Civil Service Quarterly Industrial Relations

...Why we need an urgent update

Pages 4,5 & 6

Editorial



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Dear Santa, rid us of the C&A Scheme

The end of a year is a natural time to stop and take stock of where we are and what might come next. January will mark our fifth year since the foundation of Edgas

foundation of Fórsa.

The 'push' to bring about closer

- cooperation between unions came as
- a result of the ineffective response to the financial crises of 2007 and the
- the financial crises of 2007
- inability of what was then a

'partnership' model to deal with the situation.

- For me and for many, the
- restoration of the pre-Haddington
- Road hours was clear evidence that
- we made the right choice.
- What, then, should our next
- priorities be? While ultimately policy
- direction is set by our membership at
- AGMs and conferences, it has
- become increasingly clear in recent
- years that there is one very

fundamental change that is required in the civil service.

- Next year, we will enter the 73rd
- year of the operation of the
- Conciliation and Arbitration Scheme
- (C&A Scheme) for the civil service.
- These are the rules of engagement
- on industrial relations issues in the
- service. While it may be a little
- abstract to many members, Fórsa
- has had no alternative but to draw
- the conclusion that the C&A scheme,
- like austerity and like partnership,
- does not serve the interests of our members anymore.

Increasingly, we are amassing more and more evidence of a nonfunctioning system that is unable

to allow us to process and

resolve the issues brought to us by our members. As will be extensively covered in this issue of *CSQ*, the C&A scheme needs to go. And when it does, while not as tangible as pay restoration or the reversal on working hours, it will be another major example of having achieved something for the betterment of our members that we would most likely not have been able to achieve if we had remained as stand alone unions.

Our big challenge in 2023 will be to maximise recruitment and improve union membership density so that we can fully capitalise on any changes we make. As simple as it sounds, the more members we have, the more we can achieve.

The replacement of the C&A scheme may not be at the top of everyone's Christmas list and I don't recall seeing it on the Toy Show. But it is an aspiration worthy of the highest-quality union-manufactured Christmas stocking.

> Seán Carabini Editor



In brief



"Now more than ever, we need strong voices speaking on behalf of and protecting the rights of European workers in EU decision-making. I wish Esther well as she takes on her new responsibilities and assures her of ICTU's full support."

- Owen Reidy, General Secretary of the Irish Congress of Trade Unions, congratulating ICTU's Esther Lynch as she lands the top job in the European Trade Union Confederation (ETUC).



years since the foundation of the Irish Free State...

Number of workers employed in the civil service:

70,000

Number of Ukrainian refugees who arrived in Ireland in 2022

...the highest in the history of the state



WATCH

A recording of the dramatisation of the work of the 1922 Constitution Committee (undertaken by the National Archives and Courts Service of Ireland). Go to...

https://bit.ly/3PwLcal

or scan this QR code...



Pictures: ETUC; National Archives; woodleywonderworks (CC BY 2.0)

FACTFILE: Tip Theft

What is it?

Tip Theft is the term used when an employer refuses to allow a worker in the service industry have access to a tip left for them by a customer.

Why is it in the news?

After a sustained campaign led by the trade union movement, legislation came into force on December 1st to protect against tip theft with access to the WRC for dispute resolution. Employers must now display a 'Tips and Gratuities Notice' indicating how they are dealt with.

"The sharp increases in house prices in recent years have heightened affordability concerns. The housing stock has hardly kept pace with the rise in the number of households, and remains low. After the lifting of the lockdown, housing market pressures intensified, causing house prices to rise rapidly, Accommodation is hard to find, particularly for lower-income families." - OECD Economic Surveys: Ireland 2022

News

Picture: Dylan Gillis at Unsplash



Scrap flawed system and allow civil servants access to the WRC

Róisin McKane Assistant Editor, CSO

At a recent meeting with the Department of Public Expenditure and Reform, Fórşa Civil Service Division National Secretary Éamonn Donnelly threatened to collapse the industrial relations machinery for the civil service unless urgent progress is made to allow civil service workers access to the WRC.

He told DPER officials: "Unlike other categories of worker, at present, civil service workers currently have no access to the WRC for most issues. Most grievances, except equality grievances, cannot be sent to the WRC for adjudication, for example. Anything that is covered by the 1969 or 1990 Industrial Relations Acts currently excludes civil service

The system isn't just frustrating. It's inept. It was written 72 years ago and was written very much in the employer's favour. Amongst the biggest flaws is lack of a response time

Gillis at Unsplas

Dylan

PICS:

workers." At present, civil service workers have access to a conciliation and arbitration scheme that was introduced in 1990 and has not been altered substantially since. For group

COLLAPSE THREAT Éamonn Donnell

issues, an issue can go to adjudication if it affects members in one department or to a full arbitration board if it has broader civil service implications. Civil service issues, unlike issues from other sectors, do not go to the Labour Court for recommendation.

"The system isn't just frustrating. It's inept," explained Assistant General Secretary Seán Carabini. "It was written 72 years ago and was written very much in the employer's favour. Amongst the biggest flaws is the lack of a response time. It means that you can refer a matter to arbitration and DPER aren't time bound to give a response. The Arbitration Board has no powers to facilitate a hearing until DPER decide to respond."

> Continued on page 5 Winter 2022 ONLINE CSQ

News

Scrap flawed system and allow WRC access

From page 4

Asked about the real impact of this, he continued: "The best example I can give is that of the Staff Officer/Executive Officer amalgamation. These grades were amalgamated in 2017. As a result of the merged grades, all Staff Officers were elevated to Executive Officer pav.

"But there are a number of technical posts that were linked to the Staff Officer pay scale that were left out of the amalgamation. Legal Staff Officer is a good example of this. I lodged a statement of case for arbitration with DPER in February of this year. It is now December and they have not responded to it.

"How can you expect to have stable industrial relations when the State effectively refuses to engage?" he added.

The situation is potentially worse for individual grievance cases. Industrial Relations Officer Donna Mooney noted: "Let's say a member takes a grievance under the 2001 civil service grievance procedure and let's say it's not possible to get agreement on the issue.

"Under the circular, it is not possible to get it to an adjudicator. The best you can aim for is to get it to the civil service mediator, who has no power to decide on cases. Worst case scenario is that the personnel officer just decides that you have no grievance - which is a power they have! In that case, you've nowhere to bring it.

"In the public sector or private sector, you can have WRC referral built into your grievance procedure. If now, you can still take it to the WRC under the 1969 Industrial Relations Act or the 1990 Act. But civil servants aren't covered by those acts. So there's nowhere to bring it. It's an appalling way for the State to treat their civil service workers."

"The fix," explained Éamonn Donnelly, "is already legislated for. The 2015 Industrial Relations Act allowed for civil servants to use the WRC. In order for that to happen, we need the agreement of the employer - the Department of Public Expenditure and Reform - to make it happen. It's almost eight years down the road and it's still not agreed. It's not good enough."

