



Northern Ireland
Assembly

Committee for Employment and Learning

OFFICIAL REPORT (Hansard)

**Department for Employment and
Learning: Strategy, European and
Employment Relations Division**

29 February 2012

NORTHERN IRELAND ASSEMBLY

Committee for Employment and Learning

Department for Employment and Learning: Strategy, European and Employment Relations Division

29 February 2012

Members present for all or part of the proceedings:

Mr Basil McCrea (Chairperson)
Mr Thomas Buchanan (Deputy Chairperson)
Mr Jim Allister
Mr Sammy Douglas
Mr Fra McCann
Mr Barry McElduff
Mr Pat Ramsey
Mr Alastair Ross

Witnesses:

Mr Tom Evans	Department for Employment and Learning
Mr Colin Jack	Department for Employment and Learning
Mr Stephen Jackson	Department for Employment and Learning

The Chairperson: I welcome Colin Jack, Tom Evans and Stephen Jackson. Colin joined the Department for Employment and Learning (DEL) recently, having come from the Office of the First Minister and deputy First Minister (OFMDFM).

Mr Colin Jack (Department for Employment and Learning): Yes. I joined about six weeks ago.

The Chairperson: Good. You will have it all sorted by now.

Mr Jack: My presentation comes with the caveat that I am still very much settling into the role. I am very glad to be there.

I will start my presentation with the aims and objectives of the division. Following that, I will go into a bit of detail on the European side of our activities, the administration of the European social fund programme and how we engage with the broader European policy agenda, particularly in the wake of the Barroso task force. After that, I will say something about the interdepartmental strategy work that we are involved in. Stephen, who is the head of our equality and strategy branch, takes forward much of that work. He will be able to answer any questions on that at the end. Tom heads up the employment law and employment relations side of our activities, and he will give a presentation on that.

The aims and objectives of the division reflect the broad nature of its responsibilities, which are to maintain and develop an effective employment rights and relations framework; to promote good employment relations and provide remedies; to foster and facilitate DEL's contribution to interdepartmental strategy and the equality and European agendas; and to deliver high-quality European social fund (ESF) functions.

There are six business units in the division. We have the employment relations division. At the time of my taking up post, we took over the analytical services operation in the Department, which involves the professional economists and statisticians. We have a strategy and equality branch, which engages in interdepartmental strategy and provides the equality unit function for the Department. We have a dedicated NEETs strategy branch, which has really changed role over the past couple of months. Indeed, it began work on a NEETs strategy longer ago than that, but it is now entirely dedicated to developing a NEETs strategy. We have the managing authority for the European social fund. There is also a separate function for the certifying authority, which is required by the Commission, and that also fulfils the function of the European policy unit.

There are 141 staff in the division. It has a programme budget of almost £28 million and a salary and general admin budget of £6 million.

The European social fund programme under the current round of European structural funds started in 2007 and runs until the end of 2013. There is an overall budget of €414 million for the programme, and 40% of that, €166 million, is EU assistance. There is 25% matching funding from the Department and a requirement of 35% matching funding for projects from other funding sources. Those are mostly other public sector funding sources in Northern Ireland. Those may be councils, other Departments or an organisation's other funds that it can raise. A lot of the organisations that we fund are in the voluntary and community sector.

The Chairperson: Is it a stipulation of EU funding that it will contribute only 40% and the rest has to come from other sources?

Mr Jack: No, the decision to have a 40% rate of intervention was a decision for the Executive. The rate of intervention can vary and be higher. In the past, it has been higher for the Northern Ireland European social fund programme.

Mr Allister: Is there any upper limit?

Mr Jack: I believe there is an upper limit of around 60%, but I would need to check. The rate is set at 40% to let the programme support a wide spread of organisations.

Priority 1 of the European social fund programme is to help people into sustainable employment, and it receives €95 million. Priority 2 is to improve workforce skills, and it receives €67 million. Priority 3 is technical assistance, which is support for the Department and other parts of the function, such as the audit authority, which is provided for us by the Department of Enterprise, Trade and Investment (DETI). That involves the administration of the programme and some associated research. There is a range of things that that money can be used for.

Priority 1 is aimed at helping to improve the employability of groups experiencing difficulty in obtaining employment or maintaining sustained employment. Those include people with disabilities, lone parents and young people not in education, employment or training. I can give you more detail on the breakdown of the groups supported by the programme. There are 20 projects aimed at participants with disabilities; 10 target women specifically, and 11 target young people not in education, employment or training.

There are other projects that support a mixed group of participants; 13 are delivered by colleges and public bodies and 26 are delivered by voluntary and community groups.

