

# Civil Service Conciliation and Arbitration Scheme

## General Council Report 1331

(Meeting/s of 26 April 1995, 29 November 1995, 31 January 1996, 28 February 1996, 27 March 1996, 24 April 1996, 1 May 1996, 29 May 1996, 26 June 1996, 31 July 1996, 25 September 1996, 30 October 1996, 27 November 1996, 17 December 1996, 29 January 1997, 26 February 1997, 26 March 1997, 30 April 1997, 28 May 1997, 30 July 1997, 24 September 1997, 29 October 1997, 26 November 1997, 18 December 1997, 28 January 1998, 25 February 1998, 25 March 1998, 29 April 1998, 27 May 1998, 24 June 1998)

### Strategic Management Initiative

#### **Agreement in relation to Partnership Structures in the Civil Service in accordance with *Partnership 2000 for Inclusion, Employment and Competitiveness*.**

Meeting of 30 March, 1998

1. In the context of Chapter 10 and Clause 4 of the Annex (Public Service Pay) of *Partnership 2000 for Inclusion, Employment and Competitiveness*, discussions have taken place between the Official and Staff Sides in relation to the setting up and development of partnership structures in each Department/Office to engage management, unions and staff at all levels in developing and implementing action programmes to progress the modernisation of the civil service and as a means of involving staff in the ongoing business of the Department/Office and in identifying and addressing organisational and work-related issues and challenges generally.

2. Both Sides note that in the context of *Partnership 2000*, and particularly Clause 4 of the Annex on Public Service Pay, the initial focus of the partnership process will be directed at the development and implementation of action programmes to progress the modernisation of the civil service in accordance with the Strategic Management Initiative and related *Delivering Better Government* programme of change. This will not preclude other matters being dealt with under the partnership process.

3. Following discussions agreement has been reached between both Sides on the development of structures in line with the model set out in the Appendix

to this report. Both Sides confirm their commitment to operating the partnership structures in an open and flexible manner in the light of local developments and needs, and accept that industrial relations issues arising from the implementation of action programmes will be considered and processed in the normal way through the Conciliation and Arbitration Scheme.

4. Both Sides agree that, as provided for under the agreed structures, the Partnership Committee to be set up in each Department/Office will, in the first place, comprise management and unions representatives. Both Sides agree also that the membership of the Committees will be expanded as soon as possible to include, through co-option, staff from the sub groups to be set up as part of the overall structures. In the event of disagreement, the matter will be referred to the ad hoc Advisory Group provided for in Annex B to the Appendix to this report. The co-option of staff will be by agreement in each Department/Office.

5. The Staff Side accept that, as provided for under the agreed structures, particular issues may, from time to time, have to be dealt with swiftly in the public interest. In this regard, it is accepted also that management may, from time to time, have to take decisions at short notice. Both Sides agree that such instances should be for compelling reasons and should only occur infrequently.

6. Both Sides acknowledge the importance of adequate training, on a joint basis, for management, unions and staff. Both Sides commit to developing and participating in the necessary training programme and to actively promoting and encouraging an open, participative approach in the workplace.

7. Both Sides accept that the partnership process being developed under the procedures agreed to in this report will, in accordance with *Partnership 2000*, take account of the common grading, pay and conditions arrangements which exist in the Civil Service. In the event that discrepancies arise as between Departments/Offices or grades in relation to the implementation of action programmes to progress the modernisation of the civil service which could affect the negotiations under Clause 4 of the Annex (Public Service Pay) to *Partnership 2000*, these will be dealt with through the mechanisms provided for in Clause 4(c) of that Annex, in accordance with the procedures set out in Annex B of the Appendix to this report, and 4(d), respectively.

