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**Máirtín Ó Muilleoir MLA, Minister**  
Clare House, 303 Airport Road West,  
Belfast, BT3 9ED

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**Mr Danny Kennedy MLA**  
**Northern Ireland Assembly**  
**Parliament Buildings**  
**Stormont**

**December 2016**

**AQW 9094/16-21**

**Mr Kennedy has asked:**

To ask the Minister of Finance for his assessment of whether any Special Advisers, both past and present, have breached the Special Advisers Code of Conduct or Code of Practice in relation to what has been discovered in relation to the Renewable Heat Incentive scheme.

**ANSWER**

Responsibility for an individual Special Adviser's performance management, including matters of conduct, is the responsibility of the Appointing Authority, that is, the Minister who appointed the Special Adviser.

No Special Adviser in the Department of Finance while I have been Minister has breached the Code of Conduct for Special Advisers as set out in Schedule 2 of the Code Governing the Appointment of Special Advisers. I cannot comment on Special Advisers in the Department of Finance, or the Department of

Finance and Personnel under the previous Assembly mandate, at a time when I was not Minister of Finance.

**Máirtín Ó Muilleoir MLA**

**BACKGROUND NOTE**

1. This question has been asked by Danny Kennedy MLA (UUP). It is part of a series of queries from MLAs relating to the Renewable Heat Incentive issue.
2. The terms and conditions of Special Advisers are governed by the Code Governing the Appointment of Special Advisers made under the Civil Service (Special Advisers) Act (NI) 2013.
3. As set out in the Special Advisers Code, performance management and appraisal of Special Advisers is the responsibility of the Appointing Authority i.e. the Minister who appoints the Special Adviser.
4. The draft response states that, as Finance Minister, you can only make an assessment of the conduct of your own current Special Adviser and you are not in a position to make an assessment of the conduct of Special Advisers, past or present, with a different Appointing Authority.

**Drafted by: John McKenna, 21 December 2016**

**Cleared by: Head of Division: Mark Bailey, 21 December 2016**

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**ANSWER**

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