

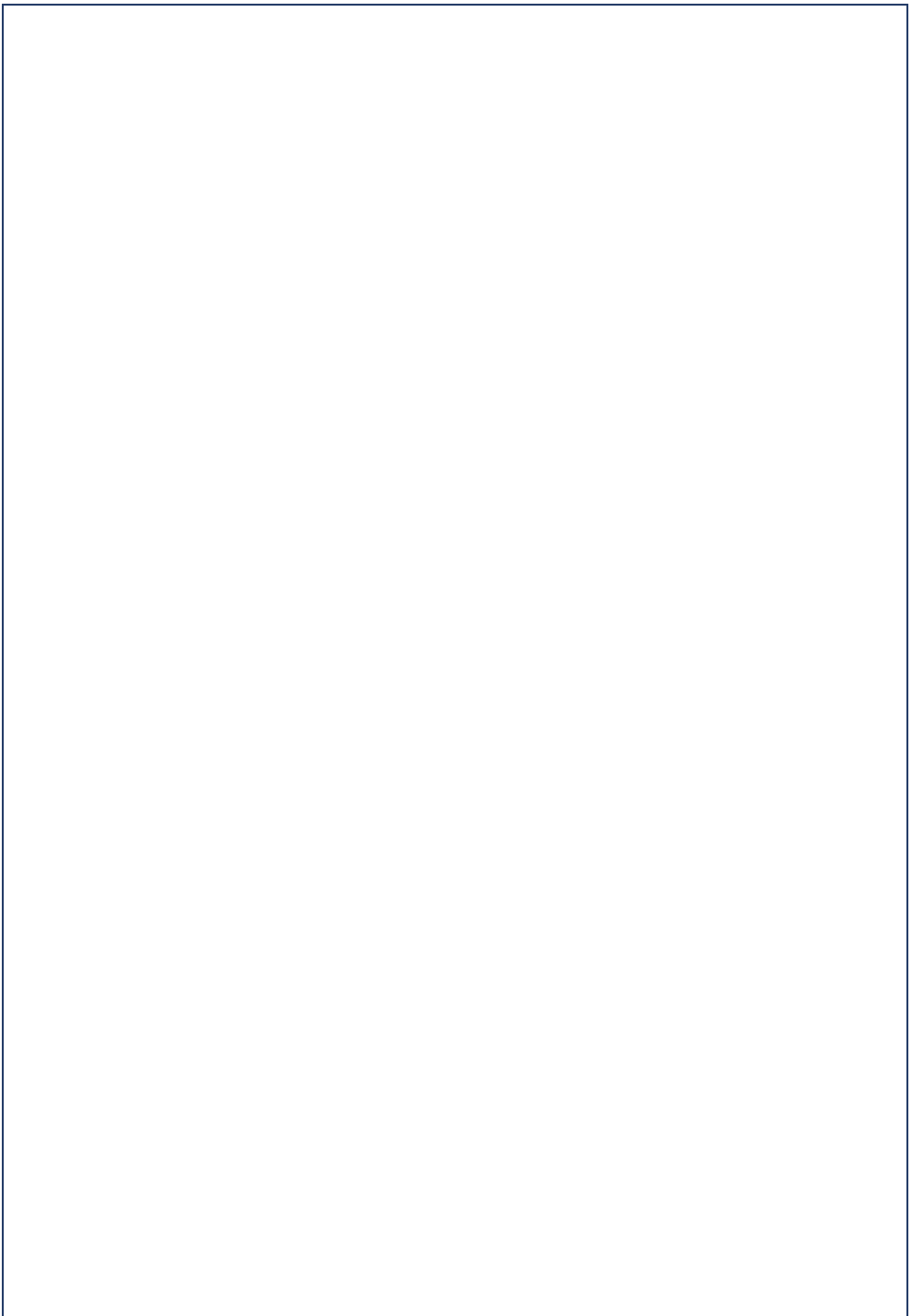
The Local  
Government  
Staff Commission  
for Northern Ireland



# “ACHIEVING EXCELLENCE THROUGH PEOPLE”

An Abridged History of the Local Government Staff  
Commission for Northern Ireland

January 2018



**“ACHIEVING EXCELLENCE THROUGH PEOPLE”:**  
***An abridged history of the***  
***Local Government Staff Commission for Northern Ireland***

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## **AUTHOR'S FOREWORD**

My interest in the Commission derives from three sources in my own life:

- as an academic writer on public administration, I have written a detailed analysis of strategies for tackling the conflict in Northern Ireland, including the 1969 reform programme which initiated the Commission [US Institute of Peace 2011]
- as a Northern Ireland civil servant, my career overlapped the Commission's
- as an adviser to the Northern Ireland Local Government Association, my work on the Review of Public Administration paralleled that of the Commission from 2004 to 2008.

In 2015, the Early Years Organisation published my official history of Northern Ireland's leading charitable organisation for the education of young children, covering the 50 years from 1965 to 2015. That experience enabled me to look at the Commission from several different perspectives.

I would like to acknowledge the information, intelligence and guidance given to me by Commission members and staff.

Thanks are due also to Quintin Oliver of the public affairs consultancy Stratagem, who managed this contracted work and checked the intelligibility of my prose.

*Bill Smith*

**6 June 2017**

## INTRODUCTION

**This chronological history of the Commission is set out in chapter format commencing with Chapter 1, *the context for its establishment* and concluding with Chapter 5, which are *the author's reflections of the actions of the Commission and impact on the local government system in Northern Ireland.***

### **The Commission: Status & Operational Framework**

The Local Government Staff Commission for Northern Ireland (LGSC) is an executive non-departmental public body established under the 1972 Local Government (NI) Act (Section 40 of the Act is attached as Appendix 1). The Act defined the Commission's purpose as '*exercising general oversight of matters connected with the recruitment, training and terms and conditions of employment of officers of Councils and of making recommendations to Councils on such matters*'.

Its statutory responsibilities were extended in 1976 to include the Northern Ireland Housing Executive.

Under statute the Commission was made accountable to a sponsoring Department (for its last years, it was the Department for Communities) which appoints its members through the public appointments process, sets its budget, and oversees its performance. In discharging its statutory functions, the Commission is expected to comply with guidance from the Department and to contribute to the attainment of the Department's wider goals.

At its final reconstitution, in March 2017, the Commission comprised 12 members (including a Chair and Vice-chair), amongst them a former district Councillor, trade unionist and experts in law and HR management. Since 2005, there has been an equal number of men and women members. The Commission employed 11 full-time members of staff which was supplemented when required by secondments and consultancy support.

Further to a comprehensive restructuring of local government, the sponsoring Minister Mark H. Durkan announced in October 2013 that the Commission would be dissolved in April 2017. At the time of writing (January 2018) the Commission continues to operate under notice of dissolution, in the absence of a functioning Assembly.

## **Methodology**

The Commission appointed the author to produce a factual record of their work. They wanted a straightforward record of what the Commission had done in an easily digestible format.

This short history is intended primarily for leaders of local government in Northern Ireland, their trainers and mentors, and students and researchers with an interest in public service studies and local government in particular.

## **Structure of this Historical Record**

**Chapter 1** deals with the period 1969 to 1974 and describes the political and administrative context in which the Commission was created. Thereafter the life of the Commission can be broken into three distinct periods, as shown in the timeline at the beginning of each chapter. Each of the three timeline chapters deals with one of these periods, outlining the Commission's approach in implementing its responsibilities and identifying critical achievements in relation to each of its statutory functions.

**Chapter 2** deals with the period from 1974 to 1989. The statutory Commission first met in September 1974. Until 1989, it adopted a minimalist approach to its role, delegating extensively to the district Councils, which it had been intended to oversee.

**Chapter 3** covers the middle period from 1989 to 2002, during which the Commission received increased funding from its sponsoring Department, enabling it to assume a more proactive role. For the first time, it produced a meaningful strategic plan, setting out key objectives and identifying the means to achieve them.

**Chapter 4** deals with the third period, from 2002 to 2018. Now, the dominant motif was to support the modernisation of local government, firstly through the government's Review of Public Administration and then through the transition to a new architecture of 11 district Councils.

**Chapter 5** reflects on the Commission's experience, identifies its achievements, and considers the implications of its dissolution.

