

## FOREWORD

When I took office as Minister with responsibility for Agriculture and Rural Development, the Department's Modernisation programme was underway and the consultation exercise on the O'Hare Review of the arrangements for the provision of agri-food education and R&D in Northern Ireland had recently been completed.

The O'Hare Report was produced by an independent review panel appointed by my predecessor, Mrs Rodgers. I have studied the report in detail and the results of the consultation exercise which was conducted on the panel's recommendations. This document contains the Government's proposals which are a direct response to the recommendations made by the O'Hare team. The team made a number of points which have been addressed in this response and I hope that the resulting structure will provide an improved customer focus and a more efficient and effective service, designed to meet the needs of Northern Ireland today and in the future. I am very conscious of the fact that we live in a constantly changing world. For this reason, some of the proposals contained in this document contain a recommendation to review in three years. It is important that the Department can continue to adapt to meet changing needs.

The O'Hare team made seven proposals, of which three are fully accepted, three are accepted with amendment and one is rejected.

A consultation exercise will now commence on the implementation of the proposals. It will continue until 28 February 2003. A number of questions are contained in Appendix A on which your views are sought. The proposals have been screened for their equality impact and an equality statement is provided in Appendix B.

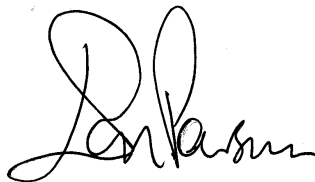
The O'Hare Review and the Vision Report, to which the Vision Action Plan provides the Government's response, have been a catalyst for change within the Department and a number of management changes will take place in parallel with the changes resulting from O'Hare. These have been designed to improve accessibility for stakeholders and, in particular, to unify Rural Development provision within a single

command of the Department. The main features of these changes are shown in Section 2 of this document.

**The Government's Response to O'Hare is not a cost-cutting exercise but a method of improving service delivery. Indeed, some additional costs are foreseen in achieving the implementation of these plans, for which an allocation has been made in the Draft Budget. However, this is still under review by the Secretary of State and the timing of implementation of the proposals is subject to final approval of the Budget.**

**I would like to pay tribute to Mrs Rodgers for her decision to undertake an independent review of these longstanding arrangements, which I know have been the subject of discussion over the years. I would also like to thank the O'Hare panel for the well-thought out and comprehensive report which they produced. The implementation of the changes proposed will not happen overnight, but I think it is important to begin the process as soon as possible.**

**I look forward to hearing your views on the proposals outlined in this document.**

A handwritten signature in black ink, appearing to read 'Ian Pearson', with a stylized, cursive script.

**IAN PEARSON MP**

**PARLIAMENTARY UNDER SECRETARY OF STATE IAN PEARSON MP**

**25 NOVEMBER 2002**

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## **SECTION 1: BACKGROUND**

- 1.1 During April 2002, the previous Minister, Mrs Rodgers, announced a modernisation programme for DARD in response to the O'Hare Review and the Vision exercise as well as a number of policy reviews and the need to meet e-government targets. Another factor was the need to be able to respond flexibly to the outcome of the Mid Term Review of the Common Agricultural Policy.
- 1.2 The O'Hare Review panel was appointed in the autumn of 2001 by Mrs Rodgers, to make recommendations on DARD's arrangements for the provision of agri-food education and R&D. (The panel's terms of reference are shown in Appendix C). The team was chaired by Dr Daniel O'Hare and the other members of the team were Professor Sir John Marsh and Mrs Catherine Dixon. The team consulted widely with Departmental staff providing the services and engaged in a wide-ranging consultation exercise involving other stakeholders. Their report was presented to Mrs Rodgers on 29 April 2002 and immediately went out for public consultation until 31 August 2002.
- 1.3 This document contains the Government's Modernisation proposals including the response to O'Hare. Section 2 contains restructuring arrangements for the Department. As these are internal management changes within DARD, consultation is not being undertaken on the changes outlined in this section.
- 1.4 The O'Hare report contained seven main recommendations, which are detailed in Section 3. In all, 187 responses were received during the consultation exercise, some of which suggested improvements or variations on the O'Hare recommendations. In addition, a number of meetings was held with interested parties. The detailed response to each of the seven recommendations is shown in Section 4.

