

F519/015/10

30th June, 2010

Circular 08/2010: Redeployment Scheme setting out arrangements to apply in the Civil Service and between the Civil Service and Non-Commercial State Sponsored Bodies (NCSSBs) as set out in the Public Service Agreement 2010-14 (the Croke Park Agreement)

A Dhuine Uasail,

I am directed by the Minister for Finance to refer to the Public Service Agreement 2010-14 (the Croke Park Agreement) and the provisions of the Agreement in relation to the Redeployment Scheme and redeployment arrangements to apply in the Civil Service and between the Civil Service and Non-Commercial State Sponsored Bodies (NCSSBs).

Redeployment Arrangements for the Civil Service

General

1.1 In view of the major economic challenges facing the country the Government are committed to obtaining maximum efficiencies from, and reducing the size of, the Public Service. The Government and the Public Service unions confirm that in the context of a reduction in numbers serving in the Public Service:

- (i) it will from time to time be necessary to increase staffing in certain designated priority areas in accordance with Government policy;
- (ii) in such instances where additional staff are required the Government will in the first instance investigate the feasibility of redeploying serving public servants with the relevant skills sets;
- (iii) redeployment of staff/posts may be necessary for temporary or long-term needs on foot of changing business patterns or priorities or to respond to urgent work demands; and that
- (iv) management will have the discretion to redeploy staff/posts not just within the same location but also within defined areas as set out in paragraph 4.1 below.

1.2 The Minister reserves the right to redeploy civil servants as may be required and appropriate, between Departments¹:

- where services or functions are allocated or re-allocated between Departments;
- to meet priority needs; or
- to address needs arising from rationalisation, reconfiguration, reorganisation or restructuring of services or functions, including by the imposition of general or specific levies of staff where necessary.

In the case of a levy, volunteers to redeploy will normally be sought in the first instance, where insufficient numbers volunteer, persons will be selected on the basis of seniority, with those having the least service in the grade being required to move (hereafter referred to as “Last In First Out” – LIFO). Specific arrangements may also be made for the redeployment of any surplus from one Department to another within the defined radius set out in paragraph 4.1 below.

1.3 Redeployment will generally take precedence over recruitment (including fixed term employees), transfers and promotions except in circumstances where special skills are required or where the post cannot otherwise be filled through redeployment arising from geographical or other constraints, or to meet essential manpower planning and business needs.

1.4 Where the Government decides that certain functions of a Department are to be transferred to another area of the Civil or Public Service, the posts and/or staff associated with those functions will also transfer, as appropriate to the needs of the receiving organisation taking account of the skills mix and the need to avoid duplication of roles.

Part 1: Redeployment of surplus personnel within the Civil Service

Identification of staff to be redeployed.

2.1 The Department of Finance, having consulted with each Department, will determine numbers for each Department and will keep this position under review in light of emerging priorities. The Department of Finance will from time to time need to determine the order in which surplus staff may be redeployed from different organisations and to determine prioritisation in the placement of such staff in the Civil Service, in NCSSBs or in other Public Service organisations, taking account of the circumstances prevailing in each organisation,

¹ For “Department”, read “Department or Office” throughout this document.

location issues and, most critically, the staffing needs of the organisations being given the redeployed staff.

2.2 Where surplus posts are identified in a Department, existing arrangements regarding the filling of posts, whether by agreed sequences for promotion, recruitment or by inter-departmental transfer arrangements, will no longer apply whether generally or within the defined radius set out at paragraph 4.1 below, save as provided for in these arrangements.

2.3 Departments should identify staff for redeployment as follows:

- (i) Where an activity or programme is no longer being carried out, the posts associated with that activity or programme should be deemed to be surplus and available for redeployment. Surplus posts may also arise as a result of rationalisation, reconfiguration, reorganisation or restructuring of services or functions or where a general reduction in authorised numbers is required following a determination under paragraph 2.1 above. The Department should in those circumstances identify the numbers of posts at each relevant grade which are surplus and the location of the surplus;
- (ii) Volunteers who are willing to redeploy should be sought from relevant grades in the Department. In addition, staff returning from career breaks in the relevant grades who cannot be accommodated in their parent Department, should be included;
- (iii) Where there are no or insufficient volunteers, staff to be made available for redeployment should be identified in accordance with LIFO.

2.4 Departments will provide detailed information to the Public Appointments Service (PAS) on the staff concerned, including grade, current work location and home address, within one month of a surplus being identified

2.5 The PAS will establish Resource Panels for each General Service grade and for each Professional and Technical (P&T) grade. The placing of staff will be by reference to the defined radius set out in paragraph 4.1 below².