## CHAPTER 1      CONTEXT 1969 – 1974

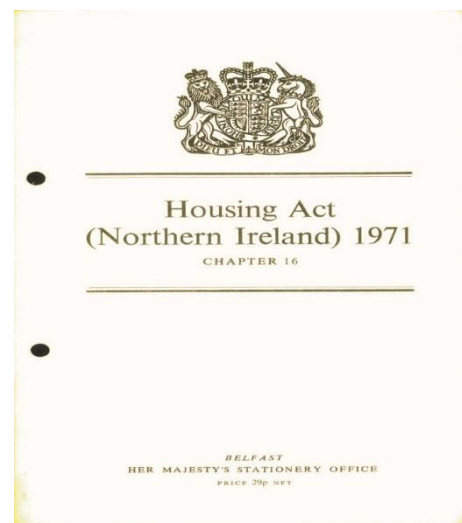
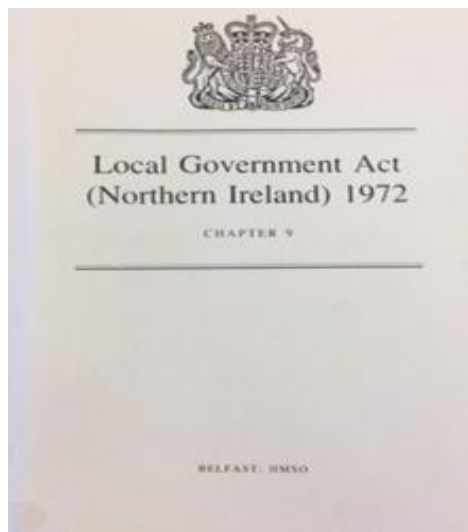


**Table1:      Northern Ireland’s 26 councils 1972 – 2015  
Northern Ireland Housing Executive 1971 - present**

Council	Population	Council	Population	Council	Population
Belfast	280,962	Coleraine	59,067	Castlereagh	67,242
Lisburn	120,165	Dungannon & South Tyrone	57,852	Ballymena	64,044
Londonderry	107,877	Antrim	53,428	Fermanagh	61,805
Newry and Mourne	99,480	Omagh	51,356	Armagh	59,349
Craigavon	93,023	Banbridge	48,339	Limavady	33,536
Newtownabbey	85,139	Magherafelt	45,038	Larne	32,180
North Down	79,900	Strabane	39,384	Ballymoney	31,224
Ards	78,937	Carrickfergus	39,114	Moyle	17,050
Down	69,731	Cookstown	37,013		

**Table 2:      The main legislative basis for the Commission’s operation:**

- Local Government Act (Northern Ireland) 1972#
- Housing Act (Northern Ireland) 1971



Source: Northern Ireland Housing Executive

## CONTEXT 1969 – 1974

**FIGURE 1: MILESTONE DATES, EVENTS & ACTIONS**

<b>1969</b>	Joint Communiqué on reform announced that a Local Government Staff Commission would be established to oversee senior appointments.
<b>1970</b>	Macrory Report outlined proposed new system of local government. Minister of Development appointed interim LGSC to cover transition.
<b>1972</b>	UK Government imposed direct rule. Local Government Act defined purpose and functions of permanent LGSC.

### CONTEXT EXPLAINED - LOCAL GOVERNMENT REFORM 1969-70

In response to prolonged sectarian rioting in July 1969, the British Army intervened to support the police (Royal Ulster Constabulary) in restoring order to the streets of Belfast and Londonderry. This led the Labour Government in London to demand changes in policies which they believed had contributed to the disorder. Home Secretary James Callaghan instructed Stormont to introduce radical reforms in local government.

#### Joint Communiqué 1969

The Home Secretary established a joint committee of civil servants from Stormont and Whitehall to produce detailed proposals. These were published in a Communiqué issued by the two Governments on 10 October 1969 (Cmnd 4178). They included the establishment of “... a permanent statutory Local Government Staff Commission... with strong advisory powers to assist local authorities in the selection of candidates for senior and designated appointments, and a continuing duty of reviewing appointment procedures.”

#### Macrory Review 1970

Stormont Minister of Development, Brian Faulkner, appointed Patrick Macrory, a local businessman, to lead a detailed review of local government. He reported in June 1970 (Cmnd 546). His recommendations stripped the local Councils of most of their powers and responsibilities. He recommended that the Commission should not have the power to compel any Council to make any particular appointment or adopt any specific procedure: rather, it would have ‘strong advisory powers’ (ibid, para 145).



### **The Interim Commission 1970-74**

On 19 June 1970, Minister for Development, Brian Faulkner, appointed an interim Commission of three, chaired by Sir Cecil Bateman, formerly Head of the Northern Ireland Civil Service, and supported by Ministry officials. Its mission was to oversee the transfer of some 36,000 public sector staff to new employers by 1973 to fit the reformed structures. It drew up the first register of local government employees and produced the first Code of Procedures on Employment and Promotion.

### **The Local Government Act (NI) 1972**

The Local Government Act (NI) 1972 provided a statutory basis for the implementation of Macrory's recommendations. It defined the Commission's overall purpose as '*...exercising general oversight of matters connected with the recruitment, training and terms and conditions of employment of officers of Councils and of making recommendations to Councils on such matters.*'

The Act identified six specific functions for the Commission:

- establishing advisory appointment panels
- establishing a code of procedure to secure fair recruitment and employment
- assessing Councils' future requirements for the recruitment of officers and publicising available opportunities
- promoting co-operation on recruitment, training and employment matters between Councils and other public bodies, including encouraging secondments
- promoting or providing training facilities
- promoting or establishing negotiating machinery between Councils and their staff on terms and conditions of employment.

The Commission had substantial statutory powers. In order to ensure that the Commission had sufficient information to inform its decision making, the Act required Councils to provide it with 'such information with respect to matters connected with the employment of any officer or officers' as it requested, and to do so within a reasonable period. If a Council failed to comply with a recommendation from the Commission, the Ministry could direct it to do so.

Therefore, by 1974 the Commission had been established and began implementing its statutory responsibilities.

The next chapter (2) provides detail of the "Early Years" period in the Commission's history.

## CHAPTER 2 EARLY YEARS: 1974 – 1989

### BELFAST CITY HALL



### NORTHERN IRELAND HOUSING EXECUTIVE STOCK



Source: Northern Ireland Housing Executive

## EARLY YEARS: 1974 – 1989

FIGURE 2: MILESTONE DATES, ACTIONS & EVENTS	
1974	LGSC launched and the Code of Procedures is circulated.
1975	LGSC appointed part time Secretary.
1976	Fair Employment Agency established. Housing Order extended LGSC's remit to Housing Executive.
1978	LGSC revised Code of Procedures.
1979	LGSC produced first progress report.
1987	LGSC recruited first full time Secretary.
1988	LGSC recruited Executive Officer and Personal Secretary.

### EVENTS & ACTION EXPLAINED - THE EARLY YEARS 1974 - 1989

#### Launch 1974

Don Concannon, direct rule minister responsible for the Commission's sponsoring Department, appointed the first statutory Local Government Staff Commission in August 1974. The Commission met for the first time at Stormont on 5 September 1974, when Mr Concannon announced that the Housing Executive had agreed to come inside the Commission's remit.

The Commission adopted a minimalist approach to the discharge of its statutory duties during this first period [(1) LGSC Progress Report 1974-1978, February 1979, PRONI, LGSC pp20. (2) MMC Organisational Review (hereafter 'OR'), August 1990, para 2.12, LGSC records)].

## **Progress on the implementation of specific functions included:**

### **Establishing Advisory Appointment Panels**

Between 1974 and 1978, the Commission used the Advisory Appointment Panel procedure 11 times. It participated in 8 other short-listing processes and 58 recruitment interviews.

### **Establishing a Code of Procedure to Secure Fair Recruitment and Employment**

The Commission decided at an early stage that it should give priority to revising the interim Commission's Code of Procedures on Employment and Promotion, but this proved difficult because of disagreements among members.

The Commission eventually completed the Code in October 1978, but left it to each Council to decide if it wished to adopt it.

### **Assessing Councils' Future Requirements for the Recruitment of Officers and Publicising Available Opportunities**

During this initial period, there is no clear evidence of positive action in this area. Many Councils relied heavily on the trawling of posts (an internal recruitment mechanism confined to existing staff). There was no requirement to advertise vacancies publicly except for the most basic grades.

### **Promoting Co-operation on Recruitment, Training and Employment Matters between Councils and Other Public Bodies, Including Encouraging Secondments**

As with function 3, there is no clear evidence of positive action in this area. Given the internal trawling system, Councils were often reluctant to open up vacancies to 'outsiders'.

### **Promoting or Providing Training Facilities**

The Commission decided to delegate training issues to the Clerks' Working Group, a subgroup of ALANI, which relied on courses offered by the generic Public Service Training Council (PSTC) rather than trying to meet the particular needs of local government itself (OR, paras 2.11 and 2.15).

### **Promoting or Establishing Negotiating Machinery Between Councils and their Staff on Terms and Conditions of Employment**

The Commission delegated to Belfast City Council day-to-day responsibility for servicing the two main negotiating bodies, those for manual and non-manual employees. There is no reference to the negotiating machinery in any of the Commission's Progress Reports until 1989 (LGSC records).

### **General oversight role**

There is no evidence that the Commission sought to exercise any general power of oversight. On the contrary, it appears to have reduced its level of activity under each of the specified functions to a minimum.

### **Resources**

In 1978, the Commission's total budget was £7,000. Of this, £1,000 was defrayed by the Department, leaving the balance to be apportioned between the Housing Executive and the 26 Councils. The main items of expenditure were the Chairman's allowance, the part-time Secretary's salary, office rental and members' travel expenses.

A Departmental review report on the functioning of the Commission later concluded that '*During the 1970s and 1980s the Commission made little headway in improving employment procedures within local government. This was largely due to resistance to change within local government together with the fact that the Commission lacked the resources to provide a proactive service. As a result the Commission adopted a passive role and confined its efforts to the production of codes of procedure...*' (Quinquennial Review Stage 1, para 4.1, BDS, May 1997; LGSC records).

### **Moving Forward**

By 1987, the Department had become concerned that some Councils were ill-equipped to satisfy the requirements of existing equality legislation, let alone the increasingly stringent and complex provisions which were then in the pipeline. It accordingly funded the Commission to appoint a full-time Secretary (Martin Cromie).