## SECTION 2: DARD INTERNAL STRUCTURAL CHANGES

2.1 Proposals have been made to restructure DARD in order to provide a greater focus on policy development and a clear customer/contractor relationship in the services which it delivers. Rural Development provision will be unified under a single command structure.

2.2 The internal restructuring proposals for DARD are as follows:

- The Departmental Management Board will consist of 6 members plus 1 non Executive Director – Permanent Secretary, 3 Deputy Secretaries, 1 Chief Veterinary Officer and 1 Chief Scientific Officer;
- **The Non-Executive Director will be appointed by competition, according to pre-set criteria;**
- **One of the Deputy Secretaries will be the Principal Establishment and Finance Officer (PEFO);**
- **Responsibilities of the remaining two Deputy Secretaries will be divided on the basis of a distinction between policy formulation and delivery. Their responsibilities will include the spending areas which were formerly under the PEFO (Rural Development and Fisheries). The post concerned with delivery will be filled by someone with the qualifications and capability to provide technical advice. He/she will have policy but not operational responsibility for the single College and his/her remit will include rural development, grants and subsidies and the interface with the farming community.**
- **The Veterinary Service will be unchanged at present; but a review will be undertaken as part of the development of an animal health strategy and as a response to the FMD report. The review will look at the interface between field and HQ staff within the Veterinary Service and at the**

**relationship between the Service overall and other parts of the Department.**

- **The Department will undertake a review of its interface with all of its stakeholders. The outcome of this review may lead to further changes in the Department's structures.**

A diagram is attached showing the new structures proposed for DARD. Consultation is not being conducted on these changes as they are internal management arrangements within DARD



**MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT**

**PERMANENT SECRETARY**

(Peter Small)

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(Pat Toal)

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- Document and Premises Security
- Resource Control/Accounts
- Finance / Audit
- Media Services
- Private Office
- Co-ordination
- Change Implementation
- Business Strategy
- IT Provision
- E-Government
- Estate Management
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- EU matters
- Policy on
  - ❖ Rural Development
  - ❖ R&D and education
  - ❖ Food and marketing
  - ❖ Animal Health
  - ❖ Disease Control
  - ❖ Import Control
  - ❖ Livestock
  - ❖ Arable
  - ❖ Environment
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  - ❖ Education
- Rural Development
  - ❖ Peace II
  - ❖ BSP
  - ❖ Leader +
  - ❖ Interreg III
  - ❖ Rural IFB
- Rural Payments
- Quality Assurance
- Countryside Management
- Food Chain
- Rural Connect
- Information and publications

**CHIEF SCIENTIFIC OFFICER**  
(George McIlroy)

- Contingency Capability
  - ❖ Statutory testing
  - ❖ Diagnostics
  - ❖ R&D
- R&D Contracts

**CHIEF VETERINARY OFFICER**  
(Robert Houston)

- Statutory functions on Animal health
- Disease Control
- Disease Prevention
- Animal Welfare
- Trade
- Meat Hygiene
- APHIS

**CHIEF EXECUTIVE-FOREST SERVICE**  
(Malcolm Beatty)

**CHIEF EXECUTIVE – RIVERS AGENCY**  
(John Hagan)

## **SECTION 3: THE O'HARE RECOMMENDATIONS**

The O'Hare team made seven main recommendations:

### **3.1 A New Central Decision Taking Process**

An Independent Expert Advisory Committee would be set up, consisting of an independent chairman and approximately ten members selected using clearly defined criteria. Those selected would be people of the highest quality from science and industry selected in accordance with their scientific skills and professional interests. O'Hare's proposal was that this committee would provide advice on R&D, technology transfer and education.

The Committee would receive representations from consumers and from industry, education, R&D and other stakeholders including through ad hoc working groups.

