



TENTH GUIDING PRINCIPLE AND ASSOCIATED RECOMMENDATIONS

REORGANISATION AND IMPLEMENTATION OF CHANGE

Introduction

1. The Commission's role is to safeguard the interests of staff and to ensure their smooth transfer to new organisations established as a consequence of Executive decisions on the Review of Public Administration, taking into account statutory obligations, including those arising from Section 75 of the Northern Ireland Act 1998. In formulating the Guiding Principle and Associated Recommendations, the Commission has also had due regard to the previous administration's commitment, as set out in the statement of 22 November 2005, that "Every possible effort will be made to avoid redundancies." The Commission welcomes the Executive's commitment to this underpinning objective.
2. The Commission considers that the reorganisation and change management challenges resulting from the implementation of the Review of Public Administration will require all stakeholders to play an active part in delivering the transformation envisaged by RPA. The Commission also considers it is essential that old (transferor) employers engage, collaborate and co-operate fully with new (transferee) employers to ensure compliance with the statutory obligations to notify and consult as set out in the TUPE 2006 Regulations. Given the extent and complexity of the RPA, the number of individual employers involved and the large numbers of staff affected, the Commission considers that the Executive should ensure that employers are reminded of their obligations to comply with collective agreements and, as appropriate, inform, consult and negotiate with all employees, their representatives and the trade unions, all of whom contribute to the establishment, development and maintenance of mutually effective working relationships and conditions.
3. The Public Service Commission has consulted the Executive, the sectoral Staff Commissions, NIC/ICTU and the Labour Relations Agency about this Guiding Principle on Reorganisation and Implementation of Change. This is part of a wider set of arrangements which will be required to achieve the Executive's commitment to make every possible effort to avoid redundancies in bodies affected by RPA and to safeguard the interests of staff and ensure their smooth transfer into new organisations.

Guiding principle

4. The Commission **recommends** that:

- Employers plan thoroughly for the implementation of the change process arising from RPA and adopt a collaborative approach, which actively engages staff, Trade Unions and other staff representatives and encourages their participation throughout the change process.
- All parties in the employment relationship comply with relevant human rights and employment rights legislation, taking into account relevant Codes of Practice and be committed to establishing, developing and maintaining a supportive and harmonious working environment.

Associated Recommendations

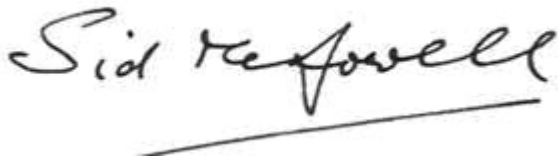
5. The Commission **recommends** that employers:

- Ensure, in conjunction with the Trade Unions, that there are appropriate and robust mechanisms and structures in place to facilitate effective employment relations at both central and local level.
- Develop effective and efficient organisational and staffing structures, in consultation, and with a view to reaching agreement, with trade unions and other staff representatives and take all reasonable steps to ensure a fully participative, inclusive and transparent process.
- Strive to minimise staff uncertainty by regular, effective communication. All possible opportunities should be taken to alleviate staff concern. Face-to-face communication should be the preferred approach when managing the sensitive aspects of organisational change and should be used where possible.
- Use the dispute resolution process as set out in the RPA Code of Practice to resolve individual and collective disputes.
- Maximise the development of leadership capacity within organisations in the realisation that competent leaders at all levels will drive the change process by effective articulation of their vision of the successful organisation.
- Invest in appropriate management training and development as managers at all levels are instrumental in interpreting, communicating, facilitating and enabling change.
- Establish at the earliest opportunity, a corporate culture to unite staff who may come from very different workplace cultures and who may have competing outlooks and values. The development of the corporate culture can be aided by, for example, staff induction, training sessions and team briefings.

- In consultation, as appropriate, with employees, their representatives and trade unions, develop, implement, monitor and evaluate good practice employment policies and procedures (All parties may refer to the services of the Labour Relations Agency for information, advice and guidance on good employment practice, as and when necessary).
- Fully implement the Commission's Guiding Principles and Associated Recommendations as accepted by the Executive.

Commentary

6. The Commission recognises that change can be difficult and that it is important, at an early stage, to enlist the support of staff at all levels in the organisation. It is essential that staff understand the need for change and the Commission considers that their co-operation will be readily forthcoming provided that they are fully engaged in the process and treated with dignity and respect.
7. Leadership, passion, accessibility and visibility of management teams are key elements in a successful workplace and in improving the performance of both staff and the organisation. Senior management teams should develop strategies that motivate and secure the commitment of staff during the change process.
8. The Commission acknowledges the shared corporate and individual responsibility required to develop and embed a successful workplace culture derived from and nurtured on respect, trust and fairness.
9. Employers should be aware that following the implementation of RPA decisions staff may regard future structural changes or reorganisation of services as arising from RPA decisions. Employers should ensure that in these circumstances there is appropriate consultation with trade unions, in order to clarify the situation, in line with good industrial relations practice.

A handwritten signature in black ink that reads "Sid McDowell". The signature is written in a cursive style and is underlined with a single horizontal line.

SID McDOWELL
CHAIRMAN
PUBLIC SERVICE COMMISSION
25 January 2008