

**Partnership Agreement between
The Executive Office and the Northern Ireland
Judicial Appointments Commission**

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Introduction

1. The Partnership Agreement

- 1.1 This document sets out the partnership arrangements between the Northern Ireland Judicial Appointments Commission (NIJAC) and the Executive Office (TEO). In particular, it explains the overall governance framework within which NIJAC operates, including the framework through which the necessary assurances are provided to stakeholders. Roles/responsibilities of TEO within the overall governance framework are also outlined.
- 1.2 The partnership is based on a mutual understanding of strategic aims and objectives; clear accountability; and a recognition of the distinct roles each party contributes. Underpinning the arrangements are the principles set out in the NI Code of Good Practice ***‘Partnerships between Departments and Arm’s-Length Bodies’*** which should be read in conjunction with this document. The principles which are laid out in the Code are:

LEADERSHIP
<i>Partnerships work well when Departments and Arm’s Length Bodies demonstrate good leadership to achieve a shared vision and effective delivery of public services. Strong leadership will provide inspiration, instil confidence and trust and empower their respective teams to deliver good outcomes for citizens.</i>
PURPOSE
<i>Partnerships work well when the purpose, objectives and roles of Arm’s Length Bodies and the sponsor department are clear, mutually understood and reviewed on a regular basis. There needs to be absolute clarity about lines of accountability and responsibility between departments and Arm’s Length Bodies. In exercising statutory functions Arm’s Length Bodies need to have clarity about how their purpose and objectives align with those of departments.</i>

ASSURANCE

Partnerships work well when departments adopt a proportionate approach to assurance, based on Arm's Length Bodies' purpose and a mutual understanding of risk. Arm's Length Bodies should have robust governance arrangements in place and in turn departments should give Arm's Length Bodies the autonomy to deliver effectively. Management information should be what is needed to enable departments and Arm's Length Bodies to provide assurance and assess performance.

VALUE

Partnerships work well when departments and Arm's Length Bodies share knowledge, skills and experience in order to enhance their impact and delivery. Arm's Length Bodies are able to contribute to policy making and departmental priorities. There is a focus on innovation, and on how departments and Arm's Length Bodies work together to deliver the most effective policies and services for its customers.

ENGAGEMENT

Partnerships work well when relationships between departments and Arm's Length Bodies are open, honest, constructive and based on trust. There is mutual understanding about each other's objectives and clear expectations about the terms of engagement.

A full copy of the NI Code can be found at Annex 8.

1.3 This document should also be read in conjunction with guidance on proportionate autonomy which provides an outline of the principles and characteristics for proportionate autonomy. Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance to be established between NIJAC and TEO and this is reflected in this agreement.

1.4 TEO and NIJAC are committed to:

- Working together within distinct roles and responsibilities;
- Maintaining focus on successful delivery of Programme for Government outcomes and Ministerial priorities (see also paras 2.6 and 2.7);
- Maintaining open and honest communication and dialogue;
- Keeping each other informed of any issues and concerns, and of emerging areas of risk;
- Supporting and challenging each other on developing policy and delivery [when developing policy this may cut across more than one department];
- Seeking to resolve issues quickly and constructively; and

- Acting at all times in the public interest and in line with the values of integrity, honesty, objectivity and impartiality.

1.5 The effectiveness of the partnership and the associated Engagement Plan will be reviewed each year by the Department and NIJAC in order to assess whether the partnership is operating as intended and to identify any emerging issues/opportunities for enhancement. This can be carried out as part of existing governance arrangements. The Partnership Agreement document itself will be reviewed formally at least once every three years to ensure it remains fit for purpose and up-to-date in terms of current governance frameworks. The formal review will be proportionate to NIJAC's size and overall responsibilities and will be published on our websites as soon as practicable following completion.

1.6 A copy of this agreement has been placed in the Assembly Library and is available on the TEO and NIJAC websites.

NIJAC Establishment and Purpose

2. Statutory Purpose and Strategic Objectives

2.1 NIJAC is a non-departmental public body (NDPB) established in June 2005 with its statutory duties set out in the Justice (Northern Ireland) Act 2002 (as amended) which includes provisions covering purpose and activities; the membership, staffing, governance, financing and accountabilities. For national accounts purposes NIJAC is classified to the central government sector.

2.2 NIJAC was established to manage a system for selecting and appointing members of the judiciary, up to and including High Court Judges, in Northern Ireland. NIJAC is guided by the merit principle and is required to ensure that:

- A range of people reflective of the community in Northern Ireland is available for consideration whenever we are required to select an individual to be appointed, or recommended for appointment, to the judiciary.
- Appointments to the judiciary are reflective of the community in Northern Ireland.

2.3 NIJAC is governed by an independent Board chaired by the Lady Chief Justice of Northern Ireland with 12 Commissioners drawn from the judiciary, the legal professions and lay people. Commissioners also sit as assessors on NIJAC's Selection Committees which are augmented by co-optees with expertise in judicial office. To support the work of the Board, NIJAC has three committees - the Audit and Risk Assurance Committee, the Business Committee and the Advisory Committee.

2.4 The First Minister and deputy First Minister are answerable to the Assembly for the overall performance and delivery of both the TEO and NIJAC.

- 2.5 The Executive’s outcome-based approach to delivery recognises the importance of arm’s length bodies and departments working collaboratively and together in a joined up approach to improve overall outcomes and results.
- 2.6 To that end there is strategic alignment between the aims, objectives and expected outcomes and results of NIJAC and TEO.
- 2.7 NIJAC seeks to achieve its strategic outcomes through a Corporate Plan (2025-2030) which includes key strategic themes set out below. The Corporate Plan then develops these further into various outcomes and priorities.

Key Strategic Theme	
Recognising Merit	Designing and implementing continuous improvement of The Selection Process which recognises merit, promotes fairness and maintains public confidence.
Reflecting the Community	Monitoring diversity in the judiciary and our applicant pools to enable NIJAC to identify underrepresentation. Encouraging applications from across the community to maximise the potential for appointments to be reflective of the community.
Engaging with Others	Collaborating with stakeholders to deliver effective services and working in partnership with others to influence and increase the wider awareness of what NIJAC does.
Valuing our People	Creating the conditions by which our people (Commissioners, staff and co-opted individuals) feel supported, facilitated and inspired to do their best work.
Delivering a well-run organisation	Delivering an independent, efficient and effective public service with a focus on good governance and sustainable financial management.

2.8 NIJAC's strategy and annual business objectives will be underpinned by and contribute to the following priorities in the ***Programme for Government 2024-2027 'Our Plan: Doing What Matters Most'***:

- *Ending Violence Against Women and Girls*
- *Better Support for Children and Young People with Special Educational Needs*
- *Safer Communities*
- *Reform and Transformation of Public Services*

2.9 NIJAC's work during the period of the 2025-2030 Corporate Plan will contribute to these priorities by continuing to ensure that the process for the assessment and selection of judicial office holders incorporates their ability to demonstrate the full range of skills, attributes, behaviours and different aspects of effectiveness which make the judiciary in Northern Ireland capable of delivering a Justice service which is supportive of these priorities.

