

**MINUTES OF THE 422nd MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT
10.00 am ON THURSDAY, 15th DECEMBER 2016
IN THE AGENCY'S OFFICES, GORDON STREET, BELFAST**

Present: Marie Mallon (Chair)
Deirdre Fitzpatrick
Michelle McGinley
Alison Millar
Jill Minne
Daire Murphy
Pauline Shepherd

In Attendance: Tom Evans Chief Executive, (CEO)
Penny Holloway (Director, Conciliation & Arbitration, (DCA))
David McGrath (Director, Advisory Services (DAS))
Alison Wolfe (Minutes Secretary)

	Action
<p>1. Apologies</p> <p>Apologies were received from Albert Mills, Louise Crilly and Gary McMichael.</p>	
<p>2. Conflicts of Interest</p> <p>There were no interests declared.</p>	
<p>3. Chair's Opening Remarks</p> <p>The Chair explained that the Board meeting would finish at around 11.45 am to be followed by an in-camera session to discuss the DCS recruitment exercise.</p> <p>Board members would then join staff for a light lunch and the presentation of accredited learning certificates.</p>	
<p>4. Minutes of 17 November 2016 Meeting</p> <p>The minutes of the meeting held on 17 November 2016 were agreed as a true and accurate record of the meeting subject to the addition of Jill Minne as an attendee.</p>	Secretary
<p>5. Matters Arising from the Minutes</p> <p>5.1 Joint LRA/ECNI meeting</p> <p>Board members agreed that the joint meeting with the Equality Commission had been very positive; was interesting to see how the Commission matched PfG with the different aspects of their work; appropriate for the two Boards to meet on a regular basis and maintain the strong relationship which already existed. It was further agreed that it was important to continue to explore opportunities for joint working.</p> <p>The DAS reported on the recent Equality Commission conference 'Expecting Equality: a Formal Investigation under the Sex Discrimination (Northern Ireland) Order 1976'. The conference outlined the findings of the investigation and launched a joint publication entitled 'Pregnancy & Maternity at Work: A Guide for Employers in Northern Ireland' which is available on both the ECNI and the Agency's websites.</p> <p>The Chair thanked the DAS for his input to the conference which had been very well received.</p>	

<p>Alison Millar also reported on her participation at the conference in her role as NIPSA General Secretary. She commented that participants at the conference were mainly from the private sector and community. The Agency should avail of the opportunity to use video clips, where possible, and to link these to the website.</p>	<p>DAS</p>
<p>5.2 Public Meeting/Annual Report & Accounts (Paper 15/16) The Board noted the Agency’s response to the Economy Committee letter on the two issues raised in correspondence (CEO pension arrangements and the carry-over of conciliation cases to 2016/17) in relation to the Agency’s Annual Report & Accounts.</p>	
<p>The DCA explained that the rise was as a result of vacancies not being filled and also the complexity of cases received.</p>	
<p>5.3 CIPFA Governance Standard The CEO reported on his meeting with Steve Mungavin to discuss the CIPFA Mark of Excellence standard and the possibility of engaging with the Agency on a pilot basis; will be followed up before the end of the current financial year.</p>	
<p>The CEO also reported on his attendance at the recent CIPFA Governance Conference and his intention to set up a meeting with the responsible Deputy Secretary in the Department of Finance to discuss governance arrangements under PfG.</p>	<p>CEO</p>
<p>The Chair drew Members’ attention to the NIAO Board Effectiveness Guide and undertook to obtain copies for Board members. It was agreed that there was a need to review the Board’s operations against the guidance. The Chair to take forward in consultation with the Chairs of the Board sub-committees.</p>	<p>Chair</p>
<p>5.4 CMRS Update The CEO reported that work was being finalised on the business cases for Phase 2 and Early Conciliation. Both business cases will be presented to the Board before being submitted to DfE.</p>	<p>CEO</p>
<p>It was agreed that all business cases should be submitted to the Board for information.</p>	
<p>5.5 Early Conciliation Business Case The Board were advised that the Agency awaits approval of the Early Conciliation business case. The Regulations are basically in their final format and the CEO has requested a copy of the latest version to allow work to commence on operational guidance.</p>	<p>CEO</p>
<p>The DCA indicated that there was a general sense of frustration about the delay in progressing early conciliation. The DCA also confirmed that she will be having an initial meeting with the OITFET President in early January to discuss early conciliation prior to a further meeting which will involve the CEO.</p>	<p>DCA</p>
<p>Board members agreed the Minister or the Permanent Secretary should be invited to visit the Agency early next year. The Board expressed their growing unease about the lack of progress on Early Conciliation.</p>	
<p>5.6 Executive Transformation Fund (Paper 16/16) Board members were advised that the business case for access to the Executive Transformation Fund had been cleared by DfE and forwarded to the Department for Finance for final approval.</p>	