Currently, 82 projects have been funded under the second call for applications in 2010, which is a larger number than was funded under the first tranche. We have had two tranches of funding, each covering three years, and 70 projects were funded in the first tranche.

Mr Allister: Are you finished with the applications?

Mr Jack: The application process for the current round of structural funds has finished. The next round of applications will be under the 2014-2020 programme.

Priority 2 aims to increase the number of workers in the workforce who are qualified to level 2 or 3 and to reduce the number of workers without essential skills. Priority 2 is limited to government projects. At the moment, one programme, Apprenticeships NI, is supported by the European social fund programme, but there would be some flexibility to bring in other government programmes eventually.

The Chairperson: Why are you limiting it to level 2 or 3 qualifications? All that we hear from employers is that they need people who are qualified to level 4 and level 5.

Mr Jack: It is really because of the focus of the European social fund on promoting employability. It is about bringing people into the workforce and raising the skills levels of members of the workforce who would be at risk of not being in the workforce. It is targeted at that level.

Turning to the performance of the programme to date, we have a target of 89,000 participants over the six years of the programme. We had already reached 73,000 participants by the end of December 2011, so we are likely to exceed that overall target. Under priority 1, we have almost 44,000 participants already, so we have almost met the six-year target of 45,000. Under priority 2, we have 29,000 participants against a six-year target of 44,000. We have exceeded other targets, such as the target for level 2 qualifications, and we have also been meeting our expenditure targets under the N+2 rule. So, the programme has performed beyond its initial targets.

The next round of the European social fund will run from 2014 to 2020. The Commission published draft regulations on all the structural funds on 6 October 2011, and DEL is engaging on those draft regulations with the Department of Finance and Personnel (DFP), which fulfils the role of the member state in relation to structural funds in Northern Ireland.

The thematic objectives of the draft regulations are promoting employment and supporting labour mobility; investment in education, skills and lifelong learning; promoting social inclusion and combating poverty; and enhancing institutional capacity and efficient public administration. That is the current proposal from the Commission. It is subject to negotiation and agreement by the Council, and there is still an opportunity for us to feed into that. There is a shift in the 2014-2020 round of structural funds, in that there is a greater emphasis on achieving social outcomes than there has been in the 2007-2013 programme.

As for the next stages of the process, we expect the common strategic framework from the Commission any day now. If it does not arrive today, it will arrive in March. Following that, a partnership contract will need to be agreed at member state level, and we await confirmation of whether that will be Northern Ireland-specific or between the Commission and the UK authorities. The operational programmes that underlie it need to be agreed. In this round of structural funds we have had a specific operational programme for the European social fund (ESF), which is the usual model, but it is not out of the question that there could be a wider operational programme.

The legislation to underpin the 2014-20 round of social fund and other structural funds will happen over the next year or so, and the budgets will be agreed then. We do not have firm indications of the budget at this stage, but we expect the overall structural fund support for Northern Ireland to be a little lower than it has been in the current round. Having said that, the balance between the European social fund and the European regional development fund (ERDF) may shift, so it is difficult at this stage to make a firm prediction about the budget for the next round of the social fund.

The target date for entry into force of the new programmes is 1 January 2014. The current round of programmes —

The Chairperson: Before you move on, why are you expecting ESF to be lower?

Mr Jack: We are not necessarily expecting it to be lower. I said that the balance may shift between ESF and ERDF.

The Chairperson: What is the significance of that?

Mr Jack: The balance between ESF and ERDF depends on the categorisation of the particular region under the structural funds programme. In the past, Northern Ireland was an objective-1 region, but in the next round of social funds Northern Ireland's categorisation will change. The proposal is that Northern Ireland will be a more developed region under the next round of structural funds.

Mr Allister: We have not been an objective-1 region for many years.

Mr Jack: No, but 15 years ago we were an objective-1 region. The Commission has proposed a balance between the different funds for the different categories of regions. My understanding is that the current proposal is that the European social fund share may be higher next time round, although the overall envelope would be lower.

The Chairperson: I am completely lost. I do not know whether it is up or down or whatever. Is ESF only for objective-1 regions?

Mr Jack: There are a number of funds under the structural funds; they are listed on one of my previous slides. There is the European regional development fund, the European social fund, the cohesion fund — which does not come to regions such as Northern Ireland — the European agricultural fund for rural development and the European maritime and fisheries fund. Northern Ireland benefits from four of those five funds.

The Chairperson: The Committee has started to take an interest in European matters, but by the time the information gets to us it is usually too late; it is a fait accompli. The Committee is interested in what the funding implications mean for us. I am aware that we are at objective 1 in transition status at the moment, but by 2013 we will have objective-2 status.