2.10 NIJAC will do this through the continual review and improvement of its assessment methods, the delivery of timely selection exercises which ensure that those courts and tribunals supporting the achievement of these aims are adequately resourced with a capable judiciary, and also through striving to improve the service through good governance and sustainable financial management.

NIJAC Governance Arrangements

3. Organisational Status

3.1 NIJAC is a legal entity in its own right, employing its own staff and operating at arm's-length from the Department. As a legal entity it must comply with all associated legislation including legislation relating to its employer status.

4. Governance Framework

4.1 NIJAC has an established Corporate Governance Framework which reflects all relevant good practice guidance. The framework includes the governance structures established within NIJAC and the internal control and risk management arrangements in place. This includes its Board and Committee Structure. TEO should be satisfied with the framework.

4.2 An account of this is included in NIJAC's annual Governance Statement together with the NIJAC Board's assessment of its compliance with the extant Corporate Governance Code of Good Practice (NI). Any departure from the Corporate Governance Code must be explained in the Governance Statement. The extant Corporate Governance Code of Good Practice (NI) is available on the DoF website.

4.3 NIJAC is required to follow the principles, rules, guidance and advice in *Managing Public Money Northern Ireland*. A list of other applicable guidance and instructions which NIJAC is required to follow is set out in Annex 6. Good governance should also include positive stakeholder engagement, the building of positive relationships and a listening and learning culture.

5. NIJAC Board

5.1 NIJAC is led and governed by a Board comprised of 13 members drawn from the judiciary, legal profession and other backgrounds. Membership of the Board is set out in the Justice (Northern Ireland) Act 2002. The Lady Chief Justice of

Northern Ireland serves as the Chair of the Board and the other 12 members appointed as follows: five judicial members nominated by the Lady Chief Justice; a barrister nominated by the General Council of the Bar of Northern Ireland and a solicitor nominated by the Law Society of Northern Ireland, referred to as 'legal profession members' and five lay members who do not hold (and have never held) a protected judicial office and are not (and have never been) barristers or solicitors. The recruitment and appointment process for lay members is the responsibility of TEO and is required to comply with the Code of Practice on Public Appointments for Northern Ireland.

- 5.2 As Public Appointees Board members are office holders rather than employees, they are not subject to employee terms and conditions. Board appraisal arrangements are set out in paragraphs 15.1 and 15.2 and matters for consideration in dealing with concerns/complaints in respect of Board members are provided in Annex 5.
- 5.3 The NIJAC Board's operating framework/terms of reference provides further detail on roles and responsibilities and should align closely with this Partnership Agreement.
- 5.4 The purpose of the NIJAC Board is to provide effective leadership and strategic direction to the organisation and to ensure that the policies and priorities set by the First Minister and deputy First Minister are implemented. It is responsible for ensuring that the organisation has effective and proportionate governance arrangements in place and an internal control framework which allow risks to be effectively identified and managed. The Board will set the culture and values of the organisation and set the tone for the organisation's engagement with stakeholders and customers.
- 5.5 The Board is responsible for holding the Chief Executive to account for the management of the organisation and the delivery of agreed plans and outcomes. The Board should also however support the Chief Executive as appropriate in the exercise of their duties.

- 5.6 Board members act solely in the interests of NIJAC and must not use the Board as a platform to champion their own interests or pursue personal agendas. They occupy a position of trust and their standards of action and behaviour must be exemplary and in line with the seven principles of public life (Nolan principles). NIJAC has a Board Code of Conduct and there are mechanisms in place to deal with any Board disputes/conflicts to ensure they do not become wider issues that impact on the effectiveness of the Board. A Board Register of Interests is maintained, kept up to date and is publicly available to help provide transparency and promote public confidence in NIJAC.
- 5.7 Communication and relationships within the Board are underpinned by a spirit of trust and professional respect. The Board recognises that using consensus to avoid conflict or encouraging members to consistently express similar views or consider only a few alternative views does not encourage constructive debate and does not give rise to an effective Board dynamic.
- 5.8 It is for the Board to decide what information it needs, and in what format, for its meetings/effective operation. If the Board is not confident that it is being fully informed about the organisation this will be addressed by the Chair of the Board as the Board cannot be effective with out-of-date or only partial knowledge.
- 5.9 In order to fulfil their duties, Board members must undertake initial training, and regular ongoing training and development. Review of Board skills and development will be a key part of the annual review of Board effectiveness.

6. Audit and Risk Assurance Committee

- 6.1 A further important aspect of NIJAC's governance framework is its Audit and Risk Assurance Committee, established in line with the extant Audit and Risk Assurance Committee Handbook (NI).
- 6.2 The Audit and Risk Assurance Committee's purpose/role is to support the Accounting Officer and Board on governance issues. In line with the handbook the Audit and Risk Assurance Committees focuses on:

- assurance arrangements over governance; financial reporting; annual reports and accounts, including the Governance Statement; and
- ensuring there is an adequate and effective risk management and assurance framework in place.

6.3 NIJAC and TEO have agreed arrangements in respect of Audit and Risk Assurance Committees which may include:

- attendance by departmental representatives in an observer capacity at NIJAC's Audit and Risk Assurance Committee meetings;
- Access to NIJAC's Audit and Risk Assurance Committee papers and minutes;
- Any input required from NIJAC's Audit and Risk Assurance Committee to the departmental Audit and Risk Assurance Committee.

6.4 Full compliance with the Audit and Risk Assurance Committee Handbook (NI) is an essential requirement. In the event of significant non-compliance with the handbook's five good practice principles (or other non-compliance) discussion will be required with the Department and a full explanation provided in the annual Governance Statement.

6.5 The extant Audit and Risk Assurance Committee Handbook (NI) is available on the DoF website.

7. The NIJAC Chair

7.1 The Chair of NIJAC is the Lady Chief Justice of Northern Ireland, which is a statutory appointment. The Chair is responsible for setting the agenda and managing the Board to enable collaborative and robust discussion of issues. The Chair's role is to develop and motivate the Board and ensure effective relationships in order that the Board can work collaboratively to reach a consensus on decisions. To achieve this, they should ensure:

- The Board has an appropriate balance of skills appropriate to its business;
- Board members are fully briefed on terms of appointment, duties, rights and responsibilities;

- Board members receive and maintain appropriate training;
- The First Minister and deputy First Minister, through their officials, are advised of NIJAC's needs when board vacancies arise;
- There is a Board Operating Framework in place setting out the roles and responsibilities of the Board in line with relevant guidance;
- There is a code of practice for Board members in place, consistent with relevant guidance.

7.2 The role also requires the establishment of an effective working relationship with the Chief Executive that is simultaneously collaborative and challenging. It is important that the Chair and Chief Executive act in accordance with their distinct roles and responsibilities as laid out in Managing Public Money NI and their appointment letters.

7.3 The Chair has a presence in the organisation and cultivates external relationships which provide useful links for the organisation while being mindful of overstepping boundaries and becoming too involved in day to day operations or executive activities.

8. The NIJAC Chief Executive

8.1 The role of the NIJAC Chief Executive is to run NIJAC's business. The Chief Executive is responsible for all executive management matters affecting the organisation and for leadership of the executive management team.