When asked whether pulling out of the current conciliation and arbitration scheme would cause problems, he said: "Well, we're



The clock is ticking on this. <u>We're not going to wait</u> around to wait for something to fall from the sky on it... we're trying to use a 1950s industrial relations model to deal with issues in the 2020s



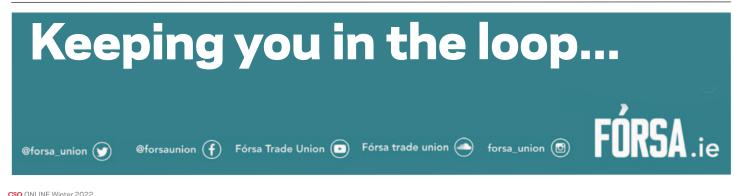


going to be no worse off than we are now. Right now, we're being prevented from getting normal business done. We've nothing to lose when you think about it. Our civil service workers deserve better."

Earlier in 2022, Fórsa submitted a document outlining its position on the transfer of our industrial relations machinery to the WRC to DPER for their consideration. That document, drafted and overseen by Derek Mullen and Pat Ennis of Fórsa was not responded to by DPER in a timely manner.

That, in turn, triggered Fórsa's warning that they would pull out of the scheme and find alternative ways of progressing industrial relations issues. DPER agreed at that point to engage with the issue and respond to the submission.

'The clock is ticking on this," said Mr Donnelly. "We're not going to wait around to wait for something to fall from the sky on it. We're being prevented from being able to engage on industrial relations issues for civil service workers because we're trying to use a 1950s industrial relations model to deal with issues in the 2020s." He added: "This is an issue that has to be prioritised in 2023 by DPER." In Numbers: page 6





In numbers...





The number of years since legislation was passed to allow civil service workers access to the WRC



Number of years Civil Service Conciliation and Arbitration Scheme has been in existence





1557

Number of agreements reached between

management and unions

Acts that currently exclude civil servants:

during that time

INDUSTRIAL RELATIONS ACT, 1990

AN ACT TO MAKE FURTHER AND BETTER PROVISION FOR PROMOTING HARMONIOUS RELATIONS BETWEEN WORKERS AND EMPLOYERS, AND TO AMEND THE LAW RELATING TO TRADE UNIONS AND FOR THESE AND OTHER PURPOSES TO AMEND THE INDUSTRIAL RELATIONS ACTS, 1946 TO 1976, AND THE TRADE UNION ACTS, 1871 TO 1982. [18th July, 1990]

Statutory Instruments that currently exclude civil servants:

- S.I. 146/2000: Code of Practice on Grievance and Disciplinary Procedures
 S.I. 463/2015: Code of Practice on Victimisation
 S.I. 145/2000: Code of Practice on Voluntary
- Dispute Resolution S.I. 132/2008: Code of Practice on Information
 - and Consultation
- S.I. 600/2017: Code of Practice on Longer Working



Problems with the Civil Service Grievance Procedure:

(Circular 11/2001): • No timelines

 Decisions made by Personnel Section

 No right to refer (other than to mediation)

Illustration: Carelesshx (CC BY-SA 3.0)

Around Fórsa...

Education Division

Fórsa welcomes DoE move on SNA training

Róisin McKane

Assistant Editor, CSQ

Fórsa has welcomed the announcement by the Department of Education, to accredit the UCD national SNA training programme as a Level 6 special purpose award. The union represents more than 12,000 SNAs nationwide.

Fórsa's Head of Education Andy Pike told *CSQ*: "The decision to accredit the training at Level 6 meets the terms sought by Fórsa since 2020. It also delivers on the commitment to accredit the course secured by Fórsa and confirmed at the hearing with the Dáil Joint Education Committee in June of this year."

Pointing out that some 1,300 SNAs had already completed the programme, which has been positively received throughout the sector, he added: "The aim is to enroll a total of 3,500 SNAs over the four years of the programme up to the end of 2025.

"The department has confirmed that UCD is now considering how those SNAs who've completed the



programme will have their award accredited retrospectively.

"The department has also confirmed a commitment to provide further appropriate training and professional development opportunities for SNAs."

Andy said that when the union had first requested accreditation of the new SNA training programme, it was told this never happen. He added: "We were told that three 'D' grade passes in the Junior Certificate was indeed the appropriate qualification for SNAs."



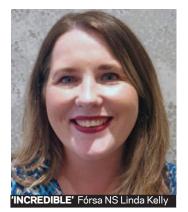
Health Division Backing as new Dept of Health office set up

Fórsa has welcomed news that a Chief Health and Social Care Professional Office has been created within the Department of Health.

This follows almost a decade of campaigns by unions including Fórsa calling for an independent, senior, and strategic leadership role to oversee all issues relating to the second largest clinical workforce within the Irish health service.

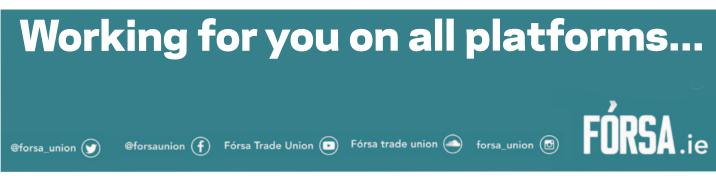
Forsa National Secretary Linda Kelly said that it was "incredible" to see the office finally set up.

She told *CSQ*: "The creation of this office will result in significant improvements for healthcare



workers and citizens alike. Issues in recruitment and retention require significant attention from an experienced HSCP leader who can address problems in clinical governance, working conditions, and career advancement."

The new role will report through the assistant secretary for the Primary Care division and will initially be based in the Strategic Workforce Planning Unit of the department to support specialist policy development as a priority under Sláintecare.



Around Fórsa...

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Fórsa secures pay offer for staff at DAA

Mehak Dugal Fórsa Communications

Fórsa has secured a pay offer for Dublin Airport Authority (DAA) staff which is now being put to ballot.

The union has been intensively engaging in a series of meetings with DAA management, the State company responsible for managing Cork and Dublin airports, to seek an appropriate offer for staff.

Fórsa said it sought an appropriate adjustment that reflects progressive pay movement within the aviation sector against the backdrop of huge increases in inflation.

As a result of the negotiations, the union secured an offer comprising two increases:

• 3.75% pay increase backdated to April 2022 for 12 months, and a further

• 3.5% pay increase from April 2023 for the following 12 months.

Picture: Irish Jaunt (CC BY-SA 2.0)

National Shared Services Office Pay arrears to be paid by December

Róisin McKane

Assistant Editor, CSQ

Fórsa has commended the National Shared Services Office (NSSO) for working tirelessly to ensure that arrears due to workers in the civil service under the *Building Momentum* pay terms will be paid in December, avoiding a potential disaster.

