

Association of
Higher Civil and
Public Servants

Comhlachas na
Sheirbhíseach
Uachtarach Stáit
agus Poiblí

AHCPS

The logo consists of the letters 'AHCPS' in a white, serif font. A thin white arc is positioned below the letters 'H' and 'C', starting under the 'H' and ending under the 'C'.

Annual Report & Accounts

07
08

CONFIDENTIAL TO MEMBERS



Association of Higher Civil and Public Servants

Comhlachas na Sheirbhíseach Uachtarach Stáit agus Poiblí

**ANNUAL REPORT
2007/2008**

CONTENTS

Officers, Executive Committee and Consultative Council 2007/2008, Sub-Committees.	4-6
--	-----

INTRODUCTION	7
---------------------	---

PART ONE: ORGANISATION

1.1 Annual Delegate Conference	8
1.2 Executive Committee	8
1.3 Standing Orders Committee	8
1.4 ADC Resolutions 2007 including Motions Remitted	8
1.5 Trustees and Auditor	14
1.6 Honorary President & Vice Presidents	14
1.7 Consultative Council	14
1.8 Membership	14
1.9 Membership Services	14
1.10 Rules & Constitution	15
1.11 AHCPS Web Site	15
1.12 Staff	15

PART TWO: PUBLIC SERVICE

2.1 OECD Review	16
2.2 Organisation Review Programme	16
2.3 Decentralisation	16
2.4 Towards 2016	17
2.5 Benchmarking	18
2.6 Scheme of Interdepartmental Promotion to Principal Level Posts	19
2.7 Superannuation	20
2.8 Green Paper on Pensions	20
2.9 General Council	21
2.10 Work Life Balance	21
2.11 Disability	23
2.12 Health & Safety	24
2.13 Revenue	24

PART THREE: STATE ENTERPRISES

3.1 An Post and National Lottery Company	25
3.2 FÁS	25
3.3 Food Safety Authority	26
3.4 Irish Aviation Authority	26
3.5 Other Agencies	26

PART FOUR: AFFILIATIONS AND RELATIONS WITH OTHER ORGANISATIONS

4.1 Irish Congress of Trade Unions	27
4.2 Civil Service Unions	27
4.3 Veterinary Officers' Association	27
4.4 Association of Assistant Secretary & Higher Grades (AASHG)	27
4.5 Retired Civil & Public Servants' Association	27
4.6 European Federation of Public Service Unions (EPSU)	27
4.7 Union of Finance Personnel in Europe (UFE)	27
4.8 Union Network International (UNI)	27
4.9 Association of First Division Civil Servants (FDA)	28
4.10 FDA Parliamentary/ AHCPS Oireachtas Group	28
4.11 Institute of Public Administration	28
4.12 Irish Labour History Society	28
4.13 Hospital Saturday Fund	28
4.14 Combined Service Third World Fund	28
4.15 Civil Service Charities Fund	28

CONTENTS

APPENDICES

A. Minutes of the Annual Delegate Conference 2007	29	F. DIG Report 2007	62
B. Rules & Constitution	44	G. General Council Staff Panel Annual Report 2007	71
C. Standing Orders of Delegate Conferences	54	H. FÁS SIPTU Labour Court Finding on Decentralisation	85
D. Executive Committee Attendances 2007/8	56	I. ICTU Public Services Committee Annual Report	87
E. AHCPS Submissions to OECD	57		

OBITUARY

Mr Charles H. Murray died earlier this year. Charlie served as Chairman of the Association from 1957 to 1959 when he was promoted to Assistant Secretary.

Mr Michael O'Donoghue, Vice President and former Chairperson of the Association died in March this year. Michael served as Vice Chairperson and Chairperson from 1987 to 1991.

Ar neamh go raibh siad.

Head Office

The Association's Head Office is:
Fleming's Hall, 12 Fleming's Place, Dublin 4

OFFICERS OF THE ASSOCIATION FROM 1943 - 2008

Year	Chairman	Vice-Chairman	Hon. Secretary	Hon. Treasurer
1943/5	M.J.Kenny		E.O'Connor	E.O'Connor
1945/6	J.Mahony		E.O'Connor	E.O'Connor
1946/7	J.J.Waldron		E.O'Connor	E.O'Connor
1947/9	J.J.Waldron		M.A.O'Connallain	T.O'Brien
1949/51	J.J.Waldron		C.P.O Ceallaigh	J.O'Dwyer
1951/2	J.J.Waldron		B.Carty	C.P.O Ceallaigh
1952/3	J.J.Waldron		T.J.Collins	C.P.O Ceallaigh
1953/5	J.J.Waldron		T.Tobin	S.M.O Miodchain
1955/7	C.P.O'Ceallaigh		T.Tobin	S.M.O Miodchain
1957/8	C.H.Murray	C.P.O'Ceallaigh	T.Tobin	S.M.O Miodchain
1958/9	C.H.Murray *	C.P.O'Ceallaigh	P.A.Terry	S.M.O Miodchain
	T.J.Cahill			
1959/60	T.J.Cahill*	M.B.Lawless	N.MacLiam	N.MacLiam
	M.B.Lawless	W.Drain		
1960/1	P.A.Terry	W.Drain	J.G.Buckmaster	T.O'Sullivan
1961/2	P.A.Terry	P.J.Mulvany	J.G.Buckmaster	T.O'Sullivan
1962/3	R.C.O'Connor	P.J.Mulvany	J.G.Buckmaster	T.O'Sullivan
1963/4	R.C.O'Connor		J.G.Buckmaster	L.O'Laidhin
1964/5	R.C.O'Connor	J.M.McNicholl	L.O'Laidhin	T.J.Mooney
1965/6	R.C.O'Connor	J.M.McNicholl	N.Tobin	T.J.Mooney
1966/8	P.A.Terry	J.M.McNicholl	D.O'Mahony	T.J.Mooney
1968/9	P.A.Terry	J.C.Horgan	D.O'Mahony	T.J.Mooney
1969/73	J.C.Horgan	M.Kilcullen	D.O'Mahony	T.J.Mooney
1973/74	J.C.Horgan	M.Kilcullen	J.O'Dwyer	T.J.Mooney
1974/75	M.Kilcullen	M.Corcoran	M.F.Fahy	T.J.Mooney
1975/76	M.Kilcullen	D.O'Mahony	General Secretary	T.J.Mooney
1976/77	T.J.Mooney	D.O'Mahony	Ralph B. Pares	J.C.Tucker
1977/78	T.J.Mooney	D.O'Mahony*	1975-1980	J.C.Tucker
		M.Corcoran**		
		J.C.Horgan		
1978/79	T.J.Mooney	T.H.Hally		J.C.Tucker
1979/81	J.C.Tucker	M.F.Fahy		T.Tuite
1981/83	M.F.Fahy	T.Tuite	John Dowling	P.J.O'Grady
1983/84	M.F.Fahy	J.P.O'Brien	1980-1987	P.J.O'Grady
1984/86	J.P.O'Brien	Sean Healy ***		P.J.O'Grady
		John Melia		
1986/87	J.P.O'Brien	John Melia		P.Greene
1987/88	J.P.O'Brien	Michael O'Donoghue	Seán Ó Riordáin	P.Greene
1987/88	Michael O'Donoghue	Padraig Cullinane	1987-2007	P.Greene
1988/91	Mchael O'Donoghue	Padraig Cullinane		P.Greene
1991/92	Padraig Cullinane	Richard Ryan		P.Greene
1992/93	Richard Ryan	Des Coppins		Benny Kevitt
1993/94	Richard Ryan	Des Coppins		Benny Kevitt
1994/95	Richard Ryan	Des Coppins		Benny Kevitt
1995/96	Richard Ryan	Benny Kevitt		Brian Murnane
1996/97	Benny Kevitt	Brian Murnane		Tom Power
1997/98	Brian Murnane	Patrick Dowling		Tom Power
1998/99	Brian Murnane	Patrick Dowling		Kieran Coyle
1999/2000	Brian Murnane	Patrick Dowling		Kieran Coyle
2000/2001	Brian Murnane	Patrick Dowling		Kieran Coyle
2001/2002	Patrick Dowling	Seamus Molloy		Liam Kelly
2002/2003	Patrick Dowling	Seamus Molloy [deceased]		Liam Kelly
		Sean McDonald		
2003/2004	Sean McDonald	Brigitta O'Doherty		Liam Kelly
2004/2005	Brigitta O'Doherty	Philip Crosby		Mary McLoughlin
2005/2006	Philip Crosby	Ciaran Rohan		Mary McLoughlin
2006/2007	Philip Crosby	Ciaran Rohan		Mary McLoughlin
2006/2007	Ciaran Rohan	Peadar Carpenter	Dave Thomas	Mary McLoughlin
			2007-	

* Resigned on promotion to Assistant Secretary

** Resigned on posting to Personnel Officer

*** Resigned on posting to London as Labour Attache

HONORARY OFFICERS OF THE ASSOCIATION 2007/2008

President	Donal O'Mahony
Vice-Presidents	P. A. Terry J. C. Horgan J.C. Tucker Mary McGuire Padraig Cullinane Benny Kevitt Richard Ryan J. P. O'Brien Tom Quigley Michael O'Donoghue RIP Con Ryan Pat Dowling Brendan Sheeran Seán Ó Riordáin
Trustees	Mr Peter Greene Ms Margaret Kelly Mr. Brian Murnane

The following Officers were elected at the Annual Delegate Conference held on 11 May 2007:

Chairperson	Ciaran Rohan	(Education & Science)
Vice-Chairperson	Peadar Carpenter	(Foreign Affairs)
Hon. Financial Secretary	Mary McLoughlin	(Health & Children)

Executive Sub-Committees

AHCPS Officers are ex-officio members of all Sub Committees

Pay & Strategy

Rohan Ciaran – *Chair*
McLoughlin Mary
Carpenter Peadar
Hughes John
Noonan Angie
McKevitt Brian

Organisation & General Purposes

Peadar Carpenter – *Chair*
Rohan Ciaran
McLoughlin Mary
Broderick Lynn
Lehane Ray
O'Byrne Audrey
Philpott Richie
Hughes Eamon
Dunne Larry
Crosby Philip
McKevitt Brian

Finance & Services Sub Committee

McLoughlin Mary – *Chair*
Carpenter Peadar
Rohan Ciaran
Allen Tom
Allen Joe
O'Malley Conor
Hughes Eamon
Dunne Larry
Flynn Michael
Crosby Philip

Equality & Diversity Sub Committee

Carpenter Peadar – *Chair*
Rohan Ciaran
Crosby Philip
McLoughlin Mary
Lehane Ray
Noonan Angie
Philpott Richie
Hughes John

Staffing & Succession

Carpenter Peadar – *Chair*
McLoughlin Mary
Allen Joe
McKevitt Brian
Noonan Angie

Thomas Dave

Web Site Development

McLoughlin, Mary – *Chair*
Philpott, Richie
O'Byrne Audrey
Kennedy Les

Kelleher John
Lacey Jackie

CONSULTATIVE COUNCIL 2007/2008

EXECUTIVE COMMITTEE

Allen Joe	Environment Heritage & Local Government
Allen Tom	Community, Rural & Gaeltacht Affairs
Broderick Lynn	Agriculture Fisheries & Food
Carpenter Peadar	Foreign Affairs
Crosby Philip	Revenue
Dunne Larry	Finance
Flynn Michael F	Justice, Equality & Law Reform
Hughes Eamon *	National Lottery
Hughes John	Enterprise, Trade & Employment
Lehane Ray	Social & Family Affairs
McGann Brian*	An Post
McKevitt Brian	Ombudsman's Office
McLoughlin Mary	Health & Children
Noonan Angie	Health & Children
O'Byrne Audrey	Taoiseach's
O'Malley Conor	Arts, Sport & Tourism
Philpott Richie	Education & Science
Rohan Ciaran	Education & Science

** Eamon Hughes National Lottery was co-opted in place of Brian McGann who resigned during the year.

BRANCH SECRETARIES

Agriculture, Fisheries & Food	Patricia Cannon
An Post	Willie Prendegast
Arts, Sport and Tourism	Mary Nash
Central Statistics Office	Joe Kelleher
Communications, Energy & Natural Resources	Michael Goodwin
Community, Rural & Gaeltacht Affairs	Pat Boyle
Comptroller & Auditor General	Peter Kinsley
Commission for Energy Regulator	Tim O'Brien
Courts Service	Angela Denning
County Enterprise Boards	Michael Tunney
Defence	Brian O'Sullivan
Education and Science	Stephen Falvey
Eircom	Paul Keane
Enterprise, Trade & Employment	Marie NiChuiric
Environment, Heritage and Local Government	Carmel Sherry
FÁS	Mark Crowther
Finance	Gary Tobin/Larry Dunne
Food Safety Authority of Ireland	Tim Camon
Foreign Affairs	Ciaran Byrne
Garda HQ	Kieran Downey
Health and Children	Kieran Smyth
Health and Safety Authority	Andrew Allen
Houses of the Oireachtas	Eoin Faherty
Irish Aviation Authority	Liam O'Neill
Justice, Equality & Law Reform	Maeve Hogan
Property Registration Authority [Land Registry]	Henry Sullivan
National Centre for Partnership & Performance	Damien Thomas
Office of Public Works	Joe Pat O'Donnell
Office of the Ombudsman	Aoife Nic Reamoinn
Ordnance Survey Ireland	Cormac Clancy
Pensions Board	Tom Dunphy
Personal Injuries Assessment Board	Patrick Kinsella
Prison Governors	Liam Dowling
Public Appointments Commission/Service	Liam Hurley
Revenue	Mary Farrell
Social & Family Affairs	Brian Chadwick
Taoiseach's	Audrey O'Byrne
Transport & Marine	Derek Rafferty
Chief State Solicitors Office	Michael Fallon
Attorney General	Brian Scannell
Legal Aid Board	Clare Kelly
National Council Special Education	Sheila Clifford

Consultative Council

The Consultative Council comprises members of the Executive Committee, Branch Chairpersons and Secretaries or their deputies.

INTRODUCTION

There were major changes in the staffing at AHCPS headquarters during the year. Mr Seán Ó Ríordáin, General Secretary, retired and, following a series of recruitment competitions, Dave Thomas was appointed as General Secretary, John Kelleher as Deputy General Secretary and Ciaran Rohan as Assistant General Secretary, Mr Rohan will take up duty shortly.

On the pay front the Benchmarking Body reported on 10 January 2008. The Body awarded 1.1% to the Principal and related grades and 0% to all other grades in the civil service. The Body in its report states that it changed the methodology used in the last Benchmarking exercise but didn't give reasons why it did. So the three changes that affected the AHCPS grades were:

- 1.) the use of weighted averages,
- 2.) the use of a large number of small firms for pay comparison purposes,
- 3.) the 12% value it put on Public Service pensions.

New national pay talks are likely to start shortly. However, a number of unions have put down preconditions for entering talks which may be difficult to accommodate. This will probably make this round of talks the most difficult yet.

Decentralisation continues to be the major issue facing the Association. As the programme gathers pace more and more members are being transferred between Departments. The "churn" is very high in most areas and is causing service delivery problems. The Executive Committee in consultation with branches produced a Report on Decentralisation which was published in May 2007 called *Public Service Decentralisation "the need for an immediate review"* This report is available on the Association's website www.ahcps.ie.

The OECD undertook a review of the Irish Public Service in 2007 and their report is due out in April 2008. It is expected that this report will form the basis for the next round of modernisation in the Public Sector.

The majority of civil service unions have decided to pull out of the Conciliation and Arbitration Scheme and to lodge a claim to allow the LRC/Labour Court deal with the civil service in industrial relation matters. This will be the biggest change to the Industrial Relations machinery in the civil service in over fifty years.

There are still outstanding issues in An Post and National Lottery Company. New proposals in relation to Performance Related Pay are at the time of writing being considered by the members at level III in the company.

Part I

ORGANISATION

1.1 ANNUAL DELEGATE CONFERENCE

The twenty seventh Annual Delegate Conference of the Association took place in the Burlington Hotel, Dublin on Friday 11 May, 2007. 240 Branch Delegates and 16 Executive Committee members attended.

The Association's guests at the Conference were Jonathan Baume and Martin Furlong, Association of First Division Civil Servants (FDA) London and Dr Philip Cummins and Sam Caul, Northern Ireland FDA.

1.2 EXECUTIVE COMMITTEE

Ciaran Rohan, Department of Education & Science, was elected to the office of Chairperson. Peadar Carpenter, Department of Foreign Affairs, was elected Vice-Chairperson and Mary McLoughlin, Department of Health and Children, was re-elected as Treasurer.

The following candidates were elected to the twelve ordinary positions on the Executive Committee at the Annual Delegate Conference:

Votes	Candidates	Branch	Elected
197	Allen Joe	Environment & Local Government	✓
198	Broderick Lynn	Agriculture & Food	✓
195	Crosby Philip	Revenue	✓
193	Dunne Larry	Finance	✓
177	Flynn Michael	Justice, Equality & Law Reform	✓
164	Hughes John	Enterprise Trade & Employment	✓
143	Lehane Ray	Social & Family Affairs	✓
145	McGann Brian	An Post	✓
165	McKevitt Brian	Office of the Ombudsman	✓
190	Noonan Angie	Health & Children	✓
137	O'Byrne Audrey	Taoiseach's	✓
192	Philpott Richie	Education & Science	✓

Tom Allen, Community, Rural & Gaeltacht Affairs, and **Conor O'Malley**, Arts, Sport & Tourism were co-opted to the Executive Committee under Rule 11 (a)(iii) of the Rules and Constitution of the Association.

Details of attendances at Executive Committee meetings during the year are set out in *Appendix D*.

1.3 STANDING ORDERS COMMITTEE

The Standing Orders Committee elected at the Annual Delegate Conference was:

Denny David	Finance
Gordon John	Revenue
Ingoldsby Brian	Justice, Equality & Law Reform
Moynihan Denis	Social & Family Affairs

Mr. Brian Ingoldsby was subsequently re-elected Chairperson of the Committee.

1.4 CONFERENCE RESOLUTIONS

A brief indication of action taken in relation to these resolutions is set out hereunder. Part II of the Annual Report contains more detailed information in appropriate cases.

RULE CHANGE

MOTION 4

In Rule 9 (d) (i) Add "Motions sent to the Association Headquarters by electronic mail will be deemed to be received by the General Secretary on the same day as the mail was sent provided that evidence of sending is provided by the sender."

MOTION 6

Rule 22 (f)

Add

In the case of a Branch authorised under Rule 22 (J) to substitute a Branch Delegate Meeting for an Annual General Meeting, having regard to the geographic spread of members, the Branch Delegate Meeting will take place no later than four weeks prior to the Annual Delegate Conference or the closing date for amendments to Motions on the final agenda of Annual Delegate Conference, whichever is the earlier provided that

- (i) A previous Delegate Meeting of the Branch has mandated the Branch Executive to propose motions and make nominations on behalf of the Branch for the Annual Delegate Conference.

- (ii) And that the Branch Executive puts all such motions and nominations on the Agenda of the Branch Delegate Meeting, taking place in accordance with the provisions of rule 22(f), for approval by the delegation.

Action Taken

The amendment to the Rules & Constitution of the Association has been registered with and approved by the Registrar of Friendly Societies.

MOTION 7

This conference instructs the incoming Executive Committee to work through ICTU to keep the terms of the "Towards 2016" national agreement under review, with a view to providing, if necessary, for an appropriate increase to compensate for any erosion of the pay elements of this agreement caused by the significant recent increase in inflation.

Action Taken

The Association has written to ICTU on this matter and continues to monitor the situation. The General Secretary, Dave Thomas, has attended the ICTU Executive Committee for the meetings discussing the unions' strategy for the next round of the pay talks discussing. The rate of inflation is one of the items to be addressed in the forthcoming talks.

MOTION 11

That this ADC calls on the incoming Executive to conduct a study of the cost of living in Dublin so as to establish if there are grounds for seeking the payment of allowance to members living in County Dublin similar to that applicable to London in the UK.

MOTION 12

In light of the greater cost of living in metropolitan areas, this conference seeks a weighting allowance similar to that granted in the UK for staff living and working in such areas.

Action Taken

A claim seeking an allowance for staff working in urban locations has been lodged at the General Council. A similar claim by the Irish Nurses Organisation (INO) was rejected by the recent Benchmarking Body Report.

POSTAL LIBERALISATION

MOTION 13

That this ADC instructs the Executive Committee to request the Minister for Communications when

introducing legislation to implement the EU Postal Liberalisation Directive to ensure that

- The provider of the Universal Service Obligation is adequately funded so that there is no threat to jobs or salary levels to our members in An Post
- Postal customers outside of major urban areas do not suffer a reduced delivery and collection service
- New entrants are not allowed to "cherry pick" at the expense of the USO provider.

Action Taken

The Association has written to Mr Eamon Ryan TD, Minister for Communications, Energy & Natural Resources, outlining the Association's concerns on this matter.

DECENTRALISATION

MOTION 14

That this ADC reiterates its support for a rational model of decentralisation and calls on Government to review the scope and timetable of the current decentralisation programme having regard to the serious difficulties arising both from HR/IR and Quality Public Services perspectives.

Action Taken

The Executive Committee continues to press in IR and public fora for a more rational model of decentralisation. The Association's revised document *Public Service Decentralisation The Need for an Immediate Review* which was published in May 2007 has been circulated to all members of the Government, TD's, Senators, and the media. The Executive continues to keep the issue under review.

MOTION 15

That Conference requests the Government to publish an Environmental Impact Statement on the current decentralisation programme assessing matters such as how availability of public transport affects the selection of office sites, and the steps taken to ensure the programme does not promote a car dependent lifestyle.

Action Taken

A claim in this regard was lodged at General Council. The Official Side response was that the DIG kept all aspects of Decentralisation under review and that it was not considered productive to look at just one aspect of Decentralisation in isolation.

MOTION 16

That this Conference instructs the incoming Executive to request the Department of Finance to amend the CAF arrangements to allow officials on the Dublin CAF to express a preference for offices in those counties bordering any of the 4 Dublin local authority areas. Where positions arise in these offices the usual seniority provisions would be employed to ascertain the order in which places are offered to officers on either CAF panel.

Action Taken

A claim in this regard has been lodged at General Council. The Official Side is examining the merits of the claim. At the time of writing the Association is awaiting a response.

MOTION 17

That this Conference instructs the incoming Executive to request the Department of Finance to extend the Dublin CAF to include all offices in the Greater Dublin area not covered by the CAF for decentralised offices.

Action Taken

Association head office is in discussion with the sponsoring branch regarding the implications of the motion.

MOTION 19

That this Conference instructs the incoming Executive to ensure that members who wish to decentralise are no longer forced to accept poorer working conditions or a reduction in salary in order to decentralise and to enter into negotiations with the Department of Finance to seek the restoration of former conditions and salary in all cases where decentralising members have been negatively affected.

Action Taken

This issue is under discussion with Department of Finance at the General Council Sub Committee on Decentralisation.

MOTION 20

That this ADC expresses serious concern about the adverse impact on the welfare, career development and working conditions of members arising from the Decentralisation Programme and instructs the Executive Committee to prioritise these issues, paying particular attention to its core mandate of protecting the welfare of its members, in formulating an effective and coherent response on the part of the Association to the impact of the Decentralisation Programme and its consequences.

Action Taken

The Executive Committee continues to keep the Decentralisation issue under review and published and circulated to all members of the Government, TD's, Senators and the media it's revised document *Public Service Decentralisation The need for an immediate review.*

MOTION 21 – Remitted

That Conference instructs the incoming Executive Committee to ensure that candidates in the forthcoming PO Interdepartmental competition have an opportunity to compete for posts in Dublin.

Action Taken

The closing date for the PO competition had already passed and no action could be taken in relation to that competition. However, when the next competition is being discussed this will be an issue the Association will pursue. The Association is also conscious that there will be large numbers of surplus PO's in Dublin who have to be accommodated.

MOTION 22 –Remitted

That Conference instructs the incoming Executive Committee to ensure that Candidates in the forthcoming Open PO competition may only compete for posts in decentralised locations where there is a shortfall in applicants from that grade.

Action Taken

It was agreed that vacancies that occur in Dublin that are due to the interdepartmental competition are filled by surplus PO's from Decentralising Departments/Offices. The resultant vacancies in the Decentralising/Decentralised Department/Office will be filled from one of the PO panels in the following sequence

- 1 Interdepartmental
- 2 Open
- 3 Interdepartmental
- 4 Open
- 5 Interdepartmental
- 6 Open
- 7 Interdepartmental
- 8 Open
- 9 Interdepartmental

The sequence is then repeated. This fulfils the criteria of 4 in 9 posts going to the open panel and ensures that only posts in Decentralisation/decentralising locations are offered to the panels.

MOTION 23

That this ADC:

- a) notes that the circular for the current interdepartmental competition for PO carries with it a commitment for successful candidates to decentralise for a minimum of 3 years;
- b) notes that the official side are interpreting this to mean that the commitment must be discharged by an officer remaining for the entire period at a particular regional location, even where a vacancy becomes available at another regional location that the officer concerned had applied for under the decentralisation programme;
- c) given that this is neither in the interests of the individuals concerned nor of the decentralization programme, instructs the incoming Executive to seek a commitment from the Official side, the effect of which would be to allow an officer promoted under this scheme to:
 - (i) maintain his/her application to decentralise to their location of choice, and
 - (ii) allow him/her to transfer to that location, when a vacancy arises, and to discharge the balance of their commitment there.

Provided that this does not adversely affect any other AHCPS member.

Action Taken

The Association has raised this issue at the Decentralisation Sub Committee of General Council and it is currently being examined. The Official Side clarified the five year rule as follows "If someone is not asked to move to the decentralisation location on or before the 5-year period mentioned above expires, their obligation to move lapses as a result of the expiry of the undertakings given. Obviously, if they still want to move after the 5-year period, they would be facilitated in doing so. If they are not prepared to move when asked, and facilities are in place to permit them to do so within the time scales set out, Personnel Officers will arrange for their reversion to the grade from which they were promoted."

SUPERANNUATION

MOTION 24

That this Conference ask the Executive to seek, in the context of decentralisation, added years service up to age 60 for early retirement purposes for staff who are entitled to benefit from existing Cost Neutral Pension arrangements.

Action Taken

A claim in this regard had previously been lodged at General Council in December 2006 and no progress was made. The Executive decided that it was too soon to lodge a similar claim and agreed to keep the matter under review.

PROMOTION

MOTION 25 – Remitted

That conference instructs the incoming Executive Committee to secure commitment from the official side that in respect of the Open Competitions for promotion, there will be equity of treatment between all candidates, irrespective of whether they are current serving civil servants or external applicants. In this regard that Conference further instructs the incoming Executive Committee to secure agreement from the official side that stage 2 and stage 3 of the current open competition for PO, will be separate for stage 2 and stage 3 of the Interdepartmental competition.

Taoiseach's Branch

Amendment

In the final sentence to delete "separate for" and substitute "separate from"

Action Taken

The closing date for the PO competition had already passed and no action could be taken in relation to that competition. However, when the next competition is being discussed this will be an issue the Association will pursue.

LATERAL MOBILITY

MOTION 26

That this ADC instructs the Executive to seek to have a system put in place to allow mobility of staff between Departments.

Action Taken

Claim lodged at General Council in relation to AHCPS grades. The Official Side are giving active consideration to this proposal and considering a continuation of the CAF system when the current decentralisation programme is completed

WORK-LIFE BALANCE

MOTION 27 – Remitted

That the incoming Executive Committee should pursue with the official side, as a matter of urgency, the introduction of annualised hours for

APs and POs in order to provide appropriate work life balance options for AHCPs grades.

Action Taken

This is one of a number of issues being considered by the Work Life Balance Network as part of a review of Work Life Balance issues.

POSITIVE WORKING ENVIRONMENT

MOTION 28

Welcoming the increased awareness of the effects of bullying in the workplace and the development of procedures to address the problem, in general, and noting that allegations of workplace bullying must be addressed fairly and equitably, that this ADC instructs the incoming Executive Committee to seek from the official side data on cases where allegations of bullying have been made, to determine numbers of cases overall, the number of cases where a finding has been made (whether for or against the allegations), the number of inconclusive findings, and any evidence of abuse of the process, with a view to making any recommendations which the Executive Committee sees fit in relation to the fairness of the process or to address other issues arising for members.

Action Taken

A claim seeking data in relation to bullying cases has been lodged at General Council. The Official Side is reviewing their policy in line with Health & Safety Authority guidelines which will include maintaining and monitoring statistics in relation to cases and outcomes.

ASSOCIATION ORGANISATION

MOTION 29

That this ADC instructs the incoming Executive Committee to examine and to report back to the next ADC in relation to fully employing Information and Communication Technology to enhance communication between head office and branches and to dispense with the need for paper based transactions for the purpose of proposing motions for conference or nominations for membership of the Executive.

Action Taken

The Association continues to expand its use of ICT technology for communicating with branches and members and is updating its website. An amendment to Rule 9 (d)(i) was agreed at the 2007 ADC which allows for the receipt of motions by electronic means. As signature of a candidate for an officership, executive or standing orders position is still

required nomination for these positions are still required by hard copy.

MOTION 30 – Remitted

That this ADC instructs the incoming Executive Committee to examine and to report within three months on, the need for express conflict of interest procedures to be set out in the Rules of the Association.

Action Taken

The Executive Committee considered this motion but found that, because of the representative nature of the Association, it was not possible to devise a workable provision, without being over elaborate, with the consequent possibility of allowing loopholes.

RETIRING GENERAL SECRETARY

MOTION 31

That this ADC expresses its appreciation to Seán Ó Riordáin for the professionalism, commitment, and dedication he has displayed in representing the interests of the members of the Association over the past twenty years. During his time as General Secretary, and in his civil service career before taking up that post, he has displayed the highest standards of public service and we wish him a well earned, long and happy retirement.

Action Taken

The sentiments of the motion have been expressed to the former General Secretary Sean O Riordain who was in attendance at the ADC.

SUBSCRIPTION RATE

MOTION 32

That this ADC determines that the membership subscription rate be reduced from 0.6% of salary to 0.5% of salary with effect from 1 January 2008.

Action Taken

The reduction in membership subscriptions took effect from January 2008.

MOTION 33

This conference notes the large amounts of surplus income over expenditure that have been accumulated in recent years, €345,762 in 2005, €350,338 in 2004 and €382,266 in 2003 and calls on the Executive to

- (a) Utilise a significant percentage of this surplus, and any subsequent annual surplus, towards reducing the mortgage on the Fleming's Place property and

- (b) Set funds aside for any unanticipated expenses arising from decentralisation
- (c) If on the completion of the decentralisation programme, there is still a significant annual surplus reduce the rate of the annual subscription.

Action Taken

The mortgage has been repaid in full since August 2007 and the membership subscription was reduced to 0.5% of salary from January 2008. The Executive Committee continues to keep the Association's finances under review.

LEAVE

MOTION 34

Given the complicated nature and arbitrary effects of the procedures for carrying forward unused leave over a three year cycle, this ADC instructs the incoming Executive to submit a claim to add to the existing arrangements a general provision to permit the carrying forward, without conditions or restrictions, of up to five days' annual leave at the end of any leave year.

Action Taken

A claim in this regard has been lodged at the General Council Staff Panel and is under discussion at a sub committee of Council.

MOTION 35

That this ADC calls on the Executive to negotiate a scheme of unpaid special leave whereby staff can take a half day unpaid leave for each year of service, subject to a maximum of 15 days per year.

Action Taken

A Claim has been lodged at General Council Staff Panel and has been rejected. The Department of Finance response was as follows:

DPS Circular Letter 2/76: Special Leave already allows unpaid leave for a wide variety of purposes – urgent domestic circumstances, at time of marriage, study purposes, language courses abroad, charitable/community work, miscellaneous purposes for up to two months, i.e. "the purpose for which the leave is sought must be reasonable in itself and not incompatible with the applicant's official position" (2/76, para. 37.1).

The maternity leave provisions allow 16 weeks unpaid additional maternity leave.

The civil service work-life balance arrangements provide several possibilities for

staff who may need to take some unpaid leave – worksharing, term time, career break.

The statutory provisions of Parental Leave, Force Majeure Leave and Carer's Leave are also widely availed of in the civil service.

In view of the wide range of special leave provisions in the civil service, it is not proposed to extend the scheme of special leave without pay.

STAFFING

MOTION 37

That this Annual Delegate Conference instructs the incoming Executive Committee to commence negotiations with the Official side on the introduction of an arrangement whereby staff on Maternity Leave are replaced for the duration of said leave on the same basis as applies in the case of staff availing of the arrangements for leave under Term Time mindful of the fact that under revised arrangements Maternity Leave can be of a duration of up to 48 weeks.

