



Department of

**Finance and  
Personnel**

[www.dfpni.gov.uk](http://www.dfpni.gov.uk)

**From the Office of the  
Minister for Finance & Personnel**

Conor Murphy MP MLA  
Chairperson  
Committee for Finance & Personnel  
Room 419  
Parliament Buildings  
Stormont  
BT4 3XX

**DFP Private Office  
Craigantlet Buildings  
Stoney Road  
Belfast BT4 3SX**

Telephone: 02890163371

Email: [private.office@dfpni.gov.uk](mailto:private.office@dfpni.gov.uk)

Your reference:

Our reference: COR/1261/2011

30 September 2011

Thank you for your letter of 14 September regarding the NICS equal pay settlement. You have asked for further examination of the circumstances of staff that have been omitted from the equal pay settlement due to secondment/transfer to another public body or retirement from the NICS and for clarification of the pension arrangements for these staff.

The NICS equal pay settlement was applied only to those staff for whom the NICS had responsibility for determining pay during the relevant time period. Those bodies that had a pay delegation (including NIO, PSNI, NDPBs etc.) were not entitled to the settlement lump sum. The terms of the settlement also excluded anyone who left or retired from the NICS before 1 August 2008. These terms formed part of the equal pay settlement that was negotiated with and agreed by the trade union NIPSA.

This position was based on clear legal advice that these staff were not entitled to the NICS equal pay settlement terms. This position has not changed and I do not believe it is appropriate to undertake any further detailed work to estimate the numbers of staff who might potentially be affected if the settlement were extended to groups who, according to our legal advice, have no legal entitlement to it, and the calculation of the associated potential costs. Aside from the very significant administrative difficulties such an exercise would involve, I am not prepared to allocate departmental resources on a hypothetical investigation.

You asked for clarification on the pension arrangements for seconded/transferred staff. Generally when employees are seconded outside parent department they continue to build up benefits in the NICS pension arrangements. Staff who permanently transfer from NICS departments will only continue to be covered by the Principal Civil Service Pension Scheme (Northern Ireland) if they are employed by a body that is covered by

the scheme according to the relevant legislation. A full list of bodies to which the PCSPS(NI) currently applies is attached.

I recognise the concerns raised by the Committee on behalf those excluded from the NICS equal pay settlement and the strength of feelings of those groups but I have an obligation to the taxpayer to meet legal obligations whilst protecting as far as possible the public purse. Going beyond that to make payments to people who have no legal right to them would have implications for other spending programmes.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sammy Wilson', written in a cursive style.

**SAMMY WILSON MP MLA**

## **PRINCIPAL CIVIL SERVICE PENSION SCHEME (NORTHERN IRELAND)**

Employments or offices to which the PCSPS(NI) applies

### **MUSEUMS**

Ulster Folk and Transport Museum  
Northern Ireland Museums Council

### **PUBLIC AGENCIES AND COMMISSIONS**

Labour Relations Agency  
Equality Commission for Northern Ireland  
Employment by the Northern Ireland  
Assembly Commission

### **PUBLIC OFFICES**

Northern Ireland Economic Development Office  
General Consumer Council for NI  
Invest Northern Ireland  
Economic Research Institute for Northern Ireland Limited  
Office of the Commissioner for Children and Young People for Northern  
Ireland  
Office of the Chief Electoral Officer for Northern Ireland  
Agri-food and BioSciences Institute

### **OTHER EMPLOYMENTS**

Civilian Direct Recruits to the Police Service of Northern Ireland

### **ASSEMBLY OFFICES**

Clerk to the Assembly  
Clerk - Assistant to the Assembly  
Second Clerk - Assistant to the Assembly  
Fourth Clerk at the Table  
Librarian  
Assistant Librarian  
Editor, Deputy Editor and Assistant Editor of Official Reports of Debates  
Reporter

### **OFFICES OF THE PLANNING APPEALS COMMISSION**

Chief Commissioner  
Chief Professional Commissioner  
Senior Professional Commissioner  
Professional Commissioner  
Principal Professional Commissioner

### **OTHER OFFICES**

Chairman of the Labour Relations Agency  
Chief Commissioner of the Equality Commission for Northern Ireland

Director General of Electricity Supply for NI  
Chief Executive to the Mental Health Commission  
Commissioner for Children and Young People for Northern Ireland

Director and Deputy Director for Prosecutions (Northern Ireland)