

The Lord Alderdice FRCPI FRCPsych

the new
Northern Ireland
Assembly

Parliament Buildings
Belfast BT4 3XX

Tel: +44 (0)1232 521130
Fax: +44 (0)1232 521959
Email: alderdicej@parliament.uk

**Mrs Vivienne Walker
Head of Human Resources
South & East Belfast Trust
Knockbracken Healthcare Park
Saintfield Road
BELFAST
BT8 8BH**

2 November 1998

Dear Vivienne,

Thank you for your letter of 22 October informing me of the decision by the HSS Executive to treat Assembly Members on the same basis as Members of Parliament for the purposes of continuing employment with NHS Trusts.

I do not think that it is appropriate to treat Members on the same basis as their counterparts at Westminster while the Assembly is in shadow form. During this period there is considerable doubt as to the future of the Assembly – an area of doubt that does not apply to Westminster. It is of direct relevance to note that Members' salaries and allowances also reflect this transitional period.

While I entirely understand that full-time employment with a Trust is clearly incompatible with being a Member of the Northern Ireland Assembly, once it is fully established, I am somewhat surprised that the decision has been taken to apply the rule to part-time staff. In Section 52 of the extracts from General Counsel that you sent me, Section 52, paragraph 1 appears to explicitly allow for the continued employment of part-time staff when this is appropriate. I have taken advice from the Appointments Unit at the Cabinet Office and they have concurred with my reading of Section 52.

I would be most grateful if you would clarify this matter with the HSS Executive at your earliest convenience and look forward to hearing from you.

Kindest regards,

ALD2/2/6/12/1/198

CC: Mr Carson
Mr Johnston
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