Last month, Fórsa sought immediate engagement with the NSSO after reports surfaced that the arrears for some workers would not be paid until March 2023, impacting several thousand employees.

Deputy General Secretary and Head of Civil Service Eamonn Donnelly said that the current situation is barely recognisable from the "potential catastrophe of a few weeks ago".

He explained: "Those with regular pay arrangements either have been paid or are in the process of currently being paid, and pension arrears have, or will be paid."

Concerns had been raised over the adjustment backlog of those who had been promoted. This has been reduced by 75% following union intervention.

Éamonn said: "Most promotees will have the full arrears adjustment either already paid or in the process of being paid. The small cohort which remains in the backlog will be paid the arrears at the pre-promotion rate, with top-up adjustment to follow in January 2023."

"A similar arrangement has been secured for



those on a higher duty allowance," he added.

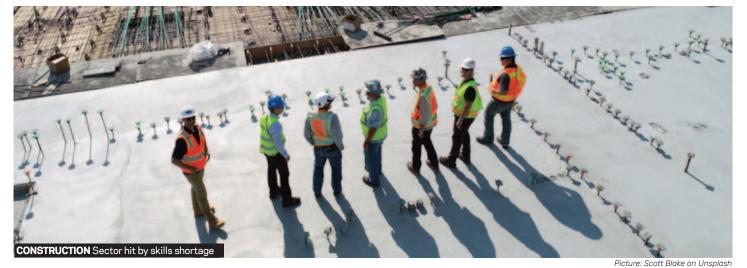
Almost 1,000 other workers who were off point on the pay scale are either already paid or about to be paid, as are temporary rehabilitation remuneration (TRR) recipients.

Éamonn pointed out that there may of course be some individual cases, as would be

the norm, where delays may occur depending on circumstances.

"Queries on this should be directed to the NSSO, but I want to thank the staff at the NSSO for working so diligently to resolve as much of the problem as was possible," he added.

Analysis



Data show a rise in number of grads despite skill shortages in economy

Ciarán Nugent Nevin Economic Research Institute

A recent report by the NERI presents the evidence of trends in the share of tertiary graduates in Ireland as well as the occupational breakdown of Irish employment broken among various groups.

The evidence suggests that since 2008, there has been a large increase in the share of working age adults and the share of workers with tertiary qualifications in Ireland.

At the same time, since the collapse of construction and a return to growth in 2012, the breakdown of Irish employment by broad occupational group has changed little, with the share of 'high-skill' jobs remaining largely static.

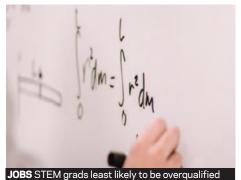
The share of jobs in skilled trades for instance, increased by just over one percentage point in those seven years, the biggest change of nine occupational groups.

In addition, approximately three in 10 thirdlevel graduates employed in Ireland are working in occupations where their qualifications are unutilised or underutilised with higher incidence among young workers.

Approximately 333,500 workers were overqualified third-level graduates in 2019, around 15 per cent of employment. Women are also more likely to be overqualified among third-level graduates and make up a higher share of all overqualified workers (185,000 or 56 per cent).

Graduates from the central and eastern EU member states bloc are substantially more likely to be overqualified than any other group or demographic explored in the analysis.

In 2019, more than half of all overqualified tertiary graduates in Ireland were working in four sectors – industry, wholesale/retail, human health and social work activities, and other service activities. The majority of overqualified workers identified studied in four broad areas CSQ ONLINE Winter 2022



Picture: Jeswin Thomas on Unsplash

- business, admin and law, arts and the humanities, engineering, construction and manufacturing as well as health and welfare.

Working graduates with qualifications in education, natural sciences, mathematics and statistics, information and communications technologies as well as health and welfare are least likely to be overqualified. Precarious workers with third level degrees were also more likely to be overqualified.

From an economic point of view there are clear policy considerations in how and where the state spends its revenue in terms of maximising potential employment and productivity and, by extension, the collective welfare and material living conditions of our

The entrepreneurial state could have a role on the demand side to create employment in areas of strategic importance where the market cannot

HIKE Big increase in graduate numbers Picture: Sevi Arvio on Unsplash society. However, the data show that Irish people and the Irish state often invest resources in skills that could (arguably) be better spent, both in terms of the effect on individual earnings potential and the long-run productivity and resilience of the Irish economy.

Almost three-quarters (73.9 per cent) or 90,000 of the net increase in overall employment between 2008 and 2019 (123,000) were taken by tertiary graduates underutilising their skills.

The entrepreneurial state could have a role on the demand side to fill gaps and create employment in areas of strategic importance where the market cannot, such as in the Just Transition to a low carbon economy and longterm energy security.

Some of the tens of thousands of business, administration, law as well as engineering, construction and manufacturing grads with underutilised skill-sets could be activated more appropriately with government intervention in the roll out of renewable energy and in retrofitting of the built environment.

Where skill shortages are a problem – as is the case currently in construction – secure and decent work with adequate wages in a state home building agency could attract more school leavers to pursue a career in a sector renowned for its precariousness and provide a floor in working conditions across the sector.

At the same time, targeted interventions like this could maximise returns to Irish education spending through better matching (higher wages) and, by extension, higher productivity, improving collective welfare, material living standards and higher individual-level job satisfaction generally.

Policing Bill

Legislating I.R. issues rather than through talks is not the way to go...

Seán Carabini

Assistant General Secretary, Fórsa

A Fórsa delegation of member representatives and head office officials has met with management representatives from An Garda Síochána and the Department of Justice to discuss the implications of the proposed Policing, Security and Community Safety Bill.

"The Bill, if it passes in its current state, will impact on the terms and conditions of our general service members who work in the Garda area," explained Fórsa Assistant General Secretary Jim Mitchell. "Currently, they are civil servants in the employment of the Department of Justice. If the legislation passes in its current state, they will lose that status and become employees of An Garda Síochána.

"While their pay and pension arrangements are unlikely to change, changes to the rest of their terms and conditions don't appear to have been considered."

When asked to elaborate on other possible changes, he told *CSQ*: "Disciplinary procedures are an obvious one. The State has given Gardaí special authorities including the power of arrest. With those authorities come great responsibilities and Garda disciplinary procedures, for example, reflect that. Why, though, would you subject clerical and admin staff to the same type of procedures?

"At the moment, they are subject to civil service procedures – which are robust and fair. To have the Garda procedures apply would be overkill completely. There are other terms and conditions that could change, like mobility and promotion streams. But none of it seems to be thought through."

In the recent meeting, Fórsa noted that they do not consider that any consultation has taken place. Fórsa has always asserted that consultation cannot simply be a one-way information process and that a robust consultation process designed to genuinely identify and address issues should be more akin to a negotiation process. The union has called for such a process to be chaired by an appropriate independent body.

