



6. Paragraph 9 – Trade Union Side advised that the question of equality considerations in health and social care could be discussed later in the meeting under the Cross Sector Update item on the agenda.
7. Paragraph 14 – It was agreed to discuss the issues in relation to an over-arching EQIA under the Equality item on the agenda.
8. Paragraph 22 – A copy of the RPA Capacity Building Paper was provided to Trade Union Side on 21 March. Trade Union Side advised that they were also currently considering the PSC's, draft 9<sup>th</sup> Guiding Principle on Capacity Building.
9. Paragraph 24 – A bilateral to discuss the draft Code of Practice for the 3<sup>rd</sup> Guiding Principle was held on 8 March and a further discussion also involving the LRA is scheduled for 2 April 2007.
10. Paragraphs 27 & 29 – It was agreed to discuss the issues in relation to the Trust Orders, the HPSS HR Framework and the Staff Transfer Scheme under the Cross Sector Update item on the agenda.

## **EQUALITY**

11. Management Side provided a paper outlining how the statutory equality duties arising from Section 75 of the Northern Ireland Act 1998 are being addressed throughout RPA implementation and articulating the roles and responsibilities of the Departments and the OFMDFM Equality Directorate respectively. In addition to the paper, Management Side advised that data collection was ongoing and that a pilot was due for completion at the end of March, the aim of which would be to provide a base which could be used to inform key decisions for RPA implementation.
12. Management Side re-emphasised that it was not possible to carry out an over-arching EQIA due to the timings and nature of the decisions being made but that the role of the Equality Directorate in OFMDFM was one of oversight and central co-ordination. Management Side confirmed that it would be possible for adverse equality impact in one sector to be mitigated by action in another. In response, Trade Union Side advised that there was a need for an over-arching EQIA given the complementary nature of the decisions being made and stated that they did not believe that central co-ordination was sufficient to mitigate the impact of RPA on a cross-sectoral basis. In addition, they highlighted the potential impact on the equality perspective of a new Ministerial team.
13. Management Side agreed to clarify the information which could be made available to Trade Union Side in relation to the data collection exercise and the pilot but did not envisage any difficulties with this request.

**Action: Management Side**

**IMPLEMENTATION UPDATE**

14. Management Side advised of the Community Planning event which had taken place on 22 March and of the information day planned on 5 April for the Voluntary and Community Sector.
15. Trade Union Side referred Management Side to the private sector involvement in the organisation of the Reorganisation and Shared Service conference on 25 April and stated that the trade unions should not have to pay to attend events to receive information that should be theirs by right. Management Side agreed to look into the issue.

**Action: Management Side**

16. Management Side informed of the on-going work on the revision to the Governance Arrangements, in particular in relation to the formalisation of the arrangements for Permanent Secretaries Group under RPA, and advised of the work progressing to review the cost and efficiencies expected from RPA.
17. In relation to legislation, it was advised that three of the Orders (Health, Libraries and Public Authorities (Reform)) are currently out for consultation and that the target dates for Education, Local Government (Structures) and Local Government (Functions) Orders remain challenging.
18. On other consultations, Management Side advised that a consultation paper prepared by the Estates Group on Guiding Principles for location decisions is currently on the RPA website and that the closing date for responses is 20 April.
19. In respect of the NI Assembly, Management Side informed that the conclusions from the report on RPA Implementation produced by the Programme for Government Committee of the NI Assembly on 23 January 2007 are currently under consideration and that the matter would be taken forward by a devolved Assembly.

**CROSS SECTOR HR UPDATE**

20. Management Side gave a brief update on the developments in the each of the sectors. In relation to Education, Management Side advised that work was progressing on the senior structures as well as organisational issues. The need for appropriate engagement with Trade Union Side was highlighted and it was agreed that issues which are exclusively departmental would be best pursued outside of the Central Joint Forum.

21. In respect of Local Government, Management Side advised that revised recommendations for the 7 boundary model had been published today by Dick Mackenzie. Management Side outlined the impact on their timetable if the political parties have not reached agreement on the number of councils, however, they advised that, for the time being, work on the reform of Local Government was proceeding as originally scheduled.
22. Management Side gave a brief oral update on the status of the Guiding Principles. Trade Union Side advised that they were currently considering the PSC's draft 8<sup>th</sup> and 9<sup>th</sup> Guiding Principles and would respond on these by 8 April. In advance of the meeting on Monday regarding the draft Code of Practice on Staff Transfers (3<sup>rd</sup> Guiding Principle), Trade Union Side emphasised the disposition of the Labour Relations Agency to facilitate the arrangements as agreed by the parties. Trade Union Side tabled further issues for exploration at the meeting on Monday.
23. In relation to developments in health and social care, Trade Union Side expressed great concerns about the announcement of 1,700 job losses and about the procedures being adopted for the appointment of staff as personal assistants to Senior Executives. Management Side detailed the rationale behind the timing of the announcement, and explained that the posts in question were being dealt with in line with the PSC's Guiding Principles. In response, Trade Union Side stated that consultation with Trade Union Side in Health had been unacceptable. Management Side advised that they believed that they had engaged in a long process of consultation with Trade Union Side but agreed to take away the message that Trade Union Side had given to them today.
24. In relation to the Trust Transfer Orders, Trade Union Side outlined the deficiencies that their Senior Counsel had raised in respect of TUPE protection, and said that Government had failed to honour the commitment to apply TUPE to RPA transfers. Management Side, in response, stated that DHSSPS and HSC employers would apply TUPE in all practical effect, and that the issue raised was therefore of no practical significance. Management Side did not accept that there was any real jeopardy to staff. Trade Union Side rejected the view that this had no practical significance and expressed concern that the current legislative model in Health did not deliver the protections intended under TUPE.
25. Trade Union Side pressed Management Side for the suspension of the appointment process for personal assistants given the lack of clarity to current job holders. Management Side noted the point and agreed to respond as soon as possible outside of the Central Joint Forum. Trade Union Side expressed the need for it to be looked at as a matter of urgency.

**Action: Management Side**

**ANY OTHER BUSINESS**

26. There were no issues raised.

**DATE OF NEXT MEETING**

27. The next meeting was scheduled for 27 April at 11:30am

**[March 2007]**