

RPA: MOVING forward

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New CEO Designate Gavin Boyd

Gavin Boyd, has been appointed Chief Executive Designate of the Education and Skills Authority.

Mr Boyd, who has been Chief Executive of CCEA since 2000, will take up the new role early in the new year.

As Chief Executive Designate of the new Authority, he will spearhead one of the UK's largest public sector organisations.

The new Authority will become operational in 2008 and will replace the five Education and Library Boards and the function of a range



of other education organisations funded by the Government.

Mr Boyd was educated at St Malachy's College, Belfast and Queen's University, Belfast. At Queen's he obtained a BSc honours degree, won the Sir William Crawford Memorial prize, and was President of the Economics Society. He is also a Fellow of the Institute of Chartered Accountants.

What about my job?

Will I have a job?...where will ESA be located?... will my pension be protected?... will I have to apply for my own job???

These are just some of your questions on jobs, terms and conditions and location. In this issue of RPA Moving Forward, we have tried to answer as many as

possible. Although we do not have all the answers at this stage, we will keep you informed as details emerge. See pages 3 and 4 for full details.

A full list of questions and answers was issued on 11 December and is available on www.deni.gov.uk

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INVESTOR IN PEOPLE



What happens next?

We have recently issued a series of Policy Papers setting out a number of proposals on how the new arrangement will work under the RPA.

We should stress that these proposals are still being refined but we are keen to share current thinking at the earliest possible opportunity. We will be listening to views and comments as these proposals are finalised.

If you are interested in finding out more and how you can respond these policy proposals are now available on www.deni.gov.uk

They cover a wide range of issues from the role of the new Education and Skills Authority, its governance and accountability arrangements, to school planning, and the future of the Schools' Library Service. These papers have been put together following engagement with stakeholders and the Department of Education is keen to hear comments on these.

More detailed papers on human resource issues, such as terms and conditions, are still being developed. These will take account of advice from the Public Service Commission. Look out for the frequently asked questions section in this edition of RPA Moving Forward, which covers many of these issues.

There are also a number of additional papers which cover ancillary issues, not directly related to the Review of Public Administration. They cover areas such as vending machines, pre-school and home to school transport.

Policy papers in brief...

Here's a brief look at what's in some of the policy papers.

Principals, Teachers and Boards of Governors

Look out for policy **paper 2** which considers how the Education and Skills Authority will support schools. It also discusses the balance between operational flexibility and support and school identity. Ethos of individual schools will be protected under the new arrangements.

Governance and accountability arrangements for both schools and the Education and Skills Authority can be found in **paper 5**. This paper discusses school funding and school governors and getting the balance right between autonomy and support.

What will the role and functions of my employer be? See **paper 7** for more information on both this and the employing authority.

Parents and Pupils

The Review of Public Administration will also play a major role in school improvement and **paper 13** considers this in more detail.

Improving the schools and youth estate, is featured in **paper 6**.

Education Sector Staff

If you are interested in finding out about how the relationship between the Department and the Education and Skills Authority will work, and who does what, then look out for **paper 3**.

Jobs, pensions and terms and conditions - More details on these issues are on pages 3 and 4.

Parents, Young People and Education stakeholders

Who will influence the policy and decision making in education? The Education Advisory Forum will have a key role in this and will provide parents and young people with a voice. It also aims to strengthen the channels of communication with teachers' unions and other interests, and encourage more engagement with Boards of Governors, Principals and teachers. More details on this are in **Paper 4**



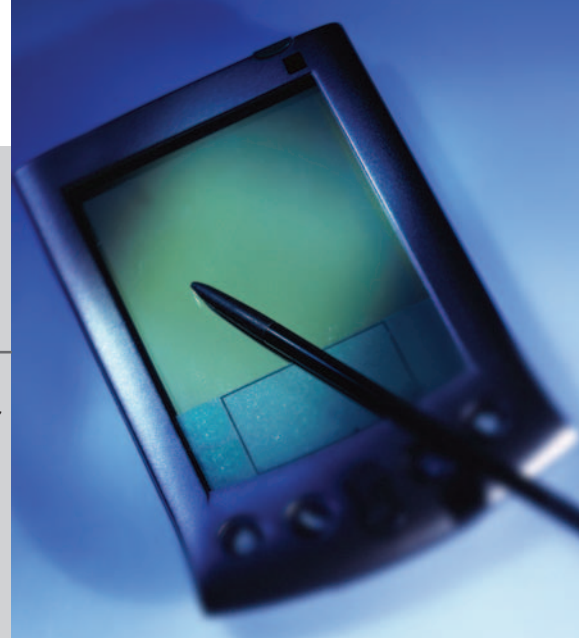
KEY DATES

Education

New Chief Executive (Designate) of Education & Skills Authority announced	Dec 2006
Education and Skills Authority operational	1 April 2008

