

## Terms and Conditions

### Civil Service Mobility Scheme - Phase 1

#### Clerical Officer (CO)

Notwithstanding the terms of the Civil Service Mobility Scheme (the "Scheme") as set out below, management reserve the right to move staff in exceptional circumstances, including to another Department, to meet urgent business needs in line with the exigencies of the service. Mobility opportunities are, in the first instance, subject to a business need to fill a vacancy.

#### GLOSSARY OF TERMS:

<b>Central Mobility Team (CMT):</b>	The team in HR Shared Services (previously PeoplePoint) who are responsible for administering the Civil Service Mobility Scheme.
<b>Eligibility:</b>	The criteria which require fulfilment in order for an applicant to receive an offer of transfer. COs can apply for mobility regardless of eligibility – applicants will be deemed ineligible at the time but will retain their position and be marked eligible once they meet all the automated criteria.
<b>HRMS:</b>	The system where the Civil Service Mobility Scheme is based. It can be accessed through your HR Shared Services Self-Service.
<b>Legacy Date:</b>	An applicant's pre-Civil Service Mobility application date for transfer. A legacy date could be applied before 08/02/2018 and verified before offers of Mobility commence. The verification period is now concluded.
<b>Receiving Local HR:</b>	The Local HR of the organisation the applicant wants to move to.
<b>Sending Local HR:</b>	The Local HR of the applicant's current organisation.
<b>Reasonable Accommodation:</b>	Refers to necessary modifications at work to enable a staff member with a disability to participate and advance in employment and to enjoy equal employment opportunities.
<b>Waitlist:</b>	The list of staff members within a certain grade who have applied for Mobility to a specific organisation and Zone.
<b>Zone:</b>	A mobility area as defined under the terms of the scheme. This may comprise a number of different locations/townlands.

#### APPLICATION AND WAITLISTS

1. Your personal data will be reviewed when considering your suitability for Mobility under the Scheme. This will be limited to that required for the purposes of considering your suitability for mobility, by reference to the criteria set out in these Terms and Conditions. HR Shared Services and Local HR will treat this information as confidential and access will be restricted and controlled in accordance with Data Protection Acts and the General Data Protection Regulation.
2. Staff members may make an application for Mobility following recruitment or promotion, and be placed on a Mobility wait list. However, applicants will not be made an offer of Mobility until they satisfy the eligibility criteria of the scheme - clause 15 and 17, and in the case of an applicant with a disability, the requirement for and/or the likely effectiveness of reasonable accommodation must be assessed – clause 20 and 23.

### 3. **Priority of applications:**

In the first instance, priority will be based on the date of application<sup>1</sup>.

*In the second instance, priority will be based on the length of reckonable service in the grade.*

### 4. **Application selection**

Each applicant can apply for a **maximum of 3 Zones** from a list of 46 Mobility Zones with an option to select any or all organisations in Zone 1 to Zone 45 and up to five organisations in Zone 46 (Dublin). Staff members can apply for Mobility within their current Zone (excluding their current organisation) as well as other Zones (including their organisation). There is no order of merit in an applicant's choice of Zones.

A number of the Zones also have an option to include satellite towns. For Example:

**Zone 1: Letterkenny Town, Raphoe, Ballybofey, Lifford, Milford, Bridgend + *Optional Satellites:* Buncrana, Carndonagh.**

### 5. **Assignments to and within Zone 46**

In general, staff members moving to or within Zone 46 will be assigned to an office in the core location area.

The core location area includes all offices within a 4km straight-line radius from the G.P.O. O'Connell Street – see Interactive [Mobility Map](#).

An exception to this general rule is where the organisational headquarters are located outside of the core location area e.g. NSSO, Presidents Establishment.

**Note:** Following a move, a staff member may apply through their Local HR for an organisational internal transfer to an office location outside the 4km radius if desired (and where applicable). In general, a minimum of 1 year's service in the core location area will apply.

### 6. **Internal transfers within a zone** (transacted outside of the Mobility scheme) are subject to the terms of the organisational internal transfer policy – see Appendix 1.