Action Taken

Arrangements in this regard are already in place. Personnel Officers were advised in writing by the Department of Finance that "Vacancies arising from serving staff availing of Maternity leave and Adoptive leave (including additional Maternity leave and Adoptive leave) may be filled by the granting of higher duty allowances in the case of staff above clerical level or the basic recruitment level in Technical or Professional grades and by the recruitment of temporary staff at Clerical level or the basic recruitment level in Technical and Professional grades. Whether higher duty allowances are required the criteria for selection of staff for acting-up assignments are a matter to be determined by individual Departments."

TAXATION

MOTION 38

This conference notes with concern the continued use of avoidance schemes to minimise tax liabilities and calls on management to ensure that the appropriate numbers of skilled staff are available to confront these schemes with appropriate legislation backing them.

Action Taken

The Executive Committee have noted the sentiments and continue to keep the matter under review.

MOTION 39

This conference notes with concern the increasing tax evasion in the Shadow Economy and calls on management to ensure that the office is adequately staffed with the appropriate skilled staff backed by appropriate legislation to confront this issue.

Action Taken

The Executive Committee have noted the sentiments and continue to keep the matter under review.

1.5. TRUSTEES AND AUDITOR

The Association's Trustees are Ms Margaret Kelly, Mr Brian Murnane and Mr Peter Greene.

Power & Associates Accountants were appointed as the Association's Auditors.

1.6. HONORARY PRESIDENT AND HONORARY VICE PRESIDENTS

Donal O'Mahony continued as Honorary President of the Association.

Seán Ó Riordáin, on his retirement as AHCPs General Secretary was appointed an Honorary Vice President.

The other Honorary Vice Presidents continue to be as set out in the list of Honorary Officers of the Association.

1.7 CONSULTATIVE COUNCIL

The Consultative Council met in Head Office in Dublin on two occasions in November 2007 and March 2008. The principal issues discussed at these meetings were pay, modernisation and change, decentralisation, benchmarking, and arrangements for the Principal Officer Interdepartmental Promotion Scheme, Format of ADC, industrial relations developments in the state agencies were also discussed.

1.8 MEMBERSHIP

The Association, at 31 December 2007, represented 3,372 members at Principal, Assistant Principal and equivalent levels in the Civil Service and in a number of state enterprises. 199 new applications were received during the year. The gender breakdown of membership is 933 female (30%) and 2439 male (70%).

1.9 MEMBERSHIP SERVICES LEGAL DISCLAIMER

The Executive Committee and the Association accept no legal responsibility for the services provided to members under the various schemes and arrangements in operation.

1.9.1 Income Continuance Plan – Covering Long-Term Disability

The Plan, which is operated on behalf of the Association by Eagle Star Assurance Company, provides a guaranteed source of income in the event of : (a) total disability or (b) partial disability following total disability as defined in the Plan and Explanatory Booklet available to members. There are currently 1,995 members in the Plan.

The contribution rate of 0.9% of salary is now guaranteed up to the 30th March 2009.

With effect from the 5th April 2001, full Tax/PRSI relief applies on the premiums paid under the "net pay procedure" which means members will not have to claim Tax Relief back from the Revenue Commissioners.

1.9.2 Group Life Assurance Scheme

The Group Life Assurance Scheme, which provides supplementary Death in Service cover of twice salary, is underwritten by Irish Life Assurance plc. at a contribution rate of 0.6% of salary.

The Scheme is under the umbrella of the existing AHCPs Additional Voluntary Contribution Plan and the deduction qualifies for full Income Tax/PRSI Relief. The tax relief under this Scheme is allowed under the Net Pay Procedure as a supplementary Superannuation Deduction, which means that members do not have to submit Tax Certificates or claim tax relief from the Revenue Commissioners. There are 965 members currently in the scheme.

1.9.3 Additional Voluntary Contributions

Under the Finance Acts it is possible for a person in an occupational pension scheme to make additional voluntary contributions to enhance their pensions. The AVC Scheme is fully allowable for Income Tax and PRSI relief.

Please note there is a charge on every contribution and a ongoing management fee on the fund. If you are availing of an AVC please check with the Broker regarding the cost of the AVC before you agree.

1.9.4 Association Brokers

The brokers for the three above named schemes are Gregan McGuinness (Life & Pensions) Ltd., Cornmarket, Christchurch Square, Dublin 8 Telephone 01 4084000.

1.9.5 AHCPs Gold VISA Card

The Association has an agreement with MBNA Europe Bank Ltd for the issue by them of an AHCPs Visa Gold Card. The card carries the

AHCPS Logo and promotes the Association whenever and wherever members use it. The Association has agreed that the normal contribution which MBNA would make to the Association for attracting members, would instead be taken into account for the benefit of members in determining the rates and services provided.

1.9.6 Car /House Insurance

Car and House Insurance schemes are available to members from the following brokers:

- AA Ireland
Tel: 01 6179253 or Email AHCPs@aaireland.ie
- Glennons Insurance:
Tel: 01 7075959 or Email ahcps@glennons.ie
- Prestige Underwriters Group Motor/Home Insurance through Santam Europe Ltd.
Tel: 1890 808666 (049 4371505)

1.9.7 Travel Insurance

Annual Family Multi Trip Travel Insurance including European Motor Breakdown Assistance and Winter Sports Cover is available to members from Prestige Underwriters Services (Ireland) Ltd. 8 Ashe Street, Cavan. Tel 1890 808666 at a family rate of €69 at 1st April 2008 renewal. The policy is designed to cover the immediate family of the Main Insured Person including children up to the age of 22 in full time education and residing with the main insured person.

1.9.8 Group Mortgage Insurance Scheme

Group Mortgage Protection Scheme is provided by Lyons Financial Services, Office 1, Dunboyne Business Park, Dunboyne, Co Meath Tel. 01 8015808 www.lyonsfinancial.ie

1.9.9 Mortgage Scheme

Exclusive mortgage packages are available to AHCPS members from Omega Financial Management, 110 Rock Road Booterstown, Blackrock, Co Dublin (Tel 01 2884272)

1.9.10 Investment Advice and Portfolio Management Service

Independent financial advice is provided to members from the following brokers:

Gregan McGuinness (Life & Pensions) Ltd., member of the Cornmarket Group, Christchurch Square, Dublin 8 (Te: 01 4084000).

Omega Financial Management,
110 Rock Road Booterstown, Blackrock,
Co Dublin (Tel: 01 2884272).

1.9.12 Legal Advice Service

The Association's solicitor, Mr Edward McGarr, continues to provide a general legal service to members. Mr McGarr may be contacted at McGarr Solicitors, 12 City Gate, Lower Bridge Street, Dublin 8 Tel 6351580.

1.10 RULES AND CONSTITUTION

A copy of the Rules and Constitution is attached as **Appendix B**.

1.11 AHCPS WEBSITE

The website is being redeveloped to improve communications with branches and members. Information on AHCPS matters may be accessed on the Association's website at www.ahcps.ie.

1.12 STAFF

The staff of the Association are:

General Secretary	Dave Thomas
Deputy General Secretary	John Kelleher
Assistant General Secretary	Vacant
Executive Assistant	Jacqueline Lacey
Receptionist	Dorothy Aughey

Revenue Branch Administrator **Pat Feeney**

Mr Seán Ó Riordáin General Secretary retired in June 2007 and was replaced by Mr Dave Thomas.

The post of Deputy General Secretary was publicly advertised and was the subject of a competency based selection process in which John Kelleher, Assistant General Secretary, was successful. The Association following a competency based competition appointed Ciaran Rohan as Assistant General Secretary and he will take up duty on 12 May 2008.

Tom Quigley Honorary Vice-President, assisted at the ADC and with the writing of the ADC minutes. Joe Brennan also assisted at the ADC. Their contribution is greatly appreciated.

The Executive Committee also wish to express their appreciation for the work and commitment of the staff.

Part II

CIVIL SERVICE

2.1 OECD REVIEW

A major review of the Irish Public Service has been carried out by the OECD over the past 18 months. The review has two main objectives:

- (i) To **benchmark** the Public Service in Ireland against other comparable countries, including identification of appropriate measures to compare the productivity and effectiveness of the Irish system, or discrete elements of it, against comparable international best practice, and
- (ii) To **make recommendations** as to future directions for Public Service reform which will support the Irish Government's drive for delivery of world class services to the citizen, within existing resources commitment, and contribute to sustainable national competitive advantage.

The review looked at a range of issues across the public sector, including

- the institutional and legal framework including the political/administrative interface;
- corporate governance systems,
- resource allocation and performance measures
- financial management and HRM systems
- Use and impact of ICT
- goal and target setting
- delegation and devolution of responsibility

The focus of the review is on the connectivity between the different sectors, including between the central level and the wider sectoral areas.

The Association made two Submissions and they are reproduced at **Appendix E**.

2.2 ORGANISATIONAL REVIEW PROGRAMME

The Government approved proposals for a new Organisational Review Programme (ORP) for Departments and Offices during 2007. The Programme gives effect to one of the four initiatives announced by the Taoiseach as part of a package of inter-linked public service modernisation measures. The ORP, which has been developed in consultation with the

Implementation Group of Secretaries General, is intended to complement the major system-wide review, which is currently underway through the OECD in Paris.

Review Team

The reviews are being conducted in batches of three under the guidance of an Organisational Review Committee, chaired by the Secretary General to the Government, which will report to the Taoiseach. The Review Team, drawing on expertise from across Departments and Offices, was established to assist with development of the review template and its application to the initial three volunteer Departments/Offices.

The reviews are being conducted in batches of three and the first three departments under review are:

1. Agriculture, Fisheries and Food,
2. Enterprise, Trade and Employment
3. Transport.

The report on the outcome of the reviews is due to be published in May, 2008. The reviews are being carried out by a team of 4 Principal Officers seconded from their parent departments to the Department of the Taoiseach, and supported by three staff from that department.

2.3 DECENTRALISATION

The implementation of the Government's decentralisation programme, announced in the December 2003 Budget Statement, under which 10,300 public service jobs would be transferred to 53 locations in 25 counties, continues to be of major concern to the Executive Committee and to Association members in the civil service and in the state bodies affected.

The Association's overall position in relation to decentralisation is very well known and has been publicly articulated at Special and Annual Delegate Conferences. It is summarised in the Report by the Executive Committee to the Special Delegate Conference held on 1st March 2004 *Public Service Relocation Programme: An Opportunity Missed and a Challenge to meet*, in the statement issued by the Executive Committee in June 2005, in

public interviews and addresses by the General Secretary and, repeatedly, in articles in the Association's Newsletter.

At the Association's Annual Delegate Conference 2006 delegates sought an update of the 2004 Report in the light of the more recent developments. The Association completed this update following an intensive consultation process with the branches and members and with the assistance of Mr Brian Barry, Burnham House Management Consultants. This report *"Public Service Decentralisation The need for an immediate review"* was published by the Association in May 2007. This report is available from Head Office and is also on the AHCPs website. This report came to the strong view that the Decentralisation programme must be immediately and radically reviewed, its many unworkable elements eliminated and the pace and timescale of the decentralisation slowed down. The Association circulated a copy of the Report to all members of the Government, TD's, Senators, and the media.

The essence of Association policy is that, while the Association positively welcomes voluntary decentralisation with locations chosen on a rational and reasonable basis, there continue to be serious ongoing concerns with the current decentralisation programme both from human resources/industrial relations and from quality public service perspectives. The Association has repeatedly called for a review of the scope and time scale for decentralisation, under which a greater element of policy coordination and developmental work would, in the public interest, be retained in Dublin and under which there would be a broad balance between the numbers of staff seeking to decentralise and those wishing to remain in Dublin.

The general arrangements in relation to decentralisation are negotiated at a Sub Committee of the General Council in the Civil Service and reports on these meetings and bilateral discussions with the Official Side are circulated to members and are available on the Association's website at www.ahcps.ie. The principal issues involved are also regularly discussed with branch representatives at meetings of the Association's Consultative Council.

The Decentralisation Implementation Group [DIG] submitted a progress report to the Minister for Finance in October 2007 and a copy of this report is reproduced as **Appendix F**.

It is clear, on the basis of this data, that there are still major problems with substantial surpluses of staff in Dublin at PO, AP and HEO levels.

There are ongoing issues in relation to promotion policy, filling of shortfalls in decentralised locations and the transfer of staff under the Dublin arrangements which are the subject of discussions both at the General Council Sub Committee on Decentralisation and bilaterally with the Official Side.

The Interdepartmental PO Scheme is being used for the purposes of filling vacancies arising in decentralised locations and all appointments will carry a decentralisation tag. This was clearly set out in the Circular 11/2007 and the sequence for filling vacancies which are due to this panel and the open panel was set out in the circular. It is clear from the sequence that no posts in Dublin will be filled from either the interdepartmental or open competition. Dublin vacancies due to the panel will be filled by the transfer of surplus Dublin based staff and the resulting decentralised vacancies will be filled from the panel. New promotion arrangements are being discussed with the Department of Finance. However, the Department's position is that decentralisation tags will be attached to the posts due to the next interdepartmental competition.

New arrangements were agreed at General Council Sub Committee in relation to the transfer of staff under the Dublin arrangements. Each Department has indicated to the Department of Finance the number of surplus staff it would expect to have in 2007/8 and the number of staff it would be prepared to release to the Dublin arrangements. When this number has been satisfied no vacancy due to the Dublin arrangements will be circulated in that Department for the rest of the year. The number of Planned releases to Dublin arrangements for 2007, 2008 and 2009 are follows:

	Planned Releases 2007	Planned Releases 2008	Planned Releases 2009
Principal Officers	23	25	37
Assistant Principals	52.5	38	63

2.4 TOWARDS 2016

Towards 2016 was approved by the AHCPs members in ballot [84% in favour and 16% against] in August 2006 and was ratified at a Special Delegate Conference of ICTU [242 votes in favour and 84 votes against] on 5th September 2006.

Public Service Pay

The Public Service Pay Agreement came into force on expiry of the Pay Agreement under Part II of *Sustaining Progress* and will last for twenty seven months, i.e. from 1 July 2006 to 30 September 2008.

Pay increases are as follows:

- **3% from 1 December 2006;**
- **2% from 1 June 2007; except for those earning up to and including €400 per week [€20,859 per annum] when a 2.5% will apply;**
- **2.5% from 1 March 2008;**
- **2.5% from 1 September 2008.**

The first three phases of the Agreement had been paid following verification of delivery on the change and modernisation agenda.

ICTU have asked unions to contribute to the review process, which is an important opportunity to critique developments, highlight concerns and set out what needs to be done during the next phase of the Agreement.

Competitive Merit – Based Promotion

Section 29.4 of *TOWARDS 2016* provides for specific measures in relation to competitive merit based promotions as follows:

- (a) a minimum **75% of all internal promotion promotional posts** in each grade will be filled through competitive merit based processes by end of 2006; if 75% figure or higher has been achieved this will be discussed locally in accordance with existing arrangements.
This provision is not perceived as a problem at Principal level where competitive based promotion (which can include a consistory type approach) to Principal level is increasingly the norm.
- (b) a **joint working group was established to examine the possibility of cross-stream promotion**. The Group will examine all departmental and professional grades and technical grades to:
 - (i) establish the experience, skills and competencies required for the performance of the functions of these grades,
 - (ii) identify specific posts in professional grades and technical grades, and general service where vacancies can be filled **on the basis of reciprocity** from the common panels of staff at the appropriate levels, and

- (iii) Where such posts are identified, consider the promotion mechanisms which should apply.

Discussions with the Official Side are ongoing.

Members will be aware in this regard that arrangements for reciprocal cross stream promotion were previously agreed in *Sustaining Progress* and in earlier Social Partnership Agreements.

PCW 1% and Revenue Integration Agreements

The Official Side have separately confirmed to the AHCPs in the negotiations that the continued operation of the PCW [1%] and the Revenue Integration Agreements are not altered by the provisions at Section 29.3 (b) [Open recruitment] and 29.4 (a) [Competitive Merit – Based Promotion] of the new Agreement and **these sections will not apply in respect of personal upgrades under those Agreements.**

Staff Deployment

Section 29.5 provides that Departments and Offices can deploy both staff and posts, not just within the same location, but also within an **agreed defined areas or defined distances** as organisational needs require. There is also a provision for parties **agreeing to entering discussions** to draft arrangements to facilitate lateral mobility between the civil service and other sectors of the public service. No detailed discussions have taken place to date.

Performance Verification Process

Section 33 sets out the performance verification processes proposed for each sector. Payment of increases is dependent, in the case of each sector, organisation and grade, on verification of cooperation with flexibility and ongoing change, including co-operation with satisfactory implementation of the agenda for modernisation set out in the Agreement, maintenance of stable industrial relations and absence of industrial action in respect of any matter covered by the Agreement. The Public Service Monitoring Group and the Public Service Sub Committee of the National Implementation Body will oversee implementation of the verification arrangements.

2.5 BENCHMARKING

The Public Service Benchmarking Body carried out its second benchmarking review of the pay of public service employees and reported its findings on the 10th January 2008.

The Terms of Reference of the Public Service Benchmarking Body were as follows:

Introduction

In the second Public Service Pay Agreement under Sustaining Progress the parties agreed that the Benchmarking Body would carry out a benchmarking review to report in the second half of 2007. The parties have agreed the following terms of reference for the Benchmarking Body.

Timing and scope of the examination

The Public Service Benchmarking Body is asked to examine the pay and jobs of specified grades and to produce a Report containing recommendations on the pay rates for these grades in the second half of 2007.

As in the previous benchmarking exercise that took place between 2000 and 2002, the exercise should be a coherent and broadly based comparison with jobs and pay rates across the economy.

As in the previous exercise the Body will examine the roles, duties and responsibilities of jobs in the public service and in the rest of the economy and not just the pay rates applicable to jobs with similar titles, and superficially similar roles, in the private sector.

Establishment of Body

On the 13th January 2006 the Minister for Finance announced the appointment of the following members to the present Body:

CHAIRPERSON

Mr Dan O'Keeffe SC BCL LL.B. A.C.A.

MEMBERS**Mr Billy Attley,**

former General Secretary of SIPTU.

Ms Olive Braiden, Arts Council, former Chair of Justice sector Performance Verification Group.

Mr John Malone, former Secretary General of the Department of Agriculture and Food.

Mr Tom McKevitt, former Deputy General Secretary of the Public Service Executive Union.

Mr Willie Slattery, Managing Director, State Street International (Ireland) Ltd.

Professor Brendan Walsh,

Emeritus Professor of Economics, UCD.

The AHCPS made written and oral presentations to the Benchmarking Body on behalf of the Principal Officer, Assistant Principal Officer and Prison Governor grades.

The first Benchmarking Body in its report stated that it had taken into account the value of the public service pensions but it did not state what value it put on it. This Benchmarking Body hired

consultants who put a value on public service pensions following detailed consideration of the matter and discussions with internal adviser. The Body decided "that it would be reasonable and as a general approach to assess the higher cost of public service pensions as being 12% of salary of the grades covered by the benchmarking process". The reasoning behind this is set out in Chapter 7 of the Benchmarking Body's Report.

Chapter 10 deals with the grades in the civil service. The Benchmarking Body recommended an increase of 1.1% for the grade of Principal Officer and all grades listed in List B that are linked to the Principal Officers grade including the Principal Higher grade. It recommended no increase for any other civil service grade.

The Report is available on the Department of Finance website www.finance.gov.ie.

2.6 SCHEME OF INTERDEPARTMENTAL PROMOTION TO PRINCIPAL LEVEL POSTS

(a) 2005/2007

The Association was, at the request of members on the 2005/07 Panel in contact on a number of occasions with the Department of Finance in relation to suggestions raised that all the liabilities due under the scheme had not been discharged across Departments. Assurances were repeatedly been given by the Department that the scheme was properly operated.

The number placed on the Panel was 68 from which 34 appointments were made and up to number 68 were offered appointments.

Open Recruitment

Section 29.3 of *Towards 2016* provides for Open Recruitment at grades above Executive Officer level where there is already 50% open recruitment. It is acknowledged that recruitment at a higher level will have a cascading impact on promotions at a lower level and, in order to achieve uniformity of effect in open recruitment as between different levels, it is agreed that the civil service may recruit by open competition in any year:

- **2 in 9 of all vacancies at Principal Officer [standard and higher scales] and equivalent grades, including professional and technical grades;**
- **1 in 5 of all vacancies at Assistant Principal Officer [standard and higher scales] and equivalent grades, including professional and technical grades, and**

- *1 in 6 of all vacancies at Higher Executive Officer and equivalent grades including equivalent professional and technical grades.*

The arrangements to give effect to this are in place i.e. mainly through **generic competitions** (to be run by the Public Appointments Service) for appointment to the general service posts. It is also envisaged that some recruitment may be used **to meet specialised requirements** in general service posts and these will be part of the quotas previously referred to. Where there is specialised skill recruitment, there will be discussions between the parties to give effect to this arrangement.

Where vacancies are filled by open competition under the agreement, **an offset arrangement will operate**, i.e. Departments and offices will reduce their liabilities to interdepartmental panels for the relevant grades by the same number.

Principal Officer Competitions

The Interdepartmental / Open Recruitment PO Competition run by PAS in 2007

- 1362 people applied on line for both competitions
- 971 attended the first stage which was common to both competitions
- 573 civil servants and 392 non civil servants (6 did not indicate whether they were civil servants or not)

Interdepartmental PO Panel

- 81 were placed on the Panel.

Open Recruitment PO Panel

- 56 were interviewed for Open Panel (20 non civil servants, 36 civil servants)
- 37 were placed on Open Panel (12 non civil servants, 25 civil servants)

The open recruitment panel was finalised in October 2007.

TLAC Competitions

TLAC through PAS filled the following posts through open competition

- 2006** 1 Second Secretary post.
- 2007** 1 Deputy Secretary post.
12 Assistant Secretary posts.
- 2008** 3 Assistant Secretary posts
(to March 2008).

Two of the above posts were filled by people from the private sector and 1 from the wider public service.

2.7 SUPERANNUATION

The Commission on Public Service Pensions was established in 1996 and issued its Final Report on 31 January 2001.

The Programme for Prosperity and Fairness provided for the establishment of a Working Group on the implementation of the Commission's Report. The Working Group was established in 2001 and is representative of public service unions, relevant Government departments and other appropriate parties.

Dave Thomas, General Secretary, is the AHCPs representative on this Working Group.

2.8 GREEN PAPER ON PENSIONS

The Government published its long-awaited Green Paper on pensions on 17th October 2007. This paper looks at the background to the Green Paper, describes the contents and highlights some issues that may be of particular interest to unions. Chapter 13 deals with Public Service Pensions and in its summary states:-

"This Chapter details the defining features of public service pensions and the significant reforms that have been implemented in this area in recent years. It shows that pension coverage is close to 100% across the public service and that most public service pension schemes are contributory, pay as you go, defined benefit schemes.

It gives details on the programme of reform which was based largely on the recommendations of the Commission on Public Service Pensions. The key cost containment aspect in this programme was the raising in 2004 of the minimum pension age for new entrants to the public service from 60 to 65. The mandatory retirement age of 65 years was abolished for most new entrants at this time also.

The Chapter also considers the cost of public service pensions, which are set to rise significantly in the medium-term (mainly because of increases in the number of public servants and improved life expectancy), notwithstanding implementation of the reform programme.

The Chapter outlines a number of further reform options which the Government intends to research and consider in respect of future appointees to the public service to address demographic and other developments since the Commission reported in 2000. These include:

- *raising the minimum public service pension age*
- *increasing the rate of pension contributions*

- *modifying the 'pay parity' basis for post-retirement increases in pensions*
- *removal of fast accrual terms*
- *abolition of certain notional added years arrangements*
- *options for accounting for pension costs*
- *a slower accrual rate in respect of retirement pension and lump sum*
- *moving to calculation of pensions on the basis of 'career average' earnings.*

At present, the Public Service Benchmarking Body and the Review Body on Higher Remuneration in the Public Sector are carrying out reviews of the appropriate levels of remuneration of the categories of public service grades coming within their respective remits. The terms of reference of the Benchmarking Body state that:

"the Body should have regard to the differences between the public service and the private sector and between the various public service groups within its remit in working conditions, the organization of work, perquisites, and conditions of employment and other relevant benefits, including security of tenure and superannuation benefits".

The Higher Review Body discounted its awards by 15% and the Benchmarking Body discounted its awards by 12% to take account of the superior value of public sector pensions.

2.9 GENERAL COUNCIL

The General Council Staff Panel is comprised of representatives of the various civil service unions and constitutes the Staff Side operation of the civil service General Council at which matters relating to pay and terms of conditions of employment are discussed with the Official Side in accordance with the terms of the Conciliation and Arbitration machinery for the civil service.

During the period there were **11** meetings of the General Staff Panel together with numerous meetings of Sub Committees of General Council. There were 12 Agreed Reports of the General Council in 2007.

AHCPs Deputy General Secretary John Kelleher and John O'Flanagan of IMPACT, were elected Chairperson and Vice Chairperson, respectively, at the Annual General Meeting of the General Council Civil Service Staff Panel in January 2008. Joan Byrne [CPSU] continues as Secretary to the Panel.

The Annual Report of the Secretary of the General Council Civil Service Staff Panel for 2007 is

attached as **Appendix G**. It includes details on the principal industrial relation issues impacting across the civil service during the past year.

2.10 WORK LIFE BALANCE CIVIL SERVICE EQUALITY INITIATIVES REPORT

A report on Civil Service Equality Initiatives was issued by the Department of Finance during the year. The Report reviews the implementation by the civil service of the Government's equality policies. It provides a snap shot of how the civil service is implementing equality of opportunity in its everyday work. In particular it examines the progress made in achieving the targets under the G.E.P. for gender balance in the Assistant Principal grade. It also provides information on a variety of initiatives undertaken by departments/offices to support equality and diversity. The Report also makes a number of proposals for achieving Gender Equality in the Civil Service.

The Report makes a number of recommendations among which are:

Gender Equality

- *set new targets for the representation of women at Principal Officer and their equivalent grade, relevant to current levels of representation within Departments and Offices, subject to a minimum target of 27%,*
- *endorse a shift in focus to the setting of individual targets in relation to the AP grade, relevant to existing level of representation of women in each Department or Office, and*
- *agree that measures being taken for the achievement of gender balance should be set out in all Strategy Statements.*
- *Departments and Offices should consider the setting of targets aimed at improving the participation of women and persons with a disability in competitions and removing obstacles to such participation, and*
- *agree that measures being taken for the achievement of gender balance as well as targets should be set out in all Strategy Statements.*
- *HR policies should be age-proofed, and Personnel sections should consider the HR issues surrounding older workers, both in relation to current staff and with a view to future recruitment of persons aged over 65. Particular care should be taken to ensure sufficient access to training and development opportunities for older staff, and*

- *Departments and Offices should monitor promotion patterns in order to identify any possible discrimination in promotion policies. All staff involved in the recruitment of staff should be suitably trained. Departments and Offices should inform themselves in relation to potential areas of discrimination identified by the Equality Tribunal and the Labour Court in recent years.*
- *Departments and Offices continue to develop the implementation of policy in this area and, in particular to support and enhance the role of the Disability Liaison Officers (DLOs) within their organisations, and*
- *Departments and Offices must also ensure that managers and supervisors are aware of their obligations under the legislation.*
- *Departments and Offices should provide training and information to managers and supervisors to ensure that they are aware of their obligations under Employment Equality legislation and Civil Service Equality Policies.*
- *Managers should be made aware of the support services which are available to them and inform their staff about them. These include Employee Assistance Officers, DLOs. Departmental Quality Customer Service Officers. Health & Safety Officers, contact officers for bullying and harassment cases and Equality Officers.*
- *PMDS provides a structured approach to identifying and managing staff training and development needs. Departments and Offices should ensure that PMDS is working effectively in their particular organisation and encourage staff to seek training in relation to Equality issues.*
- *Departments and Offices should ensure that all staff involved in the recruitment and promotion processes have an understanding of employment law and equality of opportunity considerations.*
- *Departments and Offices, should adopt an organised and systematic approach to staff placement and should keep the application of the policy under review,*
- *Officers returning to work from career breaks, protective leave or other special leave, could be given the opportunity to express their views on suitable assignments. In this regard Departments and Offices could use return-to-work interviews, pre-placement questionnaires, or other approaches for gathering information, and*
- *Departments and Offices should be aware of employment equality cases involving claims of discrimination against civil servants on grounds of disability considered by the Equality Tribunal and the Labour Court in recent years.*
- *Departments and Offices should continue to adopt a strategic approach to the granting of applications for flexible working. A review should be undertaken in each organisation to ascertain which areas of the organisation are suitable for flexible working and if any obstacles are identified management should where possible adopt innovative solutions to overcome these problems.*
- *Departments and Offices should review their approach in relation to the gathering of information on equality issues on a regular basis as good information is essential for effective monitoring and policy making, and*
- *In line with the recommendation of the Work Life Balance Review provided by the Equality Unit in the Department of Finance a Network of representatives from Personnel Units in Departments and Offices shall be established so as to address policy issues relating to the operation of Family Friendly and Work Life balance schemes in the Civil Service.*
- *Departments and Offices should give favourable consideration to providing positions to successful candidates in any future programmes/projects similar to the Traveller Internship Programme.*

Maternity Leave

The period of maternity leave has been increased to 26 weeks with effect from 1 March 2007. The period of additional unpaid maternity leave has increased to 16 weeks with effect from 1 March 2007.

Following agreement at the Equality Sub Committee of General Council it has been agreed with effect from 1st January 2008 that additional maternity leave will be counted as service for promotion and increment purposes.

Adoptive Leave

The period of paid adoptive leave has been increased to 24 weeks with effect from 1 March 2007. The period of unpaid leave has also been increased to 16 weeks with effect from the 1 March 2007.

Term Time

It was agreed at the Work Life Balance Network that all departments/offices would have the same closing date for applications for Term Time. The date agreed is the 2nd November each year.

Discussions are ongoing with the Official Side in relation to recent recruitment legislation and reduction of the probationary period to one year as this has implications for new entrants who wish to apply for term time.

Bereavement Leave

Following a claim at General Council from the Staff Side, the Department of Finance has agreed to change the definition of immediate relative as outlined in circular 22/98 Annex 1 in relation to bereavement leave to also include a grandchild, step-brother, step-sister half-brother, half-sister, sister-in-law and brother-in-law. In addition one day's special leave with pay may be granted in the event of the death of an aunt, uncle, nephew or niece.

A circular letter giving effect to these changes has been issued by the Department of Finance to Personnel Officers.

Adoptive Leave for Foreign Adoptions – Special Leave

Following discussions at the Equality Sub Committee of General Council it has been agreed that a letter will issue from the Department of Finance to Personnel officers in relation to special unpaid leave for men who require additional time off in relation to foreign adoption.

The letter will highlight that a provision in circular 2/76 can be availed off for allowing a member of staff up to two months unpaid leave to manage issues in the pre adoption stage of foreign adoptions where a parent may have a requirement to visit the country.

Crèches

There are six crèches in operation under the civil service child care initiative. Mount Street and Marlboro Street in Dublin, Backweston, Athlone, Sligo and Ennis. Building on a new crèche in Cork is expected to be completed during 2008 and is expected to commence operation in September 2008. The new Cork crèche is in the Mahon area.

Work life Balance Network

Following the Work Life Balance Network Review a new Work Life Balance Network comprising of Personnel Officers was established to address policy issues and in particular to address issues that were raised by Departments/Offices in the review. Among the issues being reviewed are:

- Production of guidelines in relation to domestic and force majeure leave
- Options in relation to annualised working hours
- Analysis of the impact on business delivery of the build up of flexi leave and of the taking of term time
- Limiting the expansion of term time
- Restricting staff to one or more of the main non statutory work life balance arrangements or limiting the options available to people participating in work life balance schemes in a twelve month period.
- Guidelines on the appropriate management of refusal of applications
- Guidelines in relation to the most effective balance between worksharing and fulltime staff in terms of business delivery and staff morale

2.11 DISABILITY

A new draft code for civil servants with disabilities was issued during the year and is currently awaiting Government approval.

The code covers a large number of areas ranging from

- the definition of disability
- who has responsibility within Departments,
- positive actions that can be taken
- monitoring, and review of staff with disabilities
- the role of the HR area in relation to dealing with disability.

The code also deals with the recruitment and selection, the appointment and induction and probation of people with disabilities, performance management and career development and potential issues around disabilities. The code also deals with the working environment and health and safety issues.

The code under each section places responsibilities on specific officers and ensures mechanisms for monitoring are in place. A number of disability liaison officers have been appointed in each department/office and are networking on a regular basis. A number of new disability liaison officers have been assigned in the past year and are currently being trained. In order to monitor the number of employees with disabilities a "count me in" survey took place during the year and it is expected that the results will be available shortly.

2.12 HEALTH & SAFETY

Mobile Masts

The Staff Side produced a draft report on Mobile Masts in 2007. A number of amendments have been made to the draft. However, agreement has not yet been reached between the Official and Staff Sides on the Report. It is expected that both sides will meet again and address the matter in 2008.