8.2 The Chief Executive is designated as NIJAC's Accounting Officer by the departmental Accounting Officer (see section 12). As Accounting Officers, they are responsible for safeguarding the public funds in their charge and ensuring they are applied only to the purposes for which they were voted and more generally for efficient and economical administration.

8.3 The Chief Executive is accountable to the Board for NIJAC's performance and delivery of outcomes and targets and is responsible for implementing the decisions of the Board and its Committees. The Chief Executive maintains a

dialogue with the Chair on the important strategic issues facing the organisation and for proposing Board agendas to the Chair to reflect these. The Chief Executive ensures effective communication with stakeholders and communication on this to the Board. The Chief Executive also ensures that the Chair is alerted to forthcoming complex, contentious or sensitive issues, including risks affecting the organisation.

8.4 The Chief Executive acts as a role model to other executives by exhibiting open support for the Chair and Board members and the contribution they make. The Chair and Chief Executive have agreed how they will work together in practice, understanding and respecting each other's role, including the Chief Executive's responsibility as Accounting Officer.

8.5 Further detail on the role and responsibilities of the Chief Executive are as laid out in Managing Public Money NI and their Accounting Officer appointment letter.

The Chief Executive's role as Principal Officer for Ombudsman Cases

8.6 The Chief Executive is the Principal Officer for handling cases involving the NI Public Sector Ombudsman. They shall advise the departmental Accounting Officer of any complaints about NIJAC accepted by the Ombudsman for investigation, and about the proposed response to any subsequent recommendations from the Ombudsman.

Role of the Executive Office

9. Partnership Working with NIJAC

- 9.1 TEO and NIJAC are part of a total delivery system, within the same Ministerial portfolio. The partnership between TEO and NIJAC is open, honest, constructive and based on trust. There is mutual understanding of each other's objectives and clear expectations on the terms of engagement.
- 9.2 In exercising its functions NIJAC has absolute clarity on how its purpose and objectives align with those of TEO. There is also a shared understanding of the risks that may impact on each other and these are reflected in respective Risk Registers.
- 9.3 There is a regular exchange of skills and experience between TEO and NIJAC and where possible joint programme/project delivery boards/ arrangements. NIJAC may also be involved as a partner in policy/strategy development and provides advice on policy implementation/ the impact of policies in practice.
- 9.4 The Department of Finance (DoF) has established, on behalf of the Assembly, a delegated authority framework which sets out the circumstances where prior DoF approval is required before expenditure can be occurred or commitments entered into. The Accounting Officer of TEO has established an internal framework of delegated authority for the Department and its ALBs [\[TEO Expenditure Approval Guidance \(CG 01/22 \)](#) which apply to NIJAC. Other specific approval requirements established in respect of NIJAC as set out at Annex 3.
- 9.5 Once NIJAC's budget has been approved by the TEO Ministers [and subject to any restrictions imposed by statute] NIJAC shall have authority to incur expenditure approved in the budget without further reference to the Department. Inclusion of any planned and approved expenditure in the budget shall not however remove the need to seek formal departmental approval where proposed expenditure is outside the delegated limits (as laid out in Annex 3) or is for new schemes not previously agreed. Nor does it negate the need to follow due

processes laid out in guidance contained in Managing Public Money NI and Better Business Cases NI (previously NI Guide to Expenditure Appraisal and Evaluation).

10. Lead Official

10.1 TEO has appointed a lead senior official to manage the relationship with NIJAC and ensure effective partnership working. Engagement between the Department and NIJAC will be co-ordinated, collaborative and consistent. A clear sense of collaboration and partnership will be communicated to staff in both the Department and NIJAC in order to promote mutual understanding and support. The officials that will implement this agreement and the Annual Engagement Plan are set out as follows (may be subject to change):

- TEO Sponsorship Unit: Richard Hill (Grade 5); Noreen Hughes (Deputy Principal)
- NIJAC: Tonya McCormac, Chief Executive; Duncan Greer, Director of Finance and Corporate Services.

10.2 The lead senior official is the policy lead for the policy Area relating to NIJAC business and has a clear understanding of NIJAC's responsibilities for policy implementation/operational delivery and the relevant audiences/stakeholders involved.

10.3 The lead senior official will ensure that where there are departmental staff changes, time is taken to ensure they have a full understanding of NIJAC's business and challenges.

11. Annual Engagement Plan

11.1 The Department and NIJAC will agree an engagement plan before the start of each business year. The Annual Engagement Plan (Annex 2) will set out the timing and nature of engagement between NIJAC and TEO. The engagement plan will be specific to NIJAC and should not stray into operational oversight.

- 11.2 Engagement between TEO's lead official/their teams and NIJAC will be centred on partnership working, understanding of shared risks and working together on business developments that align with policy objectives.
- 11.3 In line with relevant guidance¹, NIJAC will work in collaboration and partnership with TEO to prepare corporate and business plans. There should be good high level strategic alignment between the TEO departmental and NIJAC's plans. Once approved it will be the Board of NIJAC that primarily holds the Chief Executive to account for delivery and performance. TEO will engage with NIJAC on areas of strategic interest, linking departmental policy and NIJAC's delivery of policy intent.
- 11.4 The Annual Engagement Plan will also reference the agreed management and financial information to be shared over the course of a year. The aim will be to ensure clear understanding of why information is necessary and how it will be used. Where the same, or similar information is required for internal governance information requirements will be aligned so that a single report can be used for both purposes. In addition, the engagement plan should consider opportunities for learning and development, growth and actions which could help achieve better outcomes.

12. Departmental Accounting Officer

- 12.1 The departmental Accounting Officer is accountable to the NI Assembly for the issue of grant in aid to NIJAC. They have designated the Chief Executive of NIJAC as the NIJAC Accounting Officer and respective responsibilities of the departmental Accounting Officer and the NIJAC Accounting Officer are set out in Chapter 3 of Managing Public Money Northern Ireland. The departmental Accounting Officer may withdraw the NIJAC Accounting Officer designation if they conclude that the NIJAC Accounting Officer is no longer a fit person to carry out the responsibilities of an Accounting Officer or that it is otherwise in the public interest that the designation be withdrawn. In such circumstances the NIJAC

¹ Guidance issued by TEO on NICS Work Programme which includes guidance on business planning for an outcomes-based PfG/ODP

Board will be given a full account of the reasons for withdrawal and a chance to make representations. Withdrawal of NIJAC Accounting Officer status would bring into question employment as Chief Executive and the Chair should engage with the Department should such circumstances arise.

12.2 As outlined in section 8, the NIJAC Chief Executive is accountable to the NIJAC Board for her stewardship of NIJAC. This includes advising the Board on matters of financial propriety, regularity, prudent and economical administration, efficiency and effectiveness.

12.3 The TEO Accounting Officer must be informed in the event that the judgement of the NIJAC Accounting Officer (on matters for which they are responsible) is overridden by the NIJAC Board. The NIJAC Accounting Officer must also take action if the NIJAC Board is contemplating a course that would infringe the requirement for financial propriety, regularity, prudent and economical administration, efficiency or effectiveness. In all other regards, the TEO Accounting Officer has no day to day involvement with NIJAC or its' Chief Executive.