Mr Jack: As Mr Allister said, the nomenclature changed some time ago, although I had not been aware of that until I came into my new job. The old objective 1 and objective 1 in transition terminology still has some currency. My understanding is that, in the old terminology, Northern Ireland is likely to be regarded in future as the equivalent of what was objective-2 status.

The Chairperson: Rather than waste time on it now, with the Committee's agreement I invite you to send us a paper explaining that to us.

Mr Jack: Yes. I will move on to our other engagement in Europe. The Barroso task force working group, which was set up by the Executive, is focusing on four priorities. Andrew Hamilton, the deputy secretary in DEL, chairs one of those groups, which looks at the priority for competitiveness and employment. DEL also feeds into two of the other priorities on innovation and technology, which is convened by the Department of Enterprise, Trade and Investment.

The Chairperson: I am probably lost. What page are we on now?

Mr Jack: We are on the page headed, "Winning in Europe — Barroso Taskforce".

The Chairperson: Where is the bit about Andrew and what he is doing; or are you adding to what is in the presentation?

Mr Jack: I am adding to the bullet point on supporting the Executive's commitments to increase European funding and engagement. There is the innovation and technology subgroup and the social

inclusion subgroup. One of the Executive's key priorities for the Barroso work is to increase by 20% Northern Ireland's uptake of elective funding opportunities over the current Executive's term of office. Those opportunities are the funding opportunities that are largely outside the structural funds.

The Chairperson: Where do the task forces or working groups report to?

Mr Jack: They all report to the Barroso task force working group, which is chaired by the junior Ministers in OFMDFM.

The Chairperson: Do we know whether there has been any response? Has there been a report?

Mr Jack: The Executive published 'Winning in Europe', which sets out the priorities for engagement over the current Executive's term.

The Chairperson: We had the original thing. I wonder whether we could write to the junior Ministers to see whether there has been any feedback. There should be a report from those steering groups.

Mr Jack: I know that an update on progress is due to be finalised shortly. DEL is the lead partner of an empowerment and inclusion learning network, which consists of partners from member states and regions across member states in the European Union. The empowerment and inclusion learning network is one of 13 learning networks associated with the European social fund. At the end of May, we are holding an event in Belfast to bring together all 13 of those networks. The learning networks are due to report to the Commission later this year. The event in Belfast will be an opportunity for all the networks to develop their reports. We are very pleased to have secured that event for Belfast.

The Chairperson: Without taking too long, what does "empowerment and inclusion learning network" mean in real language?

Mr Jack: I have not been too engaged in the detail so far, so I might need to get you a report on the detail. Our social fund programme is focused on unemployment.

The Chairperson: We would be pleased to take a paper explaining what that, the other 13 and, indeed, your event at the end of May are. That would be useful.

Mr Jack: We will do that. We are also a partner in an application for funds under the progress programme in Europe. It is a programme to do with the development of skills. That application is with the Commission.

Mr Allister: A partner with whom?

Mr Jack: A partner with a number of other regions around Europe. The lead region in the application is Italian.

The Chairperson: What regions are those?

Mr Jack: There are a number of regions around Europe that are partners in the application, which is with the Commission; an Italian region is in the lead in the application.

The Chairperson: Which Italian region?

Mr Jack: I need to check that.

The Chairperson: We had a look at Lombardy because there is an issue about economic development. We need detail on this. You cannot just say to us that we have a partner but that we do not know who we are partnered with.

Mr Jack: We do know who we are partnered with, and we can get you the details.

The Chairperson: You are not going to tell me.

Mr Jack: I do not have that detail with me today.

Mr P Ramsey: He does not know.

The Chairperson: If you put it on a slide, expect Mr Allister to ask you a question about it.

Mr Jack: Right. The Minister visited Brussels from 15 February to 17 February, and he met representatives of the Commission, including the Commissioner for Employment, Social Affairs and Inclusion, László Andor, and representatives of the cabinet of Máire Geoghegan-Quinn, who is responsible for research and science. That is a particular area of interest for DEL, although it comes under the innovation and technology subgroup of the Barroso task force. However, the European framework programme for research and technological development is a major opportunity for drawing down additional funds from Europe. The current programme, FP7, runs from 2007 to 2013. Northern Ireland has a target to draw down €50 million under that programme. The successor programme is called Horizon 2020, and that is under development.

The Chairperson: We are at 2012 now. My understanding is that there has not been a great drawdown of FP7 in Europe. How are we on our target for €50 million?

