

RPA CIRCULAR 05/2006

GUIDANCE NOTE ON MANAGING VACANCIES EFFECTIVELY IN EXISTING ORGANISATIONS

Introduction

1. Further to Government's acceptance of the Public Service Commission's 2nd Guiding Principle, Managing Vacancies Effectively (copy attached), this guidance note is issued to assist employers in the RPA Affected Group (see RPA Circular 04/2006) in the practical implementation of the guidance.

Interpretation

2. This guidance note applies to vacancies in existing organisations within the RPA affected group. It does not apply to vacancies as a result of new posts created in new organisations which will be the subject of a future guidance note. In implementing this guidance note, employers are reminded that its purpose is to minimise the risk of redundancies. Therefore, in determining whether a particular course of action is appropriate, employers should consider whether it is consistent with this objective.
3. Employers are required to implement vacancy management schemes, in consultation with appropriate trade unions, which should have the following characteristics:
 - The majority of vacancies in existing posts that will arise is likely to be as a result of natural wastage. In most of these cases, particularly in front-line positions, it is expected that such vacancies will be filled as in the normal course of business.

- No new posts in RPA affected areas should be created unless there is considered to be an inescapable requirement for the post. It is not intended to be prescriptive as regards what might constitute an inescapable requirement. Examples are set out in the attached guiding principle.
 - In other cases, where it is considered that a vacancy must be filled, employers should consider internal sources as described in the attached guiding principle.
 - Where it is considered that such vacancies must be filled through externally sourced resources, consideration should be given to employment on fixed term contracts, which would expire before the date of transfer, or through the use of secondments. This is likely to apply especially where a post is to disappear or be materially altered as a result of RPA changes
4. Where staff accept temporary promotion or secondment, there would be a guarantee to the employee in respect of normal continuity of employment rights in their substantive posts.
5. Should it be considered in terms of skills or any legislative impediments, for example, that a competitive process should be pursued to fill a given post, the preferred pool for any such competition should be staff in the RPA Affected Group, unless an employer takes the view that this would not be justified in light of equality monitoring data or other constraints would militate against this. In all cases, the employing authority should:
- have regard for statutory Equality and other legislative obligations;
 - consult with appropriate trade unions;

- document fully the reasons for any decisions within this overarching framework; and
- provide three-monthly reports to the RPA Central Unit summarising the operation of their vacancy management schemes.

Action required

6. Employers are required to:

- implement vacancy management schemes as outlined above with immediate effect; and
- during the period of RPA implementation, provide the RPA Central Unit with reports on the attached pro-forma for the periods to:
 - 31 March by 14 April
 - 30 June by 14 July
 - 31 October by 14 November
 - 31 December by 14 January

RPA CENTRAL UNIT
October 2006

Employing Authority:

Reporting Period:

Vacancy Details (inc. new post, existing post etc)	Method of Filling Vacancy	Reason for filling vacancy from outside the RPA affected group, if appropriate

Summary

Total Vacancies	Number filled permanently	Number filled from outside the RPA affected group