12.4 In line with DoF requirements, the NIJAC Accounting Officer will provide a quarterly declaration of fitness to act as Accounting Officer to the departmental Accounting Officer as part of existing stewardship reporting arrangements.

13. Attendance at Public Accounts Committee

13.1 The NIJAC Chief Executive/Accounting Officer may be summoned to appear before the Public Accounts Committee to give evidence on the discharge of their responsibilities as Accounting Officer (as laid out in their Accounting Officer appointment letter) on issues arising from the C&AG's studies or reports following the annual audit of accounts.

13.2 The Chair may also, on occasion, be called to give evidence to the Public Accounts Committee on such relevant issues arising within the C&AG's studies or reports, in relation to the role and actions taken by the Board, where appropriate.

13.3 In addition, the TEO Accounting Officer may be summoned to appear before the Public Accounts Committee to give evidence on the discharge of their responsibilities as departmental Accounting Officer with overarching responsibility for NIJAC. In such circumstances, the departmental accounting Officer may therefore expect to be questioned on their responsibilities to ensure that:

- there is a clear strategic control framework for NIJAC;
- sufficient and appropriate management and financial controls are in place to safeguard public funds;
- the nominated Accounting Officer is fit to discharge his or her responsibilities;
- there are suitable internal audit arrangements;
- accounts are prepared in accordance with the relevant legislation and any accounting direction; and
- intervention is made, where necessary, in situations where the ALB Accounting Officer's advice on transactions in relation to regularity, propriety or value for money is overruled by the body's Board or its Chair.

Assurance Framework

14. Autonomy and Proportionality

- 14.1 TEO will ensure that NIJAC has the autonomy to deliver effectively, recognising its status as a separate legal entity which has its own Board and governance arrangements. Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance established between NIJAC and TEO and is reflected in this agreement.
- 14.2 A proportionate approach to assurance will be taken based on NIJAC's overall purpose, business and budget and a mutual understanding of risk. The approach will include an agreed process through which the NIJAC Accounting Officer provides written assurance to the Department that the public funds and organisational assets for which they are personally responsible are safeguarded, have been managed with propriety and regularity, and use of public funds represents value for money.
- 14.3 Recognising the governance arrangements in place within the organisation, the NIJAC Accounting Officer will arrange for their written assurance to be discussed at the Audit and Risk Assurance Committee and presented to the NIJAC Board prior to submission to the Department where possible. If not possible, or practicable, the Chair of the ALB Board should have sight of the assurance statement, prior to being submitted to the Department.
- 14.4 The NIJAC Chair will provide written confirmation that the NIJAC Accounting Officer's formal assurance has been considered by the Board and is reflective of NIJAC's current position *(it may not always be possible to obtain written confirmation from the Chair in advance of the statement being submitted to TEO. Any issues identified by the NIJAC Chair will be highlighted to TEO without delay, should the need arise)*.

14.5 In addition to the NIJAC Accounting Officer's written assurance, TEO will take assurance from the following key aspects of NIJAC's own governance framework:

- Annual Review of Board Effectiveness;
- Completion of Board Appraisals which confirm Board member effectiveness;
- Internal Audit assurance and External Quality Assessment of the Internal Audit function;
- Externally audited Annual Report and Accounts, reviewed/considered by the NIJAC Audit and Risk Assurance Committee.

15. Board Effectiveness

15.1 The NIJAC Chair will ensure that the NIJAC Board undertakes an annual review of Board Effectiveness² which encompasses committees established by the Board.

15.2 The Chair of the Audit Committee, supported by the Chief Executive, will discuss the outcome of the annual review of Board Effectiveness with the lead official to ensure a partnership approach to any improvements identified. This will inform the annual programme of Board training/development and discussions in respect of Board composition and succession.

15.3 The size and composition of the NIJAC Board are provided for in Section 3 of the Justice (Northern Ireland) Act 2002. Any changes to the size and composition of the NIJAC Board would require legislative change.

15.4 In addition to the annual review of Board Effectiveness NIJAC will undertake an externally facilitated review of Board effectiveness at least once every three to five years covering the performance of the Board, its Committees and individual Board members. The Chair of the Audit and Risk Committee, supported by the Chief Executive, will liaise with the Department to identify a suitably skilled

² NIAO Good Practice Guide on Board Effectiveness

facilitator for the external review (this can be a peer review, and should be proportionate) and will share the findings/outcome report with TEO on completion of the review.

16. Board Appraisals

16.1 The Chair of NIJAC will conduct an annual appraisal in respect of each Board member which will also inform the annual programme of Board training/development. The Chair will engage with the Chief Executive/lead official as appropriate on improvements identified through the appraisal process and the annual training/development programme.

16.2 Given that the Chair of NIJAC is a statutory appointment, there is no requirement for an annual appraisal to be completed (unlike publicly appointed Chairs of ALBs). The Board's effectiveness will feature in the annual engagement plan.

17. Internal Audit Assurance

17.1 NIJAC is required to establish and maintain arrangements for an internal audit function that operates in accordance with the Global Internal Audit Standards (GIAS). TEO must be satisfied with the competence and qualifications of the Head of Internal Audit and that the requirements for approving appointments are in accordance with GIAS.

17.2 In the event that the internal audit function is contracted out NIJAC shall ensure TEO is satisfied that the contract specification for the internal audit service meets the requirements of GIAS.

17.3 NIJAC will provide its internal audit strategy, periodic audit plans and annual audit report, including the Head of Internal Audit's opinion on risk management, control and governance to TEO. NIJAC will ensure TEO's internal audit team have complete right of access to all relevant records. This applies whether the internal audit function is provided in-house or is contracted out.

17.4 NIJAC will ensure regular, periodic self-assessments of the internal audit function in line with GIAS and will share these with the Department. *In relation to the requirement for an External Quality Assessment of the Internal Audit function, which is required to be conducted at least once every five years by a qualified independent assessor, the onus is on the Internal Audit provider to have the capability to fulfil the audit standard in relation this requirement. In appointing an Internal Audit provider NIJAC will ensure that they hold the appropriate accreditation to meet the EQA requirement.* The EQA may be led by the TEO departmental Head of Internal Audit.

17.5 NIJAC will alert TEO to any less than satisfactory audit reports at the earliest opportunity on an ongoing basis. NIJAC will also alert TEO to a less than satisfactory annual opinion from the Head of Internal Audit at the earliest opportunity. NIJAC and TEO will then engage closely on actions required to address the less than satisfactory opinion in order to move NIJAC to a satisfactory position as soon as possible.

17.6 TEO will take assurance from the fact that NIJAC has met the requirements of GIAS and has a satisfactory annual opinion from the Head of Internal Audit as part of its overall assurance assessment.

18. Externally Audited Annual Report and Accounts

18.1 NIJAC is required to prepare an Annual Report and Accounts in line with the Government Financial Reporting Manual (FReM) issued by the Department of Finance (DoF) and the specific Accounts Direction issued by TEO and in accordance with the deadlines specified.

18.2 The Comptroller & Auditor General (C&AG) will arrange to audit the NIJAC annual accounts and will issue an independent opinion on the accounts. The C&AG [passes the accounts to TEO who shall lay/present/deposit them before the NI Assembly together with NIJAC's annual report.