² The PAS may, for administrative purposes only, collect and store information on staff and vacancies on a regional basis to enable them to manage the operation of the redeployment arrangements effectively.

Identification and filling of vacancies by Redeployment.

- 3.1 Where a Department is facing increasing demands for its services and experiences resource pressures, it must first seek to meet these demands from the reorganisation or restructuring of work or business units and/or the redeployment of staff internally (taking account of any staff due to return from career breaks, other special leave, etc).
- 3.2 Where a Department considers that its internal staffing resources are insufficient to meet its work demands, the Department must make a business case to the Department of Finance seeking sanction to secure additional staffing resources. The Department of Finance will determine the number(s) and grading of staff to be redeployed (if any) and if additional resources also need to be transferred.
- 3.3 Where sanction has been received from the Department of Finance to fill a post(s), the PAS should be notified of the positions to be filled by redeployment and details of the relevant sanction. Positions will be offered to officers in accordance with the sequence set out in Appendix A or B.
- 3.4 Staff moving under the arrangements set out in Appendix A or B will retain their existing seniority (save that seniority arrangements in place for decentralisation moves will continue to apply to such moves). The retention or variation of any applicable worksharing arrangements of any staff member moving will be subject to the terms of Circular 21/2001, or of any amendment made to that Circular.
- 3.5 A Department having been offered a suitable candidate, or having selected a candidate with suitable skills/experience under the arrangements set out in Appendix A or B, may not refuse to accept the officer, subject to the officer having a satisfactory record in relation to conduct and sick leave (i.e. no disciplinary action has been initiated against the officer and the officer's sick leave does not exceed 56 days in the preceding four years). In the event of a refusal on those grounds, the post shall be offered to the next suitable candidate under the arrangements set out in Appendix A or B. In the event that the only volunteer for a post is an officer having an unsatisfactory record in relation to conduct or sick leave, the donating and receiving organisations may consider whether transfer of the officer can proceed, notwithstanding the officer's record, before a LIFO arrangement is initiated. In any such consideration, regard should be had to the overall size of the receiving office and, in particular, the number of posts at that grade level in the location in question. In any instance where an Office from which a person is being transferred is due to be abolished, a Department may not

refuse a candidate on the grounds of conduct or sick leave. In these circumstances, management in the receiving organisation will have the right to continue to address any such underperformance or attendance issues.

Assignment within Defined Distances

4.1 Staff on Resource Panels may be assigned to another Civil Service job at the appropriate grade in an alternative Department within a defined radius i.e. where possible, staff will be redeployed to another Civil Service post within a 45km radius of their current work location or of their home address, whichever is the shorter commute. Regard will also be had to reasonable daily commute time.

4.2 Where no suitable post is available in another Civil Service Department within a reasonable daily commute, redeployment options will be sought in NCSSBs and in other sectors, initially within a 45km radius.

4.3 Given that Civil Service Departments and Public Service organisations/posts are fewer in number and are more dispersed in some parts of the country rather than in others, redeployment options may of necessity be beyond these guideline distances in some instances. In these circumstances, consultation will take place with the relevant union in relation to the assignment on offer. In making offers of redeployment, regard will also be had to reasonable daily commute time.

Professional and Technical Posts

5.1 Where a surplus of posts arises in the Professional and Technical grades in a Department, volunteers from relevant grades will be sought for placement on Resource (Professional and Technical) Panels for staff in these grades. Positions will be offered to Professional and Technical staff in accordance with the arrangements set out at Appendix B.

5.2 Staff placed on the Professional and Technical Resource Panel may be considered for redeployment to an equivalent professional or technical grade in the Civil Service, redeployment to an equivalent professional or technical grade within an NCSSB or within another sector or may indicate a willingness to opt for redeployment to an equivalent General Service position. In order to be considered for inclusion on the General Service Resource Panel, such staff must satisfy the PAS that they have the necessary skills, competencies and/or qualifications as appropriate for the relevant General Service grade.

5.3 General Service staff placed on General Service Resource Panels may also indicate a willingness to consider redeployment to an equivalent Professional and Technical grade. In order to be considered for inclusion on the Professional and Technical Resource Panel, such staff must satisfy the PAS that they have the necessary skills, competencies and/or qualifications as appropriate for the relevant Professional and Technical grade.

