

**MINUTES OF THE 421<sup>st</sup> MEETING OF THE LABOUR RELATIONS AGENCY BOARD HELD AT  
10.00 am ON THURSDAY, 17<sup>th</sup> NOVEMBER 2016  
IN THE AGENCY’S OFFICES, GORDON STREET, BELFAST**

**Present:** Marie Mallon (Chair)  
Louise Crilly  
Gary McMichael  
Alison Millar  
Albert Mills  
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)

	<i><b>Action</b></i>
<p><b>1. Apologies</b></p> <p>Apologies were received from Deirdre Fitzpatrick and Michelle McGinley.</p>	
<p><b>2. Conflicts of Interest</b></p> <p>There were no interests declared.</p>	
<p><b>3. Chair’s Opening Remarks</b></p> <p>The Chair explained that the Board meeting would finish at around 11.45 am to be followed by a short meeting of the Finance &amp; Personnel Sub-Committee in advance of the joint meeting with the Equality Commission. A number of papers to be tabled at the meeting including the programme for the joint meeting with the ECNI.</p> <p>The Chair acknowledged and thanked the speakers at the Public Board Meeting in October particularly the contributions made by Anne Sharp and Aidan Harkin. The public meeting was an important meeting which raised the profile of the Agency and the Chair had received favourable feedback from those attending.</p>	
<p><b>4. Minutes of 20 October 2016 Meeting</b></p> <p>The minutes of the meeting held on 20 October 2016 were agreed as a true and accurate record of the meeting.</p>	<b>Secretary</b>

<p><b>5. Matters Arising from 22 September 2016 Minutes</b></p> <p><b>5.1 Mobile Application Presentation</b> Covered under item 9.2.</p> <p><b>5.2 CIPFA Governance Standard</b> The CEO reported that he will be meeting with Steve Mungavin on 5<sup>th</sup> December to discuss the Agency's potential involvement in CIPFA's new governance standard and associated training for Board members. It was agreed that any governance training should be separate from the corporate planning workshop. The CEO will report back to the Board in December.</p> <p><b>5.3 CMRS Phase 2 Update</b> The CEO reported that both the workflow elements of the business cases for Phase 2 and Early Conciliation are almost complete. Work was progressing to complete and submit the business plans as soon as possible. The CEO undertook to keep the Board updated on progress.</p> <p><b>5.4 Employment Bill - Early Conciliation Business Case</b> The Board were advised that the Early Conciliation business case has been approved by the Permanent Secretary and will now go forward to the Minister for approval before being submitted to DFP. This was a positive development.</p> <p>The CEO reported that Helen Smyth, ERM, has been appointed as Project Manager and had developed an excellent project plan which has been signed off by the SMT. SMT will continue to monitor progress against the project plan. It was noted that the Agency was still constrained by the lack of a commencement date.</p> <p><b>5.5 NI Direct Statistics</b> The CEO reported that, at the recent governance meeting with DfE, he had alerted officials to the areas of work being undertaken by the Agency. The Agency gathered a huge amount of statistical information which may be of value for research purposes and it was important that DfE was aware of this.</p> <p><b>5.6 Executive Transformation Fund for ALBs</b> The CEO confirmed that a draft business case has been prepared and once finalised will be submitted to the Department. The CEO confirmed that the business case is predicated on 3-6% reduction of the Agency's funding. The CEO confirmed that he has advised TUS of the situation.</p> <p><b>5.7 IS Managed Services</b> The CEO advised the Board that the new service was working well. The DCA had raised some concerns in terms of the joint management of contracts and the SMT will be examining reporting against commitments in the Service Level Agreement. The ISIT Manager will be discussing the contract management with the service provider next week.</p>	<p>CEO</p> <p>CEO</p> <p>SMT</p> <p>CEO</p> <p>SMT/ISIT Mgr</p>
<p><b>6. Matters Arising from 20 October 2016 Minutes</b></p> <p><b>6.1 Meeting with Professor Neil Gibson</b> The Chair and CEO due to meet Professor Neil Gibson on 13 December. The meeting will provide an opportunity to promote the work of the Agency and to discuss potential research projects.</p> <p>The CEO also reported that he has agreed to meet Anne Sharp and Oonagh Buckley biennially to discuss common issues.</p>	<p>Chair/CEO</p> <p>CEO</p>

