ceann Comhairle or the Cathaoirleach, as appropriate, who would decide on the appropriate action to be taken in response to the non-compliance.

9. OUTLINE COMMISSION WORK PROGRAMME AND MEETING SCHEDULE FOR 2021

The Commission noted an outline work programme and meeting schedule for 2021.

10. ANY OTHER BUSINESS

- (i) *Correspondence*

The Commission noted the following correspondence:

- (a) Email from Senator Paul Gavan in response to the reply issued to his original email dated 8 October 2020 on employment rights for contract staff working in Leinster House.
- (b) Letter from the Minister for Public Expenditure and Reform in response to the consultation process as part of the independent review of the system for recording members' attendance at Leinster House.
- (c) Letter from Staff Unions in relation to health and safety in the Leinster House workplace due to the evolving COVID-19 situation.
- (d) Correspondence from Senator Mark Daly (Cathaoirleach) in relation to *Community Garden of Remembrance and Reflection initiative* as part of final phase of the Decade of Centenaries Programme for 2021 - 2023.

It was agreed to forward the correspondence to the Working Group on the Decade of Centenaries Commemorative Programme for the Houses of the Oireachtas.

- (e) Correspondence forwarded by Senator Mark Daly (Cathaoirleach) from *FedNet* broadcast news organisation requesting media accreditation to broadcast the parliamentary proceedings.

It was agreed to forward the correspondence to the Head of Communications.

- (ii) *Independent Review of the System for Recording Members' Attendance at Leinster House*

The Commission noted that the report of the Independent Review of the System for Recording Members' Attendance at Leinster House would be submitted to it following consideration of the draft report by the Audit Committee.

- (iii) *Facilities for Remote Working for Members' Staff*

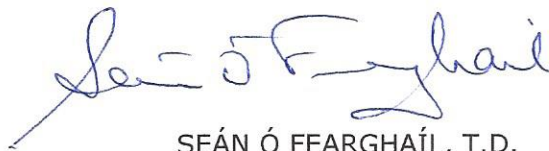
The Commission noted that a meeting had taken place with Party and Group Administrators in relation to the provision of office equipment to enable political staff to work remotely during the exceptional working conditions arising from the COVID-19 pandemic.

The Commission approved a proposal to provide equipment on loan to political staff up to an overall expenditure limit of €20k. The equipment will be provided on receipt of a request routed through the Party and Group Administrators. Provision of the equipment will be provided subject to the provision of a written undertaking from the recipient confirming that:

- (a) the provision of office equipment by the Service, on loan, does not alter in any way the current employer/employee relationship of the recipient;
- (b) the person receiving the equipment on loan will return it on receipt of a request from the Oireachtas Service.

11. DATE OF NEXT MEETING

The next meeting will take place at 11.00 am on Monday 1 March 2021 via Microsoft Teams.



SEÁN Ó FEARGHAÍL, T.D.

Ceann Comhairle and Chairperson of the Commission

Dated:

04-03-2021