

**REVIEW OF PUBLIC SERVICE ALLOWANCES AND PREMIA
– CHILDREN DETENTION SCHOOLS**

APPENDIX C – BUSINESS CASE SUBMISSIONS

IRISH YOUTH JUSTICE SERVICE (IYJS)
DEPARTMENT OF CHILDREN AND YOUTH AFFAIRS
31 OCTOBER 2012

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Holiday Premium
2. Description: Compensates staff for loss of other premium payments while on annual leave
3. Number on Spreadsheet : 1.4

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain
Modify

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

The Department should confirm that the allowances represent value for money and provide additional or higher value work which can not be considered as part of the normal responsibilities, flexibilities or duties expected of a person in such a post.

This information should be returned to Sighle.de.barra@per.gov.ie by 31 January, 2012.

SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

(1) What does the employer receive in return for the allowance?

(2) Is the allowance cost effective/represent value for money?

(3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

Historically, this allowance has formed part of the remuneration of staff on the campus and dates as far back as 1994 at least, based on records available.

This allowance is intended to compensate staff for loss of (i) unsocial hours allowance and (ii) Saturday premium due to annual leave. The premium is calculated by using a formula detailed below:

The benefit of unsocial hours + Saturday premium is worked out on a personal basis having regard to personal hourly rate of pay.

This figure is multiplied by number of weekends rostered in a year. This provides the annual benefit figure for the employee.

This figure is divided by 52.18 to provide an average weekly benefit.

This weekly average is multiplied by the number of weekends lost while the person is on annual leave.

Worked Example - Trinity House School:

Employee A		
Hourly Rate €16.00		
Total Unsocial Hours worked in a worked weekend = 14.5		
14.5 hours x Hourly Rate for Employee A (€16.00)	€232.00	(weekend unsocial value to person)
Saturday Premium benefit for worked weekend €15.32	15.32	(weekend sat premium value to person)
	<u>€247.32</u>	(overall weekend value to person)
Average number weeks worked in year by a worker is 17.33 (per roster)		
Total Benefit to Person in a year (€247.32*17.33)	€4,286.06	(Yearly Value of all allowances)
Divide by 52.18 to get weekly average	€82.42	
Person loses 5 week ends while on leave		
Average weekly (€82.42) x 5=	€412.12	
Premium Payable = €412.12		

(2) Is the allowance cost effective/represent value for money?

Given that the allowance does not relate to actual hours worked, it is difficult to justify in the current economic environment. Engagement with staff representatives is proposed in consultation with the Department of Public Expenditure and Reform but it can be expected that the counter argument will be advanced that it forms part of existing remuneration. Independent of whatever general progress can be achieved, it is recommended that its removal be considered in the context of staff contracts for possible future employees to be recruited to the Oberstown campus.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

Prior to engagement with relevant public service unions and the implementation of any changes to this allowance, IYJS will seek guidance from the Department of Public Expenditure and Reform (DPER) on any possible implications for similar allowances elsewhere in the public service to ensure that a consistent approach is adopted.

(4) What would be the estimated total savings derived from the modification?

The payroll cost for payment of the allowance to current rostered employees was €93,275 for 159 rostered employees in 2011. Any estimates from the modification of this allowance would depend on whether abolition or modification of the allowance is introduced.

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

N/A

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Meal allowance
2. Description: Allowance in lieu of breaks which are forfeited
3. Number on Spreadsheet: 2.1.1 – 2.1.4

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain
Modify

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

The Department should confirm that the allowances represent value for money and provide additional or higher value work which can not be considered as part of the normal responsibilities, flexibilities or duties expected of a person in such a post.

This information should be returned to Sighle.de.barra@per.gov.ie by 31 January, 2012.

SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

- (1) What does the employer receive in return for the allowance?
- (2) Is the allowance cost effective/represent value for money?
- (3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

The rationale for this allowance is that due to the nature of the work involved in the CDS, there is a need to maintain close contact with young people detained during the entire shift period. It is not always possible for staff (Residential Care Workers and Night Supervision Officers) to take a break during shifts. The allowance is calculated on the basis that there are occasions when it is possible to take a break and other occasions when it is not. Different rates apply depending on grade and roster worked – see spreadsheet. In addition, some staff choose to leave early in lieu of breaks rather than get paid.

(2) Is the allowance cost effective/represent value for money?

Allowances vary between groups of staff – see spreadsheet for further details. In addition, different staff categories in the CDS opt either to take payment or time in lieu as compensation for loss of breaks

CDS management have indicated that payment of this allowance does not fully compensate staff for all time which could be taken as breaks. However, management have also advised the IYJS that one standard for the entire campus would be beneficial and the IYJS has decided that there should be engagement with relevant public service unions towards this objective. This is to be initiated as soon as possible.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

A single method of compensating staff for breaks (e.g. time in lieu) is to be proposed by IYJS.

(4) What would be the estimated total savings derived from the modification?

The total payment amounted to €142,642 in 2011 and this would be the estimated financial saving if the payment were abolished and replaced with time in lieu. This saving might be offset by the need to revise rosters, involving an overall increase in hours worked, in order to replace time in lieu.

