

7. In response, Trade Union Side commented that they would need to look at the specifics of implementation in detail and expected that both it and the PSC would be consulted on the legislation. Trade Union Side stated that it required to be consulted on the draft Code of Practice.
8. In the context of the draft 3rd Guiding Principle, Trade Union Side stated that the Draft HPSS HR Framework should now be withdrawn as it was not agreed and it did not consider that it complied with the likely content of the 3rd Guiding Principle. Management Side agreed to consider the matter further outside the meeting.

Action: Management Side

9. Paragraph 14 – Management Side will submit to Trade Unions Side a summary of the Health Check together with the response. Trade Union Side indicated that it was only interested in the report's recommendations at this stage.

Action: Management Side

10. Paragraph 14 – DOE had met with NIC-ICTU in what was described as a very helpful meeting and had agreed a way forward.
11. Paragraph 21 – A reply to the 17 October letter from Enterprise Ulster had issued. Any further work would be undertaken by the Central Unit to both reinforce the need to make use of the RPA affected group in recruitment, where appropriate. The Unit was also exploring the possibility of a central facility to assist in make staff aware of vacancies.
12. Trade Union Side responded by stating that their key concern was that the principle of safeguarding staff interests was not being adhered to. In particular, Trade Union Side had been advised by DEL that DFP was blocking consideration of an enhanced redundancy package and this was not in line with the principles for the treatment of staff.
13. Trade Union Side stated that this was indicative of the treatment of the 4th Sector as there had also been correspondence in relation to CCMS and RDC. Trade Union Side needed confirmation that all affected bodies would be treated consistently. Also, there was a need for a conference involving this group to engage them more fully in the process.
14. Management Side was aware of the issues but it was still considering the draft 5th Guiding Principle, which was relevant. However, it was pointed out that the position was that contractual obligations would be honoured. On security of employment, Ministers had already confirmed that a guarantee of no compulsory redundancy could not be given. Reference was made to the Minister's letter to NIC-ICTU on this

issue and the Secretary of State's announcement in November 2005 both of which, while committing to working to avoid redundancies did not give a guarantee that there would be none, including on a compulsory basis. Trade Union Side reiterated its position on no compulsory redundancies and advised it would be pursuing the matter further.

RPA Affected Group – HPSS Bodies and Teachers

15. Trade Union Side reported that it had written to Management Side regarding its position on teachers which confirmed the view that teachers and other schools based staff are excluded from the RPA affected group. Management Side agreed to consider the proposal.

Action: Management Side

16. Trade Union Side confirmed its position that the 4 HPSS bodies currently outside the RPA affected group were correctly classified.

PSC 4th Guiding Principle

17. Trade Union Side confirmed it was minded to endorse the Guiding Principle. Government was expected to accept the Guiding Principle.

PSC Draft 5th Guiding Principle

18. Government was currently considering its response to the draft 5th Guiding Principle. Trade Union Side would also be responding in due course but outlined its position as follows:
- The recognition that there would be fewer staff was not supported;
 - The recommendation on a time-limited guarantee of no compulsory redundancy was less than the Trade Union position and Government should accept it – Trade Union Side would pursue this objective vigorously;
 - The proposal of a single voluntary severance scheme across RPA was challenging but was fair;
19. Management Side responded that there would have to be fewer staff as the process involved rationalisation. On the question of no compulsory redundancy, the Secretary of State's commitment promised every effort to avoid redundancy but could not guarantee there would be none on a compulsory basis.
20. On the specific point of early severance, Management Side reported that the different timetables on implementation meant that in the HPSS some staff unsuccessful in initial competitions would be seeking early severance and DHSSPS would be proceeding to engage with the

individuals concerned in the near future. This was without prejudice to the wider issues raised in the draft 5th Guiding Principle.

21. Trade Union Side suggested there should be discussions outside the main meeting on these issues.

Action: Management Side

PSC Draft 6th Guiding Principle

22. It was agreed that the draft 6th Guiding Principle was sensible, but Trade Union Side added that engagement with Trade unions should not be limited to statutory obligations only.

Implementation Update

23. Management Side update the meeting on key implementation issues.
24. The Central Unit was further developing communication arrangements and a new vision for the programme.
25. In the education sector, the competition for the Chief Executive of ESA had been completed and an appointment would be made in the near future.
26. In the local government sector, drafting of the legislation was progressing. At the final meeting of the Political Panel of the Local Government Task Force consensus had been reached on governance for the next stages of implementation.
27. In the HPSS sector, senior appointments of Trust and HSSA Finance Directors and Trust HR Directors had been made, and further appointments at Trust Director level would be made shortly. Arrangements were also being made to deal with the best approach to selecting staff transferring to the new organisation where there would be the same or substantially the same posts, albeit fewer in number. Trade Union Side restated its view that it expected the bulk of staff to be slotted in and that urgent discussions were needed on the structures below Director levels.
28. On slotting in, Trade Union stated that there needed to be a tripartite discussion involving employers, the Department and the unions.

Cross-Sector Group Update

29. Most of the Cross-Sector Group's efforts were on moving forward on the draft Guiding Principles. Membership of the Group was also being considered in light of a PSC suggestion that there needed to be greater involvement from the Local Government and ELB Staff Commissions.

30. Derek Baker had taken over Chair of the Group.

Equality Update

31. Cynthia Smith has replaced Mary Bunting as Director for Equality.

32. Management Side reported that the meetings of the Equality Forum were now bi-monthly with information bulletins on RPA progress being provided in between meetings. A communication event was being planned and Section 75 engagements with Departments were on-going.

33. Trade Union Side referred to problems if equality data was only available after the event. Management Side reported that a statistician had now joined the Central Unit and work was underway to baseline the position.

34. Trade Union Side queried whether there had been any efforts to tap in to the statutory equality duties expertise available throughout the public sector and Management Side agreed to follow up.

Action: Management Side

35. Trade Union Side stated that the wider issue was the centrality of the equality process in RPA implementation. Trade Union Side requested a report for the next meeting on how this would be driven.

Action: Management Side

36. Trade Union side also asked for a substantive discussion on the location paper at the next meeting. This was agreed.

Action: Management Side

37. It was agreed that Equality should be earlier in the agenda for future meetings.

AOB

38. There were no issues raised.

Date of Next Meeting

39. The next meeting was scheduled for 15 December.

15 December 2006

Reference:LA000069