2.13 REVENUE BRANCH

The Revenue Branch Committee is very active and holds monthly meetings. Branch Officers also hold regular meetings with HRD to advance items via the IR forum. An annual meeting is held with the Board of the Revenue Commissioners. This meeting took place on 19th December 2007 and was attended by Branch Committee officers and General Secretary Dave Thomas. A Policy Document prepared by the Branch Committee to examine how well the **Integration/Reorganisation** of Revenue has worked out in terms of delivering on expectations of the organisation and staff was presented to the Board. Difficulties were outlined and recommendations put forward to the Board under the headings **1) Revenue Reorganisation, 2) Succession Planning, and 3) Devolution of HR/IR**, in relation to developing the organisation going forward.

The Branch is also represented on all the various Partnership Groups.

The following matters were progressed and finalised during the past year.

Audit Managers' Claim: This long standing claim in respect of Audit Managers, formerly Inspector of Taxes (Higher Grade), prior to Integration has been resolved. Settlement was reached by way of a once off payment which benefited 13 members some of whom are now retired.

Allowance Posts IPD: A settlement has also been reached in respect of the cessation of allowances for PO and AP grades in the Prosecution Unit of the Investigation and Prosecution Division (IPD). The current holders of the allowance will retain their allowance while in the post. In addition the ring-fenced pool of Higher Scales will be increased over time by a total of 15 i.e. 5 PO's and 10 AP's.

PCW 1% Uplifts: Following a recent review, agreement was reached resulting in a total of 90 uplifts to Higher Scale, 29 to PO1 and 61 to AP1. Appointments will be backdated to fill posts arising from 01/01/04. These figures include an additional 4 uplifts (1 PO and 3AP) which were negotiated based on undertakings given during the Integration/Reorganisation negotiations.

Decentralisation and Retirements: Both are posing a major problem for the organisation due to the resulting technical skills and corporate knowledge deficit. To date 28 of our grades (22 AP and 6 PO's) have left Revenue on decentralisation to other Departments. The question of training for those coming into the organisation is currently under review.

Part III

STATE ENTERPRISES

3.1 AN POST AND NATIONAL LOTTERY COMPANY

Performance Related Pay/Performance Management System

The Company and the Association are continuing negotiations in relation to the development of a performance related pay and performance management system for level III (AP) members in the Company. At the time of writing the Association is in consultation with the wider membership in relation to the talks to date on the Company's proposals.

Change and Productivity Improved Agreement

Following agreement at the LRC between the Company and the CPSU for an increase of 2% in the Change and Productivity Improved Agreement with that union the Association has sought to engage with the Company in relation to a similar increase to the Association's Change and Productivity Improved Agreement. The Association is considering referring the matter to the LRC.

TOWARDS 2016

The second phase of *TOWARDS 2016* Pay award, which is 2%, was paid on the due date 1st May 2007. The third phase 2.5%, due on 1st February 2008, has also been paid. The final payment of 2.5% is due on 1st August 2008.

Labour Court Finding

The Company ceased the payment of an allowance to unassigned shift managers in August 2006. The Association's view was that this was in breach of the terms of the Change and Productivity Improvement Agreement.

Following long and protracted negotiations between the Company and the Association the matter was referred to the Labour Relations Commission and subsequently to the Labour Court for determination. The Association is happy to report that the 10 Shift Managers were successful in their case and have had their Shift Manager Allowances restored with retrospection.

Postal Liberalisation

The Association continues to be involved in Union Network (UNI) which is a body comprising trade unions involved in the postal industry. UNI has lobbied extensively on the EU postal directive and has had a level of success in having the date of postal liberalisation pushed back two years to 1st January 2011. There are still a number of issues that remain unresolved. The EU Council of Ministers have agreed that the Universal Service Obligation (USO) needs to be maintained. They have also agreed that the postal markets must be open to competition. However, they have not agreed how the USO is to be financed. They have kicked this back to the National Governments for decision in each member country. There is the possibility however, that a national government made decide to introduce postal liberalisation in advance of 2011.

Partnership

The High Level Partnership Committee comprising the Chief Executive Donal Connell, his management team, the full time officials from the four An Post unions and branch representatives has been reactivated. The first meeting was held in October under the chairmanship of Peter Cassells, Chairman of the National Centre for Partnership and Productivity. The Branch is represented on the Partnership Steering Committee by the Deputy General Secretary John Kelleher and Branch Secretary Willie Prendergast

3.2 FÁS

Decentralisation continues to be a major concern for members in FAS. SIPTU members in FAS held a number of work stoppages and the issue was referred to the Labour Court. During 2007 the Labour Court after a number of hearings decided that the Decentralisation Tag should not be applied as a condition to promotion in FAS and the Finding was issued on 21 August last copy at **Appendix H**. The Association continues to meet regularly with FAS management to discuss issues of concern to our members including decentralisation.

3.3 FOOD SAFETY AUTHORITY OF IRELAND

The Association met with the Chief Executive earlier in the year to discuss the outcome of the Labour Court Recommendation LCR 18742. The Association is happy to report that the Food Safety Authority accepts the Labour Court Recommendation. Arrangements for the implementation of the PCW 1% upgrades has recently been agreed between the Authority and the local branch and is awaiting sign off from the Department of Health & Children.

3.4 IRISH AVIATION AUTHORITY (IAA):

The Authority has recently informed all unions that they are proposing changing pension arrangements for new employees joining from 1st February 2008. The arrangements would provide benefits on a defined benefit basis in line with the current Authority Pension Scheme with the following exceptions:

1. The normal retirement age will be set at 65
2. Early retirement will be permitted on a cost neutral basis
3. Increases in pensions will be in line with increases in the Consumer Price Index, subject to maximum annual increase of 3%
4. Members will contribute at a rate of 3% of salary plus 3.5% of Net Salary, where Net Salary means Salary less an amount equal to twice the annual amount of Contributory Old Age Pension payable under the Social Welfare Acts to a fully qualified unmarried person. This contribution rule includes contributions to the Spouses & Children's Scheme.

5. Members will not be eligible for professional Added Years.

The proposal is under discussion at the Authorities JCC.

3.5 OTHER AGENCIES

The Association continues to provide a negotiating and representational service in respect of pay, terms and conditions of employment and related matters in a number of state agencies including:

- ♦ Food Safety Promotion Board (SafeFood)
- ♦ Ordnance Survey Ireland
- ♦ Health & Safety Authority
- ♦ Pensions Board
- ♦ Commission for Communications Regulation (ComReg)
- ♦ Commission for Energy Regulation (CER)
- ♦ Eircom
- ♦ Office of Tobacco Control
- ♦ National Roads Authority
- ♦ Marine Institute
- ♦ An Bord Pleanála
- ♦ Environmental Protection Agency
- ♦ National Centre for Partnership & Productivity
- ♦ Irish Water Safety
- ♦ Personal Injuries Assessment Board

Part IV

AFFILIATIONS AND RELATIONS WITH OTHER ORGANISATIONS

4.1 IRISH CONGRESS OF TRADE UNIONS

The Association continued its membership of ICTU during the year. The ICTU Biennial Delegate Conference 2007 took place in Bundoran and was attended by the Chairperson Ciaran Rohan, General Secretary, Dave Thomas, Assistant General Secretary, John Kelleher and Tom Allen, Executive Committee member.

The Association made a contribution of €25,000 to Congress towards their initiative to promote union membership/recruitment?

4.1.1 PUBLIC SERVICES COMMITTEE

The Association participated in the work of the Public Services Committee of Congress. The Committee is representative of public service unions in the civil service, local authorities, health boards, teaching and those general and craft unions which have members in the public service. The Annual General Meeting of the Public Services Committee took place in May 2007 and the Annual Report of PSC is attached as **Appendix I**.

4.1.2 ICTU WOMEN'S COMMITTEE

John Kelleher, Deputy General Secretary and Equality Officer represents the Association on the ICTU Women's Committee.

4.1.3 ICTU RETIRED WORKERS' COMMITTEE

The Association is represented on the Retired Workers' Committee of Congress by Vice Presidents Tom Quigley and Con Ryan.

4.2 CIVIL SERVICE UNIONS

The Association maintains close contact with the CPSU, PSEU, IMPACT, and the POA.

4.3 VETERINARY OFFICERS' ASSOCIATION (VOA)

The AHCPs continues to provide negotiating and representational facilities to the Veterinary Officers' Association.

The VOA represents 320 veterinary staff in the State Veterinary Service. The members of the VOA are also associate members of the Association.

4.4 ASSOCIATION OF ASSISTANT SECRETARIES & HIGHER GRADES (AASHG)

The Association maintains close contact with AASHG.

4.5 RETIRED CIVIL AND PUBLIC SERVANTS ASSOCIATION

The Association provides accommodation facilities to the Retired Civil and Public Servants' Association and facilitates them in every way possible.

4.6 EUROPEAN FEDERATION OF PUBLIC SERVICE UNIONS (EPSU)

The Association has affiliated to EPSU from 1st January 2006. The Federation, which was founded in 1978, represents 8 million workers in 216 public service unions in all EU countries.

4.7 UNION OF FINANCE PERSONNEL IN EUROPE (UFE)

The Association is affiliated to the UFE in respect of its Revenue membership.

The 30th UFE Customs Committee Meeting was held in Brussels in September 2007 and the Association was represented by Mary Farrell and Frank O'Dwyer, Revenue Branch, and Patrick Feeney Revenue Branch Admin. Officer.

4.8 UNION NETWORK INTERNATIONAL [UNI]

The Association has affiliated to UNI in respect of its An Post membership. The Assistant General Secretary John Kelleher and Executive Committee member Brian McGann attended a meeting of the group in Luxembourg in September 2007.

4.9 ASSOCIATION OF FIRST DIVISION CIVIL SERVANTS (FDA)

The Association were unable to accept an invitation to attend the 2007 FDA Annual Delegate Conference as it coincided with the AHCPs ADC. The Association also maintained close contact with the FDA (Northern Ireland) and the General Secretary Dave Thomas attended their 2008 Annual General Meeting.

4.10 FDA PARLIAMENTARY GROUP

The FDA which represents members in the Westminster Parliament, the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly set up a group to discuss matters of mutual interest, best practice and share information in an informal way and invited the AHCPS to nominate members to attend. The first meeting was held in September 2007 in Edinburgh. A subsequent meeting took place in Dublin in March 2008.

4.10 INSTITUTE OF PUBLIC ADMINISTRATION

The Association continued in membership of the IPA.

4.11 IRISH LABOUR HISTORY SOCIETY

The Association is also affiliated to the Irish Labour History Society.

4.12 HOSPITAL SATURDAY FUND

The Association is represented on the Board of the HSF Health Plan by the General Secretary, Dave Thomas, who is the Vice-Chairman of the Board.

**4.13 COMBINED SERVICES
THIRD WORLD FUND**

The Association is represented on the Third World Fund by Niall MacSuibhne, Revenue.

4.14 CIVIL SERVICE CHARITIES FUND

The Association is represented on the Civil Service Charities Fund by the General Secretary, Dave Thomas.

APPENDIX A

Minutes of the Annual Delegate Conference held 11 May 2007

1. Opening of Conference

- 1.1 The Chairperson, Philip Crosby called Conference to order at 10.15am.

2. Adoption of the Minutes of the Annual Conference, 2006.

- 2.1 On being formerly proposed and seconded, the minutes of the Annual Delegate Conference 2006 were adopted.

3. Appointment of Tellers

- 3.1 The following were appointed as tellers:

Brigitta O'Doherty
(Defence)

Robert Butler
(Agriculture and Food)

Liam Kelly
(Finance)

Máire Ni Chuiric
(Enterprise Trade & Employment)

4. Adoption of Standing Orders Committee Report

- 4.1 Brian Ingoldsby, Chairperson of the Standing Orders Committee was called on to move the Report. He made reference to Standing Orders Report Nos. 1 and 2 already on the Agenda and introduced Standing Orders Report No. 3 which read:

Standing Orders Committee recommends that, notwithstanding anything in Standing Orders Reports Nos 1 and 2, Motion No.31 concerning the outgoing General Secretary will be taken immediately after item No.11, Appointment of Hon. Vice President.

After the Chairperson of Standing Orders responded to a query from Garvan O'Keeffe (Revenue) about the position of motions 8,9 and 10 in the event of motion 7 been passed, Standing Orders Report Nos 1, 2 and 3 were put to Conference and adopted.

The Reports of the Standing Orders Committee are reproduced at Appendix 1 to these Minutes.

5. Chairperson's Address

The Chairperson's Address is at Appendix II to these Minutes.

6. Annual Report 2006/2007

- 6.1 The text of the General Secretary's Address introducing the Annual Report 2006/07 is reproduced at Appendix III to these Minutes.
- 6.2 There were no questions raised on the Annual Report and it was unanimously adopted.
- 6.3 Conference rose spontaneously at the finish of the business of the Annual Report and gave the retiring General Secretary a standing ovation.

The Financial Statement

- 7.1 The Treasurer, Mary McLoughlin, in her presentation gave an overview of the accounts for 2006 and gave an update on the repayment of the mortgage on Fleming's Hall.

She reported, inter alia, that

* In the overall, the Association was in a healthy financial state.

* Income had increased – by 10% to 1.566 million

(ii) Investments and Savings at the close of 2006 were €715,000 with an outstanding mortgage of €740,000.

(iii) By end of April 2007, €500,000 had been repaid off the mortgage and the balance of €205,000 would be cleared by end of 2007 when the Association "would be full owners".

(iv) Expenditure increased during 2006 by 7% to 1.216 million.

(v) Membership at the end of December 2006 was 3,330. There was a slight concern – mainly due to the factor of decentralisation – that the Association was not netting all the Assistant Principals coming on stream. She paid tribute to the recruiting activists and remarked that all members had a role to play in regard to getting the non-members "into the fold".

- 7.2 There were no questions raised on the Financial Report and it was unanimously adopted.

8. Election of Officers, Executive Committee and Standing Orders Committee.

8.1 Officers

The Officers elected for 2007/08 were:

Chairperson

Rohan Ciaran Education & Science

Vice Chairperson

Carpenter Peadar Foreign Affairs

Treasurer

McLoughlin Mary Health & Children

8.2 Executive Committee

Following an election the following were deemed to be elected:

Allen Joe	<i>Environment & Local Government</i>
Broderick Lynn	<i>Agriculture & Food</i>
Crosby Philip	<i>Revenue</i>
Dunne Larry	<i>Finance</i>
Flynn Michael F.	<i>Justice, Equality & Law Reform</i>
Hughes John	<i>Enterprise, Trade & Employment</i>
Lehane Ray	<i>Social & Family Affairs</i>
McGann Brian	<i>An Post</i>
McKevitt Brian	<i>Ombudsman's Office</i>
Noonan Angie	<i>Health & Children</i>
O'Byrne Audrey	<i>Taoiseach's Dept.</i>
Philpott Richie	<i>Education & Science</i>

8.3 Standing Orders Committee

There were four nominations received for the six positions on the Standing Orders Committee. The following were deemed to be elected:

Denny David	<i>Finance</i>
Gordon John	<i>Revenue</i>
Ingoldsby Brian	<i>Justice, Equality & Law Reform</i>
Moynihan Denis	<i>Social & Family Affairs</i>

9. Rearrangement of Agenda

At that juncture, it was 11.00 and to facilitate the address by Dave Begg, General Secretary Irish Congress of Trade Unions (ICTU) and to comply with Standing Orders Report No.3 the following rearrangement was agreed:

Coffee/tea break
11.00 to 11.15

Item No.10

Address by Dave Begg, General Secretary, ICTU.

Item No.11

Appointment of Seán Ó Riordáin as Hon. Vice President and the taking of Motion 31 in the name of Enterprise Trade & Employment Branch.

Item No.12

Presentation of Executive Committee Report on Decentralisation

Item No.13

Motions 1 – 30 and 32 to 39

10 Summary of Address by Dave Begg General Secretary ICTU.

The special guest of conference 2007 was David Begg. In his address, he paid a generous tribute to Seán Ó Riordáin the retiring General Secretary. He spoke about the Irish Public Service and how it was under relentless attack from the media and the people with the liberal agenda.

He made mention of Aer Lingus, Public Transport, ESB, Health Insurance, the proposed building of private hospitals on public hospital campuses as some of the areas of concern for him. The pushers of the liberal agenda held that the market is the gospel and that anything that cuts across it is off base like taxation, government regulation, interference with the labour market by trade unions and the existence of Social Welfare provisions that have the effect of pushing up the cost of labour.

Dave Begg concluded that it had to fall to the people attending Conference and like minded people to try and defend the public service provision generally. The market people were forever on about reducing tax but never make the connection between the tax we pay and the level of services we get. The Nordic countries paid high taxes but enjoyed excellent public services.

11. Appointment of Hon. Vice President and Motion 31 in the name of the Enterprise Trade & Employment Branch.

11.1 The Chairperson in accordance with Standing Orders Report No. 3 proposed that the two items above be taken together. Conference agreed to the approach and he then proceeded to propose that Seán Ó Riordáin

be appointed Hon. Vice President of the Association. There was, on a show of hands, full agreement.

11.2 Following through the Chairperson asked that Motion 31, be proposed and seconded by the Enterprise Trade & Employment Branch.

MOTION 31

Michael Pender (Enterprise Trade & Employment) proposed the following motion which was formally seconded:

That this ADC expresses its appreciation to Seán Ó Riórdáin for the professionalism, commitment, and dedication he has displayed in representing the interests of the members of the Association over the past twenty years. During his time as General Secretary, and in his civil service career before taking up that post, he has displayed the highest standards of public service and we wish him a well earned, long and happy retirement.

Proposing the motion, Michael Pender said inter alia, of the retiring General Secretary that he was “a wonderful person and he gave a wonderful contribution”

Larry Dunne (Finance), Maireád Lynch (Revenue) Gerry Kelleher (Department of the Taoiseach) and Eamon Corcoran (Health & Children) spoke to the motion.

The motion was unanimously and enthusiastically carried.

12. Presentation of Executive Committee Report on Decentralisation.

12.1 The General Secretary Designate, Dave Thomas introduced the Executive Committee’s updated Decentralisation Report titled – *Public Service Decentralisation – the need for an immediate review*. He outlined many of the difficulties associated with Decentralisation as proposed.

The main conclusions of the Report by the General Secretary Designate are at Appendix IV to these minutes.

13 Motions 1-30 and 32 to 39

RULE CHANGE

MOTION 1

Pat Kelly (Foreign Affairs) proposed the following motion which was seconded by Ciaran Byrne (Foreign Affairs)

That this ADC approves the following rule change: That Rules 9(b)(i) (A) and 9(b) (i) (B) be amended by replacing the number 15 with the number 20 in each section and sub section. This amendment to take effect from 1 September 2007.

The motion was adopted.

MOTION 2 and 3

These motions in the name of the Revenue Branch were not moved.

MOTION 4

Garvan O’Keeffe (Revenue) propped the following motion which was seconded by Frank O’Dwyer (Revenue)

In Rule 9 (d) (i) Add “Motions sent to the Association Headquarters by electronic mail will be deemed to be received by the General Secretary on the same day as the mail was sent provided that evidence of sending is provided by the sender”

The motion was carried.

MOTION 5

This motion in the name of the Revenue Branch was not moved.

MOTION 6

Mary Farrell (Revenue) proposed the following motion which was seconded by Frank O’Dwyer (Revenue)

Rule 22 (f)

Add

In the case of a Branch authorised under Rule 22 (J) to substitute a Branch Delegate Meeting for an Annual General Meeting, having regard to the geographic spread of members, the Branch Delegate Meeting will take place no later than four weeks prior to the Annual Delegate Conference or the closing date for amendments to Motions on the final agenda of Annual Delegate Conference, whichever is the earlier provided that

- (i) A previous Delegate Meeting of the Branch has mandated the Branch Executive to propose motions and make nominations on behalf of the Branch for the Annual Delegate Conference.
- (ii) And that the Branch Executive puts all such motions and nominations on the Agenda of the Branch Delegate Meeting, taking place in accordance with the provisions of rule 22(f), for approval by the delegation.

Ciaran Rohan (Vice Chairperson and Executive Committee) spoke against the motion.

Garvan O'Keeffe (Revenue) spoke in favour of the motion.

Mary Farrell exercising her right of reply, as proposer said, *inter alia*, that she was surprised by the "line adopted by the Executive Committee".

The motion was carried.

PAY

MOTION 7

(STANDS FOR ITSELF AND MOTIONS 8, 9 & 10)

Pat Kelly (Foreign Affairs) proposed the following motion which was seconded by Stephen Ryan (Foreign Affairs)

This conference instructs the incoming Executive Committee to work through ICTU to keep the terms of the "Towards 2016" national agreement under review, with a view to providing, if necessary, for an appropriate increase to compensate for any erosion of the pay elements of this agreement caused by the significant recent increase in inflation.

Paul Doyle (Education & Science) spoke in favour of the motion.

The motion was carried.

MOTION 11

John Cronin (Justice, Equality & Law Reform) proposed the following motion which was formally seconded:

That this ADC calls on the incoming Executive to conduct a study of the cost of living in Dublin so as to establish if there are grounds for seeking the payment of allowance to members living in County Dublin similar to that applicable to London in the UK.

The motion was carried.

MOTION 12

Peter Dockery (Revenue) proposed the following motion which was seconded by Frank O'Dwyer (Revenue)

In light of the greater cost of living in metropolitan areas, this Conference seeks a weighting allowance similar to that granted in the UK for staff living and working in such areas.

The motion was carried.

POSTAL LIBERALISATION

MOTION 13

Willie Prendergast (An Post) proposed the following motion which was seconded by Eamon Hughes (An Post):

That this ADC instructs the Executive Committee to request the Minister for Communications when introducing legislation to implement the EU Postal Liberalisation Directive to ensure that:

- The provider of the Universal Service Obligation is adequately funded so that there is no threat to jobs or salary levels to our members in An Post
- Postal customers outside of major urban areas do not suffer a reduced delivery and collection service
- New entrants are not allowed to "cherry pick" at the expense of the USO provider.

John Kelleher, Assistant General Secretary spoke to the motion.

The motion was carried.

DECENTRALISATION

MOTION 14

Ciaran Rohan (Vice Chairperson and Executive Committee) proposed the following motion on behalf of the Executive Committee which was formally seconded by Mary McLoughlin (Treasurer and Executive Committee):

That this ADC reiterates its support for a rational model of decentralisation and calls on Government to review the scope and timetable of the current decentralisation programme having regard to the serious difficulties arising both from HR/IR and Quality Public Services perspectives.

Liam Kelly (Finance) and Peter Carvill (Environment) spoke to the motion.

The motion was carried.

MOTION 15

Larry Dunne (Finance) proposed the following motion which was seconded by Liam Kelly (Finance):

That Conference requests the Government to publish an Environmental Impact Statement on the current decentralisation programme assessing matters such as how availability of public transport affects the selection of office sites, and the steps taken to ensure the programme does not promote a car dependent lifestyle.

The motion was carried.

Motion 16

John Healy (Community Rural and Gaeltacht Affairs) proposed the following motion which was formally seconded by Breannán O Súilleabháin (Community Rural & Gaeltacht Affairs):

That this Conference instructs the incoming Executive to request the Department of Finance to amend the CAF arrangements to allow officials on the Dublin CAF to express a preference for offices in those counties bordering any of the 4 Dublin local authority areas. Where positions arise in these offices the usual seniority provisions would be employed to ascertain the order in which places are offered to officers on either CAF panel.

The motion was carried.

MOTION 17

John Healy (Community Rural and Gaeltacht Affairs) proposed the following motion which was formally seconded by Breannán O Súilleabháin (Community Rural & Gaeltacht Affairs)

That this Conference instructs the incoming Executive to request the Department of Finance to extend the Dublin CAF to include all offices in the Greater Dublin area not covered by the CAF for decentralised offices.

The motion was carried.

MOTION 18

Brian O'Sullivan (Defence) proposed the following motion which was formally seconded by Tadhg O'Doherty (Defence) :

That Conference calls on the Executive to ensure, in its discussions on decentralisation with Department of Finance and/or DIG, that the concerns of the IT community in Departments and Offices are addressed, in relation to the intake of personnel with the necessary skills and qualifications, to ensure the smooth continuity of business; that this could best be achieved by undertaking, as a matter of urgency, the establishment of baseline qualifications or experience as a prerequisite for transfer into an IT post.

Richie Philpott (Executive Committee and Education & Science) spoke against the motion.

The motion was defeated.

MOTION 19

Mary Nash (Arts, Sport & Tourism) proposed the following motion which was formally seconded by Eamonn Mac An Bheatha (Arts, Sport & Tourism):

That this Conference instructs the incoming Executive to ensure that members who wish to decentralise are no longer forced to accept poorer working conditions or a reduction in salary in order to decentralise and to enter into negotiations with the Department of Finance to seek the restoration of former conditions and salary in all cases where decentralising members have been negatively affected.

The motion was carried.

MOTION 20

Sean Tipper (Foreign Affairs) proposed the following motion which was seconded by Ciarán Byrne (Foreign Affairs):

That this ADC expresses serious concern about the adverse impact on the welfare, career development and working conditions of members arising from the Decentralisation Programme and instructs the Executive Committee to prioritise these issues, paying particular attention to its core mandate of protecting the welfare of its members, in formulating an effective and coherent response on the part of the Association to the impact of the Decentralisation Programme and its consequences.

The motion was carried.

Motion 21

Liam Kelly (Finance) proposed the following motion which was formally seconded by Larry Dunne (Finance):

That Conference instructs the incoming Executive Committee to ensure that candidates in the forthcoming PO Interdepartmental competition have an opportunity to compete for posts in Dublin.

Mary McLoughlin (Treasurer and Executive Committee) asked the Finance Branch on behalf of the Executive Committee to remit the motion.

Liam Kelly on behalf of the Finance Branch agreed to remit the motion. Conference agreed.

MOTION 22

Liam Kelly (Finance) proposed the following motion which was formally seconded by Larry Dunne (Finance):

That Conference instructs the incoming Executive Committee to ensure that candidates in the forthcoming Open PO competition may only compete for posts in decentralised locations where there is a shortfall in applicants from that grade.

The General Secretary Designate explained the position in regard to the motion.

Orna Maguire (Revenue) spoke on the motion and asked that the motion be remitted.

The Finance Branch agreed to remit the motion and Conference agreed.

MOTION 23

Tony Morris (Health & Children) proposed the following motion which was formally seconded:

That this ADC:

- a) notes that the circular for the current interdepartmental competition for PO carries with it a commitment for successful candidates to decentralise for a minimum of 3 years;
- b) notes that the official side are interpreting this to mean that the commitment must be discharged by an officer remaining for the entire period at a particular regional location, even where a vacancy becomes available at another regional location that the officer concerned had applied for under the decentralisation programme;
- c) given that this is neither in the interests of the individuals concerned nor of the decentralization programme, instructs the incoming Executive to seek a commitment from the Official Side, the effect of which would be to allow an officer promoted under this scheme to:
 - (i) maintain his/her application to decentralise to their location of choice, and
 - (ii) allow him/her to transfer to that location, when a vacancy arises, and to discharge the balance of their commitment there.

Amendment (in the name of the Revenue Branch)

To add to paragraph (c), after sub paragraph (ii):

Provided that this does not adversely affect any other AHCPS member.

Garvan O'Keeffe (Revenue) proposed the above amendment which was formally seconded by Frank O'Dwyer (Revenue).

The amendment was put to Conference and carried.

The motion as amended was carried.

MOTION 24

Peadar Ward (Communications, Marine & Nature Resources) proposed the following motion which was seconded by Brendan Linehan (Communications Marine & Natural Resources):

That this Conference ask the Executive to seek, in the context of decentralisation, added years service up to age 60 for early retirement purposes for staff who are entitled to benefit from existing Cost Neutral Pension arrangements.

The General Secretary Designate spoke on a point of information about the motion.

The motion was carried.

PROMOTION

MOTION 25

Gerry Kelleher (Taoiseach's) proposed the following motion which was seconded by Shane Bresnan (Taoiseach's):

That Conference instructs the incoming Executive Committee to secure commitment from the official side that in respect of the Open Competitions for promotion, there will be equity of treatment between all candidates, irrespective of whether they are current serving civil servants or external applicants. In this regard that Conference further instructs the incoming Executive Committee to secure agreement from the Official Side that stage 2 and stage 3 of the current open competition for PO, will be separate for stage 2 and stage 3 of the Interdepartmental competition.

Gerry Kelleher (Taoiseach's) proposed the following amendment which was formally seconded:

Amendment

In the final sentence to delete "separate for" and substitute "separate from"

After dialogue, involving the Chairperson and the proposer, the motion and amendment were remitted to the Executive and Conference agreed to that measure.

LATERAL MOBILITY

MOTION 26

Brian Chadwick (Social and Family Affairs) proposed the following motion which was seconded by Sean Fay:

That this ADC instructs the Executive to seek to have a system put in place to allow mobility of staff between Departments.

The motion was carried.

WORK-LIFE BALANCE

MOTION 27

Motion 27 beneath in the name of the Health & Children Branch was remitted to the Executive.

That the incoming Executive Committee should pursue with the Official Side, as a matter of urgency, the introduction of annualised hours for AP's and POs in order to provide appropriate work life balance options for AHCPS grades.

POSITIVE WORKING ENVIRONMENT

MOTION 28

Pat McCourt (Enterprise Trade & Employment) proposed the following motion which was formally seconded:

Welcoming the increased awareness of the effects of bullying in the workplace and the development of procedures to address the problem, in general, and noting that allegations of workplace bullying must be addressed fairly and equitably, that this ADC instructs the incoming Executive Committee to seek from the official side data on cases where allegations of bullying have been made, to determine numbers of cases overall, the number of cases where a finding has been made (whether for or against the allegations), the number of inconclusive findings, and any evidence of abuse of the process, with a view to making any recommendations which the Executive Committee sees fit in relation to the fairness of the process or to address other issues arising for members.

John Kelleher, Assistant General Secretary and Gerard Monks (Enterprise, Trade and Employment) spoke on the motion.

The motion was carried.

ASSOCIATION ORGANISATION

MOTION 29

Seán Traynor (Health & Children) proposed the following motion which was formally seconded:

That this ADC instructs the incoming Executive Committee to examine and to report back to the next ADC in relation to fully employing Information and Communication Technology to enhance communication between head office and branches and to dispense with the need for paper based transactions for the purpose of proposing motions for conference or nominations for membership of the Executive.

Mary McLoughlin (Treasurer and Executive) spoke to the motion.

The motion was carried.

MOTION 30

Seán Traynor (Health & Children) proposed the following motion which was formally seconded by Tony Morris (Health & Children)

That this ADC instructs the incoming Executive Committee to examine and to report within three months on, the need for express conflict of interest procedures to be set out in the Rules of the Association.

Audrey O'Byrne (Executive) spoke on the motion. The motion with Conference agreement was remitted.

RETIRING GENERAL SECRETARY

MOTION 31

See paragraph 4 of these Minutes and Standing Orders Report No. 3.

SUBSCRIPTION RATE

MOTION 32

Mary McLoughlin (Treasurer and Executive) proposed the Executive Committee motion below. It was seconded by Richie Philpott (Executive):

That this ADC determines that the membership subscription rate be reduced from 0.6% of salary to 0.5% of salary with effect from 1 January 2008.

Brian McGann (Executive) and Tony Morris (Health & Children) spoke on the motion.

The motion was carried.

MOTION 33

Mary Farrell (Revenue) proposed the following motion which was seconded by Frank O'Dwyer (Revenue):

This conference notes the large amounts of surplus income over expenditure that have been accumulated in recent years, €345,762 in 2005, €350,338 in 2004 and €382,266 in 2003 and calls on the Executive to

- (a) Utilise a significant percentage of this surplus, and any subsequent annual surplus, towards reducing the mortgage on the Fleming's Place property and
- (b) Set funds aside for any unanticipated expenses arising from decentralisation
- (c) If on the completion of the decentralisation programme, there is still a significant annual surplus reduce the rate of the annual subscription,

The motion was carried.

LEAVE

MOTION 34

Peter Carvill (Environment, Heritage and Local Government) proposed the following motion which was seconded by Tom Sheridan (Environment, Heritage and Local Government):

Given the complicated nature and arbitrary effects of the procedures for carrying forward unused leave over a three year cycle, this ADC instructs the incoming Executive to submit a claim to add to the existing arrangements a general provision to permit the carrying forward, without conditions or restrictions, of up to five days' annual leave at the end of any leave year.

The motion was carried.

MOTION 35

Brian Chadwick (Social & Family Affairs) proposed the following motion which was seconded by Ben Dunne (Social & Family Affairs):

That this ADC calls on the Executive to negotiate a scheme of unpaid special leave whereby staff can take a half day unpaid leave for each year of service, subject to a maximum of 15 days per year.

The motion was carried.

MOTION 36

Brian Chadwick (Social & Family Affairs) informed Conference that his Branch was withdrawing Motion 36.