8. The selection of staff for Partnership Committees, whether by nomination, election, co-option or agreement, was the subject of detailed

discussions and the structures and procedures now proposed represent an agreed approach for the time being. Both Sides agree to review, on an ongoing basis, the operation of these structures and procedures in order to identify and promote best practice. Both Sides agree also to undertake a formal review at end 1999 with a view to determining, in the light of experiences with the process, the most appropriate structures and procedures for the long term.

9. At a meeting on 30 March, 1998 the Council agreed this report.

10. This report accordingly records such agreement.

11. This report was adopted on 30 March, 1998.

## **Appendix to Agreed Report No. 1331**

# **Partnership 2000**

## **Partnership Structures in the Civil Service**

### **A Partnership Model for use in Departments and Offices**

**March 1998**

# **Partnership 2000**

## **Partnership Structures for the Civil Service**

### **Background**

Chapter 10 of Partnership 2000 sets out the governing principles and approach to modernising the public service. In particular, it provides for the putting in place, in each Department and Office, of effective partnership structures to engage management, unions and staff at all levels not only in developing and implementing action programmes to progress the SMI process and the related programme of change set out in *Delivering Better Government*, but also as a means of involving staff in the ongoing business of the Department or Office and in identifying and addressing organisational and work-related issues and challenges generally.

**The objectives of the partnership approach are to ensure that, in each Department and Office through consultation and the participation and co-operation of all concerned, there is, firstly, common ownership by management, unions and staff of the development and implementation of the action programmes, and, secondly, a new, participative approach to resolving issues and challenges generally.**

Thus while partnership has its origins in Partnership 2000 and the earlier national programmes, it is not seen as an initiative limited by the term of Partnership 2000 but rather as the commencement of an on-going process of participative management which will be embedded in the Civil Service for the future. Given that it is a very novel development in the Irish Civil Service and, indeed, in public administration world-wide, it is recognised that it is likely to involve a degree of experimentation, review and variation over time in order to achieve the objective of empowering staff at all levels to engage in a continuous process of improvement of services and their delivery and to provide a means of joint ownership of this process for management, unions and staff.

## **What is Partnership?**

Partnership 2000 (paras 9.8 and 9.9) sets out a definition of partnership in the workplace which identifies a number of key elements. In a civil service context, these can be stated as:

- an active relationship between all concerned based on a common interest in achieving the strategic goals and objectives of the Department/Office;
  - commitment by staff at all levels to improvements in quality and efficiency;
  - acceptance by management of staff as stakeholders with rights and interests to be taken into account in the context of major decisions affecting their work;
  - common ownership of the resolution of challenges, involving the direct participation of staff and their representatives; and
  - investment in training, development and the working environment.
- Essentially, partnership involves the sharing of ideas and decision-making in relation to resolving problems and agreeing what is to be done and how it is to be done to the mutual benefit of all concerned. The long-term success of the partnership process now being initiated will depend on achieving the required levels of trust and confidence in each Department and Office.

## **Partnership Topics**

In line with the thrust of paragraph 9.15 of Partnership 2000 there are a range of topics that can be raised, on the initiative of any of the parties concerned, for consideration through the partnership process in each Department and Office. For example, these could include:

- mechanisms for involving staff in the partnership process;
- partnership implementation;
- input to the development of Strategy Statements\* and related business plans;
- the action programmes or other initiatives to give effect to Strategy Statements;

- verification of progress on action programmes or other initiatives;
- training and development;
- equality and disability issues, including measures to reconcile work and family responsibilities;
- communication and consultation arrangements;
- development and implementation of new forms of work organisation;
- procedures for making awards for exceptional performance;
- the work environment;
- implementation of change;
- arrangements to facilitate adaptability, flexibility and innovation;
- improvements to customer services.

\* Given the requirements of the Public Service Management Act 1997, it is recognised that Departments and Offices are already in the process of updating their Strategy Statements with the result that it may not be feasible or practicable to utilise the partnership structure set out below for this round of Strategy Statements.