<p><b>6.2 DCS Recruitment</b> The CEO updated the Board on progress with the DCS recruitment competition.</p> <p><b>6.3 Programme for Government</b> The CEO reported that he and the DAS met with Brendan McCann, Head of Governance, DfE to discuss the Programme for Government. A meeting of ALBs is being organised to discuss a common approach to business planning. Under the new arrangements Corporate Plans will run for a period of 5 years rather than the current 3 year cycle. There is currently no framework in place for a departmental business plan.</p> <p>The Chair and CEO reported on a very positive meeting with Derek Baker, Senior Responsible Officer (SRO) in DfE for PfG indicators. Derek Baker is committed to including reference to the Agency in the Department's action plans for the PfG indicators.</p> <p>The CEO to contact the Department of Education SRO.</p> <p>The Chair reported that she had been involved in a meeting with Alistair Ross MLA to highlight the work of the Chairs' Forum and had taken the opportunity to highlight the work of the Agency. The Chairs' Forum will also be meeting with Martin O'Muilleoir.</p> <p><b>6.4 Workplace Relations Commission</b> The CEO reported on his participation in a recent industrial relations conference at the ILO training centre in Turin.</p> <p>The CEO advised that he has been invited to speak at the Workplace Relations Commission staff conference on Monday, 21 November. The CEO will raise with the Director General, Oonagh Buckley, the possibility of a joint Board meeting with WRC early next year.</p> <p><b>6.5 Joint LRA/ECNI Meeting</b> A programme for the joint LRA/ECNI Board meeting was tabled. The DAS reported that ECNI have just released a report of the formal investigation into the termination of pregnant workers and mothers and that the ECNI and the Agency have produced a joint guide to working rights, flexible working and shared parental leave. A series of seminars and briefings has also been organised to raise awareness of the rights of pregnant mothers.</p> <p>It was noted that ECNI may formally launch the report at their conference on 29 November; some Agency staff would be attending.</p> <p>The CEO then outlined the key organisational priorities he intended to raise at the joint meeting.</p>	<p>CEO</p> <p>Chair</p> <p>CEO</p> <p>CEO</p>
<p><b>7. Board Member Training/Appraisals</b></p> <p>Albert Mills recently attended a refresher course on Recruitment &amp; Selection.</p> <p>Board members were issued with Register of Interest forms to be updated, signed and returned.</p>	<p>BMs/Sec</p>
<p><b>8. Update on Roundtable/other stakeholder meetings</b></p> <p>The Board discussed Paul Sweeney's response to the CEO's letter regarding support for the Education Sector. It was agreed that a meeting with the Education Authority should be arranged.</p>	<p>Chair/CEO</p>

<p>The CEO reported that he had met the Local Government Staff Commission and has been invited to speak at their conference 'Transformation – The Future Agenda' on 8 December which will provide an opportunity to positively promote the work of the Agency.</p> <p>The next meeting of the Roundtable will take place on 12 December. A sub-group will be meeting with Evelyn Collins on 25 November to discuss the re-launch of a Joint Declaration of Protection/Harmonious Working Environment. The Board will be updated on developments in December.</p>	<p style="text-align: center;"><b>CEO</b></p> <p style="text-align: center;"><b>Chair/CEO</b></p>
<p><b>9. Board Sub-Committees</b></p> <p><b>9.1 Finance &amp; Personnel</b></p> <p>The Chair of the Finance &amp; Personnel Sub-Committee updated Board members on the key issues discussed at the meeting on 11 November. The meeting was very positive with comprehensive briefings provided on Finance, HR, ICT and Accommodation. The Committee had a meaningful and useful discussion on the HR metrics and were pleased with the proactive and sensitive management of absence in the organisation.</p> <p>A comprehensive report on IT had also been provided to the Committee; it was agreed that the Agency needed to use social media but that this should be handled carefully. Jill Minne suggested liaising with the IT department at BCC/sharing their social media policy.</p> <p>The involvement of ERMs at the Finance &amp; Personnel meeting provided greater levels of interaction between Board members and staff and allowed a more comprehensive update on projects. It also provided a development opportunity for staff.</p> <p>The Accommodation Sub-Group will be preparing a report on the dedicated physical requirements to deliver frontline services. It was agreed that it is important to benchmark against Acas and WRC. In terms of the rent review the CEO that Land and Property Services are now engaging with the new landlord.</p> <p>The Chair thanked Albert Mills for a very comprehensive report.</p> <p><b>9.2 Employment Relations Model</b></p> <p>The Board Employment Relations Sub-Group held their first meeting on 7<sup>th</sup> November when it was agreed to operate as a working group rather than a formal sub-group. The group had a useful discussion and had agreed to undertake a literature review to gather information that might be useful to inform their discussion. Information to be copied to group members. At their next meeting in December the group will agree objectives for the project.</p> <p><b>9.3 Audit &amp; Risk Assurance Committee</b></p> <p>The next meeting of the Audit &amp; Risk Assurance Committee will take place on 6 December and will be preceded by a workshop to examine the Agency's Risk Register. A report will be provided for the December Board meeting.</p> <p>The CEO reported on his 'wash-up' meeting with the Internal Auditors on procurement and advisory services. There were a number of minor issues in procurement but overall a satisfactory rating had been achieved. The auditors had also commented on the RAG system used in the Board Business Plan Performance Report.</p>	<p style="text-align: center;"><b>Neil Wallace</b></p> <p style="text-align: center;"><b>ERM Working Group</b></p> <p style="text-align: center;"><b>ARAC</b></p>