"There is a bigger issue at play," Fórsa Deputy General Secretary Éamonn Donnelly told *CSQ*. "We can't have a situation where industrial relations issues are not thrashed out and are instead legislated for. That's bad practice. If there really are matters that departments want to raise with us, they should consult in the truest sense of the word and not simply rely on legislation to address their issues. That's a road that leads to an unhappy place for our members and an unhappy place



BACKROOM STAFF Civilians at work in the Garda Information Services Centre

Picture: Garda Press Office



for the employers." He pointed out that while legislation had been enacted to address employment issues in the civil service during the austerity years – the FEMPI legislation – the Government would be foolish to use such a tactic again.

"That was an emergency and we've spent the years since then challenging it and unpicking it. Why would you use an emergency tactic in an era where there is no emergency?" By Fórsa's calculation, there are 3,161 civil service workers who could be potentially affected by this.

These administration and clerical staff work in almost every Garda office in the country, meaning that every community may have someone impacted by it. In recent months, a mass engagement in this area flagged it up as the number one issue for members. **Continued on page 11**

Policing Bill



From page 10 "We've been raising this issue since we became aware of it. The legislation is only a bill. It is not yet enacted. We have time to discuss the true and full implications of this bill before it becomes an act.

"Why would we not use that time to have a full engagement to address the issues?" suggested Mr Mitchell. "As it stands, we still don't understand the rationale for this move. The need for it is still unclear. Management have CSQ ONLINE Winter 2022

said that it will help them with attracting more candidates to competitions for the area, but it hasn't been explained why or how.

"As it stands, we need a full and proper consultation so that we can understand the why's, the how's, the when's and the what's. Because without that, what reason have Fórsa members got to engage willingly with the process?" Now, more than ever, a united front is needed. Fórsa is leading the charge against the transfer of your employment from the civil service to An Garda Síochána. If you have not already done so, join Fórsa today so that members can speak with one voice and force a full and proper consultation. The more people in membership, the more likely we are to secure a positive result. Visit forsa.ie/join today



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A GUIDE TO COMPETITIONS

Key Competency:

Drive & Commitment to Public Service Values

Róisin McKane

PERSONAL drive and commitment to Public Service values is another key competency examined under the Public Service Appointment (PAS) framework. This differs somewhat from other competencies previously explored. Rather than seeking a particular developed skill it examines the applicant's attitude to their work and looks to identify desirable personality traits in the process.

At both HEO and AP level the fundamental characteristic they require is personal drive. It is important to show that you are selfmotivated and have a willingness to invest time and effort to complete vour objectives to the best of your ability. You must also display honesty and personal trustworthiness throughout and show that you can be relied upon to perform to a high standard, even in challenging circumstances.

This competency is difficult to examine independently of others. It is not a learned skill and as such, you may not be able to select an example that showcases the qualities in a "stand alone" context. Commitment to Public Service values and your willingness to work hard to achieve more should be at heart of everything you do and as such, is important to carefully interlink this competency with others. Incorporate these desired attributes in your examples when discussing other key skills.

Honesty and trustworthiness can easily be intertwined with interpersonal and communication skills while drive and a willingness to achieve your goals can be incorporated with team leadership and the management and delivery of results.

> Carefully pepper your story with examples of you being resilient in the face of challenging circumstances and show personal motivation and drive.

Highlighting situations where you thrived when given additional responsibility will not only display drive, but will also show that you were trusted by your superiors or colleagues to carry out the necessary tasks to a high standard.

Continued on page 14

From page 13



In preparing for an interview/application form it is important to work through the effective performance indicators detailed below, and ensure that your example incorporates as many of these points and markers as possible.

KEY PERFORMANCE INDICATORS

HEO DRIVE & COMMITMENT TO PUBLIC SERVICE VALUES

- Strives to perform at a high level, investing significant energy to achieve agreed objectives Demonstrates resilience in the face of challenging
- circumstances and high demands Is personally trustworthy and can be relied upon Ensures that customers are at the heart of all services provided
- Upholds high standards of honesty, ethics and integrity
- **AP** DRIVE & COMMITMENT TO PUBLIC SERVICE VALUES
 - Is self-motivated and shows a desire to continuously Is personally honest and trustworthy and can be relied upon
 - Ensures the citizen is at the heart of all services provided

 - Through leading by example, fosters the highest standards of ethics and integrity

TIP: Be confident but avoid rehearsing a 'speech'. The difficulty with a 'speech' is that an unexpected question can put you off.

> Continued on page 15 Illustration: Daniella Urdinlaiz (CC BY 2.0)

From page 14

SELECTING YOUR EXAMPLE ... think of one that:

Clearly meets the requirements of

- the competency Allows you to explain your
- personal role in detail
- Had positive results Impacted on individuals or an entire section

Situation: A new project is under way in the Department which will introduce revised policy. These changes have been ratified by the Dáil and will now need to be communicated in a

A very useful way to structure your story is the S.T.A.R. pneumonic. Your story should clearly lay out the Situation, the Task that was needed to resolve the situation, the Action that was taken and the Result. This is a neat, potted formula that will not only make it easier for you to structure your story - but will also be easy for an interview board to follow.

national information campaign to all affected parties. This initiative is sensitive and the details are highly confidential. Any breach or leak of information prior to launch would completely undermine the scheme.

Task: I was tasked with planning and organising the dissemination of information to external stakeholders affected by the new changes in regulation.

Action: I met with members of the senior management team in the Department. We discussed the detail of the revised policy, identifying our objectives. We decided that a public campaign consisting of radio ads, brochures and promotional social media ads was the best way to communicate our message to our target audience. The change in policy would be welcomed by some and opposed by others so I knew that sensitivity was required. Given the delicate nature of the

 If possible, pick an example linked to your Department's strategic objectives. It will show a wider awareness of how your role fits in to the bigger picture

 If you are not in a position where you manage staff, choose an example that demonstrates how you influenced peers

initiative discretion was vital and it was important that I reinforced this not only with my team within the Department, but with all external agencies that we would also be working with collectively. Having consulted with our legal advisors I arranged for a non-disclosure agreement to be drafted and signed by all parties involved. This would insure the integrity of the project was maintained throughout. I worked closely with my team and liaised with senior management and the external parties to guarantee that clear lines of communication were open at all times, safeguarding the campaign. The public information campaign was carefully planned to communicate our message effectively and in a manner that adheres to the values of the Public Service. Although I found it testing at times, I believed in the policy change and was committed to the project. This commitment and drive helped me work through the difficulties to achieve my objectives to the highest possible standard.

Result: The public information campaign was successfully rolled out with no information breaches prior to the launch date. All of the publicised material adhered to Public Service values and communicated the information in an honest and clear manner

Difference between EO and HEO: This is a core competency for both the EO and HEO roles. The difference is in how it is performed. A HEO position is more of a managerial position than an EO. Therefore, if you are going for a HEO position, you will have to show how you had an involvement in the managerial aspects of the task.

