

EPA-RPII Merger Working Group - Terms of Reference

The Minister for the Environment, Community and Local Government has set up a Working Group to manage the process of merging the RPII with the EPA in accordance with Government policy.

Title of Working Group

The Working Group will be known as the EPA-RPII Merger Working Group (the “Working Group”).

Membership

The Working Group shall comprise 5 members, as follows;

- An independent Chair appointed by the Minister
- The Chief Executive of the RPII
- The Director General of the EPA
- A representative from the Environmental Radiation Unit of DECLG
- A representative from the Environmental Policy and Awareness Unit of DECLG

The membership may be varied by the Minister, as necessary. The Working Group may decide to establish sub-groups, where necessary, to progress specific issues; membership of these sub-groups may include other representatives of DECLG, RPII or EPA or such other experts as the Working Group deems necessary.

Term of Working Group

The Working Group will be established in January 2013 and remain in place until the completion of the merger. The initial element of the Working Group’s activities, to be completed by June 2013, will focus on completing an action plan to give effect to the merger, for submission to the Minister for approval; thereafter, the Working Group will be responsible for overseeing the implementation of the action plan, as approved by the Minister. While the full implementation of the action plan will be subject to the necessary legislation being put in place, the aim is to have the merger completed by mid-2014.

Task of the Working Group

This Working Group’s high-level objective will be to plan for and manage to completion the merger of the RPII and the EPA, having due regard to:

- a. the timeframe and other requirements set out by the Minister in these Terms of Reference;

- b. the requirements of the Employment Control Framework;
- c. the Public Service (“Croke Park”) Agreement and any other reform plans implemented by Government;
- d. the implementation of the shared services agenda; and
- e. the need to ensure that there is no diminution, or perception of any diminution, among stakeholders and the general public, as regards Ireland’s commitment to either environmental or radiological protection, arising from the merger.

The Working Group will report to the relevant Assistant Secretaries in DECLG on a quarterly basis, who will arrange for decisions on any critical matters which the Working Group raises in advance of the submission of its action plan to the Minister by end-June 2013. The following parameters, which can be amended from time to time, as necessary, by the Chair in consultation with DECLG, should be respected by the Working Group:

1. Governance / Board of the new body

The Minister has decided that the bodies should be merged by creating a fifth Office within the EPA structure, bringing the total number of Offices to 5, each headed by a Director. In order to provide a vehicle for continuing to harness the input/expertise currently provided by the non-executive Board of the RPII, a new Advisory Committee for radiation issues will be established by the merged organisation.

Using this as the broad governance structure, the Working Group should:

- Examine the legislative powers conferred on various office holders in both agencies, including the powers given to Board members, and clarify roles and responsibilities at Board level in the merged organisation, including accountability for statutory and governance issues, and set out the high level management structure.
- Ensure that internal structures in the merged organisation will enable it to fulfil its composite range of statutory decision-making and other obligations, while harnessing operational efficiencies in, for example, corporate services functions.
- Address other internal governance arrangements (e.g. Internal Audit Committee) appropriately.
- Make recommendations regarding the establishment of the Advisory Committee on Radiation Issues, including the appointment process for members.
- Examine and make recommendations for changes, if any, to the governance relationship between DECLG/Minister and the merged organisation.
- Prepare a Service Level Agreement for agreement between DECLG and the merged organisation.

- Ensure that all recommendations reflect best practice as set out in the Code of Practice for the Governance of State Bodies (2009).

2. *Human resource issues*

The following key underlying principles exist should underpin the Working Group's activities in this area:

- Maximising staff welfare, including the need to ensure staff are adequately informed;
- The need to maintain continuity of efficient and professional service, both during the transition and after the organisational merger has been completed; and
- The need to ensure that the skills available to the merged organisation are appropriate and sufficiently flexible to allow it to respond to new challenges, while at the same time providing career development opportunities for staff.

The Working Group should:

- Examine the grading and remuneration structure and staff profile (full-time/part-time, permanent/contract/secondments, etc) in both agencies and make recommendations for any changes necessary or desirable to ensure consistency, where necessary, across the single merged organisation.
- Identify the Trade Unions represented in both agencies and develop a communications plan which will ensure that they are informed and involved in matters relating to the merger, as appropriate, as it progresses.
- Examine the 'partnership' type arrangements that are in place in both organisations and make recommendations for any changes necessary.
- Identify pension obligations for both organisations and make recommendations on how to deal with these in the merged organisation.
- Examine T&S allowances and other allowances/fees payable in both bodies and ensure a consistent set of arrangements are put in place in the single merged organisation, in line with requirements set out by the Department of Public Expenditure & Reform.
- Identify any other HR / staffing issues that will need to be addressed.

3. *Legislative changes required*

- Review the legislation which governs both bodies and identify the changes that will be necessary to give effect to the merger. (Note: other deliverables for the Working Group will need to be finalised prior to completing this exercise).

4. *Financial matters*

- Review the financial management and reporting mechanisms in place in both agencies and recommend any changes required to ensure that a single set of robust systems is in place in the merged entity.
- Identify any binding contracts for both bodies and make recommendations for any future changes, e.g. legal advisors or other contracted providers of goods or services.
- Ensure that any future financial or contractual arrangements for the merged entity respect wider public service obligations, e.g. in relation to shared services, outsourcing, public sector reform, etc.
- Identify cost savings that will be realised from the merger, including from general operational efficiencies.

5. *Accommodation*

- Examine the accommodation position of the existing bodies and make recommendations in relation to future accommodation arrangements which satisfactorily meet the needs of the single merged agency, while also seeking to maximise financial, human resource and operational efficiencies.
- Rationalise, where necessary/appropriate, contractual arrangements in relation to property/office equipment, etc.

6. *ICT*

- Examine the ICT strategies and infrastructures of both existing bodies with a view to maximising efficiencies within the single merged organisation.

7. *Engagement with stakeholders*

- Ensure that key external stakeholders are kept informed of progress on the merger at regular intervals.
- Review the Memoranda of Understanding in operation in both bodies and identify any changes that the merged single agency may need to consider.

8. *Risks*

- Identify potential risks associated with the merger and establish a risk management plan which should be reviewed quarterly by the Working Group and reported on to the Assistant Secretaries.

9. *Other*

- Make recommendations in relation to the name for the new body.