



**Partnership Agreement between  
Department for Communities  
and National Museums NI**

May 2024



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## Glossary of Terms

The National Museums and Galleries of Northern Ireland is referred to as National Museums NI

The Museums and Galleries (Northern Ireland) Order 1998 is referred to as The Order

The Department for Communities is referred to as DfC

The Department of Finance is referred to as DoF

Programme for Government is referred to as PFG

Managing Public Money Northern Ireland is referred to as MPMNI

Public Sector Internal Audit Standards are referred to as PSIAS

The Comptroller and Auditor General is referred to as the C&AG

The Report to Those Charged with Governance is referred to as the RTTCWG

The use of the term 'Chairperson' in this document has the same meaning as the term 'Chair' in the Museums and Galleries (Northern Ireland) Order 1998.

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# Introduction

## 1. The Partnership Agreement

- 1.1. This document sets out the partnership arrangements between The National Museums and Galleries of Northern Ireland and the Department for Communities (DfC). In particular, it explains the overall governance framework within which National Museums NI operates, including the framework through which the necessary assurances are provided to stakeholders. Roles/responsibilities of partners within the overall governance framework are also outlined. It replaces in full the Management Statement and Financial Memorandum (MSFM) 2015.
- 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

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.

### Purpose

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.

### 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 (see DAO (DoF) 06/19). Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance to be established between National Museums NI and DfC and this is reflected in this agreement.

- 1.4. DfC and National Museums NI are committed to:
- Working together within distinct roles and responsibilities
  - maintaining focus on successful delivery of Programme for Government (PfG) 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
  - 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 National Museums NI 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<sup>1</sup> at

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<sup>1</sup> Review will be initiated by DfC taking account of direction/guidance from DoF



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 National Museums NI's size and overall responsibilities and will be published on the DfC and National Museums NI websites as soon as practicable following

completion. Either party to the Partnership Agreement may request an amendment or update to it at any time.

- 1.6. A copy of this agreement has been placed<sup>2</sup> in the NI Assembly Library and is available on the Department and the National Museums NI websites.

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<sup>2</sup> DfC to arrange placing in Assembly Library.



# National Museums NI Establishment and Purpose

## 2. Statutory Purpose and Strategic Objectives

2.1. The National Museums and Galleries of Northern Ireland, known as National Museums NI, is a non-departmental public body (NDPB) established in 1998 by the **Museums and Galleries (Northern Ireland) Order 1998 (“the Order”)**. For national accounts purposes National Museums NI is classified to the central government sector.

2.2. The statutory functions, duties, and powers of the National Museums NI Board (“the Board”) are set out in Part II of the Order.

2.3. National Museums NI was awarded charitable status by the Charity Commission for Northern Ireland (NIC103729) in August 2015 on account of the public benefit performed by National Museums NI. The public benefit requirement is defined in the Charities Act (Northern Ireland) 2008 (as amended) and states that to be a charity in Northern Ireland an organisation:

- must have purposes which fall under one of 12 descriptions of purposes listed in the Charities Act
- the purposes must be for the public benefit

National Museums NI registered under two of the twelve charitable purposes listed in the Charities Act (Northern Ireland) 2008. These are:

- Purpose 2. The advancement of education
- Purpose 6. The advancement of the arts, culture, heritage, or science

2.4. The Minister for Communities is answerable to the Assembly for the overall performance and delivery of both DfC and National Museums NI.

2.5. The Executive’s 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 National Museums NI and DfC.

2.7. The strategic aims of National Museums NI are laid out in its Corporate Strategy, are outcomes based and aligned with the draft NI Programme for Government (PfG) 2016-2021 (“draft PfG”) and are set out below:

Of the 12 shared outcomes in the draft PFG, National Museums NI is strongly positioned to make a significant contribution to 4 key outcomes:

- We are an innovative, creative society, where people can fulfil their potential
- We are a shared welcoming and confident society that respects diversity
- We have created a place where people want to live and work, to visit and invest
- We give our children and young people the best start in life

2.8 The Department for Communities Strategy 2020-25: Building Inclusive Communities provides another important

point of reference for National Museums NI with the aim of making a lasting and sustainable contribution to improving the societal wellbeing of individuals and building inclusive communities in Northern Ireland.

2.9. National Museums NI's overarching strategy is based on 4 key commitments as set out in its 2021-25 Corporate Strategy:

1. Champion inclusion, diversity, and accessibility
2. Create more ways to get involved
3. Extend the impact of their collections
4. To build the museum infrastructure of the future

# National Museums NI Governance Arrangements

## 3. Organisational Status

3.1 National Museums NI 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 and charitable status.

## 4. Governance Framework

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

4.2 An account of this is included in National Museums NI's annual Governance Statement together with the National Museums NI 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 National Museums NI 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 National Museums NI 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. National Museums NI Board

5.1 National Museums NI is led by a Board, members of which are appointed by the Minister for Communities. The Board shall consist of not fewer than 12 nor more than 15 persons (referred to as "trustees"). The appointment process for Trustees complies with the Code of Practice on Public Appointments for Northern Ireland.