In July 1987, the Secretary produced a paper for members on the way forward. He noted that because of resource constraints '*the Commission has not been able to expand into the time-consuming areas of research into local government personnel functions and the development of a full staff training programme*' (M Cromie, 'The Future Role of Local Government Staff Commission'; Public Records Office Northern Ireland LGSC/5/8). Given that it now had the Department's financial and moral support, it '*must promptly engage in an expansion policy*' into these areas. The Secretary identified a list of '*overriding objectives which must be clearly defined and adopted*':

- consolidation and adherence to the Commission's Code of Procedures
- respect for the Commission's independence
- a full and accurate personnel data system
- adequate training programmes based on a thorough analysis of future manpower requirements.

By 1987 the Commission committed to a major change agenda in relation to the implementation of its statutory responsibilities and its continuing effective operation.



women  
in local  
councils

*making a difference*

## WOMEN IN LOCAL COUNCILS

DemocraShe  
QUB Institute of Governance  
Local Government Staff Commission  
Equality Commission for N Ireland



*Local Government Equality & Diversity Steering Group – April 2012*

<b>FIGURE 3: MILESTONE DATES, ACTIONS &amp; EVENTS</b>	
<b>1989</b>	Professor Desmond Rea appointed as Chair.
<b>1990</b>	Organisational Review recommended proactive role and staff increase. LGSC set up database to monitor equality. LGSC moved to premises at Stranmillis.
<b>1991</b>	LGSC appointed Adrian Kerr as first Chief Executive, adopted first Strategic Plan, organised first seminars, and initiated review of Northern Ireland Joint Council (NIJC) negotiating machinery.
<b>1992</b>	Local Government Order gave LGSC additional functions. LGSC launched 'Equality Matters'; moved into its own bespoke premises in Gordon Street, Belfast.
<b>1993</b>	LGSC established the Local Government Training Group (LGTG), set up a Working Group on Equality and initiated staff appraisal schemes.
<b>1994</b>	LGSC launched training package on recruitment and selection and initiated Women in Local Government development programme.
<b>1995</b>	"A Partnership Culture" produced discussion paper 'A Strategic Approach to Local Government', appointed Liaison Officer to NIJC, and reviewed Councils' trawling arrangements.
<b>1996</b>	Sid McDowell became Chair. LGSC revised Code of Procedures; launched Equality Network; and organised conference 'Developing a Unified Vision for Local Government in NI'.
<b>1997</b>	DOE review confirmed value of LGSC. Seven new members appointed. LGSC created two new posts, revised strategic objectives, and issued first Code of Conduct for Council Officers. LGTG initiated partnership with University of Ulster to deliver management development training.
<b>1998</b>	LGSC launched website, issued Guidance on Disability and Race, and produced discussion paper 'Convention of NI District Councils'.
<b>1999</b>	LGSC developed Model Equality Scheme, supported six Councils with organisation review recommendations and attained IIP accreditation.
<b>2000</b>	LGSC provided Secretariat for NIJC, helped Councils meet S75 equality obligations, set up Statutory Duty Co-ordinating Group, and completed review of NIJC. LGTG completed training needs analysis.
<b>2001</b>	Membership reconstituted. LGSC conducted Chief Executive appointment process for Northern Ireland Local Government Association (NILGA) and facilitated a joint Local Government conference (SOLACE, LGSC & NILGA). LGSC launched action plan for Women in Local Government and circulated revised Code of Procedures.

## EVENTS & ACTIONS EXPLAINED - EXPANSION: 1989 – 2002

### Organisational Review

In August 1989, the Department appointed Professor Desmond Rea of the University of Ulster as Chairman of the Commission and its membership was renewed. The new Chairman invited an independent consultant to advise the Commission on the level of staffing required to discharge its statutory functions properly.

The consultant reported in August 1990. He found that the Commission had acquired a reputation as '*a cypher required in fulfilment of a statutory duty rather than a source of authoritative and helpful personnel management advice*'. He identified a series of '*Needs for the Nineties*'. To meet them, he recommended that:

- the Commission should be remodelled along the lines of the Staff Commission for Education and Library Boards (SCELB)
- its membership should be expanded to include HR practitioners from local government
- its staff and budget should be increased
- a Chief Executive should be appointed with a support team of six full time staff.

The review report provided a blueprint for expansion. Following a public recruitment exercise, the Commission appointed Adrian Kerr to the new post of Chief Executive in September 1991. Within a month of the new Chief Executive's appointment, the Commission had adopted its first Framework Document and Strategic Plan and a new staffing structure. The 'Restart' Plan identified a range of issues for each of the Commission's statutory functions, which it reframed as '*duties*'. The Department supported the Restart process financially and by legislating in the Local Government (Miscellaneous Provisions) (NI) Order 1992 to increase its powers and to provide for two additional Commission members.

Over the next five years, the Commission tackled each of its specified functions vigorously and for the first time embraced the general purpose set out in the 1972 Act. It extended the range and scope of its activities to cover all aspects of employment in local government and brought a new weight, complexity and authority to its work. It became a proactive change agent and substantial service provider, building a solid reputation for professionalism. Its staffing grew from two to 11 and its budget from £64k to £538k.



### **New and Emerging Equality Legislation**

The Commission's new approach coincided with an increasing emphasis in Northern Ireland Office policies on the promotion of equality, moving beyond religion and political opinion to include gender, disability, race and sexual orientation. This shift culminated in the equality and human rights provisions of the Northern Ireland Act 1998. The phased introduction of new equality legislation had major implications for the Commission.

First, the Fair Employment Act 1989 transformed the Fair Employment Agency into the stronger Fair Employment Commission and created a tribunal system to support it.

Second, the Local Government (Miscellaneous Provisions) (NI) Order 1992 gave the Commission the new functions of monitoring Councils' fair employment practices and producing a code of practice on the conduct of Council officers.

Third, the Northern Ireland Act 1998 consolidated and strengthened previous legislation on gender, race and disability discrimination and provided for the creation of an Equality Commission. It required public bodies *'to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group'*.

Each of these three developments in the law created opportunities for the Commission.

### **Progress on the implementation of specific functions included:**

#### **Establishing Advisory Appointment Panels**

Between 1989 and 2002, the Commission administered up to seven Chief Executive appointments a year; arranged up to 45 assessment centres for senior posts; and sent observers to as many as 143 appointment panels. Sharing the lessons of this experience, it produced a *'Guide to Effective Practice on Chief Executive Appointments'*.

#### **Establishing a Code of Procedure to Secure Fair Recruitment and Employment**

Before 1990, the Commission had prioritised work on the Code of Procedure. This continued to be an important element in its work programme. In June 1992, it published a revised Code covering 'Recruitment and Selection'. This took account of the developments in government policy and equality legislation which had taken place since the 1970s. It applied to staff at all levels and covered most of the grounds of discrimination which would be set out in the 1998 Act. It set out principles of good practice and a series of procedures which Councils would be expected to adopt. These principles included merit as the sole basis for appointment; open notification of vacancies; avoiding indirect discrimination in advertising, selection criteria or otherwise; and making a public commitment to fair and equal treatment.

Councils were also required to prepare detailed job descriptions and personnel specifications for all posts.

The Code was revised again in 1993, 1996, and 2001 to take account of further developments in policies, legislation and case law.

### **Assessing Councils' Future Requirements for the Recruitment of Officers and Publicising Available Opportunities**

During 1991/92, 253 posts were trawled in local government and the Housing Executive. Although it failed to secure the agreement of other public bodies on a single public service trawling facility, the Commission published the first common trawl bulletin for local government in July 1992.

In December 1993, an industrial tribunal ruling determined that a Council's internal trawl procedure could give rise to indirect discrimination. The Commission responded by conducting a comprehensive review of trawling arrangements across Councils and their implications for employment equality. This concluded that such arrangements were likely to have a disproportionate impact on the grounds of religion and gender which could constitute unlawful discrimination.

SOLACE (The Society of Local Authority Chief Executives in Northern Ireland) took these recommendations forward, drawing up a joint action plan with the Commission for their implementation over the two years commencing in April 1997.

### **Promoting Co-operation on Recruitment, Training and Employment Matters between Councils and Other Public Bodies, Including Encouraging Secondments**

In line with the partnership approach embodied in the Restart strategy as explained in the preceding chapter, the Commission set about building practical working relationships with other public bodies, including networking groups such as SOLACE and the Chief Executives' Forum and other public sector bodies and organisations.

The Commission's proactive approach helped it to improve its relationships with Councils, but four years into the Restart process it was still having to deal with 26 of them separately rather than a coherent local government system. As a first step and with the endorsement of the sponsoring Department, it decided to address this problem by convening an annual Local Government conference. The first was held in September 1995, with the theme 'A Partnership Culture'.

Following the conference, the Commission produced a discussion document, 'A Strategic Approach to Local Government in Northern Ireland' (LGSC, October 1995; PRONI, LGSC archive). This identified the need for a new central body to co-ordinate the development and delivery of Council services. The Commission Chief Executive

worked hard to sell it to key figures including Chief Executives, Councillors, and influential figures in each of the main political parties.

