

# Garda civilians to remain civil servants for extra year

## COLMAN HIGGINS

**The Minister for Justice does not intend to change the status of existing Garda civilian staff from that of civil servants to being employees of An Garda Síochána until at least January 1, 2025.**

Section 54 of the Policing and Community Safety Bill allows the Minister to change the status of existing Garda civilian staff. The Bill is due to become law by January 1 next, so this commitment gives an extra year of breathing space for those concerned.

There are about 3,300 civilian staff in the Garda organisation and up to now they have always had civil service status, which usually entitles them to transfer to a range of Departments and Offices within the wider civil service.

However, over recent months both unions representing these civilian staff – Fórsa and the AHCPS – have expressed concern at this prospect, with Fórsa pointing to an increased level of transfers being sought out of the Garda organisation, while they are still able to transfer.

The commitment to pause any such move for at least 12 months was made last month in a letter (seen by IRN) from Department of Justice secretary general Oonagh McPhillips to Garda Commissioner Drew Harris, responding to the Commissioner's concerns on recruitment and retention challenges arising from the proposed changes.

In it, Ms Phillips tells the Commissioner that the Department understands the challenges of recruiting and retaining Garda staff – while noting that these challenges are common across the public sector, particularly for Dublin-based roles.

## UNEASE 'UNDERSTANDABLE'

She added that while “an element of unease” among Garda staff is “understandable”, both the Minister and the Department have made it clear that “no changes can be made to the status of existing Garda staff without detailed engagement with the relevant unions”. (Ms McPhillips' emphasis)

Section 54 of the Bill, which gives the Minister the power to redesignate civilian staff as employees of An Garda Síochána, also states that before doing so, the Minister shall notify unions or staff associations representing such staff and consider any representations made by them.

Schedule 3 of the Bill also states that the “scale of pay” and “terms and conditions of service” shall not be made less beneficial for such staff, compared to their pay and conditions immediately before being transferred to the Garda organisation.

However, some union sources fear that “terms and conditions of service” may be interpreted by management as not including the benefits of civil service status, such as the right to transfer to other parts of the civil service.

### **‘TRANSITION PERIOD’**

Ms McPhillips’ letter to Commissioner Harris also stated that the Department has clarified at recent meetings with the trade unions that there will be a “transition period” after the enactment of the legislation, during which there will be no change to terms and conditions.

She added that while the intention is still to enact the Bill by the end of 2023, “given the need for consultation with the Unions, the Minister does not envisage making an order under section 54(5) of the Bill designating existing staff have civil service status as members of Garda staff until at least 1 January 2025”.

However, staff joining after enactment of the legislation “will be public servants” and “work is progressing” on their terms and conditions, which is expected to be complete by the end of September.

The move to making civilian employees members of the Garda organisation rather than the civil service was recommended by the Commission on the Future of Policing, which felt the organisation would benefit from a single shared workforce.

### **MOBILITY RESTORED FOR NOW**

As it stands, the civil service mobility scheme for clerical officers, the single largest group of Garda civilians, allows for a temporary suspension of mobility, which was put in place for six months from January 2023.

However, IRN understands that this has not been extended and clerical officers have in recent weeks been again able to apply for posts in the wider civil service.