## **The Partnership Structure**

The process which is set out below is based on an outline partnership model and is designed to provide a coherent approach to developing effective partnership structures which will involve staff at all levels in resolving organisational and work-related issues and developing action programmes. The procedures and outline partnership model should, therefore, form the basis for the introduction and evolution of a partnership structure in each Department and Office. The process is designed to be adaptable to local needs, state of development, etc..

**Each Department and Office may by agreement with local staff interests amend or adjust the arrangements to suit local needs provided any revised arrangements reflect the thrust of Partnership 2000.**

### *Action Programmes*

1. Each Department and Office will draw up action modernisation programmes taking account of

- the needs of the Department/Office as set out in its SMI Statement of Strategy, Government policy as set out in *An Action Programme for the Millennium*, initiatives in *Delivering Better Government* and other local requirements (e.g. needs of its customers), and

- the principles of modernisation set out in *Delivering Better Government* and Chapter 10 of *Partnership 2000*.

2. Each action programme will set specific targets for the progress to be achieved, and the time within which it is to be achieved, and include a timeframe for commencement and arrangements for reviewing progress against the set targets at quarterly intervals, and at such other times as may be considered necessary, and for taking corrective actions when necessary.

3. Each action programme will be drawn up and progressed on the basis of the partnership model which is set out in **Annex A**, and which has been agreed between management and the civil service unions.

4. Initiatives resulting from actions being taken under SMI/*Delivering Better Government* (for example, in areas such as service delivery, performance management, financial management systems and human resource management) and being implemented under the auspices of the Co-ordinating Group and Implementation Group of Secretaries General will be incorporated into the action programmes for each Department and Office. It is recognised that some issues arising from these initiatives, particularly relating to human resource management, will require processing in the normal industrial relations arena at General Council before they can be referred to Departments for implementation and that existing agreements cannot be changed through the partnership structures.

#### ***Management-Union Discussions***

5. Separate discussions between management and individual unions or groups of staff on issues of particular relevance to them may take place, provided that the outcome is referred back to the central Department/Office consultations under the partnership process.

#### ***Joint Training***

6. To facilitate the development and operation of the partnership process a joint programme of training for management, unions and staff, with particular reference to the needs of chairpersons, facilitators, convenors, Personnel staff and union branch personnel, will be drawn up in consultation with management, unions and the National Centre for Partnership and

delivered by CMOD and local training sections in conjunction with the unions.

7. At the outset a joint, off-site workshop will be arranged for the members of the individual Partnership Committees (see Annex A) to be set up in each Department and Office. These workshops will deal with the background context to the partnership process and the roles, ground rules, etc. that make for a successful partnership process.

8. Management in Departments and Offices will facilitate attendance by management, staff and union representatives at joint training programmes and related events.

### ***Verifying Progress***

9. In order both to verify progress generally on the implementation of action programmes and to meet the requirements in relation to the operation of paragraph 4 of the Annex to Partnership 2000 on Public Service Pay in respect the 2 per cent increase available for local-level negotiations, the mechanism set out in Annex B will be put in place.

## **Timely Action**

The partnership process should facilitate the effectiveness and speed of response of the Civil Service to the challenges it faces. In this regard, it is acknowledged that Government may, from time to time, in the public interest need to deal swiftly with particular issues.

## **Jointly Agreed Process**

This partnership process has been jointly agreed by management and the civil service unions. Management in Departments and Offices will facilitate management, union and staff representatives to participate in the partnership process including attendance at partnership committees, other groups, training programmes, etc..

The process is not intended to replace, or be a substitute for, the Departmental Council of the Conciliation and Arbitration Scheme, or for other more informal industrial relations systems. Industrial relations issues will continue to be dealt with through the existing mechanisms though it is expected that many such issues of a non-substantive or local nature will be successfully resolved through the partnership process. It is expected also that as the partnership process develops and evolves, it will progressively



reduce the traditional adversarial approach to industrial relations issues. In this regard, as a first step, Departmental Councils are encouraged to reassess their individual arrangements (e.g. procedures, meetings, agendas, timing, etc.) to take account of the new partnership structures and to avoid unnecessary overlap.