The theme for the second Conference, in September 1996, was 'Developing a Unified Vision for Local Government in Northern Ireland'. Some 150 delegates confirmed the value of a unified body to represent Councils' interests. The Commission and SOLACE then produced a new model for cooperation which could be phased in gradually, starting with the provision of expert advice to Councils collectively.

An independent review of the LGSC commissioned by the Department in 1997 noted that '*the Commission, with the agreement of ALANI, is involved in trying to develop and promote a new body to replace ALANI*' (Quinquennial Review Stage 1, Business Development Service, May 1997, para 3.16: LGSC Library). The review team considered this a worthwhile endeavour, although they cautioned that the Commission should not do anything which might compromise its future independence.

In 1998, the Commission's Chief Executive and University of Ulster academic, Colin Knox (Professor of Public Policy), produced a further paper for consultation with the Department ('Convention of NI District Councils – a representative body for local government', September 1988; LGSC Library). This called for a region-wide body to replace ALANI, enabling local government to speak with one voice on common issues. Elected representatives would take the lead.

Over the next two years, the Commission held a series of meetings with ALANI and the political parties and helped to draft a constitution for such a body. It eventually emerged in 2001 in the form of the Northern Ireland Local Government Association (NILGA), which in effect replaced ALANI. The Commission organised the annual Local Government Conference in November 2001 jointly with SOLACE and NILGA, and ran the appointment process for NILGA's first Chief Executive.

### **Promoting or Providing Training Facilities**

The 1990 Organisational Review had identified the need to strengthen the Commission's role in training. Committed to partnership working, the Commission in 1992 joined with the Public Service Training Council (PSTC) and Training and Employment Agency (TEA) in organising a Human Resources Development Convention. This brought together HR professionals from the public and private sectors to consider the latest developments in HR management. It also established the Commission for the first time as a significant player in the training arena.

### **Supplementary Supporting Initiatives Included: Staff Appraisal**

In the context of updating the Code, in November 1992, the Commission convened an awareness seminar for Council officers on staff appraisal. A working group was established which first met in March 1993. Management consultants were recruited to train staff in each of seven participating Councils under a pilot scheme. The first appraisals were undertaken in November 1994.

### **Compulsory Competitive Tendering**

From March 1991 to September 1993, the Commission organised a series of training seminars to prepare Council staff for the introduction of the government's policy of Compulsory Competitive Tendering (CCT) and provided the secretariat for a cross-Council working group on the training needs associated with it. In this capacity it developed a regional CCT Action Plan, prepared a report on the management of the organisational implications (June 1992), advised Councils on communication with staff during the CCT process, and delivered a CCT Library and Information Service. It also provided bespoke guidance to 16 Councils on the implications of CCT, with a view to avoiding compulsory redundancies and ensuring that any vacancies were filled on merit.

### **Local Government Training Group**

In 1992, the Commission produced a discussion paper for Councils on the Establishment of a Reconstituted Training Body for Local Government. By March 1993, the Local Government Training Group (LGTG) had been created, providing a vehicle for the Commission to discharge its statutory training function. The LGTG replaced ALANI's Clerks' Working Group on Training as the lead body for coordinating training across local government. The Group comprised Council Chief Executives, HR officers and trade union representatives. The Commission was responsible for its effective operation and provided its secretariat. It was funded by the Councils, each contributing in proportion to its size.

The Commission explained that: *"While each Council is responsible for training and developing its own employees, the LGTG acts on behalf of the local government sector as a whole to add value in the learning process for individuals and organisations."* The LGTG determined the size of a central training fund and allocated it. It focused at first on the training needs of senior staff, but gradually evolved to cover all grades, including manual workers. Its first offering, in 1994, covered the Commission's core interest in recruitment and selection interviewing.

### **Training and Development Needs Assessment**

In April 1992, in partnership with the PSTC, the Commission surveyed Councils to identify regional training priorities. Over 300 responses were received and reflected in the first regional Training and Development Programme, which the LGTG adopted in 1995.

In 1999 the LGTG conducted a further training needs analysis for the introduction of the government's 'Best Value' initiative. This covered all grades and provided a solid basis for the LGTG's first Corporate Plan in 2000.

In 2001, the LGTG undertook a comprehensive consultation exercise to identify how best to meet the training and development needs of all grades of employees. By the end of the year, it had produced a framework of core skills and competencies to inform future staff development initiatives.

### **Management Development Programme**

In 1993, the LGTG adopted the PSTC's Action Learning management development programme on a pilot basis. Fifteen senior officers from nine Councils completed the programme in 1995. To build on this success, the decision was taken to replace it with an accredited programme. In 1997, the LGTG initiated a partnership with the University of Ulster Business School to design and deliver an accredited modular management development programme tailored to the needs of professional staff in local government. The first intake of 13 began in June 1998.

### **Councillor Training**

Following the local government elections in 1993, the LGTG issued 'The Councillor's Guide to Local Government in Northern Ireland' to all elected representatives. It then conducted research on their longer-term training and development needs, the results of which were incorporated in an induction programme for Councillors newly elected in May 1997.

### **Short Training Courses**

The LGTG offered short training courses in some 20 subject areas such as budgetary control, effective chairing of meetings, and handling the media. It also acted to raise awareness of emerging issues. For example, in October 1995 it organised a conference on the Local Agenda 21 initiative for sustainable development and environmental protection. It followed this up in February 1997 by producing 'Guidelines for Drafting a Local Agenda 21 Strategy' and by funding a Project Officer post to help Councils to put the Guidelines into practice.

### **Joint Negotiating Machinery**

The LGSC's growing reputation for professionalism helped it to secure an increasingly important role in support of the three Northern Ireland Joint Councils (NIJC), the mechanism through which Councils as employers negotiated terms and conditions with trade union representatives.

The Commission's Chief Executive had, from the start, taken the view that the NIJC arrangements were outdated and unfit for purpose. Within two months of his appointment, in September 1991, the Commission asked the Labour Relations

Agency (LRA) to investigate. The Commission was represented on the Steering Group which oversaw the investigation, and provided its secretariat.

Although the investigators reported in 1992, despite the Commission's attempts to facilitate agreement on the way forward, progress was slow. The NIJC eventually agreed to produce an annual report, which would at least enable the Commission to discharge its statutory responsibility for oversight. The first report was submitted in September 1995 ('Report on the Negotiating Machinery for Local Government in Northern Ireland', Appendix 1 to 'Review of the Arrangements for Collective Bargaining and Joint Consultation in Respect of Local Authorities in Northern Ireland', NIJC, March 2001; LGSC website, accessed 09 March 2017). The Commission and NIJC also agreed to identify a liaison officer who would act as a link between them. In September 1995, the Commission appointed a Professional Officer (Employee Relations) with this function.

Following a period of upheaval arising from the implementation of the Single Status Agreement, in January 1999 the Commission initiated a further review of the NIJC machinery. (The Single Status Agreement provided for the integration of negotiating arrangements for administrative and manual workers). A draft report with recommendations was issued for consultation by the two sides. It was agreed in October 2000 that the Commission should provide an independent Joint Secretariat for the NIJC for a pilot period.

In March 2001, the Commission finalised the report ('Review of the Arrangements for Collective Bargaining and Joint Consultation in Respect of Local Authorities in Northern Ireland', LGSC, March 2001; LGSC website, accessed 09 March 2017). In April the Commission convened a Strategy Planning Conference to engage Councils in carrying forward the review recommendations. There was still much to be done in this important area.

### **General oversight of HR Matters**

As it built up relationships of trust with individual Councils, the Commission increasingly attracted one-off bespoke assignments. Councils asked for its advice when they wanted an independent perspective on their own HR policies and practices, or when their HR departments needed reinforcement to assist with complex change management projects.

The Commission also supported individual Councils in preparing action plans to ensure that their policies and procedures complied with the Codes of Best Practice.

In addition, during a typical year the Commission assisted Councils with some 55 HR queries, most of which were answered immediately by telephone. This service potentially averted serious problems from arising at a future stage.

## **Quinquennial Review**

In 1997, the Department arranged a routine review of the Commission, its efficiency and effectiveness. The review team concluded that the Commission's statutory functions were still essential to Government... and were best performed through the existing Commission (Quinquennial Review, BDS, May 1997; LGSC records). The Commission had since 1991 made a significant positive impact on local government. It had brought fairness, robustness and consistency to appointments procedures, helped Chief Executives to ensure that their Councils operated in accordance with fair employment legislation, and generally promoted a more professional approach to HR management.

## **Resources**

By 1991, the Commission's staffing had grown from three to seven. The recruits included professional officers dealing with Equal Opportunities, Training and Development, and Industrial Relations.

In March 1996, Sid McDowell, a former senior official in the leading public service union NIPSA, who also chaired the Board of the Northern Ireland Housing Executive, replaced Desmond Rea (who resigned from the Commission to avoid any potential conflict of interest with his new appointment as Chair of the Labour Relations Agency) as Chair: Sid McDowell occupied the post until 2005.

In 1997, seven members were replaced. Two new staff posts were created and the Commission's strategic objectives were revised as recommended by the Quinquennial Review team. The Commission drew up a Management Statement governing its relationship with its Department and adopted the strapline 'Committed to Enhancing Local Government'. In 1998, the Commission launched its website [www.lgsc.org.uk](http://www.lgsc.org.uk).