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

N/A

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Activity allowance
2. Description: Allowance to compensate for additional work involved in organising activities for young people in detention
3. Number on Spreadsheet: 2.2

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain
Modify

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

The Department should confirm that the allowances represent value for money and provide additional or higher value work which can not be considered as part of the normal responsibilities, flexibilities or duties expected of a person in such a post.

This information should be returned to Sighle.de.barra@per.gov.ie by 31 January, 2012.

SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

- (1) What does the employer receive in return for the allowance?
- (2) Is the allowance cost effective/represent value for money?
- (3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

The rationale for this allowance is that it is paid to one staff member to reflect activities organised by that person for young people detained in Trinity House School. This leaves other staff free to carry out regular duties.

(2) Is the allowance cost effective/represent value for money?

This allowance was approved and is payable to one person only in Trinity House School. It has not been subsequently approved for any other new entrants.

In the view of the IYJS, there is little general justification for paying this allowance.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

IYJS has decided that this allowance will not be paid to any new staff entrants to the CDS and will not be extended to any other current staff member.

Contracts for new entrants to the CDS will contain clear commitments to carry out duties related to activities for the young people as part of their normal role which is remunerated by way of normal salary and other approved allowances.

(4) What would be the estimated total savings derived from the modification?

The allowance is effectively personal to one employee.

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

N/A

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Co-ordinator allowance
2. Description: paid to one member of staff who has responsibility for organising activities, tasks and records for each shift.
3. Number on Spreadsheet: 2.3

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain **X**
Modify

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

The Department should confirm that the allowances represent value for money and provide additional or higher value work which can not be considered as part of the normal responsibilities, flexibilities or duties expected of a person in such a post.

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SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

(1) What does the employer receive in return for the allowance?

The basis of this allowance is that in the absence of a Unit Manager, one Residential Care Worker employee takes responsibility for coordinating activities, tasks and records for each shift on each house unit. They are responsible for knowing where everyone in the unit is at any given time and liaise with the manager on duty (Director or Deputy Director).

(2) Is the allowance cost effective/represent value for money?

The total cost of this allowance is relatively modest at €29,200 approx spread across 60 employees and it would appear to have a reasonable business case for retention. CDS management have noted that the alternative to this allowance would be to appoint a staff member to a team leader post on a permanent basis which would be more expensive as a team leader or Unit Manager would be required on each shift. They point out that coordination duties require significant amounts of time in conjunction with normal care staff duties, are important for rostering and monitoring purposes and as a central point of contact. However, see (3) below.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

IYJS has noted that there is a current situation whereby staff who have transferred to the campus from Finglas Child and Adolescent Centre (which closed in 2010) do not currently carry out coordination duties. This is the case due to a different “team leader” system which was in place in FCAC which is more expensive than the existing coordination allowance in Oberstown. Staff from FCAC transferred to the Oberstown site on the basis of retention of existing terms and conditions following an industrial relations process and due to this cost difference, they are not at present asked to carry out coordination duties.

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

(2) Is the allowance cost effective/represent value for money?

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

(4) What would be the estimated total savings derived from the modification?

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Sleepover allowance
2. Description: allowance paid to residential care staff member who sleeps over in a residential unit as back up to live staff
3. Number on Spreadsheet: 2.4

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain
Modify

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

The Department should confirm that the allowances represent value for money and provide additional or higher value work which can not be considered as part of the normal responsibilities, flexibilities or duties expected of a person in such a post.

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SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

- (1) What does the employer receive in return for the allowance?
- (2) Is the allowance cost effective/represent value for money?
- (3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

The basis for this allowance is the need for adequate staffing cover to manage the detention units at night. One Residential Care Worker sleeps each night in each unit in Oberstown Boys School, and one Residential Care Worker sleeps in Trinity House School each night (which has 3 detention units). The service is not required in Oberstown Girls School. The “sleepover” staff are called when a young person in detention needs attention as back up to the ‘live’ Night Supervision Officer staff member so that there is always at least 2 staff in attendance with a young person. The differences between the 3 CDS relate to the different physical characteristics of the buildings involved..

(2) Is the allowance cost effective/represent value for money?

Up until recently, this was considered a required service particularly in the case of those units which do not have in - room sanitation (in Oberstown Boys School) and in instances where children require attention at night. In such cases the need to ensure both child protection and staff safety requires that more than one staff member be available. The staff member on sleepover duty will also be called in the event of any incident.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

Due to general developments in the process leading to a common staff roster on the campus which is proposed under the Croke Park Agreement, IYJS has recently proposed the abolition of the “sleepover” posts at night (1 in Trinity House School and 3 in Oberstown Boys School). This will be achieved through better utilisation and cross campus mobility of staff across the campus, based on the total number of Night Supervision Officer staff available in the CDS. This is currently being pursued in the Labour Relations Commission under the conciliation process.

(4) What would be the estimated total savings derived from the modification?

The estimated total savings would amount to the current spend of approx. €89,000 per annum.