STAFFING

MOTION 37

Larry Cashman (Agriculture & Food) proposed the following motion which was formally seconded by Noel Holleran (Agriculture & Food):

That this Annual Delegate Conference instructs the incoming Executive Committee to commence negotiations with the Official Side on the introduction of an arrangement whereby staff on Maternity Leave are replaced for the duration of said leave on the same basis as applies in the case of staff availing of the arrangements for leave under Term Time mindful of the fact that under revised arrangements Maternity Leave can be of a duration of up to 48 weeks.

The motion was carried.

TAXATION

MOTION 38

Peter Dockery (Revenue) proposed the following motion which was seconded by Garvan O'Keeffe (Revenue):

This conference notes with concern the continued use of avoidance schemes to minimise tax liabilities and calls on management to ensure that the appropriate numbers of skilled staff are available to confront these schemes with appropriate legislation backing them.

The motion was carried.

MOTION 39

Frank O'Dwyer (Revenue) proposed the following motion which was seconded by Garvan O'Keeffe (Revenue):

This conference notes with concern the increasing tax evasion in the Shadow Economy and calls on management to ensure that the office is adequately staffed with the appropriate skilled staff backed by appropriate legislation to confront this issue.

The motion was carried.

APPENDIX I

Standing Orders Reports Nos. 1, 2 & 3

STANDING ORDERS REPORT NO. 1

The Standing Orders Committee has received nominations for Officerships, Executive Committee and Standing Orders Committee as set out in the Draft Agenda.

There is one nomination for the post of Chairperson; it will therefore not be necessary to have an election for this post.

There are two nominations for the post of Vice Chairperson; it will therefore be necessary to have an election for this post.

There is one nomination for the post of Treasurer; it will therefore not be necessary to have an election for this post.

There are 16 nominations for the 12 elective places on the Executive Committee; it will therefore be necessary to have an election for these places. The nominees for Vice Chairperson are also nominees for the Executive Committee. When the election for this position is completed one nomination for the Executive Committee will lapse leaving **15** nominations for election.

The Executive Committee have nominated Seán Ó Riordáin to be an Honorary Vice President. Under Rule 14, a nomination for appointment as Honorary Vice President needs the approval of the Annual Delegate Conference.

Four nominations were received for the six positions on the Standing Orders Committee. Branches are accordingly invited to submit further nominations in accordance with Rule 9 (d)(iii).

In all 39 motions have been received.

The Committee recommends as follows in relation to the motions which have been submitted.

Rule Change

Delegates are reminded that changes to rules require a two-thirds majority of delegates present and voting in order to be passed.

Pay

Motion 7 (in the name of the Foreign Affairs branch) will stand for itself and Motions 8, 9 and 10.

Brian Ingoldsby (Chair)
David Denny
John Gordon
Denis Moynihan
13 March 2007

STANDING ORDERS REPORT NO. 2

1. The Standing Orders Committee recommends that the motions be taken in the order as set out in the timetable at 6 below.

Motions

2. The Committee reminds delegates of the contents of Report No. 1 as they relate to motions standing for others.

Annual Report

3. It is recommended that, following the presentation of the Annual Report by the General Secretary, it will be open for debate during which the reference back of individual items on the basis of factual accuracy only may be moved and voted upon. Following such general debate, the Report shall be put forward for adoption.

Amendments to Motions

4. Amendments have been tabled to motion nos. 23 and 25 as indicated in the list of motions.

Election of Standing Orders Committee

5. No further nominations were received for the Standing Orders Committee. No election will therefore be necessary.

6 The following timetable is recommended for the more expeditious conduct of the Conference:

AGENDA		TIME
No. 1	Opening of Conference and Introduction of Guests	
No. 2	Adoption of the Minutes	
No. 3	Appointment of Tellers	
No. 4	Adoption of Standing Orders Reports Nos.1 & 2	
No. 5	Chairperson's Address	
No. 6	Annual Report	10.00 - 11.00
No. 7	Financial Statement	
No. 8	Election of Officers, Executive Committee and Standing Orders Committee	
No. 9	MOTIONS: 1- 13	
COFFEE		11.00 – 11.15
No.10	Address by Dave Begg, General Secretary, ICTU	
No.11	Appointment of Hon. Vice President	11.30 – 13.30
No.12	Presentation of Executive Committee Report On Decentralisation	
No. 9	Motions (Resumed)	
LUNCH		13.30 - 14.30
No. 9	Motions (Resumed)	14.30 - 16.30

Brian Ingoldsby (Chair)
Eoin Faherty
John Gordon
Standing Orders Committee
16 April 2007

STANDING ORDERS REPORT NO. 3

Standing Orders Committee recommends that, notwithstanding anything in Standing Orders Reports Nos. 1 and 2, Motion No. 31 concerning the outgoing General Secretary will be taken immediately after item No. 11, Appointment of Hon. Vice President.

Brian Ingoldsby (Chair)
John Gordon
Eoin Faherty
Dave Denny

APPENDIX II

Address of the Chairperson, Philip Crosby

Colleagues, I am honoured to welcome you to the 2007 Annual Delegate Conference of the Association.

As we gather for Conference, there are as ever many issues of concern to our members that we must grapple with and try to resolve, and these will be explored later today in our debates on the Conference agenda.

Important as those issues are, I am conscious of the fact that today marks a significant change for the AHCPS, both practical and symbolic. And because today is also my last day as Chairperson of the Association, I'd like to take a few minutes to reflect personally on things that have more to do with people than with issues.

Before I do that, there is one issue I want to address briefly – and indeed it would be remiss of me not to. And that issue is decentralisation.

As you know, today the Association brings forward an update to our 2004 report on the decentralisation programme. The report will be considered in more detail later on, so I won't go into it chapter and verse.

But I do want to mention the main issues in the report – and I'll start by saying that it calls for an immediate and radical review of this decentralisation programme.

Now I want to make something absolutely clear, in case anyone out there hasn't already got the message. The AHCPS is not opposed to decentralisation. Decentralisation, when properly thought out, planned and introduced is fully supported by the Association. But this decentralisation venture is not properly thought out or planned. Because of this, it is causing serious issues for our members, and it presents risks to the public interest.

The Association believes that decentralisation should be planned and implemented in a way that manages the career development and progression interests of our members in Dublin and outside Dublin in a balanced way. But instead we have a programme that removes career development opportunities for people who are unable or unwilling to move from Dublin. While this affects people at all levels, the effects hit AHCPS members particularly hard. Because of their age profile and family circumstances, it is our members who face the toughest choices between their family obligations and their careers and contribution to public service.

Our members play a key role in the development and co-ordination of Government policy. In today's complex society, the most pressing policy need is for joined-up thinking and joined-up government. For that to happen, you need close and intensive co-operation between people who are experts in their policy areas. But under this decentralisation programme, more than 90% of the people who have deep policy expertise will change jobs and will be scattered to a variety of locations. This will present serious risks to the quality of expert support for Ministers and the Oireachtas, and to the level of expertise Ireland will have in negotiations at the EU and other international bodies. It will also make it more difficult to maintain and improve standards of service to citizens.

The other issue of concern is cost. The capital cost of this decentralisation programme has been estimated at 900 million. But because no meaningful cost assessment has ever been conducted – including analysis of ongoing costs – it is safe to say that the ultimate cost will be significantly higher than 900 million. Taxpayers and citizens could be forgiven for wondering why so much of their money is being spent on a scheme that won't improve public services – and which might in fact make them worse!

For these reasons, the report calls for an immediate and radical review of the structure, timescale, impact and extent of decentralisation. The time for that review is now - before it is too late.

As I said earlier, today marks a significant change for the Association, because after 20 years of service at the helm of the Association, this is Sean O Riordain's last ADC as General Secretary. Later on this morning, there will be an opportunity for delegates to make their own observations about Sean's outstanding contribution to the Association – and I'm sure many of you will grasp that opportunity with enthusiasm. Right now, I'd like to share some of my thoughts about a man for whom I have the utmost admiration, and someone I regard as having an enormous influence on my own thinking and personal development.

First and foremost, let it be said that Seán O Riordáin shaped the AHCPS as we know it today. He brought to the Association a set of leadership qualities and vision, translated those into strategies and tactics, and led the Association through 20 years of growth and change. In the days of classical adversarial IR, Sean steered the

AHCPs through the troubled waters of negotiation and Arbitration with tactical judgement, resolve, and quite an amount of courage. As we moved to the more contemporary Partnership and benchmarking scene, Sean brought into play his strategic awareness of the public service reform agenda, its potential impacts on our members – and of course, the central role of our members in shaping and enacting reform. And that strategic awareness of Sean's was instrumental in delivering benefits for our members, especially in the last benchmarking.

Through all of this time, the key qualities that Sean brought to the job were his intelligence and strategic thinking, his tenacity and determination, and crucially, his strong work ethic. And in a world where the stereotype view of the civil servant is of a grey man in a grey suit in a monochrome setting, Sean O Riordain is a man who has lived out his career in glorious Technicolour. He is energetic, emotive, courageous, creative, intense, and thought provoking. He has a passion for the issues, and a zest for the fray, that are infectious and inspiring. That's what makes him great to work with and the best of company. It has been my privilege to work with Sean over the last few years on the Executive Committee, and I want to thank him for all he has done for the Association, and to wish him and Siobhan the very best for the future.

A key aspect of Sean's strategic approach to leadership was his insistence that the Association follow best practice in planning for the future. With this in mind, two years ago the Executive Committee set in train a process that would lead to the appointment of a new General Secretary. This process was managed by the Executive Committee, and headed by Sean in his capacity as outgoing General Secretary and by the Officers – the Treasurer, the Vice-Chairperson and myself. As well as relying on the knowledge and expertise of its own members, the Executive Committee also engaged the assistance of strategic HR consultants, and for the competition interview itself was fortunate to be able to call on the experience and knowledge of the General Secretary of the ICTU, David Begg.

As you know, following this process we were delighted to announce the appointment of Dave Thomas as General Secretary designate. Dave is someone with extensive and deep experience and expertise in industrial relations developed over many years as a PSEU activist, Secretary to the General Staff Panel, and of course as a full time official with this Association. This experience has made him a skilled and expert negotiator, with excellent analytical abilities and tactical judgment. These skills, along with his persistence, patience and deep understanding of the industrial relations

landscape of the civil service, will serve him well in his role as General Secretary, and I wish him the best of luck in his new job.

I would like to finish by saying a few words of thanks and appreciation. Firstly, I would like to thank my colleagues on the Executive Committee for all their work through the year. I would particularly like to thank those Executive Committee members who are not standing for re-election, and although he isn't here today, I want to say a special word of thanks to Gerry Rowley for all of his service to the Association. I would also like to thank my fellow officers, Ciaran Rohan and Mary McLoughlin, for all that they have done and continue to do for the Association, and I'd like to take this opportunity to wish Ciaran well as he takes on the role of Chairperson. I also want to pay tribute to the Association's officials and staff for all their work – Sean and Dave whom I've mentioned already, and of course John Kelleher, Dorothy Aughey and Jackie Lacey. Thanks also to Pat Feeney, our Revenue Branch Administration official in HQ.

I would like to record my appreciation – and I speak for the officials and the Executive when I say this – of the vital work done locally by the Association's many Branch activists and Committee members. In that regard, I must make special mention of my own colleagues on the Revenue Branch Committee, and say thank you for your support and forbearance in my time as an officer of the Association. In thinking of the contribution made by our branch activists, I must recall with sadness the death last December of Anita Curry, who was the well-liked and respected Secretary of our Branch in the Courts Service. May she rest in peace.

I would also like to say thanks to Tom Quigley and Joe Brennan for their roles in making a record of ADC proceedings. And I would also like to say a word of thanks to someone in advance of doing this work for the Association. This year sees the retirement of Laura Noonan from Revenue, after four years of service locally for the AHCPs, and many years of service before that for the Association of Inspectors of Taxes, and I want to thank her for all her service in the past, as well as for joining the team to produce the Conference minutes.

I remarked earlier that today is my last day as Chairperson of the Association. It is a position I am very proud to have held, and I leave it today with a sense of valediction and a little bit of sadness.

Go mbeirimid beo ag an am seo arís. Thank you.

APPENDIX III

Conference Address by AHCPS General Secretary, Seán Ó Ríordáin

Introduction

Chairperson, delegates

The past year was a very important in industrial relation terms with the conclusion of the *TOWARDS 2016*, Benchmarking II, the ongoing decentralisation drama and, thankfully, the emergence of a more favourable industrial relation climate in An Post.

There was also, as you know, another event of great importance for the Association with the appointment, following an open selection process, of Dave Thomas as General Secretary Designate and I will return to that again later. But, firstly, I want to report on the immediate industrial relation issues.

Towards 2016

Towards 2016 is the eight social partnership agreement since 1987 and, in many respects, is by far the most ambitious and important from a trade union perspective. It had a long and difficult period of gestation following GAMA and Irish Ferries in the private sector, and there were also intensive negotiations on modernisation and change in the public sector.

The Agreement is widely perceived to represent a new paradigm in terms of the input which it gives the trade union movement in drawing up a shared vision of economic and social development in Ireland over the ten year period to 2016. The Agreement addresses what is perhaps the central political question – how economic advance in a competitive global market economy can be better tempered with concepts of social justice.

But social partnership is under great strain and the negotiation of *Towards 2016* was substantially more difficult than on previous occasions. The reality for the majority of workers is that pay is the glue that holds social partnership together, and with inflation increasing and pay difficulties emerging in both public and private sectors, it is clear that the social partnership process, which has been of enormous benefit to Ireland, will be tested in the months ahead.

Benchmarking II

Turning now to benchmarking. You will be aware that the Association has made submissions and

presentations to the Benchmarking Body in respect of the Principal, Assistant Principal and Prison Governor grades. As on the previous occasion in 2000, we engaged INBUCON Ireland Ltd to carry out a comprehensive job and remuneration evaluation exercise and we also had the assistance of Brian Barry, Burnham House Consultants in preparing the PO-AP submission.

The Benchmarking Body is due to report later this year and, obviously, we await the outcome with great interest. The actual implementation of recommendations will be discussed with the unions in the context of the pay arrangements which will follow the current phase of *Towards 2016*.

The benchmarking process has, as you know, come under pressure in recent times. While I don't want to add to difficulties in the health sector, it might be useful to remember that independent benchmarking was put in place by both sides as the reasonable alternative to having public service pay determined on the streets, with all the difficulties and disadvantages which went with that.

Benchmarking or arbitration are rational models of pay determination which, like social partnership, have served both the country and the trade union movement well. We need to be careful about undermining them. Equally, looking forward, the Government and industrial relation practitioners will understand that the public sector unions will not buy into any benchmarking model that might depart from the criteria for pay determination agreed between the parties or that might become an instrument for undermining public service pay and conditions in the future.

Decentralisation

The principal issue dominating the industrial relations landscape in the civil service and in many of the state agencies is not pay. It is decentralisation.

The reality of decentralisation at this stage, I believe, is that everybody from the Taoiseach down knows that there are aspects of the decentralisation programme which just do not make sense. And the "carry on regardless" approach makes even less sense.

The Executive Committee has circulated an

updated Report on decentralisation in which we highlight the continuing difficulties both from a human resources/IR perspective and from the perspective of delivery of quality public services. This will be further discussed at Conference.

Let me just say at this stage that the Association policy is unambiguously clear. We recognise and welcome the benefits to the public and to our members of a well thought out and rational model of decentralisation. But the current programme has fatal flaws.

In the state agencies, in areas like FAS where we have reports virtually nobody wants to decentralise and, in the civil service, not alone are there substantial surpluses in Dublin but the achievement of decentralised targets in provincial locations is critically dependent on the transfer of staff from existing to the new decentralising locations. Of the 4,000 staff willing to move from existing provincial locations there are only 600 plus staff in Dublin who want to back fill these vacancies.

I would like to emphasis two key aspects here. From a human resources/industrial relations perspective our key requirement is that our members will have real jobs and that resources and legitimate career expectations are not further undermined. From a quality perspective we want to see the programme changed in a manner which stops the undermining of public services.

There is, as outlined in the report, a need for an immediate review and the solution we offer is very simple. The scope and time-scale of decentralisation should be adjusted. There is a very strong case for retaining a policy development and policy co-ordination role in Dublin and it is equally clear that the nature of services delivered by certain organisations would dictate that more staff should remain in Dublin.

With a degree of common sense and good will by Government the circle is capable of being squared so far as the AHCPS senior management grades are concerned. What is required is broad balance between the numbers wishing to decentralise and the jobs selected to move. A reorganisation on the lines proposed in our document would lead to a reduction in the order of 300 to 400 in senior management at Principal and Assistant Principal level posts moving. This would bridge the gap in a way which would make sense both from a human resource/industrial relations and from quality public service perspective.

There is a better way forward.

An Post

Turning now to An Post I am glad to say that industrial relations climate has substantially improved with the changing of the top guard and the payment of *Sustaining Progress*. There was a long hard campaign by the An Post group of unions to secure full payment of *Sustaining Progress* and it is very difficult to see how the Company could have moved forward without a settlement.

That is not to say that all the difficulties are over in An Post. The Draft EU Directive on Postal Liberalisation will have major implications and, as you will see from the Annual Report we had to go to the LRC/Rights Commissioners and Labour Court on a number of occasions on matters arising from the 2005 Productivity and Change Agreement with the Company. There is an ongoing debate about performance related pay.

Food Safety Authority of Ireland

I would like, before concluding, to refer briefly to the Food Safety Authority of Ireland. You will see from the Annual report that the industrial relations situation in the Authority is appalling. Uniquely, in my experience either in management or in unions, there is a situation in the Authority in which it is virtually impossible to get anybody who will talk to us about sensitive industrial relation matters. The Authority had recently to be dragged kicking and screaming to the Labour Court having refused to deal with the Association either at the LRC or the Rights Commission Service. The Labour Court, in addition to upholding the integrity of our members' case, also called on both sides to engage with each other and establish a better industrial relations climate.

It is unbelievable that, despite writing to the former Chairman, to the members of the Board and to the Chief Executive of the Authority with a view to the discussions on the Labour Court Recommendation we have not even received the courtesy of a reply. What I would say to the Food Safety Authority of Ireland is to stop burying your head in the sand and hoping we will disappear. We won't. We would much prefer to be talking to you in private than in public and all we are trying to achieve is the establishment of normal industrial relations practices in the Authority.

Conclusion

This is my 21st and final conference as General Secretary.

I am conscious that there are matters relating to me further on in the Agenda but, at this stage, and at the risk of later repetition, I want to make some brief comments.

I want to thank the Officers, Philip, Ciaran and Mary and the Executive Committee for their help and support over the past year and I want to echo that thanks in respect of previous officers and executives since 1987.

I want to thank Brian Ingoldsby and Standing Orders Committee for their customary care and attention to organising conference business. I want to thank Tom Quigley, as ever, for being available to do the minutes and to help along with Joe Brennan in the organisation of Conference.

I want especially to thank the people with whom I work in the Association, Jackie, Dave, John,

Dorothy and, most recently, Pat Feeney our Revenue Branch Administrator.

I want to congratulate Dave Thomas on his appointment as General Secretary Designate and to wish him well.

Finally, I want to thank branch officers and you, the members, for your help this year and over many years. It has been an honour and privilege to have worked with all of you as General Secretary and I wish you and the Association well in the years ahead.

APPENDIX B

Rules and Constitution

1. NAME

The Association shall be known as The Association of Higher Civil and Public Servants (Comhlachas na Sheirbhíseach Uachtarach Stáit agus Poiblí), hereinafter referred to as the Association.

2. OFFICE

The Association's office shall be at Fleming's Hall, 12 Fleming's Place, Dublin 4 or such other place as may from time to time be determined by the Executive Committee. Any change shall be notified to the Registrar of Friendly Societies.

3. OBJECTS

The Objects of the Association are:

- (a) to protect and promote the interests of its members,
- (b) to maintain and improve the remuneration and other terms and conditions of employment of members,
- (c) to regulate the relations between members and their employers and between members and fellow members and other workers,
- (d) to provide and maintain services, including legal assistance, for the benefit of members,
- (e) to provide relief to members involved in, or affected by, disputes,
- (f) to promote excellence and effectiveness in the public sector having regard to the interests of members,
- (g) to promote equality of opportunity and the development of work-life balance in the workplace,
- (h) to promote the development of partnership in the workplace.

4. POWERS

- (a) The Association, in furtherance of its objects, may:
 - (i) acquire, hold and dispose of property;
 - (ii) affiliate, amalgamate, assist, cooperate or enter agreement with any association, union, or other organisation; and
 - (iii) do all things necessary or incidental or conducive to the attainment of the objects of the Association.

- (b) The funds of the Association shall be applied in carrying out the objects of the Association and in defraying the expenses of management and administration.

5. MEMBERSHIP

- (a) (i) Membership of the Association comprises those accepted into membership by the Executive Committee and entered on the Register of Members.
- (ii) Membership shall be open to employees in managerial and professional positions in the civil service, public sector and such other employment as deemed appropriate by the Executive Committee. Membership shall be subject to acceptance by the intending member of the Rules and Constitution and approval by the Executive Committee and shall commence on the date of this approval whereupon the member's name shall be entered on the Register of Members.
- (b) An application for membership shall be made to the intending member's local branch in writing in a form approved by the Executive Committee and shall be transmitted by the local branch to the General Secretary. The application shall be accompanied by a completed form of authorisation for deduction from salary of the appropriate subscription.
- (c) Every new member shall be issued with a copy of the Rules and Constitution on acceptance into membership.

6. CESSATION OF MEMBERSHIP

- (a) A person shall cease to be a member of the Association (and the member's name shall accordingly be removed from the Register of Members) in the following instances:
 - (i) written resignation to the Executive Committee;
 - (ii) retirement or resignation from the Civil Service or other employment where the Association represents members;
 - (iii) expulsion under paragraph (b) below;
 - (iv) cancellation of authorisation for deduction of subscription from salary;
 - (v) on leaving the grades catered for by the Association.

- (b) Notwithstanding anything elsewhere in these Rules and Constitution the Executive Committee shall have power to expel from membership of the Association (and to remove from the register of members) or suspend from membership for a specified period or fine or censure any member whose actions or conduct the Executive Committee, after consultation with the Branch Committee of the member concerned, believes to be prejudicial to the interests of the Association or its members. The member concerned shall be informed in writing of the intention of the Executive Committee to consider his or her position and the reasons therefor, and the member concerned shall have the right to appear before the Executive Committee and give an oral or written statement or call others to give evidence on his or her behalf.
- (c) A member expelled, suspended, fined or censured under the provisions of this rule shall have the right of appeal to the next Annual Delegate Conference of the Association following the decision of the Executive Committee. Notice of intention to appeal shall be given to the General Secretary not later than one month after notification of the decision of the Executive Committee.
- (d) A person who has ceased to be a member may be re-admitted to membership on such terms and conditions as the Executive Committee, following consultation with the relevant Branch Committee, may determine.
- (e) Notwithstanding any other provisions of these Rules, the Executive Committee may exclude from membership of the Association any person whose continued membership conflicts with a finding of the Irish Congress of Trade Unions concerning disputes between Unions on the organisation of members.

7. ASSOCIATE MEMBERSHIP

- (a) (i) A person who ceased to be a member in accordance with rule 6(a)(ii) or 6(a)(v) and such other as the Executive Committee may decide from time to time, may apply to become an associate member, such application to be dealt with in a form and a manner approved by the Executive Committee.
- (ii) An associate member shall be entitled to participate in membership services, as appropriate, organised for members of the Association and shall be entitled to receive Newsletters and the Annual Report.
- (iii) Associate members shall not be entitled to attend branch meetings or Delegate

Conferences of the Association other than by invitation and shall not be entitled to participate in ballots of members held in accordance with these Rules.

- (b) Members of the Veterinary Officers Association may be admitted en bloc to associate membership on such financial terms as may be determined by the Executive Committee following consultation with the Executive Committee of the Veterinary Officers Association. The Association may in this context provide a negotiation service to the Veterinary Officers Association.

8. MANAGEMENT

The management of the Association is vested in

- (i) Delegate Conferences and
- (ii) The Executive Committee

in accordance with the provisions of the Rules and Constitution.

9. DELEGATE CONFERENCE

- (a) (i) The delegate conference shall be the supreme policy making instrument of the Association. The policy of the Association shall be determined by the delegate conference, which shall have the power to rescind or vary any decision taken previously by the Association.
- (ii) For the purpose of these Rules the term "delegate conference" includes both annual and special delegate conferences.
- (b) (i) The delegate conference shall consist of the Executive Committee, the Standing Orders Committee and accredited delegates elected by and from Branches in the numbers indicated below, and notified to the General Secretary:
 - (A) Branches with 15 members or less – one delegate;
 - (B) Branches with more than 15 members – one delegate for each 15 members or part thereof.
- (ii) For the purpose of this rule, branch membership shall be the number of members at the end of the last complete financial year. In exceptional circumstances the Executive Committee may specify some other date for the purpose of assessing branch membership.
- (iii) Delegates to a delegate conference shall be elected at a branch meeting to be held in accordance with Rule 22(f) or (h). In the case of an Annual Delegate Conference the names and addresses of delegates shall be

notified in writing by branch secretaries to the General Secretary not less than 21 days before the date of the Conference. The General Secretary shall then issue each delegate with a credentials card, stating the name and branch. It shall however, be in order for a Branch to nominate a replacement for any delegate originally nominated by that Branch, in the event of such delegate being unable to attend conference for any reason.

- (iv) Any member of the Association not being a delegate shall be entitled to attend a delegate conference but shall not speak or vote thereat.
- (v) Such other persons as the Executive Committee invite may attend conference but may not vote thereat.
- (c) The Annual Delegate Conference shall be held not later than 31 May in each calendar year on a date and at a venue to be determined by the Executive Committee.
- (d) (i) The General Secretary, not later than fifteen weeks prior to the date of the Annual Delegate Conference, shall advise Branch secretaries of the date, time and venue of the Annual Delegate Conference and invite Branches to submit nominations and motions to form part of the agenda for the delegate conference. A Branch may make nominations for the offices of Chairperson, Vice-Chairperson and Treasurer and for membership of the Executive Committee and Standing Orders Committee to be filled at the conference and every nomination shall be accompanied by the written agreement of the person nominated. Subject to (iii) below, nominations and motions shall be submitted to and received by the General Secretary not later than nine weeks prior to conference. Motions sent to the Association Headquarters by electronic mail will be deemed to be received by the General Secretary on the same day as the mail was sent provided that evidence of sending is provided by the sender.
- (ii) The Executive Committee shall not have power to make nominations but shall have power to put down motions.
- (iii) The General Secretary shall issue, not later than six weeks prior to the Annual Delegate Conference, a draft agenda of business including motions to be discussed at conference and shall invite Branches and the Executive Committee to submit amendments to the motions. At the same time the General Secretary shall set out the nominations

received for the offices and places on the Executive Committee and Standing Orders committee to be filled. If on the due date there are insufficient nominations for any or all of the offices or places, then notwithstanding anything contained in subparagraph (i) it shall be open to a Branch to submit a nomination for such offices or places in respect of which no nomination has been made. Such nominations and amendments to motions must be submitted to and received by the General Secretary not later than four weeks prior to the conference.

- (iv) A final agenda, together with the recommendations of the Standing Orders Committee and a copy of the annual report, shall be issued by the General Secretary to all Branch secretaries and to all delegates not later than two weeks prior to conference.
- (e) Additions to the final agenda may be accepted by the Standing Orders Committee only when it receives a motion deemed by it to be of such extreme urgency and importance to the interest of the members that the matter warrants inclusion on the agenda for conference. Any such motion of urgency shall be submitted to the Standing Orders Committee who shall decide on its acceptability and its place on the agenda.
- (f) The business of the annual delegate conference shall include:
 - (i) Adoption of Standing Orders and Standing Orders Committee Report;
 - (ii) Consideration of the annual report and accounts of the Association;
 - (iii) Election of officers, namely Chairperson, Vice-Chairperson and Treasurer;
 - (iv) Election of twelve ordinary members of the Executive Committee;
 - (v) Election of Standing Orders Committee;
 - (vi) Consideration of motions and amendments thereto;
 - (vii) The appointment on the nomination of the Executive Committee of an Honorary President and Honorary Vice Presidents on such terms as may be recommended by the Executive Committee;
 - (viii) Consideration of any other business as may be submitted by the Executive Committee and allowed by the Standing Orders Committee.
- (g) (i) Ballot papers for elections shall be issued to each delegate on presentation of his or her credentials card, and to each of the members of the Executive Committee.

- (ii) A candidate for any elective office at a delegate conference may not be appointed a teller at that conference.
- (h) (i) Accredited delegates and members of the Executive Committee shall have the right to vote.
- (ii) Save as may otherwise be provided for in these rules voting at conference shall be decided by a simple majority of accredited delegates showing credentials cards and the members of the Executive Committee.
- (iii) The quorum for a delegate conference shall be one third of the total number of accredited delegates nominated by Branches and notified to the General Secretary in accordance with Rule 9(b)(i).
- (i) The order of business at the Annual Delegate Conference shall be determined by the Standing Orders Committee.
- (j) A Special Delegate Conference shall be held:
 - (i) on the direction of the Executive Committee.
 - (ii) on the direction of a previous Delegate Conference, or
 - (iii) within 28 days of the receipt by the General Secretary of a requisition for, and stating the purpose of, such a conference from at least 5 branches representing at least 15% of the total membership of the Association. Each such Branch requisition must have been approved by general meetings of the members in the Branches concerned.
- (k) The business of the Special Delegate Conference shall be stated in the notice convening the conference which shall be sent to all Branches not later than 7 clear days before the conference. No other business shall be transacted by the Conference.
- (l) Names of delegates nominated by Branches for the purpose of the Special Delegate Conference shall be notified to the General Secretary not later than one day before the conference.
- (m) If a quorum is not present after one hour of the stated time for a delegate conference, the conference shall stand adjourned for not less than 7 days and not more than 28 days. Rule 9(h)(iii) shall not apply to an adjourned conference. At least 5 days notice shall be given to Branches of the time date and venue for the resumption of the adjourned conference.

10. CONSULTATIVE COUNCIL

- (a) There shall be a Consultative Council which shall

consist of the Chairperson and Secretary of each Branch or their deputies together with the Executive Committee. The Chairperson of the Association shall act as Chairperson of the Consultative Council.

- (b) The Consultative Council shall meet not less than twice yearly on dates to be determined by the Executive Committee.
- (c) The functions of the Consultative Council shall be:
 - (i) To act as a forum where the members may, through their council representative, make their views known to the Executive Committee and where the Executive Committee may obtain the membership opinion;
 - (ii) To promote understanding between Branch Secretaries and between Branch Secretaries and the Executive Committee.

11. THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall comprise:
 - (i) The Chairperson, Vice-Chairperson and Treasurer;
 - (ii) Twelve other members elected by simple majority by the Annual Delegate Conference from nominations made by branches; and
 - (iii) not more than two members co-opted by the Executive Committee. The Executive Committee, in making the co-options, shall have regard to candidates nominated for but not elected to the Executive Committee, to the desirability of representations being accorded to smaller branches of the Association and as between the various employments where the Association has representation and of a balanced representation as between men and women on the Executive Committee.
- (b) The Executive Committee shall hold office until the end of the delegate conference at which their successors are elected. Any vacancy shall be filled by co-option by the Executive Committee.
- (c) A Special Delegate Conference convened for the purpose may remove any one or more of the Executive Committee by resolution. Such resolution shall be adopted by a vote of not less than two-thirds of those present at the conference and voting. Upon any Executive member or members being removed under this rule, the conference at which the removal takes place shall elect another person or persons to fill the vacancy or vacancies, who shall hold office for the unexpired term of the Executive Committee member or members so removed.