### **3.2 Transfer of the School of Agriculture and Food Science (SAFS) to either the Queen's University of Belfast (QUB) or the University of Ulster (UU)**

The panel suggested that a competitive tendering process would be conducted to choose the university. Funding would be transferred to the Department of Employment and Learning under the same arrangements as for other schools and faculties within Northern Ireland Universities. Suitable transitional arrangements would be developed for funding, students and contract research staff. Appropriate Science Service staff would transfer, together with their research interests and arrangements would be developed for the future use of capital assets including land, buildings and equipment. The team recommended a continuing policy input from DARD.

### **3.3 Integrate the Teaching Function of each of the DARD Colleges with the Neighbouring Institute of Further and Higher Education**

The panel recommended transferring the teaching function of each of the DARD Colleges to a separate FE Institute and suggested in particular that suitable pairings might be:

- Enniskillen College with Fermanagh College
- Loughry College with East Tyrone College
- Greenmount College with North East Institute.

The remaining functions carried out at the Colleges – the development and knowledge and technology transfer work would transfer to the proposed new Non Departmental Public Body.

### **3.4 Establishment of a Non-Departmental Public Body (NDPB) called the Northern Ireland Agriculture and Food Research Institute (NIAFRI)**

The O'Hare panel recommended setting up a new Non Departmental Public Body to carry out the R&D and technology transfer functions currently carried out by DARD's Science Service.

### **3.5 Inclusion of the Agricultural Research Institute of Northern Ireland (ARINI) with NIAFRI**

O'Hare recommended abolishing ARINI, an existing NDPB sponsored by DARD, and transferring its functions and assets to the new NDPB.

### **3.6 Establishment of a New Technology Transfer Facility within NIAFRI**

The panel recommended setting up an integrated technology transfer unit within NIAFRI to provide cohesive service delivery. In addition to transferring the results of the R&D work carried out within NIAFRI, it would harvest the outcomes of R&D in universities and research institutions in Northern Ireland and worldwide for the benefit of the NI agri-food industry.

### 3.7 Introduction of a Competitive Bidding Process for DARD Funded R&D

The panel recommended that, in principle, all R&D funds should be open to competitive tendering. O'Hare, however, recognised the need for DARD to retain core capability within Northern Ireland, particularly for analytical, surveillance and monitoring work. The Advisory R&D Committee would advise the Department on its decision on the proportion of DARD funded R&D which would be open to competitive tendering.

## **SECTION 4: THE GOVERNMENT'S RESPONSE TO O'HARE**

### **4.1 A New Central Decision Taking Process**

The O'Hare recommendation has been accepted with some amendment.

An Advisory Board on R&D and technology transfer will be set up, consisting of independent advisors from science and industry and with some additional membership nominated by the Rural Stakeholders Forum. Appointments to the Board will be made through a transparent process using pre-set criteria. Advice on the formulation of the R&D programme will be provided to the Department.

The response is similar to the O'Hare proposal, although O'Hare recommended that the Advisory Board would consist only of scientific and business experts with advice provided by stakeholder groups and working parties on an ad hoc basis. Since the O'Hare Report was received, the Rural Stakeholder Forum has been set up (in July 2002). This proposal allows for Expert and Stakeholder representation on a single Advisory Board. Another difference from the O'Hare recommendation is that the Advisory Board will not provide advice on education as the education arrangements in the university will be separate from DARD and the DARD College will have its own College Management Committee.

### **4.2 Transfer of the School of Agriculture and Food Science to either the Queen's University of Belfast (QUB) or the University of Ulster (UU)**

The O'Hare recommendation has been accepted.

The educational provision currently delivered at the School of Agriculture and Food Science at QUB will be transferred to one of the two NI universities. The process of selection of the university will be conducted by a panel consisting of internal and external members. Transfers of staff will be conducted under the Transfer of Undertakings (protection of Employment) Regulations. (TUPE) Consideration of the implications of the TUPE legislation and union involvement will be an integral part of the changeover process. Funding will be transferred to DEL. Transitional arrangements will be made for existing students and contract

staff and the future use of capital assets including land, buildings and equipment will form part of the decision process.