- 18.3 The C&AG will also provide a Report to Those Charged with Governance (RTTCWG) to NIJAC which will be shared with TEO.
- 18.4 NIJAC will alert the Department to any likely qualification of the accounts at the earliest opportunity. In the event of a qualified audit opinion or significant issues reported in the RTTCWG, TEO will engage with NIJAC on actions required to address the qualification/significant issues.
- 18.5 TEO will take assurance from the external audit process and an unqualified position as part of its overall assurance assessment.
- 18.6 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which NIJAC has used its resources in discharging its functions. The C&AG may also carry out thematic examinations that encompass the functions of NIJAC.
- 18.7 For the purpose of audit and any other examinations, the C&AG has statutory access to documents as provided for under Articles 3 and 4 of the Audit and Accountability (Northern Ireland) Order 2003.
- 18.8 Where making payment of a grant, or drawing up a contract, NIJAC should ensure that it includes a clause which makes the grant or contract conditional upon the recipient or contractor providing access to the C&AG in relation to documents relevant to the transaction. Where subcontractors are likely to be involved, it should also be made clear that the requirements extend to them.

Signatories

NIJAC and TEO agree to work in partnership with each other in line with the NI Code of Good Practice **'Partnerships between Departments and Arm's-Length Bodies'** and the arrangements set out in this Agreement.

Signed: 

The Right Honourable Dame Siobhan Keegan, Lady Chief Justice of Northern Ireland and Chair of NIJAC.

Date 15 December 2025

Signed: 

Tonya McCormac, Accounting Officer and Chief Executive of NIJAC.

Date 15 December 2025

Signed: 

Richard Hill, TEO Senior Sponsor Official

Date 8 January 2026

Annex 1 - Applicable Legislation

The Justice (NI) Acts 2002 and 2004, as amended, provide for the establishment of a body corporate known as the Northern Ireland Judicial Appointments Commission (NIJAC). Under the Northern Ireland Act 2009 the Commission took on some new roles and for the became responsible for the appointment of applicants to many listed judicial offices.

NIJAC does not carry out its functions on behalf of the Crown nor does it enjoy any status, immunity or privilege of the Crown.

The Justice (NI) Act 2002, as amended, and the Northern Ireland Act 2009 set out the Northern Ireland Judicial Appointments Commission's statutory responsibilities. The Commission's 5 key responsibilities are:

- recommend for appointment, applicants in respect of all listed judicial offices up to and including High Court Judge;
- recommend applicants solely on the basis of merit;
- engage in a programme of action to secure, so far as it is reasonably practicable to do so, that appointments to listed judicial offices are such that those holding such offices are reflective of the community in Northern Ireland;
- engage in a programme of action to secure, so far as it is reasonably practicable to do so, that a range of persons reflective of the community in Northern Ireland is available for consideration by the Commission whenever it is required to select a person to be appointed, or recommended for appointment, to a listed judicial office; and
- publish an annual report setting out the activities and accounts for the past year.

Annex 2 – Illustrative Annual Engagement Plan

Good engagement is one of the key principles in the Partnership Code, underpinning the other principles of: Leadership; Purpose; Assurance; and Value.

As laid out in the Code, partnerships work well when relationships between departments and ALBs are open, transparent, honest, constructive and based on trust and when there is mutual understanding of each other’s objectives and clear expectations about the terms of engagement.

The plan below outlines the key areas of engagement between TEO and NIJAC. The engagement plan is completed collaboratively and agreed between TEO and NIJAC.

Engagement Plan 2025/26		
Policy Development and Delivery <i>Planned engagement between TEO and NIJAC in relation to development and monitoring of existing and new areas of policy.</i>		
Policy Area	Frequency/Timing	Lead Departmental/ALB Officials
Full Review of Partnership Agreement and Annual Engagement Plan	June each year	NIJAC CEO/TEO Lead Official
Strategic Planning		
Activity	Date	Lead Departmental/ALB Official
Engagement on the draft Business Plan for 2025/26	April 2025 - delivered	NIJAC Exec Team with input from TEO
Submission and agreement of the NIJAC Business Plan	April 2025 - delivered	NIJAC CEO TEO Senior Sponsor to secure all relevant departmental and ministerial approvals for the ALB Business Plan
Engagement on draft Corporate Strategy	April 2025 – delivered. Published April 2025	NIJAC CEO/ TEO Senior Sponsor

Joint Working		
<i>Add details of any interchange opportunities, and/or joint programme/project delivery boards</i>		
Activity	Frequency/Timing	Lead Departmental/ALB Official
Board development and effectiveness	Ongoing – review to be delivered in 2025/26	NIJAC CEO/Board members/Lead Official
Potential additions to Schedule 1 re: additional judicial schemes	ongoing	NIJAC CEO/TEO Lead Official/DoJ
Accommodation - Headline Building Lease	ongoing	NIJAC CEO/TEO Lead Official
Preparation of business cases - TEO can assist NIJAC to prepare business cases and working together to share expertise where appropriate.	When required	NIJAC Finance Director and TEO Sponsor DP/Lead Official
Board Appointments		
<i>Engagement related to Public Appointment exercises</i>		
Activity	Date	Lead Departmental/ALB Official
Appointment of Judicial Board Member	September 2025 – nomination received. TEO will progress.	NIJAC Chair, CEO and TEO Lead Official
Public Appointments Competition for Lay Members	Summer 2025 – underway.	NIJAC CEO/TEO Lead Official
Appoint 2 Lay Member Commissioners	Summer 2025	TEO Lead Official
Appoint 3 Lay Commissioners	May 2026	TEO Lead Official
Assurances		
<i>Timetable for submission of key assurance sources and any other assurance related activity</i>		
Action	Date	Lead Departmental/ALB Official
Annual meeting of NIJAC Chair and TEO Accounting Officer	Before end of financial year	TEO Perm Secretary/Chair of NIJAC
Quarterly Accountability meetings	After each quarter ending June; September; December and March.	TEO Lead Official/NIJAC CEO
Corporate Performance Directors Assurance Report ³ (known as ALB Quarterly Report)	As above - TEO Finance will issue a note to commission the	NIJAC CEO

