

## **NICS Mobile Device Investigation**

### **TERMS OF REFERENCE**

#### **1. BACKGROUND**

NICS Internal Audit Services has been asked to undertake a fact finding investigation across the NICS following a disclosure issue being identified in relation to the ongoing COVID-19 Public Inquiry.

Specifically, it has been identified that some NICS issued mobile devices containing information that may be potentially relevant to the Inquiry (for example, MMS and WhatsApp messages) have been erased/reset prior to being returned or on return.

#### **2. OBJECTIVES**

The specific objectives for this investigation will be:

- To physically locate and secure the relevant mobile devices;
- Establish what mobile device or relevant policies, procedures, guidance and processes which were in place across the NICS at the time of the devices being returned;
- Establish what specific guidance or instructions have been issued relating to retention of information held on mobile devices for the inquiry; and
- Document the circumstances that led to a number of mobile devices being erased/reset prior to being returned or on return, including whether this was in line with the relevant policies, procedures and guidance in place at that time.

#### **3. SCOPE LIMITATION**

The investigation will apply to those mobile devices returned by Ministers and Special Advisors across the nine NICS Departments.

If analysis of the mobile devices by an IT specialist is required in order to determine the status of each and to retrieve information where possible, this will be undertaken as a separate exercise.

#### **4. RESOURCES / CONDUCT OF REVIEW**

The review team will be comprised of NICS Internal Audit Services staff and supervised by Tracey McCavigan (Group Head of NICS Internal Audit Services) and where relevant, expertise maybe sought from IT Assist and Departmental Solicitors Office.

The review will be performed in accordance with the Public Sector Internal Audit Standards (PSIAS) and the professional standards and guidelines of the Chartered Institute of Internal Auditors.

Members of the review team will be provided access to all records, assets, personnel, premises and such information and explanations as considered necessary to complete the review.

#### **5. OVERSIGHT ARRANGEMENTS**

The HOCS Covid-19 Inquiry Reference Group are the main clients for this investigation and the day-to-day contact will be Jane Holmes in TEO as coordinator of cross-cutting Inquiry related issues.

The NICS Internal Audit will regularly report progress and once the investigation is completed, a written report setting out the findings will be provided to the COVID-19 HOCS Reference Group.