5.2 As Public Appointees, Trustees are office holders rather than employees; they are not subject to employee terms and conditions. Board appraisal arrangements are set out in paras 15.1 and 15.2 and matters for consideration in dealing with concerns/complaints in respect of Trustees are provided in [Annex 5](#).

- 5.3 The Board’s Standing Orders were adopted by resolution of the Board in December 2023. The Standing Orders provide further detail on roles and responsibilities and were developed within the context of the Management Statement and Financial Memorandum issued by the Department of Culture Arts and Leisure (February 2015) and also in the context of Corporate governance in central government departments: Code of good practice NI (2013). They also make a commitment to uphold the seven principles of public life. The Board will reference the provisions of this Partnership Agreement in the next review of Standing Orders, ensuring close alignment.
- 5.4 The purpose of the National Museums NI Board is to provide effective leadership and strategic direction to the organisation and to ensure that the policies and priorities set by the Minister for Communities 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 as Chief Executive and Accounting Officer.
- 5.6 Trustees act solely in the interests of National Museums NI 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). National Museums NI 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 National Museums NI.
- 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. The minimum information requirements for each Board meeting are set out in the Board Operating Framework. If the Board is not confident that it is being fully informed about the organisation this will be addressed by the Chairperson 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, Trustees must undertake initial training, and regular ongoing training and development. Review of Board skills and development will be a key part of the annual assessment of the performance of Board members and the annual review of Board effectiveness.

## 6. Audit and Risk Assurance Committee

6.1. A further important aspect of National Museums NI'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 Committee focuses on:

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

6.3 National Museums NI and DfC have agreed arrangements in respect of Audit and Risk Assurance Committee which includes:

- Attendance by departmental representatives in an observer capacity at National Museums NI's Audit and Risk Assurance Committee meetings
- Access to National Museums NI Audit and Risk Assurance Committee papers and minutes
- Provision of input from National Museums NI Audit and Risk Assurance Committee to the Departmental Audit and Risk Assurance Committee as required

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. National Museums NI Chairperson**

7.1. The Chairperson is responsible for setting the agenda and managing the Board to enable collaborative and robust discussion of issues. The Chairperson'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
- Trustees are fully briefed on terms of appointment, duties, rights, and responsibilities
- Trustees receive and maintain appropriate training
- The Minister is advised of National Museums NI'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 Trustees 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 Chairperson and Chief Executive act in accordance with their distinct roles and responsibilities as laid out in the Board Operating Framework, Managing Public Money, and their appointment letters.

7.3. The Chairperson has a presence in the organisation and cultivates external relationships which provide useful links for the organisation while being mindful of not overstepping boundaries and becoming too involved in day-to-day operations or executive activities.

## **8. National Museums NI Chief Executive**

8.1. The role of the National Museums NI Chief Executive is to run National Museums NI 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 National Museums NI Accounting Officer by the Departmental Accounting Officer (see section 12). As Accounting Officer, 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 National Museums NI performance and delivery of outcomes and targets and is responsible for implementing the decisions of the Board and its Committees. They maintain a dialogue with the Chairperson on the important strategic issues facing the organisation and for proposing Board agendas to the Chairperson to reflect these. They ensure effective communication with stakeholders and communication on this to the Board. They also ensure that the Chairperson 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 Chairperson and Trustees and the contribution they make. The Chairperson 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 the Board Operating Framework, Managing Public Money NI and the 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 National Museums NI accepted by the Ombudsman for investigation, and about the proposed response to any subsequent recommendations from the Ombudsman.

### **The Chief Executive's responsibilities for staffing matters**

8.7 The Chief Executive is responsible for the day to day management of National Museums NI staff, and for determining the staffing structure to meet operational needs and to carry out its statutory functions. In doing this the Chief Executive will have regard to the principles of economy, efficiency and effectiveness, the need for forward planning within the parameters of any running cost limits or efficiency measures that may be set by the Department.

8.8 The Chief Executive has the authority to re-grade staff or create posts below NICS Grade 6 subject to sufficient budget cover being available (subject to any specific conditions set by the Department). Above this level



Departmental approval is required to create or to re-grade posts. In creating and re-grading posts the Chief Executive will ensure consistency with established employment practice and legislation.

8.9 The Chief Executive is responsible for employee and industrial relations within National Museums NI. The Chief

Executive is committed to fostering good employee and industrial relations as an important aid to achievement of National Museums NI objectives and will ensure effective communication and consultation with all staff and their recognised trade union representatives.

# Role of the Department for Communities

## 9. Partnership Working with National Museums NI

9.1. DfC and National Museums NI are part of a total delivery system, within the same Ministerial portfolio. The partnership between DfC and National Museums NI 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 National Museums NI recognises the requirement for its purpose and objectives to align with those of DfC. There is also a shared understanding of the risks that may impact each other, and these are reflected in respective Risk Registers.

