

Civil Service Conciliation and Arbitration Scheme

General Council Report 1320

(Meeting/s of 30 July 1997)

Agreement in relation to grades represented by IMPACT which have the same pay scales as, or scales which are related to, Assistant Principal and Principal (higher and standard scales)

1. Claims in relation to pay and other issues on behalf of grades represented by IMPACT which have the same pay scales as, or scales related to, Assistant Principal (Higher and Standard) and Principal (Higher and Standard) were presented to General Council. These fell to be considered in the context of Clause 3 of the PESP pay agreement. Subsequently, discussions took place in the context of the local bargaining provisions of the pay agreement associated with the PCW which provides that it is open to parties who had not processed claims under Clause 3 of the PESP to process their claims on the basis set out in Clause 2 (iii) A of the PCW pay agreement.
2. The Official Side said that their approach to the discussions was on the basis that additions to payroll costs would have to be compatible with the cost parameters of the PCW. The Official Side also had requirements in relation to flexibilities and changes in work practices.
3. Following discussion between the sides, agreement was reached on proposals which involve increases in pay and flexibility measures, as set out in Annex I to this report. The grades to which these proposals apply are listed in Annex II. By agreement between the Official and Staff Sides, further grades may be added to the list in Annex II.
4. Both sides noted that, as provided for in the PCW pay agreement, no further cost increasing claims on behalf of the grades concerned for improvements in pay or conditions could be made or processed during the currency of the agreement.
5. At a meeting on 30 July 1997 the Council agreed to recommend for acceptance the overall package contained in Annex I.
6. This report accordingly records such agreement.
7. This report was adopted on 30 July 1997.

Annex I to General Council Report No.1320

Agreement under the provisions of Clause 2 (iii) A of the Programme for Competitiveness and Work as applied to the Public Service in relation to grades represented by IMPACT which have the same pay scales as, or scales which are related to, Assistant Principal and Principal (Higher and Standard scales)

1 Payment on Account

1.1 A payment on account of 1% has been made to the grades concerned with effect from 1 April 1994 under Clause 2 (iv). The proposed payments in the following paragraphs are in addition to this 1% which has been incorporated in salary scales.

2 Scales

2.1 Adjustments are being made to scale points other than the maximum.

3 Long Service Increments

3.1 Grades with the same pay scale as Assistant Principal (Standard Scale)

A long service increment of £1,000 p.a. will be payable after three years satisfactory service on the maximum of the scale. A further long service increment of £1,000 p.a. will be payable after a total of six years satisfactory service at the maximum of the scale.

3.2 Grades with the same pay scale as Assistant Principal (Higher Scale)

As in paragraph 3.1 above with long service increments of £1,100 each.

3.3 Grades with the same pay scale as Principal (Standard Scale)

As in paragraph 3.1 above with long service increments of £1,300 each.

3.4 Grades with the same pay scale as Principal (Higher Scale)

As in paragraph 3.1 above with long service increments of £1,400 each.

3.5 The long service increments for scales other than those mentioned in 3.1 to 3.4 will be determined on a pro-rata basis.

4 Phasing

4.1 Revised scales, including long service increments, will be introduced in phases as follows:

- . 60% of the increase involved arising from the application of one or two long service increments, as appropriate, with effect from 1 December 1995;
- . the balance of the increase with effect from 1 June 1997.

5 The scales for grades with the same pay scales as Assistant Principal and Principal (standard and higher scales), with effect from 1 December 1995 and 1 June 1997 (in 1 June 1995 terms) are attached at Appendix 1. Also attached, at Appendix 2, are scales which include the general round increases on 1 June 1996, 1 October 1996 and 1 January 1997. Scales for other grades are being supplied separately.

6 Assimilation

6.1 Assimilation to the revised scales will be on the basis of corresponding points.

6.2 Except where paragraph 6.3 applies, assimilation to the long service incremental points will be on the following basis:

(a) Serving members of the grades covered by this Agreement who were on the maxima of the scales on 1 December 1995 or who reach the maxima of the scales before 1 June 1997 will, subject to the phasing arrangements set out in paragraph 4, be eligible for the first long service increment without the requirement that three years be served on the maximum.

(b) In cases covered by (a) payment of the first phase of the long service increment will be made as follows:

- . with effect from 1 December 1995 in the case of staff who were on the maxima of the scales at that date.
- . with effect from the date the relevant maximum was reached in the case of staff who reach the maxima of scales before 1 June 1997.

