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From: Andrew McCormick Personal information redacted by the RHI Inquiry
Sent: Thursday, 29 September 2016 08:49
To: McCormick, Andrew (DFE)
Subject: RHI: Investigation

Woke up early so here are my “cold light of dawn” thoughts.

We are not in control of the timetable. The PAC hearing on 12 October is a continuation of yesterday’s but we will not be able to avoid addressing or referring to the new information. Also, they may choose to call other witnesses. I gave Kieran a copy of the O’Hagan email in the presence of the Chair; he knows about the handover note – and NIAO should now get a copy; and Alison’s email was discussed fully yesterday

So I need, for my first day back, 11 October, a report from initial interviews with a small number of individuals: Fiona Hepper, John Mills, Davina McCay, Peter Hutchinson, Seamus Hughes and Stuart Wightman, relating to three documents:

- Alison Clydesdale’s email of 4 May 2011 (will forward);
- The Handover paper as found yesterday; and
- The email from Janette O’Hagan of 12 May 2014.

Without this, it will obviously emerge in public on 12 October that (in particular) Fiona, and probably also John, knew that the tariff was leading to unacceptable rewards and unacceptable behaviour, and unless we have a firm and clear line, based on the evidence, there is no knowing what the Committee might do and say when they see the three documents. I won’t be able to say “I don’t know”.

Questions (to be tailored for each different context, given that, for example, Peter is the assumed author of the handover note, and some emails have clear addressee and cc identification):

- Did you see these documents?
- Are they authentic?
- If so, what did you understand them to mean and what was the significance?
- What did you do as a result?
- If you saw the documents and did nothing directly as a result, why not?

Do Trim records show who opened the O’Hagan email between it being saved into Trim and the archiving of the DETI records (and subsequently re any new DfE record)?

Who could do this, to a standard that would stand up if further and wider processes are needed, and not prejudice any such process (ie if evidence had to be fed into a misconduct or fraud investigation)? Options (are there any others you can think of?):

1. DAC for an ad hoc team (retired NICS HR person plus Michelle Anderson?);
2. Senior Capita person (if we know someone **really really** suitable) under the HR Connect contract;
3. DAC with PwC – to secure an HR person from their team to work with Ian McConnell’s

team (we could start by asking Paul Terrington).

I think Option 3 is self-selecting because we need to move very quickly if we are to have a credible analysis in time to regain some confidence and credibility with the PAC. Unlike options 2 and 3, PwC would not need briefing time as the work could draw directly on the work of Project Heat.

Other considerations:

- We need to keep options open so that any investigation can be widened in scope or scale later – point for the Terms of Reference;
- We need to align with NIAO and you and Heather should meet C&AG today or tomorrow to talk this process through – I think they will stand back if we are doing the right thing (but if not, possibly not);
- We need to keep the Minister and SpAd informed (John has the handover note and the O'Hagan email);
- DoF will need to brief David Sterling fully; and
- I will talk to Paul Sweeney given that Fiona and Peter (as well as Alison) are now in DE, and to Noel re John.

Please let me know when you are ready and I'll give you a call.