³For the Corporate Directors Report, Accounting Officer Statement and Assurance Statements, TEO Finance will issue a note to commission the exercises and will set the dates for submission

	exercises and will set the dates for submission	
Quarterly Assurance Statements Quarterly statement will include: - Accounting Officer - Fitness to Act as Accounting Officer Status of any consultancies ongoing or commenced in year)	As above	NIJAC CEO
Annual Board Appraisals	Summer 2025	Chairperson (who will share improvements identified with NIJAC CEO and TEO Lead Official
Annual internal review of Board Effectiveness	June 2025	NIJAC CEO (outcome discussed with TEO Lead Official)
Planning for the externally facilitated review of Board Effectiveness (to include Committees)	June 2025 Review is required every 3 - 5 years – will be delivered in 2025/2026 year.	Chair of the ARAC Committee, NIJAC CEO and TEO Lead Official
Outcome of review of the externally facilitated review of Board Effectiveness	Before end of March 2026	Chair of the ARAC Committee/ CEO and TEO Lead Official.
Internal Audit assurance Externally audited Annual Report and Accounts, reviewed/considered by the NIJAC Audit and Risk Assurance Committee Report of opinions/recommendations (Report to those charged with Governance RTTCWG) Annual Report and Accounts to be produced, submitted and laid after the end of each financial year (to include Annual Governance Statement and Auditors opinion).	September 2025 September 2025 December 2025- January 2026	NIJAC CEO NIJAC ARAC NIJAC and TEO Lead Official
Attendance by Departmental representatives (in an observer capacity) at NIJAC's Audit and Risk Assurance Committee meetings;	June 2025, September 2025, December 2025, March 2026.	ARAC Chair TEO Lead Official
Sharing NIJAC Audit and Risk Assurance Committee papers and minutes and any other engagement required from common working	Prior to each NIJAC ARAC	NIJAC Corporate Governance Manager

between the NIJAC and departmental Audit and Risk Assurance Committees.	meeting and as required	
Internal Audit External Quality Assessment (ensure IA provider is EQA accredited)	Current contract is in place until 2027.	NIJAC Corporate Governance Manager
Fraud Reporting - immediate reporting of all frauds (proven or suspected including attempted fraud)	Immediate	CEO to TEO Lead Official. TEO Lead Official will report frauds immediately to DoF and C&AG
Fraud Reporting annual fraud return commissioned by DoF	Annually	TEO will report frauds immediately to DoF and C&AG
Reporting of Whistleblowing cases/ Speaking Up/Raising Concerns.	Inform TEO without undue delay. Inform TEO of outcomes of investigation as soon as possible	NIJAC CEO/NIJAC Whistleblowing Champion
Complaints - advise TEO Accounting Officer of any complaints about NIJAC accepted by the Ombudsman for investigation, and about the proposed response to any subsequent recommendations from the Ombudsman.	As required	CEO/Accounting Officer
Where a concern/complaint is received within NIJAC in respect of an individual Board Member this should be provided to the NIJAC Chair who should notify the Department. (Process for Non-Commission complaints is set out within the NIJAC Complaints policy).	As required	NIJAC Chair
Arrangements for concerns/complaints in respect of Board members and non-Board members should be reflected in all relevant procedures, including Standing Orders and Board Operating Frameworks.	To be checked at review points	NIJAC CEO
Up to date Register of Interests for NIJAC Board maintained and on NIJAC website	Revise as required – review scheduled for March 2026	NIJAC CEO
Board Operating Framework -setting out the roles and responsibilities of the Board in line with relevant guidance	In place and scheduled review every 3 years or as required – Next scheduled review December 2025	Chair of NIJAC/NIJAC CEO
Code of practice for NIJAC Board members	In place and scheduled review	Chair of NIJAC /NIJAC CEO

	every 3 years – December 2025	
TEO to be informed in the event that the judgement of the NIJAC Accounting Officer (on matters for which she is responsible) is over-ridden by the Board.	As required	NIJAC Chair/ CEO
NIJAC will alert TEO to any less than satisfactory Internal and External audit reports at the earliest opportunity NIJAC	As required	NIJAC CEO
NIJAC will alert TEO to any likely qualification of the AR&A at the earliest opportunity.	As required	NIJAC CEO
Budget Management		
<i>Add details of the information and returns to be provided</i>		
Item and Purpose	Date	Lead Departmental/ALB Official
Engagement on budget requirements and Forecast Expenditure for the Financial Year	Monthly Consumption and Cash Forecast Reports Quarterly Monitoring Rounds (returns due in May, August and November) Quarterly Sponsorship Meetings (July, October, January, April)	TEO Lead Official & NIJAC Finance Director
Departmental approval of annual budget for 25/26 and issue of budget letters	April 2025	Ministers, DoF and TEO Finance
GIA payment and bank reconciliation	First week in each month	NIJAC Finance/TEO Lead Official
ROFP – Trial Balance	As requested by TEO Consolidated Accounts Team	TEO, NIJAC Finance
Quarterly Occupational data collection	April, July, October, January.	TEO, NIJAC Finance
Final Outturn	At year end	NIJAC Finance

NIJAC to seek formal departmental approval where proposed expenditure is outside the delegated limits (as laid out in Annex 3 of PA) or is for new schemes not previously agreed.	As required	NIJAC CEO/NIJAC Finance Director/TEO Lead Official
When drawing up a contract, NIJAC should ensure that it includes a clause which makes the contract conditional upon the contractor providing access to the C&AG in relation to documents relevant to the transaction.	As required	NIJAC Finance Director
Details of all losses and special payments should be recorded in a Losses and Special Payments Register.	Ongoing Notified to TEO Finance annually	NIJAC Finance Director
Other		
Tailored to NIJAC-TEO specific requirements		
Item and Purpose	Submission Date	Lead Departmental/ALB Official
Data Breach	Within 24 hours of NIJAC becoming aware	NIJAC CEO
Media management protocols. Arrangements to share press releases where relevant to ensure no surprises.	When required	CEO and TEO Lead Official
Honours Commissioning - biannual	Determined by TEO	TEO Lead Official/NIJAC CEO
Partnership Agreement		
Item and Purpose	Date	Lead Departmental/ALB Official
Light touch review of the Partnership Agreement	December 2026	NIJAC CEO/TEO Lead Official
Formal review of the Partnership Agreement (required every three years)	December 2028	NIJAC CEO/TEO Lead Official
Partnership Agreement to placed in the Assembly Library and published on The Executive Office and NIJAC websites	December 2026	NIJAC CEO and TEO Lead Official

Annex 3 - Delegations

Delegated authorities

NIJAC shall obtain the Department's prior written approval before:

- entering into any undertaking to incur any expenditure that falls outside the delegations or which is not provided for in the ALB's annual budget as approved by the Department;
- incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications;
- making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the Department;
- making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required; or
- carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money Northern Ireland.

NIJAC's Specific Delegated Authorities

Table 1: Delegated Limits for Expenditure by NIJAC, including VAT

Arm's Length Body	Goods and Services £k	Capital £k	ICT projects £k	External ⁶ Consultancy £k	DAC £k
NI Judicial Appointments Commission	30	10	10	5	30

These delegations shall not be altered without the prior agreement of the department and, where applicable, DoF. For ALBs that reside outside the accounting boundary, VAT cannot be recovered and so the limit will apply to the expenditure including VAT.

NIJAC may approve expenditure up to the limits listed, without recourse to the Department but it is important that Departmental Accounting Officer approval is

secured as required, for example, for DACs. NIJAC should note that they have been delegated **no** authority for external consultancy DACs which **all** require Departmental Accounting Officer approval.

Where an individual expenditure decision falls within more than one delegation category, the requirements of the lowest limit will apply. For example, if the decision related to ICT expenditure which was also considered to be external consultancy, the lower external consultancy delegation would apply, rather than the ICT delegation.

CPD advice must also be secured for all contracts directly awarded over £10k (and **all** external consultancy DACs).