- (d) The Executive Committee shall exercise the powers of the Association in furtherance of the objects of the Association.
 - (e) The functions of the Executive Committee shall include:
 - (i) management, direction and control of the affairs of the Association in accordance with and subject to the direction of delegate conference;
 - (ii) The development of policies and strategies for the achievement of Association objectives within the guidelines and directives laid down by delegate conference;
 - (iii) Determining strategy for, and participating in, negotiations;
 - (iv) Controlling the pace and direction of the Association's development between Delegate Conferences;
 - (v) Considering and accepting of applications for membership;
 - (vi) Appointing trustees as provided for in these rules;
 - (vii) nominating the Honorary President and Vice Presidents for appointment by annual delegate conference.
 - (f) The Executive Committee shall interpret the Rules and Constitution and the Standing Orders of the Association where doubt or dispute may arise and shall decide on any matter not covered by the Rules and Constitution. Such interpretation will stand unless the annual delegate conference or special delegate conference following the decision decides otherwise.
 - (g) The Executive Committee shall have power to appoint sub-committees and other committees as necessary and to define their terms of reference.
 - (h) The Executive Committee shall have power to appoint and dismiss the General Secretary and to appoint and dismiss any other staff as may be required for the efficient conduct of the Association's business. It shall also settle the terms of employment of the General Secretary and other staff.
 - (i) The Executive Committee shall ensure that the affairs of the Association are being properly conducted by the General Secretary and other staff of the Association.
 - (j) The Executive Committee shall have power to negotiate and to spend money in giving effect to Association policy.
 - (k) A quorum for meetings of the Executive Committee shall be seven members.
 - (l) The Executive Committee shall meet not less than ten times in a year and, so far as practicable, at least once a month.
 - (m) The agenda for ordinary meetings of the Executive Committee shall be circulated at least 3 days in advance. Special meetings may be called at shorter notice by the General Secretary in consultation with the Chairperson or, in the latter's absence, with the other elected officers.
 - (n) The Executive Committee shall prepare and circulate to all members an Annual Report and Statement of Accounts of the Association.
 - (o) The Executive Committee may invite other members to participate in an advisory capacity and without voting powers in any of its deliberations.
- ## 12. STANDING ORDERS COMMITTEE
- (a) A Standing Orders Committee which shall consist of not more than six members shall be elected at the Annual Delegate Conference.
 - (b) Members of the Standing Orders Committee shall hold office until the end of the delegate conference at which their successors are elected. Any vacancy arising between conferences shall be filled by a member of the Association appointed by the Executive Committee.
 - (c) A member of the Executive Committee may not at the same time be a member of the Standing Orders Committee.
 - (d) The Standing Orders Committee shall elect a Chairperson from among its members and shall regulate its own procedures. Three shall constitute a quorum at meetings of the Standing Orders Committee.
 - (e) The Standing Orders Committee shall meet with the General Secretary prior to each delegate conference on a day to be decided by its Chairperson and the General Secretary to consider the business proposed for the delegate conference.
 - (f) The Standing Orders Committee shall make recommendations as it deems necessary in accordance with the Rules and Constitution and Standing Orders of the Association as to the order in which the business of each conference should be taken for the purpose of the efficient conduct of the conference.
 - (g) The Standing Orders Committee may also meet

during each delegate conference and make such recommendations as it deems necessary from time to time to facilitate the business of the conference.

- (h) The Standing Orders Committee may also recommend procedures for the better conduct of delegate conferences generally. Its recommendation shall be considered by the Executive Committee and decided on by a simple majority of the delegates voting at conference. If adopted they shall become part of the Standing Orders of the Association.

13. ELECTED OFFICERS

- (a) The Chairperson, Vice-Chairperson and Treasurer shall be elected by simple majority at the Annual Delegate Conference.
- (b) If a vacancy in the office of Chairperson arises between Annual Delegate Conferences it shall be filled by the Vice-Chairperson. All other vacancies in these officerships arising between annual conferences shall be filled by the Executive Committee.
- (c) The respective functions and duties of the elected officers shall be as follows:
 - (i) The Chairperson shall uphold the objects, aims, policy and constitution of the Association. The Chairperson's principal functions shall be:
 - (A) to preside at meetings of the Consultative Council and Executive Committee;
 - (B) to preside at delegate Conferences;
 - (C) to preside at such other Association meetings as are appropriate;
 - (D) to deliver an address at the Annual Delegate Conference;
 - (E) such other duties as delegate conferences or the Executive Committee may assign to the Chairperson.
 - (ii) The Chairperson shall have a second or casting vote in the event of a tie in voting on any matter other than a motion to change the Rules and Constitution of the Association.
 - (iii) The Vice-Chairperson shall carry out the duties of the Chairperson in the absence of the latter and shall be regarded as the Chairperson for this purpose. The Vice-Chairperson shall discharge such additional duties as are assigned to the Vice-Chairperson by delegate conference or the Executive Committee.
 - (iv) The Treasurer shall report to the Executive Committee and to the Annual Delegate

Conference on the financial affairs of the Association and shall ensure that proper accounts and receipts of payment of the Association are kept. The Treasurer may inspect all financial books and records of the Association.

- (d) The Officers of the Association shall ensure that the decisions of the Executive Committee are carried out.

14. HONORARY PRESIDENT AND HONORARY VICE PRESIDENTS

The Executive Committee may nominate an Honorary President and a number of Honorary Vice-Presidents for appointment by annual delegate conference. These offices shall be purely honorary and shall be for such term as the annual delegate conference on the recommendation of the Executive Committee may decide.

15. TRUSTEES

- (a) The Executive Committee shall appoint three trustees to carry out the functions assigned to them under these rules.
- (b) The trustees shall be members of the Association in good standing and shall not be members of the Executive Committee.
- (c) The trustees shall be appointed for a term of five years, but may be individually or otherwise suspended or removed by the Executive Committee before the end of such term. Any vacancies arising shall be filled on the nomination of the Executive Committee.
- (d) Any real or leasehold property acquired by the Association in accordance with Rule 4(a)(i) shall be vested in the trustees.
- (e) The trustees shall appoint the Association's Auditor.

16. GENERAL SECRETARY AND OTHER EMPLOYEES

- (a) The Association shall have a full time General Secretary and such number of other staff as may be determined by the Executive Committee to be necessary for carrying out the business of the Association.
- (b) The General Secretary shall be the Chief Executive Officer of the Association and shall be responsible to the Executive Committee for negotiation and representation of members' and Association interests, for recruitment of new members and for the proper management and development of the Association, including the maintenance of minutes, records and accounts and the management and operation of systems

and procedures in accordance with the Rules and Constitution, decisions of delegate conferences and directions of the Executive Committee. The General Secretary may, with the consent of the Executive Committee, delegate any of these functions.

- (c) The General Secretary shall report to meetings of the Executive Committee and the Consultative Council on the business and affairs of the Association and has the right to speak at Annual or Special Delegate Conferences.
- (d) Except where otherwise decided by the Executive Committee, the General Secretary shall not be entitled in any negotiations conducted by him or her to enter into any final or binding agreement on behalf of the Association. The General Secretary shall otherwise be free to speak and shall have the same authority and status as would any accredited deputation or negotiating team.
- (e) The General Secretary and any Deputy General Secretary or Assistant General Secretaries or other staff shall be appointed by the Executive Committee. The remuneration and other conditions of appointment of the General Secretary, Deputy General Secretary, Assistant General Secretaries and other staff shall be determined by the Executive Committee.

17. INDEMNITY

The Executive Committee shall make suitable provision to indemnify members of the Executive Committee, the General Secretary and other staff of the Association against any damages or financial loss suffered by them arising from the due execution of their duties on behalf of the Association.

18. STRIKES AND INDUSTRIAL ACTION

- (a) The provision of this Rule shall apply notwithstanding any other provision contained in these Rules.
- (b) In this Rule the terms “strike” and “industrial action” shall have the same meaning as in the Industrial Relations Act 1990.
- (c) In this Rule the term “member” shall have the same meaning as in Rule 5.
- (d) The provisions of this Rule shall apply to the Republic of Ireland only.
- (e) The Association shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or other industrial action.

- (f) The Association shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, the Association or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
- (g) The Executive Committee shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in Paragraph (h) of this Rule, favours such strike or other industrial action.
- (h) The Executive Committee shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of the Association’s members voting in a secret ballot, except where, in the case of a ballot by more than one trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.
- (i) Where the outcome of a secret ballot conducted by the Association or in the case of ballots conducted by the Association and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions an aggregate majority of all the votes cast is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by the union without the sanction of the Irish Congress of Trade Unions.
- (j) As soon as practicable after the conduct of a secret ballot the Association shall take reasonable steps to make known to the members of the Association entitled to vote in the ballot—
 - (i) the number of ballot papers issued,
 - (ii) the number of votes cast,
 - (iii) the number of votes in favour of the proposal,
 - (iv) the number of votes against the proposal, and
 - (v) the number of spoiled votes.
- (k) Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the Association party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned.

19. GENERAL BALLOT

- (a) A General Ballot of the members may be held to determine the policy of the Association on any matter. Such ballot shall be held:
 - (i) On the direction of a delegate conference or the Executive Committee;
 - (ii) Within 28 days of the receipt by the General Secretary of a requisition for such a ballot from at least 5 Branches, representing at least 15% of the total membership of the Association, provided each such requisition has been approved by a general meeting of the members in the Branches concerned; or
 - (iii) Within 28 days of the receipt by the General Secretary of a requisition from one-fifth of the entire membership.
- (b) The Executive Committee may decide to hold a Special Delegate Conference instead of a general ballot within 28 days of receiving a request under Rule 19 (a)(ii) or (iii).
- (c) When it is determined that a general ballot of members is to be held, the ballot paper, together with a brief memorandum setting out the principal considerations for and against the proposals to be balloted on, shall be sent to each member at the members' normal official location. The ballot paper shall be accompanied by a stamped addressed envelope for the return of the completed paper. Ballot papers shall be returned within 21 days of the date of issue, or such shorter time as may be determined by the Executive Committee and advised to each member with the ballot paper. The Association's Auditor shall be responsible for the opening, counting and certification of the result of any general ballot of members.
- (d) Policy determined by a ballot on a simple majority of votes cast will be binding on the Association as if it were a motion passed at an Annual Delegate Conference.

20. FINANCE

- (a) The Executive Committee shall have overall responsibility for the financial affairs of the Association.
- (b) The Executive Committee shall have the power to raise funds by borrowing money on any real or personal property of the Association.
- (c) (i) The Executive Committee shall have power to levy members to augment the funds of the Association in order to provide assistance to members in dispute or for such other purposes in accordance with these rules as the Executive Committee may decide.

- (ii) Members of the Association shall be entitled to claim financial assistance from the Association, at a rate to be determined by the Executive Committee, where disputes result in members withdrawing their services on the instructions of the Executive Committee or where the Executive Committee deems members to be locked-out or victimised by their employer as a direct consequence of action taken by members of the Association where such action has the approval of the Executive Committee.
- (iii) Legal advice for members may be financed from Association funds at the discretion of the Executive Committee where the matter on which advice is sought arises from or is related to the member's employment.

- (d) The financial year of the Association shall end on 31st December of each year.
- (e) The accounts of the Association shall be audited annually by the auditor appointed by the trustees.
- (f) All monies received as subscriptions or otherwise by the Association shall be lodged to a Banking Account or to Banking Accounts opened in the name of the Association as approved by the Executive Committee.
- (g) All disbursements on account of the Association shall be drawn on such bank or banks and authorised by any two of the Officers, i.e. Chairperson, Vice Chairperson or Treasurer. However, the Executive Committee may delegate authority to the General Secretary or in his absence to the Deputy General Secretary to authorise payments to meet the ordinary running costs of the Association provided they are also authorised by the Treasurer or other Officer of the Association.
- (h) The surplus funds of the Association shall be invested in the joint names of the Trustees in such trusts or securities including real property as the Executive Committee may from time to time decide.
- (i) Every person having an interest in the funds of the Association may at any reasonable time, and on giving notice, inspect the books of the Association and the register of members of the Association.

21. MEMBERSHIP SUBSCRIPTIONS

- (a) The membership subscriptions of ordinary and associate members shall be determined from time to time by delegate conference.
- (b) The subscription of an ordinary member shall be deducted from salary by authorisation of the member or in a manner determined by the Executive Committee.

22. BRANCH ORGANISATION

- (a) The members of the Association shall be organised into branches as determined from time to time by the Executive Committee.
- (b) Each Branch shall be responsible for representing and safeguarding the interests of its members at local level in accordance with Association policy, for the recruitment of members within its Department or Office or grade, body, company or corporation, for the representation of its members' views concerning their Department or Office or grade, body, company or corporation and transmitting its members' views on these and other matters to the Executive Committee and/or Delegate Conference.
- (c) The administration of each Branch shall be vested in a Branch Committee. The Branch Committee shall consist of a chairperson, secretary and not less than one and not more than fifteen other members.
- (d) The duties of the Branch Chairperson shall be to assist in the conduct of the business of the Branch generally, to sign all minutes and through the Branch Secretary to call any meeting of the Branch or Branch Committee as required, to represent the Branch at meetings of the Consultative Council and to ensure that in the event of him or her being unable to attend that a deputy is appointed in his or her place.
- (e) The duties of the Branch Secretary shall include:
 - (i) Keeping branch members informed of the business and affairs of the Association.
 - (ii) Transmitting communications between the Branch and the Executive Committee.
 - (iii) Advising members of the dates of Annual Delegate Conference and arranging meetings as required for the purpose of nominations for elections, motions for discussion at conference and election of delegates;
 - (iv) Keeping a record of all Branch meetings and Branch Committee meetings;
 - (v) Notifying the General Secretary in proper time of nominations, motions and amendments and names of delegates;
 - (vi) Representing the Branch at meetings of the Consultative Council and ensuring that in the event of his or her being unable to attend that a deputy is appointed in his or her place;
 - (vii) Providing the Executive Committee with such information as it may require from time to time.
- (f) An annual general meeting of the members of

each Branch shall be held not later than ten weeks prior to the date of the Annual Delegate Conference.

In the case of a Branch authorised under Rule 22 (J) to substitute a Branch Delegate Meeting for an Annual General Meeting, having regard to the geographic spread of members, the Branch Delegate Meeting will take place no later than four weeks prior to the Annual Delegate Conference or the closing date for amendments to Motions on the final agenda of the Annual Delegate Conference, whichever is the earlier provided that

- (i) A previous Delegate Meeting of the Branch has mandated the Branch Executive to propose motions and make nominations on behalf of the Branch for the Annual Delegate Conference.
- (ii) And that the Branch Executive puts all such motions and nominations on the Agenda of the Branch Delegate Meeting, taking place in accordance with the provisions of rule 22(f), for approval by the delegation.
- (g) Each member shall be given due notice of the holding of this meeting and the meeting shall deal with the following matters:
 - (i) receive a report of the Branch Committee on the activities of the Branch for the year;
 - (ii) Elect Branch Officers, Branch Committee and delegates for the Annual Delegate Conference;
 - (iii) Make nominations for the Officerships, Standing Orders Committee and Executive Committee;
 - (iv) Consider motions for the Annual Delegate Conference;
 - (v) Arrange further meetings as required to consider the draft agenda of the delegate conference and amendments to motions in the Agenda;
 - (vi) Transact such other business as required.
- (h) Special general meetings of a Branch shall be held whenever the Branch Committee deems it necessary, or in accordance with the directions embodied in a resolution passed by a majority of the members present at a previous Branch general meeting, or on a request signed by not less than one fifth of the members of the Branch or on the instruction of the Executive Committee.
- (i) Expenditure reasonably incurred by a Branch in the exercise of its functions including the expenses of delegates at the Annual or Special General Meeting of the Branch or Delegate Conference shall be paid out of the funds of the Association. The Executive Committee shall have

discretion to decide what is reasonable for this purpose.

- (j) Where the Committee of a Branch considers that Branch general meetings should be replaced by Branch delegate meetings for that Branch, it shall so notify the Executive Committee in writing. A group of members in a branch who constitute not less than one-fifth of the entire membership of the Branch may also notify the Executive Committee in writing that they consider that it would be desirable to replace Branch General Meetings by Branch Delegate Meetings. On receipt of such notification the Executive Committee shall, if it is satisfied that delegate meetings are preferable to general meetings in that Branch, having regard to the geographical spread of the members of the Branch, conduct a ballot of the members of the Branch to determine the views of the members of the Branch. The Executive Committee may agree to the substitution of delegate meeting for general meetings only if a majority of those members voting in the ballot vote in favour of the substitution of delegate meetings for general meetings. Where General Meetings have been replaced by delegate meetings, the delegate meetings shall consist of the Branch Committee together with delegates appointed by sub-branches of the Branch. The composition of sub-branches and the number of delegates to be appointed by each sub-branch to the branch delegate meetings and any other procedural matters involved in the holding of delegate meetings shall be a matter for the Branch Committee of the Branch subject to the approval of the Executive Committee.

Branch delegate meetings, shall, where they are substituted for Branch general meetings, have the

same powers and responsibilities of Annual and Special General Meetings of branches as are specified under these Rules and the general provisions of Rule 22 shall apply as if references to annual or special branch meetings constitute reference to annual or special delegate meetings of branches. Where Branch delegate meetings have been substituted for Branch General Meetings, a proposal to return to Branch General Meetings must be initiated and processed in the same way as a proposal to change from Branch General Meetings to Branch delegate meetings as set out in this Rule.

23. REVISION

The Rules and Constitution may be amended only by a motion tabled in accordance with the rules for motions at delegate conferences, and passed by not less than a two-thirds vote of the accredited delegates nominated by branches and of members of the Executive Committee present and voting at a delegate conference. Any such amendments shall be notified to the Registrar of Friendly Societies.

24. DISSOLUTION

The Association may be dissolved at any time by means of a general ballot of the members provided that such dissolution is approved by five-sixths of the membership. In the event of dissolution any net assets remaining after discharging all debts and liabilities shall be divided equally between those who were members at the time of dissolution. Any such dissolution shall be notified to the Registrar of Friendly Societies.

APPENDIX C

Standing Orders for all Delegate Conferences of the Association

The following Standing Orders shall apply to all Delegate Conferences of the Association.

1. Motions

1. No motion or amendment may be discussed until it has been formally proposed.
2. No motion or amendment may be withdrawn except by the consent of Conference.
3. The proposer of a motion or amendment shall be allowed not more than five minutes for his/her speech and all subsequent speakers not more than three minutes each.
4. The proposers of a motion or amendment shall be a delegate of the Branch which has submitted the motion or amendment or in respect of an Executive motion or amendment a member of the Executive Committee. If there is no delegate representing a Branch present when a motion or amendment is due to be moved by that Branch the motion shall fall.
5. The proposer of a motion shall be the only person permitted to speak more than once on the same motion. The proposer in exercising his/her right of reply may speak a second time for not more than three minutes. Where a motion has been amended only the proposer of the original motion shall have the right of reply.
6. Only one motion may be before the Conference at any time.
7. An amendment to a motion may not be moved while another amendment to that motion is before Conference.
8. An amendment may not be moved where Standing Orders Committee have indicated that in their opinion, it is a direct negative to a motion.

2. PROCEDURES MOTIONS

1. Next Business

If a proposal to proceed to next business has been moved and seconded the proposer of the motion under discussion shall have the right to speak in opposition and the proposal shall then be put

without further discussion. If the proposal is carried, the discussion on the motion originally under discussion shall be abandoned and the meeting shall proceed to the next business on the Agenda. If the proposal is lost, the discussion on the original motion shall be resumed.

2. Discussion to Close

A proposal that the discussion be brought to a close shall be moved, seconded and decided without discussion. If this proposal is carried, the motion or amendment under discussion shall be put and decided without further discussion other than a reply by the proposer of the motion. If the proposal is lost, the discussion, on the motion or amendment shall be resumed.

3. Question Now Put

A proposal that the question be now put shall be moved, seconded and decided without discussion provided the Chairperson is satisfied that both sides of the question have been adequately discussed. If the proposal is carried, the motion or amendment under discussion shall be put and decided forthwith without further discussion. If the proposal is lost, the discussion on the original motion shall be resumed.

4. Referral to Executive Committee

A proposal to refer a motion to the Executive Committee may be moved and seconded but the proposer of the motion may have the right to speak in opposition.

5. The acceptance of a procedure motion shall be at the discretion of the Chairperson.

3. PROCEDURE

1. A delegate may not address the meeting unless proposing, seconding or speaking to a motion except when raising a point of order.

A point of order may be raised on the following issues:

- (i) Incorrect procedures – implies that some member is contravening the rules of Conference e.g. speaking longer than allowed.
- (ii) Irrelevancy – wandering from subject.

- (iii) Unparliamentary language – swearing, personal abuse etc. or anything derogatory.
- (iv) Transgression of Rules – Use of procedure contrary to that laid down by Standing Orders.
- 2. The General Secretary and appropriate honorary officers may present, or reply to queries, on formal reports as appropriate.
- 3. The Chairperson of the Standing Orders Committee may make recommendations to the Conference which shall be decided upon immediately.
- 4. If two or more delegates offer to speak, the Chairperson will call on the delegate first observed offering; however the Chairperson of the Standing Orders Committee shall, if offering, be accorded priority.

4. ROLE OF CHAIRPERSON

- 1. The Chairperson at his/her discretion may declare a motion carried by agreement unless a proposal that a vote be taken be proposed and seconded.
- 2. The decision of the Chairperson shall be final upon any point as to the interpretation to be placed upon any Standing Order, upon the point as to whether a motion had been carried or rejected, and on all points of order.
- 3. Any member wilfully disobeying the ruling of the Chairperson may be suspended during the remainder of the time the motion in question is under discussion or for the whole Conference.
- 4. If in the opinion of the Chairperson grave disorder has arisen he/she may at his/her absolute discretion adjourn the Conference for a specified time.
- 5. The Chairperson shall have a second or casting vote should the votes on any proposal be equally divided.

5. STANDING ORDERS COMMITTEE

- 1. Where more than one motion deals with the same topic the Standing Orders Committee will draw up a composite motion covering the points made in the overlapping motions. The composite motions be put to Conference in place of the original motion. Standing Orders

Committee shall indicate which Branch should move the motion.

Where the proposing Branch cannot agree to a composite motion then the original motion shall be put to the Conference in the order determined by the Standing Orders Committee.

The composite motion will be indicated to members in accordance with Rule 6(d)(ii) for the purpose of amendments.

- 2. The Standing Orders Committee may indicate the Motions under specified sections of the Agenda, get priority in discussion and shall so indicate those motions.

If in the time allotted for discussion of those sections of the Agenda, all the motions therein are not reached they may be deferred to a later stage of Conference.

- 3. Any motion appearing in the Agenda which has not been moved before the closing of the Conference shall be deemed to be referred to the Executive Committee for consideration.

6. ELECTION

Election of officers, Executive and Standing Orders Committees shall be held by way of secret written ballot on the basis of a single non-transferable vote.

7. SUSPENSION OF STANDING ORDERS

- 1. Any of the Standing Orders for Delegate Conferences may be suspended for a stated purpose provided a motion to that effect is adopted by a majority of those present and entitled to vote. Such suspension of Standing Orders may not exceed 30 minutes unless a proposal is adopted by the Conference whereby the suspension maybe extended for a period not exceeding 15 minutes.
- 2. The Standing Orders Committee may at any time during the meeting when it deems it necessary, make recommendations to the Chairperson that time limits be imposed on speakers or that the order of business be changed to facilitate the more effective progress of the meeting.
- 3. The Standing Orders Committee will be in session and available to delegates during the period of Conference.

APPENDIX D

Executive Meetings: Attendances Record

There were 11 Executive Committee meetings between 29 May 2007 and 31 March 2008 a further two meetings will take place in April 2008.

Attendances were as follows:

Name	Possible Attendances	Attendances
Ciaran Rohan	11	11
Peadar Carpenter	11	10
Mary McLoughlin	11	8
Joe Allen	11	5
Tom Allen *	10	8
Lynn Broderick	11	9
Philip Crosby	11	5
Larry Dunne	11	9
Michael Flynn	11	3
John Hughes	11	8
Ray Lehane	11	10
Brian McGann **	8	8
Brian McKevitt	11	8
Angie Noonan	11	6
Audrey O'Byrne	11	1
Conor O'Malley *	10	8
Richie Philpott	11	9
Eamon Hughes * *	3	3

* members co-opted following ADC

* * Eamon Hughes replaced Brian McGann

APPENDIX E

AHCPS Submissions to OECD

13 July 2007

Mr Marc McManus
Department of the Taoiseach
Government Buildings
Upr. Merrion Street
Dublin 2

Submission to OECD Review of the Irish Public Service

Dear Mr McManus

The Association of Higher Civil & Public Servants (AHCPS) represents some 3,330 members at senior management level (Principal Officer, Assistant Principal Officer and equivalent grades) in the civil service and in a number of state bodies and agencies.

The Executive Committee of the AHCPS earlier this year produced a report on the decentralisation programme entitled *Public Service Decentralisation The need for an immediate review*. This report updates the Association's earlier report on decentralisation *Public Service Relocation Programme: An opportunity missed and a challenge to meet* which was published in March 2004.

While the Government programme to move 10,300 civil and public servants from Dublin to 53 provincial locations is referred to as decentralisation it is simply the relocation of offices and staff from Dublin to provincial locations.

The Association has always made it clear that we have no difficulty with a programme of voluntary decentralisation with locations chosen on a rational public interest basis which would enhance rather than take from administrative efficiency. Such a programme should be developed in consultation with the public service unions and should include payment of removal and relocation expenses and would respect the rights and legitimate career and development requirements of public service staff and organisations. A well thought out rational and carefully planned model of decentralisation has the potential to have benefits both for the community at large and for public servants. However, the Association believes that the present programme is not well thought-out rational or carefully planned.

I do not propose to summarise the content of the reports, as they are included with this letter. However, I would like to draw your attention to the findings of the most recent report, which came to the following conclusions:

Despite official spin, there are enormous problems with decentralisation which must be faced up to by Government.

The entire programme is characterised by a complete lack of discussion, consultation and proper planning:

- The decentralisation agenda has never been properly debated in the Dáil. No Government memorandum accompanied the proposals. No business case or risk assessment was carried out. No human resource plan has been developed. No proper assessment of the financial costs and implications has been presented.
- The programme was formulated, and its details elaborated, without meaningful consultation with the AHCPS and the other Civil Service unions whose members would be directly affected, in the process

bypassing long-established and clearly defined partnership procedures for policy formation and programme planning within the Civil Service, and without.

- Although it was essential to recognise that the programme would have an impact on as many as 50,000 people, this critically important dimension of the programme has been entirely ignored. The people and families affected clearly deserve better.
- Relevant decisions should have been informed by systematic appraisal of the overall national impacts, and the environmental, economic and social impact on each host location. No such essential good practice has been followed. None of the selected locations has been justified against criteria for successful regionalisation. Indeed, co-ordination with the National Spatial Strategy (NSS) is non-existent, and the opportunity has been lost to use this new element of public policy to “kick-start” the NSS programme.
- No answer has been given to those who fear a significant loss of organisational memory. Neither has an answer been given to those who say that the dispersal of a majority of Departments across the countryside runs counter both to the national interest and to international best practice.

One major result of this total lack of planning is that, within the Civil Service, only half the numbers required are prepared to move from Dublin to posts in decentralised locations. And in the State Agencies, the situation is substantially worse, with virtually nobody willing to move.

Indeed, matters are even worse than this. We originally estimated, in January 2004, that only 15% of staff in Dublin would be prepared to move with their jobs to decentralised locations. We were wrong. A series of Parliamentary Questions has confirmed that across the thirty or so civil service departments and sub-departments, fewer than 10% are prepared to move out of Dublin with their jobs. Understandably, this reluctance to move is more accentuated at senior levels.

The programme is also characterised by failure to measure, recognise and address the enormous negative implications of corporate memory loss and staff churning; and by failure to anticipate, and now to acknowledge and effectively address, the major problems that these pose for service delivery. The programme has given rise to significant problems with respect to corporate memory loss throughout all civil and public service organisations. The scale of job churning – changing over 90% of staff, in up to 30 Civil Service organisations – is appalling in terms of effective public administration. Quite simply, this goes against every principle of good governance that the public service is supposed to be striving to achieve.

The programme has fundamentally altered the employment conditions of all public servants, and constitutes a direct assault on their legitimate career expectations. Its negative effect on morale and personal motivation is clearly discernible, particularly at senior management and professional and specialist levels. On the industrial relations front, “coerced voluntarism” is one of the hallmarks of the current implementation policy, and this is seen by our members as unjust.

The programme poses enormous problems for the ability of senior managers and their departments to maintain existing levels of service to the Oireachtas (Parliament) and Government, and to the EU and other international bodies; to collaborate with colleagues in their own and other departments; and to deliver optimum service to client and customer groupings and to the public at large. The Irish public service has rightly been lauded abroad for its ability, particularly at EU level, to ‘punch above its weight’. At a time when the EU has expanded to 27 Members, now more than ever Ireland needs to ensure that we are represented in Brussels by experienced public servants.

Critically, the concept of Ministers sitting in Dublin, while their senior policy advisers are scattered across the country, fundamentally undermines all the principles of joined-up government and is, in the Association’s view, seriously detrimental to the public interest.

Crucially there is no meaningful estimate of the ultimate cost of the programme. While the total capital cost is estimated by the Decentralisation Implementation Group (DIG) to be €900,000,000, this figure is certain to be exceeded. No proper estimates have yet been made of all the initial and continuing annual costs of the programme. Such estimates, when they are made, must necessarily reflect the fact that there are – between the Civil Service and the State Agencies – up to 5,000 Dublin based staff who do not wish to relocate with their jobs. At an average salary of €50,000, the cost of this situation in salary terms alone comes to €250,000,000 per annum.

The Association has always fully recognised the potential advantages – to civil and public servants, to Government, to local communities and to the public at large – of a carefully planned and well executed decentralisation programme. We have consistently stated our belief that the legitimate interests of all stakeholders will be successfully secured only by planning, and then proceeding, on a reflective and consultative basis with a well-thought out programme of decentralisation, based on quantifiable data, that takes real account of all possible impacts and costs.

However, the current decentralisation programme has manifestly failed to meet these preconditions for success. As a result, targeted relocator numbers are way off track; the timetable for completion of the programme is being continuously extended; nobody knows what the programme will cost; and the entire process is creating, and will continue to create, problems of enormous magnitude, impact and complexity. In short, the decentralisation programme as currently specified is not working, and is not going to work.

It is our strong view that the programme must now be immediately and radically reviewed, its many unworkable elements eliminated, and the pace and timescale of decentralisation slowed down. The purpose of this review should be:

- to ensure that standards of service delivery to the public, the Oireachtas and Government, and to the countless other groups and individuals – in Ireland and overseas – served by Irish civil and public servants, are maintained at their current high levels, and indeed continuously enhanced.
- to match the supply of Dublin staff willing to move with the number of posts, and the number of specific offices, to be decentralised.
- to maintain the entirely legitimate promotion and career development expectations of civil and public servants generally, and especially senior managers at Principal and Assistant Principal levels.

This review must specifically contemplate abandoning the proposal to move entire departments – including Ministers, their secretariats, and their senior managers – from Dublin to scattered provincial locations. Failure to continue to base these people in Dublin will, we are convinced, be counter productive. Such a review, even at this late stage, represents the logical, rational and equitable way to create a successful and sustainable programme of decentralisation. We are emphatic that it should be immediately undertaken.

I enclose five copies each of our two reports and will be happy to discuss any aspect of the reports with you. Additional copies of the report are available should you require them.

Yours sincerely

Dave Thomas
General Secretary

31 July 2007

Mr Marc McManus
Department of the Taoiseach
Government Buildings
Upr. Merrion Street
Dublin 2

Submission to OECD Review of the Irish Public Service

Dear Mr McManus

The Association of Higher Civil & Public Servants (AHCPS) represents some 3,330 members at senior management level at Principal Officer (level 3), Assistant Principal Officer (level 4) and equivalent grades in the civil service and in a number of state bodies and agencies.

The AHCPS has a long standing involvement in modernisation and change and a copy of the Association's 1995 Submission on Strategic Management to the Co-ordinating Group of Secretaries is attached for information. The key elements of our proposals at that time are summarised in Section 14 and it is interesting to note that most of these have been implemented and indeed formed a significant element of the Government's Strategic Management Initiative. The AHCPS continues to actively support the introduction of innovative measures and our members continues to be key in terms of delivering these measures.

The AHCPS has worked with Government to create greater flexibility in Departments and to produce more dynamic work place environments. For example we have worked to eliminate departmental grades [specialist] in Departments over the last 30 years. New flexible working arrangements due to this policy now exist in the Department of Social and Family Affairs, the Courts Service and most recently the Office of the Revenue Commissioners. Each of these organisations previously had rigid structures with strong demarcation between grades and streams but now have single stream structures with generalists who can be moved from area to area as the need arises.

Rather than listing all of the areas where AHCPS members make significant contributions, we have taken one area which is a key to the future, e-government. Irish citizens can do all of their business with the Revenue Commissioners on line, and similarly the Courts Service and the Department of Social and Family Affairs have invested heavily in providing easy computer access to their services. The Department of Foreign Affairs has also invested heavily in e-government and Ireland has been one of the first countries in the world to introduce the biometric passport and we are in the process of allowing applicants to track their application online. A significant contributory factor to the success of these projects has been a heavy investment in training especially at management level and the Association has always maintained that there is a need for more management training within the civil service.

A further example of the flexibility of Irish civil servants is in our involvement in a range of international bodies. Civil Servants from other EU countries are surprised when they meet with Irish civil servants at the scope and wide responsibility that the managers at our level in the civil service have. Ireland is of course a very small country, and therefore the civil service is small, with only 32,000 in the central civil service. Those civil servants who work at international level have to deal with the same problems that the bigger civil service numbers of the others states must address. Ireland is recognised at EU level for punching above its weight in relation to its size. This we believe is a result of the general civil service grading structure in the Irish civil service and the small number of compartmentalised specialist posts.