#### 4.3 Integrate the Teaching Function of the DARD Colleges with the Neighbouring Institute of Further and Higher Education

The recommendation has been rejected – it drew significant opposition during the consultation exercise.

The proposal instead is to combine the three DARD Colleges into a single College within DARD with transparent budgetary and business arrangements under a College Principal. The DARD College will provide advisory and technology transfer functions in addition to the teaching and lifelong learning provision, leading to greater efficiency in service delivery. It will have a separate business plan, targets and budget and will produce separate accounts. The Principal will be responsible for the delivery of the education and development services at the College and a Management Committee will be appointed with external representation. Representatives will be chosen according to pre-set criteria.

The single College, which will be responsible for the delivery of knowledge and technology transfer and adoption, will liaise closely with the NDPB, the retained part of the Science Service, universities, research institutes and other providers to ensure cohesive and comprehensive delivery.

The arrangement will be reviewed after 3 years.

#### 4.4 Establishment of a Non-Departmental Public Body (NDPB) called the Northern Ireland Agriculture and Food Research Institute (NIAFRI)

The O'Hare recommendation has been partly accepted.

A NDPB will be set up to deliver R&D and analytical and diagnostic services currently provided by DARD Science Service. However, core provision will be retained within DARD for emergency response and surveillance purposes. It is envisaged that approximately a quarter to a third of existing staff in the Science Service will be retained within DARD. This arrangement will be reviewed after 3

years. A Board will be appointed to manage the new NDPB. Appointments will be made using a transparent process and according to pre-set criteria. The NDPB will continue to provide R&D services for other Government Departments such as the Department of Culture, Arts and Leisure and the Environment and Heritage Service under suitable contractual arrangements. The transfer of staff will be in accordance with TUPE legislation.

#### 4.5 Inclusion of the Agricultural Research Institute of Northern Ireland (ARINI) with NIAFRI

The O'Hare recommendation has been accepted.

ARINI will be abolished and its functions and staff transferred to the new NDPB. Negotiations will be undertaken with the existing ARINI Board and the relevant trade unions on the arrangements for transfer. Staff transfers will be in accordance with TUPE legislation.

#### 4.6 Establishment of a New Technology Transfer Facility within NIAFRI

The O'Hare recommendation has been accepted in principle but with a change in location of the delivery unit.

Responsibility for knowledge and technology transfer and adoption will be the responsibility of the single DARD College which will liaise closely with the new NDPB and other research providers to ensure cohesive delivery.

This proposal is based on the O'Hare concept of unified knowledge and technology transfer but provision will be at the single DARD College rather than at the NDPB.

#### 4.7 Introduction of a Competitive Bidding process for DARD funded R&D

The O'Hare recommendation has been accepted.

Competitive tendering will be developed for DARD funded R&D. However, it was recognised that there will always be a need for substantial core funding of a

research programme of sufficient size and quality to be maintained at the NDPB. Core funding will also be provided for the analytical, diagnostic and surveillance functions carried out by the NDPB.

## **SECTION 5: TIMESCALE AND LEGISLATION**

5.1 Many of the proposed changes outlined in Section 4 will require legislative change and transitional arrangements over the change period. It is, therefore, difficult to be precise about the expected timing of the changes. It is intended that implementation will begin as soon as possible after completion of the consultation exercise. The internal restructuring changes planned for DARD and described in Section 2 are expected to be implemented by 1 April 2003.

## SECTION 6: CONSULTATION AND CONTACTS

6.1 Consultation on this document will begin immediately and will continue until 28 February 2003. Hard copies of this booklet are available by contacting Sheelagh McCausland at the address below or electronically on the Department's website and the Central Consultation website for Northern Ireland Departments. Contact details are shown below and the booklet can be produced free, on request, in alternative formats such as Braille disk, audio cassette, large print or other languages.

Responses are welcome either by post or by e-mail.

Copies of the O'Hare Report are also available from the same address and electronically on the DARD website.

### 6.2 Contact Details

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[www.consultationni.gov.uk](http://www.consultationni.gov.uk) (Central Consultation Register).