9.3. There is a regular exchange of skills and experience between DfC and National Museums NI and where possible joint programme/project delivery boards/arrangements. National Museums NI 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 (<https://www.finance-ni.gov.uk/publications/departmental-delegations>). The DfC Accounting Officer has established an internal framework of delegated authority for the Department and its ALBs which apply to National Museums NI (<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-corporate-governance-framework.pdf>).

Other specific approval requirements established in respect of National Museums NI are set out at **Annex 3**.

9.5. Once National Museums NI budget has been approved by the Department, National Museums NI 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 the NI Guide to Expenditure Appraisal and Evaluation.

## 10. Lead Official

10.1. DfC has appointed the Director of Culture to manage the relationship with National Museums NI and ensure effective partnership working. Engagement between the Department and National Museums NI will be co-ordinated, collaborative, and consistent. A clear sense of collaboration and partnership will be communicated to staff in both the Department and National Museums NI to promote mutual understanding and support. The Director will be supported by staff within sponsor branch. Other key contacts within DfC will include Finance, Governance and Economist colleagues.

10.2. The lead senior official is the policy lead for the policy area relating to National Museum NI business and has a clear understanding of National Museums NI 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 National Museums NI business and challenges.

## 11. Annual Engagement Plan

11.1. The Department and National Museums NI 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 National Museums NI and the Department. The engagement plan will be specific to National Museums NI and should not stray into operational oversight.

11.2 Engagement between the Department's lead official/their teams and National Museums NI 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 guidance<sup>3</sup>, National Museums NI will work in collaboration and partnership with the Department to prepare corporate and business plans. There should be strategic alignment between departmental and National Museums NI plans. Once approved it will be the Board of National Museums NI that primarily holds the Chief Executive to account for delivery and performance. The Department will engage with National Museums NI on areas of strategic interest, linking departmental policy and National Museums NI delivery of policy outcomes.

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

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<sup>3</sup> Guidance issued by TEO on NICS Work Programme which includes guidance on business planning for an outcomes-based PFG/ODP

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 National Museums NI. They have designated the Chief Executive of National Museums NI as National Museums NI Accounting Officer and respective responsibilities of the Departmental Accounting Officer and the National Museums NI Accounting Officer are set out in Chapter 3 of Managing Public Money Northern Ireland (MPMNI). The Departmental Accounting Officer may withdraw the National Museums NI Accounting Officer designation if they conclude that the National Museums NI 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 National Museums NI Board will be given a full account of the reasons for withdrawal and a chance to make representations. Withdrawal of National Museums NI Accounting Officer status would bring into question employment as Chief Executive and the Chairperson should engage with the Department should such circumstances arise.

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

12.3. The Departmental Accounting Officer must be informed in the event that the judgement of the National Museums NI Accounting Officer (on matters for which they are responsible) is overridden by the National Museums NI Board. The National Museums NI Accounting Officer must also take action if the National Museums NI 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 Departmental Accounting Officer has no day-to-day involvement with National Museums NI or its' Chief Executive.

12.4. In line with DoF requirements, the National Museums NI Accounting Officer will provide an annual declaration of fitness to act as Accounting Officer to the Departmental Accounting Officer

## **13. Attendance at Public Accounts Committee**

13.1. The National Museums NI 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 Chairperson 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 DfC 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 National Museums NI. 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 National Museums NI
- sufficient and appropriate management and financial controls are in place to safeguard public funds
- the nominated Accounting Officer is fit to discharge their responsibilities
- there are suitable internal audit arrangements
- accounts are prepared in accordance with the relevant legislation and any accounting direction
- intervention is made, where necessary, in situations where National Museums NI Accounting Officer's advice on transactions in relation to regularity, propriety or value for money is overruled by the body's Board or its Chairperson.

# Assurance Framework

## 14. Autonomy and Proportionality

14.1. DfC will ensure that National Museums NI 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 National Museums NI and DfC and is reflected in this agreement.

14.2. A proportionate approach to assurance will be taken based on National Museums NI overall purpose, business and budget and a mutual understanding of risk. The approach will include an agreed process<sup>4</sup> through which the National Museums NI 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 National Museums NI Accounting Officer will arrange for their written assurance to be discussed at the National Museums NI Audit and Risk

Assurance Committee and presented to the National Museums NI Board prior to submission to the Department where possible. If not possible, or practicable, the Chairperson of the National Museums NI Board should have sight of the assurance statement, prior to being submitted to the Department.

14.4. The National Museums NI Chairperson will provide written confirmation that the National Museums NI Accounting Officer's formal assurance has been considered by the Board and is reflective of National Museums NI's current position.

14.5. In addition to the National Museums NI Accounting Officer's written assurance, the Department will take assurance from the following key aspects of National Museums NI own governance framework:

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

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<sup>4</sup> The agreed process will reflect the Bi-Annual Assurance Statement process in operation at the time.