The civil service has a long tradition of providing politically impartial objective policy advice to Ministers and in fairly and equitably managing and operating schemes and services. This is at the core of democratic government in this State and there should be no fudge or ambiguity about it.

Promotion at senior level is nearly all by a competitive process and competency based interviews are now normal. There is significant mobility within Departments and with the increasing use of interdepartmental promotions between Departments.

The Association believes that the management structures in Departments should better involve the Principal and in particular the Assistant Principal grades in the key decision making process in Departments. At the heart of the Strategic Management Initiative process is the concept of greater devolution of responsibility and authority and it is in this context that the expertise and experience of the Principal and Assistant Principal should be better harnessed going forward.

Civil Servants may at the request of or with the consent of Ministers, take a public profile and increasingly, have to answer to the Ombudsman for the Public Service or appear before Oireachtas Committee. The popular misconception of the anonymous unaccountable civil servant does not, especially at senior levels, reflect reality.

Our belief is that any increase in politicising policy advice would be detrimental.

Yours sincerely

Dave Thomas
General Secretary

APPENDIX F

DIG Report and DIG September Update

Progress Report of the Decentralisation Implementation Group

To the Tánaiste and Minister for Finance

July 2007 with

September 2007 Update from the Chairman

Decentralisation Implementation Group Update to July, 2007 Report

The Decentralisation Implementation Group (DIG) submitted its latest report to the Minister for Finance on 12th July last. In light of some developments over the interim period, the Group would like to present the following update for association with its July report.

State Agency issues

The Group notes with interest the recent Labour Court recommendation in relation to the dispute between FÁS and SIPTU. As part of their recommendation, the Court states that it believes that the stated policy of effecting decentralisation on a voluntary basis could best be achieved if individuals who are unwilling to relocate are provided with realistic alternative career options, which take account of the proprietary rights and legitimate expectations which they have accrued in their current employments. The Court goes on to say that it believes that the appropriate authorities should address the issues arising in the broader context of decentralisation of non-commercial State Bodies overall.

This aspect of the Labour Court finding is very much in line with the DIG's view. In our July report, the Group asked the Department of Finance to seek to get discussions underway with ICTU on the range of industrial relations issues impacting on relocation including the possibility of transferability between Agencies or between Agencies and the Civil Service.

A renewal of efforts with ICTU to get meaningful discussions underway remains essential to achieve early progress. In the Group's view, the Labour Court recommendation provides both unions and management with a fresh opportunity to address this issue and to seek to make progress in relation to the relocation of each Agency. It must be borne in mind that over 1,000 employees of

State agencies have expressed a preference on the CAF to relocate with either another public service or civil service organisation. It is not unreasonable that these applicants would expect that their applications would have been advanced at this stage.

The Group has also asked the Department of Finance to analyse each specific location to assess the overall number of posts to relocate, the full potential pool of applicants if transferability between Agencies were in place in the future, the scale of the remaining staffing gap and available options for filling the gap. The Group has also asked for an update on the scope for individual Agencies to form advance parties in the new locations. In this regard, issues surrounding the costs and business effectiveness of a dual location over the transition period will need to be examined.

The Group continues to emphasise also the central role of the Board and management of each agency and that of its parent Department in driving this process forward.

Revenue ICT

The DIG refers in its report to the concerns expressed by the Revenue Commissioners regarding the relocation of its full ICT function to Kildare Town. The DIG notes that the Chairman of the Revenue Commissioners has now written to the Tánaiste setting out his views in this regard. The Group understands that the Tánaiste has indicated that he would be prepared to consider proposals for an alternative mix of posts for the Kildare location and has asked the Revenue Commissioners to bring forward proposals for the sourcing of alternative posts to ensure that the Government's commitment to relocate circa 380 posts to the Kildare location is delivered.

Update on progress

The Group notes that by end August, 2007, decentralising organisations had a presence in 29 locations with approximately 1500 posts moved. The Group continues to expect that by end 2007 public services will be delivered from 33 of the new locations with over 2000 posts moved. The Group also notes that there are currently in excess of 10,900 expressions of interest on the Central Applications Facility (CAF).

Update on costs

The Group understands that the non-property costs incurred to end June amount to approximately €9m. This reflects the significant rate of progress across decentralising organisations this year in furthering their implementation arrangements.

Update on property

The OPW presented an update on the property position to the DIG in mid September. The attached schedule incorporates this updated material. As the Group has already indicated, of their nature, construction completion dates are indicative and are subject to variables relating to planning, finalisation of design briefs and contractual arrangements. These, in turn, may impact on the phasing arrangements for the programme.

Finbarr Flood,
Chairperson

18 September, 2007

Progress Report
of the
Decentralisation Implementation Group
To the Tánaiste and Minister for Finance
July 2007

Background

The Decentralisation Implementation Group (DIG) was appointed by Government in December 2003. The ongoing role of the Group is to oversee and drive the development of an overall, workable framework for decentralisation, with each organisation taking responsibility for its own detailed implementation arrangements.

The Group feels that it is again timely to review progress to date and to give an updated view as to the options for consideration and, in some instances, the decisions required in order to deliver on the implementation of the remainder of the programme.

In preparing this update, the Group is building on the recommendations and themes of our previous DIG reports. From the outset, the Group has sought to guide an orderly and timely implementation of the full programme while also maintaining business continuity within an agreed cost framework. The Group focused primarily on three pillars of the implementation arrangements – availability of staff, business continuity and progress on accommodation.

The Group mapped out phasing arrangements for the programme. This approach to managing the

timeframes has been helpful in enabling a number of organisations to move early while also ensuring adequate time is taken to manage the sometimes complex issues arising for a number of other organisations on the staffing, business or property front. The Group selected 21 first phase locations on the basis of an assessment of progress on property acquisition, numbers applying and business readiness to move. The selection was informed by the implementation plans prepared by each organisation and the Group's recommendations were accepted by the Government. The Group has also put indicative timeframes on a further 24 second phase locations.

From the outset the focus of the Group had been to urge prompt action on those elements of the programme most amenable to early relocation. It has in parallel taken the opportunity in each of its reports to assess the remaining challenges and, where appropriate, to put forward practical recommendations to assist in overcoming those obstacles.

The original Government announcement referred to the transfer of 10,300 posts to 53 locations.

- 6,200 (60%) civil servants – general service including ICT
- 1,000 (10%) civil servants – professional & technical
- 2,300 (22 %) State Agency posts
- 800 other including HSE, Garda and Defence Force personnel

Over the intervening period, the scale of the programme has increased to 59 locations with over 10,900 moves now proposed. For ease of reference, an overview of the programme by county and town is attached at Appendix 1. The increase in overall numbers since the announcement of the programme arises because of additional locations/bodies being added to the programme and changes to business functions/posts to be decentralised.

Progress to date

In general, the Group continues to be of the view that the civil service part of the programme is progressing satisfactorily. However, some other elements are continuing to prove challenging, especially those relating to the State Agency sector.

Pace of movement

2007 – By end June 2007 decentralising organisations had established a presence in over 20 new locations with over 1,000 staff in place. It is envisaged that by the end of 2007 public services will be delivered from 33 of the towns involved in the Decentralisation Programme with over 2,000 posts transferred from Dublin to the regions.

2008/2009 and beyond – The latest OPW update on accommodation allows for the planned movement of up to 6,800 staff by end 2009. This represents largely the civil service elements of the programme. The achievement of this target will require continued focus by all organisations on driving forward their implementation arrangements.

CAF applicants

In excess of 10,600 civil and public servants have applied on the Central Applications Facility (CAF) to decentralise. Approximately 50% of the applicants are currently based in Dublin with the balance currently in provincial locations. Managing the number of CAF applicants in existing provincial locations adds to the complexity of the implementation arrangements.

Assignments

Almost 40% of the 7,200 Civil Service posts due to relocate under the full programme are now filled by

staff who are either in their new decentralised location or are being skilled up in their new jobs prior to moving. In addition, over 600 State Agency staff have been placed by way of recruitment and promotion in posts which are due to relocate under the programme. This represents approximately 25% of State Agency posts in the programme. The Group wishes to acknowledge the significant efforts that Departmental/Agency management and staff have made to ensure that the turnover of staff of this magnitude has been successfully achieved, while also ensuring business continuity and quality service to their customers.

Business planning

All Departments, Offices and Agencies have produced implementation plans setting out the detailed arrangements they are putting in place for relocation while also ensuring business continuity and effective delivery of services to customers. Most of the plans are comprehensive and their preparation involved detailed reviews of business processes as well as the logistics of the move. The Group has reviewed progress periodically and has met with the Secretaries General and a number of CEOs of decentralising organisations to discuss issues arising.

The Group is satisfied generally that a prudent approach is being taken by Departments and Offices in relation to assessing the risks involved and the adoption of appropriate measures to manage business risk and to ensure continued smooth running of public services.

Property

Sites or building acquisition has now been completed or is significantly advanced in 38 locations. Progress is continuing in relation to the identification of suitable sites or properties in the remaining locations.

In addition, advance accommodation has been secured or is in the process of being finalised in over 20 locations to enable early moves to take place while the permanent accommodation is being progressed. These advance moves help to further the decentralisation programme by building momentum within Departments, assisting with business continuity and providing opportunities to assign staff currently located in provincial offices to their new posts without the requirement for lengthy training periods in Dublin.

IR Progress

Civil Service General Service - Across the civil service, transfers, recruitment and promotion practices generally are being managed in a way which facilitates the achievement of the

decentralisation programme in an efficient manner while also recognising the needs of those civil servants staying in Dublin. The Civil Service General Service unions are continuing to engage meaningfully in discussions on all aspects of the implementation arrangements.

Industrial relations issues in relation to the professional & technical posts and the relocation of State Agencies are addressed later in this report.

Analysis of Civil Service Locations

The following analysis looks at Civil Service locations. The over-arching issues touching on implementation are addressed later in the report.

In coming to a view on progress achieved to date and remaining challenges to be overcome, the Group has had a detailed look at the current state of play in each of these locations under the following headings:

- i) the original plan and the current numbers of posts now proposed;
- ii) the latest CAF information available on first preference applications for each location;
- iii) the Group's timeframe for relocation as agreed by Government;
- iv) any up to date information from the organisation in question;
- v) business issues arising;
- vi) the latest property position and costs committed;
- vii) staff assignments made to date;
- viii) staffing gaps remaining to be addressed;

The Group considers that the Civil Service General Service elements of the programme are well on track and should be fully achievable over the period ahead. The Group has come to this view based on the proactive approach of the organisations concerned, the degree of progress already evident, progress made in preparing for the transfer of the business, the take-up among CAF applicants and the availability of accommodation.

In the case of a small number of locations the Group considers that certain initiatives in the area of staffing are required to proceed to full implementation as the CAF uptake for these locations is currently low. In looking at available options, the Group has examined turnover at Clerical Officer (CO) and Executive Officer (EO) grades and has concluded that the level of recruitment required to complete the staffing complement at these grades is feasible over a

reasonable period without adding to Civil Service numbers overall.

A number of promotions across the grades will also be necessary to fill the remaining staffing gaps in certain undersubscribed locations. The Group recommends that the Department of Finance should now put the necessary steps in train to free up local recruitment where necessary, and to initiate, where appropriate, arrangements to fill gaps by promotion in consultation with the relevant unions.

This approach will provide certainty on the arrangements for the filling of remaining gaps and will enable final decisions to be taken by the OPW in relation to property / construction options for these locations. As part of their ongoing monitoring of implementation arrangements, the Group has developed an approach to assessing proposals to proceed to construction in each of the second phase locations. This approach requires an assessment of both the overall CAF position, the remaining staffing gaps and plans in place to fill those gaps, together with an assessment of progress made in placing staff who wish to remain in Dublin in appropriate posts. An assessment of the organisation's business readiness to move is also an important element of this decision making process.

The Group considers that in locations where completion of a staffing complement requires a significant number of promotions, it may be necessary to phase the move over a longer period than previously indicated. This would ensure that business continuity and staffing issues arising are addressed including the allowance of adequate time to place staff who wish to remain in Dublin in appropriate vacancies. Decisions taken in this regard may of course have implications for the total number of posts moved by end 2009.

Staff Remaining in Dublin

The Public Appointments Service is operating a system to match Dublin based vacancies with people wishing to remain in Dublin. All Departments and Offices have prepared detailed staffing plans setting out the phased release of staff over the transition phase of the programme. The highest numbers of civil service staff are in the clerical grades which have a high turnover rate. The level of turnover in these grades is such that it is not anticipated that there will be difficulty in placing staff at these grades in posts in Dublin.

While the take-up of decentralising posts is lower in the AP/PO grades the overall numbers of staff is also lower. From the data provided by Departments and Offices on expected numbers of

staff at these grade levels to be placed in Dublin posts, it is expected that these staff can be absorbed over time into posts in Dublin although the pace of absorption is likely to extend over a reasonable period of time.

This element of the programme is of course closely inter-linked with timeframes for relocation. Any initiatives to fill remaining gaps in undersubscribed locations, alterations to the make-up of staffing contingents or movements in timeframes will impact also on the pace of assignments required in Dublin. The Group consider it essential therefore that this element of the programme is monitored closely as the programme progresses so as to ensure that the interests of staff remaining in Dublin continue to be fully aligned with other developments in the implementation arrangements and that any additional costs arising are identified.

The continued success of the implementation of the Government programme requires the full co-operation of all organisations in reassigning staff as required. The Group is aware that there has been some reluctance among decentralising Departments to release staff to Dublin based posts in other organisations. The reasons for this are varied. However, this is an essential step in ensuring that opportunities to place staff who wish to remain in Dublin are maximised. The Group wishes to see all organisations co-operate fully with this aspect of the Dublin Arrangements.

Professional & Technical Posts in the Civil Service

There are approximately 950 professional & technical posts included in the programme.

Approximately 750 professional & technical staff have expressed an interest on the CAF in decentralising. These applications are distributed as follows:

- In the case of approximately 180 applicants there is a direct grade match between the post and the applicant;
- A further approximately 190 are former higher tax officers and tax officers who are eligible to take up general service posts under an agreement reached with the civil service unions;
- In the case of the remaining 370 applicants, the applicants have applied to organisations which do not currently have any posts in the applicant's particular profession or technical speciality.

In addition, by end April last, approximately over 60 staff have been recruited or promoted into

professional & technical posts with a requirement to decentralise. This creates a potential pool of approx 240 professional & technical staff currently available to fill the 950 posts decentralising. This represents over 25% of the total numbers required.

From the outset, the Group recognised that delivering on the professional & technical elements of the programme would present particular challenges. These arise primarily because of the low take-up of professional & technical staff for decentralised posts, the specialist nature of many of the posts and the absence of any tradition of cross-stream movement among these grades.

Each of the reports of the Group to date has highlighted these issues and recommended particular actions to address these challenges. The Department of Finance has updated the Group regularly on progress on the industrial relations front.

The Group understands that there has been some positive engagement with the relevant union in the case of individual organisations. The Group notes this case by case approach and supports this initiative.

The passage of time has allowed some recruitment and promotion opportunities to be filled in a manner which furthers the decentralisation objectives. Nonetheless given the scale of the remaining gap in a number of locations, the successful implementation of this element of the programme will most likely take place over an extended timeframe. The cost implications and business impacts of managing a transition period will need to be taken fully into account in negotiations with the unions in relation to each of the organisations concerned.

Information Communications Technology

The Group has recognised the particular challenges in implementing the ICT elements of the programme. In its last report, the Group proposed to discuss the range of implementation issues with the Secretaries General of the organisations concerned and to revert to the Minister with options for a feasible way forward. Under the programme, 3 Departments are due to relocate approximately 840 ICT posts – Revenue to Kildare Town (378 posts), Social & Family Affairs to Drogheda (262 posts) and Agriculture to Portlaoise (203 posts). The Group has now met with each of these organisations.

The Revenue Commissioners have signalled to the Group that in their particular circumstances, and taking account of the fact that their Headquarters

(HQ) will remain in Dublin, they have fundamental concerns about the business risks involved in relocation of the full ICT function to Kildare. The Group accepts that the Office of the Revenue Commissioners need to weigh carefully the extent of this potential risk to their core business functions and to then present their views to the Minister for Finance in this regard.

The Group is of the view that the ICT moves to Drogheda and Portlaoise are achievable but that successful completion of the moves in each case will require a decision on necessary steps to fill remaining gaps. In coming to this view, the Group has noted that in each case the HQ of the Department will be co-located with the ICT function and that the Departments themselves regard co-location of the HQ and ICT functions as the optimum business arrangement.

Early progress in discussions with the unions on the range of issues impacting on the ICT moves, recruitment, promotions and arrangements for staff remaining in Dublin are critical to furthering implementation. The Group would also like to see prompt implementation of the training arrangements, skills matrix and handover principles developed by CMOD to support the decentralisation process.

Data Centres

The Group asked the OPW to chair a working group to review the options in relation to the location and management of data centres. CMOD carried out extensive research on various data management options and came to the following conclusions:

- In a changing international regulatory regime governing data access and collection, it is becoming increasingly difficult for private companies to give robust assurances to the Irish State that its data would not be subject to access by the security agencies of other countries;
- Loss of business knowledge and failures of operational integrity are more likely to occur if data services are managed in isolation from an organisation's key operating functions;
- Experience to date with outsourced data management centres has revealed a high level of supplier inflexibility in coping with the requirement of State bodies within the confines of rigid service level agreements and a general high cost level within the industry;
- Departments have specific logistical requirements, ancillary business functions and large scale legacy systems, which do not fit well with commercially managed data centres.

On this basis, the working group considered how best to supply data management services from within the State sector in a cost effective and efficient manner. The main conclusions of the working group are as follows:

- For security and business continuity reasons, it is essential that two Data Centres be brought into use in parallel to maintain critical output should all or part of one of the Centres go off-line;
- Disaster recovery was considered to be best served by a third remote centre – this would be the subject of a separate project;
- Technical constraints related to the need for real-time transfer require that the maximum fibre-optic cable run between the two Data Centres cannot exceed 28km;
- Given the proposed location of the ICT staff centres post decentralisation Dublin would be the preferred location for the Centres.

This Group accepts the conclusion of the working group and has asked that the analysis be taken to the next stage i.e. the appraisal stage include the costing and cost benefit analysis of the proposal. This would include an examination of opportunities to offset costs as part of any property solutions for the centres.

State Agencies

State Agencies represent 2300 posts or just over 20% of the programme. The pace of progress in the State Agency part of the programme continues to be slow. The Group have commented on the difficulties in achieving progress on this aspect of the programme in a number of our previous reports.

There are a number of inter-related factors which have served to frustrate progress in relation to the State Agency part of the programme. It is clear from the outset that some of the unions involved have adopted a stance of opposition to the Government policy and have therefore been reluctant to become involved in meaningful negotiations on implementation arrangements. This has also led to an effective boycott of the CAF process in many Agencies.

The Group has always emphasised the central role of the Board and management in each Agency in driving this process forward. The Group would consider that all Agencies should now, at a minimum, have initiated HR recruitment policies to support the programme, have begun to put phased timeframes in place and be actively securing advance and/ or permanent

accommodation solutions in the decentralised location.

We also recognise the key industrial relations issues impacting on progress. In our report of October last, the Group asked the Department of Finance to seek to get discussions underway with ICTU on the range of industrial relations issues impacting on relocation including the possibility of transferability between Agencies or between Agencies and the Civil Service. We understand that ICTU has responded indicating that further consultation with its members will be required. Given that the programme is now operational for more than 3 years, the Group is disappointed with this outcome.

There is now, in our view, a need to re-energise this aspect of the programme in order to make progress in relation to the relocation of each Agency.

As with the other sectors included in the decentralisation programme, the Group considers it important that the State Agencies are examined on an individual basis to establish the degree to which early progress is possible in each case and the timeframes for full achievement of the relocation plan. In this regard, the Group has initiated a series of meetings with the CEOs of individual Agencies and the Secretary General of the parent Department in each case. In considering options for successful completion of this element of the programme, the Group considers the following issues to be of relevance:

- Approximately 50% of the overall posts are spread across just 4 State Agencies – Enterprise Ireland (292), FÁS (383), Fáilte Ireland (178) and Ordnance Survey Ireland (199). An individualised approach to seeking solutions to the challenges in each of these organisations is a necessary next step to progressing the State Agency element of the programme. The Group notes the efforts FÁS have made to move the programme forward and understands that an agreed date is awaited for the Labour Court hearing of the ongoing industrial relations issue.
- A renewal of efforts with ICTU to get meaningful discussions underway is essential to achieve early progress.
- Any analysis of specific locations needs to take account of the overall number of posts planned, the full potential pool of applicants if transferability between Agencies were in place in the future, the scale of the remaining staffing gap and available options for filling the gap.

- The structure of each organisation and the make-up of the staffing component between specialists and general managerial / administrative staff will impact on the options available to place remaining staff in Dublin.
- The scope for individual Agencies to form advance parties in the new locations and the issues surrounding the costs and business effectiveness of a dual location over the transition period should be examined.

The Group will also press ahead with the process of engagement with individual Agencies set out above with a view to agreeing a realistic timescale for completion of each move whether on a phased basis or as one single relocation project.

Costs

Property costs - The estimated gross cost of the property aspects of the original decentralisation programme was €900m at the outset of the programme (2004 prices). This was based on provision of accommodation for €10,300 staff outside of Dublin.

The overall number of staff for which accommodation is required has increased since the announcement of the programme due to additional bodies and locations being added to the programme (390 posts), changes to business functions of certain organisations (260 posts), additional space required for worksharing staff, planned future expansion, consultants, etc. (150) and consolidation of certain existing regional offices into new buildings (270). From the costs incurred to date, the OPW anticipates that the direct cost of providing accommodation for this increased number of staff will be contained within the overall envelope.

Disposal of property in Dublin - While the majority of posts have not yet moved from Dublin, the OPW has been able to dispose of property in Dublin being held for future expansion because the announcement of the decentralisation programme clarified that most future expansion of Civil Service accommodation would not be in central Dublin. Total income from such property disposed of between January 2004 and December 2006 was €362.5 million. In addition property valued at €75 million was transferred to the Affordable Homes Partnership. It is expected that over 50 million will be realised by central Dublin disposals in 2007 alone and further large disposals are planned from 2009 on depending on progress with staff moves.

Non-property costs – As expected, non-property costs have been increasing since the beginning of 2007 as more advance accommodation is in place, staff training has increased and actual

moves have taken place. At end March 2007, the total non-property costs incurred amount to approximately €6.8m.

Operating in a Decentralised Public Service Environment

The Group has referred in our previous reports to concerns expressed that decentralisation could impact on the role of the Civil Service in supporting Government and the Oireachtas. This is a matter that will need to be addressed by the Departments of Finance and An Taoiseach as part of the ongoing Civil Service modernisation programme. We understand that some preliminary consideration has already been given to the issue and will need to be advanced further to ensure that there will be no reduction in the Civil Service support for Government and the Oireachtas taking account of decentralisation and of the ongoing development of cross-departmental collaboration and joint working arrangements. The Group has asked to be kept informed of progress in this regard.

The Group has also been advised by the OPW that initial proposals are being drawn up in relation to the provision of shared office facilities for the use of Ministers and Departments when they are required to attend to business in Dublin. As the first of the Headquarters of Departments will be relocating in 2008, the Group considers it essential that early progress be made on all of these issues. The Group is clear that these facilities in Dublin are not intended to duplicate the Departments' offices in the decentralised locations and that briefs of requirements will represent the absolute minimum necessary to support the Minister while in Dublin.

In relation to the development of HR policies, the Group understands there has been considerable progress in relation to regional recruitment at CO level. It now urges the Department of Finance to develop these initiatives further in association with the Public Appointments Service. The Group also considered it important that the concepts of regional mobility and regional promotion pools are urgently explored by the Department of Finance in association with the relevant unions to ensure a full career structure for all civil servants within a particular region.

Conclusion

The Group believes that the implementation arrangements for the decentralisation programme are generally progressing well.

In particular, we are of the view that the Civil Service General Service elements of the programme can be achieved subject to some

flexibility in the areas of promotions and local recruitment. We are also satisfied that it is desirable that the main ICT functions are co-located with the HQs of the respective Departments and believe that these moves can be completed over a period once the plans for filling skills gaps have been agreed with the relevant unions.

In relation to the Dublin arrangements, we would continue to urge Departments to co-operate fully and promptly with arrangements for placing those staff who do not wish to decentralise. While we appreciate that there might be some reluctance to release experienced staff, it is in the interests of both the organisation and the staff concerned that the full transition phase of the programme is used in placing Dublin staff.

In the case of professional & technical staff, we note the continued engagement by the Department of Finance and the relevant union to address outstanding issues on a case by case basis. We will continue to monitor progress in this area and will bring to the attention of the Minister any issues arising.

The Group has an ongoing concern about the pace of progress in the State Agencies. We wish to reiterate the central role of the Board and management in each Agency in driving this process forward. As mentioned earlier in our report, we would consider that all Agencies should, at a minimum have initiated HR recruitment policies to support the programme, have begun to put phased timeframes in place and be actively securing advance and/or permanent accommodation solutions in the decentralised location. We will continue our programme of discussions with individual Agencies. There is also a need to engage further with ICTU on the wider mobility aspect.

The availability of advance and permanent accommodation has been a key driver of the programme to date. The Group will continue to work closely with the OPW to ensure that the target timeframes for delivery of completed accommodation are met.

The Group welcomes the update from the OPW in relation to the overall costs of the property aspects of the programme and notes that full delivery of the original programme is still anticipated within the original envelope of 900m in 2004 prices.

The Group acknowledges that the post decentralised civil service must be in a position to continue to make an effective input into policy formulation and legislation and to discharge its role of supporting Ministers and Government and

the Oireachtas. Some adaptation to business arrangements may be required for this purpose. The Group has asked to be kept informed of developments in this area as it is addressed by the Departments of Finance and An Taoiseach as part of the ongoing Civil Service modernisation programme.

Finally, the Group wishes to acknowledge the continued superb contribution of the management

and staff of the organisations involved in the programme. The degree of progress achieved to date is testament to the professional and conscientious approach being adopted to successful implementation of what is a complex and large scale programme.

Decentralisation Implementation Group
July, 2007

APPENDIX G

General Council Staff Panel Annual Report 2007

1. Pay

1.1. Sustaining Progress/ Towards 2016

General Council Report No 1478 agreeing the application of the terms of Towards 2016, Ten-Year Framework Social Partnership Agreement 2006-2015 to Civil Servants within the Conciliation and Arbitration Scheme was adopted on 8th November 2006. In 2007 an increase of 2% was applied from 1 June. A 2.5% increase was applied to those earning up to and including €400 per week (€20,859 per annum). The next increase of 2.5% is due from 1 March 2008 with the final increase of 2.5% being paid from 1 September 2008.

Following ICTU discussions in November it was agreed to wait until after the December Budget to begin talks on any new pay deals.

1.2 Benchmarking

The Public Service Benchmarking Body carried out its review during 2007 and the final report is expected in early January 2008.

2. SMI/Partnership/Performance Management System

2.1. Partnership Review

In "Towards 2016" parties have recommitted themselves to developing the partnership process in accordance with commitments under previous national agreements. It is intended that the National Centre for Partnership and Performance will play a key role in supporting this process. In 2007 there has been no movement on this issue.

2.2. PMDS

The sub-committee on PMDS met in February to discuss issues that had arisen in Revenue. Bi-lateral meeting took place with both IMPACT and AHCPS in relation to issues raised by the professional and technical grades.

3. Decentralisation

The Decentralisation sub-committee continued to meet monthly during the year. A sub-group to discuss ICT issues was set up and discussions are ongoing.

Papers issued by the Official Side during 2007 were:

Staff remaining in Dublin – revised paper January 2007

Use of Dublin Office Accommodation: Post Decentralisation – February 2007

Compensation for staff remaining in Dublin for loss of earnings arising because of transfers under Dublin arrangement –April 2007

Decentralisation Policy Paper- entitlements of non-established Civil Servants on Fixed-term Contracts and Contracts of Indefinite Duration and operation of the CAF

Department of Finance figures confirm that at 31st December 34 offices/departments have decentralised with a further 9 offices/departments to be confirmed in January 2008.

There were 2 claims put down at General Council in relation to the Decentralisation

1. That the terms of the agreed Decentralisation Training Allowance(DTA) be applied to staff who are promoted on the same basis as staff moving on lateral transfer. General Council Report 1493 recorded disagreement of this claim on 28th November 2007.
2. That staff who do not qualify for the Decentralisation Training Allowance because they have re-located within 35 miles of their current home or headquarters, be compensated for any, additional transport costs incurred and /or additional time spent travelling to work, before taking up permanent decentralised positions. General Council Report 1491 recorded disagreement of this claim on 31st October 2007.
3. That relocation expense be paid to civil servants relocating voluntarily under the decentralisation programme. General Council Report 1492 recorded disagreement of this claim on 28th November 2007.

4. Equal Opportunities

4.1 Work Life Balance

Following the Work Life Balance Review it was proposed to set up a Work/Life Balance Network to address policy issues and in particular to address issues that were raised by Departments/Offices in the Review

- Production of guidelines in relation to domestic and force majeure leave
- Options in relation to annualised working hours
- Analysis of the impact on business delivery of the build up of flexi-leave
- Return to work of those on career breaks – arrangements for deeming officers who have retired
- Limiting the expansion of term time
- Restricting staff to one form only of the main non-statutory Work Life Balance arrangements or limiting the options available to people participating in Work Life Balance schemes in a 12 month period
- Guidelines on the appropriate management of refusals to applications
- Guidelines in relation to the most effective balance between worksharing and full-time staff in terms of business delivery and staff morale
- Grade restrictions.

4.2 Adoptive Leave (Foreign Adoption)

Following representation by the Staff Side the Official Side agreed that in relation to foreign adoption that circular 2/76 section 37 would cover the extended leave required by parents in such situations. It is noted that this special leave is without pay.

4.3 Maternity and Taxation

The issue of the amount of salary that is taxable for members who are on maternity leave was raised during the year and the Official Side advised that Revenue had written to all departments/offices asking what system they were applying in this regard. It is hoped to have an update on this issue early in 2008.

4.4 Bereavement Leave

Following a claim at General Council in 2007 there have been some changes in relation to compassionate leave. The following arrangements regarding special leave with pay may be allowed to an officer in the event of the death of a relative:

- (a) 5 working days in the case of a spouse or child,
- (b) 3 working days in the case of other immediate relatives i.e. father, step-father, father-in-law, mother, step-mother, mother-in-law, brother, step-brother, half-brother, brother-in-law, sister, step-sister, half-sister, sister-in-law, grandfather, grandmother, grandchild, ('spouse' includes a cohabiting partner and 'child' includes adopted children and children being cared for on basis of 'in loco parents').
- (c) 1 working day in the case of aunt, uncle, niece and nephew

There was no agreement to increase the period of bereavement leave.

4.5 Term Time Scheme

It was agreed at the Work Life Balance Network that all departments/offices would have the same closing date for applications for term time. The date agreed is 2nd November each year.

Discussions are ongoing with the Official Side in relation to recent recruitment legislation and the reduction of the probationary period to one year as this has implications for new entrants who wish to apply for term time.

4.6 Worksharing

While there are over 40 workshare patterns in operation throughout the Civil Service not all government departments/offices make these facilities available to their staff. During the course of 2007 there were 5 claims for changes to be made to some of the options available to staff. The following claims were rejected by the Official Side and are to have General Council reports recording disagreement drawn up:

1. To have current flexi carryover of 11.5 hours per flexi period extended to 14 hours per flexi period.
2. To introduce condensed hours as a flexible working option and to amend flexi time bands to accommodate this option
3. To change the starting of flexitime bandwidth from 8am to 7.30am
4. To seek the introduction of a new work pattern from 7am to 2pm
5. To return to the system of choice between pay or time off in lieu in respect of public holidays for worksharers

4.7 Crèches

The six crèches in operation under the Civil Service Childcare Initiative: Mount St. Dublin, Marlborough St. Dublin, Backweston, Athlone, Sligo and Ennis, continued to operate during 2007. The Department of Finance are seeking tenders for a new operator in Ennis, the current management will continue to operate the crèche until June 2008.

Building in on schedule for the Cork crèche and a completion date of early 2008 is expected with the opening to take place in September 2008.

4.8 Disabilities

There were 9 meetings of the sub-group during the year. The sub-committee reviewed The Draft Code of Practice during the year and the launch of the Code of Practice took place in October 2007

The Disabilities Network continues to meet regularly and new Disability Liaison Officers (DLO's) are now being trained.

In order to monitor the number of employees with disabilities a Count Me In Survey took place during the year, it is hoped to have the results of the survey in early 2008.

5. Health and Safety

5.1 Mobile Masts

The Staff Side produced a draft report on Mobile Mast early in 2007. After some months the Official Side made amendments to the draft which are still unacceptable to the Staff Side. It has been agreed that both side would meet in early 2008 to discuss the matter again.