### 7. **Applicants are fully responsible for their own application(s).**

Staff members must ensure that valid monitored **home and business email addresses** are complete on their 'Personal Information' page on their HR Shared Services self-service.

Non-HR Shared Services customers must ensure that valid monitored **home and business email addresses** are complete on the Application Form which must be submitted directly to their Local HR.

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<sup>1</sup> (a) Applications recorded between 13/11/17 and 08/12/17 are treated as made on 13/11/2017 (excluding Mobility within Zone 46 – Dublin).

(b) From 13/11/17-07/02/18 applicants had a window of opportunity to apply a legacy application date from a former transfer mechanism (Central Application Facility (CAF) – 1st choice; Central Transfer List; or Internal Regional Transfer List). Where a legacy date was applied and has been verified by the owner of the transfer list, this is considered the application date. Where unverified, the system defaults to the actual date of Mobility application. Where verified date is earlier, the system holds the legacy date that was applied at application stage. Where verified date is later, the system is replaced with this later verified date (excluding Mobility within Zone 46 – Dublin).

(c) All applications received from 08/02/18 are treated on a daily basis – no legacy dates can be entered (excluding Mobility within Zone 46 – Dublin).

(d) Mobility within Zone 46 – Dublin. All applications received from 14/06/19 and 04/07/19 are treated as made on 14/06/2019.

(e) Mobility within Zone 46 – Dublin. All applications received from 05/07/19 are treated on a daily basis.

If the contact information is not up to date/not recorded, the applicant will not receive notifications regarding the scheme as this will be the primary form of contact with applicants - the Central Mobility Team, HR Shared Services and Local HR will not be responsible for non-delivery of messages where e-mail contact information is not up-to-date/not recorded.

8. (a) **HR Shared Services customers:** the Central Mobility Team in HR Shared Services will have access to input applications received on behalf of their customers, as well as access to edit Mobility applications if formally requested to do so by applicants who have no access to the Mobility Portal.  
  
(b) **Non-HR Shared Services customers (on HRMS<sup>2</sup>):** The Organisation's Local HR will have access to input applications received on behalf of their staff members, as well as access to edit Mobility applications if requested by applicants. Staff covered by this category include staff members of Garda Civilian, An Garda Síochána and the Houses of the Oireachtas.  
  
(c) **Non-HR Shared Services customers (not on HRMS):** The Organisation's Local HR will accept applications received on behalf of their staff members. Details of the applications will be date-stamped and stored in Local HR.
9. Applicants with access to HR Shared Services may edit their own applications and view their placing on any waitlists applied for. Applicants not on HR Shared Services may send a request to their Local HR to edit or seek placing on waitlists on their behalf.
10. Local HR units with access to the Mobility Portal will have viewing access for their organisations' inbound and outbound Mobility waitlists.
11. An annual e-mail will issue to all applicants on 1st January to confirm continued interest in their application(s). All applications that are declined or not confirmed within **20 working days** will be withdrawn. The staff member may re-apply, however, the application(s) will be prioritised on the new date that the application is made.

## SEQUENCING

12. The Redeployment Panel will continue to have precedence over all other arrangements for filling vacant posts, including Mobility under this scheme.
13. Organisations will adopt a sequence of filling vacant posts in accordance with the following organisational nationwide sequence:

**CO** – 50% Mobility : 50% Open

**Note:**

Following the establishment of waitlists and analysis of the pattern of applications, this sequencing will be reviewed and may be modified or set aside to facilitate legacy transfer applications, for an agreed period, in consultation with Personnel Officers/HR Managers and the Staff Side.

14. The Receiving Local HR will have access to select the first eligible applicant where a vacancy is considered to be filled through Mobility.

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<sup>2</sup> Human Resources Management System (HRMS) - the software where the Mobility platform is situated.

## ELIGIBILITY, SUITABILITY ASSESSMENT AND APPEALS PROCESS

15. An applicant will be automatically deemed<sup>3</sup> eligible on the Mobility system if they have:
- 2 years' service, or more, in the current grade;
  - 2 years' service, or more, in the current organisation;
  - 2 years' service, or more, in the current geographical location; and
  - a PMDS/performance rating of 'Satisfactory' for the previous working year.