## 15. Board Effectiveness

- 15.1 The National Museums NI Chairperson will ensure that the National Museums NI Board undertakes an annual review of Board Effectiveness<sup>5</sup> which encompasses committees established by the Board.
- 15.2 The Chairperson 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 In line with any parameters set out in founding (or other) legislation, the Chairperson in conjunction with the Department, and Ministers where appropriate, will consider the size and composition of the National Museums NI Board, proportionate to the size and complexity of National Museums NI and keep this under review.
- 15.4 In addition to the annual review of Board Effectiveness National Museums NI will undertake an externally facilitated review of Board effectiveness at least once every three years covering the performance of the Board, its Committees and individual Trustees. The Chairperson will liaise with the Department to identify a suitably skilled facilitator for the external review (this can be a peer review and should

be proportionate) and will share the findings/outcome report with the Department on completion of the review.

## 16. Board Appraisals

- 16.1 The Chairperson of National Museums NI will conduct an annual appraisal in respect of each Board member which will also inform the annual programme of Board training/ development. The Chairperson 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 The Chairperson's annual appraisal will be completed by the relevant Deputy Secretary within the Department. The appraisal will take account of the Key Characteristics of a good chairperson (particularly for the Chairperson to have well developed interpersonal skills) set out in the NIAO Good Practice Guide on Board Effectiveness available on the NIAO website. There will be close engagement between the Chairperson and the lead official on improvements identified through the appraisal process.

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<sup>5</sup> NIAO Good Practice Guide on Board Effectiveness



## 17. Internal Audit Assurance

17.1 National Museums NI is required to establish and maintain arrangements for an internal audit function that operates in accordance with the Public Sector Internal Audit Standards (PSIAS). DfC 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 PSIAS.

17.2 As the internal audit function is contracted out National Museums NI shall ensure DfC is satisfied that the contract specification for the internal audit service meets the requirements of PSIAS.

17.3 National Museums NI 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 the Department. National Museums NI will ensure DfC'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 National Museums NI will ensure regular, periodic self-assessments of the internal audit function in line with PSIAS and will share these with the Department. National Museums NI will also liaise with the Department on the External Quality Assessment (EQA) of the internal audit function which (in line

with PSIAS) is required to be conducted at least once every five years by a qualified independent assessor.

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

17.6 The Department will take assurance from the fact that National Museums NI has met the requirements of PSIAS 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 National Museums NI 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 DfC, and in accordance with the deadlines specified.

- 18.2 The Comptroller & Auditor General (C&AG) will arrange to audit National Museums NI's annual accounts and will issue an independent opinion on the accounts. On receipt, the Department lays a copy of the certified accounts before the NI Assembly together with National Museums NI annual report.
- 18.3 The C&AG will also provide a Report to Those Charged with Governance (RTTCWG) to National Museums NI which will be shared with the Department.
- 18.4 National Museums NI 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 the Department will engage with National Museums NI on actions required to address the qualification/ significant issues.
- 18.5 The Department 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 National Museums NI has used its resources in discharging its functions. The C&AG may also carry out thematic examinations that encompass the functions of National Museums NI.
- 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, National Museums NI 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

National Museums NI and DfC agree to work in partnership with each other in line with the NI Code of Good Practice **'Partnerships between Departments and Arms-Length Bodies'** and the arrangements set out in this Agreement.

Legislative provisions shall take precedence over any part of this, or associated documents.



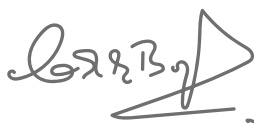
Signed (National Museums NI Chairperson)

Date: 17 May 2024



Signed (National Museums NI Chief Executive)

Date: 17 May 2024



Signed (DfC Accounting Officer)

Date: 17 May 2024

# Annex 1 - Applicable Legislation

**Founding legislation and other key statutes which provide National Museums NI with its statutory functions, duties, and powers.**

## **1. Museums and Galleries (Northern Ireland) Order 1998**

# Annex 2 – Department for Communities and National Museums NI Partnership Agreement 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. This engagement plan has therefore been prepared after taking account of National Museums NI performance and governance, and to be proportionate in this context. The plan will be reviewed annually to ensure that it remains proportionate and fit for purpose, with relevant amendments agreed.

## **Policy Development and Delivery**

During 2024-25 the Department expects to progress a review of NI Museums Policy. The Department anticipates that National Museums NI will be a key collaborator in this work, providing data, knowledge, and expertise to the work, as well as providing information as to key sources of information and key stakeholders. The work is likely to involve the Senior Sponsor and a range of Departmental officials, and National

Museums NI senior staff and other experts.

The Department will also engage with National Museums NI senior staff in the development of other strategies and policies where National Museums NI can bring their expertise and networks to bear. The development of a Culture Arts Heritage Strategy is an example of one such current piece of work.