DoF requires the principles of economic appraisal to be applied, with appropriate and proportionate effort, to all decisions and proposals for spending or saving public money (including EU funds) and any other decision or proposal that involves changes in the use of public resources. These proposals should be supported by evidence of suitable appraisal, approval, management and evaluation. This applies equally to policies, programmes and projects. An approved proportionate business case is therefore required before making commitments or incurring expenditure or other changes in the use of public resources. Business cases should be developed using the five case model. Advice and guidance is available at [Better Business Cases NI | Department of Finance](#).

Sponsor Branch officials must review and approve business cases of their ALBs for expenditure above ALB delegated limits, in line with approval seniority limits in Table 2. In addition to the specific delegations, ALB expenditure decisions must be considered against the categories for TEO Core Departmental Expenditure as further Departmental, Ministerial or DoF Supply approvals may also be required. ALB expenditure proposals which require Departmental approval should have prior approval from the ALB Accounting Officer.

Table 2 Business Case Approvals for General Expenditure

Staff Grade	Resource Expenditure	Capital Expenditure
DP	up to £20,000	up to £40,000
G7	up to £100,000	up to £200,000
G5	up to £500,000	up to £500,000
G3	over £500,000	over £500,000

As outlined in DAO (DFP) 06/15 the requirement remains for all Departments and their NDPBs to work with Digital, Security & Finance Shared Services (DSS) to make use of the shared services, wherever possible. DSS provides a range of services including IT; Finance; HR; Digital Transformation (including NI Direct); Learning and Development; and Property Management. Public bodies must consider at an early stage, and in consultation with DSS, whether the DSS shared services offer is a viable alternative. This option must be appraised in all relevant business cases.

External Consultancy

NIJAC has authority to appoint consultants for a single contract without recourse to TEO, up to a total cost of £5,000. Appointment above this level will be subject to any guidance as may be issued by DoF or TEO.

NIJAC shall provide TEO with a quarterly statement on the status of all consultancies completed and/or started in each financial year. Care should be taken to avoid actual, potential, or perceived conflicts of interest when employing consultants. NIJAC should be aware that a specific business case pro-forma should be used for external consultancy business cases and **all** external consultancy DACs require Departmental Accounting Officer approval.

Business Case Log

As ALBs do not have direct access to the Business Case Log, they must record the required business case information on a separate spreadsheet and return it to their Sponsor Branch, who are responsible for updating the log and obtaining quality assurance over that data. ALBs will provide assurance through their quarterly

assurance statements on the completeness and accuracy of the business case data provided.

DAC approval process

The Commission's Accounting Officer may approve their own DAC up to the delegations in Table 1, **with the exception of an external consultancy DAC**. DACs above these limits and all external consultancy, must also be approved by the Departmental Accounting Officer. For clarity, the delegation applies only to the approval of DAC, once the associated business case has received Departmental approval (if the value exceeds the delegated limits listed in Table 1). For example, the ALB Accounting Officer could approve the DAC for an ICT project costing £20,000, only after Departmental approval of the ICT business case.

Any proposal to procure goods and services > £10,000 through a DAC requires CPD advice. The ALB must seek that advice, using a DAC1 form ([CPD Direct Award Contract Form \(DAC\)](#)).

When completing the DAC information for the quarterly Assurance Statements, business areas and ALBs must state whether any DAC exceeding £50,000, was awarded in either (1) the public interest or (2) compliance with the Procurement Act 2023 Chapter 3 and all relevant sections therein (DACs above the relevant threshold); (3) in the spirit of the Procurement Act 2023 Chapter 3 and all relevant sections therein (DACs below the relevant threshold).

Business areas and ALBs are responsible for establishing the contracts for all DACs valued below £50,000. This will include notifying Account NI of their contract details (if on Account NI). DACs greater than £50K will be published monthly on the relevant CoPE website.

Post Project Evaluation Requirements (PPE)

NIJAC should ensure that proportionate PPEs are completed in accordance with appraisal guidance requirements. PPEs examine the outturn of a project, programme or policy against the original business case objectives, and are designed to ensure that lessons learned are fed back into the decision-making process. This ensures

government action is continually refined to reflect what can best achieve outcomes and promote the public interest.

13.4 A PPE should be conducted as soon as possible after project closure and no later than six to twelve months from this date. It should be led by an individual independent of the Project Board and Project Team and should be conducted in line with Better Business Cases NI [Supplementary evaluation guidance](#).

Procurement Control Limits

NIJAC must adhere to public sector procurement requirements. The current Procurement Policy Note below is mandatory for NIJAC: [PPN 04 21 - Procurement Control Limits.pdf](#)

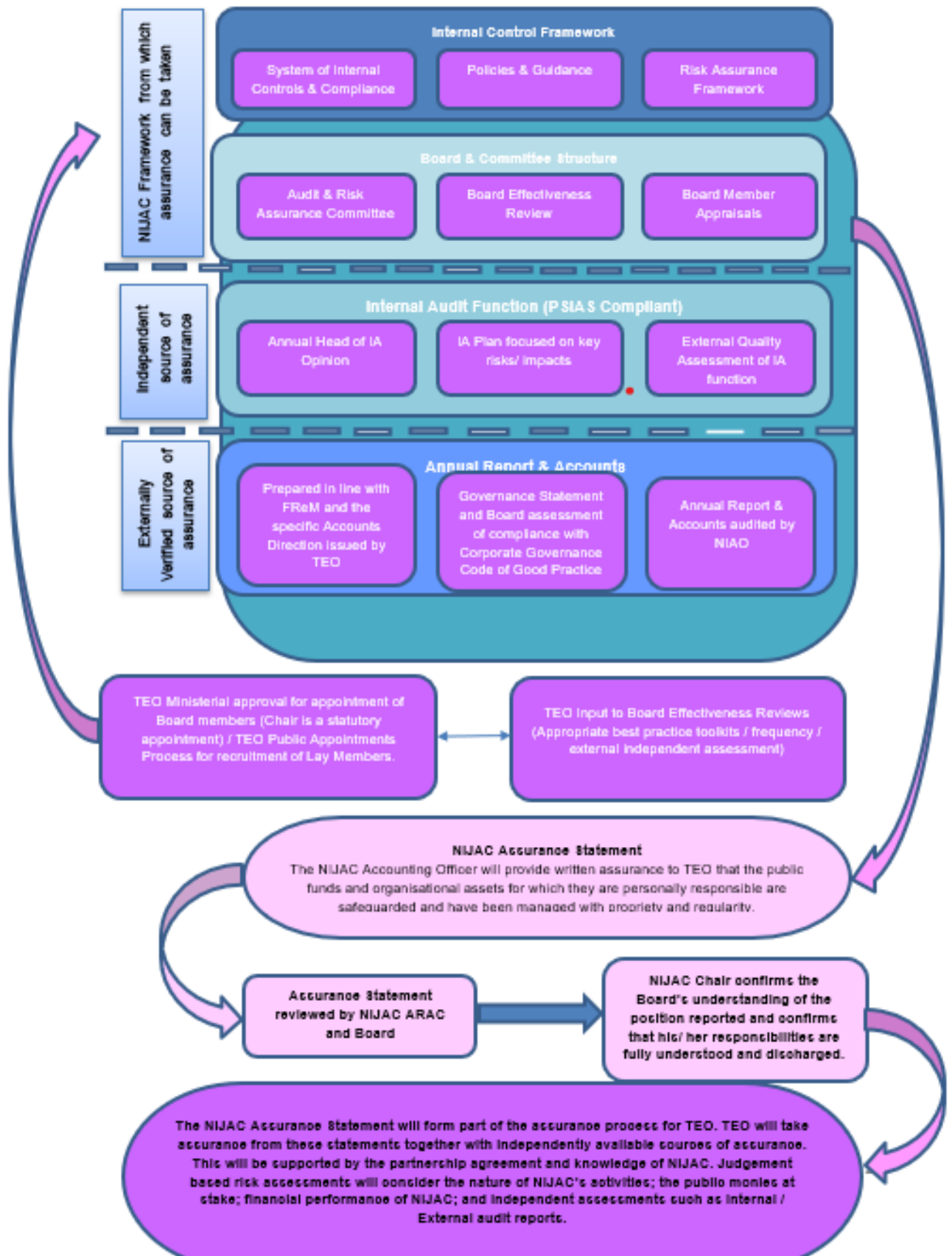
ALB Approval process for the creation of new posts and regrading of existing posts