(c) In all cases referred to at (a) payment of the second phase of the long service increment will be made with effect from 1 June 1997

6.3 Subject to the phasing arrangements set out in paragraph 4, staff with six years satisfactory service on the maximum of the relevant scale or who subsequently attain such service will be eligible for the second long service increment with effect from 1 December 1995 or such subsequent date as six years satisfactory service on the relevant maximum has been completed.

6.4 Staff who receive the first long service increment under the arrangements set out at paragraph 6.2(a) and who retire having served at least three years following the date of receipt of that increment will receive the second long service increment immediately prior to retirement without the requirement that six years be served on the maximum.

7 Superannuation Issues

7.1 Staff assimilated to the new scales, including the two long-service increments, and who retire while on those scales, will be pensionable on the basis of those scales.

7.2 Staff who retire after 1 December 1995 but before 1 June 1997 will have their pensions revised, in the normal way, by reference to the rates of pay applicable to serving staff on 1 June 1997.

7.3 The lump sums of staff who retire between 1 December 1995 and 31 May 1997 (both dates inclusive) will be calculated by reference to the first phase (i.e. 60% of the increase involved) of the revised scales. The lump sums of staff who retire on and after 1 June 1997 will be calculated by reference to the fully revised scales. (Death gratuities and marriage gratuities will be treated similarly).

8 Flexibility

8.1 The foregoing is subject to acceptance by IMPACT of measures in relation to flexibility of working and change as outlined in Appendix 3.

8.2 A central agreement has been reached between the Official Side and IMPACT on measures dealing with flexibility of working and change to apply in the case of IMPACT grades generally (See Appendix 2 to General Council Agreed Report No. 1306 for details). The content of that agreement will, as appropriate, also apply to grades covered by this agreement.

8.3 It may be necessary, subsequent to the adoption of this agreement, to have discussions at Departmental level in order to clarify how particular provisions in this and the central IMPACT agreement will apply in individual cases.

July, 1997

Restructuring Agreement for IMPACT Grades Note of Understanding

Starting Pay on promotion

1 Promotion of Officers in receipt of the first Long Service Increment (LSI).

An officer in receipt of the first long service increment on the date of promotion will receive the most favourable of :-

(1) the minimum of the scale for the higher grade, or
(2) existing pay plus two increments on the scale for the higher grade in the case of an officer who had at least three years service on the maximum of the scale or who has an aggregate of at least three years on the maximum and on the first LSI, or
(3) existing pay plus one increment on the scale for the higher grade in the case of an officer who has an aggregate of less than three years service on the maximum of the scale and the first LSI.

(4) In the case of (3) if, on the date of promotion, an officer, has an aggregate of more than two years but less than three years service on the maximum of the scale and the first LSI, starting pay will be calculated in accordance with (3) above. On the date the officer would have completed an aggregate of three years service on the maximum of the lower scale and the first LSI had s/he not been promoted, starting pay will be recalculated in accordance with (2) above.

2 Promotion of Officers in receipt of Second Long Service Increment (LSI).

An officer in receipt of the second long service increment who is promoted will receive the most favourable of the following:

. the minimum of the higher scale

or

. the first long service increment plus two increments on the higher scale

or

. the second long service increment plus one increment on the higher scale

3 As in the past, anomalies arising from the implementation of the agreement will be addressed.

Appendix 3

GRADES REPRESENTED BY IMPACT WHOSE PAY SCALES ARE RELATED TO THE PAY SCALES FOR PRINCIPAL AND

ASSISTANT PRINCIPAL (HIGHER AND STANDARD SCALES)
PCW RESTRUCTURING - FLEXIBILITY MEASURES

1. General

1.1 This Agreement is made under the terms of Clause 2 (iii)A of the pay agreement in Annex 1 to the Programme for Competitiveness and Work [PCW]. The negotiations under the Clause have taken into account the need for efficiency, flexibility and change and the contribution to be made by employees to such change.

1.2 The Agreement applies to grades represented by IMPACT whose salary scales are related to the Principal and Assistant Principal (Higher and Standard) scales. These include key management grades which have a crucial role in the necessary change and development of the civil service.

2. Consultation - General

2.1 Both sides recognise the importance of meaningful consultations in the context of potential change in the civil service, and there are specific requirements for consultation with the Union in this Agreement.

2.2 It is agreed by both sides that the Union will be consulted in sufficient time in advance of any proposed change of a significant nature to enable its views to be considered prior to the implementation of such change.