There are additional criteria that Local HR are required to complete, set out at clause 17, to determine if an applicant is suitable for Mobility prior to an offer being made, and in the case of an applicant with a disability, the requirement for and/or the likely effectiveness of reasonable accommodation must be assessed.

16. In the event that a vacancy arises that is to be filled through Mobility, the Receiving Local HR will progress with the 1<sup>st</sup> applicant deemed eligible under the criteria at clause 15 above.

An alert email will issue to an applicant to inform them that they are being considered for Mobility, however, a further assessment is required – see clause 17. The applicant will have the option at this point to cancel their application - cancellations should be executed within a period of **3 working days**. If an applicant cancels the application, the application(s) will be withdrawn for the specified organisation in the specified zone only. The staff member may re-apply for the same organisation, however, the application will be prioritised on the new date that the application is made.

17. When a receiving Local HR progresses with the 1<sup>st</sup> eligible applicant, the Sending Local HR are required to complete an assessment of the applicant's current suitability and/or ability to be progressed on account of an ongoing investigation (see point (c) below) for Mobility under the following criteria:
- Performance Improvement Plan (PIP) under Circular 24/2016 or subsequent amended circular;
  - Disciplinary warnings and/or sanctions under Circular 19/2016 or subsequent amended circular;
  - Formal investigations under the Civil Service Disciplinary Code which may lead to disciplinary action; and
  - Attendance Record – using the following guiding threshold levels:
    - more than 56 days absence in the previous four years (prorated);
    - more than 25 instances of absence in the previous four years (prorated).

Assessment of the applicant under criteria (a), (b) and (c) above will be undertaken by the Sending Local HR only. Both the Sending and the Receiving Local HR may assess the applicant under criteria (d) in cases where the applicant is in excess of the guideline absence thresholds and discounting has been deemed appropriate by the Sending Local HR. If the Receiving Local HR is satisfied in relation to Attendance Record, then subject to an assessment of reasonable accommodation requirements, set out at clause 20 and 23 (and security vetting clearance/meeting Irish language requirements where applicable), the Mobility request will be approved, and the move will proceed.

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<sup>3</sup> This is an automatic process where applicant is on HRMS and a manual process where applicant is non-HRMS.

18. **Deemed suitable by Sending Local HR and threshold levels not exceeded:** Where an applicant is deemed suitable, an offer of mobility is made. The applicant is required to accept or decline the offer of mobility within a period of **5 working days**.
19. **Deemed unsuitable by Sending Local HR (on the basis of 17(a) - (c) or on the basis that threshold levels have been exceeded and discounting is not appropriate):** Where an applicant is deemed '*unsuitable for mobility at this time*' by their local HR on the basis of any criterion set out at clause 17, Local HR will enter a future date for review of this status. All application(s) will be considered 'ineligible' until either the review date is updated/removed or the review date expires. An alert email will issue to applicant (cc'd to both Sending and Receiving Local HR).
20. **Deemed suitable by Sending Local HR, threshold levels exceeded and requiring review by Receiving Local HR:** Where an applicant is deemed 'suitable for mobility at this time' by their local HR and their threshold levels (17.d) have been exceeded, the Receiving Local HR will review the relevant absence(s). This is for the purpose of assessing if reasonable accommodation might be required (in respect of any ongoing disability) with a view to considering if the Receiving Organisation is in a position to provide that reasonable accommodation, in respect of the applicant.
21. **Deemed unsuitable following review by Receiving Local HR:** Where an applicant is deemed '*unsuitable for mobility at this time*' by the Receiving Organisation in accordance with paragraph 17(d), their application(s) for that organisation only will be considered 'ineligible' until either the determination is changed to suitable or the review date expires without being further extended. This will not affect applications to other organisations. An alert email will issue to the applicant (cc'd to both Sending and Receiving Local HR).
22. **Deemed suitable following review by Receiving Local HR:** Where an applicant is deemed suitable then, subject to the requirement to assess reasonable accommodation, an offer of mobility is made. The applicant is required to accept or decline the offer of mobility within a period of **5 working days**.
23. **Assessment of applicant's functional capacity / reasonable accommodation:** It is the policy of the Civil Service to seek to ensure that staff members are not disadvantaged because of their disabilities. Making a permanent move to another position under the Scheme, before such matters are considered, could have the unintended effect of disadvantaging applicants with a disability. If the Sending Local HR identifies that reasonable accommodation has been made or may potentially be required for the applicant, it will be a matter for the Receiving Local HR to assess the requirement, if any, for reasonable accommodation in the new role. In doing so, HR Managers will consider their obligations under the Employment Equality Acts 1998 to 2015 to provide reasonable accommodation, so that applicants with a disability can participate in and advance in their employment. This may require a medical assessment and/or other specialist assessment in some cases.