When ALBs are proposing to create new posts or re-grade existing posts, they must secure approval for the expenditure through TEO's approval process.

TEO Grade 5 Senior Sponsor must confirm the expenditure aligns with the ALB strategy/business plan. An approved business case is required to justify the expenditure decision, which must be approved by the TEO Grade 3 Senior Sponsor and the Director of Finance (from a budgetary perspective).

In the majority of cases, any requirement for DoF approval will be set out in the ALB founding legislation. Where DoF approval is required under the founding legislation; Sponsor Branch should forward confirmation that Grade 3 Senior Sponsor and Director of Finance approvals have been secured to CGB. CGB will then seek DoF approval. DoF may request sight of the completed job evaluation to enable its consideration of the proposal.

Annex 4 – NIJAC System of Assurance



Annex 5 – Concerns/Complaints in respect of Board members

In line with the NI Code of Good Practice and the arrangements in this Partnership Agreement the approach to concerns/complaints raised in respect of NIJAC Board members should be transparent and collaborative. The principle of early and open engagement is important, with the Department made aware of any concerns/complaints as soon as practicable.

Concerns/complaints might also be raised through:

- Raising Concerns/Whistleblowing arrangements;
- Complaints processes;
- Directly with NIJAC or the Department.

NIJAC classify complaints into two categories:

- Commission Complaints** relate to complaints associated with Judicial Appointment Schemes and is a complaint by a qualifying complainant of maladministration by the Commission or a committee of the Commission who claims to be adversely affected, as an applicant for selection or as a person selected, by the maladministration complained of. The Judicial Appointments Ombudsman for Northern Ireland (JAO) investigates complaints from applicants for judicial appointments who allege they have been adversely affected by maladministration by NIJAC. However, the JAO will normally expect the Complainant to exhaust the complaint mechanisms within NIJAC before submitting a complaint to his/her office.
- Non-Commission Complaints** are complaints associated with any other matters outside of maladministration in a Judicial Appointment Scheme.

NIJAC is governed by an independent Board chaired by the Lady Chief Justice of Northern Ireland with 12 Commissioners drawn from the judiciary, the legal professions and lay people.

Where a concern/complaint is received within NIJAC in respect of a non-Judicial Board Member (Lay/Legal Profession member) this should be provided to the NIJAC Chair who should notify the Department at the outset and confirm that the matter will be dealt with in lines with NIJAC's Complaints Policy.

Complaints about the conduct of Judicial Commissioners, including the Chair of NIJAC, should also be notified to TEO. These fall outside the scope of the NIJAC Complaints policy and must be directed to '[Lord Chief Justice's Code of Practice on Complaints - 31 Aug 2021.pdf](#)' or [Complaints about the Conduct of the Chief Justice 1.pdf](#)

Differences of view in relation to matters which fall within the Board's responsibilities are a matter for the Board to resolve through consensus based decision making in the best interests of the NIJAC.

While Board Members are Public Appointees/office holders rather than NIJAC employees a NIJAC employee may utilise NIJAC's grievance procedure/other HR procedure to raise a complaint against a Board member. The NIJAC employee raising the grievance should expect this to be handled in line with NIJAC's HR procedures. *Complaints about the conduct of Judicial Commissioners, including the Chair of NIJAC, fall outside the scope of the NIJAC Complaints policy and must be directed to:*

[Judicial Conduct and Complaints | Judiciary NI](#)

Exceptionally a concern/complaint may be raised by a Board Member about a fellow Board Member or a senior member of NIJAC staff. If this is a Legal/Lay Board Member the NIJAC Chair should notify the Department at the outset and confirm it is being dealt with in line with NIJAC's Complaints Policy. Complaints about the conduct of Judicial Commissioners, including the Chair of NIJAC, fall outside the scope of the NIJAC Complaints policy and must be directed to: [Judicial Conduct and Complaints | Judiciary NI](#).

Arrangements for concerns/complaints in respect of Board members and non-Board Members should be reflected in all relevant procedures, including Standing Orders and Board Operating Frameworks.

Annex 6 - Applicable Guidance

The following guidance is applicable to NIJAC

Guidance issued by the Department of Finance

- Managing Public Money NI
- Public Bodies – A Guide for NI Departments
- Corporate Governance in central government departments – code of good practice
- DoF Risk Management Framework
- HMT Orange Book
- The Audit and Risk Assurance Committee Handbook
- Global Internal Audit Standards
- Accounting Officer Handbook – HMT Regularity, Propriety and Value for Money
- The NI Guide to Expenditure Appraisal and Evaluation
- Dear Accounting Officer Letters
- Dear Finance Director Letters
- Dear Consolidation Officer and Dear Consolidation Manager Letters
- The Consolidation Officer Letter of Appointment
- Government Financial Reporting Manual (FReM)
- Guidance for preparation and publication of annual report and accounts
- Procurement Guidance

Other Guidance and Best Practice

- Specific guidance issued by the Department
- EU Delegations
- Recommendations made by the NI Audit Office/NI Assembly Public Accounts Committee
- NIAO Good Practice Guides
- Guidance issued by the Executive's Asset Management Unit
- NI Public Services Ombudsman guidance

Annex 7 – Role of the Minister

Role of the Minister

The Chair of NIJAC is responsible to the First Minister and deputy First Minister. Communication between the Board and Ministers should normally be through the Chair.

The departmental Accounting Officer is responsible for advising the First Minister and deputy First Minister on a number of issues including NIJAC's objectives and targets, budgets and performance.

In addition to being answerable to the Assembly as laid out in paragraph 2.4, the First Minister and deputy First Minister are also responsible for:

- Setting the strategic direction and overall policies and priorities for the ALB as reflected in the PfG;
- Approving the ALB's Business Plan in line with departmental processes.
- Setting the ALB's budget; and
- Appointment of board members.

Annex 8 – Partnerships between Departments and Arm’s Length Bodies: NI Code of Good Practice

NI Code of Good Practice

[DAO \(DoF\) 03/19 attachment \(30 March 2023\) - Partnerships between departments and arm's length bodies: NI code of good practice](#)



Code of Good
Practice 2023 - print f