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken))

The configuration of buildings in Oberstown will change in the next 3 years, with the replacement of the existing Oberstown Boys School with custom built new facilities in 2014 / 2015. These new units will be physically connected to each other and more efficient to manage from a staffing point of view. This will necessitate a further review and possibly, reduction of night cover posts in each unit.

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Maintenance allowance / on call allowance
2. Description: Paid to maintenance and driving staff on call for evenings and weekends
3. Number on Spreadsheet: 2.5

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain
Modify **Y**

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

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SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

- (1) What does the employer receive in return for the allowance?
- (2) Is the allowance cost effective/represent value for money?
.
- (3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

The rationale for this allowance is to reflect the fact that maintenance staff can be called at anytime in the event of an emergency or if urgent repair work anywhere on the campus is required. This is particular important for a site that is operational on a 24/7/365 basis such as the CDS. .

(2) Is the allowance cost effective/represent value for money?

The payments involved total €23,000 approx. between 5 staff members. CDS management have noted that having maintenance staff available to attend when needed is essential for the security of the buildings and to ensure continued operation of all critical services e.g. heat, light, power etc.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

The payment of on – call allowances such as this one has been recently identified by Government as one that comes under the class of allowances to be approved for new beneficiaries but subject to review and / or modification. The Government has also agreed that such allowances should only be payable where there is evidence that they are necessary i.e. that public servants paid those allowances are called out a minimum of 12 times per year and this evidence of this minimum level of call out if a business case for continued payment to new beneficiaries is to be sustained. In addition, Departments are to review the structures and systems in place, including an examination of the grades and numbers assigned to on – call rosters, with a view to reducing the instance of payment of on – call allowances.

IYJS notes that at present, there are no plans to increase the number of staff currently in receipt of this allowance and has decided that the current system for payment of this allowance and the current mode of service delivery will be reviewed as part of the strategy that is currently being implemented for the development of an integrated / shared services approach across the 3 CDS in a number of areas e.g. maintenance, laundry / cleaning, security, transport and other appropriate services. This review will be completed and appropriate engagement with relevant public service unions on the campus will take place before any further beneficiaries will be approved for the payment of this allowance.

(4) What would be the estimated total savings derived from the modification?

Any estimates would depend on the information produced from the proposed review of the allowance and mode of service delivery for on – call maintenance outlined at (3) above.

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken))

The IYJS accepts and recognises that there is a risk to the safe, secure operation of a detention facility if an urgent maintenance issue affecting critical services for the management of the CDS cannot be attended to promptly. This is ensured by the continued operation of some form of on – call service.

BUSINESS CASE TEMPLATE

PART 1: GENERAL INFORMATION

1. Name of Allowance: Disturbed adolescent allowance (also known as “secure unit allowance”)
2. Description: allowance to compensate for risks to staff of dealing with young offenders
3. Number on Spreadsheet: 2.6.1 – 2.6.5

PART 2 BUSINESS CASE PROPOSAL

Please tick relevant box:

Maintain **X**
Modify

In both instances, please provide a thorough and considered business case for maintaining the allowance either as is or in modified format. The modifications should also be detailed, and include information on any revisions of the headings outlined in the Allowances Template.

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SECTION (a) BUSINESS CASE FOR RETAINING ALLOWANCE

(Please complete headings below)

(1) What does the employer receive in return for the allowance?

The rationale for this allowance is that all staff employed in the CDS place themselves at risk through contact with the young people in detention who can be volatile. Staff run the risk of being assaulted or injured in the course of controlling an incident. The rate payable varies depending of level of contact between members of staff and young people with lower rates paid to those staff whose main duties are not directly dealing with young people.

(2) Is the allowance cost effective/represent value for money?

IYJS has been advised by management in the CDS that the number of claims for assault and injury over many years on the CDS has been low and that this should be taken into account in assessing the value for money of this allowance. In the view of the IYJS, this is a reasonable position given the environment of working in closed detention facilities in the CDS and the allowance has merit in this context. The allowance also has a basis in previous Labour Court decisions and is clearly viewed by staff as constituting remuneration for working in what can be an onerous detention environment. It should be also be noted that policy changes are underway which will result in older age categories of child being detained on the Oberstown campus. Since 1 May 2012, all 16 year olds are detained on the Oberstown practice and it is proposed to extend this to all 17 year olds by mid 2014. This will result in an older and occasionally, more volatile and challenging group of children being detained on the campus.

The IYJS understands from management in the CDS that this payment is deemed to be pensionable remuneration under the pension scheme currently in place. This position is being verified.

(3) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken)

SECTION (b) BUSINESS CASE FOR RETAINING ALLOWANCE ON MODIFIED BASIS

(1) What does the employer receive in return for the allowance?

(2) Is the allowance cost effective/represent value for money?

(3) What type of modification is proposed – e.g. change in rate; change in method of payment; change basis on which allowance is paid; reduce number of persons in receipt of allowance; other?

(4) What would be the estimated total savings derived from the modification?

(5) Other Pertinent Issues (e.g. why duties cannot form part of grade/post; impacts/risks if duties/responsibilities not undertaken))