

Public Service Commission

Minutes of Proceedings

Thursday 20th March 2008

Boardroom 10 Cromac Place, The Gasworks

Present:

Mr Sid McDowell (Chairman)

Professor Bernard Cullen

Mr Brian Hanna

Mr Jim McCusker

Mrs Brenda McLaughlin

Dr Collim Patton

John McMillen\}

Derek Baker\} present for item 4

Grace Nesbitt\}

In Attendance:

Mr Brian Martin

1. Apologies

Mr D. Mitchell.

2. Minutes of Meeting of 21 February 2008

The minutes of the 21 February meeting were agreed.

3. Matters Arising

3.1

Staff Transfers Code of Practice

Commissioners were advised that DFP is close to finalising this and that the draft would be issued to the Commission and Trade Union Side shortly.

Agreed: Commissioners to see final version of Code of Practice when available. Secretariat to let Commission's legal adviser have sight of it.

3.2

Other Codes of Practice

Commissioners were advised that DFP is close to finalising Codes of Practice on 3 of the recently agreed Guiding Principles – Location, Equality and Capacity Building. The Secretariat had made some drafting suggestions to the Department on these. DFP is consulting the Cross Sector HR Forum on the other outstanding Codes of Practice and it is anticipated that the Commission will be consulted about these in a few weeks.

3.3

Research Project Update

Commissioners were advised that given the delay in launching the project it had got off to a slow start. The Consultants would now revise the project plan and discuss this at the Steering Group meeting on 16 April. It is now likely that the fieldwork will be completed by the end of June, but not the final report.

3.4

Role of Public Service Commission in Shared services

Commissioners were given a copy of the RPA Central Unit's letter of 19 March. Commissioners welcomed the conclusion of the Cross Sector HR Forum that PSC Guiding Principles do apply to any shared service initiatives which are announced as a direct outcome of RPA decisions. Commissioners noted the caveat about solutions involving an external private sector partner. Commissioners also noted the response that to seek to formally extend the guiding principles, their recommendations and codes of practice beyond the RPA exceeds the remit of both the Cross Sector HR Group and PSC.

Agreed:

1. Commissioners to discuss the issue with Government officials later in the meeting.
2. Commission's legal adviser to be consulted and issue discussed at a future PSC meeting.
3. Chief Executive to reply to RPA Central Unit letter.

3.5

Location of Public Sector Jobs resulting from the Review of Public Administration

Brian Hanna provided a brief update of the work of Sir George Bain's group on the location of public sector jobs in Northern Ireland.

3.6

Local Government Emerging Findings

Commissioners were copied the letter from the Environment Minister to the Chairman outlining the key aspects of the decisions taken by the Executive on 13 March. Commissioners were also updated on the briefing which had been

provided by DOE officials. It was expected that the Minister would make a statement to the Executive on 31 March. The Chief Executive's e mail to DOE on the staffing related issues PSC would wish to see addressed in the Minister's statement was tabled and endorsed by Commissioners
Agreed: DOE officials to be invited to the April meeting to provide a detailed briefing.

3.7

Education Sector Update

Commissioners were advised that the written update is still awaited.

3.8

5th Guiding Principle Voluntary Severance

The Chairman advised Commissioners that a without prejudice agreement on the draft of this Guiding Principle had now been reached with Government officials. Officials are now undertaking the further consultation required to get it on the Executive agenda in April 2008.

4. Government Officials

The Chairman welcomed officials to the meeting.

Officials provided Commissioners with a **general update** on RPA. Final decisions are expected from the Executive soon and it is expected that implementation will not be completed until 2011. Officials explained that the future role of OFMDFM in RPA requires clarification as does the scope of what is covered by RPA. Officials also indicated that consideration would be given to the need for a future wider public sector commission.

Future of Public Service Commission – The Chairman advised officials that the Commission was set up by government for the duration of the implementation of RPA and Commissioners considered that should remain the position. Officials considered that now was an appropriate time to review the position of PSC. No detailed consideration had yet been given to this and officials would enter into dialogue with the Commission on this issue.

Future Compliance with Guiding Principles – The Chairman reminded officials that the Head of the Northern Ireland Civil Service had expressed the view that as well as Executive commitment to comply with PSC Guiding Principles there would need to be some form of overarching mechanism/facility to ensure compliance. The Chairman cited a few examples of previous non compliance and stressed that Commissioners considered compliance to be a vital issue. Officials accepted that there was little point in having Executive acceptance of Guiding Principles if compliance could not be guaranteed. Officials indicated that they will consider this issue and discuss further with the Commission.

5th Guiding Principle Voluntary Severance Arrangements – The Chairman reminded officials that a without prejudice agreement had now been reached on the draft of this Guiding Principle and expressed the hope that this would

be accepted by the Executive. Officials expected that this would be considered at an Executive meeting in April and indicated that the issues of no compulsory redundancy and the consistent application of PSC Guiding Principles would be addressed in the submission going to the Executive.

Codes of Practice – The chairman expressed concern that although the 3rd Guiding Principle on Staff Transfers had been accepted by government in December 2006 a Code of Practice had not yet been agreed. This resulted in the unsatisfactory position that an independent 3rd party dispute resolution process was not yet in place. Officials undertook to update the Chief Executive on the current position on all outstanding Codes of Practice.

PSC Guiding Principles and Shared Services – The Chairman advised officials that Commissioners had discussed the RPA Central Unit's letter of 19 March earlier in the meeting and that the Chief Executive would be responding to it. Commissioners welcomed the conclusion that Guiding Principles do apply to any shared service initiatives which are announced as a direct outcome of RPA decisions. Officials indicated that there was no necessity to have this position endorsed by the Executive. The Chairman advised officials that Commissioners had decided to seek further legal opinion on the applicability of Guiding Principles to shared service solutions and would discuss the issue at a future meeting.

Some other issues were mentioned during the discussion – the importance of the Research Project to PSC, the position of the Environmental Governance Review and staff movement throughout the public sector. Commissioners agreed that the attendance of government officials had been helpful.

Agreed: April PSC meeting to be extended into the afternoon to facilitate discussion on Programme of work for the next 6 months/Future of PSC/Compliance with Guiding Principles.

5. Any Other Business

5.1

Labour Relations Agency

Commissioners extended their congratulations to Jim McCusker on his appointment as Chair of LRA.

5.2

Proposals for Health & Social Care Reform

Agreed: Chief Executive to consider whether Commission should respond to the consultation document and discuss with Chairman.

6. Date of Next Meeting

Friday 18 April at 10.30am.

Future meetings were arranged for 24 July, 21 August and 30 September.

Sid Kempwell

