

**MINUTES OF THE 398th MEETING OF THE LABOUR RELATIONS AGENCY
BOARD HELD AT 9.30 am ON THURSDAY, 28 AUGUST 2014
IN ROOM 5, GORDON STREET, BELFAST**

Present: Marie Mallon (Chair)
Lyn Fawcett
Sally McKee
Gary McMichael
Trevor Morrow
Pauline Shepherd
Gordon Parkes
Neal Willis

In Attendance: Bill Patterson (Chief Executive)
Gerry O’Neill (Director, Corporate Services)
David McGrath (Director, Advisory Services)
Penny Holloway (Director, Conciliation & Arbitration)
Alison Wolfe (Minutes Secretary)

<i>Action</i>	
<p>Chair Welcome</p> <p>Ms Mallon opened the meeting by expressing her privilege in being appointed as Chair of the Labour Relations Agency, emphasising the value and importance of the Agency’s work. The Chair expressed the importance of improving employment relations in respect of the economy and society in general. Maintaining the reputation of the Agency was a challenge for all. The Chair indicated the high regard in which the DEL Minister and the DEL Permanent Secretary held the Agency. Ms Mallon ended by acknowledging Jim McCusker’s chairmanship of the Agency and in particular his committed advocacy for the Agency and for the integrity of industrial relations.</p>	Chair
<p>1. Apologies</p> <p>Apologies were received from Alison Millar & Albert Mills.</p>	
<p>2. Minutes of Previous Meeting held on 26 June 2014</p> <p>It was noted that Sally McKee’s notice of late arrival to the August meeting did not apply.</p> <p>Subject to the above amendment the minutes of the meeting held on 26 June 2014 were proposed by Trevor Morrow, seconded by Sally McKee and agreed as a true and accurate record of the meeting.</p>	Secretariat

<p>3. Matters Arising from the Previous Minutes not listed on this Agenda</p> <p><i>Item 4 5.1 Corporate Plan 2014-17</i> <i>5.2 Business Plan 2014-15</i></p> <p>The CEO indicated that the Agency was still awaiting written approval from DEL of the draft Corporate and Business Plans submitted February 2014. This was primarily for Audit purposes.</p> <p><i>Item 5.2 LRA Code of Practice on Disciplinary and Grievance Procedures</i></p> <p>It was noted that the Agency still awaits DEL approval of the proposed revised wording. It was noted that ACAS was also awaiting approval from BIS.</p> <p><i>Item 8.2 Audit Committee Meeting</i> <i>Meeting held on 7 May 2014</i></p> <p>The Agency awaits a response from DEL on the reporting of Certification Office Internal Audit reports.</p>	<p>CEO</p> <p>DAS</p> <p>CEO</p>
<p>4. Chair's Business</p> <p><i>4.1 Declarations of Interests</i></p> <p>No interests were declared by members.</p>	
<p><i>4.2 Board Register of Interest Forms</i></p> <p>Board members were reminded to update and return outstanding Register of Interest forms as soon as possible.</p>	<p>Board Members</p>
<p><i>4.3 Board Appraisals 2013-14</i></p> <p>Board members were reminded to complete and return outstanding appraisal forms as soon as possible.</p>	<p>Board Members/ Chair</p>
<p><i>4.4 Board Member Training</i></p> <p>Following discussion it was agreed that the Board undertake corporate governance training. It was agreed to examine training which would combine team building and governance issues with a view to looking forward to the Business Plan 2015-16. It was also agreed that the training would be best deferred until early next year following the appointment of three new Board members.</p>	<p>Chair CEO/DCS</p>
<p><i>4.5 Date of November 2014 Board meeting</i></p> <p>It was agreed to change the date of the November Board meeting to Thursday, 20 November 2014. The meeting is to commence at 2.00 pm.</p>	<p>Secretariat</p>