The partnership process will be kept under review on an ongoing informal basis in order to identify and promote best practice. There will also be a formal review at end 1999 with a view to determining, on the basis of experience with the process now being put in place, the best structures for the long term.

**March 1998**

**Annex A**

## **Partnership 2000**

# **Consultation and Participation Structures Outline Partnership Model**

Partnership 2000 advocates the achievement of changes leading to the modernisation of the public service based on a partnership approach. The objective is to achieve joint ownership by management, unions and staff of the entire process through the development of partnership structures to involve staff at all levels in identifying, and developing and implementing programmes and initiatives to address, organisational and work-related issues and challenges. To this end, an adversarial approach to change will be replaced by an open, co-operative process based on effective consultation and participation by all concerned. The purpose of this partnership model is to provide a structure for the development of consultation and participation procedures to engage staff at all levels and which can be tailored to meet the needs of, and complement existing developments in, individual

Departments/Offices.

The elements of the model are:

## **1. The Partnership Committee**

A **Partnership Committee** should be set up immediately and be comprised of, in the first instance, management and representatives of the local unions and be chaired by the Secretary General of the Department or Head of Office. The Committee will be free to engage an external facilitator to help it develop its procedures and general mode of operation. The use of an external facilitator in the initial stages is encouraged. The Committee will expand its membership as soon as possible, by agreement, to include staff from all appropriate levels within the Department/Office through a process of co-option from the subgroups to be set up under 2 below. Where there are agreed partnership or consultative procedures already in place, the co-option of staff should be possible at an early stage. In other cases, the subgroups will need to be operational for a short time at least before the co-option of staff members is finalised.

In the case of large, decentralised offices, a number of Partnership Committees may be required depending on the number and size of local offices; in each such case, the chairperson should be an appropriate member of the local management team.

The size of the Partnership Committee will vary from Department/Office to Department/Office depending on local needs, staff structure, etc. As far as possible, however, overall membership should strike a balance between adequate representation of management, unions and staff to meet local needs and interests, on the one hand, and on operational effectiveness, on the other. As a large Committee is unlikely to be effective, every effort should be made to put in place a Committee that can function efficiently and to best effect.

While it will be a matter for local management to decide its own representation, management should be taken as covering all staff in management or supervisory positions. The unions should decide their representatives. Management and unions should agree on size of membership bearing in mind the points made above regarding manageability and effectiveness and a balanced representation.

A facility should exist to enable full-time union officials and/or other senior management personnel attend meetings of

Partnership Committees on occasions, should they consider it necessary or appropriate.

The Partnership Committee will be a means of sharing ideas and decision-making in relation to resolving problems and addressing challenges and reaching a consensus on what is to be done and how it is to be done to the mutual benefit of all concerned.

The Partnership Committee is not a replacement or substitute for the Departmental Council of the Conciliation and Arbitration Scheme or for other more informal industrial relations systems. The role of the Partnership Committee is to provide an overall focus for, and to facilitate and oversee, the development and implementation of the partnership process. IR issues will continue to be processed through the existing mechanisms, though the process should enable non-contentious IR issues to be resolved through the Committee.

## **2. Intensive and Extensive Groups**

A mixture of "Intensive" and "Extensive" partnership approaches will be required, depending on local programme needs, existing consultation/participation structures and state of developments in each Department and Office, e.g.

**Intensive:** Working Groups (on selected topics)  
[small groups] Task Forces (as needed for selected issues)  
Issue/Topic/Task focused Workshops (to test solutions, ideas, etc.)