If things are getting to you

Talk to us any time you like, in your own way, about whatever's getting to you.



🖂 jo@samaritans.org

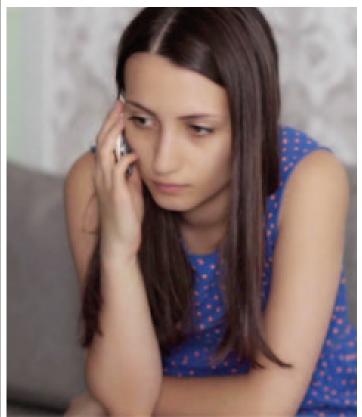
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News



Fórsa gives backing to reproductive health bill

Fórsa is supporting a bill calling for the introduction of a reproductive health leave scheme.

This will support members managing early pregnancy loss, fertility treatments and other reproductive health-related matters.

Fórsa National Secretary and Equality Officer Ashley Connolly said that for far too long, both women and men have had to remain silent in their workplaces about the grief of pregnancy loss or reproductive health matters.

If enacted, the bill would provide an entitlement of up to 20 days for women who suffer an early miscarriage, and up to 10 days leave for any employee to time off work for take reproductive health reasons.

"We know our members are using sick leave and annual leave to try to manage reproductive health issues, causing unnecessary stress and anxiety.

"This is a workplace issue, and the legislation would afford empathy and dignity to those going through this experience,

supporting workers when they need it the most," she said.

Last May, delegates at Fórsa's national conference unanimously backed a motion in support of this.

While there were early signs from Government that they would support the scheme, no further progress has been made, despite the ongoing efforts of Senator Marie Sherlock.

The Labour Party is now calling for an amendment to the Government's Work Life Balance Bill to introduce this much-needed measure as a matter of urgency and has established a petition to show support for the change in statute.

Ashley called on government to fast track this vital piece of legislation to bring fairness to the workplace for all workers.

"It is crucially important to provide leave when it matters most and change how we think about reproductive healthcare in Ireland," she said.

To learn more about the Labour Party's work on this matter, click here

FORSA Hereforyou.

Fórsa members can avail of counselling, legal advice and support 24 hours a day, 7 days a week, 365 days a year, at no additional cost to the member, through the following helplines:

> • At no additional cost to the member, legal help in bodily injury cases **0818 776644**

• At no additional cost to the member,

- 24/7 legal advice helpline 0818 776644
- At no additional cost to the member,
- 24/7 confidential counselling helpline **1800 776655**
 - At no additional cost to the member,
 24/7 domestic assistance helpline 091 545928

Health and medical information service – 0818 254164

Another service exclusive to Fórsa members is an information service on health and fitness, and non-diagnostic advice on medical matters. Advice on allergies, the side effects of drugs and how to improve general fitness are also available as part of this service. Health and medical information is provided by qualified nurses 9am – 5pm, Monday to Friday, excluding public and bank holidays. If you call outside these times, a message will be taken and a return call arranged within the operating hours. Call **0818 254164**

Update



Striking the right balance to solve BMU's hours issue

Róisin McKane

Assistant Editor, CSQ

In July, the union scored a major victory when it successfully oversaw the return of the working day to the pre-Haddington Road hours that were imposed on civil servants as an austerity measure in 2013. For the most part, the costs involved were within the parameters envisioned by the independent body that conducted the review of the Haddington Road hours.

Their report specifically pointed out that there may be some shift areas that may require additional resourcing, noting: "However, there are certain areas within the civil service where any reduction in working time will need to be resourced/replaced e.g. shift work, public facing offices and 24/7 services."

The Border Management Unit (BMU) in Dublin Airport is one such place. However, unlike most other shift areas, the BMU did not exist at the time of the imposition of the Haddington Road hours, meaning that there was no pre-Haddington Road arrangement to return to.

Discussions with the Department of Justice revealed that Justice wanted to explore the possibility of not reverting the hours and The BMU did not exist at the time of the imposition of the Haddington Road hours, meaning that there was no pre-Haddington Road arrangement to return to



maintaining the current shift arrangements as they are, in short, working well. A nonreversion of the hours, however, would mean that staff were working an additional 27 uncompensated minutes a day and discussions were held on rectifying this.

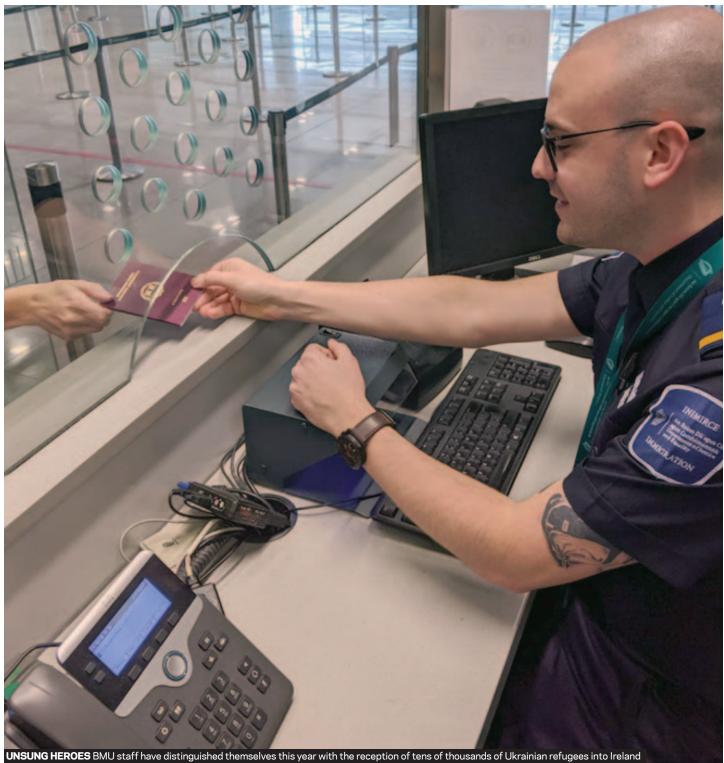
"The discussions were initially fruitful," said Assistant General Secretary Seán Carabini. "The Department of Justice entered into them in good faith and progress was made on how we might find a way forward. However, at that point the Department of Public Expenditure and Reform (DPER) inserted themselves into the mix and things were thrown up into the air." Fórsa has received correspondence from DPER that states: "While we acknowledge the Border Management Unit (BMU) was set up after the implementation of the hours provided for by the Haddington Road Agreement, the shift pattern has been based on a 37-hour working week. Therefore, the shift pattern must be adjusted from 1st July 2022 to reflect the reversion to the 35-hour working week."

Mr Carabini told CSQ: "I cannot understand the logic in this position. DPER is effectively saying that the only way to approach this issue is on the basis that staff hours must revert. But no matter which way you cut it, if the hours revert, there will be a need for additional resourcing anyway.

