

**UNIVERSITY OF DUBLIN
TRINITY COLLEGE
HUMAN RESOURCES COMMITTEE**

The Human Resources Committee met on Thursday, 24 April 2014 at 11am in the Long Room Hub Seminar Room

PRESENT: Professor Henry Rice (Chair), Mr Dermot Frost (Board nominee), Ms Aine Mulcahy (Financial Services Division), Mr Tom Lenehan (Student Union President), Professor Patrick Geoghegan (Senior Lecturer), Professor James Quinn (Head of School of Business) and Mr Tony McMahon (Director of Human Resources).

APOLOGIES: Professor Linda Hogan (Vice-Provost/Chief Academic Officer), Ms Patricia Callaghan (Academic Secretary), Professor Hilary Biehler (Head of Law School), Mr Peter Donohoe BMG (External Representative) and Professor Clive Williams (Dean of Faculty of Engineering, Mathematics and Science)

In attendance: Ms Lorraine Shiels (HR) and Mr Ken O'Doherty (Staff Relations Manager, for HRC 2013/2014/18 and 2013/2014/19)

Items for specific Board attention are denoted XXX

XXX HRC 2013/2014/14 Minutes of last Meeting

Following clarification on the distinction between the FEMPI (Financial Emergency Measures in the Public Interest Act 2013) and the Haddington Road agreement, noting that the FEMPI legislation gives legal effect to the pay and pension amendments in the agreement, the minutes of the meeting held on 20 February were approved and signed.

HRC 2013/2014/15 Matters Arising from the Minutes

Professor Emeritus

Guidance was sought as to the use of the Professor Emeritus title for retired Academic Staff on a HEA approved buy back arrangement. The Director of HR clarified that this is an honorary title and attracts no remuneration and is completely independent of any HEA approved buy back arrangement which might also be in place. While it is understood that Academic staff on buy backs use the title, Adjunct Assistant Professor, this would not prohibit someone who has been awarded the Professor Emeritus title exercising the option to use this title even if they are also on a HEA approved buy back arrangement.

Recruitment Procedures

Clarification had been sought in relation to the advertising of Administrative Grade 3 and 2 and ISS programmer posts. Following review it was proposed that the relevant clause in

Section 6 in relation to the advertising of posts could be amended to read 'Administrative Grade III and II – internal competition in the first instance. External if not filled.

The Committee discussed the increasing requirement of College to attract candidates with specialist and unique skill sets which are not historically available within College and the need in these instances to be able to proceed to external or parallel advertising immediately. It was recognised that the College has always had this flexibility when making senior appointments but that more and more specialist skills were now required at other grades in order to meet changing business needs. However it is necessary to balance this with College's stated requirement for a flexible workforce and to avoid an overdependence on highly specialist appointments whose skills are not easily transferrable.

It was agreed that the proposed amendments be incorporated into the recruitment procedures and to address by way of footnote exceptional circumstances where advertising can be external in the first instance.

In relation to ISS Programmers, the Committee noted that this specific reference could be removed from the Procedures.

ACTION: Approved amendment to be incorporated into Recruitment Procedures

INTEGER Report

The Director of HR reported that there are some issues arising from the INTEGER report which will require further policy discussion around promotions and recruitment.

ACTION: Director of HR to consult with Professor Drew and revert to HR Committee

XXX HRC 2013/2014/16 Human Resources Annual Report

The Director of HR presented a draft of the HR Annual Report to the Committee for review and comment before finalisation and submission to Board.

The Director outlined the main highlights of 2012/13. These included: the implementation of the new national collective agreement for public bodies –the Haddington Road Agreement- as well as a new Public Service Single Pension Scheme, the development and launch of a new HR Strategy – Excelling Together, and the completion of the HR Quality Review. There were also a significant number of senior Professor Appointments with a noted increase in College success rates in attracting strong candidate fields following a review of procedures. The Director outlined details of the operations of each of the HR sections as well as a number of new policy initiatives considered and approved by the HR Committee during the course of the year.

Following discussion, the Committee highlighted a number of areas where further detail and/or comment was required.

In particular the Committee noted the drop in the numbers of Post graduate students and sought further clarification on the reason for this.

They also suggested more detail in relation to the background to the Job Bridge scheme be included and it should be clearly recognised that these intern posts are not intended to replace paid posts. It was reported that overall the experience with Job Bridge was positive and that a number of interns had gone on to take up paid appointments in College, and elsewhere.