<p>4.6 Update on Stakeholder meetings</p> <p>Board members were advised that the DEL Minister, Stephen Farry, will be updating stakeholder's w/c 15 September 2014 on the Review of Employment Law policy proposals. The Chair, Gary McMichael, Alison Miller and the CEO are meeting the Minister on 15 September at 3.30 pm.</p> <p>It was noted that the Roundtable met on 27 August. The Roundtable agreed to take forward a project 'Leadership and Skills in Employment Relations'.</p> <p>Progress was being made on the Joint Declaration of Protection. It was noted that the Roundtable members would also be raising issues such as early neutral evaluation at their respective meetings with the DEL Minister w/c 15 September.</p> <p>The report on the independent review of workplace policies Scotland was tabled for information. The Roundtable agreed to discuss any issues arising from the report.</p> <p>It was agreed that the CEO circulate the Scotland report to Board members and add the item to the September agenda.</p> <p>It was noted that the Chair and CEO will be meeting with NIC-ICTU representatives on 4 September and with the CBI Employment & Skills Committee on 18 September. Arrangements were being made to meet with representatives of FSB and other stakeholders.</p>	<p>Chair/CEO/BMs</p> <p>CEO</p> <p>CEO/Secretariat</p>
<p>4.7 Management Statement/Financial Memorandum</p> <p>The Agency awaits a decision from DEL on the amended Memorandum of Understanding forwarded to DEL on 3 June. The amendment sets out the DEL position with regard to the independence of the Agency.</p>	<p>CEO</p>
<p>4.8 Appointments to the Board of the Labour Relations Agency</p> <p>Board members were advised that interviews for the forthcoming Board vacancies will be held on 27 October, 3 November and 5 November. The interview panel will consist of John McKeown, senior official from the Department for Employment and Learning; Mike Mullan (HR Director Europe – Moypark) nominated by the CBI; Eugene McGlone, nominated by NIC-ICTU; and an Independent Panel Member, Catherine Hughes, appointed by CPANI. It is expected that the successful candidates will be notified during November 2014 with an appointment date 1 December 2014.</p>	<p>Chair</p>
<p>4.9 Recruitment of LRA CEO</p> <p>Board members met in closed session to discuss arrangements for the recruitment of the LRA CEO.</p>	<p>Chair</p>

<p>5. Chief Executive's Business</p> <p>5.1 International Agencies Meeting – New Zealand, October 2014</p> <p>In line with comments received from Board members, the CEO had written to Judith Scott at the Ministry of Business Innovation and Employment, New Zealand advising that, due to a very restricted budget and pressure of work in terms of vacancies, the Agency would not be attending the meeting this year.</p>	<p>CEO</p>
<p>5.2 Conference Attendance 2014/15</p> <p>The CEO indicated that the Agency budget remained very tight.</p> <p>Following discussion it was agreed that there would be no Board member attendance at conferences, other than local events. However, if members had the opportunity to attend conferences or training through their membership of other organisations they could provide feedback to the Board. Board members are to be notified of local conferences/training events.</p> <p>Following further discussion the Board agreed that, subject to budget, attendance at CIPD or TUC remained open for staff.</p>	<p>DCS/ Secretariat</p> <p>CEO/Dirs</p>
<p>5.3 LRA Public Meeting and Annual Lecture</p> <p>It was noted that last year's launch of the Annual Report & Accounts and the Public Lecture were well received. However, taking into account the budget position, it was agreed that the Chair and CEO discuss the amalgamation, for 2014, of the public meeting and annual lecture.</p>	<p>Chair/CEO</p>
<p>5.4 DEL Consultation on Zero Hours Contract (Paper 18/14)</p> <p>Following discussion the recommended response, as set out in the submitted paper, was approved by the Board subject to the following amendment:</p> <p>Response to Question 14 –</p> <p>1st sentence, 2nd line - delete 'to promote and foster an atmosphere of good employment relations' and replace with 'regarding zero hours contracts.'</p>	<p>CEO</p>
<p>5.5 DEL Review of Employment Law – Submission to DEL Committee (Paper 19/14)</p> <p>Following discussion the Board approved the recommendation, as set out in the submitted paper subject to the following amendments –</p> <p>Early conciliation: line 2 should read 'in employment relations.'</p> <p>SMEs: line 2 add 'independent' before 'employment relations support and advice.'</p>	