An application for mobility in respect of an applicant with a disability will only be approved after reasonable accommodation has been considered. The assessment process will not be used as a means to impede a move under the Mobility scheme. If the applicant cannot undertake the essential duties of the new role, even with the provision of reasonable accommodation, or if reasonable accommodation would impose a disproportionate burden on the receiving organisation, the application for Mobility will not be progressed. However, the applicant's

position on the waitlist will not be affected, and the applicant will be considered for the next available vacancy.

24. **Appeals Process:** An applicant has a right to lodge an appeal against a determination of unsuitability where their threshold level(s) (17.d) have been exceeded. Notification of an appeal should be submitted in writing to the HR Manager in the organisation that determined the unsuitability. The appeal must arrive no later than **5 working days** from the date of notification of unsuitability.

Where the determination of unsuitability was made by the Sending Local HR, the applicant will not be considered for any Mobility moves pending the outcome of the appeal process.

Where the determination of unsuitability was made by the Receiving Local HR, the applicant will not be considered for Mobility moves to this organisation only pending the outcome of the appeal process.

Where an appeal is lodged, the relevant post will be held open for a maximum of **60 working days** from the date of notification of unsuitability to ensure business continuity.

After **60 working days**, if the appeal is ongoing and a determination has not yet been reached, the Receiving Local HR may proceed in filling the post with the next eligible applicant on the relevant waitlist.

**Note:** There may be only one appeal per live case. If the determination is overturned by the Sending Local HR, this will deem the applicant suitable.

#### OFFER STAGE AND MOBILITY MOVE

25. Staff members seeking to avail of Mobility opportunities accept that the move will be permanent. Hence, there is no provision to return to their previous role/organisation if difficulties arise in the new role. Where there is a requirement to consider reasonable accommodation, the offer of Mobility and the Mobility move is subject to an assessment of the applicant's capacity to undertake the role, in accordance with clause 20 and 23 first taking place.
26. Where an applicant declines an offer of Mobility, or does not indicate their acceptance within the set timeframe of **5 working days**, the application(s) will be withdrawn from all Mobility lists within the specified Zone. The applicant may re-apply for the same Zone; however, the application will be prioritised on the date that the new application is made.
27. Investment made by the organisation through a formal education programme or significant specialised training may be taken into consideration when determining the timing of a move under the scheme. The offer of Mobility will remain, although the position may be filled through a temporary arrangement until the applicant is released.
28. Applicants accept that there is no automatic right to elective work arrangements e.g. Worksharing, Shorter Working Year etc. In general, positions will be full-time and staff members will in most instances be required to alter their arrangements upon acceptance of a move under the Scheme, subject to the business needs of the receiving organisation. An applicant may, however, re-apply for such arrangements in accordance with the relevant statutory provisions where available in the receiving organisation.