The Committee noted the high level of compliance with the LEAD initiative and welcomed the upcoming review of the content of the course as there has been anecdotal feedback that the current content was overly simplistic in approach.

As a general comment the Committee also suggested that in light of the new HR Strategy – Excelling Together, the report should reflect on the challenges facing HR in terms of developing internal markets and competency sets. The HR Director agreed that this would be important in setting the scene for current organisational changes and recent training initiatives in line with the new strategy. He further noted that, as implementation commenced this year, that this would feature more prominently in the Annual Report for the current academic year.

ACTION: Director of HR to reflect the Committees comments and suggestions in the HR Report and circulate final report to members in advance of submission to Board and Council

HRC 2013/2014/17 Director of Human Resources Report

Employment Control Framework

The Director of HR reported that College had met the HEA headcount target for 2013 within acceptable limits. While a further reduction in headcount was anticipated for 2014, we had yet to receive any notification from the HEA. However based on public finances, our best estimate was a further reduction in the region of 1.5%.

The Strategic Staffing Sub Group (SSSG) have accepted this anticipated cut of 1.5% and established head count targets for each of the Faculties and Divisions on this basis. This will be reviewed in light of any formal communication from the HEA.

The Director noted that these targets must also be viewed in light of the severe budgetary situation and financial constraints which may take precedence over the headcount targets.

A question was raised on the impact of the headcount on the establishment of Ussher Posts and the Director advised that these commitments have been considered by the SSSG. Where posts have been mapped to upcoming retirements or a non-exchequer source of funding is used then there is no headcount implication.

New HR Structure

The Director of HR presented a high level organisation chart outlining the new management structure for HR. This model has been developed to reflect the new HR Strategy and has been approved by START governance.

The new structure will have 3 direct reports to the Director of HR

- Deputy Director of HR and Head of HR Operations with responsibility for; Resourcing, HR Services, Staff Review and Probation, Leadership and People Management, Workforce Planning and Talent Management, and Change Capability.
- Head of Employee Relations with responsibility for ; HR Policy, Employee Relations, Employee Engagement and Wellbeing and Industrial Relations
- Manager HR Partnering with responsibility for HR Partners

The appointment of the Manager HR Business Partnering is designed to focus on delivering real strategic value from the HR Partner model.

The Director noted that while a number of post holders are in situ a number of posts remain to be filled.

ACTION: The Director of HR to provide a more detailed structure including names of managerial post holders where applicable, when next levels identified, as part of an overall report on Excelling Together implementation.

XXXRedundancy

The Director of HR reported on a recent Labour Court Recommendation which has the potential for serious financial implications for College

Under the National Agreement on redundancy in the Public service, there is an option for enhanced redundancy payment of 3 weeks' pay per year of service plus statutory, where an individual accepts a moratorium on re employment in the public sector for a minimum period of 2 years. If they do not accept the moratorium then only statutory redundancy applies.

The recent Labour Court Recommendation LCR 20730 now allows that employees who do not accept the 2 year ban on re employment may still receive an enhanced payment of 2 weeks pay per year of service plus statutory.

Based on College experience to date this has the potential to significantly increase the College's exposure to increased redundancy payments in the coming academic year.

No consideration was given to the impact of this decision on 3rd level education sector in the negotiation that preceded this recommendation and we have yet to receive formal notification of the outcome. We have asked for engagement with the Department before any circulars are issued on this matter.

The Chair noted the seriousness of this issue, the significant ongoing cost and the requirement to bring this to the attention of the Board.

HRC 2013/2014/18

The Staff Relations Manager joined the meeting to report to the Committee on ongoing developments in Labour Court Recommendation on temporary employment.

The Government gave a commitment under Clause 1.6 of the Public Service Agreement that compulsory redundancy will not apply within the Public Service, *save where existing exit provisions apply*. The College has a long standing practice of exiting staff upon the cessation of their supporting external funding or upon the completion of the work in which they are engaged. This existing exit provision was put to the test in a number of College cases before the Labour Court.

In April 2012, the College was directed by the Labour Court to reinstate three employees who had attained contract of indefinite duration status and whom the College made redundant upon the cessation of their supporting external funding. The Court considered that:

“the claimants’ individual employment history, for reasons specific to each of them individually, entitles each of them to rely on the commitment set out in Clause 1.6 of the Public Service Agreement 2010 – 2014.”

The Court did not comment on whether or not the College had an existing exit provision.