Mr Jack: We are on track to meet our target of €50 million. Our performance in drawing down money from FP7 is in line with what is expected of a region of our size. However, our neighbours in the South have much more ambitious targets for drawing down money under FP7. You may have heard comparisons with that.

The Chairperson: When we were in Brussels with the Northern Ireland Assembly and Business Trust, I heard that Europe is concerned that substantial funds are still left in the FP7 funding programme. I want you to find out not what our targets are but what money is still in that if there is pressure to spend a budget in Europe.

Mr Jack: Although the target is set at €50 million, that is not the extent of our ambition on this. The universities have drawn down money well under FP7, but the design of FP7 has not been entirely suitable for small and medium-sized enterprises.

The Chairperson: I am aware of one company, because it approached me, that could make use of that. It is an SME, although it is a large company by our standards. I want, with the Committee's agreement, a definitive update on the FP7 status in Europe. What is the pressure? I want you to speak to the people and say, "I believe that there is pressure; that budget is underspent". As you pointed out, there were administrative issues, and it was not particularly good for SMEs. Therefore we have SMEs that are large companies in our jurisdiction but SMEs by the definition in Europe, and we ought to see if they can get access to the funding that is left. Could you come back to me on that?

Mr Jack: I will come back to you specifically on that point. There have been significant representations that the design of FP7 was not suitable for SMEs, and we are assured that the new programme, Horizon 2020, has taken those concerns into account.

It will be less bureaucratic than the FP7 round.

The Chairperson: I do not want to load up too much on one area. I want to get through the members who want to ask questions. The window from which you can draw is open only for a certain time, so you have six months before you cannot physically draw down the funds and spend them on time. I will ask you about FP7, and, at another stage, we will be interested in the changes that have been made to Horizon 2020. I am certain that the Committee will want to understand why it is now easier for our companies to get access to that funding. It cannot just be because of our universities.

I know that you have been interrupted, and you have been very good at answering the questions. We will get through it, because members want to ask questions.

Mr Jack: I will get through the rest of it fairly quickly. We are engaged in a large number of interdepartmental groups, which intend to develop cross-departmental strategies. We believe that we are engaged with 43 interdepartmental groups. We contribute where we can to developing the key strategies and the action plans and the subsequent monitoring arrangements. I have listed the groups under headings to give the Committee a feel for the areas in which we are engaged. I will not say much about any of the individual groups; Stephen can answer questions afterwards if the Committee wishes. There are a couple of groups in which we lead. We have not mentioned an interdepartmental group on NEETs, which is being established under the 10-year children and young people strategy under the ministerial subcommittee for children and young people. Moreover, we jointly chair the group on care leavers, which is listed under the category of children and young people, with the Health and Social Care Board.

I will move on to employment relations.

Mr F McCann: What age does the category of children and young people go up to?

Mr Jack: Twenty-five.

Mr F McCann: I ask because the age of a young person has been redefined from 25 to 35 for the purposes of the shared room allowance.

The Chairperson: To what?

Mr F McCann: From 25 to 35. You just about fit into that, Chair.

The Chairperson: For a minute, I thought that I was going to be left out.

Mr Jack: Is that the Housing Executive?

Mr F McCann: The maximum age of a young person was moved from 25 to 35, and I wonder whether that is the same with most of the policies that are coming through.

Mr Jack: Generally speaking, up to 25 is regarded as the definition of young people across most interdepartmental strategies. Indeed, there is a European standard of 25 being the upper age limit. That is interesting to hear.

Mr F McCann: We have slipped our 35-year-olds into it.

Mr Jack: I will bring in Tom to talk about the employment relations side.

The Chairperson: Hold on a wee tick. I will make a general point, although we do not have time to talk about it now. I wonder what DEL's contribution is to addressing the young people's drinking strategy. You seem to be on an awful lot of steering committees and cross-cutting committees.

Mr Stephen Jackson (Department for Employment and Learning): We are invited to many groups. On the health side, it tends to be health promotion with FE and HE colleges and pastoral care duties.

Mr Jack: In response to your question, Chairman, we have to judge how much to engage with the interdepartmental groups according to the contribution that DEL can make. We participate very actively on some of them; whereas with others we can only receive papers and take action as necessary.

The Chairperson: I do not want to downplay that contribution, but it seems to me that there is an awful lot of meeting, an awful lot of overhead and an awful lot of people sitting around talking about things. Whether there is any output from any of this stuff, there is a huge overhead.

I interrupted, and I want to get on to Tom to talk about employment relations. We will come back to that another time.

Mr Evans: We gave a detailed presentation to the Committee last November. This is just an update on current issues and where we are with future work. There has also been a great deal of media attention and interest from stakeholders in the coalition Government's announcements on a review of employment laws.