## APPENDIX A

### QUESTIONS FOR CONSULTATION EXERCISE

#### **Government's Response to O'Hare**

1. Do you have any comments on the implementation of the Government's response to each of the seven O'Hare recommendations?
  - i) New Central Decision Taking Process
  - ii) Transfer of the School of Agriculture and Food Science (SAFS) to either the Queen's University of Belfast (QUB) or the University of Ulster (UU)
  - iii) DARD Colleges combined within DARD under a single management structure
  - iv) Establishment of a Non-Departmental Public Body (NDPB) called, in the O'Hare Report, the Northern Ireland Agriculture and Food Research Institute (NIAFRI)
  - v) **Inclusion of the Agricultural Research Institute of Northern Ireland with NIAFRI**
  - vi) **Responsibility for Knowledge and Technology Transfer Facility to be with the DARD single College**
  - vii) Introduction of a Competitive Bidding Process for DARD Funded R&D

#### **Equality Statement**

2. Do you have any comments on the equality statement contained in Appendix B?

#### **General Comments**

3. Do you have any further comments?

## APPENDIX B

### EQUALITY STATEMENT

#### Section 75 duties

Section 75 of the Northern Ireland Act requires the Department of Agriculture and Rural Development (DARD), in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:-

- Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Between men and women generally;
- Between persons with disability and persons without; and,
- Between persons with dependants and persons without.

In addition, without prejudice to the above obligation, DARD should also in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The DARD Equality Scheme affirms the Department's commitment to the promotion of equality of opportunity and good relations as outlined under Section 75.

#### Stakeholders potentially affected

The following stakeholders may be potentially affected by these proposals:

General Public

Northern Ireland Farmers & Growers

Northern Ireland Agri-food businesses

Other Rural Dwellers

Students presently

- **studying as undergraduates with QUB**
- **undertaking postgraduate studies within DARD, QUB or ARINI and/or funded by DARD**

- **studying at DARD colleges**

Students planning to study at any of the above

Staff presently employed by DARD, QUB or ARINI

## **Screening**

All of the Government's proposals in response to the O'Hare Report have been screened in terms of their impact on each of the nine Section 75 groups.

## **Assumptions**

The following assumptions have been made in the equality screening process:

- 1. Teaching arrangements for existing students: Transitional arrangements will be put in place to ensure that those students presently studying with QUB are not educationally disadvantaged during the transfer period.**
- 2. The current screening exercise cannot pre-empt the outcome of the selection process for the new provider of SAFS education. Therefore all proposals for provision of this function will be screened for their equality impact as part of the overall selection process and where appropriate a full Equality Impact Assessment (EQIA) will be carried out.**
- 3. Subsequent rationalisation/relocation of new structures: If, following the implementation of these proposals, rationalisation or relocation of any of the new organisations is proposed then a further equality screening exercise will be carried out and, where appropriate Equality Impact Assessments prepared and issued for consultation. This task will be the responsibility of the relevant new organisation.**

Screening documentation is not included in this document but a summary of the issues involved and the outcome of the screening process is given below.

## **Central Decision Taking Process – Advisory Body on R&D**

There is evidence that the Section 75 groups have different needs, issues or priorities in relation to the composition of advisory bodies set up by government. In

particular departments are asked to encourage women and representatives of racial minorities to come forward for selection to such boards

Appointment to the proposed Advisory Body will be by a fair and transparent selection process using pre-set criteria. In seeking nominations to this group the Department will endeavour to attract representation from as wide a field of candidates as possible and will encourage organisations to be mindful of representation of Section 75 groups when putting forward nominees.

### **The Transfer of SAFS to QUB or UU**

**The above proposal refers to the ending of the DARD-SAFS link. At present the new provider is yet to be selected. The Department does not have access to the Section 75 group profile of SAFS students as a distinct group within QUB. The Department (DARD) will require those bidding to provide this function to address equality of opportunity as part of their submission/bid.**

### **DARD Colleges Combined within DARD**

The proposal principally affects management structures and accounting procedures. There will be no change to the services provided by the unified college compared to those presently provided by the three colleges as a result of this proposal.