## **Strategic and Business Planning**

During 2024/25 the Department and National Museums NI will work closely together to ensure close and ongoing alignment of strategic and business planning. There are some specific events in the annual processes that are set out in the table below.

Beyond those particular activities, National Museums NI will be included in all relevant Departmental Forums (including a regular forum chaired by the Permanent Secretary, a Finance Directors Forum, and an Audit Chairs Forum). The Department keeps the frequency, attendance and content of these Forums under review in light of experience and feedback.

National Museums NI will extend invitations to appropriate Departmental officials to relevant planning and other strategic forums that it convenes. The precise nature of the forums, and appropriate Departmental attendance, will be agreed taking account of

relevant factors. In all cases, departmental attendance will be to assist alignment of National Museums NI and Departmental strategic work, recognising the governance structures already in place in National Museums NI.

| Activity  | Frequency   | DfC/ACNI Officials   |
|---|---|--|
| Submission of Board-approved National Museums NI draft Business Plan                  | by 31 January   | Head of Sponsor Branch<br><br>National Museums NI Chief Operating Officer                                  |
| Approval of the National Museums NI Business Plan                                     | Ministerial/Departmental approval by 31 March (subject to addition of financial information once financial allocations have been confirmed) | Head of Sponsor Branch   |
| Publication of National Museums NI Business Plan.                                     | To take place as soon as reasonably possible after approval and confirmed financial allocations are in place                                | Head of Sponsor Branch<br><br>National Museums NI Chief Operating Officer                                  |
| Publication of National Museums NI Business Plan                                      | To take place as soon as reasonably possible after approval and confirmed financial allocations are in place                                | Head of Sponsor Branch<br><br>Chief Executive's Office   |
| Preparation/submission of the National Museums NI Corporate Plan                      | Four-year Corporate Plan 2026-2030 due 2025.  | Senior Sponsor/ Head of Sponsor Branch<br><br>National Museums NI Chief Executive / Senior Management Team |
| Approval of the National Museums NI Corporate Strategy by the Minister and Department | Four-year Corporate Plan 2026-2030 due 2025   | Head of Sponsor Branch   |



## Governance and Assurance

This is an important area for the Department and for National Museums NI. Engagement will be close and ongoing, to avoid any surprises for either organisation. It will however also be proportionate given the high standards of corporate governance displayed by National Museums NI on a consistent basis.

The table below includes standing engagement meetings. The Department will explore with National Museums NI senior staff whether it is appropriate to make a clearer distinction between strategic

and operational matters covered by the Partnership Meetings, with potentially different attendees involved in meetings for each area.

Departmental officials will attend National Museums NI Board and ARAC meetings as appropriate, and the Sponsor Branch will be provided with minutes for all such meetings in a timely manner. Departmental attendance at Board meetings will generally be for specific issues; attendance at ARAC meetings will be as observers.

| Activity  | Frequency   | DfC/ACNI Officials   |
|---|---|--|
| Review Meeting  | Annual  | Minister for Communities<br>DfC Permanent Secretary<br>National Museums NI Chairperson |
| Submission of Bi-Annual Assurance Statement<br><br>This will include reference to all satisfactory Internal Audit reports. Any reports which provide less than satisfactory assurance will be provided to the Senior Sponsor as soon as the report is finalised | Bi-Annual   | DfC Director of Culture<br>National Museums NI Chief Executive                         |
| Partnership Meeting<br><br>(following receipt of Bi-Annual Assurance Statement)   | Bi-Annual   | DfC Director of Culture<br>National Museums NI Chief Executive                         |
| Planning for the externally facilitated review of Board Effectiveness in respect of identifying a facilitator (per 15.4)  | Review conducted every 3 years. Next review due 2024/25 | DfC Head of Governance<br>DfC Director of Culture<br>National Museums NI Chairperson   |

|  |   |   |
|--|---|---|
| Board Appraisals and planned training and development for Board members                  | Board Appraisals – annually<br>Training and development – ongoing as required                     | National Museums NI Chairperson   |
| Chair Appraisal (to include discussion on outcome of annual Board Effectiveness session) | Annually  | DfC Deputy Secretary<br>National Museums NI Chairperson   |
| Draft Governance Statement   | Annually (in line with Annual Report and Accounts timetable)                                      | Head of Sponsor Branch<br>National Museums NI Chief Operating Officer                                       |
| Annual Report and Accounts   | Annually  | DfC Director of Culture(Sponsor Branch review draft content)<br>National Museums NI Chief Operating Officer |
| Report to those Charged with Governance (RTTCWG)   | Annually per NIAO schedule. National Museums NI to share a copy with sponsor branch once received | DfC Director of Culture (for information)<br>National Museums NI Chief Operating Officer                    |
| Head of Internal Audit Annual report/Opinion (Internal Audit Annual Assurance Report)    | Annually (in line with Annual Report and Accounts timetable)                                      | Head of Sponsor Branch<br>National Museums NI Chief Operating Officer                                       |
| Publish Internal Audit Strategy and Plans  | Annual  | Head of Sponsor Branch<br>National Museums NI Chief Operating Officer                                       |
| Internal Audit External Quality Assessment (see 17.4)                                    | By March 2026   | DfC Head of Internal Audit  |

## Joint Working

National Museums NI and Departmental staff will collaborate closely and agree engagement at particular phases of particular work.