5.4 Where a staff member in a professional or technical grade has expressed a willingness to redeploy to a General Service position, or where a staff member in a General Service grade has expressed a willingness to redeploy to a Professional and Technical position, the PAS may offer a suitable position to such a person in accordance with seniority and relevant experience, subject to a selection and regrading process conducted by PAS. This process may involve a competency based interview. The selection process may involve identification of skills, competencies and/or qualifications as appropriate required for the job and/or a competency based interview, and a commitment to undertake any necessary additional skills/competencies development by the officer. Where possible, staff will be redeployed to another Civil Service post within a 45km radius of their current work location or home address, whichever is the shorter commute. Regard will also be had to reasonable daily commute time.

Part 2: Operation of Redeployment arrangements between the Civil Service and Non-Commercial State Sponsored Bodies

6.1 Redeployment arrangements between the Civil Service and Non-Commercial State Sponsored Bodies (NCSSBs) may arise where organisations are being merged, functions are transferring or other reconfiguration of current organisational structures is proposed resulting in surplus staff. General principles governing redeployment arrangements in relation to NCSSBs are set out in a separate paper - "Redeployment – Arrangements for NCSSBs"- which has been agreed with the Staff Side.

6.2 In situations where the Government decides that the functions of an NCSSB are to be transferred to the Civil Service, the posts and/or staff associated with the function will also transfer, as appropriate to the needs of the receiving Department taking account of the skills mix and the need to avoid duplication of roles.

6.3 The identification of surplus posts in NCSSBs will be a matter for management in the various bodies, and their parent Department, in consultation with the Department of Finance and in line with Government policy on Public Service numbers.

6.4 The PAS will establish Resource Panels for NCSSB staff. A person from a surplus identified in an NCSSB may be offered a vacancy in the Civil Service, or in another sector in accordance with the arrangements set out in the “Redeployment – Arrangements for NCSSBs” Agreement.

6.5 A person on a General Service or Professional and Technical Resource Panel in the Civil Service may be offered a vacancy in an NCSSB or in another sector in accordance with paragraph 4.2 above and where the qualifications and expertise can be matched with the requirements of the post to be filled. The PAS will manage the selection process in such cases. The guidelines as regards distance set out in paragraph 4.1 above will apply.

6.6 The Department of Finance will, however from time to time need to determine the order in which surplus staff may be redeployed from different organisations and to determine prioritisation in the placement of such staff in the Civil Service, in NCSSBs or in other Public Service organisations, taking account of the circumstances prevailing in each organisation, location issues and, most critically, the staffing needs of the organisations being given the redeployed staff.

6.7 Where a redeployment transfer is being made under paragraphs 6.1 to 6.5 above, the initial placement to the Civil Service or to the NCSSB may be on the basis of secondment. Persons redeployed from an NCSSB to the Civil Service in these circumstances or from the Civil Service to an NCSSB will be appointed on no less favourable terms and conditions in relation to basic pay and pension. Persons taking up offers of redeployment to the Civil Service will be subject to Civil Service non-pay terms and conditions of employment, including the code of conduct and the disciplinary code. In any instance where the body from which the person is being transferred is due to be abolished, an organisation may not refuse a candidate on the grounds of conduct or sick leave.

6.8 *Spouses and Children’s Pension Scheme* – Where a staff member had previously opted out of the Spouses and Children’s Scheme and is not a current member of the Scheme, s/he will remain a non-member of the Scheme on transfer to another Public Service or Civil Service body under these redeployment arrangements. Equally where a staff member is a current member of the Spouses and Children’s Scheme, s/he will continue to be a member of the Scheme on transfer to another Public Service or Civil Service body under these arrangements.

Part 3: General Provisions

Moving work to a regional location

7.1 Where programmes or activities in regional locations are no longer to be carried out, and there is no or limited relocation potential, Departments and NCSSBs (as appropriate) in the location may be asked to identify other blocks of work that could be discharged by staff within the defined radius set out at paragraph 4.1 above, provided such reallocations of functions could operate in an efficient, effective and economic manner

Review Procedures

7.2 A Steering Committee, representative of the Official and Staff Sides, will monitor the progress of the Scheme with a view to resolving individual problems and addressing general issues which may arise in relation to its operation.

Review of the Redeployment Scheme

7.3 The operation of the Redeployment Scheme will be re-examined later taking account of developments in Public Service staff numbers policy and the review of the Moratorium on Recruitment and Promotion in the Public Service at end 2010. If necessary, the re-examination will explore further options to eliminate any remaining surplus.

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Ms Patricia Coleman

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Appendix A

Arrangements for the Filling of Civil Service Posts by Redeployment

Note: The prior approval of the Department of Finance is required for the filling of any posts/vacancies.