<p>Consultative period for collective redundancies: 1st sentence should read ‘In the Agency’s opinion any change relating to the consultative period for fixed term contracts...’</p>	<p>CEO</p>
<p>5.6 Financial Position – DEL Memo dated 1 August 2014 (Paper 20/14)</p> <p>Board members discussed in detail the implications of potential budget cuts as set out in the DEL memo of 1 August 2014. It was noted that the Board has consistently taken the position of filling vacancies on a permanent basis however, if faced with further budget cuts the Agency may not be able to sustain this position. It was noted that such an eventuality may require the prioritisation of the services delivered.</p> <p>It was noted that the Agency was in the process of rent review effective from 1 June 2014.</p> <p>It was further noted that the Chair had raised the budget position with the DEL Permanent Secretary at their recent meeting.</p> <p>Following extensive discussion it was agreed that the CEO keep in regular contact with DEL in respect of the application of budget cuts to the Agency. Board members expressed particular concern that the Agency may be asked during 2015 to provide additional services without the provision of additional resources. Whilst the Agency is to continue to be prudent in relation to budget spend Board members were doubtful that the Agency could agree to provide additional services without additional resources.</p> <p>It was noted that the next LRA/DEL quarterly accountability meeting would take place on 18 September.</p>	<p style="text-align: center;">CEO</p> <p style="text-align: center;">CEO</p>
<p>5.7 Restrictions on Lease – DFP 28 July 2014 (Paper 21/14)</p> <p>It was noted that the leases for the Agency HQ and Regional Office were due to expire in 2019. Recent correspondence received from DFP indicated that all public bodies should be housed within Crown property unless a sound business case was approved by DEL/DFP to the contrary. Following discussion it was agreed that the CEO and DCS enter into discussions with DEL/DFP to examine the implications of the correspondence.</p> <p>It was noted that the CEO and DCS were meeting with Branch Committee representatives this afternoon to brief them on the budget situation. The restrictions on the lease would also be discussed.</p>	<p style="text-align: center;">CEO/DCS</p> <p style="text-align: center;">CEO/DCS</p>
<p>5.8 Reward & Recognition Policy (Paper 22/14)</p> <p>Board members were reminded of the original paper was submitted in June when the Board asked Management to hold further discussions with the JNCC TUS. It was noted that consultation with the TUS JNCC was complete.</p>	

<p>There were no changes to the policy paper. The Board approved the resubmitted paper.</p> <p>It was noted that the liP re-assessment would probably take place in March 2015.</p>	<p>CEO/DCS</p> <p>DCS</p>
<p>5.9 Employment Law Update</p> <p>The Board noted the contents of the table which it was agreed formed a very impressive document. Compliments were paid to the author.</p>	<p>DAS</p>
<p>6. Corporate Correspondence Received Relevant to Board</p> <p>Noted.</p>	
<p>7. Any Other Business</p> <p>The Chair read a card from Hazel Grove thanking the Board for the gift presented to her on her retirement from the Agency. Hazel also thanked the Board for the opportunity to work in the Agency saying that it had been an honour for her and that she could not have imagined any employment which could have been more satisfying.</p>	
<p>8. Date of Next Meeting</p> <p>The next meeting of the Agency Board will take place on Thursday, 25 September 2014 commencing at 10.00 am in the Agency's offices, Gordon Street, Belfast and will be followed by a meeting of the Finance & Personnel Committee.</p>	<p>Secretariat</p>
<p>9. Presentation to Jane Robb on her retirement from the Agency</p> <p>The Chair made a presentation on behalf of the Board to Jane Robb on her retirement from the Agency after 9 years' service.</p>	