## Board Appointments

The Department will lead the appointment of National Museums NI Board members, as set out in the Public Appointments process. The Department will engage with the National Museums NI Chairperson and Chief Executive on skill needs from Board members.

The Department will be included in induction sessions for new Board members to share information on strategic matters and governance requirements.

## Chief Executive Recruitment

The National Museums NI Chairperson will have lead responsibility for the recruitment of a Chief Executive as and when required,

and will engage with the Senior Sponsor and others in the Department as required to ensure Departmental input to requirements, recognising the Chief Executive's role as Accounting Office.

## Budget Management

Recognising that National Museums NI finances form part of overall Departmental spend, there will be close engagement between finance staff in the Department and National Museums NI, facilitated as appropriate by Sponsorship Branch, to ensure that accurate, robust, and timely information on budgets, consequences and outturn projections are provided and tested. This will include monthly cash forecasts and returns for Monitoring Rounds.

## Other requirements

A number of returns which do not fit clearly in any of the above categories are set out in the Table below.

| Details of action / activity / meeting              | Frequency / Timing  | Departmental Lead / Representation           | National Museums NI Lead / Representation  |
|---|---|--|--|
| Fitness to Act as Accounting Officer                | Annually as requested by the departmental Accounting Officer                      | Permanent Secretary                          | Chief Executive  |
| Fraud Reporting                                     | Immediate reporting of all frauds (proven or suspected including attempted fraud) | DfC Head of Governance                       | Chief Operating Officer (report to CE, Chairperson of Board, Chairperson of ARAC – and in line with established procedures / protocol) |
| Whistleblowing cases/ Speaking Up/Raising Concerns. | On receipt  | Notification to DfC Head of Governance       | Chief Executive, Chief Operating Officer   |
| Recruitment of Head of Internal Audit               | When required   | Head of Sponsor Branch (or nominated deputy) | Chief Executive, Chairperson of ARAC   |

## Review of the Partnership Agreement

| Details of action / activity / meeting               | Frequency / Timing   | Departmental Lead / Representation           | National Museums NI Lead / Representation |
|--|--|--|---|
| Annual review of the Partnership Agreement           | Annually - following the end of each Business/Financial Year | Director of Culture / Head of Sponsor Branch | Chief Operating Officer                   |
| Conduct a formal review of the Partnership Agreement | Once every three years                                       | Director of Culture / Head of Sponsor Branch | Chief Executive, Chief Operating Officer  |

Intermediate reviews, to address specific points, can be initiated as required outwith the cycle above.

# Annex 3 - Delegations

## Delegated authorities

National Museums NI 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 National Museums NI 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
- carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money Northern Ireland

## National Museums NI's Specific Delegated Authorities

### General

The Department has delegated the following expenditure limits to National Museums NI. National Museums NI delegated authority

for expenditure is subject to the conditions in this Annex and delegated expenditure limits as advised by the Department and DoF

### Economic Appraisal

The principles of economic appraisal should be applied in all cases where expenditure is proposed, whether the proposal involves capital or current expenditure, or both. The effort put into economic appraisal should be commensurate with the size or importance of the needs or resources under consideration. Spending commitments should not be entered into until a proportionate business case/economic appraisal has been completed and the appropriate approvals are in place.

Any novel and/or potentially contentious projects, regardless of the amount of expenditure, require the approval of the Department and DoF.

### Economic Appraisal / Business Cases

A full business case should be prepared and submitted to the Department for approval for all external consultancy assignments expected to exceed £10,000. A proportionate business case should be prepared for all assignments below this threshold. Section 5 of the guidance note attached to FD(DFP) 04/09 explains nature of the required business case. Plans should also be put in place to complete an evaluation of the consultancy expenditure.

## **1. PURCHASING ALL GOODS AND SERVICES**

National Museums NI should ensure compliance with the relevant Procurement Guidance Notes when Purchasing all Goods and Services.

National Museums NI shall also have delegated authority for Procurements under £30,000 (subject to the conditions of the MOU between DfC Commercial Business Unit and Sponsor Branch).

## **2. CAPITAL PROJECTS**

National Museums NI shall have delegated authority of £250,000 for capital expenditure. Capital projects over this amount require the approval of the Department and may be subject to quality assurance by DoF if requested.

National Museums NI shall also have a delegated authority of £250,000 for Direct Award Contracts only applicable for specimen acquisitions and associated display items.

## **3. RESOURCE EXPENDITURE**

National Museums NI shall have delegated authority of £150,000 in relation to resource expenditure. The Department's approval is required for expenditure above that threshold and proportionate business cases/economic appraisals should be submitted to DfC in support of the proposed expenditure.