A. Posts in Dublin

1. Dublin Arrangements:

(a) In the normal course, approved vacancies arising in Dublin will be offered in the first instance to staff on the Dublin Arrangements in accordance with the existing protocols agreed with the Staff Side, where the release of a staff member would result in the filling of a decentralised post from the CAF.

2. General Posts which cannot be filled from the Dublin Arrangements:

(a) If the post cannot be filled from the Dublin Arrangements, and there are no identified skills or experience associated with the post, the vacancy will be offered to officers in the Dublin area on the relevant Resource Panel.

(b) The Department of Finance may require PAS from time to time to confine the circulation of offers to certain Departments only.

(c) Positions will be offered to officers on the Resource Panel, subject to paragraph (b) above. The PAS will invite applications from officers on the panel. The position will be offered to the most senior officer from among the applications received by the PAS.

(d) In the event that the position is offered to a person on the Professional and Technical Resource Panel the arrangements set out at Appendix B will apply.

(e) If there are no volunteers for the post, LIFO will apply, having regard to reasonable daily commute in terms of distance and time.

(f) Where particular skills or experience have been identified by a Department as necessary for a particular post (e.g. ICT, audit, procurement), such positions will, with the prior agreement of the Department of Finance, be offered only to officers on the Resource Panel who have indicated that they have relevant skills or experience in the area in which the vacancy arises. The receiving Department will be provided with details of up to 6 persons who have indicated an

interest in the position and will arrange a placement from among that group based on a transparent and objective set of criteria. A timeframe will be set for the process. If there are no volunteers for the post, LIFO from among those with the relevant skills or experience will apply, having regard to reasonable daily commute in terms of distance and time.

(g) Where Civil Service staff are on a resource panel and no suitable posts are available in another Civil Service Department within a reasonable daily commute, redeployment options will be sought in NCSSBs and in other sectors, initially within a 45km radius as set out in paragraph 4.1 above.

(h) In accordance with the arrangements set out in the “Redeployment – Arrangements for NCSSBs” Agreement, a priority vacancy arising in a Civil Service Department staff may, in certain circumstances be filled from an NCSSB resource panel or from another sector.

B. Civil Service Posts in Locations Outside of Dublin

(a) *Surplus Staff:* In the normal course, a vacancy arising in an existing Office outside of Dublin or in a newly decentralised Office will first be offered to staff within the defined radius set out at paragraph 4.1 above that are surplus (and may be restricted by the Department of Finance from time to time to staff from a single body with a surplus). The position will be offered to the most senior officer from among the applications received by the PAS.

(b) In the event that the position is offered to a Professional and Technical person on a Resource Panel the arrangements set out at Appendix B will apply.

(c) In the event that there is no volunteer for the post, LIFO will apply, having regard to the guidelines in relation to distance at paragraph 4.1 above.

(d) *Central Applications Facility:* If there are no surplus staff, or where all surplus staff within the defined radius set out at paragraph 4.1 above have been placed, the filling of posts in Offices outside of Dublin or newly decentralised Offices will be offered to CAF volunteers in accordance with the existing protocols agreed with the Staff Side.

(e) In the event that the CAF volunteer comes from a Department which does not have staff on the Resource Panel because it is below its authorised numbers level as agreed with the Department of Finance, and there is a surplus of staff within the defined radius as set out at paragraph 4.1 above, the Resource Panel may be used to backfill the resultant vacancy in accordance with the procedure at paragraph (a) above.

- (f) Where particular skills or experience have been identified by the Department as necessary for a particular post (e.g. ICT, audit, procurement), such positions will, with the prior agreement of the Department of Finance, be offered only to officers on the Resource Panel who have indicated that they have relevant skills or experience in the area in which the vacancy arises. The receiving Department will be provided by the PAS with details of up to 6 persons who have indicated an interest in the position and will arrange a placement from among that group based on a transparent and objective set of criteria. A timeframe will be set for the process. If there are no volunteers for the post, LIFO from among those with the relevant skills or experience will apply, having regard to the guidelines in relation to distance at paragraph 4.1 above.
- (g) In the event that there are no officers on the Resource Panel within the defined radius set out at paragraph 4.1 above, or from time to time, beyond those guideline distances, with relevant skills or experience under the arrangements set out in subparagraph (f) above, and the post is not a newly decentralising post, the position will be offered to all Civil Service CAF applicants who have expressed an interest in the location in question. CAF applicants may be invited to submit a CV to the PAS indicating their relevant skills or experience for the post. The PAS may shortlist in accordance with stated criteria if the numbers of CAF applicants is greater than 6. The employing Department will be provided by the PAS with details of the CAF applicants who submit an expression of interest in the position and will arrange a placement from among that group based on a transparent and objective set of criteria. Existing CAF protocols will continue to apply in relation to newly decentralising CAF posts included in the Government's current Decentralisation Programme.
- (h) In the event that a position is offered to Professional and Technical person on the general Resource Panel the arrangements set out at Appendix B will apply.
- (i) Where Civil Service staff are on a resource panel and no suitable posts are available in another Civil Service Department within a reasonable daily commute, redeployment options will be sought in NCSSBs and in other sectors, initially within a 45km radius as set out in paragraph 4.1 above.
- (j) In accordance with the arrangements set out in the "Redeployment – Arrangements for NCSSBs" Agreement, a priority vacancy arising in a Civil Service Department, staff may in certain circumstances be filled from an NCSSB resource panel or from another sector.

