

**Public Service Commission
Minutes of Proceedings**

**10:30 am, Tuesday 28 July 2009
Boardroom 10 Cromac Place
The Gasworks**

Present: Mr Sid McDowell (Chairman)
Mr Brian Hanna
Professor Bernard Cullen
Mrs Brenda McLaughlin
Mr Jim McCusker
Mr Dessie Mitchell
Dr Collim Patton

In Attendance: Miss Susan Dornan
Mrs Gillian McKeown

1. Apologies

No apologies.

2. Minutes of Meeting of 30 June 2009

The minutes were agreed.

3. Matters Arising

Local Government Reform

The Commission met with Ian Maye and Marie Cochrane (Local Government, Planning and Environmental Policy, DoE) and Adrian Kerr (Chief Executive, Local Government Staff Commission, LGSC) on 24 July. The discussion covered a number of topics including:

- The intention to have Chief Executive Designates in place by March 2010, closely followed by HR and Finance Directors. The Chief Executive Designates will be employed by the Transition Committees.
- Proposals for the reform of the planning system in NI (consultation ends 2 Oct 2009).
- Reliance on Article 40 for power of direction while the LGSC is in existence.

- The establishment of the Local Government Reform Joint Forum which had its first meeting on 22 July 2009. The HR priorities are how to fill posts in the new organisations, staff severance, introduction of vacancy control and local negotiating machinery.
- A submission being made to DFP for severance funding.

Draft Guidance Note on 5th Guiding Principle

Commissioners were informed that Grace Nesbitt, Central Personnel Group (CPG), had responded to the Chairman's letter of 13 May 2009, advising that a revised guidance note was being drafted.

Agreed: Commissioners agreed to postpone discussion until the revised draft is received.

Local Government Staff Commission – Vacancy control

The Chairman advised that he and the Acting Chief Executive had met with Adrian Kerr and Lorna Parsons (LGSC) to discuss the draft vacancy control paper. There was a helpful discussion and vacancy control will be an agenda item at the HR Forum on 22 July 2009.

Agreed: Commissioners agreed to discuss this further with the LGSC once they receive feedback from the HR Forum.

Local Government Event

The Chairman summarised the 29 July event held at the Lisburn Civic Centre, and concluded by saying it had been a valuable event, attended by a number of Chief Executives, HR personnel and other staff from Local Government.

Local Shared Services/Status of Guiding Principles

Agreed: Item deferred until legal advice received.

4. Education and Skills Authority – update

The Chairman gave Commissioners an overview of the meeting with Will Haire and Gavin Boyd on 9 July 2009. He advised that both Will Haire and Gavin Boyd are to attend the Commission's meeting in September. The Chairman also summarised the legal opinion from the meeting with Beverly Jones on 24 July regarding the issues in the education sector.

Agreed: Secretariat to draft two letters to Will Haire, Permanent Secretary, Dept. of Education. The first confirming the Commission's understanding on the eligibility of staff on acting up/temporary promotion to apply for positions and the TUPE arrangements for these staff. The second to emphasise again the need for statistics to quantify the potential problem; informing/consulting and disclosure of liabilities requirements under TUPE, and the RRVS screening exercise. Draft letters to be circulated to Commissioners for comment after considering input from legal advisor.

5. Compliance/Lessons Learned

A meeting has been arranged with Derek Baker (CPG), the Chairman and

Commissioner Dessie Mitchell on 25 August 2009.

6. RPA Progress Reports

Commissioners briefly discussed the progress reports.

Agreed: Secretariat to arrange a meeting between the Chairman, Acting Chief Executive and Paul O'Brien, the HR Forum facilitator.

7. Chairman's Business

None.

8. Northern Ireland Assembly/Executive Developments

None.

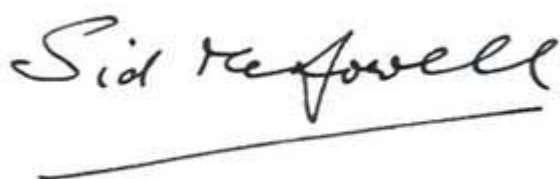
9. Any Other Business

Agreed: The dates for further Commission meetings were agreed as follows:

- 10.30am 7 October
- 10:30am 6 November
- 10.30am 2 December
- 10:30am 13 January

10. Date of the next meeting

The next meeting will be held on Tuesday 8 September at 2:15pm.

A handwritten signature in black ink that reads "Sid McDowell". The signature is written in a cursive style and is positioned above a solid horizontal line.

SID MCDOWELL
Chairman