## **4. DISPOSAL OF SURPLUS EQUIPMENT**

In all cases disposal must be at current market value by public auction or another public process, unless otherwise

agreed with the Department. Prior approval of DfC is required for disposal of an asset/surplus equipment with a net book value in excess of £5,000.

Any proceeds from the disposal of assets/surplus equipment, or an appropriate proportion of them if the grant provided by the Department was for less than the whole cost of acquisition or improvement, must be declared to the Department as early as possible.

## **5. LEASE AND RENTAL AGREEMENTS**

National Museums NI shall not enter into any lease without the prior approval of the Department. The National Museums NI Asset Management Plan and NICS Asset Management Strategy should be referred to prior to considering any lease.

## **6. APPROVAL OF INFORMATION TECHNOLOGY PROJECTS**

The appraisal of Information Technology (IT) projects should include the staffing and other resource implications.

The principles of appraisal, evaluation and management apply equally to proposals supported by information communication technology (ICT) as to all other areas of public expenditure. ICT-enabled projects should be appraised and evaluated according to the general guidance in the Northern Ireland Guide to Expenditure Appraisal and Evaluation (**NIGEAE**) and managed using the **Successful Delivery (NI)** guidance which was issued in June 2009.

The purchase of IT equipment and systems should be in line with the guidance on Procedures and Principles for Application of Best Practice in Programme/Project Management (PPM) and be subject to competitive tendering unless there are convincing reasons to the contrary. The form of competition should be appropriate to the value and complexity of the project, and in line with the relevant Procurement Guidance Notes.

## 7. ENGAGEMENT OF CONSULTANTS

### General

National Museums NI shall adhere to the Department's Guidance on The Use of Consultants and the delegation limits therein. National Museums NI has delegated authority on external consultancy spend up to £10,000 (excluding VAT). External consultancies spend above £10,000 requires Departmental approval. National Museums NI shall, on request from the Department, provide a 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.

## 8. LOSSES AND SPECIAL PAYMENTS

The Chief Executive has delegated authority to write off losses and make special payments up to:

- (a) Cash losses – up to £5,000 per case/incident
- (b) Stores/Equipment losses –

- (i) £50,000 per case
  - (ii) £50,000 per case
  - (iii) £50,000 per case/location
- i because of fraud, whether or not it has been possible to charge anyone with an offence, or proven or suspected theft, arson or sabotage, or any other deliberate act (including repairable damage caused maliciously to buildings, stores, etc., which is not the subject of an identifiable legal claim against some person); wherever possible recovery must be effected and prosecution mounted
  - ii losses arising from other causes. In each case the amount of the loss would be the repair or replacement cost less recoveries from insurance etc...
  - iii stocktaking discrepancies and the non-return of loaned items. In each case valuation would be 50% of current replacement cost, less any sums received from an Insurance Company or other party
- (c) Constructive losses and fruitless payments – up to £20,000 per case;
  - (d) Compensation payments
    - i. Made under legal obligation, e.g. by Court Order – Full delegation
    - ii. For damage to personal property of staff – up to £10,000
    - iii. Where written legal advice is that National Museums NI should not

fight a court action because it is unlikely that it would win – up to £100,000

- iv. Where legal advice has not been sought – up to £10,000
- (e) Claims abandoned or waiver of claim – up to £10,000 per case
- (f) Extra contractual payments – up to £10,000
- (g) Ex gratia payments – up to £10,000 per case (Pensions payments are not covered by this threshold)
- (h) Extra statutory and extra regulatory payments – no delegation, all proposals must be submitted to the Department for approval

The prior approval of the Department must be obtained for amounts above these values.