The second phase in the life of the Commission ended in March 2002 with eleven staff in post: the Chief Executive, three Professional Officers (Equality, Training and Employee Relations), a Project Officer, Office Manager, Finance Officer, Administrative Officer, Administrative Assistant, Receptionist and Housekeeper.

The expansion described in this Chapter was made possible initially by funding from the Department and subsequently by increases in payments from Councils and the Housing Executive. Expenditure steadily increased across the period, from £69k in 1989/90 to £538k in 2001/02.

In 1992, the Commission moved into its new bespoke premises, Commission House in Gordon Street, Belfast. In 1997, it purchased the building with financial support from the Department.

The next chapter covers a period of consolidation whereby the Commission enhanced its position as a leading development organisation within the local government sector.

## CHAPTER 4 BEYOND STRATEGY: 2002 - 2018

### New Council Model 2015 -



**From 26 councils to 11 councils  
Northern Ireland Housing Executive continues**



<b>FIGURE 5: MILESTONES, ACTIONS &amp; EVENTS</b>	
<b>2002</b>	Executive announced RPA. LGSC assumed lead role on HR issues.
<b>2003</b>	LGTG extended its development programmes for new staff categories.
<b>2004</b>	LGSC adopted strapline 'Achieving Excellence through People' and revised Code of Procedures.
<b>2005</b>	LGSC launched Model Policy on Disability, Women in Local Councils initiative and guidance on HR Standards. LGSC and UU launched MSc in Executive Leadership. LGTG produced Councillor's Handbook.
<b>2006</b>	LGSC piloted performance management system in four Councils.
<b>2007</b>	LGTG hosted 'Building Capacity for Change' conference.
<b>2008</b>	Minister Arlene Foster announced RPA decisions. LGSC launched guidance on Equality Monitoring.
<b>2009</b>	Independent review report confirmed continuing need for LGSC. LGSC launched Disability in Local Councils initiative, revised Code of Procedures and set up Local Government Reform Joint Forum.
<b>2010</b>	LGSC organised conference 'Building Collaborative Learning Organisations'. LGTG produced Organisation Development toolkit.
<b>2011</b>	LGSC launched Strategic Framework for People and Organisation Development (POD), Model Equality Scheme and Disability Action Plan. LGTG reconstituted.
<b>2012</b>	LGSC produced consultation paper on new industrial relations framework.
<b>2013</b>	Minister Mark H. Durkan announced that LGSC would be dissolved in 2017. LGSC administered appointments process for 11 new Chief Executive posts.
<b>2014</b>	11 shadow Councils established. DOE asked LGTG to deliver capacity-building programme for RPA transition. New Commission appointed with effect from 01 December 2014. LGSC launched recruitment portal for local government.
<b>2015</b>	New Councils assumed full operational status and endorsed POD Framework. LGSC prepared for handover, launched Learning Management System, started Leadership Development Programme, supported reconstitution of SOLACE. Joint Forum dissolved. Knox / Mitchell Report recommended alternative arrangements to replace LGSC.
<b>2016</b>	LGSC published revised Code of Procedures and launched Leadership Academy.
<b>2017</b>	LGSC dissolution deferred while there was no functioning Northern Ireland Assembly to enact necessary legislation.

## EVENTS & ACTIONS EXPLAINED - BEYOND STRATEGY: 2002 – 2018

By 2002, the Commission had tackled all the 'Needs of the Nineties' identified by the review team in 1990. It had not reformed the negotiating machinery as it had wanted, but it had achieved the less ambitious goal set by the consultants of providing an independent secretariat to the NIJC. In the third period of its life, the Commission built on the foundations laid during the expansion period to develop a distinctive and necessary role for itself in the process of reforming and restructuring local government for a second time. In so doing, it moved well beyond the six defined functions and into the territory of 'general oversight'.

### Review of Public Administration (RPA)

The political agreement of April 1998 between the British and Irish governments and some of Northern Ireland's main political parties formally marked the end of 'the Troubles'. It provided for the restoration of devolved government through a legislative Assembly, a power-sharing Executive and a North/South Ministerial Council. After difficult negotiations, the first Executive took office on 30 November 1999. Tensions between unionist and republican elected representatives resulted in the re-imposition of direct rule for three short periods in 2000 and 2001 and from November 2002 to May 2007. Thereafter the 1998 arrangements, as modified at St. Andrews in 2006, operated without interruption until January 2017.

In February 2002, First Minister David Trimble announced a comprehensive Review of Public Administration (RPA) to consider whether the Macrory system was still appropriate under the new dispensation. The RPA would embrace education, health and social services, and the work of district Councils.

In September 2002, the Commission convened an internal seminar. The record indicates that '*the Commission needs to take the lead in examining the HR implications of the Review*' ('Outcomes and Action Points arising from the Seminar', September 2002; PRONI, LGSC records). To this end it would:

- work in partnership with the Northern Ireland Statistics and Research Agency to establish a workforce profile, which would inform the RPA
- convene a Sub-Group which would feed material into the Executive's Review Team
- publish a regular progress report on the RPA for Council staff
- prepare a statement of principles designed to ensure a seamless transition to the new arrangements.

The Commission duly informed local government staff that '*The Commission intends to take the lead in examining the human resource implications of the Review...*' (LGSC News, Autumn 2002; PRONI, LGSC archive). It went on to play a distinctive and necessary part in the RPA. Amongst other things it:

- produced a comprehensive database on the workforce
- convened an interagency HR Group which produced recommendations for Ministers
- supported the Working Groups which led the detailed planning for the new system
- organised a series of conferences on the modernisation of public services.

The Commission seized the RPA as an opportunity to transform itself again. In 2004, it reworked its statement of purpose to read *“To be the strategic organisation for the development of human resource management and the promotion of excellence through people in the delivery of local government services in Northern Ireland”*. The strapline was changed to *‘Achieving Excellence Through People’*, and greater priority was given to effective service delivery.

Under direct rule in November 2005, Secretary of State Peter Hain announced the outcome of the RPA. There would be seven Councils and the LGSC’s functions would be transferred to them. This left the Commission to work for a smooth transition to the new dispensation while planning for its own dissolution.

A Public Services Commission (PSC) was established to oversee the process of transferring staff to new employers, including those in health, social services and education. It was chaired by Sid McDowell, formerly Chair of the Commission. The current Chair of the LGSC, Brian Hanna, also sat on the PSC to ensure that the interests of local government staff were taken into account.

The devolved Executive was restored in May 2007. Environment Minister, Arlene Foster overturned Hain’s decisions in March 2008, announcing that there would be 11 new Councils rather than seven, and that they would come into being in 2011. In relation to the LGSC, the Minister declared that it would play an important role during the transition: *“A key part of the change process will be the role of the Local Government Staff Commission. I will shortly commission a review of the Staff Commission to ensure that it is resourced appropriately to continue to provide much needed support during the implementation of the decisions on the future of local government.”*

### **Review of the Commission, 2009**

The review was undertaken by John Hunter, formerly Permanent Secretary at the Department of Finance and Personnel. In January 2009, he reported that *“The LGSC has a vitally important continuing role to play in the run up to the creation of the 11 new Councils in May 2011.”* (‘Review of the Local Government Staff Commission for Northern Ireland’, John Hunter, January 2009; LGSC Library).

In response to the Hunter report, Minister Sammy Wilson indicated that the future of the Commission would be reconsidered in 2012, in the context of a planned review of the functions to be delivered by local government (Answer to Assembly Question AQW 6234/09, 23 March 2009). In the meantime, the Commission would work with the official RPA implementation structures. It would establish and service a Local Government Reform Joint Forum, which would facilitate consultation and negotiation between employer and staff representatives on human resources issues arising from the restructuring.

### **Supporting the Transition**

In 2009, the Commission partnered SOLACE in organising a conference, 'People Making Change Happen', which helped to establish the agenda for the implementation of the RPA decisions. In December 2011, it launched the 'People and Organisation Development Strategic Framework for Local Government in Northern Ireland'. In so doing, it achieved another 'Need of the Nineties', that of producing a comprehensive Personnel Code covering all HR issues.

The Commission's other priorities for the transition included:

- assisting the Strategic Leadership Board with HR issues as required
- assisting NILGA in addressing HR issues arising for Councillors
- addressing capacity-building issues through the LGTG
- contributing to specific initiatives and pilot projects.

(LGSC website consulted on 9 March 2017)

The Chief Executive represented the Commission on the Regional Transition Co-ordinating Group which provided the interface between the Strategic Leadership Board, chaired by the Minister, and the 11 local Transition Committees (one for each new Council). The Committees reported to the Group and the Group was accountable to the Board.

Elections were held in May 2014 to 11 shadow Councils, which assumed full operational status in April 2015.

The Commission's last three-year Corporate Plan, published in 2014, listed its stated objectives as:

- continuing to provide the independent secretariat to the Local Government Reform Joint Forum
- ensuring implementation of the POD Framework
- building the capacity of the new Councils through the LGTG
- implementing the Equality and Diversity Strategy and Action Plan.

### **Establishing Advisory Appointment Panels**

The Commission revised its assessment arrangements for Chief Executive posts around a competency framework in 2002 and continued to update them in the light of policy developments and experience. It regularly reviewed their use and, as necessary, sourced additional providers. Between 2002 and 2012 it administered 20 Chief Executive appointments.

