



Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna

Feidhmeannacht na Seirbhísí Sláinte

Ospidéal Dr. Steevens'

Baile Átha Cliath 8

Office of the National Director of Human Resources

Health Service Executive

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To: Chief Executive Officer
Each National Director
Each Assistant National Director HR
Each Assistant Chief Finance Officer
Each Hospital Group CEO
Each Hospital Group Director of HR
Each Chief Officer CHOs
Each Head of HR CHOs
Head of HR, PCRS
Each CEO Section 38 Agencies
Each HR Manager Section 38 Agencies
Each Employee Relations Manager
Each Group Director of Nursing & Midwifery
Each Group Director of Midwifery
Each Clinical Director
Director National Ambulance Service

From: Anne Marie Hoey National Director Human Resources

Date: 22nd January 2021

Re: HR Circular 004/2021 - Further extension of waiver of abatement for specific frontline HCWs in the context of COVID-19

Dear Colleagues

I wish to advise that the Department of Health has confirmed that approval has been granted for an extension to the temporary waiver of abatement in respect of a cohort of frontline staff under Section 52(4) of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012. This waiver extension is effective until **31 March 2021**.

This cohort of rehired retirees are currently employed on specified purpose contracts to meet the specific demands arising from COVID-19 and were encompassed by the temporary waiver of abatement conveyed in [HSE HR Circular 047/2020](#). Following a detailed review of the HSE's business case of 29 September 2020, a further extension of the waiver of abatement has been approved by the Minister for Public Expenditure and Reform in respect of these individuals.

In relation to the HSE's request that additional individuals be covered by the waiver terms, DPER has conveyed approval of the application of the waiver to a number of **additional**

frontline staff where required with effect from 14 January 2021. Sanction was not given in respect of applications that fall under the Management and Administrative category as these posts are not eligible under the terms of the original waiver.

Approval for the extension of the waiver to those covered by the HSE's business case is subject to the following conditions:

1. Waivers should be provided to critical frontline healthcare staff only, i.e. not staff in the Management and Administrative category.
2. Waivers should not be provided to those currently aged 70 and over given that this is a highly vulnerable category; and
3. Only those who retired prior to the 31 March 2020 are included within the scope of the waiver.

Please note that further correspondence will issue directly to the Heads of HR in the CHOs and Hospital Group Directors of HR confirming which individuals under their remit are covered by the sanction to extend/apply the waiver and which individuals have been excluded from the sanction. Management in these services are responsible for ensuring that the above conditions are strictly adhered to in respect of the named individuals covered by DPER's sanction.

DPER has advised that it does not support long-term exemptions from the principle of abatement or, from a HR perspective, long-term reliance on retired workers. Accordingly, the Minister for Public Expenditure and Reform has approved the HSE's request on the basis that no further extension beyond 31 March 2021 will be provided. DPER has highlighted that it is vital that abatement policy in the Health Sector returns to normal as soon as possible to bring it into line with other sectors, i.e. *waivers are only granted on a case by case basis, only in very atypical circumstances and for a very limited time period.*

Rehired retirees for whom sanction for a temporary waiver of abatement does not apply are subject to the normal abatement rules as a condition of their employment. The statutory provisions governing pension abatement for public servants are provided for in **section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012** which is available [at this link](#).

Reporting Requirements

The direction from DPER/ Department of Health is that the extension to the temporary waiver of abatement is subject to the regular reporting / monitoring requirements which are currently in place. The HSE is required to ensure that all expenditure under this temporary waiver can be tracked separately in order to ensure that all exceptional spending on COVID-19 is capable of being identified.

To comply within this direction, the following data must be maintained by the HSE and each Section 38 organisation in respect of all rehired retirees who are covered by the extension to the temporary waiver of abatement as provided for in this Circular:

- Employee's name;
- Job title/ position;
- Staff category;
- Service area;
- Location;
- Cost centre;
- Expected duration of contract;
- The contracted weekly working hours and WTE;

- The total remuneration paid – this includes basic salary/allowances/unsocial hours, premium payments/overtime/on-call payments/call-out payment etc. The amount is inclusive of Employer PRSI and associated income i.e. superannuation/ ASC.

Health service managers within the HSE and each Section 38 organisation must continue to have in place the necessary arrangements to ensure that this level of data can be reported on in line with the Department of Health's Circular.

The HSE is required to provide monthly reports to the Department of Health on the operation and implementation of the temporary waiver, for consideration and onward transmission to DPER. The first report in respect of the period up to end-January 2021 will be due no later than 10 February 2021. Reports in respect of the following months will be due by the 10 March and 10 April respectively.

Please ensure that this Circular, and the further correspondence confirming who is covered by the sanction (to issue separately), is brought to the attention of all relevant managers in your area of responsibility. Please ensure that appropriate arrangements are in place for the recording and collation of data, in accordance with GDPR requirements, to enable the HSE to submit the information required by the Department of Health/DPER in its monthly reports.

Please ensure that responsibility is assigned to appropriate managers to ensure compliance with the requirements for collation and provision of data on rehired retirees for whom sanction has been granted for the extension of the waiver of abatement under the terms of this Circular/letter of confirmation.

Queries

Queries from individual employees or managers regarding these arrangements should be referred to local HR Departments/ Employee Relations Departments. Please note that the National HR Helpdesk is also available to take queries from employees Tel: 1850 444 925 E: ask.hr@hse.ie

Queries from HR Departments in relation to this Circular may be referred to Anna Killilea, Corporate Employee Relations, HR Directorate, 63-64 Adelaide Road, Dublin 2 Tel: 01 6626966 Email: anna.killilea@hse.ie

Yours sincerely



Anne Marie Hoey
National Director of Human Resources



Need information and advice on COVID-19 Go to www.hse.ie/coronavirus