Libraries

Consultation on Draft Libraries Order	Jan-March 2007
Chief Executive (Designate) in post	May 2007
Legislation in Westminster	July 2007
Shadow board	Jan 08
Northern Ireland Libraries Authority operational	April 08



FAQs • FAQs • FAQs • FAQs • FAQs • FAQs

Many of you have been asking questions on issues such as jobs, location and pensions. We have compiled some Frequently Asked Questions on the key issues you have raised.

Will I be able to retain my existing terms and conditions and pay?

In accordance with TUPE, staff will transfer with their work to the new employer with their pay and terms and conditions.

What about my pension?

The transfers will follow the principles of TUPE (The Transfer of Undertakings (Protection of Employment) Regulations 2006) along with appropriate arrangements to protect occupational pensions, including severance terms. Government has

given a commitment to protect staff rights in accordance with the Cabinet Office guidance Staff Transfers in the Public Sector and the guiding principles set out in the HMT guidance, A Fair Deal for Staff Pensions. It is also intended that this will be covered in the PSC's 3rd Guiding Principle, Staff Transfers.

In addition, it is Government's intention to include legislative provisions which will require pensions to be protected so that the new organisations will provide benefits that are no less favourable, taken as a whole to those arrangements which applied before the transfer.


Can I take my existing part-time status with me?

Your existing terms and conditions will carry forward to the new

employer, following the principles of TUPE.

What happens if I refuse to transfer?

The RPA will be implemented, by legislation, following the principles of TUPE, on the basis that transfers of functions will be conducted so that staff will transfer with their work, unless there are genuinely exceptional reasons for not doing so. On the date of transfer, the new organisation will be your legal employer. Under TUPE arrangements, your employer would be obliged to treat the refusal to transfer as a resignation.

It is Government's intention to put in place an independent dispute resolution process which would allow staff to seek redress in relation to RPA-related transfers. 

FAQs • FAQs • FAQs • FAQs • FAQs • FAQs

How are the reductions in staff numbers to be managed?

The Secretary of State gave the commitment in his statement of 22 November 2005 that every possible effort would be made to avoid redundancies. In a bid to do so, Government has already issued a Guidance Note outlining that employers will be required to implement vacancy management schemes, in consultation with appropriate trade unions.

The majority of vacancies in existing posts that will arise are likely to be as a result of natural wastage. In most of these cases, particularly in front-line positions, it is expected that such vacancies will be filled as in the normal course of business. No new posts in RPA affected areas should be created unless there is considered to be an inescapable requirement for the post. In other cases, where it is considered that a vacancy must be filled, employers should consider internal sources. Where it is considered that such vacancies must be filled through externally sourced resources, consideration should be given to employment on fixed term contracts, which would expire before the date of transfer, or through the use of secondments. This is likely to apply especially

where a post is to disappear or be materially altered as a result of RPA changes.

In addition, where it is determined that there is a need to fill a new, or substantially new post in a new organisation through an external competition, applications should be sought, in the first instance, from staff employed in the RPA Affected Group. However, there may be exceptional circumstances where this is not appropriate and a decision will be taken to fill a post through a fully open, external competitive process.

Will I be re-located geographically?

If it is proposed to physically re-locate work, staff would move within their existing contractual mobility obligations. As yet no decisions have been taken as to where the new organisations will be located, however, all such proposals would be subject to the normal consultation processes.

Currently the affected sectors are working together on the arrangements for re-location. In addition, an Estates working group has been set up to collate the estates strategies and plans in the various RPA areas and to stimulate

their effective co-ordination taking account of other reform programmes so that decision making by Ministers and Local Authorities on the location of new bodies is well informed and soundly based, having regard to service delivery needs, providing the best value for money, the rights of staff and consistency with government's wider social policy objectives and its statutory obligations, including those under Section 75 of the Northern Ireland Act 1998.

Where do I return to if I'm on maternity leave?

You continue to be under contract with your employer during your absence so, if your employment transfers, you will follow to the new employer.

Any Questions???

RPA Moving Forward is not only about keeping you updated, it is also about giving you the opportunity to ask questions and find out what's happening. Send your questions and comments to the following e-mail address:

rpa@deni.gov.uk