In 2013, it administered the process of recruiting Chief Executives for the 11 new Councils. This included devising recruitment procedures, procuring a select list of assessment providers, trainers and assessors, and training recruitment panels. This was followed by a similar round of activity for the recruitment of chief HR and finance officers.

### **Establishing a Code of Procedure to Secure Fair Recruitment and Employment**

In 2003, the Commission conducted an equality impact assessment of its own Code of Procedures, leading it to strengthen the role of its observers on appointment panels. It revised the Code in 2004 and again in 2009 to take account of developments in policy and legislation.

The Commission also developed and piloted Model Equality HR Standards, policies and procedures on Disability, and the Women in Local Councils initiative. It issued guidance for Councils on Equality Monitoring.

In 2012, it established a single strong Equality and Diversity Group, bringing together the Women's Development Steering Group and the Disability in Local Councils Stakeholder Group. More recently, it encouraged the new Councils to appoint Diversity Champions covering all underrepresented categories.

Thanks, in no small measure to the Commission's efforts, by 2017 the proportion of women in Director level posts in Councils had risen from 16% in 2005 to 44% in 2016.

Recognising that the Code would no longer be applicable after dissolution, the Commission consulted on a revised version in 2016 which could be operated without its participation. The Department for Communities will be responsible for updating and monitoring compliance with this Code when the Commission is dissolved.

### **Assessing Councils' Future Requirements for the Recruitment of Officers and Publicising Available Opportunities**

In 2002, in anticipation of the RPA, the Commission published Guidance on the Staffing Implications of Organisation Change. In 2004, it developed and piloted a set of HR Standards to ensure that Council HR staff were ready and able to implement the RPA outcome. These were launched in final form in November 2005. They enabled Councils to evaluate their own Human Resources (HR) policies and

procedures and in due course provided a template for the creation of HR departments in the 11 new Councils. For more detail, see 'General Oversight' below.

In May 2014, the Commission and its partners launched 'Local Government Jobs NI', a joint recruitment portal. This was updated in 2015 to reflect the needs of the new Councils and the jobs portal was later extended by LGSC until September 2017.

### **Promoting Co-operation on Recruitment, Training and Employment Matters between Councils and Other Public Bodies, Including Encouraging Secondments**

The Commission continued to argue the case for stronger co-ordination of policies and programmes across Councils. Its conference of November 2002 produced an agreed position paper on the Future of Public Administration.

The creation of NILGA in 2001 provided the collective forum which the Commission had worked hard to create. However, Councillors were anxious to ensure that the Commission did not encroach on their territory. As an independent advisor to NILGA in 2007, the author drafted a Memorandum of Understanding, setting out the respective roles and responsibilities of the two organisations and arrangements for working together (Bill Smith, Note of Meeting, 25 April 2007; PRONI, LGSC archive). This Memorandum was signed at the NILGA AGM in February 2008 but in practice had little impact on co-operation between the two organisations over the years.

During 2005, joint working continued with the Local Government Management Services Board (LGMSB) and the Public Appointments Service in Dublin on the piloting of Human Resources Standards. In November 2007, the Commission and the Board hosted a Conference which looked at the organisation development agenda for local government across Ireland. In 2012, the LGMSB merged with the Local Government Computer Services Board to create the Local Government Management Agency (LGMA) a statutory body which provides central services for local government in the Republic. These include HR, IT, research, policy analysis and management support functions.

In 2015, LGSC supported the re-establishment of the NI Branch of the Society of Local Authority Chief Executives (SOLACE), and helped recruit a Policy Officer.

### **Promoting or Providing Training Facilities**

By 2002, the Councils had assumed responsibility for identifying and meeting their employees' training and development needs. The LGTG offered central services, including courses which the Councils could use. The LGTG's priorities now included:

- designing and delivering an extended range of training, covering all staff groups women's development
- equipping Councillors and staff to discharge their statutory equality obligations

- raising standards in service delivery.

By way of illustration, in 2011 more than 130 courses and programmes were delivered over 3,000 training days to 1,700 officers and Councillors.

Continuing its evolution away from a narrow focus on senior administrative and professional posts, in 2002 the LGTG initiated pilot courses and researched methods for training staff at all grades. In 2003, in partnership with the University of Ulster, it introduced professional development programmes leading to qualifications accredited by the Institute for Management and Leadership by way of example. In 2005, 50 Council employees were awarded the Advanced Diploma in Management Practice.

In 2004, the LGTG conducted a detailed assessment of Councillors' training needs. In preparation for an influx of new Councillors following the 2005 elections, it produced a template for induction training and a Councillor's Handbook. In preparation for the RPA transition, an Elected Member Development Steering Group was established to advise the LGTG on development programmes for new Councillors.

After Ministers had announced their decisions on the RPA, the LGTG increasingly focused on capacity building for the new Councils:

- in May 2007, it hosted a major conference 'Building Capacity for Change', which identified priorities for training and development during the transition
- the LGTG then contributed to the production of the Implementation Plan on Capacity Building which the Strategic Leadership Board adopted in July 2009
- during 2009, the LGTG produced an Organisation Development Toolkit for Councils and supported five pilot initiatives in capacity building
- in 2013, the Commission launched a Programme of Support for Establishing Statutory Transition Committees and provided 'Preparing for the Future' workshops for 450 'at risk' staff.

In March 2014, the Department commissioned and funded the LGTG to deliver a dedicated capacity building programme for the transition, with an emphasis on induction training for Councillors following the May 2014 elections. As a result:

- 191 days of training or facilitation were delivered
- 3,440 individuals were trained
- nine regional events were supported with a total of 403 attendees.

During 2015/16, the Commission and LGTG, provided a range of targeted support for Councils focussing on leadership development and performance. They also procured, developed and, in October 2015, launched the Learning Management System, an e-learning platform.

In 2005, the Commission initiated research on best practice in leadership development. This led to the launch in 2006 of an MSc in Executive Leadership in partnership with the University of Ulster. The Commission launched a new leadership development programme for Chief Executives in February 2015.

### **Promoting or Establishing Negotiating Machinery between Councils and their Staff on Terms and Conditions of Employment**

As indicated in the previous Chapter, the Commission's attempts to strengthen the NIJC between 1991 and 2001 met with limited success. The Commission identified the improvements required but did not however force them through, in the face of opposition from key Councils. The Commission discharged its statutory responsibility by providing the Secretariat to the NIJC and by taking receipt of annual reports. Its bespoke consultancy service included conducting senior level grievance and disciplinary inquiries.

Under the broad heading of 'Conditions of Service', it worked to improve employees' health and wellbeing, for example, issuing a stress management toolkit; initiating pilot projects in emotional resilience; and contributing to the 'Government Leading by Example' programme for workplace health.

Minister Arlene Foster's announcement of the RPA outcome in 2008 provided the Chief Executive with another opportunity to secure more resources for the NIJC and break the impasse. In November 2008, he produced an internal progress report outlining a 'Suggested Improvement Strategy' ('Collective Bargaining Arrangements in Local Government in Northern Ireland', Agenda Paper SC/224/11/08/02; LGSC records). Plans were made for a new negotiating mechanism under the auspices of the RPA Regional Transition Co-ordinating Group. In June 2009, the Minister invited the LGSC to '*establish and service*' the Local Government Reform Joint Forum, tasked with consulting the trade unions on HR issues arising from the RPA.

The Commission and the Forum worked together on a series of policies related to the RPA process including a Vacancy Control System, Model Terms of Reference for Local Consultation and Negotiating Forums, a Staff Severance Scheme, a Transfer Scheme, a System for Filling Posts in the New Council Structures, and recruitment documentation for the 11 new Chief Executive posts.

In 2010, the LRA again agreed to assist in reviewing the NIJC. A Review Team was appointed and terms of reference agreed. In 2012, the Commission circulated a discussion paper with proposals for a new Industrial Relations framework. At the time of writing, these proposals are still the subject of a negotiating process under the aegis of the LRA.

The Commission continued to service the Joint Forum until it was dissolved in March 2015.



## **General Oversight – Continuing Expansion**

In 2007, work started on a transitional HR framework for local government. The working group began by looking at good practice models in health and education. This work gained momentum in October 2010, when the Commission held a major conference on “Building Collaborative Learning Organisations”. This helped to establish the agenda for the transition and raised the profile of the pilot initiatives which were already under way on Organisational Readiness, Team Building, Leadership Development, Competency Frameworks and Coaching for Performance.

The Commission followed up with a stakeholder consultation on the modernisation of HR strategies, policies and practices. In December 2011, this work culminated in the launch of the People & Organisation Development (POD) Framework (LGSC, 2011; LGSC website viewed on 9 March 2017). The POD’s stated purpose was *‘to provide a route map to enable local government to develop its most valuable resource in a changing environment and ensure the ongoing provision of excellent services which are responsive to the needs of local communities.’* It supplemented the ICE (Improvement, Collaboration and Efficiency) programme of work initiated by NILGA and SOLACE in 2011 as a response to the Department’s proposal for a central Business Services Organisation, which the sector had rejected.

The POD Framework comprised six ‘strategic pillars’ for each of which an inter-agency working group was responsible: ‘Leadership’, ‘Performance Culture’, ‘Employee Relations’, ‘Pay and Reward’, ‘Talent Management’ and ‘Learning Organisation’. The working groups reported to a Programme Board comprising representatives from the Commission, NILGA, SOLACE, unions and the group leaders.