Following a claim for a Health Surveillance and Monitoring" plan to be put in place for all Technical and Professional employees of State run laboratories, the Staff Side met with the Official Side and the following agreement was reached: that the Official Side and Staff Side will work together in relation to health monitoring. It was decided that a regular meeting would take place of the group comprising representatives of laboratories, the Department of Finance and the Staff Panel to exchange information/ideas. General Council Report No.1494 was adopted in December 2007 recording this agreement.

6. Travel and Subsistence Sub-committee

6.1 Motor Mileage

Following a number of meetings between the Staff and Official Sides the following motor mileage rates were agreed rates were agreed from 1st July 2007.

Circular 24/2007- Motor Travel Rates was issued on 2nd July 2007.

Rates per mile from 1st July 2007

Official Mileage in a Calendar Year	Engine Capacity up to 1200 c.c.	Engine Capacity 1201 cc to 1500 cc	Engine Capacity 1501 cc and over
Up to 4000	83.92 cent	99.22 cent	126.01 cent
4001 and over	43.57 cent	49.81 cent	58.97 cent

Reduced Motor Travel Rates Effective from 1 July 2007

Engine capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501 cc and over
31.40 cent per mile	35.68 cent per mile	41.57 cent per mile

Rates per kilometre from Effective from 1st July 2007

Official Mileage in a Calendar Year	Engine Capacity up to 1200 c.c.	Engine Capacity 1201 cc to 1500 cc	Engine Capacity 1501 cc and over
Up to 6437km	52.16 cent	61.66 cent	78.32 cent
6438km and over	27.08 cent	30.96 cent	36.65 cent

Reduced Motor Travel Rates Effective from 1st July 2007

Engine capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501 cc and over
19.52 cent per km	22.17 cent per km	25.83 cent per km

6.2 Subsistence

Following meetings of the sub-committee of General Council the following subsistence Rates have been agreed from 1st July 2007. Circular 24/2007 issued on 2nd July 2007.

Subsistence Rates from 1st July 2007

Overnight Rates				Day Rates	
Class of Allowance	Normal Rate	Reduced Rate	Detention Rate	10 hours or more	5 hours but less than 10 hours
A Class	€144.45	€133.17	€72.21	€43.13	€17.60
B Class	€141.60	€121.11	€70.83	€43.13	€17.60

6.3 Motor Cycle Allowance

Following discussions with the Official Side the following Motor Cycle Rates were agreed.

Rates from 1 st July 2007 Miles	up to 150	151 - 250	251 - 600	601 plus
0-4000 (miles)	30.45 cent	42.39 cent	50.09 cent	61.08 cent
4001 & over (miles)	19.12 cent	27.26 cent	31.34 cent	36.35 cent

Rates from 1 st July 2007 Kilometres	up to 150	151 - 250	251 - 600	601 plus
0-6,437 (km)	18.92 cent	26.35 cent	31.13 cent	37.96 cent
6438 & over (km)	11.89 cent	16.94 cent	19.48 cent	22.59 cent

6.4 Removals Circular

In December the Official Side forwarded proposed increases in the Lodging Allowance. It has now been agreed by the Staff Side.

7. Public Service Management Bill

7.1 Grievance Procedure

Staff Side met with the Official Side to discuss the Grievance procedure. The Official Side provided the Staff Side with a draft report and the staff side are to meet to discuss this report in January 2008.

8 Arbitration Board/Adjudicator

8.1 Arbitration Board

At present 16 claims are on the Arbitration list.
The current members of the Arbitration Board are as follows:
Chairperson: Mr. James Connolly, Mr. D. Hunter, employer nominee and Mr. Tom Wall, Staff Side nominee

8.2 Adjudicator

Mr Kieran Mc Govern was re-appointed as Adjudicator from June 2007 to June 2008.

For details of cases heard under Arbitration, Ad-Hoc Arbitration under Sustaining Progress and Adjudication - Please see Appendix C

9. Disciplinary Appeals Board

Ms. Inge Clissman SC was re-appointed as Chairperson of the Disciplinary Appeals Board for 2007/2008.

10. Staff Panel/General Council

10.1 Staff Panel

During the year there were 11 meetings of the General Staff Panel

10.2 General Council

During the year 11 meetings of General Council took place, with numerous meetings of Sub-committees of General Council.

11. Third World Fund

The fund's committee of management met monthly during the year. The Committee will present its Annual Report to the Staff Panel at the January 2008 meeting. The new website for the Fund can be viewed at www.cstwf.ie

12. Civil Service Charities Fund

The committee continue to meeting each quarter and at their December meeting agreed to hold the Annual General Meeting of the Fund on Tuesday 4th March 2008. Following the Annual General Meeting a report will be presented to the March Staff Panel meeting.

13. Appendix A - Claims lodged at General Council 2007

14. Appendix B - List of General Council reports issued during 2007

15. Appendix C - Cases heard at Arbitration, Ad Hoc Arbitration under sustaining Progress and Adjudication in 2007

16. Appendix D - Circulars issued by the Department in 2007.

CONCLUSION

I would like to thank the Chairperson Ms. Patricia Tobin, the Vice-Chairperson Mr. Jarlath O' Connor for their assistance and co-operation during the last 12 months.

To the General Secretary, Officers and Staff of the PSEU, in whose premises the Panel Office is located, thank you for your assistance, courtesy and welcome advice during the year.

I would like to thank the Panel constituent members for their co-operation during the year.

Finally I would like to thank Eric Gargan and Aengus O'Rian for their co-operation and assistance during 2007. I would also like to thank all our colleagues in the Department of Finance for their contributions throughout the year.

Joan Byrne
Secretary

January 2007

Appendix A of the Staff Panel Report

CLAIMS LODGED AT GENERAL COUNCIL 2007

AHCPS	Seeking a voluntary early retirement scheme for AP's and PO's with 30 years service in view of the surplus arising as a result of decentralisation.
STAFF PANEL	Seeking the introduction of improved pension payment for officers who have 40 years reckonable service and who continue to work.
STAFF PANEL	That the six month sick leave allowance with full pay be extended to twelve months in the case of serious illness and that the same extension be applied to the period on half pay, meaning that in a four year cycle payment could be made for up to two years.
STAFF PANEL	To extend career break scheme to all civil servants to allow them take up employment in the private sector, where such employment does not give rise to a conflict of interest.
STAFF PANEL	Seeking that the minimum pension paid to Civil Servants be the equivalent of the rate of Old Age Contributory Pension for their service.
STAFF PANEL	Seeking that where officers with both full and modified PRSI service who repaid the Marriage Gratuity be allowed to preserve pension benefit related to their modified PRSI service and not have all their service aggregated for a co-ordinated pension.
STAFF PANEL	That on an annual basis and in keeping with the Protection of Employees Act 2003, management provide by grade the breakdown of staff on established contracts, fixed term contracts, and contracts of indefinite duration.
STAFF PANEL	Seeking to have the findings in the McArdle judgement applied to all grades on fixed term contracts and contracts of indefinite duration.
AHCPS	To grade the post of Deputy Chief Appeals Officer at P.O. level
STAFF PANEL	For the Travel Pass Scheme to be extended to retired members
STAFF PANEL	That examination leave be granted to officers on the day of examinations in all cases, including situations where all or part of the examination takes place outside of normal working hours
STAFF PANEL	That the starting Flexitime bandwidth be widened from 8 am to 7.30 am with immediate effect
STAFF PANEL	That in order to encourage sustainable alternatives to car commuting, that all new or refurbished accommodation provided for members contains suitable, secure and sufficient parking of bicycles and motorcycles.
STAFF PANEL	That staff who do not qualify for the Decentralisation Training Allowance because they have re-located within 35 miles of their current home or headquarters, be compensated for any, additional transport costs incurred and /or additional time spent travelling to work, before taking up permanent decentralised positions.
STAFF PANEL	That the employer provides a yearly pension statement to each employee contributing to the pension scheme.
STAFF PANEL	Seeking to have the term time scheme made available to all staff not just those with caring responsibilities.

STAFF PANEL	Seeking to have the number of days compassionate leave increased to 10 days on the death of a parent, spouse or child and the definition of immediate relative extended to include aunt, uncle, nephew, niece, first cousins, sister/brother in-law,
STAFF PANEL	Seeking to have the current flexi-carryover of 11 1/2 (11 1/2 days) per flexi period extended to 14 hours (2 days) per flexi period in the Civil Service
STAFF PANEL	Seeking to allow member to take force majeure leave in periods of 1/2 day if required
STAFF PANEL	Seeking to increase the parental leave entitlement from children age 8 years to all children attending primary school
STAFF PANEL	That the arrangements governing special leave with pay be amended in order to permit such leave for staff obliged to accompany dependant relatives to medical appointments
STAFF PANEL	That where an Officer opts for retirement in advance of normal pension age on an actuarially-reduced basis, the Officer concerned should have the option of deferring payment of retirement lump sum until normal retirement age and having the calculation of same made on the same basis, as if he/she were a deferred pensioner.
STAFF PANEL	That Certificates from accredited Para medical staff, such as those issued by physiotherapists and chiropractors, be regarded as equivalent to certification by a doctor for the purposes of sick leave regulations.
CPSU	Seeking to establish transfer arrangements from the Interviewer grade in the QNHS to Clerical Officer in the General Service in circumstances where health problems prohibit a member from carrying out the duties of a QNHS Interviewer
CPSU	Seeking to establish transfer arrangements from the Interviewer grade in the QNHS to Clerical Officer in the General Service in circumstances where member have been victims of assault or violence or are unable to continue to work in the Interviewer grade due to injury/trauma/stress associated with such events.
STAFF PANEL	Seeking to have current Civil Service crèche facilities extended to cover after school care.
IMPACT	Seeking to amend circular 27/03 to correct an anomaly whereby IMPACT grade with the same max a principal officer scale and who previously had the same annual leave allowance as principal officer are under the new circular treated in a less favourable manner
STAFF PANEL	Seeking to return to a system of choice between pay or time off in lieu in respect of public holidays for worksharers
STAFF PANEL	Requesting Department of Finance to carry out an Environmental Impact Statement on the current decentralisation programme assessing matters such as how availability of public transport affects the selection of office sites, and the steps taken to ensure the programme does not promote a car dependent lifestyle
STAFF PANEL	To amend the CAF arrangements to allow officials on the Dublin CAF to express a preference for offices in those counties bordering on any of the Dublin 4 local authority areas.
AHCPS	Seeking to have an agreed lateral mobility scheme for AHCPS grades.
STAFF PANEL	Seeking an annual return on the number of complaints made under "the positive working environment" to determine numbers of cases overall, the number of cases where a finding has been made (whether for or against the allegations), the number of inconclusive findings, and any evidence of abuse of the process.

STAFF PANEL	Seeking a scheme of unpaid special leave whereby staff can take a half day unpaid leave for each year of service, subject to a max of 15 days per year.
STAFF PANEL	That relocation expenses be paid to civil servants relocation voluntarily under the decentralisation programme.
CPSU	Seeking to give Temporary Clerical Officers with more than 2 years continuous service the opportunity to secure permanent CO status by means of an Establishment Competition.
CPSU	Seeking to ensure that successful candidates from the last national Clerical Officer competition (2005) and any subsequent local or limited CO competitions and who were appointed prior to the commencement of the probation period change on 1 st Sept 06 have their appointment terms and conditions brought in line with those after that date.
CPSU	To have internet access facilities extended to all Clerical and Staff Officers.
STAFF PANEL	Seeking to have lump sum retirement at 40 years service made available to staff retiring with full service before reaching their 60 th birthday.
AHCPs	To permit to carry forward without conditions or restrictions of up to five days annual leave at the end of leave year.
IMPACT	Seeking an increase in the Foot Wear Allowance payable to the Service Officer grade.
IMPACT	That the incremental pay scales for grades represented by FGE Branch be reduced
STAFF PANEL	Seeking to have the existing full sick pay provisions extended from six months to twelve months where the medical condition involves ongoing oncology care
IMPACT	That IMPACT seeks to condense the number of points on the incremental scales of professional and technical grades
STAFF PANEL	That a system is put in place to provide on-going monitoring and evaluation of the integrated PMDS model to ensure a fair and equitable system for all
STAFF PANEL	That the PMDS system be amended to allow for an appeal to an independent third party
STAFF PANEL	That the terms of the agreed Decentralisation Training Allowance(DTA) be applied to staff who are promoted on the same basis as staff moving on lateral transfer.
IMPACT	That where starting above the minimum salary is possible for professional and technical grades that this should be clearly stated in the advertisement for the jobs along with the criteria that is applied.

Appendix B of the Staff Panel Report

AGREED REPORTS IN 2006

No	Title	Outcome Recorded
1482	The level of assignments of Clerical Officers to Clerical Officer Higher Scale (CPSU)	Agreement
1483	That the six months sick leave allowed with full pay be extended to twelve months in the case of serious illness and that the same extension be applied to the period on half pay, meaning that in a four year cycle payment could be made for up to two years.	Disagreement
1484	To change the way in which overtime is currently being paid – that in future(a) all overtime should be paid on the point of the scale on which the claimant is paid and (b) that officers get paid for all overtime hours worked	Disagreement
1486	Interdepartmental Schemes of Promotion to Assistant Principal Officer (cir.36/2005) and Higher Executive Officer (Cir.26/2005)	Agreement
1487	Seeking to allow members to take Force Majeure leave in periods of ½ day if required	Disagreement
1488	That staff who are acting up to a higher grade be treated as if they were substantively promoted for pay purposes	Agreement
1489	Interdepartmental Schemes of Promotion to Assistant Principal Officer (Cir. 28/2007) and Higher Executive Officer (Cir.14/2007)	Agreement
1490	Addendum as provided for at paragraph 13(3) of the Scheme of Conciliation and Arbitration for the Civil Service – Property Registration Authority	Agreement
1491	That staff who do not qualify for the Decentralisation Training Allowance (DTA) be compensated for any additional transport costs incurred and /or additional time spent travelling to work, before taking up permanent decentralised positions.	Disagreement
1492	That relocation expenses be paid to civil servants relocating voluntarily under the decentralisation programme	Disagreement
1493	That the terms of the agreed Decentralisation Training Allowance (DTA) be applied to staff who are promoted on the same basis as staff moving on lateral transfer	Disagreement
1494	That the Official Side establish a voluntary health monitoring programme for all laboratory staff working in State laboratories	Agreement

The following adjudication hearings were held in 2007:

- **ICT Promotions in the Department of Finance**

This hearing was adjourned.

- **Gym Allowance in the Irish Prison Service**

The Adjudicator conceded this claim.

- **Driver Testers**

The Adjudicator recorded that €15,000 in full and final settlement was in order.

- **Upgrade of Social Welfare Office Managers**

The Adjudicator did not concede this claim.

Circulars issued by Department of Finance in 2007

No.	Title/Content
01/07	Cursai agus Scolaíreachtaí Gaeltachta 2007
03/07	Retention of Civil Servants beyond the normal retiring age –maximum income limits allowable on grounds of hardship.
04/07	Purchase of notional service for superannuation purposes by Established Civil Servants and Non-Established State Employees.
11/07	Confined competition for appointment to posts at Principal Officer(Standard Scale) in the Civil Service
14/07	Confined competition for promotion to Higher Executive Officer in the Civil Service.
21/07	Revision of pay of Civil Servants Application of increases under Section 27.17 of Towards 2016
22/07	Ill-Health Retirement from the Civil Service
23/07	Post Entry Education – refund of Fees, Study Leave and Examination Leave
24/07	Subsistence Allowances
25/07	Motor Travel Rates
27/07	Confined competition for appointment as Higher Executive Officer to serve as Employee Assistance Officer in the Employee Assistance of the Civil Service
28/07	Confined competition for appointment to posts at Assistant Principal (Standard Scale) in the Civil Service
30/07	Subsistence Allowances Abroad
31/07	Attendance of Civil Servants in Court as Witnesses
32/07	Appointment to the post of Senior Auditor in the Office of the Comptroller and Auditor General
33/07	Civil Service Superannuation Arrangements
35/07	Revision of pay of certain Civil Servants
37/07	Guidance Note: to all Personnel Officers on the use of Excluding Orders as provided for under the Public Service management (Recruitment and Appointments) Act.
38/07	Allowances for the performance of duties of a higher grade
40/07	Agreement on incremental credit for previous service for certain entry level grades represented by IMPACT

APPENDIX H

FÁS SIPTU Labour Court Finding on Decentralisation

RECOMMENDATION NO. LCR18974

**INDUSTRIAL RELATIONS ACTS, 1946 TO 2004
SECTION 26(1), INDUSTRIAL RELATIONS ACT,
1990**

PARTIES:

FÁS - AND -

**SERVICES INDUSTRIAL PROFESSIONAL
TECHNICAL UNION**

DIVISION:

Chairman: Mr Duffy

Employer Member: Mr Murphy

Worker Member: Mr Nash

SUBJECT:

1. Contracts for staff on promotion.

BACKGROUND:

2. Under the Government policy for the decentralisation of Civil Service Departments and State Agencies, Birr, Co. Offaly was identified as the proposed site location for the new FÁS Head Office. In order to facilitate this move FÁS included a decentralisation clause in any new employment contracts and contracts for promotion within or to their Head Office. With regard to contracts for promotion, the Union contends that this action is contrary to the voluntary nature in which decentralisation should occur.

The dispute could not be resolved at local level and was the subject of a Conciliation Conference under the auspices of the Labour Relations Commission. As agreement was not reached, the dispute was referred to the Labour Court on the 13th September, 2006 in accordance with Section 26(1) of the Industrial Relations Act, 1990. A Labour Court hearing took place on the 2nd August, 2007

UNION'S ARGUMENTS:

3. 1 The decentralisation clause in FÁS contracts is a tool of compulsion to increase the numbers for Birr, Co. Offaly. This action would not be in line with the Government's position on the voluntary nature of decentralisation. The Labour Court has previously noted the voluntary nature of the

decentralisation policy in LCR 18473. If a compulsory decentralisation is realised by way of promotion, the Union's members in Head Office will be discriminated against and treated unfairly when it comes to promotional opportunities.

2. The utilisation of such contracts on foot of promotion or transfer is not happening in other State Agencies. There are many social, family and personal costs associated with such proposed compulsory decentralisation on foot of promotion. The Union accepts the clause's inclusion in new employees contracts as they are aware of the proposed move.

3 FÁS acknowledges that promotions is not the answer to the lack of interest among its staff to relocate to Birr. The removal of promotional opportunities to staff in Head Office wishing to remain in Dublin only serves to de-motivate them.

COMPANY'S ARGUMENTS:

4. 1 Constructive negotiations have taken place in the broader Civil Service and agreement has been reached on how decentralisation is to be implemented. This includes agreement on the inclusion of a decentralisation clause in all new contracts and in a proportion of promotional contracts. The principle of employment contracts being conditional on acceptance of decentralisation is therefore established and accepted elsewhere.

2. The staffing of the new FÁS Head Office in Birr is a major challenge and it will be difficult to achieve. FÁS is a stand alone organisation. It does not have the same flexibility in terms of staff numbers or movement that applies in the Civil Service.

3. FÁS must have recourse to every possible mechanism to bring about the movement of staff to the new location. The decentralisation clause is critical in order for FÁS to staff a Head Office in Birr.

RECOMMENDATION:

This dispute came before the Court against the background of a Government decision to relocate

the FÁS Head Office to Birr Co Offaly. It is acknowledged that the vast majority of staff currently located at the Head Office in Dublin are unwilling to move to Birr and that there is little likelihood of any significant change in that position.

FÁS wishes to introduce a requirement that staff members who obtain promotion or transfer to a Head Office post commit to relocating to Birr as and when required. This, it is submitted, is in line with the practice in the Civil Service and is required by Government policy. The Union is opposed to the proposal and contends that it is incompatible with the stated voluntary nature of the decentralisation process.

In its consideration of this case the Court has taken full account of the Government policy underlying the disputed requirement. However, in accordance with well established practice, the Court must formulate its recommendation based on its own independent view of the merits of the arguments advanced by both parties, as measured by accepted standards of reasonableness and good employment practice.

It is clear to the Court that the potential for career progression is an important feature of the general employment conditions of FÁS staff. While no employee can claim a right to promotion as a condition of employment, FÁS staff do have a right to compete for such promotional opportunities as arise within the organisation. They also have a concomitant right, under existing agreements, to be judged on suitability and merit alone in the competitive process.

FÁS say that the transfer of staff to Birr will, in accordance with stated Government policy, be on a voluntary basis. That must mean that staff have a right not to move. However, if they exercise that right they would be effectively denied access to promotions to which they could otherwise aspire. Thus, in practice, the overriding criterion for promotion would be a willingness on the part of the candidate to relinquish his or her rights not to transfer. Given the importance of career progression to those involved, such a state of affairs is, in the Court's view, incompatible with any reasonable notion of voluntarism.

There are other considerations of relevance to this case. Firstly, FÁS was influenced, to a significant degree, in applying the disputed contractual terms by the introduction of a similar provision in the civil service. In the Court's view decentralisation is

likely to have a materially different impact on the careers of FÁS staff than in the case of Civil Servants. There is an obvious difference in scale between both employments. This, coupled with the possibility of inter-departmental competitions in the Civil Service, provides significantly greater opportunities for promotion in Government Departments than are available in FÁS. Secondly, FÁS acknowledges that even if its proposal to confine all promotions at Head Office to those willing to transfer were to be fully implemented it would have a minimal impact on the numbers likely to accept relocation to Birr. Yet, the organisation's persistence in seeking to apply this provision has generated considerable acrimony between the parties, which has impeded progress in addressing the dominant issues relating to the redeployment of staff who are unwilling to participate in the decentralisation programme.

For all of these reasons the Court recommends that FÁS should not proceed with the introduction of the disputed contractual term at this time.

The Court does, however, believe that the broader issue of decentralisation, as it affects State Bodies, must be advanced in a way which takes account of the peculiar circumstances of those Bodies and their staff. In particular the Court believes that the stated policy of effecting decentralisation on a voluntary basis could best be achieved if individuals who are unwilling to relocate are provided with realistic alternative career options, which take account of the proprietary rights and legitimate expectations which they have accrued in their current employments.

The Court believes that the appropriate authorities should address the issues arising in this case in the broader context of decentralisation of the non-commercial State Bodies overall. The focus of these discussions should be to identify appropriate career alternatives for those who exercise their right not to relocate from their current geographical base.

Signed on behalf of the Labour Court

Kevin Duffy
21st August, 2007
DN Chairman

APPENDIX I**Minutes of AGM & Annual Report of
Irish Congress of Trade Unions****PUBLIC SERVICES COMMITTEE****Minutes of Annual General Meeting of the Committee
held on
Monday, 29 May, 2006**

<u>Present:</u>	P. McLoone	Chair & IMPACT
	S. Ó Ríordáin	AHCPS
	D. Thomas	AHCPS
	F. Maunsell	ATGWU
	B. Horan	CPSU
	B. Tyrrell-Collard	CPSU
	D. Ó Ceallaigh	IFUT
	K. Callinan	IMPACT
	S. Cody	IMPACT
	L. O'Donnell	IMPACT
	P. Nolan	IMPACT
	L. Doran	INO
	D. Hughes	INO
	J. Carr	INTO
	J. Kane	MLSA
	T. Geraghty	PSEU
	B. Hannigan	PSEU
	P. Behan	PSEU
	G. Maybury	PSEU
	P. Caffrey	PSEU
	P. Healy	TUI
	D. Glynn	TUI
	T. O'Meara	TUI
	L. Berney	ICTU
	D. Murphy	Secretary & PSEU
<u>Apologies:</u>	M. Merrigan	Vice-Chair & SIPTU

The Chairperson, Mr. Peter McLoone, took the chair.

1. **MINUTES**

- 1.1 The minutes of the Meetings of the Committee held on 31 May, 2005, 13 January, 2006 and 19 April, 2006 were approved.

2. ANNUAL REPORT

- 2.1 A draft of the Annual Report was before the meeting.
- 2.2 P. Healy, TUI, raised an issue relating to Public Service Modernisation and Change in the context of the discussions on a successor to Sustaining Progress which were in progress at the time.
- 2.3 The Chair referred to the fact that there had been some discussions on Modernisation and Change in the Public Service Generally between the Negotiating Committee and the Official Side. The Union side had indicated that there were aspects of the Official Side's approach which were unacceptable. There would also be a necessity for discussions at Sectoral Level in the Public Service. It would not be possible to settle the issue until the pay situation in the National Talks had been clarified.
- 2.4 The Annual Report was adopted.

3. FINANCIAL REPORT

- 3.1 The Financial Report was adopted.

4. ELECTION OF OFFICERS

- 4.1 The following were elected without opposition:

Chair:	Peter McLoone, IMPACT
Vice-Chair:	Matt Merrigan, SIPTU
Secretary:	Dan Murphy, PSEU

5. BENCHMARKING

- 5.1 The meeting noted the following up-date:
- (a) Unions concerned with individual grades which were being considered by the Body had been asked for submissions by 7 July;
 - (b) The employers concerned with such grades had also been asked for submissions by the same date;
 - (c) Unions and Employers would be expected to exchange submissions and would have a further three weeks to enter responses to same;
 - (d) The Body had also placed advertisements in the press seeking submissions from the general public;

- (e) The Select Committee of Dáil Éireann on Finance and the Public Service had raised the issue of transparency in the context of Benchmarking with the Minister for Finance as a result of which the Minister had written to the Benchmarking Body on the matter;
- (f) The Negotiating Committee had considered a draft of the Committee's Submission to the Body and hoped to finalise same shortly,
- (g) In its meeting with the Body, the Committee would need to cope with the recent CSO Report on pay in the Public and Private Sectors.

5.2 P. Healy, TUI, raised an issue on the Committee's Submission to the Benchmarking Body.

5.3 The Officers pointed out that the details of same had been referred to the Negotiating Group of the Committee as agreed at the meeting held on 19 April.

6. **PUBLIC SERVICE MONITORING GROUP**

6.1 A report on this issue set out in the Annual Report was noted.

7. **PERFORMANCE VERIFICATION GROUPS**

7.1 A report on this issue set out in the Annual Report was noted.

8. **COMMISSION ON PUBLIC SERVICE PENSIONS**

8.1 A report on this issue set out in the Annual Report was noted.

9. **NEXT MEETING**

9.1 It was agreed to leave arrangements for the next meeting of the Committee to the Officers.

As there was no further business, the meeting then concluded.

**D. Murphy,
Secretary.**



PUBLIC SERVICES COMMITTEE

ANNUAL REPORT 2006/07

1. MEETINGS

- 1.1 There was one meeting of the full Committee held over the past year since the 2006 Annual General Meeting.
- 1.2 As has been the practice in recent years the work of the Public Services Committee was conducted through three Committees who had regular meetings including negotiations with the Official side on Pay, Pensions, Sustaining Progress, Modernisation and Change etc.

2. PAY REVIEWS THROUGH BENCHMARKING

- 2.1 The PSC had an on-going engagement with the process through the PSC Negotiating Group from the time of the negotiation of the PPF.
- 2.2 The Report of the Benchmarking Body was published on Monday, 1 July, 2002.
- 2.3 Subsequently, the PSC Negotiating Group engaged with the Public Service Employers on implementation of the Body's findings. These discussions concentrated on the modernisation issues which would be associated with implementation of Benchmarking; and the arrangements for payment of the balance of the Benchmarking Awards following the one-quarter of same due from 1 December, 2001.

- 2.4 The discussions overlapped with the negotiations at National Level between ICTU and the National Employers on a successor to the PPF, (i.e. what became Sustaining Progress) which provided for the application of both the general increases under Sustaining Progress and the implementation of Benchmarking – the phasing of the former had to be adjusted to take account of the latter.
- 2.5 The Public Service Pay Agreement made in the context of Sustaining Progress provided for the maintenance of industrial peace and further Developments on Modernisation and Change in the Public Service, both generally and in individual sectors and a system of independent verification of compliance with the agreement in the Public Service as a condition precedent to the payment of the increases – Performance Verification.
- 2.6 In addition, provision was made in the agreement for a further Benchmarking Review which would be discussed between the parties during the period of the agreement, including terms of reference, *modus operandi*, establishment and timescale of a further such exercise. These issues would be settled in the context of the discussions on whatever arrangements on pay and conditions were to be put in place on the expiry of the agreement.
- 2.7 While Sustaining Progress generally lasted for a period of 3 years, the pay element agreed in the original negotiations covered a period of 18 Months. As a result, further discussions on pay took place in the summer of 2004 to cover the final 18 months of Sustaining Progress.
- 2.8 The Pay Agreement (Sustaining Progress – Second Pay Module) covering this period came into force on the expiry of the first Pay Agreement under Sustaining Progress and also lasted for eighteen months. It was ratified at a Special Delegate Conference of ICTU in September, 2004.
- 2.9 The Public Service Pay Agreement reached in the context of Sustaining Progress concluded on 30 June 2006.
- 2.10 Negotiations on a successor to Sustaining Progress took place over an extended period and resulted in proposals for a new Programme entitled “Towards 2016” which was ratified by a Special Delegate Conference of ICTU held on 4 September.
- 2.11 In the case of the Public Service, the final increase under the previous Sustaining Progress agreement (2.5%) was applied to the pay of members from 1 June, 2006 and, as mentioned above, the agreement expired on 30 June, 2006.

- 2.12 The Public Service Pay Agreement concluded under Towards 2016 covers the period 1 July, 2006 to 30 September, 2008 in the Public Service.
- 2.13 The application of the increases in the Public Service is as follows:
- | | | |
|-----------|--------------------|------|
| Phase I | 1 December, 2006: | 3.0% |
| Phase II | 1 June, 2007: | 2.0% |
| Phase III | 1 March, 2008: | 2.5% |
| Phase IV | 1 September, 2008: | 2.5% |
- 2.14 The Second Phase of 2% is increased to 2.5% in the case of workers whose weekly pay is at or less than €400 per week (€20,859 per annum).
- 2.15 The cumulative effect of these increases is 10.4% (10.9% for lower paid up to €400 per week).
- 2.16 The first pay agreement under Sustaining Progress which covered the initial part of the Programme contained a provision to the effect that the Benchmarking Process was an appropriate way of determining public service pay rates in the future.
- 2.17 Under the terms of the agreement on the Second Pay Module of Sustaining Progress, there was an agreement to the effect that a further Benchmarking exercise would take place. The Benchmarking Body was to commence its review by the second half of 2005 and report in the second half of 2007.
- 2.18 The Public Services Committee of ICTU was required to engage in discussions with the Official Side on a number of issues in order to enable these issues to be dealt with:
- (i) the terms of reference of the Body;
 - (ii) the list of grades to be reviewed by the Body;
 - (iii) the membership of the Benchmarking Body.
- 2.19 Discussions between the Public Services Committee and the Official Side on these issues took place and agreement was reached on all of them. The terms of reference were appended to the last Annual Report.

- 2.2 As regards the membership of the Body, the Public Services Committee of the ICTU and the Official Side agreed on the following nominations on 13 January, 2006:

Daniel O'Keefe, S.C. Chair,

Mr Billy Attley, former General Secretary of SIPTU,

Ms Olive Braiden, Arts Council; former Chair of Justice sector Performance Verification Group,

Mr John Malone, former Secretary General of the Department of Agriculture and Food,

Mr Thomas McKevitt, former Deputy General Secretary of the Public Service Executive Union,

Mr Willie Slattery, Managing Director, State Street International (Ireland) Ltd.,

Professor Brendan Walsh, Emeritus Professor of Economics, UCD

- 2.21 The Negotiating Committee engaged with the Body, in consultation with the Public Service Employers, on the approach which the Body would take.

- 2.22 In that context, the arrangements which were settled include the following:

- (a) The PSC and the Public Service Employers would both make submissions to the Body on general issues;
- (b) The Body would invite Unions and Employers concerned with grades being reviewed directly by the body (List "A") to make submissions;
- (c) Guidelines for submissions were prepared by the Body;
- (d) The Body set 7 July as the date for receipt of submissions;
- (e) Unions and Employers concerned with grades on List "A" exchanged their submissions;
- (f) The parties had an opportunity to make written comments on each other's submissions;
- (g) The body would use a system of Job Evaluation to compare jobs in the Private Sector with the jobs on List "A";
- (h) The Body would have oral hearings with the Public Services Committee, the National Public Service Employers, the Unions

and Employers concerned with the grades on List "A", ICTU and IBEC;

- (i) The Body placed an advertisement in the press seeking submissions from the General Public – oral hearings were confined to the Bodies mentioned above.

