

Evidence of the Principal Private Secretary in the Office of the First Minister
In response to Annex B Paragraph 10 of TEO's M2C Covid-19 Rule 9

By
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Scope

Rule 9 Appendix B, 10

Please set out the background and circumstances surrounding the resetting of each government-issued device identified in your 11 August Letter. This should include:

- a) When it was decided that these devices should be reset;
- b) Why it was decided that these devices should be reset;
- c) Who decided that these devices should be reset;
- d) How that decision was communicated to each individual;
- e) If, and when, each device was returned to TEO for the purpose of being reset;
- f) Who carried out the resetting of the devices and when it took place;
- g) Whether each Minister, party official, senior civil servant or special advisor knew or was informed that their government-issued device in question was to be reset and whether any instructions or guidance was given to them concerning the process and/or the saving of data on the devices (including without limitation, communications exchanged via the Messaging Platforms;
- h) Whether there was any consent obtained to reset their government-issued device;
- i) The policy, procedures or rules under which the reset took place.

Can you provide me with answers to the above questions with respect for the following phones:

- First Ministers,
- deputy First Minister
- Special Advisers

Preamble

NICS mobile devices were provided to the former First Ministers (Arlene Foster and Paul Givan) and their Special Advisers when they took up office. When Ministers or SPADs left office, they returned their devices to Private Office. The dates of return of devices were between May 2020 and February 2022.

I had no involvement in the provision of phones to the deputy First Minister and her SPADS.

In relation to the resetting of the phones, this is facilitated by IT Assist and may involve a factory reset or other form of preparation for another user's login.

Questions

a) When it was decided that these devices should be reset;

As would be custom and practice in the First Minister's Private Office, drawing on the NICS Mobile Device Security Policy, on the departure of the Minister or SPADS, officials would ensure that the devices are prepared for use by the incoming Minister or SPAD or returned to IT Assist for replacement or disposal.

Where a mobile device was held for reuse, preparation and/or resetting of the device was made by returning it to IT Assist for action or by the Private Office under the direction of IT Assist. This was in line with the NICS Mobile Device Security Policy which allows for the reallocation of devices. Retained devices were kept in a secure cupboard pending the return of Ministers and SPADS.

Generically, the decision to reset or prepare devices is made to facilitate reallocation. The account below relates to the specific iPads and mobile phones.

Arlene Foster - Mrs Foster left office in June 2021. She returned her mobile phone shortly after but retained her iPad. To facilitate the retention of the iPad, it was sent to IT Assist for removal of NICS applications, in and around June 2021, before being returned to Mrs Foster. Mrs Foster's mobile phone was also sent to IT Assist for reset in an around summer/autumn 2021. This phone was subsequently returned to the Private Office and reallocated to a member of staff.

Paul Givan – Mr Givan took up office in June 2021 and was allocated new mobile devices. He left office in February 2022. On departure, he returned his phone and iPad which were held in Private Office for allocation to the next Minister. The Principal Private Secretary cannot recall if the mobile phone was reset immediately or is being held for reset upon the return of a Minister.

Kim Ashton – Ms Ashton left office in May 2020. Ms Ashton's devices, on return to the Private Office, were sent to IT Assist to prepare for reuse in the Private Office. They were reallocated to Mr Lee Reynolds (SPAD) upon his appointment.

Lee Reynolds – Mr Reynolds left office in June 2021. Following the return of his mobile phone, it was reset and reallocated to a member of staff.

Emma Little-Pengelly – Ms Little-Pengelly left office in June 2021. Following the return of her mobile phone, it was reset and allocated to Mr Richard Bullick when he took up office.

Richard Bullick – Mr Bullick changed his phone during his tenure. This mobile phone was reset by IT Assist and reallocated to a member of staff. A new mobile device was issued to Mr Bullick which was returned upon his departure in February 2022. When this mobile phone was returned, it had already been reset. This was then kept in the secure cabinet in the Private Office.

Phillip Weir – Dr Weir left office in June 2021 but was reappointed in the same month. He retained his phone. He subsequently left office in February 2022 and returned his devices. The devices were held in a secure cabinet in the Private Office.

b) Why it was decided that these devices should be reset;

It was decided that the devices should be reset for reallocation within the Private Office. See question 'a' above for individual mobile phones.

c) Who decided that these devices should be reset;

The Principal Private Secretary in the Office of the First Minister, having responsibility for the Office, in line with custom and practice devised from NICS Mobile Device Security Policy, requested the reset of mobile devices in preparation for reallocation.

d) How that decision was communicated to each individual;

It is assumed that the 'individual' in this question was the user of the mobile device to whom the device is no longer allocated to by NICS. As the mobile device is the property of the NICS, there was no communication about any resetting especially as this is standard procedure. The mobile devices are in the custody and control of NICS.

e) If, and when, each device was returned to TEO for the purpose of being reset;

The mobile devices were not returned to TEO for the purposes of being reset but were returned mostly because the users left office. The devices were returned to TEO between May 2020 and February 2022. Dates for specific phones are in question 'a' above.

f) Who carried out the resetting of the devices and when it took place;

The resetting was led by IT Assist either by direct reset or reset by Private Office staff under the direction of IT Assist. Except for Mr Richard Bullick who returned his device in a reset state. Whilst the Private Office has Mr Givan's and Dr Weir's former devices, it is unclear if they have been reset. The devices reset after they were returned were reset shortly after they were received. Details of dates are in question 'a' above.

g) Whether each Minister, party official, senior civil servant or special advisor knew or was informed that their government-issued device in question was to be reset and whether any instructions or guidance was given to them concerning the process and/or the saving of data on the devices (including without limitation, communications exchanged via the Messaging Platforms;

As in question (d), they were not informed about the reset as they were no longer in office.

The Minister and SPADs were aware of the need to ensure that records were maintained on the Content Management and Knowledge Network systems and would pass information, if required, to Private Office to arrange retention. SPADs were required by the Code of Conduct for Special Advisers 2020 to keep accurate information. The Guidance for Ministers in the Exercise of their Official Responsibility agreed by the Executive in March 2020 and the Functioning of Government Act Guidance Notes for Ministers provided some guidance. In addition, the NICS Record Management Policy provides advice for officials to ensure that all relevant information is extracted and retained in official repositories.

h) Whether there was any consent obtained to reset their government-issued device;

No, as none was required.

i) The policy, procedures or rules under which the reset took place.

The custom and practice in the Private Office devised from the NICS Mobile Device security policy informed the reset process.