The Framework has been endorsed by each of the 11 new Councils. Outputs include the sharing of best practice, the joint development of new policies, a Leadership Academy, a Performance Culture Toolkit, a new model for industrial relations, a workforce data analysis, and a series of pilot projects to promote good HR practice.

The Commission launched the Leadership Academy and Coaching and Mentoring Network at its annual conference in December 2016 (for details see ‘Leadership Academy for Local Government’, LGSC; LGSC Library). The Academy is a linked series of learning and development programmes tailored to the distinct needs of line managers, ‘emerging leaders’ and ‘executive leaders’.

## **Resources**

In December 2005, Brian Hanna, formerly Chief Executive of Belfast City Council, replaced Sid McDowell as LGSC Chair. At the same time, five Commission members were replaced. This was a routine step, but significant in that (at Brian Hanna’s suggestion) those who stood down were all men, while those who replaced them were all women.

In 2008, Adrian Kerr was awarded the MBE in recognition of his services to local government in Northern Ireland.

The Minister, Edwin Poots, appointed a new Commission in December 2010 for a four-year term through the routine public appointments procedure. Mervyn Rankin, formerly Chief Executive of Ballymena Borough Council, replaced Brian Hanna as Chair. When Mervyn passed away in October 2013, Brian returned to the position. In 2013 the Minister appointed two additional members: Bumper Graham of the trade union NIPSA and Marion Smith, Deputy Mayor of North Down Borough Council.

On 16 December 2014 Minister Durkan formally announced the appointment of a new Commission to serve from 01 December 2014 to 31 March 2017 (the planned dissolution date). The Commission, under the continuing Chairmanship of Brian Hanna, consisted of business, academic and legal professionals, a former councillor, a trade union official and former and serving local government officers. On 27 March 2017, the term of office for Commission members was extended from 01 April 2017 until dissolution.

During this third period, the staff complement remained steady at 11. Additional capacity was procured from external sources as needed. Annual spending rose from £540k in 2002/03 to £795k in 2015/16.

**PEACE BRIDGE – DERRY/LONDONDERRY**



**SPERRIN MOUNTAINS**



## Review and Dissolution

As the reform process progressed, the Department returned to the question of whether the Commission would be needed after the transition. In July 2012, it published a consultation document 'Review of the Local Government Staff Commission' and 33 responses were received. The Department's summary indicated that almost all Councils agreed that the Commission had a sustainable future and that its absence would have detrimental effects. Most of its functions and responsibilities remained '*valid and necessary*' and '*whilst in theory functions could be delivered by another body, there would be serious concerns as to whether this could be done as efficiently or effectively*' ('LGSC – Synopsis of Responses to Public Consultation and Departmental Response', DoE, October 2013, p 12; LGSC records).

However; four influential respondents were less positive. They were the two largest parties in the Executive (Sinn Fein and the DUP), NILGA and Castlereagh Borough Council.

The Department acknowledged the views of the current Councils but discounted them on the grounds that they would soon no longer exist. It argued that the context had changed since 1972: strong laws were now in place to protect against discrimination, power was shared at the highest level between unionists and nationalists, and there were alternative ways of delivering the Commission's functions. If the Commission remained in being, there would be a risk of duplication with the Councils' HR departments, which could not be justified at a time of restraint in public spending: "*Though the Staff Commission has performed well in a necessary and challenging role for forty years, other developments mean that it is no longer needed. Its 'policing' role has been rendered unnecessary by the passing of a significant number of legal protections and the creation of other statutory bodies to enforce and monitor those protections. The other functions that it provides can be carried out on a non-statutory basis.*" (ibid, p 25).

In October 2013, Minister Mark H. Durkan announced that the Commission would be dissolved in April 2017.

As evidenced in the report, despite its impending dissolution, the Commission devoted its final years to embedding its achievements through the implementation of the People and Organisational Development Framework and Joint Forum agreements, the rollout of the Learning Management System and the continuing activity of the Equality and Diversity Group. It sought to ensure a seamless transition to the new dispensation, maintaining high standards in HR policies and practice.

### **Carrying the Legacy Forward**

At the same time, the Commission was convinced that there was a continuing role for a body which would carry forward actions best taken at the regional level. It invited two experts in local government, Professor of Public Policy, Colin Knox (University of Ulster) and Desmond Mitchell (formerly Chief Executive of Armagh City and District Council), to assess the case for a central delivery mechanism for HR services to local government beyond 2016.

Knox and Mitchell spoke to senior people in all 11 new Councils and other stakeholders. They reported that most interviewees saw the value of a central HR resource to promote collaboration, to offer independent advice, mediation and other expert services, and to allow for efficiencies beyond the 11 Councils delivering services individually. Belfast City Council considered that it could do almost all that had to be done itself and when it needed outside support, it would prefer to buy this, as and when required. NILGA did not see the need for any regional organisation other than itself.

Knox and Mitchell concluded that their respondents liked the idea of collaboration, but that there was insufficient political support for retaining the Commission. Its demise would leave a vacuum which should be filled. Interviewees in Councils said that they would regret the loss of its independent advice and mediation services. HR Lead Officers stressed the benefits of centralised training arrangements. There was also a need for standardisation of pay and conditions and a centralised research service.

Knox and Mitchell accordingly recommended that a central resource should be created in the form of a statutory joint committee comprising elected representatives and senior officers (Local Government Act (NI) 2014 provides for such a mechanism). Its initial remit could be to oversee implementation of the People and Organisational Development Framework. It would be smaller than the LGSC, reflecting the transfer of some functions to Councils and the loss of income from the Housing Executive. It could grow over time as Councils came to trust and value it. In due course, it might offer other shared services such as ICT, procurement and back office functions.

While, in principle, the main recommendations received Council support, there was little enthusiasm at Chief Executive or Council level for immediate implementation.

Councils have since collectively decided that responsibility for servicing the LGTG should pass to Lisburn and Castlereagh City Council. The Department has indicated that it will assume direct responsibility for updating and monitoring compliance with the Code of Procedure and the Code of Practice for Councillors.

## **Conclusion: The Commission's Achievements**

Evidence of the Commission's contributions to improving local government is set out in the Department's 2012 review and in the consultation responses. They may be summarised as:

- Promoting and steadily raising professional HR standards
- Ensuring that key HR posts have been occupied by qualified HR professionals
- Promoting fair treatment, equality of opportunity, and diversity
- Supporting the transition to restructured systems in 1973 and 2015
- Producing an effective Code of Procedures, updating it and ensuring compliance
- Applying a systematic approach to staff training and development
- Promoting co-operation
- Strengthening the negotiating machinery.

In order to achieve these results, the Commission had to provide strong leadership for the local government sector by building constructive working relationships, acquiring authority, inspiring trust, delivering services that Councils valued, securing support from its sponsoring Department, and seizing opportunities to do all these things, as they arose.

In the light of their experience, Commission members and staff have identified nine success factors:

- A clear statutory statement of purpose and functions
- An inspiring vision and realistic plan for discharging that purpose
- Effective and determined membership and staff
- Relationship-building based on integrity
- Strong constructive partnerships to maximize impacts
- Professional credibility
- Effective communication with key stakeholders
- Delivery of valuable services for government and Councils
- Readiness to take opportunities as they arise.

One factor has critically been lacking: party political support. There has always been tension between the Commission and the elected representatives it was established to oversee. Many Councillors resented the 1973 reforms and the role of the Commission in monitoring their policies and practices.

During the first period (Chapter 1), the Commission lacked the resources to challenge elected representatives, and most of the Commission's functions were captured at individual Council level.

During the second period (Chapter 2), with the Department's support, the Commission secured the resources which it needed, discharged its functions fully and actively promoted the government's equality agenda. Under direct rule, the influence of local political parties was greatly reduced.

During the third period (Chapter 3), the Commission's relationships with elected representatives were more complex. As an organisation whose credibility depended on its impartiality, it had to maintain a low profile. It had no strong allies in the newly formed regional Assembly. Its duty of monitoring Councils may have cost it the support of Councillors who went on to hold influential positions in the Executive. In helping to establish NILGA, it created an alternative elected member governed mechanism which was better placed to influence Executive decisions.

The Commission has striven to ensure that the future leaders of local government build on its achievements. It accepts that it will be dissolved but is convinced that there is still a robust business case for a central shared services mechanism for the commissioning of local services including a slimmer central HR resource to secure value for money in procurement, promote cohesion, offer independent advice and deliver specialized services. It would like to see this resource created in a planned manner, rather than as a series of ad hoc responses to crises.

It is clear from my conversations with them, that the Chair, Commission Members and Chief Executive wish the sector well and genuinely want the best for all those tasked with developing the future of local government in Northern Ireland.