In November 2013 two further claims of College breach of the no compulsory redundancy provision of the PSA were heard by the Court, one of which was upheld, the other rejected. Both determinations are very significant in that the College’s existing exit provision is clearly acknowledged. The Trinity cases also established three tests (externally funded; exclusively employed on research; length of service) against which the claimants were assessed.

In light of these recommendations Staff Relations have now prepared a Good Practice Checklist, in order to provide guidance to Heads/PIs/Manager in the correct management of temporary hires.

The Committee welcomed the Courts acknowledgement of the College’s existing exit provision and approved the Good Practice Checklist for inclusion on the HR website and for circulation to Heads/PIs/Managers.

ACTION: Staff Relations to include Good Practice Checklist on the HR website and circulate as appropriate

XXX HRC 2013/2014/19 Revised Annual Leave Arrangements

The Staff Relations Manager reported to the Committee on the revised annual leave arrangements for non-academic staff arising from the Haddington Road Agreement effective 07 January 2014.

In summary all annual leave must now include any and all College closure days to a maximum allowable of 32. This will impact existing staff that currently have 29 annual leave days or more as with the addition of the 4.5 College Closure days this would bring them in access of the permitted 32.

For new and promoted staff from 07 January 2014 the maximum allowable including College Closure days is now 30.

The new revised annual leave arrangements policy replaces the current policies covering annual leave arrangements for both monthly paid and weekly paid staff and the policy on College Holidays.

It was also reported that consultation had taken place with the relevant trade unions and the new arrangements had been agreed.

It was clarified that there is no change to the procedures for taking leave and that all leave must be agreed in advance.

The new Annual Leave arrangements were approved.

ACTION: The new annual leave arrangements to be updated on the HR website and circulated/communicated as appropriate

XXX HRC 2013/2014/20 PMDS

The Director of HR presented a proposal for the revisions of the PMDS for College..

This proposal, developed as a key HR strategic initiative under Excelling Together also fulfils the College's requirement for strengthening performance management in the public service as provided under the Haddington Road Agreement and adheres to the HEI sector a sectoral approach as agreed by the IUA.

The proposal has been developed as a 'strawman' model, and the next stage will be to commence a process for engagement with the various stakeholders in the College Community to get feedback on model. It is proposed to conduct the engagement process in April and May; the completion of the design and development work will take place over the summer period and the launch and implementation is scheduled for the new academic year, commencing with the objective setting phase of the process. .

The main aim and purpose of the PMDS is to improve our performance in delivering the College Strategy to the mutual benefit of the College and the people working here.

In summary, it is proposed that the new PMDS will embrace the following changes:

- Cover all staff – new PMDS will include Research staff, short term contract staff, probationers for the first time
- Introduce a rating system– currently there is no rating system
- A PMDS satisfactory rating will be required for payment of increments – currently no link to increments
- A PMDS rating will be required for eligibility for consideration for promotion – currently no link to promotion
- PMDS will be used to identify underperformance and will link to Performance Improvement Plans and the disciplinary process where appropriate – currently no formal link to underperformance

The Director asked for comment and feedback on the proposed approach and guidance on how the HR Committee would like to engage in the process.

The Committee discussed the proposal and commented on a number of areas. It was noted that the timeline for implementation was challenging, but the Director stressed that there would be time for consultation and engagement with the key stakeholders and that the first phase of PMDS would be about setting objectives. The issue of increments would not arise until 2015.

The Committee stressed the need to ensure that the main driver of the process was not compliance with external requirements, and the Director advised that the process was being designed to meet College strategic requirements and deliver long term benefits in performance improvement.

The issue of handling cases of continuous under performance was also discussed and it was agreed that the PMDS could be a useful management tool for dealing with this and that support and advice would also be available from HR.

The Committee approved the proposed approach to PMDS pointing out the importance of attaining a balance between the achievement of key objectives and the method by which these are achieved. It was further agreed that a sub group of the Committee be established to facilitate engagement with the consultation and implementation process.

ACTION: A subgroup of the HR Committee to be established to engage with the next phase of the PMDS redesign process. The Director of HR to forward the consultation plan to the Committee members for information, and to discuss ongoing HRC involvement with the Chair.

HRC 2013/2014/ Equality Committee

The draft minutes of the meeting were noted.

HRC 2013/2014/ Any Other Business

The Director of HR thanked the Committee for all their hard work throughout the year, acknowledging in particular those members whose membership was concluding this year..

HRC 2013/2014/13 Date of Next Meeting

To be agreed

SIGNED _____

DATE:_____