Appendix B – Professional and Technical Staff

A. Posts in Dublin

1. Decentralising Departments

- (a) In the normal course, vacancies arising in Dublin will be offered in the first instance to Professional and Technical staff in decentralising Departments having regard to relevant skills and competencies and/or qualifications as appropriate to the position in which the vacancy arises.
- (b) If there is more than one volunteer for the position, the post will be offered to the most senior officer who volunteers having regard to relevant skills and competencies and/or qualifications. Seniority will be based on total service in the grade in the Civil Service.
- (c) If there are no volunteers for the post, LIFO will apply.

2. Professional and Technical posts which cannot be filled from among Decentralising Departments:

- (a) If the post cannot be filled from among the decentralising Departments the vacancy will be offered to officers in the Dublin area on the relevant Resource Panel having regard to skills and competencies and/or qualifications as appropriate in the position in which the vacancy arises.
- (b) The Department of Finance may require PAS from time to time to confine the circulation of offers to certain Departments only.
- (c) If there is more than one volunteer for the position, the post will be offered to the most senior officer who volunteers having regard to relevant skills and competencies and/or qualifications. Seniority will be based on total service in the grade in the Civil Service.
- (d) If there are no volunteers for the post, LIFO will apply

B. Posts in Locations Outside of Dublin

- (a) *Surplus Staff:* In the normal course, a vacancy arising in an existing location outside of Dublin or a newly decentralised office will first be offered to staff in an organisation within the defined radius as set out at paragraph 4.1 above, which has been identified as having surplus staff

having regard to skills and competencies and/or qualifications as appropriate in the position in which the vacancy arises.

- (b) Having analysed the data supplied to them in relation to staff on the Resource Panel, the PAS will invite expressions of interest from all officers on the appropriate Panel with skills, competencies and/or qualifications as appropriate.
- (c) An assessment process which will be managed by the PAS will assess the applicants' skills and competencies and/or qualifications to ensure that they match the requirements of the position. The post will be offered to the most senior officer who volunteers from among those assessed as meeting the requirements of the position.
- (d) In the event that there is no volunteer for the post, LIFO will apply from among those with the relevant skills, competencies and/or qualifications. LIFO will be applied having regard to the guidelines regarding distance set out in paragraph 4.1 above.
- (e) *Central Applications Facility:* If there are no surplus staff, or where the surplus staff within the defined radius as set out at paragraph 4.1 above, or from time to time beyond these guidelines distances, have been placed, posts will be offered to CAF volunteers in accordance with the existing protocols agreed with the Staff Side.
- (f) Where a staff member in a professional or technical grade has expressed a willingness to redeploy to another professional or technical grade, or where a staff member in a General Service grade has expressed a willingness to redeploy to a Professional and Technical position, the PAS may offer a suitable position to such a person in accordance with seniority, relevant skills, competencies and/or qualifications and subject to a selection and regrading process conducted by PAS. This process will involve a competency based interview. The selection process may involve identification of competencies/qualifications required for the job and a commitment to undertake the necessary skills/competencies/professional development by the officer.
- (g) If no suitable candidate is available from within the Civil Service, the Department may ask the PAS to offer the position to NCSSB Resource Panels within the defined radius as set out in paragraph 4.1 above.
- (h) Where Civil Service staff are on a resource panel and no suitable posts are available in another Civil Service Department within a reasonable daily commute, redeployment options will

be sought in NCSSBs and in other sectors, initially within a 45km radius as set out in paragraph 4.1 above.

(i) In accordance with the arrangements set out in the “Redeployment – Arrangements for NCSSBs” Agreement, a priority vacancy arising in a Civil Service Department staff, may in certain circumstances be filled from an NCSSB resource panel or from another sector.