**Extensive:** Networks ) mixture of  
[larger groups] Focus Groups ) communication  
Consultation/Feedback/Input Surveys ) and Informal Consultations )  
participation

The Partnership Committee will decide on the most appropriate approach and mix in the light of local needs and issues. Staff, other than management and union representatives, serving on Intensive or Extensive Groups should include people from all appropriate levels of the Department/Office who have experience and knowledge of the issues likely to arise. Staff involved in Intensive and Extensive Groups should be agreed by the Partnership Committee bearing in mind the contribution that staff are in a position to make in the light of the issues to be addressed. In many instances, it is expected that the staff in question will "self-select" because of their experience and/or the work in which they are involved. It is essential, however, that staff from all levels be engaged in the process to ensure that all relevant viewpoints and contributions are obtained.

The consultation and participation process should be supported by effective communications between management and staff to ensure that staff at all levels in the Department/Office are fully aware and informed of ongoing and imminent developments.

### **3. Process for Drawing up, Finalising, Implementing and Monitoring Action Programmes**

- (i) The Partnership Committee will draw up draft Action Programmes based on the Department/Office SMI Strategy Statement, Government policy as set out in *An Action Programme for the Millennium, Delivering Better Government* initiatives, and any special local requirements;
- (ii) The Partnership Committee will seek views of staff at all levels through Extensive Groups;
- (iii) In light of development needs or the feedback, input and reactions at (ii), the Partnership Committee will refer selected issues, topics, etc., if necessary, to Intensive Groups for detailed consideration and proposals;
- (iv) The Partnership Committee will further refine Action Programmes in light of the outcomes at (ii) and (iii);
- (v) The Partnership Committee will sign off on Action Programmes and circulate them to all staff at all levels;
- (vi) Management and staff will implement the Action Programmes having due regard to the procedures for processing industrial relations issues;
- (vii) The Partnership Committee will monitor progress on a quarterly basis, at least, and at other intervals as it considers necessary, and consult staff, as per (ii) and (iii) above as appropriate, on issues, etc., arising;
- (viii) The Partnership Committee will verify progress as part of the monitoring process and communicate the results to all staff;
- (ix) In the event of disagreement on verifying progress, the Partnership Committee will refer the matter to an ad hoc Advisory Group for advice, and if necessary, to an independent Board for final determination as per the mechanism set out in Annex B.

In applying the partnership model, the following points should be noted:

- (a) The Departmental Council (augmented for SMI purposes as per Department of Finance letter of 19 August, 1996) should

be kept informed at its regular meetings of progress and should consider, as necessary, issues arising at any stage.

(b) Intensive and Extensive approaches should be called into play at (vii) and (viii) if considered necessary by the Partnership Committee or Departmental Council.

(c) Management should continue to monitor work (including progress on action programmes) as per normal practice.

(d) General Council of the Conciliation and Arbitration Scheme should be informed as appropriate of Departmental/Office partnership arrangements and developments.

## **Annex B**

# **Partnership 2000**

## **Mechanisms for Verifying Progress**

The following will apply in relation to verifying progress generally on implementing action programmes and other initiatives and the operation of paragraph 4 of the *Annex (Public Service Pay) to Partnership 2000* as regards "*verified progress to a satisfactory level on implementation of the modernisation programme*" in the context of local-level negotiations under the Pay Agreement:

- verifying progress on implementation of the modernisation programme will be the responsibility of individual Departments/Offices;
- in the event of disagreement in relation to verifying progress on the modernisation programme in a Department/Office, which cannot be resolved locally, the issues in dispute will be referred, in the first instance, to an ad hoc Advisory Group - chaired by the Secretary General (PSMD) and comprising the Secretary General/Head of Office of the Department/Office concerned, representatives of the staff side and a change management consultant - for advice on the actions to be taken to resolve the issues in question;
- where the latter process fails to resolve any such issues in relation to the operation of paragraph 4, they will be referred for final determination to a Board consisting of an independent

Chairperson, with relevant expertise and experience, drawn from outside the public service and representatives from both management and staff interests.

This report was adopted on 30 March 1998