"I can't understand why, when additional resourcing is required regardless, DPER won't allow the shape of that additional resourcing to be negotiated between the staff and department impacted by this.

"This would allow for a solution to be found that struck the right balance between the interests of both parties. Furthermore, it took months for the Public Expenditure and Reform industrial relations mechanism to come back with their response to us." He added: "That is in

Update



From page 18

no way conducive to harmonious industrial relations."

Fórsa has insisted on discussions to move the issue on. Mr Carabini said: "Rather than one honourable, simple solution to this problem, we now face the potential prospect of having something less efficient foisted upon us. I can't understand a position like that especially when what both the union and Justice were seeking was envisaged by the CSQ ONLINE Winter 2022 authors of the HRA hours report."

Asked on what the next steps are, he said: "The most pressing issue is agreeing how to compensate BMU workers for the additional time they have worked since July. Fórsa are very clear on this: this must happen.

"Next, we need to assess what is now on the table in relation to the future of the shift and if it is better or worse than what would have been on the table if DPER hadn't inserted themselves into the matter. We will make an assessment once we learn more. But let me be Picture: Fórsa

clear - we are ruling nothing out at this stage." As a final thought, he added: "On a general note, I'm particularly disappointed at the wider context. These are staff that have gone above and beyond this year in being at the front line of managing the reception of Ukrainian refugees into the State. That's not been an easy job either physically or emotionally.

"The actual value of the work that our BMU members carry out seems to have been forgotten or ignored by DPER's industrial relations machinery."

Around the CS Division...

National Parks and Wildlife Service

Review terms agreed over conservation ranger role

Fórsa has agreed to the terms of reference for the review of the role of the conservation ranger in the National Parks and Wildlife Service (NPWS). This follows the publication of the Government's NPWS review earlier in 2022.

"When the NPWS review was published earlier in 2022, it was obvious that the role of the conservation ranger needed reconsideration," Fórsa Assistant General Secretary Deirdre O'Connell told *CSQ*.

"Fórsa has long advocated for this. The conservation ranger grade has always been a concern



for us. The specialist tasks that are undertaken by our membership are out of kilter with what should be expected for the pay levels attached to it. Workers should get paid a fair wage for the work they do and, with the conservation rangers, their pay and skillset were not aligned."

Conservation rangers are at the frontline of protecting Ireland's bio-

diversity and natural environment. The NPWS review highlighted structural issues that were preventing the organisation's goals in these areas from being achieved.

Ms O'Connell continued: "The conservation ranger grade – a grade that came in for particular public praise during the lockdown for ensuring continued safe access to national parks and wildlife areas



for the public – is tasked with the safe and responsible stewardship of Ireland's air, water, soils, climate and wildlife.

"They must ensure that relevant national legislation and EU directives are adhered to. It's a difficult job that requires a unique blend of training, experience and dedication. For most, it is a vocation. We need to make sure that the State does right by the grade. The review is a chance for this to happen."



Revenue CO branch mergers proposed

The Revenue National Committee (RNC) is a democratically-elected body. Members of the RNC are elected by branches in the Revenue area. The RNC has been considering the potential for merging branches, where feasible, since 2017, with the sole purpose of creating a more effective structure capable of better organising and servicing provision to members.

Following the adoption of the Fórsa Strategic Plan at the biennial conference earlier this year, the RNC accelerated its discussions over branch amalgamation. The

A Revenue super branch with 1,300 members...

Approval has been sought from the National Executive Committee under Rule 12 (i) and (iii) to merge the following 11 branches into a single Revenue Clerical Branch: Limerick Revenue Clerical, Dublin C&E Revenue Clerical, Dublin Central Revenue Clerical, Dublin South Central Revenue Clerical, Cork Revenue Clerical, Dublin North Central Revenue Clerical, Cork Revenue Clerical, Dublin North Central Revenue Clerical, Tallaght Revenue Clerical, Ashtown Gate Revenue Clerical, Rosslare Revenue Clerical, Waterford Revenue Clerical, Nenagh Revenue Clerical. The new single branch would comprise of around 1,300 members.

RNC strongly believes that amalgamation, where feasible, of Revenue Clerical members into a single national branch would

strengthen the Revenue union voice with the employer.

The RNC, in September 2022, voted unanimously to start the

member-led process of amalgamation to engage with the strategic change team to this end. A meeting of reps from Revenue in addition to branch chairs was held on 18th October as part of the consultation process.

An in-person meeting was held for members on 16th November in addition to a remote meeting for members that same afternoon. The meetings resulted in strong agreement that amalgamation was the best way forward for Revenue Clerical Officers to be best served by the union.

Department of Social Protection

Fórsa seeks more details on regional restructuring initiative

Fórsa has written to the Department of Social Protection (DSP) seeking further details on regional divisions restructuring.

It follows a recent meeting where both parties agreed to grasp the opportunity to reset how industrial relations are conducted.

Regional restructuring has been described as a work in progress, leading to the ongoing implementation of elements of change without a shared plan or shared vision.

Fórsa has emphasised that business cannot be conducted in this way and Fórsa is seeking a



schematic status update on all elements of restructuring (Intreo Centres, National Processing Team, National Intreo Contact Centre, Community Welfare Service, Social Welfare Inspectorate, Employment Services etc).

Update

The union wants the update to cover the analysis of workforce planning that has taken place as well as an analysis of the effect of work processes given the resourcing/work-life balance issues identified by Fórsa along with increased levels of workplace stress

Staff side unions in DSP have also sought that a transparent metric is agreed on staffing levels

in Intreo Centres and that the updating of the technical report on the grading of work is examined.

Assistant General Secretary Paul MacSweeney, who has responsibility for DSP members, told CSQ: "Fórsa and our members have co-operated with significant change under regional restructuring in the past number of years.

Restructuring combined with automation should allow for the reskilling and upskilling of our members and provide for increased promotional opportunity or, at the very least, no diminution in grading in DSP and downgrading of work."

Department of Public Expenditure and Reform



The Department of Public Expenditure and Reform (DPER) has made a determination on the categorisation of certain PCW 1% allowances for some professional and technical grades.

In some areas, the PCW 1% arrangements consisted of allowances accessible to members approaching retirement ages.

The pensionability of allowances differs depending on whether or not an allowance is considered variable or fixed. Variable allowances are governed by Circular 10/2008 whereas fixed allowances are identified with reference to Circular 8 of 2013.

Until this point, certain PCW CSO ONLINE Winter 2022

allowances were classified as 'variable', meaning that they attracted the 'best three in 10 years' rule for pensionability.

However, DPER has determined that this should not have been the case as PCW allowances are not variable in the sense that they have no direct linkage to pay movements.

Following representations from the union, DPER has agreed to allow the previous classification system to be phased out over a 10-year period rather than to take immediate effect. This effects PCW arrangements in the Probation Services, Forensic Science Ireland, State Labs and OPW.