2.3 When such changes have implications for career opportunities or other conditions of staff they may be raised by the Union at the Conciliation, Facilitation or Adjudication stages, as, appropriate, of the Civil Service Conciliation and Arbitration Scheme and will be dealt with in accordance with the provisions of that Scheme and any prevailing Union/management agreements on pay, conditions or related matters.

3. Performance Management

3.1 The efficiency and effectiveness of Departments can be enhanced by the introduction of a structured system of performance management. A fair system of performance related pay can be a beneficial feature in this regard.

3.2 The Union is agreeable in principle to the introduction of a performance related pay dimension of remuneration as part of a properly structured system of performance management and gives a commitment to co-operate constructively in the discussions and development of proposals which might be put forward on this issue. Both sides recognise that, for performance related pay arrangements to work effectively, they must be perceived to be fair and objective by both staff and management.

3.3 In the context of a performance management system both sides are in agreement on the necessity for:

- (i) a positive approach by Departments to management development, and
- (ii) developing arrangements for identifying inadequacies in performance and for remedying those inadequacies. In this regard management and unions have an interest in ensuring that there are adequate and fair procedures in place.

Discussions will take place with the Union in relation to the development of arrangements regarding the foregoing.

3.4 The official side readily acknowledges that co-operation and flexibility have already been forthcoming from members of the grades represented by the Union in relation to change and development in the civil service. It would be expected that this position will generally continue to obtain. In that context, the Union and its members would co-operate, where necessary, with the implementation of agreements entered into on behalf of other grades in the civil service.

4. Team or Group Working

4.1 Certain finite departmental or cross-departmental objectives may, most effectively, be met by forming multi-disciplinary project teams drawn from one or more of the general service, departmental, professional or technical streams. Staff from more than one department could be convened to form such teams should the need arise. The team leader might not, necessarily, be the most senior member of the group and could be from any one of the aforementioned streams.

5. Flexible Work/Reporting Relationships Between Grades and Streams

5.1 Both sides are committed to the development of :

- (i) more flexible grading/reporting structures, and
- (ii) greater flexibility as between general service, departmental, professional and technical streams where this will further the evolution of a results-oriented civil service. In this context the following measures will be adopted:
 - some element of integration on a bilateral basis between the streams where such is indicated by considerations of efficiency and effectiveness (lateral movement between general service and departmental streams would be particularly apposite in this context),
 - greater use of cross-stream reporting arrangements on a bilateral basis,
 - the drawing more closely together of staff in different streams, who share responsibility for the delivery of a

particular service, to provide a more cohesive workforce focused on the task in hand,

- the use of temporary exchanges of staff between grades/streams, and
- the opening up of promotion posts. In this context the Union will, jointly with the AHCS and the VOA, enter into discussions with the official side with a view to reaching agreement on an interdepartmental scheme of promotion to Principal/Assistant Chief professional and equivalent level posts which would incorporate the principle of bilateral cross-stream mobility. This scheme will be structured in such a way as to ensure that significant imbalances do not arise as between promotees from different streams. The operation of the scheme will be reviewed by management and the unions at the end of the first promotion competition. The agreed aim of the discussions will be to have such a scheme ready to come into operation by the time the next inter-departmental competition for Principal would have been due (c. September 1997).

6. Efficiency and Effectiveness

6.1 Departmental managements will have flexibility to address needs which they identify in relation to the enhancement of the efficiency and effectiveness of their Departments. This will be catered for by allocating a proportion of the resources available under Clause 2 (iii) (1% of payroll for the grades concerned in each Department) for this purpose. The measures used within this flexibility will involve variations in the grading within Departments, and/or the payment of allowances, in the case of staff represented by the Union. The criteria for a framework within which resources allocated for this purpose are utilised will be open and transparent and will be developed in consultations between the Union and Departmental managements. These consultations will commence immediately on ratification of this agreement and ongoing monitoring arrangements will also be agreed.

7. Open Recruitment

7.1 The normal method of filling posts at Principal/Assistant Chief professional level through internal civil service promotion will continue. Very exceptionally, however, a case may arise where it may not be considered possible to meet satisfactorily certain specialist expertise or experience requirements from within the civil service.

7.2 The Official Side, however, before deciding to fill such posts through open competition will first consider whether their requirements could be accommodated through training and development of existing staff, through deployment from elsewhere in the civil service or through the holding of a

special interdepartmental competition.