An SME research project has just started to look at the difficulties that small and medium-sized enterprises have in dealing with employment legislation. We are looking to see what the barriers are.

We are also looking at the gap analysis and the support that government and non-government agencies provide to SMEs to see whether it can be better utilised. We are working with key partners on that. In fact, I gave a presentation to the Federation of Small Businesses and it will be very much involved with other stakeholders in having oversight of that project.

The second issue is a draft Labour Relations Agency code of practice on time off for trades union activities; the Committee considered that, and there is a debate in the Assembly next Tuesday. The code is not about introducing new rights; it is about strengthening the good practice guidance around how modern workplaces have improved and developed. It is about tidying up and updating that guidance. The Advisory, Conciliation and Arbitration Service (ACAS) updated its code of practice and this draft code of practice reflects those changes.

We are actively involved with the Department of Justice in discussions on the transfer of industrial tribunals and the Fair Employment Tribunal to the Department of Justice. That is about delivery of an Executive decision on tribunal reform. We are working towards that transfer happening in 2012.

The next issue comes out of our dispute resolution review. There was a recommendation that the Labour Relations Agency arbitration schemes, which cover only unfair dismissal and flexible working and which were basically not used, should be developed into a universal arbitration scheme covering all jurisdictions, discrimination and non-discrimination.

We are well advanced on that and that work will come to the Committee. Obviously, it needs the approval of the Assembly as well. We are planning that that will happen before the summer recess. It is a significant piece of work. It is about encouraging employers and employees to think about alternatives to the tribunal system and to provide a more informal and less challenging vehicle for resolving disputes through independent adjudication.

The Transfer of Undertakings (Protection of Employment) Regulations are part of the GB reforms. There was a call for evidence in which we took part. The Committee has sight of the output from that, and we would be very happy to discuss that when the Committee has given it consideration.

Legislation was brought forward at an earlier stage to increase annual leave entitlement to 5-6 weeks, which is 28 days. The intention was that that would increase by an extra two days. However, with the economic situation, that decision was deferred by a previous Minister and we need to re-visit that. We will come back to the Committee on that.

The Chairperson: Just run that past me again. Whose leave entitlement was going to be increased by two days?

Mr Evans: The minimum leave entitlement for all workers is 28 days, including statutory holidays. We have two extra days' statutory holiday compared with the rest of the UK. The question was whether we should increase the leave entitlement and it was decided not to do so at that stage because of the potential burden on business. There was a commitment to review that in 2012, and the Minister will look at it.

The Chairperson: Which Minister took the decision not to do it?

Mr Evans: Our previous Minister in Employment and Learning.

The Chairperson: Excellent decision. OK, carry on.

Mr Evans: There are plans to develop a new posted workers directive and regulations to provide greater protection for workers who are posted on assignments from one European country to another.

It is at a very early stage, but we are getting much earlier intelligence on it. I know that the Committee was concerned about things coming to us late, but this is at a very early stage. We have met our counterparts, and the Minister wrote to Ed Davey, who, as I said, has now moved on. However, we are getting greater information and information flows earlier. We will write to the Committee when there is something to report.

I will move on to future work and planned legislation. A parental leave directive, which will increase the minimum entitlement for parental leave from three to four months, must be implemented by March 2013. We will go out to consultation on that. We have not yet carried out that consultation, as we were waiting for the Department for Business Innovation and Skills (BIS) to publish its response to a broader modern workplaces consultation, which was about introducing greater flexibility and allowing parents to determine how they take maternity or parental leave. We hope that BIS will publish that response before the summer. We need to go out to consultation fairly quickly on those issues, and we will come back to the Committee on that.

The Chairperson: Tom, that will be quite a significant piece of work. Will that directive also increase the minimum paternal leave from three to four months?

Mr Evans: It is about increasing the minimum leave from three to four months. In the UK, mothers get 39 weeks' paid maternity leave. We already provide more leave than is required by that directive, but we still need to transpose it. It is a single issue, but we need to look at what the rest of the UK is doing with the wider discussions of shared parenting and parental leave. We think that it is sensible to have a single consultation.

We have made a commitment to transpose that directive by March 2013. The UK Government asked for an extension from March 2012, as they had not formed a final view on shared parental leave. We are keeping in close touch with our counterparts elsewhere and will come back to the Committee when we have an understanding of when we will go out to consultation.

The Chairperson: I think that that would be of interest to folk.

