

**MINUTES OF THE THREE HUNDRED AND SIXTY EIGHTH MEETING OF THE  
LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 am  
ON THURSDAY, 25 AUGUST 2011  
IN THE AGENCY'S OFFICES, 2-16 GORDON STREET, BELFAST**

**Present:** Jim McCusker (Chair)  
Peter Williamson  
Trevor Morrow  
Gordon Parkes  
Brenda Maitland  
Sally McKee

**In Attendance:** Bill Patterson (Chief Executive)  
Gerry O'Neill (Director, Corporate Services)  
David McGrath (Director, Advisory Services)  
Penny Holloway (Director, Conciliation & Arbitration)  
Anne Gunning (Minutes Secretary)

**1. Apologies Action**

There were apologies from Neal Willis and Lyn Fawcett.

**2. Minutes of Previous Meeting held on 24 June 2011**

The minutes of the meeting held on 24 June 2011 were proposed by Peter Williamson, seconded by Gordon Parkes, and agreed as a true and accurate record of the meeting.

**3. Matters Arising from the Previous Minutes not listed on this Agenda**

**3. 4.5 Board Member Training**

It was noted that the date for the Board Member governance training workshop has been confirmed as 11 October 2011 commencing at 1.00 pm.

**3. 7.3 Charging for Agency Services**

It was noted that a response is still awaited from DEL to CEO's letter of 13 May. CEO

**3. 7.5 SROI Feasibility Report**

It was noted that a business case stating the case for implementing SROI has been submitted to DEL. CEO/DAS

**7.4 ERM Appointment Panel**

It was noted that the Chairman had volunteered to participate in the selection panel for the vacant ERM position. The recruitment process is now complete. The vacant post had been offered and accepted.

The Board discussed the merits of having a Board member or an independent person included on selection panels for senior positions at Deputy Principal, Principal and Assistant Secretary grades. It was agreed that a degree of flexibility was required and that provision, suitably worded and addressing the need for flexibility, should be made as part of the revision of the current Recruitment and Selection Policy and Procedure.

**CEO/DCS**

#### ***7.11 Equal Pay***

The CEO indicated that following the organisational equal pay review the Agency starting salary policy had been revised. The starting salary policy is being kept under review. To date no equal pay issues had arisen.

**CEO/DCS**

### **4. Chairman's Business**

#### ***4.1 Declarations of Interests***

**Appointment of Arbitrators Item 5.1.** It was noted that a number of Board members knew a number of those recommended for appointment as arbitrators. It was agreed that Board members would not comment on those recommended for appointment as arbitrators whom they knew. It was also agreed that should any matter arise concerning such an appointment the Board member would declare an interest and leave the meeting for the duration of the discussion. This Board member would not be party to any decision deriving from the discussion.

**Board  
Members**

#### ***4.2 Board Vacancy – update***

The Chairman indicated that interviews for those with an employee background had been undertaken and that a number of candidates had been recommended to the Minister. Interviews had been scheduled 19/20 September for those candidates with an independent background.

**Chairman**

#### ***4.3 Ministerial Visit to LRA – 15 September 2011***

It was noted that the Minister will be visiting the LRA on Thursday, 15 September from 10.30 – 11.30 am. The Minister will have a brief meeting with the Chairman, Brenda Maitland, Peter Williamson, Trevor Morrow and Neal Willis before meeting with Agency staff.

**Chairman  
SMT**

#### ***4.4 Board Performance Assessments***

The Chairman indicated that Assessment forms will be issued to Board members within the next two weeks.

**Chairman**

#### ***4.5 TUC Congress***

It was noted that the TUC Congress September 2011 will be an internal business conference. No members of the Agency will be attending.

#### ***4.6 International Agencies Conference Cardiff***

It was noted that the Chairman and CEO will be attending the International

Agencies Conference in Cardiff in September. Peter Williamson, Sally McKee, David McGrath and Penny Holloway will be attending the one day seminar.

#### ***4.7 Board Member Training***

There was nothing to report

### **5. Chief Executive's Business**

#### ***5.1 Appointment of Arbitrators***

It was noted that the recruitment exercise for the appointment of Arbitrators to the Agency was complete. Six candidates were recommended to the Board for approval. After a lengthy discussion the Board ratified the selection process and approved the appointment of the six recommended candidates.

