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The Leading Public Service Union

John Corey General Secretary

By E-mail

Ms Julie Gillespie
Legislation Progress Unit
Room A4.01
Castle Buildings
Stormont Estate
BELFAST BT4 3SR

20th April 2007

Dear ***Ms Gillespie***

Public Authorities Reform (Northern Ireland) Order 2007

NIPSA is the largest public service trade union in Northern Ireland representing 43,500 civil and public servants. It is predominately members of NIPSA who are affected by the Review of Administration. The draft Order covers a range of issues and we would comment as follows.

Fisheries Conservancy Board for Northern Ireland

There has been considerable discussion on the RPA Central Joint Forum over the most appropriate formulation of the legal provisions on deeming the TUPE Regulations to apply. This matter has been the subject of exchanges between the Government and Trade Union Sides in the Central Joint Forum and the Government Side has agreed to reconsider the appropriate legislative provisions covering the TUPE position. It is therefore essential that the clauses within the Reform Order reflect these developments. NIPSA would therefore suggest we meet to discuss how the clause in the Reform Order can more reflect these central discussions.

Northern Ireland Housing Council

NIPSA is somewhat perplexed at the decision to progress with the abolition of the Housing Council. The Housing Council still provides the only democratic input in the deliberations of the NI Housing Executive and the plans to transfer certain services to Local Government will be delayed given the anticipated postponement of changes in Local Government structures. Whilst we appreciate that the establishment of a devolved government will address aspects of the democratic input no explanation is given in the associated documents as to the rationale and justification for abolishing the Housing Council.

Enterprise Ulster

NIPSA has already placed on record its opposition to the dissolution of Enterprise Ulster and the deficient redundancy terms that were made available to staff. We have no further comment to make on the repeal of the identified statutory provisions.

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Industrial Court

NIPSA would express concerns over the proposal to remove the requirement for an independent President and its replacement with a Chairman without any condition or stipulation of independence.

An Industrial Training Board

NIPSA considers it a retrograde step that there will no longer be a requirement to consult with representatives etc of employer and employee organisations and specifically with the trade unions. We would therefore oppose the removal of this provision.

The Labour Relations Agency

NIPSA is opposed to this change to the legislative provision which provides for consultation with organisations or associations of organisations representatives of employees. Despite the new approach to public appointments we are strongly of the view that it's essential for there to be consultation with the NI Committee of the Irish Congress of Trade Unions prior to appointments to the employee seats. We would expect that the ICTU will wish to meet with you to discuss prior to final decision being taken on the legislation.

General

We are unhappy about the plans to remove the requirement to consult with representative organisations of employers and employees but we are particularly opposed to this for organisations which provide an industrial relations and training services. In these circumstances there is clearly a case for consulting with representative organisations and it would be unacceptable and poor practice for representative organisations to be sidelined on such matters.

NIPSA would reserve the right to seek a meeting with the Government on a number of the matters covered in this letter.

Yours sincerely

A handwritten signature in black ink that reads "B. Campfield". The signature is written in a cursive style with a large, looped initial "B".

BRIAN CAMPFIELD
Deputy General Secretary