Mr Evans: We must also consider the working time regulations that followed European judgements on the interaction between sick leave, maternity leave and parental leave. The Minister is considering those, and we will need to come back to the Committee with proposals. Those regulations are about the ability of someone to aggregate entitlement to annual leave if he or she is on sick leave and to move to sick leave if he or she is on annual leave and becomes sick. As I said, they are based on judgements by the European Court.

The Committee spent some time on the agency workers regulations — it is one of our old favourites. There is a commitment to review those regulations, which should happen in 2013. Again, we have spoken to our colleagues in BIS, who are developing focus groups with stakeholders to find out their early reactions to those regulations and the supporting administration. We will keep in contact with those colleagues and will think about how we will take that review forward. We are happy to let the Committee know about our engagement with the relevant stakeholders.

The next issue is the review of employment regulations. There is huge attention on the burden that is placed on business by the book of employment regulations. Indeed, a recent CBI/McGrigors report commented on that.

We are looking at developing a methodology for reviewing employment regulations. We will work in partnership with stakeholders such as the CBI and the FSB, and particularly with organisations that have day-to-day experience of using the regulations. Some employers have told us that we should not change some of the regulations as they have systems in place and that changing the regulations would

create an additional burden. We are about to start to look at a pilot to develop a methodology for reviewing all the employment regulations. The Minister is minded to take forward a more fundamental review of all the employment regulations over the lifetime of this mandate.

We have an advisory group that advises on dispute resolution consultation, and we have got agreement from the stakeholders. The stakeholders are the CBI, the Federation of Small Businesses, the Equality Commission, the Labour Relations Agency and the Northern Ireland Committee of the Irish Congress of Trade Unions (NICICTU). That group is to be a reference for all consultations on employment law issues.

That brings us to the last slide, which relates to the issues that the coalition government are proposing to explore under their employment law review. I mentioned the flexible parental leave to replace existing paternity, maternity and adoption leave. Any changes will not happen before 2015 and may need primary legislation. Under their modern workplace consultation, they are also proposing to introduce a universal right to request flexible working. Currently, that right extends only to parents with children up to the age of 16 and to the parents of children with disabilities up to the age of 18. That is something on which we will have to keep a close eye. Timescales in some of the consultations with stakeholders have slipped.

Justice Underhill is reviewing the rules governing employment tribunals, as there is an issue of how effective they are in adjudicating on tribunal claims. The UK Government asked Justice Underhill to review the rules; he is due to report at the end of April, I think. They have an advisory group that is made up of all the key stakeholders. We established our own rules committee, which arose from the Employment Act (Northern Ireland) 2011. Broadly speaking, we already have the structures in place. The Minister will now be thinking about whether we should establish a similar technical advisory group from the key stakeholders.

The Ministry of Justice has a consultation out on the introduction of fees; it is not about whether you should introduce fees but about their structure. They already have the power to do that. That is quite a controversial issue, with regard to access to justice, and the Minister will want to see what comes out of the consultation and come back to talk to the Committee.

From 6 April of this year, the UK Government propose to increase the qualification period in which you can take a claim for unfair dismissal from one year to two years. Again, that is controversial. Linked to that is the compensated no-fault dismissals, which is something that they are looking at for micro-employers. That is something that the Minister will want to consider, and he will want the Committee's views on how we might want to take that forward.

They are planning to change the name of compromise agreements to settlement agreements, because they think that it has a connotation from the employers' side and the employees' side that their positions are in some way compromised. We may go out to consultation on that fairly quickly. Similarly, there is a plan to do that on collective redundancies.

The Minister will be keen to understand the Committee's view on the priorities that we should think about taking forward and how we might handle that. In its policy development brief, the Committee might want to think about some of those issues.

We are happy to come back to give greater detail on all those issues when the Committee feels that it is right to do.

Mr Jack: I was going to finish the presentation with a reference to the NEETs strategy, which I know has been a key issue of interest for the Committee. Indeed, there was a detailed briefing by my predecessor and colleagues in December, and there was a debate on the Floor two or three weeks ago. The strategy for young people not in education, employment or training is at an advanced stage of preparation. The Minister is planning to put a final document to the Executive in April, and we intend to keep the Committee informed of progress.

The Chairperson: How do you plan to keep the Committee informed? What are the timescales, and how will we be informed?

Mr Jack: I would be willing to talk to the Committee again when we are closer to finalising the document.

The Chairperson: We would like you to come sooner than that. I asked the Minister about that in the House yesterday. He is taking a paper about youth unemployment to the Executive, which, I presume, is part of the NEETS issue. Is that the same paper, or is it a different one?

Mr Jack: There are two overlapping pieces of work. There is the work on the NEETS strategy, which has been ongoing for some time. There is a separate paper that the Minister intends to submit to the Executive about dealing with youth unemployment more generally, and which concentrates on a wider group. The NEETS strategy focuses primarily on those who are furthest from the labour market and who face the greatest barriers to participation.

