



Minutes

Extraordinary Commission Meeting

11 December 2023 | 4:00pm – 5:35pm

Via Zoom

Present:

- Sinéad Gibney, Chief Commissioner (SG)
- Dr Rosaleen McDonagh (RMcD)
- Prof Colin Harvey (CH)
- Dr Andrew Forde (AF)
- Michael Finucane (MF)
- Noeline Blackwell (NB)
- Eoin Ronayne (ER)

Apologies:

- Prof Ray Murphy (RM)
- Adam Harris (AH)
- Jim Clarken (JC)
- Dr Salome Mbugua (SM)
- Dr Lucy Michael (LM)
- Prof Kathleen Lynch (KL)
- Sunniva McDonagh SC (SMcD)

In attendance:

- Deirdre Malone, Director (DM)
- Anthony Bates (minute-taker)

An extraordinary meeting of the Commission took place on 11 December 2023 from 4:00pm – 5:35pm via Zoom.



Apologies, Quorum and Declaration of Interest

Apologies were noted from RM, AH, JC, SM, LM, KL and SMcD. There were no declarations of interest and the meeting was quorate.

Working Draft of Grievance Policy

A working draft of the Grievance Policy and the Chief Commissioner's recent email exchange with Philip Lee solicitors in respect of same were circulated to Commission members in advance and were both taken as read.

Comments were retained in the working draft policy for the benefit of members, as they show where there are open questions and also in some cases the source of the query arising.

SG acknowledged that these papers were only received by Members on Friday 8 December and so there has been limited time for review.

Members outlined their questions, concerns and suggestions regarding the working draft policy. The key issues discussed included consideration of how the policy will apply and its scope of application; the need for fairness of process for all involved including an appropriate appeals mechanism; appropriate and clear sanctions; consideration of alternatives to legislative sanction – with a moral or persuasive element or consideration of mediation/intermediaries.

It was noted that any Grievance Policy could not supersede existing civil service codes. Potential grievance issues arising between staff members and Commission members are not covered under existing policies. The Grievance Policy, once agreed, is intended to plug that gap. The need for the Grievance Policy to refer to and interplay with the Code of Conduct was also discussed.

It was agreed that it would be helpful for DM to look into the approaches of other NHRI's in respect of this issue, while recognising the limitations of direct comparisons given the differences in how each NHRI functions.

A revised draft of the Grievance Policy will be brought to February plenary meeting, accompanied by a rationale and basis for the further development of the policy. It was agreed that any suggestions in the interim should be directed to SG & DM for consideration.

The meeting closed at 5.35 p.m.