### Chapter 1

- Joint Communiqué 1969 - Cmnd 4178 Cmnd 546
- Local Government Act (NI) 1972

### Chapter 2

- LGSC Progress Report 1974-1978, February 1979, PRONI, LGSC PP20
- MMC Organisational Review, August 1990, para 2.12, LGSC records)
- (Quinquennial Review Stage 1, para 4.1, BDS, May 1997; LGSC records)
- M Cromie, 'The Future Role of Local Government Staff Commission'; PRONI LGSC/5/8)

### Chapter 3

- Local Government (Miscellaneous Provisions) (NI) Order 1992
- Northern Ireland Act 1998
- Fair Employment Act 1989
- Local Government (Miscellaneous Provisions) (NI) Order 1992
- '*Guide to Effective Practice on Chief Executive Appointments*'
- 'A Strategic Approach to Local Government in Northern Ireland' (LGSC, October 1995; PRONI, LGSC archive)
- (Quinquennial Review Stage 1, Business Development Service, May 1997, para 3.16: LGSC Library)
- 'Convention of NI District Councils – a representative body for local government', September 1988; LGSC Library
- 'Report on the Negotiating Machinery for Local Government in Northern Ireland', Appendix 1 to 'Review of the Arrangements for Collective Bargaining and Joint Consultation in Respect of Local Authorities in Northern Ireland', NIJC, March 2001; LGSC website, accessed 09 March 2017
- 'Review of the Arrangements for Collective Bargaining and Joint Consultation in Respect of Local Authorities in Northern Ireland', LGSC, March 2001; LGSC website, accessed 09 March 2017
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## **Chapter 4**

- Outcomes and Action Points arising from the Seminar', September 2002; PRONI, LGSC records
- LGSC News, Autumn 2002; PRONI, LGSC archive
- Review of the Local Government Staff Commission for Northern Ireland', John Hunter, January 2009; LGSC Library
- Answer to Assembly Question AQW 6234/09, 23 March 2009)
- Bill Smith, Note of Meeting, 25 April 2007; PRONI, LGSC archive
- Collective Bargaining Arrangements in Local Government in Northern Ireland', Agenda Paper SC/224/11/08/02; LGSC records
- People & Organisation Development (POD) Framework (LGSC, 2011; LGSC website viewed on 9 March 2017)
- 'Leadership Academy for Local Government', LGSC; LGSC Library

## **Chapter 5**

- Review of the Local Government Staff Commission' ('LGSC – Synopsis of Responses to Public Consultation and Departmental Response', DoE, October 2013, p 12; LGSC records)

**The Staff Commission**

(1) There shall be established a body to be known as the Local Government Staff Commission for Northern Ireland (in this Act referred to as “the Staff Commission”) for the purpose of exercising general oversight of matters connected with the recruitment, training and terms and conditions of employment of officers of Councils and of the Northern Ireland Housing Executive (in this Act referred to as “the Executive”) and of making recommendations to Councils and to the Executive on such matters.

(2) The Staff Commission shall be a body corporate with perpetual succession, and section 19 of the Interpretation Act (Northern Ireland) 1954 [1954 c.33] shall apply to it.

(3) The Staff Commission shall consist of—

(a) a chairman, and

(b) not more than fourteen or less than six other members, appointed by the Minister after consultation with—

(i) such Councils and associations representative of Councils or their staffs as appear to the Minister to be concerned, and the Executive and such associations representative of the staff of the Executive as appear to the Department to be concerned, and

(ii) any other association or any public body with whom consultation appears to the Minister to be desirable.

(4) Without prejudice to the generality of subsection (1), the functions of the Staff Commission shall include—

(a) establishing, in such manner as the Staff Commission thinks fit, bodies (to be known as “advisory appointment panels”) for the purpose of giving advice to Councils on the suitability of applicants for appointment to the office of clerk and to other offices for which qualifications are determined under section 41 (including the making of a selection of persons who may be treated as eligible for such appointments);

(aa) establishing, in such manner as the Staff Commission thinks fit, bodies (to be known as “advisory appointment panels”) for the purpose of giving advice to the Executive on the suitability of applicants for appointment to such offices under the Executive as the Department may determine (including the making of a selection of persons who may be treated as eligible for such appointments);

(b) establishing a code of procedure for securing fair and equal consideration of applications to Councils and to the Executive by persons seeking to be employed by them as officers, and fair and equal treatment of persons who are so employed;

(bb) monitoring the fair employment practices of Councils and their compliance with statutory requirements in relation to fair employment;

(c) assessing the probable future requirements of Councils and of the Executive for

the recruitment of officers and securing publicity for the opportunities that are available to persons who may seek employment as such officers;

(cc) establishing and issuing a code of recommended practice as regards the conduct of officers of Councils;

(d) promoting co-operation between Councils, the Executive, public bodies, government departments and educational institutions in matters connected with the recruitment, training and terms and conditions of employment of officers, and promoting the temporary transfer of officers (with their consent) in pursuance of arrangements made between Councils, between Councils and the Executive, or between Councils or the Executive, and any such bodies, departments or institutions;

(e) promoting or assisting the development of, or providing, facilities for the training of officers;

(f) promoting or assisting the establishment of, or establishing, procedures for the negotiation between Councils, the Executive and officers of Councils or of the Executive or associations representing any of them, of standard rates of remuneration, or other terms and conditions of employment, for officers of Councils, or of the Executive and recommending the adoption by Councils and the Executive of rates, terms and conditions so negotiated.

(5) Where the Staff Commission makes a recommendation to a Council or, as the case may be, to the Executive and the Council or the Executive does not comply with the recommendation within such reasonable period as the Staff Commission requires, the Ministry, after consulting the Council or the Executive and considering any representations made by it, may give to the Council or to the Executive any directions that the Ministry considers necessary or expedient for the implementation of the recommendation, and the Council or the Executive shall comply with any such direction within a period of one month or such longer period as the Ministry may allow.

(6) A Council and the Executive shall—

(a) make such reports and returns with respect to its officers and their terms and conditions of employment;

(b) furnish such estimates of its probable future requirements for the recruitment of officers; and

(c) give such information with respect to matters connected with the employment of any officer or officers to the Staff Commission, within such reasonable period, as the Staff Commission requires.

(7) The provisions of Schedule 3 shall have effect with respect to the Staff Commission.

(8) The Ministry may, by order made subject to affirmative resolution, make provision for modifying the functions of the Staff Commission, and such an order may modify or repeal any provision of this section or Schedule 3.

**APPENDIX 3: CHAIRMEN, CHIEF EXECUTIVE AND SECRETARIES**

<b><u>CHIEF EXECUTIVE / SECRETARIES</u></b>	<b><u>CHAIRMEN</u></b>
<p><b>DR ADRIAN E KERR MBE</b> Chief Executive September 1991 to dissolution</p>	<p><b>BRIAN HANNA CBE</b> Former Chief Executive, Belfast City Council, December 2013 to dissolution and December 2005 to November 2010</p>
<p><b>MARTIN CROMIE</b> Secretary June 1987 to July 1991</p>	<p><b>MERVYN RANKIN</b> Former Chief Executive, Ballymena Borough Council, December 2010 to October 2013</p>
<p><b>CYRIL THOMPSON</b> Secretary (Part Time) April 1982 to June 1987</p>	<p><b>SID MCDOWELL CBE</b> Former senior official, NIPSA, March 1996 to November 2005</p>
<p><b>JOHN HOGG OBE</b> Secretary (Part Time) January 1978 to March 1982</p>	<p><b>PROFESSOR SIR DESMOND REA OBE</b> Professor, University of Ulster, September 1989 to March 1996</p>
<p><b>J R BAINE</b> Secretary (Part Time) September 1975 to December 1977</p>	<p><b>JOHN ALLEN OBE</b> Councillor, September 1985 to August 1989</p>
<p><b>CECIL WARD</b> Secretary (Part Time) January 1975 to August 1975</p>	<p><b>J B MILLAR OBE</b> September 1977 to August 1985</p>
<p><b>NORMAN HAMILTON</b> Secretary (NI Civil Service) September to December 1974</p>	<p><b>J L RANKIN</b> January to August 1977</p>
	<p><b>VIVIAN SIMPSON</b> Former leader, NI Labour Party, September 1974 to 1976</p>

## APPENDIX 4: GLOSSARY OF TERMS

<b>ALANI</b>	Association of Local Authorities in Northern Ireland
<b>BDS</b>	Business Development Services
<b>CCT</b>	Compulsory Competitive Tendering
<b>DOE</b>	Department of the Environment
<b>DUP</b>	Democratic Unionist Party
<b>HR</b>	Human Resources
<b>ICE</b>	Improvement, Collaboration & Efficiency
<b>ICT</b>	Information & Communication Technology
<b>IIP</b>	Investors in People
<b>LGA</b>	Local Government Association
<b>LGMA</b>	Local Government Management Agency
<b>LGMSB</b>	Local Government Management Services Board
<b>LGSC</b>	Local Government Staff Commission
<b>LGTG</b>	Local Government Training Group
<b>LRA</b>	Labour Relations Agency
<b>NIJC</b>	Northern Ireland Joint Council
<b>NILGA</b>	Northern Ireland Local Government Association
<b>NIPSA</b>	Northern Ireland Public Service Alliance
<b>POD</b>	People & Organisation Development
<b>PRONI</b>	Public Records Office Northern Ireland
<b>PSTC</b>	Public Service Training Council
<b>RPA</b>	Review of Public Administration
<b>SCELB</b>	Staff Commission for Education & Library Boards
<b>SOLACE</b>	Society of Local Authority Chief Executives
<b>TEA</b>	Training and Employment Agency
<b>UU</b>	University of Ulster



**THE LOCAL GOVERNMENT STAFF COMMISSION  
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