The Chairperson: The Minister is on record as saying that he thinks that the role of the Committee is to advise on policy. It is hard for us to do that if we do not see the policy until after it has been agreed by the Executive. With the support of the Committee, I would like to write to the Minister asking for a detailed briefing on the NEETS strategy and the youth unemployment issue before the papers are brought to the Executive so that we can have our input. Are members content?

Members indicated assent.

The Chairperson: OK. We will do that. I realise that we are moving towards April and that we are short of time. The NEETS issue and youth unemployment are at the core of what the Committee has been looking at. We want to see the documents so that we can make our contribution.

Mr Jack: The Committee's report, albeit from the previous mandate, has been very helpful in informing the development of the strategy. We will reflect closely on issues that were raised in the recent debate with a view to including them in the draft strategy.

The Chairperson: I am sure that colleagues will want to see how it is influenced and what shape it takes, but we will write, and you can take it that there is an agreement to do that.

We have another presentation on the blacklisting issue, so we do not want to take too long asking more questions. Tom succeeded very well in giving us so much information that we have given up the will to live. That is a tremendous piece of Civil Service work. There should be a bonus or something for you.

Mr P Ramsey: I want to return to the Chairperson's initial point about the European strategy. It is important that we monitor and scrutinise European legislation. Apart from today, the occasions on which the Committee has seen any substantive policies coming through have been few and far between. I wish you well in your new job, Colin, because it is a difficult one.

I am disappointed on several fronts. It has been more than two years since the Committee's inquiry into NEETS, yet you have now conceded that the intergovernmental task group has not even been set up. That is an absolute no-brainer, when the clear message from the inquiry was that collaborative, intergovernmental working was required at a strategic level.

Colin, one of your initial points was that we have a dedicated policy unit on NEETS in the Department. Only a few weeks ago, however, we heard from three people who were wearing different hats — head of policy this and head of something that — who explained the situation to us. Either you are misinforming the Committee, or there is something that we do not know or that I have missed. First, can you give us details of the new NEETS strategy branch that has been set up? How many people work in it, and what are their job descriptions? How dedicated are they?

The Chairperson is right that patience is wearing thin. For example, in the debate in the Chamber, the Minister did not, on any occasion, respond to Members' individual queries; he came in with a prepared script and did not acknowledge any of the points that were raised. Those points were all summaries of the key objectives from the Committee inquiry. You say that you acknowledge it and hope that it might

be in the new policy. Let us see the evidence. Youth unemployment is a key priority for this Committee. Tom said that the Minister would be keen to hear our opinion on employment rights. There is an exit strategy going on as well, and I do not know how the Committee will fit this all in. However, we have made it clear that youth unemployment has to be a priority in the Executive. Perhaps all those intergovernmental groups that you mention have an important role to play, but why has no formal cross-departmental approach been set up to deliver on targets and objectives to help young people across Northern Ireland?

Mr Jack: I will start with the NEETs strategy branch. There was previously a migrant workers branch in the division, and the staff in that branch had been working on the NEETs strategy in parallel with the migrant workers strategy. The work on migrant workers has passed from that branch to the employment relations side of the division, and the team of seven people developing and co-ordinating the NEETs strategy is entirely dedicated to it. However, the work of the Department in addressing NEETs ranges much more widely than my division. A significant contribution needs to be made by the skills and industry division, the further education side of the Department and by the employment service with the over-18s group of NEETs. In the recent discussion —

The Chairperson: Colin, I will just say this to you because Pat is perhaps too polite: we are singularly unimpressed by the NEETs issue. We have raised that as a Committee motion, and a body of work has come back out. The cross-departmental aspect of the issue is not even on your list. I am intervening on behalf of my colleague to say that that is not good enough.

Mr Jack: Since I joined the Department, I have seen a joined-up approach to looking at the issues of NEETs and youth unemployment. The Minister has been very engaged with it on a daily basis.

Mr P Ramsey: With respect — and I am being moderate — a clear goal and commitment from the Committee inquiry was that NEETs could be dealt with only through a cross-departmental approach at Executive level. From what you tell me today, you have failed to do that. You are blaming everybody and saying that it should be this division or that division. However, DEL had the lead role. I am not saying for one minute that DEL has sole responsibility for youth unemployment, but you were to lead on it, and you have not led on it.

Mr Jack: There is an agreement that the subgroup of the ministerial subcommittee on children and young people, which is chaired by the junior Ministers in OFMDFM, will be established and will be part of the strategy.