- 2.23 An important aspect of the work of the Benchmarking Body is the job evaluation exercise designed to compare jobs in the Private Sector and the Public Service to establish comparisons between the two areas of employment.
- 2.24 As mentioned above, in addition to the submissions etc. involving individual Unions and Groups of Unions, the Public Services committee of ICTU and the National Public Service Employers also made submissions to the Benchmarking Body and had meetings with same. These submissions and meetings dealt with General issues such as other studies on pay in the Public service and the private sector, the relevance of international comparisons and general conditions of employment across the Public Service, most notably, superannuation schemes.
- 2.25 The Body met with representatives of the Public Services Committee in July, 2006 to discuss the submission. The Committee also made a supplementary submission to the Body on the National Earnings Survey published by the CSO in May, 2006.
- 2.26 IBEC and ICTU also met with the Body.
- 2.27 At the time of writing, a further submission by the Committee to the Body on Pension Issues is being finalised. Consultants were engaged for this purpose.
- 2.28 There is likely to be a continuing need for a further engagement between the PSC and the Body as time goes forward.
- 2.29 The Body is to publish its report in the second half of 2007.
- 2.30 The implementation of the outcome will be dealt with in the context of the negotiations to take place following Towards 2016. These discussions are likely to take place in the winter of 2007/2008.
- 2.31 The agreement under Towards 2016 provided that the essence of the conditions concerning industrial peace, co-operation with modernisation and change and Performance Verification provided for under Sustaining Progress would continue.

2.3

In the context of the First Benchmarking Exercise, the rates of pay for the craft grades and the related non-nursing and general operative grades outside of Dublin had been set by a parallel benchmarking process. Under the terms of the agreement on the Second Pay Module under Sustaining Progress, it was agreed that the arrangements in relation to the next parallel benchmarking process would be the subject of discussions between the parties. Such discussions took place and certain areas of disagreement on the processes involved were referred to the Labour Court which issued a recommendation which was accepted by the parties.

Performance Verification

2.33

As mentioned above, the Towards 2016 Public Service Pay Agreement provides that the pay increases are conditional on verification of satisfactory achievement of the provisions on co-operation with flexibility and ongoing change; satisfactory implementation of the agenda for modernisation and the maintenance of stable industrial relations and absence of industrial action in respect of any matters covered by the Agreement.

2.34

Towards 2016 provides for the re-establishment of Performance Verification Groups (PVGs) in each sector of the Public Service. The Partnership Processes in each of the sectors of the Public Service developed Action Plans for the implementation of the agreement in each sector. These had to be submitted to the appropriate PVGs for confirmation that they met the terms of the agreement. The PVG could refer the matter back to the partnership structures if it considered that the initial action plans were not satisfactory.

2.35

The Agreement also provides that the Secretary General responsible for each sector reports to the PVG for the sector on the progress made on the action plans. Each sectoral PVG has to make an assessment of progress, at the latest, one month in advance of the each of the payment dates specified in the Agreement.

2.36

The ultimate responsibility for deciding whether a grade should be paid the increases due (i.e. that the grade had co-operated with the provisions of the agreement) rests with the Secretary General responsible for a sector. In the event that he or she saw problems arising, the Unions are to be advised in advance. In the last analysis, if the Unions consider that a decision by a Secretary General not to authorise some payment is not in conformity with the agreement, it is provided that the matter can be referred to the Labour Court or the relevant Public Service Arbitration Board for a final determination.



The Performance Verification system has worked reasonably well in most sectors in respect of the increases due under the agreement to date.

- 2.38 At the time of writing this report, discussions are taking place between the parties concerned with the Parallel Benchmarking process for the craft grades and the related non-nursing and general operative grades to settle the terms of reference etc. for same.

3. PUBLIC SERVICE MONITORING GROUP

- 3.1 Under the terms of the PPF, it was agreed to establish a Public Service Monitoring Group (PSMG) to oversee implementation of any future public service pay agreements (whether forming part of an overall national programme or otherwise).
- 3.2 The PSMG deals with any overarching issues that arise in implementing these agreements as well as any other issues which both sides agree would help to improve the operation of public service pay and industrial relations arrangements.
- 3.3 Membership of the PSMG comprises an equal number of Employer Side and PSC representatives. The PSMG determines its own procedures and the attendance can be varied to take account of the agenda. It is open to either side to raise issues relevant to its terms of reference.
- 3.4 The PSMG was continued under Sustaining Progress and has played an important role in monitoring and facilitating the Performance Verification Process leading to the payment of the increases due.



REPORT OF THE COMMISSION ON PUBLIC SERVICE PENSIONS

- 4.1 The Report of the Commission on Public Service Pensions was published on 31 January, 2000. (A summary of the Recommendations of the Commission was included in the Annual Report of the Public Services Committee for 2004/05).
- 4.2 The Chairperson of the Commission was Professor Dermot McAleese, TCD. The members included Senator Joe O'Toole, General Secretary, INTO; Brendan Hayes, SIPTU and Dan Murphy, General Secretary, PSEU, as well as senior Civil Servants, representatives of industry and experts in the superannuation field. During 1997, Rosheen Callender, SIPTU, replaced Brendan Hayes on the Commission.
- 4.3 The trade union members of the Commission had reservations on certain aspects of the Report of the Commission.

Establishment of Joint Working Group

- 4.4 The PPF provided for the establishment of a Working Group of the public service unions, relevant Government Departments and other appropriate parties will be established to advise on the implementation
- 4.5 In 2001 the Government decided to accept the thrust of the package of reforms recommended by the Commission and to proceed with the establishment of the Working Group provided for in the PPF.

First Report of Joint Working Group

- 4.6 The Working Group completed its Report in October, 2003. A copy of the Working Group's Report was appended to the Annual Report of the Public Services Committee for 2003/04.

Budget Statement for 2004 and New Legislation

- 4.7 Following receipt of the Report of the Joint Working Group, the Minister for Finance made a number of announcements in his 2004 Budget Speech in Dáil Éireann in December, 2003.
- 4.8 The most significant announcements were as follows:
- new minimum pension ages for **new entrants** to the Public Service (65 in most cases)
 - abolition of the compulsory retirement age of 65 for **new entrants**, subject to suitability and health requirements
 - the Government had decided not to accept the Commission's recommendations in relation to the introduction of an additional

1% pension contribution or the use of a new index for the purpose of determining pension increases.

- the existing method of determining pension increases remains in place
- Amendment of the existing formula used for integrating public service and social welfare pensions so as to make better provision for current and future staff on lower pay levels as recommended by the Joint Working Group in its Report of October, 2003
- Introduction of a single Additional Voluntary Contribution type scheme - Scheme for Public Employees Additional Retirement Savings (SPEARS) - for the public service.

4.9 The Minister also indicated that he would examine the feasibility of implementing the Commission's recommendation for the payment of survivor's pensions to non-spousal partners and also the possibility of providing for some form of optional early retirement with payment of actuarially reduced benefits, which would have a cost neutral effect, as recommended by the Commission.

4.10 Arrangements were made to reconvene the Joint Working Group to go into the details involved.

4.11 The Joint Working Group met on several occasions. These meetings overlapped with the introduction of legislation – the Public Service Superannuation (Miscellaneous Provisions) Bill 2004 - on the implementation of the new pension ages for new entrants (on or after 1 April, 2004) and the abolition of the compulsory retirement age of 65 for new entrants.

4.12 The legislation to give effect to these changes was enacted in March, 2004.

Second Report of the Joint Working Group

4.13 Discussions between the Public Services Committee and the Official Side on a range of other recommendations of the Commission continued on the other recommendations of the Commission which were not covered by the legislation.

As a result, the Working Group came up with a report which divided all of the Recommendations of the Commission into one of four categories:

- (a) Commission recommendations on which agreement was reached at the Joint Working Group
- (b) Commission recommendations requiring further consideration
- (c) Commission recommendations which have been implemented or are in the process of being implemented
- (d) Commission recommendations which do not form part of current pension reform package

(A summary of the Recommendations of the Commission was included in the Annual Report of the Public Services Committee for 2004/05).

- 4.15 The Report was completed in May 2004 and referred to the Minister and Government for consideration and, as a result, the Government approved the Report for implementation.

Implementation

- 4.16 The main changes agreed are as follows:

- (a) early retirement on an actuarially reduced basis
- (b) an improved arrangement for dealing with integration with the Social Insurance Scheme for the benefit of low-paid public servants
- (c) Pro-Rata integration with the Social Insurance System for Part-Time Workers, including work-sharers
- (d) A further option to join the Spouses' & Children's Pension Scheme for Teachers who had not had an opportunity of joining the revised scheme
- (e) A new scheme for notional added years of service for new entrants
- (f) Reduction of the Interest Rate in case of refund of marriage gratuities
- (g) Reckoning of the average of best three years of allowances in 10 years preceding retirement.



It was agreed that circulars would be issued by the Department of Finance to employing bodies implementing these changes. Discussions have been taking place on the detailed texts of the circulars before they are issued. At the time of writing circulars have issued on items (a) to (f) above. Discussions still are taking place with the Official Side on the remaining circular.

Issues to be discussed Further

- 4.18 There are a number of recommendations of the Commission which are to be discussed further. These include:
- The introduction of a single AVC-type scheme called the Scheme for Public Employees' Additional Retirement Savings (SPEARS) for the public service as a whole
 - Dependants' Benefits, including the position of partners who are not spouses, the cessation of pension on re-marriage or cohabitation and a nomination system for beneficiaries for death gratuity
 - Working at lower levels of responsibility prior to retirement without unduly affecting pension rights
 - Refunds of contributions in excess of 40 years of contributions (this was not a recommendation of the Commission but was raised by the trade union side in the discussions)
- 4.19 It has been agreed to establish joint working parties on Dependants' Benefits and SPEARS.
- 4.20 The Joint Working Party on Dependants' Benefits has met on a number of occasions and it is hoped that it will be possible to finalise its report shortly.
- 4.21 Progress on the issue of SPEARS has been slower. It has not been possible to devote attention to it over the past year due to the concentration on other issues.
- 4.22 As regards working at lower levels of responsibility prior to retirement without unduly affecting pension rights, this has been discussed with the Official Side on a number of occasions and it is hoped that it may be possible to make progress on the matter.
- 4.23 The issue of refunds of contributions after 40 years contributions have been paid is still under discussion. No real progress has been made on same.

REPRESENTATION ON VARIOUS GROUPS

5.1 The representation of the Committee on various bodies is as follows:

Negotiating Group

Peter McLoone	Chair & IMPACT
Matt Merrigan	Vice-Chair PSC and SIPTU
Blair Horan	CPSU
Sean Ó Riordáin	AHCPS
Michael Coffey	FUGE
Brendan Hayes	SIPTU
John Carr	INTO
Jim Dorney	TUI
Liam Doran	INO
Stephen Delaney	POA
Fintan Hourihan	IMO
Daltún Ó Ceallaigh	IFUT
John White	ASTI
Liam Berney	ICTU
Dan Murphy	Secretary & PSEU

Public Service Monitoring Group

Peter McLoone	Chair PSC & IMPACT
Matt Merrigan	Vice-Chair PSC and SIPTU
Brendan Hayes	SIPTU
Blair Horan	CPSU
John Carr	INTO
Liam Doran	INO
Peter Nolan	IMPACT
Jim Dorney	TUI
Dermot Mahon	MSF
Dan Murphy	Secretary PSC & PSEU

Joint Working Group on Pensions

Peter McLoone	Chair & IMPACT
Matt Merrigan	Vice-Chair & SIPTU
Blair Horan	CPSU
Dave Thomas	AHCPS
Michael Coffey	FUGE
Brendan Hayes	SIPTU
Stephen Delaney	POA
Billy Sheehan	INTO
Jim Dorney	TUI
Dave Hughes	INO
Shay Cody	IMPACT
Fintan Hourihan	IMO
John White	ASTI
Liam Berney	ICTU
Dan Murphy	Secretary & PSEU

6. OFFICERS OF THE COMMITTEE

6.1 The Officers of the Committee elected at the 2006 Annual General Meeting were:

Chair:	Peter McLoone (IMPACT)
Vice-Chair:	Matt Merrigan (SIPTU)
Secretary:	Dan Murphy (PSEU)

Daniel Murphy,
Secretary.

May, 2007

ictu/pscar

PUBLIC SERVICES COMMITTEE**ANNUAL GENERAL MEETING 2007****Financial Report**

INCOME	
Balance as at 18 May, 2006	€7,317.02
Net Interest Deposit Account - March, 2007	€25.28
Refund of Fees	€0.00
TOTAL INCOME	€7,342.30
EXPENDITURE	
Bank Charges	€0.00
TOTAL EXPENDITURE	€0.00
Balance as at 11 May, 2007	€7,342.30
Represented by:	
Current Account Bank Balance	€62.13
Deposit Account Bank Balance	€7,280.17
TOTAL	€7,342.30

Bankers: Bank of Ireland, Lower Baggot Street.
Savings Account No. 60423371
Current Account No. 56149074

11 May, 2007

pscaccs

Press Release

Taoiseach announces major review of the public service by the OECD

The Taoiseach, Mr. Bertie Ahern T.D., announced that he has invited the OECD to undertake a major review of the Irish Public Service. The review will have two main objectives:

- to benchmark the Public Service in Ireland against other comparable countries; and
- to make recommendations as to future directions for Public Service reform.

The scope of the terms of reference for the study (see attached) are such that it will be the first of its kind undertaken by the OECD.

Announcing the Review, the Taoiseach said:

"The Government is investing unprecedented levels of resources in public services. But problems remain - mainly with delivery on the ground and maximising return on investment. We want the OECD to examine rigorously the connections between the investment decisions that are being made at the Cabinet table in Government Buildings and delivery on the ground around the country in the key areas and issues affecting ordinary people".

This Review marks a new phase in the sustained reform of the Public Service over the last decade. The Review will cover the whole of the Public Service. While the review will not be a detailed audit of individual sectors such as health, education, local government etc, it will examine the effectiveness of arrangements through which government objectives are translated into outputs and outcomes. It will focus on the connections between the different sectors including the links between Departments/Offices and Local Government, Health and Education Sectors, with a particular focus on delivery of quality public services. The Taoiseach said:

"We have already reviewed many individual sectors and parts of our public service system. We now want to take stock and see how does the system as a whole work".

The OECD Review is one of four initiatives announced by the Taoiseach. The other measures include a system of organisational reviews or "health checks" for public service bodies, better performance indicators including aggregate indicators to show the combined impact of spending in particular areas and a leadership programme to ensure that leaders are fully developed at all levels in the Public Service in the coming years. These are at an advanced stage of preparation and will be the subject of further announcements in 2007. The OECD Review will be supported by an advisory structure drawing on expertise from the business world, the academic community, the social partners and other stakeholders and will be led by the Secretary General to the Government.

The review will focus on two key tasks:

- (i) To **benchmark** the Public Service in Ireland against other comparable countries, including identification of appropriate measures to compare the productivity and effectiveness of the Irish system, or discrete elements of it, against comparable international best practice, and
- (ii) To **make recommendations** as to future directions for Public Service reform which will support the Irish Government's drive for delivery of world class services to the citizen, within existing resources commitment, and contribute to sustainable national competitive advantage.

With due regard to the sustainable budgetary and fiscal policies adopted by the Irish Government, and the issues of scale and the unique structural considerations of the Irish Public Service, the benchmarking review, against other comparable countries, will include an assessment of:

- i. Key elements of the Public Service institutional and legal framework including the political/administrative interface;
- ii. Corporate Governance systems, including reporting and accountability arrangements, including to the Oireachtas (Parliament);
- iii. The system of resource allocation across the levels of government, sectors and institutions and the quality of performance measures employed;
- iv. Financial management systems underpinning the allocation, budget management and reporting processes;
- v. Public service employment, HRM policies and systems, including performance management and development systems;
- vi. The utilisation and impact of Information and Communication Technology having regard to its potential to improve quality customer service and to achieve productivity gains;
- vii. The process of goal and target setting used by Departments, agencies and within sectors and the alignment of those goals with Government objectives;

- viii. The forms of delegation and devolution of responsibility employed – from central Government across the Civil Service, across the wider Public Service and within individual public service organisations.

It is not intended that this review would be a substantive audit of sectors such as health, education, local government etc. Rather, it is envisaged that it will focus on the connectivity between the different sectors, including between the central level and the wider sectoral areas. It is intended that the review will examine the efficacy of the arrangements through which government objectives are translated into outputs and outcomes and offer a means of calibrating the contribution of different parts of the system. The review will have due regard to the public service as an entity which is unified by many shared values and common approaches but is also differentiated on a sectoral and organisational basis in terms of service diversity, policy formulation processes and corporate governance arrangements, including HRM policies.

Context

The review is set against the background of significant change in the corporate governance and financial and risk management areas, including steps taken to improve the estimates and budgetary processes along with modernisation of financial management and reporting arrangements. There has also been substantial legislative provision to underpin the human resource, financial and structural reforms across the Public Service.

It is recognised that much of what determines citizen /customer satisfaction with the Public Service is driven by the quality of front line service delivery in areas such as education, health and local government. However the effectiveness of Government in tackling horizontal issues (e.g. housing, child welfare, poverty reduction) and infrastructural investment - issues that span sectors and institutions at national, regional and local levels - must also form part of any assessment or benchmarking of the Irish Public Service.

It is envisaged that the review will have particular regard to:

- the strengths and weaknesses of the Irish system and structures in terms of policy implementation and service delivery - comprehending policy



development; budgetary control, resource allocation, programme design and implementation; and evaluation and feedback;

- the role of the Civil Service within the wider Public Service;
- the quality and effectiveness of linkages and channels between Ministers and their Departments and the bodies under their agencies, including the growing number of independent regulatory authorities;
- the quality and effectiveness of linkages between Departments and their relevant sectoral institutions including in the local government, health, education and justice sectors;
- the impact that modernisation initiatives have had to date at sectoral (e.g., education, health, local government and justice) and agency levels; and
- Ensuring benchmarking comparisons are made on a "like for like" basis.

NOTES

**OFFICERS' REPORT AND
FINANCIAL STATEMENTS**



Association of Higher Civil and Public Servants
Comhlachas na Sheirbhíseach Uachtarach Stáit agus Poiblí

**for year ended
31st December 2007**

Friendly Society Registration Number: 591T

Contents

	Page
OFFICERS AND OTHER INFORMATION	2
OFFICERS' REPORT	3
STATEMENT OF OFFICERS' RESPONSIBILITIES	4
INDEPENDENT AUDITORS' REPORT	5 - 6
INCOME AND EXPENDITURE ACCOUNT	7
BALANCE SHEET	8
CASHFLOW STATEMENT	9
NOTES TO THE FINANCIAL STATEMENTS	10 - 14

Officers and Other Information

OFFICERS

Ciaran Rohan	(Chairperson)
Peadar Carpenter	(Vice-Chairperson)
Mary McLoughlin	(Treasurer)

TRUSTEES

Brian Murnane
Margaret Kelly
Peter Greene

GENERAL SECRETARY AND HEAD OFFICE

Dave Thomas	Fleming's Hall, 12 Fleming's Place, Dublin 4
-------------	--

AUDITORS

Power & Associates	1 Sussex Street, Dun Laoghaire, Co Dublin
--------------------	---

SOLICITORS

McGarr Solicitors	12 City Gate, Lower Bridge Street, Dublin 8
-------------------	---

PRINCIPAL BANKERS

permanent tsb	70 Grafton Street, Dublin 2
---------------	-----------------------------

FRIENDLY SOCIETIES REGISTERED NUMBER

591T

Officers' Report

The officers present their report and audited financial statements for the year ended 31 December 2007.

1 FINANCIAL PERFORMANCE

€

Surplus of income over expenditure	477,915
Increase in value of financial assets	<u>3,339</u>
Total surplus forward to accumulated fund	<u><u>481,254</u></u>

2 STATUS OF THE ASSOCIATION

The Association of Higher Civil and Public Servants is a trade union registered under the Trade Unions Acts 1871 to 1975.

3 OFFICERS

The present officers of the Association are set out on page 2.

4 BOOKS OF ACCOUNT

The measures taken by the officers to ensure compliance with the requirements regarding proper books of account are the implementation of necessary policies and procedures for recording transactions, the employment of competent accounting personnel with appropriate expertise and the provision of adequate resources to the financial function. The books of account of the Association are maintained at Fleming's Hall, 12 Fleming's Place, Dublin 4.

5 AUDITORS

Power & Associates, Chartered Certified Accountants and Registered Auditors, have expressed their willingness to continue in office.

Signed on behalf of the Association:


Ciaran Rohan Chairperson


Mary McLoughlin Treasurer

12 March 2008

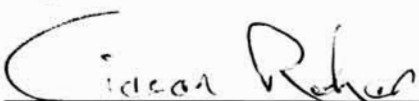
Statement of Officers' Responsibilities

The officers are required to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the Association and of the income and expenditure for that period. In preparing those financial statements, the officers are required to:

- a) Select suitable accounting policies and then apply them consistently;
- b) Make judgements and estimates that are reasonable and prudent;
- c) Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Association will continue.

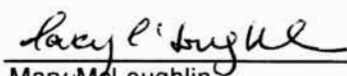
The officers are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Association. They are also responsible for safeguarding the assets of the Association and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Signed on behalf of the Association:



Ciaran Rohan

Chairperson



Mary McLoughlin

Treasurer

12 March 2008

Independent Auditors' Report

To the members of

ASSOCIATION OF HIGHER CIVIL AND PUBLIC SERVANTS

We have audited the financial statements of the Association of Higher Civil and Public Servants for the year ended 31 December 2007 on pages 7 to 14. These financial statements have been prepared under the accounting policies set out therein and the requirements of the Financial Reporting Standards.

This report is made solely to the Association's members as a body. Our audit work has been undertaken so that we might state to the Association's members those matters that we are required to state to them in an Auditors' Report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Association and the Association's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective Responsibilities of Officers and Auditors

As described in the Statement of Officers' Responsibilities on page 4, the Association's officers are responsible for the preparation of the financial statements in accordance with applicable law and Generally Accepted Accounting Practice in Ireland including the accounting standards issued by the Accounting Standards Board.

Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view in accordance with Generally Accepted Accounting Practice in Ireland and are properly prepared. We also report to you whether in our opinion: proper books of account have been kept by the Association and whether the information given in the Officers' Report is consistent with the financial statements. In addition, we state whether we have obtained all the information and explanations necessary for the purposes of our audit and whether the Association's Balance Sheet and Income and Expenditure Account are in agreement with the books of account.

We read the Officers' Report and consider the implications for our report if we become aware of any apparent misstatement within it.

Basis of Audit Opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgments made by the officers in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Association's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Independent Auditors' Report

We have undertaken the audit in accordance with the requirements of the APB Ethical Standards - Provisions Available to Small Entities under the circumstances set out in the notes to the financial statements.

Opinion

In our opinion the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland of the state of the Association's affairs at 31 December 2007 and of its result for the year then ended.

We have obtained all the information and explanations we considered necessary for the purposes of our audit. In our opinion proper books of account have been kept by the Association. The financial statements are in agreement with the books of account.

In our opinion the information given in the Officers' Report on page 3 is consistent with the financial statements.



POWER & ASSOCIATES

Chartered Certified Accountants
Registered Auditors
1 Sussex Street
Dun Laoghaire
Co Dublin

12 March 2008

Income and Expenditure Account**Year ended 31 December**

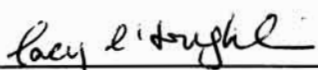
	Notes	2007 €	2006 €
INCOME			
Members' subscriptions		1,554,921	1,566,237
VOA associate members subscriptions		60,402	55,914
Deposit interest received (net of DIRT)		8,179	12,150
Miscellaneous income		3,000	2,750
		<u>1,626,502</u>	<u>1,637,051</u>
EXPENDITURE			
Salaries, honoraria and pensions		608,115	621,042
Printing and stationery		37,889	47,046
Postage and telephone		17,734	20,524
Rates and insurance		27,263	26,760
Light, heat and cleaning		11,500	10,774
ADC and executive council expenses		96,495	49,464
Branch expenses		68,451	59,088
Travel and subsistence		22,305	24,100
Subscriptions to other bodies		21,208	22,747
Publications		3,938	3,960
Premises and equipment expenses		26,731	25,722
Legal and professional fees		43,108	100,242
Recruitment expenses		6,120	17,529
Depreciation		138,392	138,389
Loan interest and bank charges		18,614	48,546
Sundries		724	362
		<u>1,148,587</u>	<u>1,216,295</u>
SURPLUS OF INCOME OVER EXPENDITURE		477,915	420,756
INCREASE IN VALUE OF FINANCIAL ASSETS	6	<u>3,339</u>	<u>18,822</u>
FORWARD TO ACCUMULATED FUND	12	<u><u>481,254</u></u>	<u><u>439,578</u></u>

- a) All the amounts above relate to continuing operations of the Association.
b) The Association has no recognised gains or losses other than those included in the results above and therefore no separate statement of total recognised gains and losses has been presented.

Signed on behalf of the Association:


Ciaran Rohan

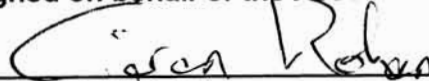
Chairperson


Mary McLoughlin

Treasurer**12 March 2008**

Balance Sheet**31 December**

	Notes	2007 €	2006 €
FIXED ASSETS			
Tangible assets	5	4,758,940	4,897,332
Financial assets	6	89,183	201,695
Negotiating licence	7	6,401	6,401
		<u>4,854,524</u>	<u>5,105,428</u>
CURRENT ASSETS			
Stocks	8	1,820	2,699
Debtors	9	310,981	278,285
Cash at bank and in hand		<u>490,295</u>	<u>514,004</u>
		803,096	794,988
Creditors (amounts falling due within one year)	10	<u>(55,863)</u>	<u>(227,456)</u>
NET CURRENT ASSETS		<u>747,233</u>	<u>567,532</u>
TOTAL ASSETS LESS CURRENT LIABILITIES		5,601,757	5,672,960
Creditors (amounts falling due after more than one year)	11	<u>-</u>	<u>(552,457)</u>
NET ASSETS		<u>5,601,757</u>	<u>5,120,503</u>
MEMBERS' FUNDS			
Accumulated fund	12	<u>5,601,757</u>	<u>5,120,503</u>

Signed on behalf of the Association:

 Ciaran Rohan
Chairperson

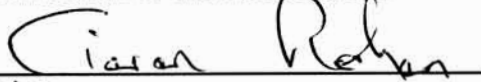
 Mary McLoughlin
Treasurer**12 March 2008**

Cashflow Statement

Year ended 31 December

	2007 €	2006 €
CASH GENERATED FROM OPERATIONS		
Surplus of income over expenditure	477,915	420,756
Depreciation	138,392	138,389
Decrease in stocks	879	438
Increase in debtors	(32,696)	(52,524)
Increase in creditors	2,407	32,819
	<u>586,897</u>	<u>539,878</u>
CASH FROM OTHER SOURCES		
Proceeds from financial assets matured during year	<u>115,851</u>	<u>167,719</u>
APPLICATION OF CASH		
Purchase of tangible fixed assets	-	(27,764)
Loan repayments	<u>(726,457)</u>	<u>(625,945)</u>
	<u>(726,457)</u>	<u>(653,709)</u>
NET (DECREASE)/INCREASE IN CASH	(23,709)	53,888
Cash at bank and in hand at beginning of year	<u>514,004</u>	<u>460,116</u>
Cash at bank and in hand at end of year	<u><u>490,295</u></u>	<u><u>514,004</u></u>

Signed on behalf of the Association:


 Ciaran Rohan

Chairperson


 Mary McLoughlin

Treasurer

12 March 2008

Notes to the Financial Statements

1 ACCOUNTING POLICIES

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the financial statements.

a) Basis of Preparation

The financial statements are prepared in accordance with generally accepted accounting principles under the historical cost convention and comply with the Financial Reporting Standards issued by the Accounting Standards Board.

b) Members' Subscriptions

Members' subscriptions are accounted for when received into the Association's accounting system.

c) Taxation

Taxation is calculated on non-exempt income.

d) Tangible Fixed Assets and Depreciation

Tangible fixed assets are stated at cost less accumulated depreciation. Depreciation is provided on a straight line basis in order to write off the cost of the tangible fixed assets over their expected useful lives at the following annual rates:

Premises	2%
Fixtures and office equipment	20%
Computers	33⅓%

The carrying value of tangible fixed assets is reviewed for impairment if events or changes in circumstances indicate that the carrying value may not be recoverable.

e) Financial Assets

Financial assets are stated at cost or current value.

f) Stocks

Stocks are stated at the lower of cost and net realisable value.

g) Pension Costs

The Association operates a defined contributions pension scheme for key employees, contributions to which are charged against income and are paid to a separately administered pension fund.

Notes to the Financial Statements

2 MEMBERS INFORMATION	2007	2006
Number of members at 01 January	3,330	3,370
Number of members admitted during year	199	173
Number of members whose membership ceased during the year	<u>(157)</u>	<u>(213)</u>
Number of members at 31 December	<u><u>3,372</u></u>	<u><u>3,330</u></u>
3 STAFF NUMBERS AND COSTS		
The average number of persons employed by the Association during the year was 5 (2006: 6). The officers receive honoraria and are not classed as employees.		
The staff costs are comprised of	2007	2006
	€	€
Wages and salaries	412,990	434,711
Officers' honoraria	35,400	34,200
Social welfare costs	10,792	9,919
Pension costs	<u>148,933</u>	<u>142,212</u>
	<u><u>608,115</u></u>	<u><u>621,042</u></u>
4 SURPLUS OF INCOME OVER EXPENDITURE	2007	2006
	€	€
is arrived at after charging		
Auditors' remuneration (inclusive of VAT)	5,445	5,150
Depreciation of tangible fixed assets	<u>138,392</u>	<u>138,389</u>

Notes to the Financial Statements

5 TANGIBLE FIXED ASSETS

	Premises €	Fixtures and Office Equipment €	Computers €	Total €
Cost				
01 January 2007 and 31 December 2007	<u>4,999,098</u>	<u>177,297</u>	<u>21,486</u>	<u>5,197,881</u>
Accumulated depreciation				
01 January 2007	199,659	85,525	15,365	300,549
Charge	<u>99,982</u>	<u>32,289</u>	<u>6,121</u>	<u>138,392</u>
31 December 2007	<u>299,641</u>	<u>117,814</u>	<u>21,486</u>	<u>438,941</u>
Net Book Amount				
31 December 2007	<u>4,699,457</u>	<u>59,483</u>	<u>-</u>	<u>4,758,940</u>
31 December 2006	<u>4,799,439</u>	<u>91,772</u>	<u>6,121</u>	<u>4,897,332</u>

6 FINANCIAL FIXED ASSETS

		2007 €	2006 €
Civil Service Credit Union shares	a)	3,024	2,953
Prize bonds	b)	32	32
Savings certificates		-	112,804
Hibernian policy	c)	<u>86,127</u>	<u>85,906</u>
		<u>89,183</u>	<u>201,695</u>

a) The Civil Service Credit Union shares are included at cost. The increase in value over the previous year represents dividends received, which are added to the cost on an annual basis.

b) Prize bonds are included at cost.

d) The Hibernian policy is included at current value.

The increase in value of financial assets during the year is as follows:

	2007 €	2006 €
Value of financial assets at beginning of year	201,695	350,592
Financial assets matured during the year	<u>(115,851)</u>	<u>(167,719)</u>
	85,844	182,873
Value of financial assets at end of year	<u>89,183</u>	<u>201,695</u>
Increase in value	<u>3,339</u>	<u>18,822</u>

Notes to the Financial Statements

7 NEGOTIATING LICENCE	2007	2006
	€	€
Deposit - Courts of Justice	<u>6,401</u>	<u>6,401</u>
8 STOCKS	2007	2006
	€	€
Stock of stationery	1,820	1,772
Stock of rail vouchers	<u>-</u>	<u>927</u>
	<u>1,820</u>	<u>2,699</u>
The replacement cost of stock does not differ significantly from the figures shown.		
9 DEBTORS	2007	2006
	€	€
Amounts falling due within one year		
Members subscriptions receivable	304,887	276,015
Prepayments	<u>6,094</u>	<u>2,270</u>
	<u>310,981</u>	<u>278,285</u>
10 CREDITORS (AMOUNTS FALLING DUE WITHIN ONE YEAR)	2007	2006
	€	€
Creditors and accruals	55,863	53,456
Bank loan	<u>-</u>	<u>174,000</u>
	<u>55,863</u>	<u>227,456</u>
11 CREDITORS (AMOUNTS FALLING DUE AFTER MORE THAN ONE YEAR)	2007	2006
	€	€
Bank loan	<u>-</u>	<u>552,457</u>

Notes to the Financial Statements

12 ACCUMULATED FUND	2007	2006
	€	€
01 January	5,120,503	4,680,925
Surplus from income and expenditure account	<u>481,254</u>	<u>439,578</u>
31 December	<u><u>5,601,757</u></u>	<u><u>5,120,503</u></u>

13 APB ETHICAL STANDARDS - PROVISIONS AVAILABLE TO SMALL ENTITIES

As a small entity under the provisions of the APB in relation to Ethical Standards we engage our auditors to provide basic tax compliance and accounts preparation.

14 APPROVAL OF FINANCIAL STATEMENTS

The financial statements for the year ended 31 December 2007 were formally approved by the Executive Committee on 12 March 2008.