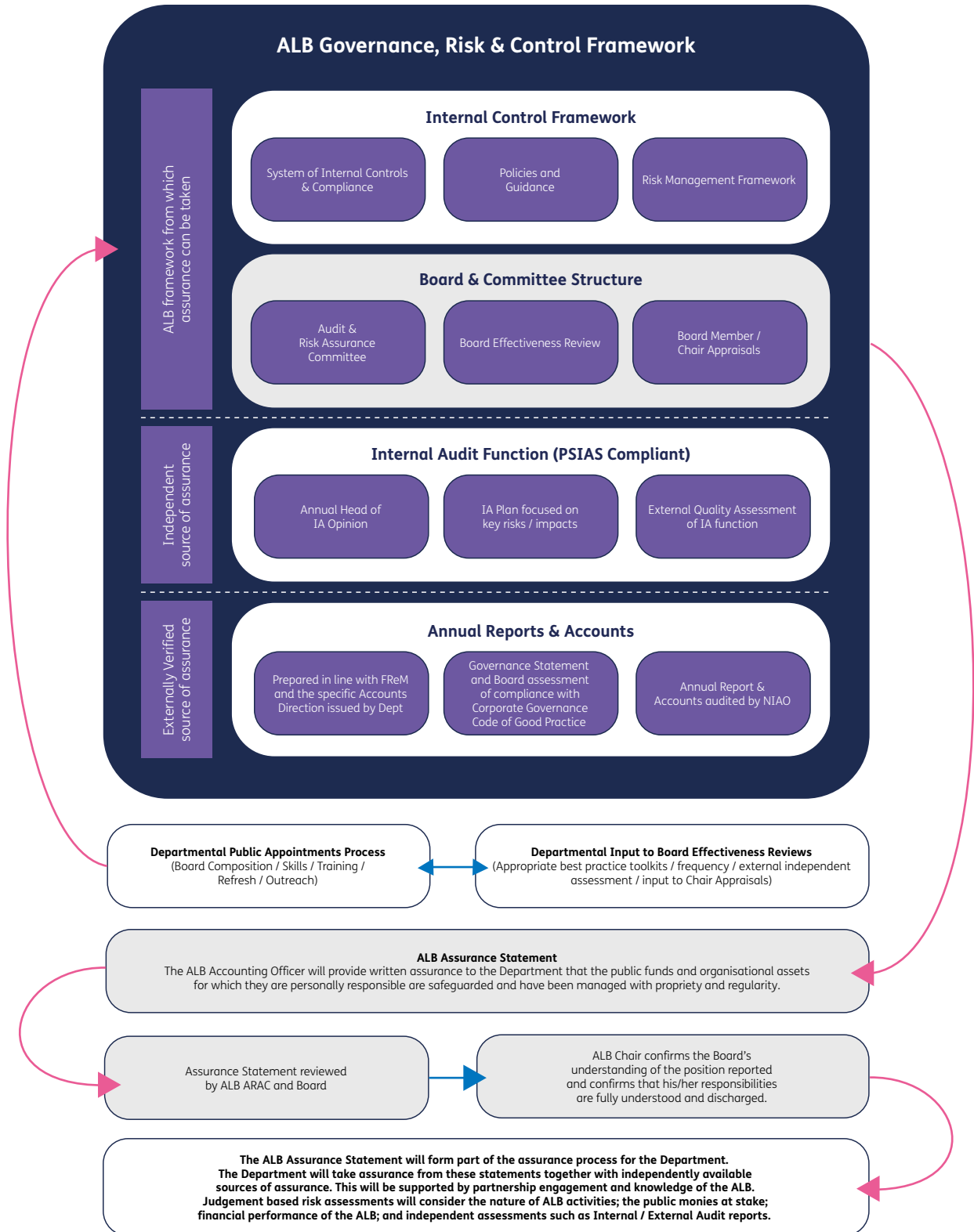
Where total losses exceed £5,000 in any financial year, an explanatory note should be included in National Museums NI accounts.

Details of all losses and special payments should be recorded in a Losses and Special Payments Register, which will be available to auditors. The Register should be kept up-to-date and should show evidence of the approval by the Chief Executive, and DfC, where appropriate.

**These delegations shall not be altered without the prior agreement of the Department and, where applicable, DoF.**



# Annex 4 – Illustrative 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 National Museums NI Trustees will 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.

Trustees are Public Appointees/office holders rather than National Museums NI employees and act, at all times, in line with their Board Code of Conduct.

The National Museums NI Board has a pre-planned approach to addressing concerns about potential breaches of their Board Code of Conduct. This is documented in the Board Operating Framework, the Board Code of Conduct and associated documents which are reviewed annually.

The approach acknowledges that alleged breaches may arise from a variety of policies / sources:

- Raising Concerns/Whistleblowing arrangements
- Complaints processes;
- Grievance/other HR processes
- Directly with National Museums NI or the Department

The Board will assess the substance of matters raised and the appropriate policy/processes to be used to address them.

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 National Museums NI.

# Annex 6 - Applicable Guidance

## **The following guidance is applicable to Arts Council**

### **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
- Public Sector Internal Audit Standards
- Accounting Officer Handbook – HMT Regularity, Propriety and Value for Money
- Better Business Cases NI
- 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 Chairperson of National Museums NI is responsible to the Minister. Communication between the Board and the Minister should normally be through the Chairperson.

The Departmental Accounting Officer is responsible for advising the relevant Minister on a number of issues including the National Museums NI objectives and targets, budgets and performance.

In addition to being answerable to the Assembly as laid out in paragraph 2.4, the Minister is also responsible for:

- Setting the strategic direction and overall policies and priorities for the National Museums NI as reflected in the PfG
- Approving the National Museums NI Business Plan
- Setting the National Museums NI budget
- Setting the Arts Council’s budget; and
- Appointment of Trustees. In line with any parameters set out in founding (or other) legislation the Minister may also be involved in considering the size and composition of the National Museums NI Board – see para 15.3.

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

## **NI Code of Good Practice**

[Arm’s length bodies guidance | Department of Finance \(finance-ni.gov.uk\)](#)

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