DPER asked to clarify pay queries

The following issues have been raised and are awaiting response:

• Whether or not the 'Jump increments' circular (7 of 2019) applies to those who are new entrants or those who are in new entrantgrades (Note: some grades that are effectively open/new entrant grades may have limited circumstances where internal candidates can apply. Fórsa contends that, in such cases, these internal candidates should not be on lesser pay arrangements)

• General Council Report 950, allowing additional incremental progression for lab technicians, is no longer in existence. We have sought clarification from DPER on the manner in which it was withdrawn

• Circular 21/2004 awards additional increments for new entrants at CO and EO grades who have previous similar experience in another Irish or EU public service. Following queries from members, we are trying to ascertain if DPER is no longer allowing service in Northern Ireland or Great Britain to be considered under the circular post-Brexit.

• Starting pay for legal professionals: DPER has cut the discretionary element of starting pay that was previously made available to departments to attract the highest calibre of legal professionals to the civil service. This change to terms and conditions appears to have been done without any consultation. An explanation has been sought before next steps can be considered.

Around the CS Division...



Blended working across all the departments...

The biggest change introduced in 2022 has been the introduction of the Blended Working frameworks across the Civil Service.

The tables on the followings two pages provide a 'snapshot' of where things stood in different departments at the end of November – and what is quite telling is that it instantly highlights a number of issues:

• No standardisation across the civil service.

• Some departments are making it as simple as possible for staff to be able to make full use of blended working.

• Other departments are overly-conservative and are outliers.

This ultimately leads to a number of things to watch in 2023 when the pilot phase of blended working ends:

• Will departments that have overlyrestrictive policies find it more difficult to recruit and retain staff?

• How will the adoption of blended working practices impact on the ability of departments to trial four-day working week experiments?

• How will the blended working legislation, when it is introduced, affect the landscape?



Picture: Roman Bozkho on Unsplash

Dept Name	In-office days	Flexi pilot				
Chief State Solicitor's Office	1 day per week	Approach 1 - Flexi accrual regardless of work location				
Department of Children, Equality, Disability, Integration & Youth	2 days per week	Approach 1 - Flexi accrual regardless of work location				
Department of Defence	2 days per week	Approach 1 - Flexi accrual regardless of work location				
Department of Enterprise, Trade and Employment	2 days per week	Approach 1 - Flexi accrual regardless of work location				
Department of Health	2 days per week	Approach 1 - Flexi accrual regardless of work location				
DFHERIS	2 days per week	Approach 1 - Flexi accrual regardless of work location				
Public Appointments Service	pointments Service 2 days per week Approach 1 - Flexi accrual regardless of work lo					
Central Statistics Office	2 days per week	Approach 2 - Flexi accrual in office/work premises only				
Department of Justice	2 days per week	Approach 2 - Flexi accrual in office/work premises only				
Department of Rural and Community Development	2 days per week	Approach 2 - Flexi accrual in office/work premises only				
State Laboratory	2 days per week	Approach 2 - Flexi accrual in office/work premises only				
Valuation Office	2 days per week	Approach 2 - Flexi accrual in office/work premises only				
Department of Public Expenditure & Reform incl. OGP	3 days per week	Approach 1 - Flexi accrual regardless of work location				
Department of Agriculture, Food and the Marine	3 days per week	Approach 2 - Flexi accrual in office/work premises only				
Department of Housing, Local Government and Heritage	3 days per week	Approach 1 - Flexi accrual regardless of work location				
Property Registration Authority	4 days per week	Approach 1 - Flexi accrual regardless of work location				

Continued on page 23

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Report

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Blended working across all the departments...

Dept Name	In-office days	Flexi pilot				
NSSO	Not weekly - 20% per month	Not agreed yet				
Department of Environment, Climate and Communications	Not weekly - 40% over 4 week period	Approach 1 - Flexi accrual regardless of work location				
Office of the Comptroller and Auditor General	Not weekly - 40% over the year	Approach 1 - Flexi accrual regardless of work location				
Department of Transport	Not weekly - 5 days per fortnight	Approach 1 - Flexi accrual regardless of work location				
Office of the Ombudsman	Not weekly - 50% over 2 weeks	Not agreed yet				
Dept of Foreign Affairs	Not weekly - 60% over 4 weeks	Approach 1 - Flexi accrual regardless of work location				
Department of Finance	Not weekly - Business requirements	Not agreed yet				
Dept of Social Protection	Not weekly - minimum 4 days per month	Piloting both options				
Revenue	Not weekly - No set days	Approach 1 - Flexi accrual regardless of work location				
Dept of the Taoiseach	Undecided	Not agreed yet				
Department of Education	Undecided	Not agreed yet				
Office of the Director of Public Prosecutions	Undecided	Not agreed yet				



News

Loss of earnings case at arbitration

Fórsa has argued a loss of earnings case for a group of Service Officers in the Department of Justice at the Civil Service Arbitration Board.

Fórsa Assistant General Secretary Paul Moyer said: "This was a case where people lost access to regular, rostered overtime. They had been working it so long that it was effectively part of their income. We sought a loss of earnings to be paid, but the Department of Justice disagreed and we had to move the matter to a third party." Loss of earnings claims are paid in circumstances where a person suffers an earnings loss such as that described in this case.

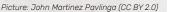
"At the moment, the 'Mulvey Formula' is used to compensate such losses," Assistant General Secretary Seán Carabini pointed out. "It compares earnings 12 months apart and can award a compensation of 1.5 times that amount.

"The difficulty with the formula is that it effectively means that you have to wait 12 months to be able to quantify the loss - but those are the rules across the public sector at the moment and have been since 2011."



Combined Services Third World Fund







Picture: James Coleman on Unsplash

Question of right and wrong on chaplins' pay

Fórsa has formally raised the issue of the correct pay scales for prison chaplains with the Department of Justice having exhausted the avenues of discussion inside the Irish Prison Service (IPS).

Fórsa Assistant General Secretary Paul Moyer told *CSQ*: "In 2015, IPS introduced a plan that would see the end to the hiring of prison chaplains with duties transferring over to a new 'Lay Pastor' grade. Needless to say, the Lay Pastor grade has a much lower salary scale."

Asked if the unions at the time had agreed to this change, Paul clarified they had not.

"The Chaplains weren't organised at the time and there was no agreement reached with any union on this matter. The reason it has become an issue now is that, de-



spite the IPS 2015 plan, they didn't hire Lay Pastors. Instead, they hired Chaplains, but paid them Lay Pastor salaries.

"That's just not right. It's on that basis that we've sought to move the matter to Justice for discussion to try to resolve their terms of employment," he added.

News

Central Statistics Office Union seeks return to arbitration on pay issue

Following an unsuccessful attempt to find a solution to the long-running jumpincrement pay issue for statisticians in the CSO, the union has sought for the case to be returned to arbitration.