29. Applicants accept that there is no automatic right to flexible working arrangements (flexitime). Flexitime is only available in accordance with the arrangements of the receiving organisation.
30. Applicants who indicate their competency in the Irish language, and who are offered a Mobility move to a position requiring Irish, may be required to undergo an assessment of their Irish language skills before confirmation of the Mobility move is made. Following the assessment, if Irish language skills are not considered adequate for the role, the applicant's placing on a Mobility list (or lists) will not be affected.
31. An applicant is expected to move within a period of **20 working days** from the date of formal acceptance of the offer.
32. Organisations are expected to facilitate a Mobility move within a period of **20 working days** from the date of formal acceptance of the offer.
33. Upon formal acceptance of an offer, the applicant is required to give an undertaking to carry out the duties of the new role, including participation in any Learning and Development processes, with a view to becoming proficient in the new role on the same basis as existing staff members.
34. Staff members moving through mobility to a new organisation under this Scheme will not retain their service for seniority purposes.
35. Applicants holding a pay rate/payment for the performance of particular duties, hours above the standard Civil Service hours or shift-working etc., and voluntarily moving to a position where these duties/liabilities or other factors for which they are payable do not apply, will not retain the pay rate/payment and will be assimilated to a general Civil Service pay scale based on reckonable service. Agreed retention elements of allowances will remain unaffected.

#### **ON-HOLD FACILITY AND CHANGE OF GRADE**

36. Applicants will have the option to temporarily suspend their individual waitlist applications by placing them '**on hold**'. While on hold, no offer of Mobility will be made; however, the applicant will keep their priority placing on all lists. When an applicant wishes to be considered for Mobility again, they can re-activate their application.

**Note:** An application can no longer be placed on hold where a Receiving Local HR has progressed with the application (clause 16).

37. Applicants on various forms of long-term leave who have not placed their application 'on-hold' may be subject to the immediate resumption of duty upon being made an offer of Mobility.
38. Organisations will have the facility to temporarily place an office outbound list '**on-hold**' where moves will have a negative impact on the business. An email will issue to all applicants on the outbound list indicating that the temporary suspension is in place. Any ongoing temporary suspensions may be reviewed by Civil Service HR in DPER after a **6 month period** in consultation with the relevant Personnel Officer/HR Manager and the Staff Side.

**Note:** An individual application can no longer be placed on hold where a receiving Local HR has progressed with the application (clause 16).

39. If an applicant's grade changes through promotion, their application(s) will be automatically withdrawn from all Mobility lists at the Clerical Officer grade. However, if an applicant reverts to the Clerical Officer grade within a **12 month period**, he or she may raise a case with HR Shared Services (or Local HR, for staff members who are not customers of HR Shared Services) to have

their application(s) reinstated.

**Note:** the requested reinstatement of the application(s) must be within this **12 month period**.

A staff member may re-apply for any existing Mobility opportunities at the promoted grade, if applicable, from a current date.

#### GOVERNANCE

40. The scheme will be formally reviewed following a 12 month period from Go-Live of Offer Stage, for its effectiveness and may be revised if deemed necessary by the Civil Service HR, Department of Public Expenditure and Reform in consultation with Personnel Officers/HR Managers, the Staff Union and the Civil Service Management Board.

*Note: Terms and Conditions may be updated following ongoing reviews of the scheme. Upon acceptance of any offer made, the Terms and Conditions at that date will govern the move.*

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**Staff Moves under Internal Transfer Policy**

- If an applicant wishes to apply to move to their current organisation within the same Zone but in a different office, they can continue to do so under their organisation's internal transfer policy. Internal Transfer Lists will continue to have precedence for movement within a single Zone where an organisation has more than one office.
- Where a staff member is successful in availing of an internal move under their organisation's internal transfer policy, the terms of that policy will determine the length of service the staff member may be required to serve in the new geographical location, i.e. a staff member who receives an internal move within a Zone may be required to remain in the new geographical location for a designated period of time **up to a maximum of 2 years**.
- The Sending Local HR will assess this eligibility status at pre-offer stage for the Mobility scheme – the assessment is conducted in tandem with the pre-offer assessment process at clause 17. If it is determined that an applicant, who has availed of an internal mobility move, should remain in the geographic location for a designated period of time, the Sending Local HR will deem the applicant 'unsuitable for mobility at this time' on the basis of the terms of the internal mobility policy.
- The Sending Local HR will enter a future date for review of this status. All application(s) will be considered 'ineligible' until either the determination is updated or the review date expires. An alert email will issue to applicant (cc'd to Receiving Local HR).