**CEO**

#### ***5.2 Bi-monthly Management Report April 2011-July 2011***

After discussion, the Board noted the content of the Report. The new format was welcomed as it provided clear access to the performance data and commentary on both the strategic objectives and the operational targets. The Board accepted the note on the targets and objectives for conciliation and arbitration.

#### ***5.3 Replacement of ICMS***

It was noted that the new IT Manager is now in post. It is intended that work on a parallel running system will be commenced as soon as possible. This will reduce considerably the level of system risk

**DCS**

It was noted that the DCS is currently preparing a business case on IS managed services for CEO approval.

**DCS**

#### ***5.4 Progress of Generic Statutory Arbitration Scheme***

It was noted that the CEO has written to DEL requesting an indication of progress on the legal work. A response is awaited. After discussion the CEO agreed to pursue this with DEL at the next DEL/LRA quarterly meeting on 5 October. It was agreed to provide a briefing note for the next Board meeting on challenging and appealing an arbitration award.

**CEO**

#### ***5.5 Promotion of Pre-Claim Conciliation***

There was nothing further to report other than referring members to the commentary in the bi-monthly performance report. It was agreed to keep PCC as a standing agenda item.

#### ***5.6 SMT Development Report***

Assessment of SMT progress achieved under the development programme and the key areas for further development were discussed by the Board. It

was agreed that the progress made should be reflected in more detail. A further paper is to be submitted to the Board September 2011.

**CEO/DCS**

### **5.7 DEL Quarterly Report**

It was agreed that the Agency is making progress. It was noted that a response is awaited from DEL in relation to the issue of a framework for charging for Agency services.

**CEO**

### **5.8 DEL Review of Dispute Resolution in NI**

- (i) **DEL Advisory Group** Nothing further to report.
- (ii) **Others Matters** Nothing to report.

### **5.9 DEL ALB Review**

Nothing further to report.

It was agreed to discharge the DEL ALB Review as a standing agenda item. This item will be addressed on an as and when required basis.

### **5.10 RPA**

Nothing to report.

It was agreed to discharge the RPA as a standing agenda item. This item will be addressed on an as and when required basis.

### **5.11 Equal Pay**

Nothing further to report.

It was agreed to discharge Equal Pay as a standing agenda item. This item will be addressed on an as and when required basis.

## **6. Churchill Fellowship visit to New Zealand and Australia Report**

David McGrath, Director Advisory Services, gave a presentation on his recent visit to New Zealand and Australia. The presentation was welcomed by the Board. The issues raised are to inform the Board's deliberations on Agency strategy to be undertaken as part of the corporate planning process in November.

## **7. Chairman's Honorary Degree**

Brenda Maitland, on behalf of the Board, congratulated Jim McCusker on the Honorary Degree presented to him by the University of Ulster for the valuable contribution he has made to Trade Unionism and the improvement of industrial relations. The Chairman thanked the Board members for their appreciation.

## **8. Corporate Correspondence Received Relevant to Board**

### **8.1 Letter from Stewart Dickson MLA**

Contents noted.

### **8.2 Letter from DEL Legislation Branch re “*The Industrial Court (Membership) Regulations (NI) 2011*” and “*The Employment Act (NI) 2010 (Commencement & Transitional Provision) Order (NI) 2011*” – Statutory Rules**

Contents noted.

## **9. Any Other Business**

### ***Public Relations***

- 9.1 Joint EC/LRA Newsletter Edition 1 Spring 2011
- 9.2 ACAS – “A guide for new employers” leaflet August 2011
- 9.3 LRA Events Programme - August 2011
- 9.4 LRA advertisement in NI Business Info.co.uk – Free advice for employers
- 9.5 CIPFA Training Bulletin – Autumn 2011
- 9.6 CIPFA Training Bulletin – Audit, Risk & Governance training course

Articles noted.

## **10. Date of Next Meeting**

The next meeting of the Board will be held in Gordon Street, Belfast on Thursday, 29 September beginning at 10.00 am.