<p>5.7 IS Managed Services The CEO undertook to prepare a short paper for the January 2017 Board setting out the terms of the contract and performance against agreed service standards.</p> <p>5.8 Meeting with Professor Neil Gibson The CEO reported on his very positive meeting with Esmond Birnie, Economist at the Economic Research Centre, UU in place of Professor Gibson.</p> <p>It was agreed to invite Professor Gibson to a Board strategic workshop.</p> <p>5.9 Programme for Government (PfG) The Chair, CEO and DAS reported on their meeting with Joe Reynolds, OFMDFM to explore how the Agency should respond to the PfG in terms of corporate planning. Joe Reynolds confirmed that the Executive Office will be providing guidance and that he would like to involve the Agency in this work. He also agreed that the Agency should write to relevant SROs to promote the role of the Agency in terms of the PfG delivery plans.</p> <p>5.10 Workplace Relations Commission The CEO reported on his participation in the recent WRC staff conference and indicated that a joint meeting of the two Boards would be arranged for early/mid 2017. The CEO was also able to view the facilities on offer at WRC and to share some ideas with the Agency Accommodation Group.</p>	<p>CEO</p> <p>CEO</p> <p>SMT</p>
<p>6. Update on Roundtable/other stakeholder meetings</p> <p>The Chair and CEO reported on the meeting of the Roundtable on Monday, 12th December at which a schedule of meetings for 2017 was agreed.</p>	<p>Roundtable</p>
<p>7. Board Sub-Committees</p> <p>7.1 Employment Relations Model Papers had been circulated to members of the Employment Relations sub-group to read and consider. A meeting will be arranged during January 2017.</p> <p>7.2 Audit & Risk Assurance Committee (ARAC) The Chair of the ARAC tabled a report of the meeting held on 6 December which confirmed that the workshop to review the Agency's Risk Register had been postponed until after the Board has conducted its corporate planning workshop and new guidance from the Department of Finance has issued.</p>	<p>Secretary</p>
<p>8. Finance Issues</p> <p>8.1 Budget Update (Paper 7/16) The CEO tabled a finance paper highlighting significant pressures in terms of the current budget position due to a number of factors to include additional national insurance contributions, the 2016 pay award, employment agency fees and significant additional spend to upgrade CMRS. The CEO outlined the range of measures that are now being implemented to ensure that the Agency avoids an unapproved overspend.</p> <p>The CEO indicated that he had submitted a bid to DfE for the 2017/18 additional Pension and NI contributions payments and was also seeking to recoup NI contributions for the current year.</p> <p>In response to Board members queries about the additional expenditure on ICT, the DCA replied that there had been an understanding from the outset that changes may be required. Some of the changes made were quite fundamental and have enhanced the functionality of the system. The Chair said it would be useful to clarify that the</p>	<p>CEO</p>

<p>changes made came under capital spend.</p> <p>While Board members felt that the Certification Officer budget did not fall under their remit they noted a marked increase in expenditure in recent months. The CEO responded that this was due to the recruitment of a new ERM, specific training and publications.</p> <p>The CEO advised that he had met with TUS to outline the range of measures being taken to remain within budget and that they were content with Management's approach.</p>	
<p>9. HR Issues (Paper 3/16)</p> <p>Due to time constraints it was agreed to defer discussion on this item to the January 2017 meeting.</p>	
<p>10. ICT Update (Paper 14/16)</p> <p>Due to time constraints it was agreed to defer discussion on this item to the January 2017 meeting.</p>	
<p>11. Business Plan Performance Report (Paper 8/16)</p> <p>The CEO presented the Business Plan Performance Report to the end of November. He advised the Board that the majority of objectives are on target despite staff vacancies. A huge amount of work was being undertaken by staff.</p> <p>The Accommodation Review Group had produced a draft report on accommodation requirements.</p> <p>Internal audit had highlighted the need to exercise caution in setting targets for the year bearing in mind the current resource constraints.</p>	<p>CEO</p> <p>SMT</p>
<p>12. Directors' Update</p> <p>DCA amendments to the Business Plan Performance Report to be forwarded for inclusion in the report.</p> <p>The DCA referred to the heavy workload in her section particularly at this time of year; 3 collectives had been undertaken during the past week and there had also been one independent appeal hearing. It was hoped that the scanning project being undertaken by employment agency staff would be complete by the end of the year. The DCA reported on her recent visit to Acas and the importance of strengthening links between the two organisations.</p> <p>The DAS reported on his attendance at the CBI Conference in November. The keynote speaker had been the Prime Minister, Teresa May. The conference focussed on how the world of work would change in the next 20 years with particular emphasis on connectivity, innovation and inequality.</p>	<p>DCA/Sec</p>
<p>13. Any Other Business</p> <p>None.</p>	
<p>14. Date of Next Meeting</p> <p>The next meeting of the Agency Board will take place on Thursday, 26th January 2017 at 10.00 am in the Agency's offices, Gordon Street, Belfast.</p>	<p>Sec</p>