<p>The CEO advised Board members that he had completed the mid-year assurance statement for DfE in which he has highlighted the need for further development work on the Agency's Business Continuity Plan.</p>	<p><b>SMT</b></p>
<p><b>10. Finance Issues</b></p> <p><b>10.1 Budget Update (Paper 7/16)</b></p> <p>The CEO presented the budget update which indicated that the Agency is currently in a breakeven position. The Agency is currently overspent on salaries and general administration costs primarily due to increased NI contributions. The CEO advised that the termination of employment agency staff contracts will ease pressures on the salary budget. The CEO also reported that he continues to meet with TUS to update them on the budget position. The Agency has very little flexibility in terms of discretionary spend.</p> <p>Alison Millar queried that while previous indications were that the Agency had allocated 1% for pay increases it now seemed that this would more likely be closer to 2%. The CEO responded that the Agency is completing a very detailed exercise to assess the true cost of the pay uplift. The Chair suggested that the Board should discuss this at their December meeting with detailed updates provided each month in relation to cost pressures.</p>	<p><b>CEO</b></p>
<p><b>11. HR Issues (Paper 3/16)</b></p> <p>The CEO presented the HR update. He advised Board members that the Agency would be moving ahead to try to secure a provider for the leadership development programme. Costs were estimated to be £10-13K for the first year and it was anticipated that the programme would commence in the new year. The Board may be involved in discussions around a corporate project for the first cohort of participants possibly looking at areas of improvement and integration.</p>	<p><b>CEO/HR</b></p>
<p><b>12. ICT Update (Paper 13/16)</b></p> <p>A detailed presentation had already been provided by the Chair of the Finance &amp; Personnel Sub-Committee.</p> <p>The mobile app would be launched initially on 5<sup>th</sup> December with a wider launch planned for the new year. Consideration to be given to marketing and promotional concepts.</p>	<p><b>SMT/IT Mgr</b></p>
<p><b>13. Business Plan Performance Report (Paper 8/16)</b></p> <p>The CEO took the Board through the critical changes to the Business Plan Performance Report which was approved.</p> <p>The CEO made particular reference to difficulty in progressing early conciliation due to the lack of a commencement date. Agreement had been secured with TUS that the reserve list for staff would run for 12 months rather than 6 months.</p>	<p><b>CEO/Sec</b></p>
<p><b>14. Directors' Update</b></p> <p>The DCA reported that all key operational targets are being met. The DCA also reported an increase in individual receipts of 65% which is extraordinarily high and mainly related to part-time and holiday pay issues. The section was under enormous pressure due to the increase in caseloads and reduced staffing levels. The introduction of early conciliation would be a huge culture change to staff. The DCA also reported on on-going collective disputes.</p>	

<p>The CEO advised that the Board would have to make some fundamental decisions because of the increasing caseloads if the Agency's budget was cut. The CEO highlighted the need to get the right balance between dispute prevention and resolution.</p> <p>The Chair commented that right across the Agency there was pressure on resources which is borne out by recent statistics.</p> <p>The DAS provided an update on the Advisory section; he emphasised the importance of social media and the very immediate challenge of getting the Agency's mobile application up and running. The DAS reported that all key operational targets are being met even though staff resources have reduced particularly in the Helpline. Seminar bookings were now being received for in-company training up to the end of March 2017 which again demonstrates an increased demand for services. The DAS reported an increasing trend of political representatives referring constituents to the Agency for advice which involved dealing with employees but also political representatives.</p> <p>The Chair thanked Directors for their updates and acknowledged the hard work being carried out by staff.</p>	<b>Board</b>
<p><b>15. Any Other Business</b></p> <p>None.</p>	
<p><b>16. Date of Next Meeting</b></p> <p>The next meeting of the <b>Agency Board</b> will take place on <b>Thursday, 15<sup>th</sup> December 2016 at 10.00 am in the Agency's offices, Gordon Street, Belfast.</b></p>	

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