

Reference No: E107/53/71; **Date:** 01/11/79

Circular 10/1979:- Transfers of duties to and from general service grades for which the Civil and Public Services Staff Association holds recognition

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1. I am directed by the Minister for the Public Service to say that he has accepted the agreed recommendation made by the General Council on a claim for the amendment of Appendix II of General Council Report 613 which sets out procedures for dealing with proposed transfers of duties to and from general service grades for which the Civil and Public Services Staff Association holds recognition. The revised procedures to be applied in such cases are set out in the appendix to General Council Report 821. A copy of that report is attached.

2. I am to ask you to ensure that these procedures are adhered to by your Official Side in any case where they should apply. This Department should be consulted about any doubts or difficulties which arise.

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William P Smith

Civil Service Conciliation and Arbitration Scheme
General Council Report 821
(Meetings of 27 July and 28 September, 1977)

Claim for the amendment of Appendix II of General Council Report No 613

1. The Staff Side presented a claim at General Council seeking to have the terms of Appendix II of General Council Report No 613 revised so that the regrading of posts or changes in the cadre of the grades for whom the Civil and Public Service Staff Association holds recognition should, before implementation, be comprehended by either paragraph 7 of General Council Report No 712 or paragraph 43 of the conciliation and arbitration scheme.

2. The Staff Side said that they had been under the impression that the Official Side was required by Appendix II of General Council Report No 613 to discuss any regradings or reorganisations affecting grades for which the Civil and Public Services Staff Association held recognition at the appropriate Departmental Council before such regradings or reorganisations took place. In their view such discussions had not always taken place. The purpose of the proposed amendment was to ensure that such discussions would take place in all cases in future and that Official Sides should also be required to submit appeals to the General Council sub-committee on grading matters established under General Council Report No 712 in cases where agreement could not be reached on Official Side proposals at Departmental Council and to secure agreement at the appeal sub-committee before proceeding with the regrading.

3. The Staff Side said that apart altogether from the particular groups covered in Appendix II of Report No 613, the Official Side was under an obligation in the interests of good staff relations to consult with the staff interests in all cases where major reorganisations were intended.

4. The Official Side said that they accepted that discussion under Appendix II of General Council Report No 613 should take place in all cases of the type covered therein and they would ask Departments

to see that this was done. There was, however, no obligation on Official Sides to appeal such cases under paragraph 7 of General Council Report No 712.

5. On the general question they regarded organisational matters, including cadre and grading, as being primarily a responsibility of management and while they could not accept that prior Staff Side agreement must be obtained on changes of an organisational or grading nature, they accepted that consultation with staff interests was desirable where major reorganisation was intended. They went on to point out that management had no vested interest in maintaining or introducing incorrect gradings or structures that would make for inefficiency. The civil service had traditionally been an area where reasonable flexibility prevailed and it would be in nobody's interest - not of the Staff Side or of the Official Side or of the individual officers concerned - to introduce or encourage rigid demarcation. Apart from anything else, much of the work of the civil service did not lend itself to rigid definition and compartmentalisation; furthermore just as there were overlaps in scales of pay, there were overlaps in duties and responsibilities. It was, of course, open to the Staff Side, where they felt that posts were wrongly graded, to put down a claim under paragraph 43(f) of the scheme of conciliation and arbitration and, if necessary, to avail of the appeal procedure under paragraph 7 of General Council Report No 712.

6. The Official Side said that in all the circumstances they could not agree to the amendment sought by the Staff Side. It was the Official Side's view that the wording of Appendix II of General Council Report No 613 could be made clearer and they would be prepared to agree to a revised text of the Appendix.

7. After further discussion, it was agreed to recommend that Appendix II of General Council Report No 613 should be replaced by the revised version set out in the Appendix to this report.

8. This report was adopted on 5 June 1979.

Appendix

It was agreed to recommend that the following arrangements should apply:

1. Where a transfer of duties is contemplated from a departmental grade or a grade common to two or more Departments to a general service grade for which the Civil and Public Services Staff Association holds recognition or from such a general service grade to a departmental grade or a grade common to two or more Departments, the matter would be discussed at the appropriate Departmental Council.

2. Where a transfer of duties as described at (1) above, is planned in a Department, details of the proposed transfer, including details of any change in cadre involved would be supplied before implementation to the Secretary of the Staff Side in the Department concerned; a copy of this information would be sent to the Head Office of the Association/s and/or Union/s holding recognition for the grades involved in the transfer.

3. It would be appropriate that the Staff Side of the Departmental Council discussing such a transfer of duties should include direct representatives of the grades concerned.

4. It would be open to the General Council Staff Panel to raise at the General Council such proposed transfer of duties where, in their view, it substantially affected the overall duties of the general service or grade common to two or more Departments concerned.