Mr P Ramsey: That is hobby-horsing onto another group. We want to make it clear to you and to the Minister that we want an intergovernmental group set up solely and specifically to prioritise youth unemployment in Northern Ireland. It should have no other remit. That was the key finding of the Committee's inquiry.

Mr Jack: I will certainly discuss that with the Minister.

The Chairperson: We will send a copy of the Hansard report to the Minister.

Mr F McCann: We should deal directly with the Minister or ask him to come to the Committee.

The Chairperson: Fra has suggested that we call the Minister to talk on the issue.

Mr P Ramsey: It might follow through from your earlier point about seeing this paper that he intends to present to the Executive in good faith. Perhaps there is something there, but it would be nice to share it.

The Chairperson: We will invite the Minister or whoever to come along and talk on the issue. We have made the point on that now. Poor Colin is only in the job six weeks.

Mr P Ramsey: He will have to take his oil and get on with it. I have some other questions. Priority one of the ESF programme is to help with marginalised groups with employment opportunities. There are 82 projects. Can we have more detail on each individual project? Can we have a further paper on the

projects that are involved, where they fit across Northern Ireland constituencies and what targets and goals are coming out of the groups to enable, in particular, people with learning or physical disabilities to return to work? We need more detail on that.

Mr Jack: I am happy to provide that. The size and scale of the projects is quite diverse; the smallest are about £150,000 over the course of the programme. Those are the second tranche of projects, covering 2010 to 2013. The biggest are about £6 million; indeed, some of the bigger projects directly address issues of people with disabilities.

The Chairperson: I am in danger of losing quorum. Sammy, you had a quick question before you had to go.

Mr Douglas: Thank you for the presentation, Colin and the rest of your team, and all the best in your new job. Can you give us an update on the potential for Peace IV? When the Minister was in Brussels recently, he met the Commissioner. Was that issue raised, and did he lobby for Peace IV?

Mr Jack: DFP is in the lead on overall negotiations on European funding.

Mr Douglas: Some of your staff are in Brussels pushing for Peace IV, is that correct?

Mr Jack: Yes, a new desk officer has been appointed and will take up post next week to deal specifically with the competitiveness and employment priority on which DEL is the lead. There is also the Office of the Northern Ireland Executive in Brussels. The staff who work there are from OFMDFM, and I am aware that Peace IV is being discussed. It is not specifically in DEL's area of responsibility, but I know that a discussion is ongoing about it.

Mr Douglas: Did the Minister lobby for Peace IV? Peace money from some of the major programmes comes through DEL.

Mr Jack: The money that comes through DEL is from the European social fund; it is part of the European structural funds, as is Peace IV. The Minister takes every opportunity to lobby for whatever resources he can get.

Mr Douglas: Is that a possibly or a probably?

Mr Jack: I was not at his meeting with the Commissioner, but I expect that it would have come up.

Mr McElduff: What is the role of a desk officer in Brussels? You say that there is OFMDFM personnel in the bureau. People have been arguing for a permanent DEL presence in Europe. Is the desk officer a permanent DEL presence in Europe?

Mr Jack: Effectively, yes. Technically, the person will be an OFMDFM member of staff, but he will work under the direction of DEL, because he is working on behalf of the competitiveness and employment subgroup. He will be making links with the Commission, with other regions and so on. I suppose that he will be pursuing all the aspects of the Barroso agenda, which is not just about getting more money; it is about networking with other regions. In many cases, you have to do that to get the money.

Mr McElduff: Has the appointment been made? If so, who is the person?

Mr Jack: Four desk officers will be starting in Brussels next week, as I understand it. There is one for each of the four subgroups of the Barroso task force working group. The person who will be working on the competitiveness and employment group is Gordon Brown. Members may be interested to know that one of the other desk officers is Alastair Campbell, but that is by the way. *[Laughter.]*

The Chairperson: At least the press output should be good. How often does our man come back to Northern Ireland?

Mr Jack: Do you mean Gordon, when he goes?

The Chairperson: It might be useful for members to know who he is.

Mr Jack: He could brief the Committee if that suited. He could accompany me next time we have a briefing on European issues.

Mr Evans: We have met him to get our oar in to make sure that he knows the issues around getting into the right legislation groups and stuff like that. He is well tuned in.

The Chairperson: It is for the members. It would be helpful to have some identification with our man or woman in Brussels. If you could organise that, it would be appreciated.

Mr Jack: We will have a think about how we can do that.

The Chairperson: Thank you for your detailed presentation. There are several issues on which you will gather the Committee is very alert to. We would like to deal with those, and we will talk to you about them again.