**Agricultural Research Institute for Northern Ireland (ARINI) to be abolished. A NDPB to deliver R&D and analytical and diagnostic services but core provision retained within DARD for emergency response and surveillance purposes.**

There is presently no information on the uptake of services provided by those bodies that will make up NIAFRI in terms of Section 75 groups. The service provided by NIAFRI will be as effective as the service provided previously by its constituent parts.

### Knowledge and Technology Transfer

**There is no substantive evidence of a differential uptake of R&D and advice overall. While there is an indication of differential uptake of technical advice (see Farmers and Farm Families in Northern Ireland 2002), this simply reflects the composition of the agricultural sectors to whom it is directed. The Department is currently undertaking an equality impact assessment on**

**admissions criteria for all people development programmes including those offered by the colleges. Action, identified through this process, will be adopted by the unified college.**

Competitive tendering for DARD funded R&D

There is presently no information on the funding of R&D in terms of Section 75 groups. This proposal is designed to open up access to DARD funded R&D and to increase transparency. It may therefore offer an opportunity to better promote equality of opportunity.

### **Outcome of Screening**

**The Department, following a comprehensive screening process, considers that none of the above proposals requires a full Equality Impact Assessment.**

### **Staff**

The focus of this screening process has been on those proposals which impact outwardly on external stakeholders. Nevertheless it is recognised that the proposals will have a significant impact on the staff of DARD Science Service and ARINI.

The staff of the existing organisations are a mix of civil servants (DARD Science Service including Veterinary Sciences Division) and public servants (staff in ARINI). The proposals, if implemented, will involve the transfer of civil servants to the new NDPB, transfer of civil servants to QUB or UU and transfer of public servants to the new NDPB.

**Staff will be allocated to posts within the three new organisations (DARD, NIAFRI and QUB/UU) on the basis of business need ie their ability, qualifications and aptitudes as well the duties they currently perform.**

The seventh report of the NICS Equal Opportunities Unit (Section 7.14, Table 72) indicates that fair participation is assessed as being present for staff in the NICS scientific grades. The NICS does not currently gather information on political opinion,

sexual orientation or staff dependants. There is no reason to believe that the composition of the proposed new organisations will differ significantly from the overall position in the NICS. However, any imbalances in the composition of the new organisations will be addressed through effective Equal Opportunity policies and, where appropriate, lawful affirmative or positive action.

**NIAFRI, the new NDPB, will have the facility to recruit directly from the labour market through open competition. Widening the pool of eligible candidates beyond NICS in this way may have a positive impact on the promotion of Equality of Opportunity.**

Transfer of staff will be governed by the TUPE regulations and their new terms and conditions will be subject to detailed negotiation and agreement between DARD and the relevant Trade Unions. A specially constituted consultative committee, with representation from management and the union, has been set up for this purpose. In addition, DARD will communicate effectively with the public and staff to ensure full understanding of the new structural arrangements.

## APPENDIX C

### Terms of Reference for the O'Hare Review

The Review Panel was established to undertake an independent review of DARD's arrangements for undergraduate and postgraduate education and R&D in agriculture and food science. Its specific terms of reference were:

- **to carry out a comprehensive review of the existing arrangements in relation to undergraduate and postgraduate education and R&D in agriculture and food science and to make recommendations;**
- **to examine the long established link between DARD and the School of Agriculture and Food Science (SAFS) at the Queen's University of Belfast and to address the effectiveness of that link in terms of service delivery and cost;**
- **to examine similar provision in the DARD Colleges and any other similar services provided directly within DARD, having regard to any similar provision in other education institutions in Northern Ireland;**
- **to consult extensively with stakeholders and others as appropriate;**
- **if the Review was to recommend change, then it should:**
  - **set out any options for change and identify the cost implications of any such options;**
  - **address the implications for R&D and the delivery of science and technology advice;**
  - **address the impact on the Department's statutory testing programme and its management;**
  - **address the implications for the DARD Colleges;**

- address the implications for the Agricultural Research Institute of Northern Ireland (ARINI); and
- address the implications for the link between DARD and the School of Agriculture and Food Science at QUB.