7.3 The Official Side will consult with the Union before a final decision is taken.

7.4 Recruitment to such positions will be carried out by the Civil Service Commission.

8. Atypical Recruitment

8.1 Permanent appointment will continue to be the norm in the civil service but situations will arise in which atypical recruitment of temporary/contract/part-time staff will be necessary. Given the nature of the work at the levels of the grades covered by this Agreement such atypical recruitment would be exceptional. The circumstance in which atypical recruitment might be considered would be as follows:

- staff with specialist expertise or experience not available in the civil service could be engaged on fixed term contracts for a finite period to undertake certain "once off" tasks.
- a small proportion of the work of individual Departments may not require the attention of officers on a full time basis. Where Departments identify such tasks they will first seek to accommodate existing suitable staff through job sharing or other agreed part-time arrangements and will facilitate agreed interdepartmental mobility in this regard.

8.2 Staff recruited on an atypical basis to grades represented by the Union will be liable for the full duties of the grades and will be treated as an integral part of the grade for all purposes. They will, in general, be subject to the pay and terms and conditions of employment, on a pro rata basis, applicable to equivalent permanent staff. Recruitment will, where possible, be through the Civil Service Commission. There will be consultation with the Union in advance of the recruitment of temporary/contract/part-time staff.

8.3 In general, part-time working would be for a minimum of 15 hours per week. However, circumstances may arise where, exceptionally, it may be necessary to engage part-timers for as little as 8 hours per week; in such cases, the Union will be consulted in advance.

9. Outsourcing of Services

9.1 Situations may, exceptionally, arise where certain long-term services could not feasibly be provided "in-house" due to skills shortages. In such circumstances, and after all other options have been fully explored,

Management may wish to engage outside contractors to provide the services in question (for example, to undertake certain information technology related tasks). Local management would consult with the Union in advance of any engagements of this sort. Existing arrangements relating to consultants will not be affected by these arrangements.

9.2 In relation to paragraphs 8 and 9.1 above, if consultations provided for do not yield an acceptable outcome for issues which have arisen, the matters in dispute shall, at the request of either side, be referred to a special Sub-Committee of the General Council. As is provided for in paragraph 52 of the Civil Service Conciliation and Arbitration Scheme, discussions can, at the request of either side, be continued under a Facilitator. This, however, shall not prevent the Department concerned from proceeding with the proposed recruitment of temporary or contract staff (part-time or full-time) pending the resolution of the issue, provided the staff concerned are recruited on contracts of not more than 12 months duration.

10. Redeployment of Staff

10.1 The need for redeployment of staff, which would be in the same geographic area, may arise under two broad headings:

- (i) staff in certain areas of the civil service may, occasionally, become surplus to operational requirements. The recently established redeployment pool will continue as the "sorting house" where available resources may be matched with particular requirements, or
- (ii) where particular skills are available in one area and are required as a matter of higher priority elsewhere.

10.2 The objective of such redeployment would be to redeploy staff to positions at the same grade level. However, circumstances may arise where operational requirements would render such an approach impracticable; in such an event, the officers concerned would not suffer any loss of salary or other entitlements. Where redeployment of staff becomes necessary, consultations will take place between management and the Union and other Unions/Associations as appropriate.

Annex 2 to General Council Report No. 1320

List of grades to which this Report applies:

Attorney General's Office Assistant to Director, SLR & C Office

First Senior Draftsman
Third Legal Assistant

Chief Clerk
Central Statistics Office Director
Senior Statistician
Chief State Solicitor's Office Deputy Assistant
Principal Solicitor
Senior Assistant Solicitor
Director of Public Prosecutions Third Legal Assistant
Education Deputy Chief Inspector
Manager - Professional
Assistant Chief Inspector (Primary & Post Primary)
Divisional Inspector
Senior Inspector of Guidance Service & Psychologist
Senior Inspector (Post Primary)
District Inspector
Post Primary Inspector
District/Post Primary Inspector
Inspector of Guidance Service & Psychologist
Enterprise & Employment Consultant (Consultancy Unit)
Environment Principal Auditor
Foreign Affairs Assistant Legal Adviser
Justice Deputy Solicitor
- Courts Gen. Solicitor Minors & Wards of Court
- Supreme & High Court Deputy General Solicitor
- Charitable Donations Secretary
- Land Registry Chief Examiner of Titles
Examiner of Title
Mapping Adviser
Deputy Registrar of Deeds & Titles
OPW Assistant Principal Architect
Revenue Commissioners Deputy Revenue Solicitor
First Assistant Solicitor
Senior Inspector of Taxes
Inspector of Taxes (Higher Grade)
Second Assistant Solicitor
Valuation Office Managing Valuer



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This report was adopted on 30 July 1997