Assistant General Secretary Paul Moyer told CSQ: "This issue was in front of the arbitration board already and the merits of the case were agreed. We thought we had a way forward to address the issue with the CSO, but Public Expenditure and Reform have been less than helpful in their interventions and made it seemingly impossible for the CSO to do the right deal on this." The issue involves an old arrangement that allows for additional incremental progression for this professional grade in limited circumstances.



DPER failure to respond on SO issue 'extremely frustrating'

Fórsa has expressed extreme disappointment at the failure of the Department of Public Expenditure and Reform (DPER) to respond to the Fórsa arbitration case submitted in February last.

Assistant General Secretary Seán Carabini told CSQ: "The SO grade was amalgamated with the EO grade in 2017 and the rate of pay for the SO competencies is now the EO pay scale. However, there are still a number of technical grades – about 120 people in all – that are still tied to the old SO payscale. That's not right.

"We submitted a statement of case for arbitration on the matter in February. We are still waiting on Public Expenditure and Reform to write their counter submission." CSQ ONLINE Winter 2022 Mr Carabini pointed out that a major flaw in the 1950 civil service conciliation and arbitration scheme was the lack of timelines.

He explained: "The Arbitration Board can't schedule a hearing date until the official side has submitted its statement of case. However, there's no timeline built in for them to have to do this, meaning that they can effectively prevent an issue going to arbitration as long as they don't write their counter statement.

"It's yet another example of why the rules of the civil service conciliation and arbitration scheme are absolutely no longer fit for 2022 and one of the reasons that we need to look at completely overhauling the system urgently."

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In conversation...

We sat down with new Head of the Civil Service Division and Fórsa Deputy General Secretary **Éamonn Donnelly** to discuss his reading of the lay of the land and his vision for the future...

We have to grasp opportunity to be innovators and leaders

What has struck you most about the civil service (as opposed to civil servants) since you've taken the helm?

Since I've come back to the civil service, I've had a good look at it and I'm struck by its conservatism as an institution. We understand that it has regulatory duties and is a government service, but I don't think that it tackles the pace of change well.

Take, for example, the business that we're in – the industrial relations system. We find it extremely difficult to move things on sufficiently to get outcomes for workers because we're operating on a 1950s industrial relations model that is no longer fit for purpose. Tell me – what other institution is operating on a 1950s model? It is one of my nailed-on ambitions to bring the workforce of the civil service into the industrial relations machinery provided by the state (the WRC and the Labour Court).

What do you see as the biggest problem with a lack of full access to the WRC and Labour Court for civil service workers?

That is actually a denial of workers' rights. I've seen correspondence recently where I ...civil servants need to be understood as a 'workforce' - workers who provide their labour for a wage the same as everybody else and therefore should have access to the same industrial relations systems as everybody else and be entitled to expect the delivery of the same outcomes in an efficient manner

was reminded of the fact eamh san Áit Oibre that working for the civil Labour Court Workplace Relation service is a 'privilege'. I mean - we've moved on from that. Being able to get up and go to work in the morning is a privilege. Working for a trade union is a privilege because it's a voluntary organisation and an organised group of members pay for me to work for them and that is a privilege. However civil servants need to be understood as a 'workforce' workers who provide their labour for a wage the same as everybody else and therefore should have access to

the same industrial relations systems as everybody else and be entitled to expect the delivery of the same outcomes in an efficient manner.

Trade union direction comes from our elected leadership. Tell me about the role you see our divisional executive committee taking.

My vision for our own divisional executive committee is to be

leaders in devising a strategy that's going to future-proof the trade union.

If you look, for example, at menopausal welfare, domestic violence, menstrual welfare, all of those things where there's an appetite in society for us to something constructive on this, why

shouldn't the civil service be innovators and leaders? [There are] opportunities to make blended working and remote working meaningful and beneficial for all including the employer. We should be leading that field. We had a bit of a kick-start in a restricted lockdown environment that we haven't capitalised on, you know? And we should be leading that field.

Continued on page 26



From page 25

A lot of what you're calling for involves change on the scale that we've not seen in quite some time. Do you think this level of change is possible?

I don't see the union as inhibitors or obstructors to change. In fact, I'm advocating for change. But what I'm also saying is that we have a huge part to play in the discussion and negotiation of that change to make CSO ONLINE Winter 2022

sure our workers thrive in the context of the change. I always believe that if the civil and the public service is doing well, its workforce is doing well.

What is the most immediate priority?

I think that 2023 is going to be the year of recruitment. If we get our recruitment and organisation right, it won't only benefit Fórsa, it will also, because of the nature of the employment where we represent members, be a great boon to the trade union movement because we can reach out to other, morevulnerable parts of the trade union movement and rebuild.

I think the civil service as an institution needs to grasp the opportunity to be innovators and leaders.

Éamonn Donnelly was in conversation with CSQ Editor Seán Carabini

Crossword

As **CSQ** is currently being published **online only** during the course of the pandemic, we have decided to end the competitive element to the crossword as it is more difficult to track returned entries to Head Office. However, the crossword will continue to run in *CSQ*.

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20					21			

Across

- 7. Prayers repeated for nine successive days or weeks (6)
- 8. A court held in here is private (6)
- 9. Long running musical based on the poems of T.S. Eliot (4)
- 10. Welsh bay and knitwear (8)
- 11. Electronic dance music that grew out of
- the UK's Rave scene (4, 3, 4)
- 14. Car first driven by James Bond in 'Goldfinger' (5, 6)
- 18. Waiting your turn on the snooker table? (8)
- 19. Japanese alcoholic beverage (4)
- 20. Island borough of New York City (6)
- 21. The final outcome or conclusion of a discussion or series of events (6)

Down

- 1. Capital of Guinea (7)
- 2. New York American Football team (4)
- 3. Popular Mexican tourist resort (6)
- 4. Beetle, sacred to ancient Egyptians (6)
- 5. Site of the Golden Temple the spiritual home of Sikhism (8)
- 6. Hungarian Prime Minister (5)
- 12. Small fly and Second World War combat plane (8)
- 13. The Garden county (7)
- 15. Eye watering bulbs (6)
- 16. Molten ice cream (6)
- 17. Bets on old money (5)
- 19. Awarding authority for higher and further education grants. (4)

CROSSWORD SOLUTIONS CSQ Summer 2022

ACROSS: 1. Sherpa; 4. Sally; 8. Moral; 9. Picasso;10. Trigger; 11. Hope; 12. Kop; 14. Argo; 15. Ralf; 18. Ted; 21. Apse; 23. Ajaccio 25. Clinton; 26. Boron; 27. Ranch; 28. Jeremy. DOWN: 1. Semite; 2. Earlier; 3. Polyglot; 4. Suck; 5. Lasso; 6. Yeoman; 7. Spork; 13. Preamble; 16. Lucerne; 17. Cancer; 19. Danny; 20. Rooney; 22. Spion; 24. Utah.

